

STATE OF ALABAMA)
COUNTY OF ETOWAH)

Last Will and Testament

I, OPAL PAYNE ROSE, 449 Wildhaven Circle, Gadsden, Alabama, being of sound mind and disposing memory, do hereby make and declare this to be my last will and testament, hereby revoking all other wills or documents testamentary by me heretofore made.

ITEM I

FIRST: I direct that all my just debts and funeral expenses be paid by my executor or alternate executrix, hereinafter named, as soon after my death as he, or she, may deem practical.

ITEM II

SECOND: I hereby will, devise and bequeath unto my husband, ERNEST MCKENZIE ROSE, all of the property, both real and personal, of which I may die, seized and possessed, it being my intention to bequeath unto him absolutely all of my personal property and to devise unto him in fee simple all of my real property.

ITEM III

THIRD: In the event my said husband, ERNEST MCKENZIE ROSE, shall have died before me or in the event we should both die as a result of a common disaster, then and in that event I will, devise and bequeath unto my sister, MELBA JUANITA PAYNE CASTEEN, all of the property of which I may die, seized and possessed, real and personal, in trust, however, for the following purpose: My said trustee shall use my said estate for the welfare, support, medical expense and upkeep of my mother, MRS. DOSIA PAYNE, it being my intention that all of her needs shall be cared for as long as she shall live, from the proceeds of my estate and to the fullest extent thereof. Reposing full confidence

TESTATRIX

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in the integrity of my said trustee, I relieve her from making any bond or any accounting as such trustee. Upon the death of my mother, Mrs. Dosia Payne, said trust shall terminate and the remainder of my said estate shall pass absolutely and in fee simple to the said MELBA JUANITA PAYNE CHASTEEN, or to her lineal descendants, per stirpes, share and share alike,

ITEM IV

FOURTH: I hereby nominate and appoint my said husband, ERNEST MCKENZIE ROSE, to be executor of this my last will and testament, and in the event my said husband has predeceased me or declines to act as executor of my will, then I nominate and appoint my sister, MELBA JUANITA PAYNE CHASTEEN, to be alternate executrix of my will. I further direct that in either event my said executor, or my said alternate executrix, shall not be required to give any bond or make any report to any Court, or make any accounting to any Court or person for and of the performance of his, or her, duties as such executor, or alternate executrix.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this the 15th day of February, A. D., 1965.

Opal Payne Rose
TESTATRIX

Edward H. Caplan
Beth Bridges
Witnesses

Signed, sealed, published and declared by OPAL PAYNE ROSE as her last will and testament in our presence, who, at her request, and in her presence, and in the presence of each other, subscribed our names as witnesses hereto.

Edward H. Caplan
Beth Bridges



THE STATE OF ALABAMA:
THE COUNTY OF ETOWAH:

I, Lee Wofford, Judge of Probate Court in and for said County and State do hereby certify that the within instrument in writing has this day in said Court and before me as the Judge thereof been duly proven to be the genuine last Will and Testament of OPAL PAYNE ROSE, deceased, and that said Will together with the Proof thereof has been duly recorded in this office in Will Record _____ at Pages _____ thereof.

IN WITNESS OF ALL OF WHICH, I have hereunto set my hand and the seal of the Probate Court on this 22nd day of OCTOBER, 19 87.


JUDGE OF THE PROBATE COURT
ETOWAH COUNTY, ALABAMA

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