

IN THE MATTER OF THE ESTATE OF:

PROBATE COURT OF JEFFERSON COUNTY

D. GREGORY GORDON,

CASE NO. 165120

Deceased.

REC MAY 1998
Probate Office

SUBMITTAL OF PROBATE RECORD UPON CERTIFIED COPIES

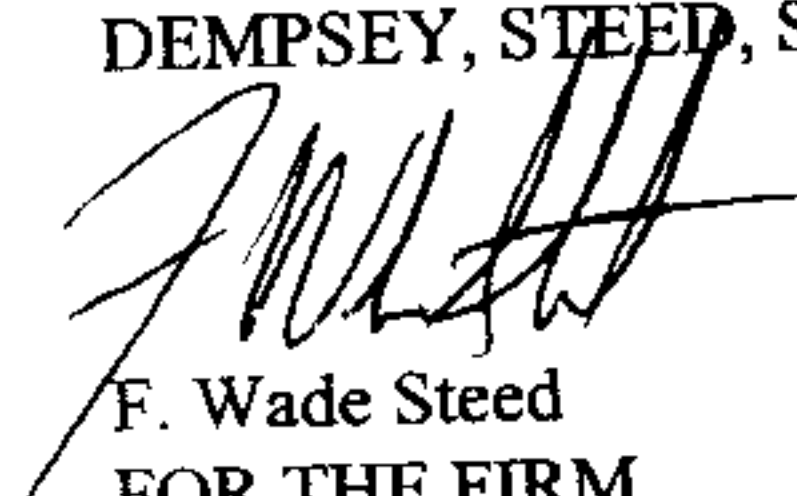
TO THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA:

COMES NOW, Rumadge B. Gordon, Executrix of the above styled estate, by and through her attorney of record, F. Wade Steed, and respectfully shows unto the Office of the Judge of Probate the following facts:

1. D. Gregory Gordon died testate in Jefferson County, State of Alabama, on or about the 14th day of September, 1998, and at the time of said death was an inhabitant of Jefferson County, Alabama.
2. The Decedent left a Last Will and Testament naming Rumadge B. Gordon as executrix thereof. Said Will has been admitted to probate and record in Jefferson County, Alabama, by a Court of competent jurisdiction (namely: the Probate Court of Jefferson County, Alabama, in Case No. 165120), which Court granted Letters Testamentary on the estate of the Decedent to Rumadge B. Gordon on the 2nd day of November, 1998.
3. The Decedent left assets (real estate) in Shelby County, Alabama. Submitted herewith are certified copies of Letters Testamentary, Petition for Probate of Will, Waivers of Notices, Proof of Will and Order on Filing and Probating Last Will and Testament, Petition for Letters Testamentary, Order Granting Letters Testamentary w/Bond, Last Will and Testament of D. Gregory Gordon and Certificate to the Probate of Will thereof. All documents have been duly certified and authenticated.
4. Rumadge B. Gordon is an inhabitant of the State of Alabama, above the age of nineteen (19) years, and is not disqualified under law from serving as such executrix. Under the terms of the Decedent's Will, his executrix is exempted from giving bond as such executrix.

WHEREFORE, Rumadge B. Gordon prays that the Office of the Probate Judge of this Court will take jurisdiction of this Submittal and render all appropriate action as will duly and legally effect the recording of said certified copies in order to confirm and evidence the probate of said Will in accordance with the language set forth herein.

Respectfully submitted,
DEMPSEY, STEED, STEWART & KEEVER, P.C.


F. Wade Steed
FOR THE FIRM

05/20/1999-2
09:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
017 MEL
48.50

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMAD. GREGORY GORDON

Deceased

CASE NO. 165120**LETTERS TESTAMENTARY****TO ALL WHOM IT MAY CONCERN:**

The Will of the above-named deceased having been duly admitted to record in said county. Letters Testamentary are

RUMADGE B. GORDON

hereby granted to _____
the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the 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).

WITNESS my hand this date, NOVEMBER 2, 1998

Judge of Probate

I, Peggy A. Proctor, Chief Clerk of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the **Letters Testamentary** 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, _____

Chief Clerk

IN THE MATTER OF THE ESTATE OF:

) PROBATE COURT

D. GREGORY GORDON,

) JEFFERSON COUNTY, ALABAMA

Deceased.

) CASE NO. 16S120

PETITION FOR PROBATE OF WILL
(Not Self-Proved Will)

Comes the petitioner, Rumadge B. Gordon, and shows this Court the following facts:

1. D. Gregory Gordon, (the "decedent"), died testate at Birmingham, Jefferson County, Alabama on or about the 14th day of September, 1998, 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**

Leon Kelly, Jr.

1150 Chelsea Road
Columbiana, AL 35051

Leon Kelly

1314 Chelsea Road
Columbiana, AL 35051

3. 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, Section 43-8-42):

Name, Age, Condition, Relationship**Address**Rumadge B. Gordon, over 19 years of age, of sound mind,
surviving spouse1608 2nd Street NW
Birmingham, AL 35215Jason Scott Gordon, over 19 years of age, of sound mind,
son2235 Cahaba Forest Cove
Birmingham, AL 35242Julia Leanne Gordon, over 19 years of age, of sound mind,
daughter1608 2nd Street NW
Birmingham, AL 35215

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, and attesting witnesses 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, Section 43-8-22.

Attorney for Petitioner:

F. Wade Steed
Dempsey, Steed, Stewart & Keever, P.C.
100 Riverpoint Corporate Center
Suite 205
Birmingham, Alabama 35243
Phone: (205) 970-0034

165120

Rumadge B. Gordon
RUMADGE B. GORDON, Petitioner
1608 2nd Street NW
Birmingham, AL 35215

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, on the 2 day of November, 1998, and set for hearing the day of , 1998, at m.

Prayer granted ordered recorded

George R. Reynolds
Judge of Probate

IN THE MATTER OF THE ESTATE OF:

D. GREGORY GORDON,

Deceased.

PROBATE COURT

JEFFERSON COUNTY, ALABAMA

CASE NO. 165120WAIVER OF NOTICE ON PROBATE OF WILL

I, Rumadge B. Gordon, a resident of Jefferson County, State of Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42 (1975), as appropriate) of D. Gregory Gordon, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of filing of the Petition to Probate the Last Will and Testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said Will, which bears the date of June 20, 1976, be admitted to probate without further notice of any kind to me, and the executor named in said will be appointed as provided therein. I acknowledge that by this Waiver of Notice, I am NOT giving up my right to contest said Will or to make an objection to the handling of the administration of the estate of the deceased by the Executor thereof.

Melissa L. Banks
Witness

Rumadge B. Gordon
Rumadge B. Gordon

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 2nd day of November, 1998.

George R. Reynolds
Judge of Probate

IN THE MATTER OF THE ESTATE OF:

) PROBATE COURT

D. GREGORY GORDON,

) JEFFERSON COUNTY, ALABAMA

Deceased.

) CASE NO. 165120WAIVER OF NOTICE ON PROBATE OF WILL

I, Julia Leanne Gordon, a resident of Jefferson County, State of Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42 (1975), as appropriate) of D. Gregory Gordon, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of filing of the Petition to Probate the Last Will and Testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said Will, which bears the date of June 20, 1976, be admitted to probate without further notice of any kind to me, and the executor named in said will be appointed as provided therein. I acknowledge that by this Waiver of Notice, I am NOT giving up my right to contest said Will or to make an objection to the handling of the administration of the estate of the deceased by the Executor thereof.

Ryan B. Hardin
Witness

Julia Leanne Gordon
Julia Leanne Gordon

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 2nd day of November, 1998.

George R. Reynolds
Judge of Probate

IN THE MATTER OF THE ESTATE OF:

PROBATE COURT

D. GREGORY GORDON,

JEFFERSON COUNTY, ALABAMA

Deceased.

CASE NO. 165120WAIVER OF NOTICE ON PROBATE OF WILL

I, Jason Scott Gordon, a resident of Jefferson County, State of Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42 (1975), as appropriate) of D. Gregory Gordon, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of filing of the Petition to Probate the Last Will and Testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said Will, which bears the date of June 20, 1976, be admitted to probate without further notice of any kind to me, and the executor named in said will be appointed as provided therein. I acknowledge that by this Waiver of Notice, I am NOT giving up my right to contest said Will or to make an objection to the handling of the administration of the estate of the deceased by the Executor thereof.

Julia L. Gordon
Witness

Jason Scott Gordon
Jason Scott Gordon

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 2nd day of November, 1998.

George R. Reynolds
Judge of Probate

PROOF OF WILL (ONE WITNESS)

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT

OF JEFFERSON COUNTY, ALABAMA

D. GREGORY GORDON

Deceased

CASE NO. 165120

Before me, the undersigned, Judge of said Court, personally appeared in open Court

Leon Kelly, Jr.

who having been by me first duly sworn, deposeth and says that _____ he is a subscribing witness to the instrument of writing now shown to _____ him _____ and which purports to be the last Will and Testament of D. Gregory Gordon _____, deceased,

late and inhabitant of this County, that said deceased, signed and executed said instrument on the day that same bears date, and declared the same to be _____ his _____ last Will and Testament, and that affiant set _____ his _____ signature thereto, on the day the same bears date, as a subscribing witness to the same in the presence and at the request of said deceased and in the presence of the other subscribing witness, and that such other witness subscribed _____ his _____ name as a witness in the presence and at the request of said deceased. That said deceased was of sound mind and disposing memory, and in the opinion of deponent fully capable of making said Will, at the time the same was so made as aforesaid. Affiant further states that said deceased was on the day of the said date of said Will, of the full age of Nineteen years and upwards.

Subscribed and sworn to before me this date

Nov. 2, 1998

George R. Reynolds

Judge of Probate.

Recorded in Will Record _____, Page _____

IN THE MATTER OF:

THE ESTATE OF:

D. GREGORY GORDON,
DECEASEDIN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA,

CASE NUMBER 165120

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Rumadge B. Gordon 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 D. Gregory Gordon, deceased, said will bearing date, June 20, 1976, and attested by Leon Kelly, Jr. and Leon Kelly; and praying that the same be probated as provided by law; that the petitioner is the widow of said deceased and is named in said Will as executrix thereof; and that the next of kin of said deceased are as follows, to-wit: Jason Scott Gordon, son, Birmingham, Alabama and Julia Leanne Gordon, daughter, Birmingham, Alabama, each of whom is over nineteen years of age and of sound mind.

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 signatures affixed to said waivers of notice and acceptances of service are the genuine signatures 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,

PAGE 2
CASE NUMBER 165120

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of D. Gregory Gordon, 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, November 2, 1998.

George P. Reynolds
Judge of Probate

IN THE MATTER OF THE ESTATE OF:

) PROBATE COURT

D. GREGORY GORDON,

) JEFFERSON COUNTY, ALABAMA

Deceased.

) CASE NO. 165120

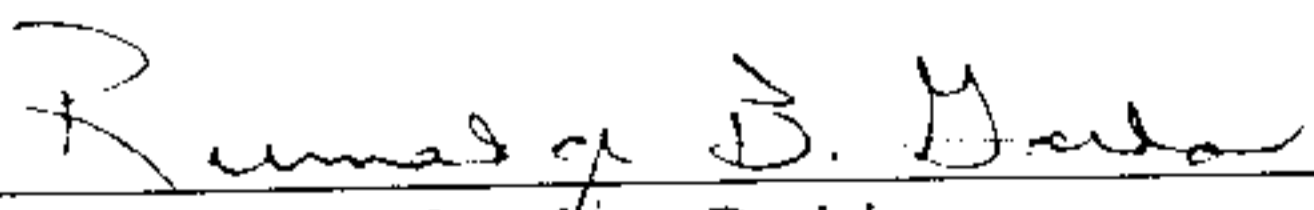
PETITION FOR LETTERS TESTAMENTARY
(WITHOUT BOND)

1. The petition of the undersigned, Rumadge B. Gordon, respectfully represent unto Your Honor, that in and by the Last Will and Testament of said decedent, which Last Will and Testament has been or shall be duly probated and admitted to record in this Court, the petitioner is named as the Executor thereof.

2. That the petitioner is a resident of the State of Alabama, above the age of nineteen (19) years, and is not disqualified under the law from serving as such Executor. That by an express provision in said Will to that effect, the petitioner is exempted from giving bond, inventory or report as such Executor.

3. The said testatrix died seized and possessed of certain real and personal property, the value of which is estimated to be worth approximately \$100,000.00.

WHEREFORE, to that end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein and that said Will be executed according to the requests and directions of the decedent, the petitioner prays that Your Honor will grant Letters Testamentary to Rumadge B. Gordon, without entering into bond and without inventory or report as such is provided in and by the terms of said Will. This Petition does not require verification under the applicable statutes.


 Rumadge B. Gordon: Petitioner

OF COUNSEL:

F. Wade Steed
Dempsey, Steed, Stewart & Keever, P.C.
100 Riverpoint Corporate Center
Suite 205
Birmingham, Alabama 35243
Phone: (205) 970-0034

165120

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, prayer granted and Petition ordered recorded
this the 2 day of November, 1998. *us*

George R. Reynolds

Judge of Probate

IN THE MATTER OF:

THE ESTATE OF:

D. GREGORY GORDON,
DECEASEDIN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 165120

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Rumadge B. Gordon and files in this Court her petition in writing, under oath, praying that Letters Testamentary upon the Will of D. Gregory Gordon, deceased, be issued to her.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Rumadge B. Gordon, and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

DONE this date, November 2, 1998.

George P. Reynolds
Judge of Probate

STATE OF ALABAMA,
SHELBY COUNTY.....

SEAL
A. Gregory Gordon

JR 1645 PG 734

KNOW ALL MEN BY THESE PRESENTS, THAT I, D. Gregory Gordon, a resident of Shelby County, Alabama, and being over the age of twenty-one years, and being of sound mind and disposing memory, do hereby make and publish this, my Last Will and Testament, hereby revoking all former Wills which may have been made, at any time heretofore, by me.

FIRST: I will that all of my just debts and funeral expenses shall by my Executrix, hereinafter named, be paid out of my Estate as soon after my decease as convenient.

SECOND: I give, devise, and bequeath to my daughter, Rumaire B. Gordon, all of my worldly estate, and all of the real, personal, mixed property and choses in action of which I shall die seized and possessed, or to which I shall be entitled at the time of my decease.

THIRD: In the event that my beloved wife, Rumaire B. Gordon, should pre-decease me, or in the event that she should be simultaneous with my decease, or at substantially the same time thereof, then, I give, devise, and bequeath my worldly estate and all of my real, personal, mixed property and choses in action of which I shall die seized and possessed, or to which I shall be entitled at the time of my decease, to her and next of kin, or their heirs, her stirpees.

FOURTH: I nominate and appoint my beloved wife, Rumaire B. Gordon, as Executrix of this my Last Will and Testament, and she shall not be required to give any bond for the performance of her duties arising thereunder, or as may be required of her by the statutory laws of the State of Alabama; I hereby expressly exempt my said Executrix from all liability for any loss, expense, or financial settlement, and I hereby authorize and empower her, in the administration of my Estate, of the property and assets of my Estate, or any part thereof, in the performance of her duties arising thereunder.

D. Gregory Gordon
(D. Gregory Gordon)

FILED IN OFFICE THIS 2ND DAY OF
November, 19 98, FOR PROBATE
AND RECORD.

George B. Rumsdell
JUDGE OF PROBATE

FIFTH: In the event that my beloved wife, Rumadge B. Gordon, should pre-decease me, or in the event that her decease should be simultaneous, or substantially at the same time of my decease, then I direct that the Probate Court having the jurisdiction of my Estate, probate my said Will, and that Letters of Administration, with my Will annexed, be issued to the person entitled thereto, as in the case of intestacy, as now provided by the laws of the State of Alabama; I further direct that said Administrator, with the Will annexed, shall be required to give bond for the performance of his duties arising under such appointment as now required by law.

IN TESTIMONY WHEREOF, I, D. Gregory Gordon, a resident of Shelby County, Alabama, have to this, my Last Will and Testament, contained in this, and the preceding sheet, set my hand and seal, to-wit, my hand to the bottom of the first sheet, and my hand and seal to the last sheet, and my seal at the top of said sheets where all sheets are put together, on this the 20th day of June, 1976.

D. Gregory Gordon (SEAL).
(D. Gregory Gordon).

Signed, sealed, and declared by the said D. Gregory Gordon, as his Last Will and Testament, in the presence of us, who, at his request, and in his presence, and in the presence of each other, have subscribed our names as witnesses thereto on the day the same bears date.

Leon Kelly
James Kelly
(Witnesses).

165120

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT

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 _____

LETTERS TESTAMENTARY, PETITION FOR PROBATE OF WILL, WAIVERS OF NOTICES, PROOF OF WILL & ORDER ON FILING AND PROBATEING LAST WILL AND TESTAMENT, PETITION FOR LETTERS TESTAMENTARY, ORDER GRANTING LETTERS TESTAMENTARY W/BOND, LAST WILL AND TESTAMENT OF D GREGORY GORDON & CERTIFICATE TO THE PROBATE OF WILL THEREOF

in the matter of **THE ESTATE OF D GREGORY GORDON (DECEASED)**

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

Given under my hand and seal of said Court, this
the 2nd day of MARCH, 19 99

Peggy A. Proctor
Chief Clerk

JR 1645 PG 736

1st # 1999-21165

165120

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama

JEFFERSON COUNTY

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 ha S _____ 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 D. GREGORY GORDON Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume JR1645, Page 734-735

In witness of all which I have hereto set my hand, and the seal of the said Court, this date NOVEMBER 2, 1998

George R. Reynolds, Judge of Probate.

PROBATE — 98

---21165

05/20/1999-21165
09:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
017 MEL 48.50