

LAST WILL AND TESTAMENT

WILL  
RECORD

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I, Willie L. Clark of St. Clair Springs, Alabama, being of sound mind and disposing memory do make, publish and declare this my LAST WILL AND TESTAMENT, hereby revoking all former wills and testamentary documents made by me.

ITEM ONE: I direct that all of my just debts be paid out of that part of my estate not included in ITEM TWO hereof as soon after my death as practicable and that all taxes against my estate and costs of administration be paid out of that part of my estate not included in ITEM TWO hereof.

ITEM TWO: I hereby give and bequeath all installment payments under all annuity contracts heretofore or hereafter issued to me upon the life of my daughter Charlotte Clark, to my TRUSTEES hereinafter named, and to their substitutes or successors in said trust, IN TRUST, nevertheless, to have, hold use and dispose of for the following purposes:  
To apply the same to the support and maintenance of my daughter, Charlotte Clark, during her lifetime, giving and granting unto my said Trustees, their substitutes or successors in said trust, uncontrolled discretion in the premises; *upon the death of Charlotte Clark, the balance of said annuity contracts shall be paid by said Trustees as follows: 1/3 to Julia Ann Wear, 1/3 to Mary Leigh Clark and 1/3 to Mary Leigh Clark.*

ITEM THREE: I give, devise and bequeath all the rest, residue and remainder of my estate real, personal and mixed as follows:

SubITEM A: I give, devise and bequeath a one-third part of all the said rest, residue and remainder of my estate, real, personal and mixed unto my TRUSTEES hereinafter named, and to their substitutes or successors in said trust, IN TRUST nevertheless, to have, hold, use and dispose of for the following uses and purposes:

(1) To manage, sell, resell, invest and reinvest the same; to collect and receive the rents, issues, income and profits therefrom and after paying thereout and therefrom the necessary taxes, charges and disbursements, then to apply that part of the net income, together with such sums out of principal, as shall in the uncontrolled discretion of my TRUSTEES, their substitutes or successors in said trust, be necessary or advisable, to the support and maintenance of my daughter, Charlotte Clark, during her lifetime.

(2) Upon the death of my daughter, Charlotte Clark, to pay over and transfer the balance of said trust to the same parties and in the same proportion and amount and in the same capacities and upon the same conditions and contingencies as is the remaining two-thirds of the said rest, residue and remainder of my estate hereinafter, given, devised and bequeathed.

SubITEM B: I give, devise and bequeath a one-sixth part of all the said rest, residue and remainder of my estate, real personal and mixed unto my TRUSTEES hereinafter named, and to their substitutes or successors in said trust, IN TRUST, nevertheless to have, hold, use and dispose of for the following uses and purposes:

(1) To manage, invest and reinvest the same; to collect and receive the rents, issues, income and profits therefrom and after paying thereout and therefrom the necessary taxes, charges and disbursements, then to apply that part of the net income, together with such sums out of principal as shall in the uncontrolled discretion of my Trustees, their substitutes or successors in said trust, be necessary or advisable, to the support, maintenance and education of my granddaughters, Julia Ann Wear and Mary Leigh Clark and in the event of the death of either of said granddaughters to the support, maintenance and education of the surviving said granddaughter and the child or children of the deceased said granddaughter, if any, and, if no child or children to the support, maintenance and education of the surviving said granddaughter, and in the event of her death to the support, maintenance and education of her child or children, if any, all until my said granddaughter Mary Leigh Clark shall reach the age of twenty one years and until final settlement of the estate of my father, Charles E. Little, deceased.

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SHELBY COUNTY JUDGE OF PROBATE  
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(2) Upon my said granddaughter Mary Leigh Clark reaching the age of twenty one years and after final settlement of the estate of my father, Charles E. Little, deceased, to divide and pay over the remainder of this trust to my said granddaughters, in equal shares, share and share alike. Should either of my said granddaughters be deceased, leaving issue, such issue shall take the share of said deceased granddaughter, but if she should be deceased, without issue, her share shall pass to my other said granddaughter and in case of her death to her issue, if any. Should both of my said granddaughters, and all their issue die before final settlement of this trust, the share of both of my said granddaughters shall thereupon pass to my sons, Leigh M. Clark, C. Edward Clark and William L. Clark, in equal shares, share and share alike, and in the event of the death of either of said sons leaving a child or children, said child or children shall take the part their father would have taken, if living.

SUBITEM C: I give, devise and bequeath a one-sixth part of all the said rest, residue and remainder of my estate, real, personal and mixed to each of my sons, Leigh M. Clark, C. Edward Clark and William L. Clark and in the event of the death of either of said sons leaving a child or children, then said child or children shall take the one-sixth part that their father would have taken if living.

ITEM FOUR: I hereby appoint and designate my sons, Leigh M. Clark and William L. Clark as Trustees of the trust hereinabove created in favor of my daughter Charlotte Clark, without bond and without remuneration. In the event of the death of either Leigh M. Clark or William L. Clark, or the inability of either to act as such Trustee, I designate and appoint my son C. Edward Clark to act as his successor, without bond and without remuneration.

ITEM FIVE: I hereby appoint and designate my sons Leigh M. Clark and William L. Clark as Trustees of the Trust hereinabove created in favor of my granddaughters Julia Ann Wear and Mary Leigh Clark, and their children, without bond and without remuneration. In the event of the death of either Leigh M. Clark or William L. Clark, or the inability of either to act as such Trustee, I designate and appoint C. Edward Clark to act as his successor, without bond and without remuneration.

ITEM SIX: I hereby appoint and designate my sons Leigh M. Clark and William L. Clark as Executors of this my last will and testament, without bond and without remuneration. In the event of the death of either Leigh M. Clark or William L. Clark, or the inability of either to act as Executor, I designate and appoint my son C. Edward Clark as his successor without bond and without remuneration.

In testimony whereof I hereby set my hand and seal this 25 day of January 1947.

Willie L. Clark (Seal)

Signed and declared to be her last will and testament by Willie L. Clark in our presence and we in her presence and in the presence of each other, and at her request, have hereunto subscribed our names as witnesses on the day the same bears date.

J. E. Banks  
Cytha Banks

## CERTIFICATE TO THE PROBATE OF WILL

THE STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, Tom C. Garner, Judge of the Court of Probate, in and for said

State and County, do hereby certify that the foregoing instrument, of writing hereunto subscribed, 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

Willie L. Clark

Deceased and that said Will

**The State of Alabama**  
JEFFERSON COUNTY

**PROBATE COURT**

23759

I, Peggy A. Proctor, Chief Clerk of the Court of Probate, in and for said County in said State hereby certify  
that the foregoing contains a full, true and correct copy of the LAST WILL AND TESTAMENT OF  
WILLIE L. CLARK

CERTIFICATE TO THE PROBATE OF WILL

in the matter of THE ESTATE OF WILLIE L. CLARK, DECEASED

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

Post # 1996-25624  
08/08/1996-25624  
01:50 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13/50

Given under my hand and seal of said Court, this

the 2nd day of July, 19 96

*Peggy A. Proctor*

Chief Clerk

07/25/1996-24070  
01:50 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50

Post # 1996-24070