

IN THE MATTER OF THE ESTATE
OF F. BROOKS YEILDING, III,
DECEASED.

JR 11216 7186 1107
) PROBATE COURT OF
)
) JEFFERSON COUNTY, ALABAMA
)
) CASE NO: 146007

Inst # 2000-12990

PETITION FOR PROBATE OF WILL

**TO THE HONORABLE GEORGE R. REYNOLDS, JUDGE OF PROBATE
OF JEFFERSON COUNTY, ALABAMA**

Comes your Petitioner, Martha Jayne Yeilding, and upon information and belief, respectfully shows unto your Honor the following facts:

1. F. Brooks Yeilding, III, died at Birmingham, Alabama on or about the 1st day of October, 1993, and, at the time of his death, was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is the Decedent's Last Will and Testament naming Petitioner as a Co-Executor thereof, which was duly signed by said Decedent when over twenty-one years of age, and was attested by the following witnesses, namely:

WITNESSES TO WILL

Beverly A. McKee

Donna Shirley

Anita J. King

PRESENT ADDRESS

1804 7th Avenue North
Birmingham, Alabama 35203

1804 7th Avenue North
Birmingham, Alabama 35203

1804 7th Avenue North
Birmingham, Alabama 35203

Your Petitioner further avers that the Decedent's Last Will and Testament also named as a Co-Executor, Dr. David B. Champlin, who has renounced said appointment by an instrument in writing which is attached hereto, and is offered by the Petitioner for filing and recordation in this

04/20/2000-12990
10:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
015 MMS 46.00

Honorable Court, all in accordance with Title 43-2-25, Code Of Alabama, 1975.

3. The following is a true, correct and complete list of the names, ages, conditions, relationships, and addresses of said Decedent's Widow and next-of-kin; namely:

NAME

PRESENT ADDRESS

W Martha Jayne Yeilding Over 21, Sound Mind, Widow	4012 Royal Oak Circle Birmingham, Alabama 35243
W Martha Yeilding Scribner Over 21, Sound Mind, Daughter	2002 Convent Court #9 Nashville, Tennessee 37212
W Lin Yeilding Bowie Over 21, Sound Mind, Daughter	P.O. Box 544 Moss Beach, California 94038
W Frank Brooks Yeilding, IV Over 21, Sound Mind, Son	5505 Lands End Austin, Texas 38734
W Leslie Lannon Yeilding Over 21, Sound Mind, Son	2307 Inverness Cliffs Birmingham, Alabama 35242
W William Ward Yeilding Over 21, Sound Mind, Son	2924 Pawnee Avenue #7 Birmingham, Alabama 35205

Wherefore, your Petitioner prays that your Honor will take jurisdiction of this Petition; will cause all such notices or citations to issue to the said next-of-kin and attesting witnesses as may be proper in the premises; and will cause such proceedings to be had and done, 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 as the Last Will and Testament of said deceased.

Attorney for Petitioner:

Jack G. Paden, Attorney
310 19th Street, North
Bessemer, Alabama 35020

)
)
) Martha Jayne Yeilding
) Martha Jayne Yeilding
) Petitioner
) 4012 Royal Oak Circle
) Birmingham, Alabama 35243

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County in said State, personally appeared Martha Jayne Yeilding, who, being first duly sworn, makes oath that she has read the foregoing Petition and knows the contents thereof, and that she is informed and believes, and, upon such information and belief, avers that the facts alleged therein are true and correct.

Martha Jayne Yeilding
Martha Jayne Yeilding
Petitioner

Subscribed and sworn to before me this 25th day of
October, 1993.

Dorinda H. Epperson
Notary Public
My Commission Expires: 2/15/97

Filed in the office of the Judge of Probate of Jefferson County, Alabama, this 15 day of November, 1993, and ~~set hearing this~~
~~day of~~ 19. Prayer granted and
ordered recorded.

George L. Reynolds
Judge of Probate

JR1267P0127

PROBATE — 60

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY,
ALABAMA

F. BROOKS YEILDING, III

CASE NO. **146007**

Deceased

LETTERS TESTAMENTARY

BE IT REMEMBERED AND MADE KNOWN TO ALL WHOM IT MAY CONCERN:

That the will of the above-named deceased having been duly admitted to record in said County, Letters
Testamentary are hereby granted to Martha Jayne Yeilding

Execut rix named in said will, who ha s complied with the requisitions of law and who is
authorized to take upon herself the execution of such will.

Witness my hand this date, November 15, 1993

George R. Reynolds
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:

F. BROOKS YEILDING, III,
DECEASED

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 146007

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Martha Jayne Yeilding 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 F. Brooks Yeilding, III, deceased, said will bearing date the 7th day of June, 1990, and attested by Beverly A. McKee, Donna Shirley and Anita J. King; and praying that the same be probated as provided by law; that petitioner is the widow of said deceased, and is named in said will as co-executrix thereof; that the next of kin of said deceased are as follows, to-wit: Martha Yeilding Scribner, daughter, Nashville, Tennessee; Lin Yeilding Bowie, daughter, Moss Beach, California; Frank Brooks Yeilding, IV, son, Austin, Texas; Leslie Lannon Yeilding, son, Birmingham, Alabama and William Ward Yeilding, son, Birmingham, Alabama, each of whom is over nineteen years of age and of sound mind.

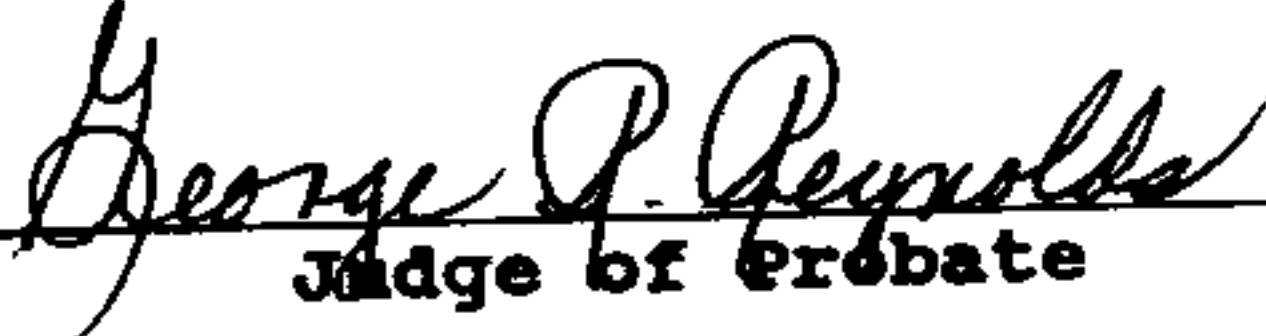
And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waivers of notice and acceptances of 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

PAGE 2
CASE NUMBER 146007

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 F. Brooks Yeilding, III, 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 15, 1993.



Judge of Probate

IN THE MATTER OF THE ESTATE

OF F. BROOKS YEILDING, III,
DECEASED.

) PROBATE COURT OF

) JEFFERSON COUNTY, ALABAMA

) CASE NO. 146007

PETITION FOR LETTERS TESTAMENTARY

**TO THE HONORABLE GEORGE R. REYNOLDS, JUDGE OF PROBATE
OF JEFFERSON COUNTY, ALABAMA**

Comes your Petitioner, Martha Jayne Yeilding, and upon information and belief, respectfully shows unto your Honor the following facts:

1. In the Last Will and Testament of F. Brooks Yeilding, III, deceased, which has been or shall be duly probated and admitted to record in this Court, your Petitioner is named as a Co-Executor thereof.

The other Co-Executor, Dr. David B. Champlin, has filed an instrument in writing with this Honorable Court renouncing his appointment as a Co-Executor under Title 43-2-25, Code of Alabama, 1975.

2. Your Petitioner is an inhabitant of the State of Alabama, above the age of twenty-one years, and in no respect disqualified under the law from serving as an Executor.

3. Under said Will your Petitioner is exempted from giving any bond as such Executor. The said decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be more than Fifty Thousand & 00/100 (\$50,000.00) Dollars.

Wherefore, to the 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 may be executed according to the requests and directions of said Decedent, your Petitioner prays that your Honor will take judicial notice of the probate of the Will of the Decedent, and will grant Letters Testamentary to Petitioner as sole Executor in this

matter without entering into bond, as is provided by the terms of said Will.

146007

Attorney for Petitioner:

**Jack G. Paden, Attorney
310 North 19th Street
Bessemer, AL 35020**

X Martha Jayne Yeilding
**Martha Jayne Yeilding
Petitioner
4012 Royal Oak Circle
Birmingham, Alabama 35243**

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County in said State, personally appeared Martha Jayne Yeilding, who, being first duly sworn, makes oath that she has read the foregoing Petition and knows the contents thereof, and that she is informed and believes, and, upon such information and belief, avers that the facts alleged therein are true and correct.

X Martha Jayne Yeilding
**Martha Jayne Yeilding
Petitioner**

Subscribed and sworn to before me this 25th day of October, 1993.

Donna H. Epperson
Notary Public
My Commission Expires: 2/12/97

146007

Filed in the office of the Judge of Probate of Jefferson County,
Alabama, this 15 day of November, 1993, Prayer granted
and ordered recorded.

George R. Reynolds
Judge of Probate

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 5 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 F. Brooks Yeilding, III Deceased and that said Will _____
together with the proof thereof have been recorded in my office in Judicial Record, Volume 1267, Page 117-120.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Nov. 15, 1993.

_____, Judge of Probate.

George R. Reynolds

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

LAST WILL AND TESTAMENT

OF

146007

F. BROOKS YEILDING, III

KNOW ALL MEN BY THESE PRESENTS:

FMH
That I, F. Brooks Yeilding, III, a resident citizen of Jefferson County, Alabama, being of sound and disposing mind and memory, do hereby make, publish and declare this instrument as my Last Will and Testament, hereby expressly revoking any former wills and codicils thereto, heretofore made by me.

ITEM ONE

I direct that all my just debts, including the expenses of my last illness and funeral, shall be paid by my Co-Executors, hereinafter named as soon as practicable after my death.

ITEM TWO

I hereby give, devise and bequeath my entire estate, including real and personal and mixed property, of whatsoever kind or character, wheresoever situated or located, seized and possessed by me or to which I may be entitled at the time of my death to my beloved wife, Martha Jayne Yeilding, to be held and owned by her absolutely and forever.

ITEM THREE

In the event my said wife should predecease me or we should die as a result of a common accident or calamity, then in either of said events, I hereby give, devise and bequeath my entire estate, including real and personal and mixed property, of whatsoever kind or character, wheresoever situated or located, seized and possessed by me or to which I may be entitled to at the time

Filed in office this 15th day of November, 1993
For Probate and Record

George R. Reynolds
Judge of Probate

JR1267P8117

of my death to my children, Martha Gage Yeilding, Leslie Lannon Yeilding, Lin Yeilding Brooks, Frank Brooks Yeilding, IV, and William Ward Yeilding, in equal shares, share and share alike, per stirpes.

ITEM FOUR

F. Brooks Yeilding III In the event my said wife and I should die in a common accident or calamity, or under any circumstances creating any doubt as to which of us survived the other, my wife shall be presumed to have survived me for all purposes under this will.

ITEM FIVE

I hereby nominate and appoint my wife, Martha Jayne Yeilding and Dr. David B. Champlin as Co-Executors of my estate and I direct that my said Co-Executors shall not be required to give bond or to file any inventory or appraisal of my estate in any court or to render any final settlement.

IN WITNESS WHEREOF, I, the Testator, F. Brooks Yeilding, III, sign my name to this instrument this 1st day of June, 1990, and, being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am nineteen (19) years of age or older, of sound mind and under no constraint or undue influence.

F. Brooks Yeilding III
F. BROOKS YEILDING, III

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and Testament, and that he signs it willingly, and that each of us, in the presence and hearing of

the Testator, at his request, and in the presence and hearing of each other, hereby sign this Will as witnesses to the Testator signing, and that to the best of our knowledge, the Testator is nineteen (19) years of age or older, of sound mind and under no constraint or undue influence.

[Handwritten signature]

Beverly A. McKee
1804 7th Ave North
B'ham. Al 35203

Tom Shirley
1804 - 7th Ave. No.
B'ham, Al 35203

Anita J. King
1804 - 7th Avenue North
Birmingham Al 35203

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by the Testator, P. Brooks Veilding, III, and subscribed and sworn to before me by Beverly A. McKee, Tom Shirley and Anita J. King the witnesses, this 7th day of June, 1990.

Rebecca D. Turnlin (Neely)
NOTARY PUBLIC

My commission expires: 3/7/92

58126700110

CERTIFICATE TO COPIES

PROBATE - 07

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 PETITION FOR PROBATE OF WILL, LETTERS TESTAMENTARY, ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT, PETITION FOR LETTERS TESTAMENTARY, ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND, CERTIFICATE TO THE PROBATE OF WILL AND LAST WILL AND TESTAMENT OF F. BROOKS YEILDING, III

in the matter of THE ESTATE OF F. BROOKS YEILDING, III

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

Inst # 2000-12990
04/20/2000-12990
10:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
015 MMS 46.00

Given under my hand and seal of said Court, this
the 23 day of MARCH, 2000

Peggy A. Proctor
Chief Clerk