

## AUTHENTICATION OF RECORD

THE STATE OF ALABAMA,  
MONTGOMERY COUNTY.

} IN PROBATE COURT.

I, the undersigned, Walker Hobbie, Jr., Presiding Judge and ex-officio Clerk of the Probate Court, within and for the County of Montgomery and State of Alabama, the same being a Court of Record and having a Seal, and I being by law the Clerk thereof, do, as such Clerk, hereby certify and attest that I am duly commissioned and qualified as Judge of said Probate Court, and am now the Presiding Judge thereof. And I further certify that the foregoing is a true and accurate copy of the

Last Will and Testament of Mae Parker Kolen, deceased, as fully and completely  
as the same appears of record in this office and that said will has been duly  
proved and admitted to probate on the 16th day of October, 1985, and recorded  
with the proof thereof in Book 188 of Judicial Records at page 787;

Petition for probate of will and recorded with the proof thereof in Book 188  
of Judicial Records at page 793;

Decree admitting will to probate and granting letters testamentary and recorded  
with the proof thereof in Book 188 of Judicial Records at page 798;

Letters Testamentary and recorded with the proof thereof in Book 188 of  
Judicial Records at page 799.

as the same appears on file and of record upon the Records of said Court; the same having been by me carefully compared with reference thereto;

And I, as Presiding Judge of said Court, do hereby further certify that at the date of this certificate, I am by law of said State of Alabama ex-officio Clerk of said Probate Court, and keeper of its seal, and have custody of its files and records, and am duly authorized to certify as aforesaid, and that the foregoing exemplification of record is duly authenticated, and that attestation is in due form of law.

IN TESTIMONY WHEREOF, I have hereunto set my hand as  
Presiding Judge and Clerk aforesaid and affixed the seal of  
said Probate Court at Montgomery, Alabama, this 9th  
day of December, A.D., 1993.

*Walker Hobbie, Jr.*

Presiding Judge and Ex-Officio Clerk of Probate Court.

12/29/1993-41564  
08:19 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
013 MEL 38.50

Inst # 1993-41564

19934

STATE OF ALABAMA       )  
                              :  
MONTGOMERY COUNTY     )

I, Mae Parker Kolen, a resident of Montgomery County, Alabama, being of sound mind and disposing memory, and being over the age of nineteen years, do hereby make, publish and declare this instrument as and for my Last Will and Testament, and hereby revoke any and all other testamentary dispositions heretofore made by me.

ITEM I

There is no security in this life except having received Jesus Christ as personal Savior and trusting Him in all things. Fully realizing this, if at my death I have any material possessions remaining, I hereby request and direct the following:

ITEM II

I direct that my just debts and funeral expenses shall be paid out of my estate by my Executor or Executors hereinafter named, as soon after my death as may be found practicable.

ITEM III

I give, bequeath and devise my Singer sewing machine to my son, John Michael Kolen, to have and to hold absolutely.

ITEM IV

I give, bequeath and devise my engagement ring to my son, John Michael Kolen, for the use and benefit of my granddaughter, Kelly Ann Kolen. It is my wish that, upon her death, Kelly Ann Kolen devise this ring so as to keep it in our family.

ITEM V

I give, bequeath and devise my gold bracelet and all of my Reed and Barton sterling silver flatware to my son, Robert E. Kolen, Jr., to have and to hold absolutely.

ITEM VI

I give, bequeath and devise my diamond wedding band and my white gold Hamilton watch with two (2) diamonds to my son, Arthur Marshall Kolen, to have and to hold absolutely.

ITEM VII

To my husband, Robert E. Kolen, Sr., if he shall survive me, I devise my house and property located at Route One, Box 23-D, Shelby, Alabama, 35143, during the term of his life, with remainder to my three sons, Robert E. Kolen, Jr., John Michael Kolen and Arthur Marshall Kolen, in equal shares, or if either predeceases me, then to his descendants, per stirpes. I direct that my husband shall pay all charges incident to maintaining said property, including, without limitation, all assessments, insurance premiums, taxes and ordinary repairs. If my husband shall fail to pay any of such charges, then any one or more of my sons may pay the same and shall have a lien against the property in the amount so expended, with interest thereon at the rate of eight percent (8%) per annum, until paid. If the premises are sold, such lien shall be deemed extinguished as to the real property but shall follow and attach to the proceeds of the sale.

ITEM VIII

I give, bequeath and devise all of my certificates of deposit and/or money market certificates which are jointly in mine and my son, John Michael Kolen's name, to my three sons, Robert E. Kolen, Jr., John Michael Kolen and Arthur Marshall Kolen, in equal shares, or if either of them predeceases me, then to his descendants, per stirpes.

ITEM IX

All of my gold and silver coins are to be divided equally among my husband, Robert E. Kolen, Sr., and my three sons, Robert E. Kolen, Jr., John Michael Kolen and Arthur Marshall Kolen, share and share alike, or if either predeceases me,

then to his descendants, per stirpes.

ITEM X

I give, bequeath and devise my king size bedroom suite (gold in color) to my son, Robert E. Kolen, Jr.

ITEM XI

All the rest, residue and remainder of my estate of whatsoever kind and character, and wheresoever situated, of which I shall die seized and possessed, or to which I may be entitled at the time of my death, I hereby give, bequeath and devise to my husband, Robert E. Kolen, Sr., or if he predeceases me, to my three sons, Robert E. Kolen, Jr., John Michael Kolen and Arthur Marshall Kolen, in equal shares; or if either of them predeceases me, then to his descendants, per stirpes.

ITEM XII

I hereby nominate and appoint my husband, Robert E. Kolen, Sr., as Executor of this, my Last Will and Testament, and hereby exempt him from giving any bond as such Executor.

In the event my said husband, Robert E. Kolen, Sr., predeceases me or fails to qualify as my Executor, or having qualified should die, resign or become incapable of acting as Executor, then I nominate and appoint my sons, Robert E. Kolen, Jr. and John Michael Kolen, as Co-Executors, likewise without bond. If either, Robert E. Kolen, Jr. or John Michael Kolen predeceases me or fails to qualify as my Executor, or having qualified should die, resign or become incapable of acting as Executor, then I direct that the survivor serve as Co-Executor with my son, Arthur Marshall Kolen, likewise without bond.

ITEM XIII

It is my will and I hereby direct that my said Executor or Executors shall not be required to file any inventory in or to make any report to or settlement with any court insofar as the administration of my estate is concerned, it being my

wish, will and direction that no court proceedings shall be had in the administration of my estate except the probate of this will and the issuance of Letters Testamentary thereunder.

ITEM XIV

I hereby authorize and empower my said Executor or Executors to have and exercise full control of all matters pertaining to the settlement of my affairs and my estate, and I hereby authorize him or them to sell and dispose of any or all of my effects and property, real, personal or mixed, according to his or their best judgment, whenever he or they see fit to do so and at such prices and in such manner and upon such terms as he or they may think best, without the order of any court whatsoever. And I hereby authorize and empower my said Executor or Executors to make and execute all necessary deeds and conveyances to any of my property, real, personal or mixed, the same as I could do myself, if living, and without the order of any court whatsoever.

ITEM XV

My primary concern is for my sons to be the spiritual leaders of their families as the Lord directed, to love Him above all, and to love each other and their earthly father, if he survives me, and that we will all meet in Heaven some day.

IN WITNESS WHEREOF, I, the said Mae Parker Kolen, have hereunto set my hand and seal, on this the 23 day of November, 1982.

Mae Parker Kolen (L.S.)  
Mae Parker Kolen

Signed, sealed and published by  
the said Mae Parker Kolen as her  
last will and testament, in the

presence of us, who, at her request and in her presence and in the presence of each other, have hereunto subscribed our names as witnesses:

Betty A. Brook

Lynn Markwell

Jean M. Millie

STATE OF ALABAMA  
SHERIFF COUNTY  
1905 OCT - 8 P 4: 46  
JUDGE OF  
JANUARY 19 1906

PETITION FOR PROBATE OF WILL

The State of Alabama )  
MONTGOMERY COUNTY )

PROBATE COURT  
NO. 19934

Petition of Robert E. Kolen, Sr. for the Probate of the Will  
of Mae Parker Kolen Deceased.

To the Hon. Walker Hobbie, Jr., Judge of Probate Court, Montgomery County:

The petition of the undersigned Robert E. Kolen, Sr. respectfully  
represents unto your Honor that Mae Parker Kolen who was at the time of  
her death an inhabitant of this County, departed this life at Montgomery, Alabama,  
on or about the 4th day of October 1983 leaving assets in  
this State, and leaving a last Will and Testament duly signed and published by her  
and attested by Betty S. Brook, Lynn Markwell and Jesse M. Williams, III  
who reside in this county.

Your petitioner herewith propounds said will in which, as he verily believes he is named  
Executor

Your petitioner further represents that XXXXXX the names, ages, and residence of the next of kin are as  
follows, to-wit: Robert E. Kolen, Jr., son, Birmingham, Alabama  
Arthur Marshall Kolen, son, Montgomery, Alabama  
John Michael Kolen, son, Montgomery, Alabama  
all over the age of nineteen years.

That XXXXXX all of the next of kin are of sound mind; that  
XXXXXX Your petitioner therefore prays that a day may be set for the hearing of this application,  
that due notice thereof may be given to said XXXXXX next of kin, XXXXXX  
XXXXXX and that said attesting witnesses may be subpoenaed to ap-  
pear and testify on said appointed day; and that such other proceedings, orders and decrees may be  
had and made in the premises, as may be necessary, to effect the due probate and record of said will.

Petitioner further prays that Letters Testamentary issue forthwith to him  
without bond, as provided in said will.

Post Office Address:

Lay Lake, Columbiana, Alabama 35051

Robert E. Kolen, Sr.

Petitioner.

THE STATE OF ALABAMA,  
MONTGOMERY COUNTY.

Robert E. Kolen, Sr.

being

duly sworn, deposes and says that the facts averred in the above petition are true, according to the best of  
knowledge, information and belief.

Subscribed and sworn to before me,

this 7<sup>th</sup> day of October 19 85

Betty S. Brook  
Notary Public, Montgomery County

Attorney For Petitioner: Jesse M. Williams, III  
P. O. Box 270, Montgomery, AL 36195

**WAIVER ON PROBATE OF WILL  
IN THE MATTER OF THE PROBATE OF THE WILL OF  
MAE PARKER KOLEN DECEASED**

STATE OF ALABAMA,  
MONTGOMERY COUNTY. }

I, Robert E. Kolen, Sr., of the City of \_\_\_\_\_  
State of Alabama, the husband of the deceased,  
and over the age of ~~twenty-one~~ <sup>nineteen</sup> years, do hereby accept service and waive notice of the petition of  
Robert E. Kolen, Sr. to probate the will of Mae Parker Kolen

I do hereby waive notice either by personal service or by publication and consent and request that said will  
which bears date of November 23, 1985 and is attested  
by Betty S. Brook, Lynn Markwell and Jesse M. Williams, III,  
be immediately admitted to probate without further notice of any kind to me, and the Executor \_\_\_\_\_ be  
appointed as provided therein.

WITNESS my hand this 7<sup>th</sup> day of October, 1985.

Robert E. Kolen Sr.  
Robert E. Kolen, Sr.

THE STATE OF ALABAMA  
MONTGOMERY COUNTY. }

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify  
that Robert E. Kolen, Sr. whose name is signed to the foregoing waiver and consent, and who  
is known to me, acknowledged before me on this day that, being informed of, and understanding, the contents  
of the waiver and consent, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of October, 1985.

Betty S. Brook, State of Alabama  
Notary Public County  
at Large



**WAIVER ON PROBATE OF WILL  
IN THE MATTER OF THE PROBATE OF THE WILL OF**

MAE PARKER KOLEN **DECEASED**

STATE OF ALABAMA, }  
MONTGOMERY COUNTY. }

I, Robert E. Kolen, Jr., of the City of Birmingham  
State of Alabama, the son of the deceased,  
and over the age of <sup>nineteen</sup>~~twenty-one~~ years, do hereby accept service and waive notice of the petition of  
Robert E. Kolen, Sr. to probate the will of Mae Parker Kolen

I do hereby waive notice either by personal service or by publication and consent and request that said will  
which bears date of November 23, 1982 and is attested  
by Betty S. Brook, Lynn Markwell and Jesse M. Williams, III,  
be immediately admitted to probate without further notice of any kind to me, and the Executor or be  
appointed as provided therein.

WITNESS my hand this 7<sup>th</sup> day of October, 1985.

Robert E. Kolen, Jr.  
Robert E. Kolen, Jr.

THE STATE OF ALABAMA }  
MONTGOMERY COUNTY. }

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify  
that Robert E. Kolen, Jr. whose name is signed to the foregoing waiver and consent, and who  
is known to me, acknowledged before me on this day that, being informed of, and understanding, the contents  
of the waiver and consent, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of October, 1985.

Betty S. Brook, State of Alabama  
Notary Public County  
at Large

**WAIVER ON PROBATE OF WILL  
IN THE MATTER OF THE PROBATE OF THE WILL OF  
MAE PARKER KOLEN  
DECEASED**

STATE OF ALABAMA, }  
MONTGOMERY COUNTY. }

I, Arthur Marshall Kolen, of the City of Montgomery  
State of Alabama, the son of the deceased,  
and over the age of nineteen years, do hereby accept service and waive notice of the petition of  
Robert E. Kolen, Sr. to probate the will of Mae Parker Kolen

I do hereby waive notice either by personal service or by publication and consent and request that said will  
which bears date of November 23, 1982 and is attested  
by Betty S. Brook, Lynn Markwell and Jesse M. Williams, III  
be immediately admitted to probate without further notice of any kind to me, and the Executor                      be  
appointed as provided therein.

WITNESS my hand this 7<sup>th</sup> day of October, 1985.  
Arthur Marshall Kolen  
Arthur Marshall Kolen

THE STATE OF ALABAMA }  
MONTGOMERY COUNTY. }

I, the undersigned authority                     , a Notary Public in and for said County and State, hereby certify  
that Arthur Marshall Kolen whose name is signed to the foregoing waiver and consent, and who  
is known to me, acknowledged before me on this day that, being informed of, and understanding, the contents  
of the waiver and consent, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of October, 1985.  
Betty S. Brook, State of Alabama  
Notary Public County at Large

WAIVER ON PROBATE OF WILL  
IN THE MATTER OF THE PROBATE OF THE WILL OF  
MAE PARKER KOLEN, DECEASED

STATE OF ALABAMA,  
MONTGOMERY COUNTY. }

I, John Michael Kolen, of the City of Montgomery  
State of Alabama, the son of the deceased,  
and over the age of nineteen years, do hereby accept service and waive notice of the petition of  
Robert E. Kolen, Sr. to probate the will of Mae Parker Kolen

I do hereby waive notice either by personal service or by publication and consent and request that said will  
which bears date of November 23, 1982 and is attested  
by Betty S. Brook, Lynn Markwell and Jesse M. Williams, III  
be immediately admitted to probate without further notice of any kind to me, and the Executor be  
appointed as provided therein.

WITNESS my hand this 7<sup>th</sup> day of October, 1985.

John Michael Kolen  
John Michael Kolen

THE STATE OF ALABAMA  
MONTGOMERY COUNTY. }

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify  
that John Michael Kolen whose name is signed to the foregoing waiver and consent, and who  
is known to me, acknowledged before me on this day that, being informed of, and understanding, the contents  
of the waiver and consent, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of October, 1985.

Betty S. Brook, State of Alabama  
Notary Public County  
at Large

STATE OF ALABAMA  
MONTGOMERY COUNTY

PROBATE COURT  
No. 19934

DECREE ADMITTING WILL TO  
PROBATE AND GRANTING LETTERS  
TESTAMENTARY

IN THE MATTER OF THE ESTATE OF MAE PARKER KOLEN  
DECEASED.

This matter came on this day to be heard, on the application of ROBERT E. KOLEN, SR.

to admit to probate and record the last will and testament

of MAE PARKER KOLEN

deceased, late an inhabitant of this County, heretofore filed in this Court;

And it having been shown to the satisfaction of the Court that all things have been done pursuant to the laws of this State ~~and to the former order of this Court~~

And the subscribing witnesses to said instrument appearing to be Betty S. Brook,  
Lynn Markwell and Jesse M. Williams, III

and Betty S. Brook

a subscribing witness thereto this day appeared in open Court and having been duly sworn, testified to the due execution and attestation of said Will which testimony was reduced to writing, was subscribed by Betty S. Brook

and was filed herein.

WHEREUPON the Court finds that the aforesaid instrument of writing is the last will and testament of the said MAE PARKER KOLEN deceased, that it was duly executed and attested; and that the said testat rix at the time of signing her said will was of full age and sound mind and disposing memory and understanding.

THEREFORE, the Court being satisfied as to its jurisdiction herein, it is ordered, adjudged and decreed by the Court that said instrument of writing purporting to be the last will and testament of MAE PARKER KOLEN, deceased, is hereby declared to be duly proved as the last will and testament of said decedent, and as such admitted to probate and ordered to be recorded, together with the testimony of the witness reduced to writing and duly signed, and all other papers on file relating to this proceeding;

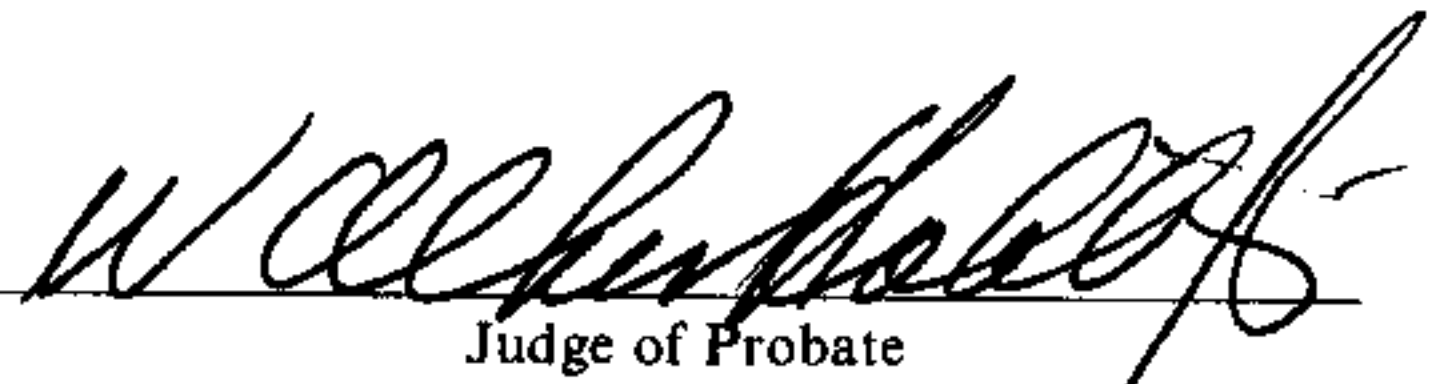
And it appearing to the Court that said testat rix by an express provision in said will to that effect named ROBERT E. KOLEN, SR. as Executor thereof, and exempted him from giving bond as such, and that said ROBERT E. KOLEN, SR. in no way disqualified from serving as such;

IT IS further ordered, adjudged and decreed by the Court that the said ROBERT E. KOLEN, SR. be and he is hereby appointed Executor of the will of said decedent, and Letters Testamentary issue forthwith to him without bond, as provided in said will;

It is further ordered that said Execut or pay the costs in this proceeding

for which let execution issue.

DONE this 16th day of October, 19 85

  
Judge of Probate

## LETTERS TESTAMENTARY

THE STATE OF ALABAMA,  
MONTGOMERY COUNTY

Probate Court,

No. 19934

THE WILL OF MAE PARKER KOLEN

of the said County, having been duly proven and admitted to record in said County,

LETTERS TESTAMENTARY are hereby granted to

ROBERT E. KOLEN, SR.

the Execut<sup>or</sup> named in said WILL, who ha<sup>s</sup> complied with the requisition of the law,and <sup>is</sup> authorized to take upon h<sup>im</sup>sel<sup>f</sup> the execution of such WILL,

Dated this 16th day of October 1985.

  
Judge of Probate Court, Montgomery Co.

Inst # 1993-41564

12/29/1993-41564  
08:19 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
013 MEL 38.50