

Last Will and Testament

OF

JOSEPH EARL WHITE

Inst # 1996-08644

03/15/1996-08644
03:05 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, JOSEPH EARL WHITE, residing in, Shelby County, Alabama, being over the age of nineteen (19) years, being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, hereby revoking all former Wills and Codicils which may have been at any time heretofore made by me.

FIRST: I hereby direct that all of my just debts, funeral expenses, expenses of my last illness, if any, and the costs of administration of my estate be paid as soon after my death as practicable.

SECOND: I bequeath and devise all my worldly goods and possessions, whether real, personal or mixed, tangible or intangible, of whatsoever nature and wheresoever situated, including my home and land located at Highway 61, Greenwood Drive, Westover, Alabama and all such property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises, to my grandchildren, Christopher Hugh White, and Carol Odessa White, share and share alike, per stirpes, except for the following:

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- A. To my brother, Earnest Lee White, I devise and bequeath my gold necklace.
 - B. To my grandson, Christopher Hugh White, I devise and bequeath my 1995 Mercury Cougar automobile.
 - C. To my daughter, Sybil Odessa White, I devise and bequeath my love and affection.
 - D. To my son Earnest Farrel White, I devise and bequeath my love and affection.
 - E. To my son Farris Earl White, I devise and bequeath my love and affection.

THIRD: All the rest, residue and remainder of my property which I may own or be entitled to at the time of my demise, and all property as directed in the foregoing paragraphs, I hereby give and bequeath to my grandchildren, Christopher Hugh White and Carol Odessa White, share and share alike, per stirpes.

FOURTH: If either of my grandchildren referred to above are under the age of majority at the time of my demise, I hereby appoint my brother, Earnest Lee White, trustee of said estate. The Trustee of said trust is hereby directed to use said monies for the benefit, support, maintenance and education of my Grandchildren, Christopher Hugh White and Carol Odessa White. Said Trustee is further directed to accumulate the balance of the interest on said corpus to be distributed at the termination of said trust.

Said Trustee shall further use said property to pay or expend on behalf of my grandchildren, Christopher Hugh White and Carol Odessa White, as much as said Trustee deems advisable to provide properly for their maintenance, education and support until said child reaches the age of twenty-one (21) years, whereupon said trust shall terminate and said Trustee shall deliver to said grandchild the corpus of said trust, in equal shares, per stirpes and not per capita. Provided further, that the real property listed above shall not be liquidated, but shall be handed down by generation to generation. In the event said Trustee predeceases me, or for any reason shall fail to qualify as Trustee hereunder, or having qualified, shall die or resign, then, and in either of such events, I hereby direct that nephew, Timothy Earnest White, residing at the time of this writing in the State of Texas, be appointed as alternate Trustee of said trust, and if necessary it is my request that he employ Attorney William E. Swatek to assist him.

FIFTH: I hereby nominate and appoint my brother, Earnest Lee White, Executor of this my Last Will and Testament, and to serve a same without being required furnish bond or security. In the event that he shall predecease me, or for any reason shall fail to qualify as Executor hereunder, or having qualified, shall die or resign, then, and in either of such events, I hereby direct that Nephew, Timothy Earnest White, be appointed as Executor hereunder and that he shall so serve without being required to furnish bond or security in any jurisdiction.

SIXTH: I fully authorize and empower the Executor the full power to invest, reinvest, exchange, manage, control, and in any way, use, and deal with, any and all property of my estate, without application to any Court, or Judge thereof, for leave or confirmation, unless the same shall be expressly required by law.

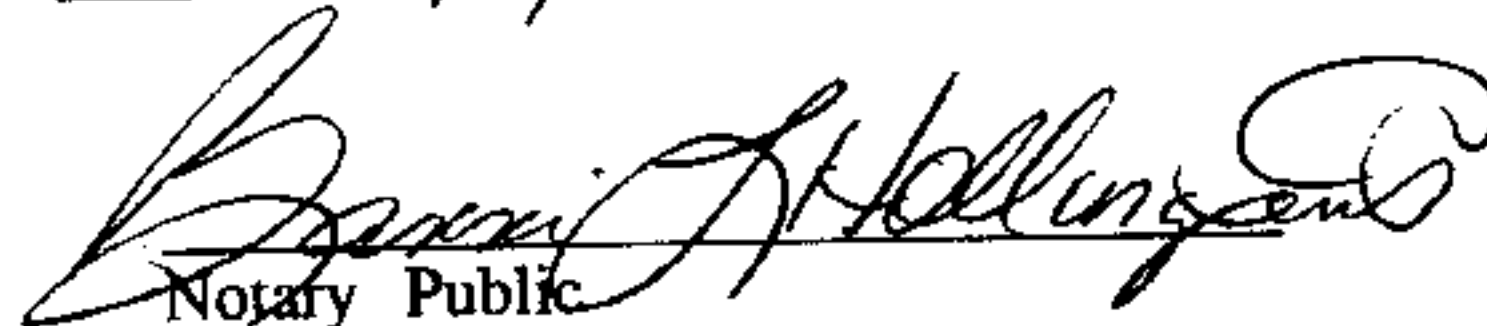
IN WITNESS WHEREOF, I, JOSEPH EARL WHITE, have hereunto set my hand and seal this 1st day of MARCH, 1996, declaring this instrument to be my LAST WILL AND TESTAMENT.


JOSEPH EARL WHITE

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned Notary Public, in and for said County, in said State, personally appeared JOSEPH EARL WHITE, who being known to me and being by me first duly sworn, under oath, states that he has signed this Last Will and Testament willingly and is not under any undue restraint or influence to sign same.

Sworn to and subscribed before me this the 1st day of March, 1996.


Notary Public

My Commission Expires:

11/21/99

ATTESTING WITNESSES:

On this the 15th day of March, 1996, the above named Testator, JOSEPH EARL WHITE, signed, published and declared the foregoing instrument as and for his Last Will and Testament, consisting of 3 pages, who, in his presence, at his request, and in the presence of each other, all being present at the same time, the Testator first, have hereunto subscribed our names as attesting witnesses.

Beat Shurt
Witness

230 Bearden Rd
Address

Pelham, AL 35124

Brenda M. Rucker
Witness

230 Bearden Rd.
Address

Pelham, AL 35124

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