

Last Will and Testament

Wife

I, PEGGY MOTES LOWERY presently residing at

434 Hwy 260 Maylene AL 35114

do hereby make, publish and declare this to be my Last Will and Testament and do hereby revoke any and all other Wills and Codicils heretofore made by me.

First. I am married to JACK DEMPSEY LOWERY

Second. I order and direct that my just debts and funeral expenses, expenses for administration of my estate and any inheritance and succession taxes, state or federal, upon my estate shall be paid as soon after my death as may be practical.

Third. I give all my estate to my husband. In the event that my said husband shall predecease me or fails to survive me for sixty (60) days, I give all my estate to my children, if any, who survive me in equal shares, per stirpes. If I am survived by neither my husband, nor children, then I give my estate to:

MY GRANDCHILDREN

to be his/ hers/ theirs in equal shares or their survivor.

Fourth. I nominate and appoint my husband as Executor of this Will. In the event that my husband shall predecease me or fails to survive me or fails to serve as such Executor then in such event, I nominate and appoint my daughter,

KATHY D. LEODLER

, Executor/ Executrix of this my Last Will and Testament. I further direct that no appointee hereunder shall be required to give any bond for the faithful performance of his/ her duties.

Fifth. I hereby authorize my Executor/ Executrix to exercise all the powers, rights, discretions, duties and immunities conferred upon fiduciaries to the extent permitted by law with full power to sell, lease, mortgage, invest, reinvest, or otherwise dispose of the assets of my estate.

I subscribe my name to this Will this 5th Day of December, 1994

at Birmingham Alabama

Peggy M. Lowery
(Sign here)

Inst # 1994-36061

12/08/1994-36061
09:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCD 13.50

Signed, sealed, published and declared to be her Last Will and Testament by the within named Testator in the presence of us, who in her presence and at her request, and in the presence of each other, have hereunto subscribed our names as witnesses:

- (1) Clarence N. Petty of Birmingham, AL
(City) (State)
(2) Roy Cooper Wadsworth of Gadsden, AL
(City) (State)
(3) William J. McLain of Birmingham, AL
(City) (State)

Affidavit

State of Alabama) City
or
County of Jefferson) Town Birmingham

Personally appeared (1) Clarence N. Petty
(2) Roy Cooper Wadsworth and (3) William J. McLain, Jr.

who being duly sworn, depose and say that they attested the said Will and they subscribed the same at the request and in the presence of the said Testator and in the presence of each other, and the said Testator, signed said Will in their presence and acknowledged that she had signed said Will and declared the same to be her Last Will and Testament, and deponents further state that at the time of the execution of said Will the said Testator appeared to be of lawful age and sound mind and memory and there was no evidence of undue influence. The deponents make this Affidavit at the request of the Testator.

- (1) Clarence N. Petty
(2) Roy Cooper Wadsworth
(3) William J. McLain, Jr.

Subscribed and sworn to before me this 6th day of Dec., 19 94.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Sept. 13, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Bobby J. Patterson
(Notary Public)

(Notary Seal)

LAST WILL & TESTAMENT
OF
PEGGY M. LOWERY
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In the event that my husband, Jack D. Lowery, and I, Peggy M. Lowery, should die simultaneously, my estate will be divided equally among our six (6) children, Victor Johnny Lowery, Scott Lowery, Michael Green, Kathy Leodler, Paula Coker, & Dewayne Coker - with the following exceptions:

My personal items listed below are to be divided between my daughter, Kathy Leodler, and my son, Michael. Items to be divided as they see fit.

1. Car
2. 38 pistol
3. Cell phone
4. Jewelry
5. Clothes
6. Piano
7. Stereo system
8. TV & VCR
9. Video tapes, CD's, cassette tapes
10. Purple glassware & other glassware
11. Any other items of furniture, lamps, etc.
which I brought into the marriage.

Peggy M. Lowery
Signed

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th
DAY OF Dec., 1994

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Sept. 13, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Robb J. Patterson
Inst. # 1994BB0061

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