

Last Will and Testament

Husband

12/08/1994-36062
09:15 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD Presently residing at

I, Jack Dempsey Lowery

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 Peggy Motes 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 wife. In the event that my said wife 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 wife, nor children, then I give my estate to: grandchildren & step-grandchildren

* and step children with the following exception:
To my daughter, Carolyn Bearden, the sum total amount of \$1.00.

~~SEE 3B BELOW~~

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

Fourth. I nominate and appoint my wife as Executrix of this Will. In the event that my wife shall predecease me or fails to survive me or fails to serve as such Executrix then in such event, I nominate and appoint my step-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, 19 94

at Alabaster, Alabama

(Sign here)

** 3B: To my oldest son, Victor Johnny: 357 Magnum Smith & Wesson,
44 Magnum, hydraulic jack with tools.

All other tools to be divided equally between my sons,
Johnny and Scott.

In the event my wife, Peggy, and I die simultaneously, the remaining
of my estate to be divided equally among my six children:
Victor Johnny, Scott Lowery, Michael Green, Kathy Leodler,
DeWayne Coker, & Paula Coker.

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

(1) Molly Hull of Alabaster Al
(City) (State)
(2) Angela Thomas of Alabaster Al
(City) (State)
(3) Jean H. Webb of Alabaster Al
(City) (State)

Affidavit

State of Alabama) City
or
County of Shelby) Town Alabaster

Personally appeared (1) Molly Hull

(2) Angela Thomas and (3) Jean H Webb
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 he had signed said Will and declared the same to be his 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) Molly Hull
(2) Angela Thomas
(3) Jean H. Webb

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

Mary L Jones
(Notary Public)

(Notary Seal)

Inst # 1994-36062

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003 MCD 13.50