

IN THE MATTER OF THE ESTATE OF)

PROBATE COURT

LOU ELLEN GLEASON

Deceased)

OF JEFFERSON COUNTY, ALABAMA

CASE NO.

32213

BESSEMER DIVISION

PETITION FOR PROBATE OF WILL
(Self-Proved Will)

Comes the petitioner, Harvey Edward Fitts, and shows this Court the following facts:

1. Lou Ellen Gleason
Florida on or about the 1st day of October, 1995 (the "decedent") died testate at Tampa,
and, at the time of such death, was an inhabitant of Jefferson County, Alabama

2. Surrendered herewith is the decedent's last will and testament (and all codicils thereto) naming the petitioner as executor thereof, which was (were) duly signed by the decedent when over eighteen (18) years of age, and was (were) attested by the following witnesses:

Name

• Present Address

Ethel Vines
Evelyn Hoster

Bessemer, AL
Deceased

3. The decedent's last will and testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of Ala. Code §43-8-132. The name and present address of the officer authorized to administer oaths before whom said will was acknowledged are as follows:

Lee Bains 1813 Third Avenue, North, Bessemer, AL 35020

4. The following is a true, correct and complete list of the names, ages, conditions, relationships and addresses of the decedent's surviving spouse and next-of-kin (as determined by Application of Ala. Code §43-8-42):

03/22/1996-09396
01:55 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
012 NCD 36.00

Mike A.

Inst # 1996-09396

Name, age, condition, relationship

✓ Edythe Gleason Cornell, an adult, daughter
 ✓ Elizabeth Gleason Arango, an adult, daughter
 ✓ John Wesley Gleason, an adult, son
 ✓ HARVEY EDWARD FITTS, An adult, grandson

Address

780 Lewis Rd., Deatsville, AL 36022
 12091 Dempsey Rd., Brooksville, FL 34601
 106 Elm Lane, Pass Christian, Mississippi
 1350 Brookview Trail, Bess. AL 35020

WHEREFORE, the petitioner prays that this Court will take jurisdiction of this petition, will cause all such notice or citations to issue to the said surviving spouse, next-of-kin, attesting witnesses, and oath-administering officer, as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said will (and all codicils thereto) as the last will and testament of the decedent. This petition is deemed to be verified pursuant to Ala. Code §43-8-22.

Attorney for Petitioner:

Jon B. Terry

Bains & Terry

(Firm Name)

1813 Third Avenue, North

Address

Bessemer, AL

35020

zip code

Telephone (205) 425 - 1606

Harvey Edward Fitts
 Signature of Petitioner

Harvey Edward Fitts

(Name of Petitioner)

1350 Brookview Trail

Address

Bessemer, AL

35020

zip code

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, on the 13th day of March, 1996, and set for hearing the 13th day of March, 1996, prayer granted will probated and ordered recorded.

James V. Reynolds
 Judge of Probate

PETITION FOR PROBATE OF WILL
 (SELF-PROVED WILL)
 (Code 1975, §43-8-160, et seq., §§43-8-132 and 133)

B'HAM BAR ASS'N FORM NO. 3B.02
 (Revised May 1990)
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ORDER PROBATING LAST WILL ON FILING (WITH WAIVERS)

B - PROBATE - 42

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
BESSEMER DIVISION

LOU ELLEN GLEASON

Deceased

CASE NO. 32213

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Harvey Edward Fitts and filed
a petition in writing, under oath, therewith producing and filing in this court an instrument of writing purporting
to be the last will and testament of Lou Ellen Gleason,
deceased, bearing date the 18th day of November, 19 82,
and attested by Ethel Vines, Evelyn Hoster, and Lee Bains;
and praying that the same be probated as provided by law; that petitioner _____
is the grandson _____ of said deceased, and _____ is
named in said will as executor _____ thereof; and that the next of kin of said deceased are as follows,
to-wit: Edythe Gleason Connell, daughter, Deatsville, Al; Elizabeth Gleason Arango,
daughter, Brooksville, Fl; John Wesley Gleason, son, Pass Christian, MS; Harvey
Edward Fitts, grandson, Bessemer, Al each of whom is over twenty-one years of age.

And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate
said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence
that the signature s affixed to said waiver s of notice and acceptance s of service s are the
genuine signature s of said next of kin; now, on motion of said petitioner _____, the court proceeds to hear
said petition; and, after due proof and hearing had according to the laws of this state, the court is satisfied and
is of the opinion that said instrument is the genuine last will and testament of said deceased, and that such instrument
should be probated as the last will and testament of said deceased. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the court that said instrument be duly admitted to probate as the
last will and testament of said Lou Ellen Gleason,
deceased, and ordered to be recorded together with the proof thereof and all other papers on file relating to this
proceeding. It is further ordered that petitioner _____, pay the costs of this proceeding.

DONE this date, March 13, 1996

George R. Reynolds
Judge of Probate

CERTIFICATE TO THE PROBATE OF WILL WITH WILL ANNEXED

The State of Alabama

JEFFERSON COUNTY
BESSEMER DIVISION

CASE NO. 32213

I, George R. Reynolds, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing has _____ this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament _____ of Lou Ellen Gleason _____ Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume _____, Page _____.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date March 13, 1996.

George R. Reynolds, Judge of Probate.

STATE OF ALABAMA)
JEFFERSON COUNTY)

(111113215)

LAST WILL AND TESTAMENT OF
LOU ELLEN GLEASON

I, Lou Ellen Gleason, residing at 1801 Avenue "K",
Lipscomb, Bessemer Division of Jefferson County, Alabama, being an adult
over nineteen years of age and of sound and disposing mind and memory,
do make, publish and declare this instrument as and for my Last Will and
Testament, hereby revoking any and all other wills and codicils thereto
heretofore made by me.

ITEM ONE: I direct that all of my just debts, including the
expenses of my last illness and funeral shall first be paid out of my
estate by my Executrix, hereinafter named, as soon as practicable after
my death.

ITEM TWO: All of the rest, residue and remainder of my
property, of whatsoever kind and character and wheresoever situated,
I give, bequeath and devise unto my beloved daughters, Blakey Fitts,
Edith Connell, and Elizabeth Arango, share and share alike, per capita.

ITEM THREE: I am making no provision in this will for my
son, John Wesley Gleason, because he has abandoned me and our family
and he has made no contact with me over the years and no remembrance
for many years.

ITEM FOUR: I nominate and appoint my daughter, Blakey
Fitts, as the Sole Executrix of this my last Will and Testament,
without bond, and I exempt her from filing an inventory or making any
report to any court and I grant to her during the administration of my
estate each and every power that I could exercise if I were living,
including, but not limited to the power to sell any and all property
in my estate at public or private sale without authority from or report
to any court, and to make division of my estate into shares either in
property or in cash, or partly in property and partly in cash, and to
that end to determine the value of any and all property in my estate
and the identity of the party entitled to receive the same, all free
from the control and supervision of the Probate Court or any other court.

I, Lou Ellen Gleason, the Testatrix, sign my name to this instrument this 18th day of November, 1982, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly and that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Lou Ellen Gleason
Testatrix

We, Ethel Vines and Evelyn Hoster, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this will as witness to the Testatrix's signing, and that to the best of our knowledge the Testatrix is nineteen years of age or older, of sound mind and under no constraint or undue influence.

Ethel Vines
Evelyn Hoster
Witnesses

STATE OF ALABAMA)
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by Lou Ellen Gleason, the Testatrix, and subscribed and sworn to before me by Ethel Vines and Evelyn Hoster, witnesses, this 18th day of November, 1982.

Filed in office this 18th day of November, 1982, for probate and record.
Notary Public

James H. Bynum
Judge of Probate

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
BESSEMER DIVISION

LOU ELLEN GLEASON

Deceased

CASE NO. 32213

LETTERS OF ADMINISTRATION
WITH WILL ANNEXED

TO ALL WHOM IT MAY CONCERN:

/With Will Annexed

Letters of Administration on the above-named deceased are hereby granted to Harvey Edward Fitts who has duly qualified and given bond in the amount of \$ 10,000.00 as such Personal Representative, and is authorized to administer such estate. Subject to the priorities stated in §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as amended).

March 13, 1996

WITNESS my hand this date, _____.



Judge of Probate

I, Grover Dunn, Deputy Judge of the Court of Probate of Jefferson County, Alabama, Bessemer Division, hereby certify that the foregoing is a true, correct and full copy of the Letters of Administration issued in the above-styled cause as appears of record in said Court. I further certify that said Letters are still in full force and effect.

WITNESS my hand and seal of said Court this date, _____.

Deputy Judge of Probate
Bessemer Division

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

FEBRUARY TERM 1996

LOU ELLEN GLEASON

Deceased.

CASE NO. 32213

BESSEMER DIVISION

ORDER GRANTING LETTERS OF ADMINISTRATION
WITH WILL ANNEXED

This day came Harvey Edward Fitts and filed an
application in writing and under oath, alleging that Lou Ellen Gleason
County, who at the time of her death was an inhabitant of this
County, died intestate, on or about the 1st day of October 1995, leaving assets
in this State, both real and personal, the estimated value of which is \$ 5,000.00

That the death of the intestate has been known more than five days; and that petitioner is the grandson
of said deceased; and praying that Letters of Administration may be granted to him upon his entering
into bond in such sum and with such securities as are required by law; and said petitioner having filed bond as
such Administrator or in the sum of Ten Thousand and No/100
Dollars, with Western Surety Company
as security thereon, payable and conditioned as the law directs, and approved by the Judge of this Court.

It is ordered, adjudged and decreed by the Court that said
Harvey Edward Fitts be and is hereby appointed
Administrator or of said estate, and that Letters of Administration on said estate do issue to him forthwith.

It is further ordered, adjudged and decreed by the Court that said
Harvey Edward Fitts, as such Administrator, proceed immediately to collect and
take into his possession the goods and chattels, monies, books, papers and evidences of debt of the deceased,
except the personal property specifically exempted from administration under Title 43-8-110 and 43-8-111, 1975,
Code of Alabama, and to make and return to this Court within two months, a full and complete inventory of the same.

DONE this date, March 13, 1996

George R. Reynolds
Judge of Probate

ORDER GRANTING LETTERS OF ADMINISTRATION

IN THE MATTER OF THE ESTATE OF)

PROBATE COURT

LOU ELLEN GLEASON

)
Deceased

OF JEFFERSON COUNTY, ALABAMA

CASE NO.

32213

BESSEMER DIVISION

**PETITION FOR LETTERS OF ADMINISTRATION
WITH THE WILL ANNEXED
(Cum Testamento Annexo)**

Comes the petitioner, Harvey Edward Fitts, and respectfully shows the Court the following facts:

1. In the last will and testament of Lou Ellen Gleason, deceased (the "decedent"), which will has been or shall be duly probated and admitted to record in this Court, the following person(s) is (are) designated as executor(s): Blakey G. Fitts

None of the persons named to serve in said fiduciary capacity is presently qualified to serve due to the following (select the appropriate reason or reasons by inserting an appropriate mark and providing relevant details):

☐ Not qualified to serve in such fiduciary capacity for any of the causes enumerated in Ala. Code §43-2-22(a). Set out relevant details below:

value of estate is \$5,000.00

☐ Renunciation of fiduciary appointment meeting the requirements of Ala. Code §43-2-25. Attach a copy of Renunciation.

☐ Removal by court of competent jurisdiction. Attach a copy of judicial order.

☒ Resignation, incapacity or death. Set out relevant details below:

The named Executrix passed from this life on or about the 12th day of January, 1996.

2. The petitioner is an inhabitant of the State of Alabama, above the age of nineteen (19) years, and is not disqualified to serve as a personal representative for the reasons recited in Ala. Code §43-2-22. Further, the petitioner is entitled to be granted letters of administration with the will annexed on the estate of the decedent

as a matter of priority right pursuant to Ala. Code §43-2-27 or §43-2-42, as appropriate, and sets forth the following facts in support of such entitlement:

WHEREFORE, believing that said estate should continue by the appointment of an administrator with the will annexed who, by the authority of Ala. Code §43-8-255, shall be vested with the same powers and authority over the decedent's estate which the executor(s) named in the decedent's will would have, the petitioner prays that the Probate Judge of this Court grant letters of administration with the will annexed on the decedent's estate to the petitioner upon the petitioner's entering into bond in such sum as is required by statute and with such security or securities as shall be approved by said Judge and Court. This Petition does not require verification under applicable statutes.

Attorney for Petitioner:

Jon B. Terry

Bains & Terry

(Firm Name)

1813 Third Avenue, North

Address

Bessemer, AL

35020

zip code

Telephone (205) 425 : 1606

Harvey Edward Fitts
Signature of Petitioner

Harvey Edward Fitts

(Name of Petitioner)

1350 Brookview Trail

Address

Bessemer, AL 35020

zip code

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 13th
day of March, 1996.

James O. Reynolds
Judge of Probate

PETITION FOR LETTERS OF ADMINISTRATION
WITH THE WILL ANNEXED
(Code 1975, §43-2-40, et seq.; §43-2-22; §43-2-27; §43-2-42)

BIRMINGHAM BAR ASS'N FORM NO. 38.10
(May 1990)
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Alabama



Western Surety Company

BESSEMER DIVISION

IN THE MATTER OF THE ESTATE OF

PROBATE COURT OF

Jefferson COUNTY, ALABAMA

Lou Ellen Gleason

Case No. 32213

KNOW ALL MEN BY THESE PRESENTS:

BOND No. FID-52986311

That we, Harvey Edward Fitts, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Alabama, as Surety, are held and firmly bound unto Honorable George Reynolds, Judge of Probate of the aforesaid County, and his successors in office, in the penal sum of Ten Thousand Dollars and no/100 DOLLARS (\$10,000.00) (Not valid in excess of \$10,000 for GUARDIANS OR CONSERVATORS OF MINORS, IN EXCESS OF \$50,000 FOR TESTAMENTARY TRUSTEES, AND IN EXCESS OF \$500,000 FOR ALL OTHERS)

for which payment well and truly to be made and done, we bind ourselves, our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents. And we waive in favor of this bond all right to claim any exemption of personal property allowed by the laws of the State of Alabama.

Sealed with our seals and dated this 8th day of March, 19 96.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That Whereas, the above bound

Harvey Edward Fitts has been appointed as

Administrator in the above matter.

Now, if the said Harvey Edward Fitts shall well and truly perform

all the duties which are or may be required by law of _____ as such fiduciar _____, then the above obligation to be void; otherwise to remain in full force.

Harvey Edward Fitts (L.S.)
Principal

Countersigned by Alabama Resident Agent:

Joe Luther Perry Jr.

Name of Agent or Agency

2228 Rocky Ridge Rd Hoover, Al.
35216

Street

City

State

WESTERN SURETY COMPANY

By

Joe Kirby (L.S.)
President

BENCH NOTE

Filed in the office of the Judge of Probate of Jefferson County, Alabama, taken, approved, and ordered to be recorded, this the 13th day of March

George R. Reynolds
Judge of Probate

Bond (Executor, Administrator, Guardian)

Western Surety Company
1-605-336-0850

THE STATE OF ALABAMA,
Jefferson County.

PROBATE COURT, BESSEMER DIVISION

I, George R. Reynolds, Judge of the Court of Probate, in and for said County

said State hereby certify that the foregoing contains a full, true and correct copy of the

Petition For Probate Of Will, Order on Filind and Probating Last Will and Testament,

Certificate to the Probate of Will, Last Will and Testament, Petition for Letters of

Administration with the Will annexed, Bond, Order granting Letters of Administration,

Letters of Administration, which are in full force and effect.

Inst # 1996-09396

03/22/1996-09396
01:55 PM CERTIFIED

in the matter of The Estate Of Lou Ellen Gleason, deceased

SHELBY COUNTY JUDGE OF PROBATE
012 MCD 36.00

as the same appears on file and of record, in this office.

Given under my hand and official seal, this
the 19th day of March, 1996
George R. Reynolds
Judge of Probate.

Inst # 1996-09396