

This is to certify that this is a true and exact copy. This 5th day of

Sept - 19 2000

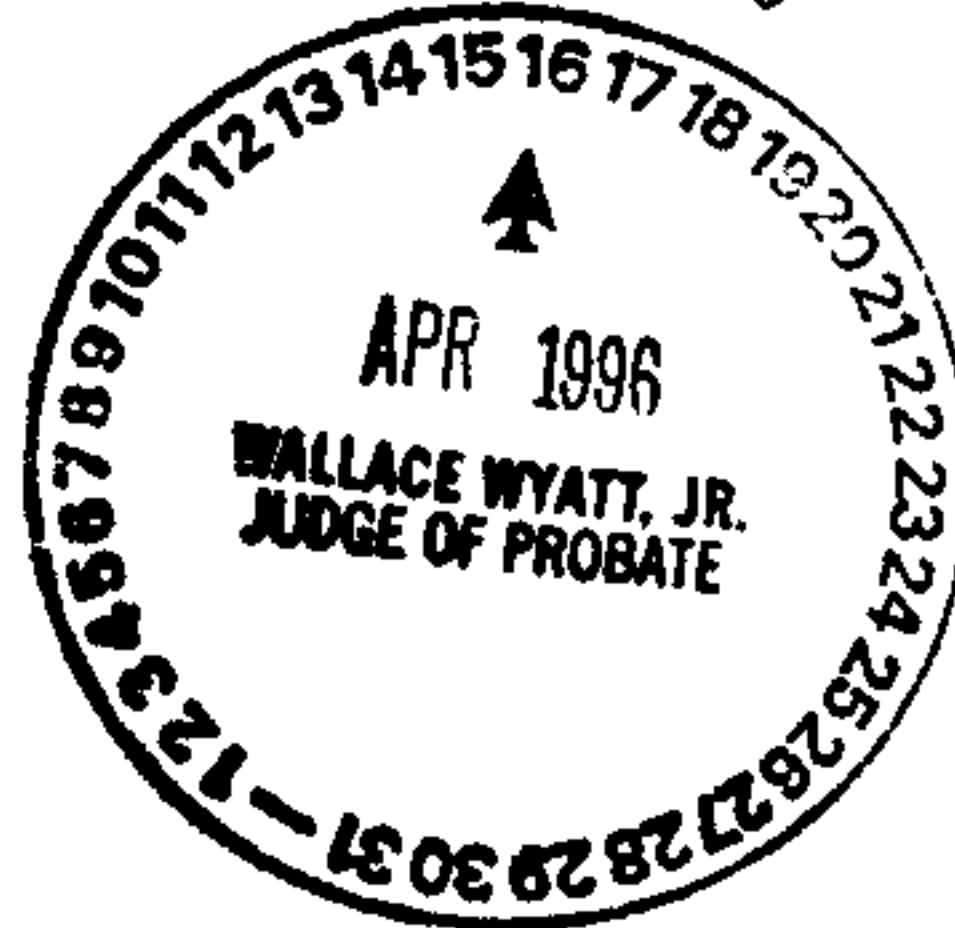
Wallace Wyatt Jr
Judge of Probate

LVCL U38 PAGE 261

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON



IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NUMBER: P-2400-S

Inst # 2000-32899

PETITION FOR PROBATE OF WILL

STATE OF ALABAMA*
ST. CLAIR COUNTY*

Petition of MARGARET B. EURTON for the Probate of the Will of JAMES W. EURTON, deceased.

To the Hon. Wallace Wyatt, Jr., Judge of Probate, Court of said County:

The petition of the undersigned, MARGARET B. EURTON, respectfully represents unto Your Honor that JAMES W. EURTON, who was at the time of his death an inhabitant of this County, departed this life in Birmingham, Alabama on or about the 27th day of March, 1996, leaving assets in this State, and leaving a Last Will and Testament duly signed and published by him and attested by KIMBERLY B. HUDSON and MICHELLE W. NEYMESORS.

That your petitioner as she verily believes is named in said Will as Executrix and does now herewith surrender said Will to the Court and prays that after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said deceased. Your petitioner further represents that JAMES W. EURTON, was married at the time of his death and that the names, ages, residence and condition of the next of kin are as follows, to-wit:

(1) Margaret Beason Eurton, wife (your Petitioner) 3419 Old Coal City Road, Pel: City, Alabama 35125, over 21 years, competent.

(2) Gloria Eurton Holt, daughter, 932 Winchester Circle, Birmingham, Alabama 35235, over 21 years of age, competent.

(3) Margaret Joyce Eurton Rushing, daughter, 244 Cornelius Drive, Cleveland, Alabama 35049, over 21 years of age, competent.

(4) Beverly Eurton Lindahl, daughter, 1900 Canterbury Drive, Fort Worth, Texas 76107, over 21 years of age, competent.

09/20/2000-32899
08:42 AM CERTIFIED 32899
SHELBY COUNTY JUDGE OF PROBATE
019 CJ1 53.50

residents of Pell City, Alabama and that said Will was duly proven at the time of execution.

WHEREFORE, your Petitioner further prays that Your Honor will take jurisdiction of this her petition and cause all such notices or citations to issue to the said next of kin and to said witnesses, and cause all such proceedings to be had and done and render all necessary orders and decrees in the premises as will duly and legally affect the probate and record of said Will in this Court.

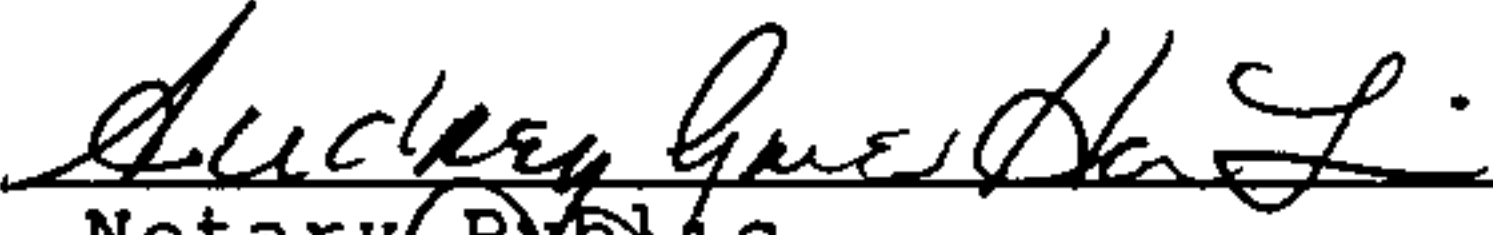

MARGARET B. EURTON, Petitioner
3419 Old Coal City Road
Pell City, AL 35125

STATE OF ALABAMA*
ST. CLAIR COUNTY*

MARGARET B. EURTON, being duly sworn, deposes and says that the facts alleged in the above petition are true, according to the best of her knowledge, information and belief.


MARGARET B. EURTON, Petitioner

Subscribed and sworn to before me, this 12th day of April, 1996.


Notary Public
My Commission Expires: 03-21-99

LAST WILL AND TESTAMENT

of

JAMES W. EURTON

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STATE OF ALABAMA*
ST. CLAIR COUNTY*

I, **James W. Eurton**, a resident of the County of St. Clair, State of Alabama, being over the age of nineteen years and of sound and disposing mind and memory, do hereby make, publish and declare this my Last Will and Testament hereby revoking and annulling any and all former wills and codicils thereto by me at any time heretofore made.

ITEM ONE

I direct that all my debts, my funeral expenses, including a suitable marker and/or monument, and expenses of my last illness be paid as soon after my death as may be practicable; provided however, that all mortgages, liens and other encumbrances which may be outstanding at the time of my death shall be a charge upon the property so encumbered, and that my general estate shall not be liable for any such indebtedness.

ITEM TWO

I hereby give, devise and bequeath to my beloved wife, **Margaret Beason Eurton**, all my property wheresoever situated, whether real, personal or mixed, which I own individually or jointly with others and in which I might have an equity at the time of my death, to be her own, absolutely and in fee simple.

ITEM THREE

In the event the beneficiary named in the immediately preceding paragraph should predecease me, or we should die at or about the same time or under circumstances that are such that the order of our deaths cannot be ascertained with reasonable certainty, then in any of such events, and only in any of such events, I give, devise and bequeath all of my property wheresoever situated, whether real, personal or mixed, which I own individually or jointly with others and in which I might have an equity at the time of my death, to my beloved children, **Gloria Eurton Holt, Margaret Joyce Eurton Rushing and Beverly Eurton Lindahl**, to be theirs absolutely, share and share alike, per stirpes.

ITEM FOUR

I nominate, constitute and appoint my beloved wife, **Margaret Beason Eurton**, to be the Executrix of this my Last Will and Testament if she should survive me and is capable of so acting. If she should predecease me, or for some reason does not desire to act as such Executrix or is incapable of so acting, then in this event, I nominate, constitute and appoint **Gloria Eurton Holt, Margaret Joyce Eurton Rushing and Beverly Eurton Lindahl**, as co-Executrix' of this my Last Will and Testament to act in her stead.

ITEM FIVE

I request that no Executor or Executrix hereunder be required to give bond for the performance of his or her duties arising hereunder and that

gwe

notwithstanding this request, any bond required by law, statute or rule of court shall have no sureties required thereon. I further exempt my said Executor or Executrix from having to file any inventory of assets coming into his or her hands as such Executor or Executrix and from having to file any accounting, report or settlement with any Court.

I, James W. Eurton, the Testator, sign my name to this instrument this 6th day of December, 1991, 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, 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.

James W. Eurton
James W. Eurton, Testator

In the presence of all of us the foregoing instrument consisting of two pages signed, sealed, published and declared by James W. Eurton to be his Last Will and Testament, and we at his request and in his presence and in the presence of each other, have hereunto set our signatures as attesting witnesses on this the 6th day of December, 1991.

Michelle W. Neymors Residing At Pell City, Alabama

Kimberly B. Hudson Residing At PO Box 454 Pell City, AL 35125

STATE OF ALABAMA*
ST. CLAIR COUNTY*

Subscribed, Sworn to and acknowledged before me by James W. Eurton, the Testatrix, and subscribed and sworn to before me by Michelle Neymors and Kimberly Hudson, the witnesses, on this 6th day of December, 1991.

Cheryl C. Bryant
Notary Public
My Commission Expires: 5-15-92

THE STATE OF ALABAMA
ST. CLAIR COUNTY

I, WALLACE WYATT, Judge of the Court of Probate, in and for said State and County, do hereby certify that the within instrument of writing, 25 this day, in said Court, and before me as the Judge thereof, was duly proven by the proper testimony, to be the genuine Last Will and Testament of James W. Eurton deceased, and that said Will has together with the proof thereof, have been recorded in my office in Book of Wills, 38 Page 261

In witness of all which I have hereto set my hand, and the seal of the said Court, this the 28th day of May 1996
Wallace Wyatt Jr.
Judge of Probate

IN THE MATTER OF:
THE ESTATE OF
JAMES W. EURTON
deceased

IN THE PROBATE COURT OF
ST. CLAIR COUNTY, ALABAMA
SOUTHERN JUDICIAL DIVISION
AT PELL CITY, ALABAMA
CASE NUMBER: P-2400-L

WAIVER OF NOTICE

The undersigned, GLORIA EURTON HOLT, hereby accepts service of notice of the filing of the Last Will and Testament for Probate, in the matter of the Estate of JAMES W. EURTON, and waives all other or further notice thereof, either by publication or otherwise, and enters her appearance in said Court on the day set for hearing said matter.

This the 14th day of April, 1996.

Gloria Eurton Holt
GLORIA EURTON HOLT

Ralph A. Johnson III
Witness

Filed in the Office of the Judge of Probate of St. Clair County, Alabama, this the _____ day of _____, 1996.

Judge of Probate

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NUMBER: P-2400-S

WAIVER OF NOTICE

The undersigned, MARGARET JOYCE EURTON RUSHING, hereby accepts service of notice of the filing of the Last Will and Testament for Probate, in the matter of the Estate of JAMES W. EURTON, and waives all other or further notice thereof, either by publication or otherwise, and enters her appearance in said Court on the day set for hearing said matter.

This the 15 day of April, 1996.

Margaret Joyce Euton Rushing
MARGARET JOYCE EURTON RUSHING

Elsie Hudson
Witness

Filed in the Office of the Judge of Probate of St. Clair County, Alabama, this the _____ day of _____, 1996.

Judge of Probate

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NUMBER: P-2400-S

WAIVER OF NOTICE

The undersigned, MARGARET JOYCE EURTON RUSHING, hereby accepts service of notice of the filing of the Last Will and Testament for Probate, in the matter of the Estate of JAMES W. EURTON, and waives all other or further notice thereof, either by publication or otherwise, and enters her appearance in said Court on the day set for hearing said matter.

This the 15 day of April, 1996.

Margaret Joyce Eurton Rushing
MARGARET JOYCE EURTON RUSHING

Eloise Hudson
Witness

Filed in the Office of the Judge of Probate of St. Clair County, Alabama, this the _____ day of _____, 1996.

Judge of Probate



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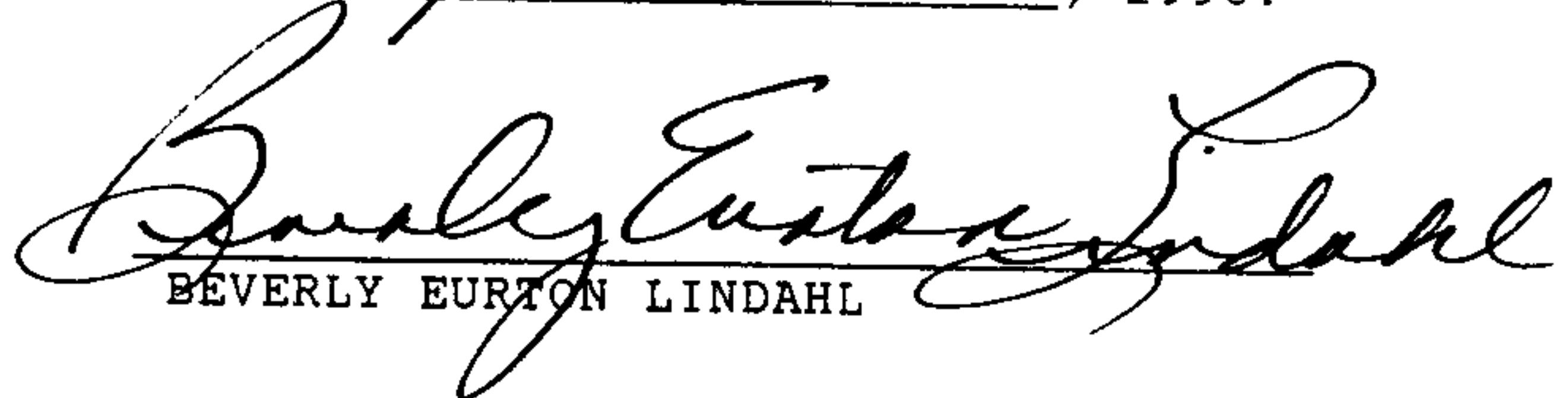
IN THE MATTER OF:
THE ESTATE OF
JAMES W. EURTON
deceased

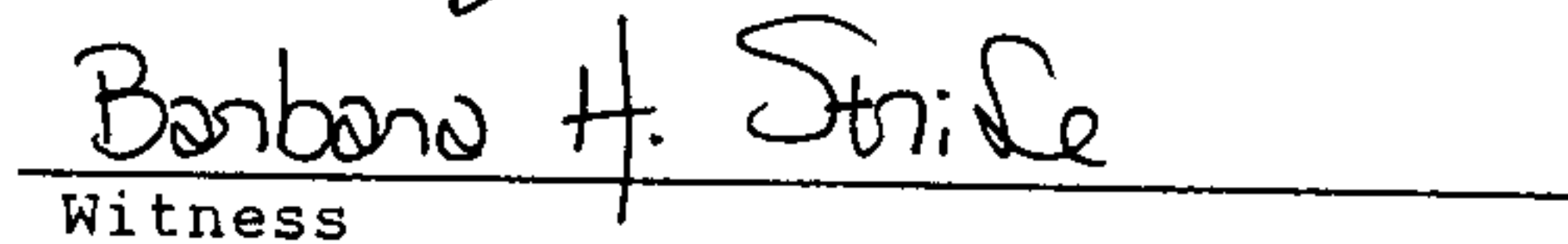
IN THE PROBATE COURT OF
ST. CLAIR COUNTY, ALABAMA
SOUTHERN JUDICIAL DIVISION
AT PELL CITY, ALABAMA
CASE NUMBER: P-24005

WAIVER OF NOTICE

The undersigned, BEVERLY EURTON LINDAHL, hereby accepts service of notice of the filing of the Last Will and Testament for Probate, in the matter of the Estate of JAMES W. EURTON, and waives all other or further notice thereof, either by publication or otherwise, and enters her appearance in said Court on the day set for hearing said matter.

This the 16th day of April, 1996.


BEVERLY EURTON LINDAHL


Witness

Filed in the Office of the Judge of Probate of St. Clair County, Alabama, this the _____ day of _____, 1996.

Judge of Probate

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NUMBER: P-2400-S

PETITION FOR LETTERS TESTAMENTARY

Petition of MARGARET B. EURTON for Letters Testamentary on the Will of JAMES W. EURTON, deceased.

TO THE HON. WALLACE WYATT, JR., JUDGE, PROBATE COURT SAID COUNTY:

The petition of the undersigned, MARGARET B. EURTON, respectfully represents unto Your Honor, that in the Last Will and Testament of JAMES W. EURTON, deceased, which Will and Testament has been duly probated and admitted to record in this Court, and named as the Executrix thereof MARGARET B. EURTON; that the said Testatrix died seized and possessed of certain real and personal estate, consisting chiefly of real estate and personal property and cash; that your petitioner, MARGARET B. EURTON, is an inhabitant of this State, above the age of twenty-one years, and in no respect disqualified under the law from serving as such Executrix.

To the end, therefore, that the said property may be collected and preserved for those who shall appear to have a legal interest therein, and the said will executed according to the requests of the said Testator, your petitioner prays that Your Honor will grant Letters Testamentary to her as Executrix of said Last Will and Testament. That the said MARGARET B. EURTON was expressly exempted in and by said will from giving bond as Executrix.


MARGARET B. EURTON, Petitioner

MARGARET B. EURTON being duly sworn, deposes and says that the facts alleged in the above petition are true according to the best of her knowledge, information and belief.


MARGARET B. EURTON, Petitioner

Subscribed and sworn to before me on this 12th day of April, 1996.


Notary Public
My Commission Expires: 03-21-98

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NUMBER: P-2400-L

DECREE ADMITTING WILL TO PROBATE
AND GRANTING LETTERS TESTAMENTARY

In the Matter of the Petition of MARGARET B. EURTON, to have admitted to probate and record an instrument which purports to be the Will of JAMES W. EURTON, deceased.

To the Honorable Hon. Wallace Wyatt, Jr., Judge of Probate Court in and for St. Clair County.

This the 23rd day of April, 1996 being the date set by this Court for the hearing of the petition of MARGARET B. EURTON to have admitted to Probate and Record an instrument which purports to be the Will of JAMES W. EURTON, deceased; notice of hearing having been made, all heirs and next of kin, being over the age of nineteen years and of sound mind; and the Court having heard the evidence offered and the Court being satisfied from the instrument, which purports to be the Will of the said decedent is the legal Will of the said decedent.

IT IS THEREFORE, ORDERED by this Court that the said instrument which purports to be the Will of the said decedent was duly and legally executed by JAMES W. EURTON; that the said instrument is the legal Will of the said decedent; that the said Will is hereby admitted to Probate and Record in this Court; and that pursuant to CODE OF ALABAMA 43-2-21 (1975), Letters Testamentary be granted to MARGARET B. EURTON as Personal Representative under said Will.

IT IS FURTHER ORDERED by this Court that the said Personal Representative shall have all the powers and duties provided in the Will and all the general powers, without limitation, authorized for transactions enumerated in CODE OF ALABAMA 43-2-843 (1975 AS AMENDED).

IT IS FURTHER ORDERED that the said Personal Representative proceed without delay to collect and take possession or control of the personal property and evidences of debt of the said decedent, except the personal property exempted under ALABAMA CODE 43-8-111

(1975, AS AMENDED), in favor of the surviving spouse. The Will expressly relieves the Personal Representative of the requirement to file an inventory. The said self-proved Will be recorded in the Probate Records of St. Clair County, Alabama, as provided by law.

DONE IN OPEN COURT on the 23rd day of April 1996.

Wallace Wyatt, Jr.
Judge of Probate

IN THE PROBATE COURT FOR ST. CLAIR COUNTY, ALABAMA
SOUTHERN JUDICIAL DIVISION AT PELL CITY

IN THE MATTER OF THE ESTATE OF

CASE # P-2400-S

JAMES W. EURTON

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 MARGARET B. EURTON, Personal Representative named in said Will, who has duly qualified in compliance with the requisites of the laws (bond was excused), and is authorized to administer such estate in accordance with the procedures provided in Alabama Code 43-2-830, et seq., (Supp. 1993), including the powers and duties permitted in 43-2-843 without prior court order, as further modified expressly in the Will.

WITNESS my hand this the 23rd day of April 1996.

(SEAL)

JUDGE OF PROBATE

++++
I, Terri R. Thornton, Chief Clerk of the Court of Probate for St. Clair 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 the _____ day of _____, 1996.

CHIEF CLERK

NOTICE OF APPOINTMENT TO BE PUBLISHED BY PERSONAL REPRESENTATIVE

IN THE PROBATE COURT FOR ST. CLAIR COUNTY, ALABAMA
SOUTHERN JUDICIAL DIVISION AT PELL CITY

ESTATE OF:

JAMES W. EURTON
deceased

CASE NO. P-2400-S

Letters Testamentary of said deceased having been granted to the undersigned on the 23rd day of April, 1996, by the Honorable Wallace Wyatt, Jr., Judge of the Probate Court of St. Clair County at Pell City, Alabama, notice is hereby given that all persons having claims against said estate are hereby required to present the same within time allowed by law or the same will be barred.


MARGARET B. EURTON
Personal Representative

TO: PUBLISHER
ST. CLAIR NEWS AEGIS

Please publish the above notice three successive weeks in said newspaper.

WALLACE WYATT, JR.

AFFIDAVIT of PUBLISHER
THE ST. CLAIR NEWS-AEGIS
PELL CITY, ALABAMA

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STATE OF ALABAMA
ST. CLAIR COUNTY

On this 16th day of May
19 96, Personally appeared before me
Dolores Porter, Notary Public,
in and for the County and State aforesaid,
Gary Hanner, who being duly
sworn according to Law, declares that he is
Editor of the "St. Clair
News-Aegis," a newspaper published in the
city of Pell City, in the County of St. Clair,
State of Alabama, and that the advertise-
ment, a true copy of which is herewith
attached, appeared in the "St. Clair
News-Aegis" on the following dates: May 2, 9, 16

That a copy of said newspaper was
furnished the _____
of the _____ Court.

Signed Gary Hanner

Subscribed and sworn to before me, this
day of May 16,

A.D., 19 96
Dolores Porter
Notary Public

MY COMMISSION
EXPIRES 4/12/98

J NOTICE OF APPOINTMENT TO BE PUBLISHED BY PERSONAL REPRESENTATIVE IN THE PROBATE COURT FOR ST. CLAIR COUNTY, ALABAMA SOUTHERN JUDICIAL DIVISION AT PELL CITY ESTATE OF: JAMES W. EURTON Deceased CASE NO. P-2466-8 e
Letters Testamentary of said deceased having been granted to the undersigned on the 23rd day of April, 1996, by the Hon. Wallace Wyatt Jr., Judge of the Probate Court of St. Clair County at Pell City, Ala., notice is hereby given that all persons having claims against said estate are hereby required to present the same within time allowed by law or the same will be barred.
Margaret B. Eurton
Personal Representative

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

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IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NO. P - 2400 - S

PETITION FOR SETTLEMENT BY CONSENT

TO THE HONORABLE WALLACE WYATT, JR., JUDGE OF PROBATE:

Comes now, MARGARET B. EURTON, as Executor of the Estate of JAMES W. EURTON, deceased, hereinafter called Your Petitioner, and files this her petition for final settlement of estate by consent and shows unto the Court as follows:

1. That Your Petitioner was appointed Executrix by this Honorable Court on the 23rd day of April, 1996 and gave notice as required by law of said appointment. That more the six (6) months have expired since said appointment and that all of the debts of said decedent have been paid and satisfied in full and the estate fully administered.

2. That MARGARET B. EURTON as Executrix, GLORIA EURTON HOLT, MARGARET JOYCE EURTON RUSHING, and BEVERLY EURTON LINDAHL, are all of the heirs and distributees of said estate and that she has paid over to herself and to all the above named heirs and distributees, all of the property in her hands as Executrix as shown by receipt and release signed by said above named heirs and distributees and made part of this petition.

THEREFORE, PREMISES CONSIDERED, Your Petitioner prays that this instrument and the accompanying receipt and release, be taken and accepted by your Honor as and for, and in lieu of, a formal report for final settlement and that said administrator be henceforth discharged from all other or further liability for or on account of her administration of said Estate.


MARGARET B. EURTON

Sworn to and subscribed before me on this the 22nd day of November 1996.


NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 21 1999

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

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IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NO. P - 2400 - S

ACKNOWLEDGEMENT AND RECEIPT OF DISTRIBUTIVE SHARE

I, MARGARET JOYCE EURTON RUSHING, beneficiary, heir and distributee of the Estate of JAMES W. EURTON, deceased, do hereby acknowledge receipt in full of my distributive share of said Estate. I do request that the said MARGARET B. EURTON be discharged by this Court without any further accounting of her said administration and do hereby release the said MARGARET B. EURTON, as Executrix of said Estate from all other or further liability on account of his administration of said Estate.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this the

13th day of December, 1996.

x H. L. Rushing
witness

x Margaret Joyce Euton Rushing
MARGARET JOYCE EURTON RUSHING

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

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IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NO. P - 2400 - S

ACKNOWLEDGEMENT AND RECEIPT OF DISTRIBUTIVE SHARE

I, BEVERLY EURTON LINDAHL, beneficiary, heir and distributee of the Estate of JAMES W. EURTON, deceased, do hereby acknowledge receipt in full of my distributive share of said Estate. I do request that the said MARGARET B. EURTON be discharged by this Court without any further accounting of her said administration and do hereby release the said MARGARET B. EURTON, as Executrix of said Estate from all other or further liability on account of her administration of said Estate.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this the

12th day of December 1996.

† S. A. Cary
witness
(SCOTT CARY)

Beverly Eurtan Lindahl
BEVERLY EURTON LINDAHL

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

VCL 044 PAGE 181

IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NO. P - 2400 - S

ACKNOWLEDGEMENT AND RECEIPT OF DISTRIBUTIVE SHARE

I, GLORIA EURTON HOLT, beneficiary, heir and distributee of the Estate of JAMES W. EURTON, deceased, do hereby acknowledge receipt in full of my distributive share of said Estate. I do request that the said MARGARET B. EURTON be discharged by this Court without any further accounting of her said administration and do hereby release the said MARGARET B. EURTON, as Executrix of said Estate from all other or further liability on account of his administration of said Estate.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this the

5th day of December 1996.

x Zollie F. Holt, Jr.
witness

x Gloria Eurton Holt
GLORIA EURTON HOLT

IN THE MATTER OF:

THE ESTATE OF

JAMES W. EURTON

deceased

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IN THE PROBATE COURT OF

ST. CLAIR COUNTY, ALABAMA

SOUTHERN JUDICIAL DIVISION

AT PELL CITY, ALABAMA

CASE NO. P - 2400 - S

ORDER DISCHARGING EXECUTRIX

This day came, MARGARET B. EURTON, Executrix of the Estate of JAMES W. EURTON, deceased and filed her Petition for Settlement by Consent without Notice along with the appropriate Waivers of Notice, and stating that she has complied with all prior Court Orders, if any.

It appearing to the Court from said evidence submitted that said Executrix has fully complied with the laws and orders of this Court, and that the Executrix should be discharged.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court that MARGARET B. EURTON, as Executrix of the Estate of JAMES W. EURTON, deceased, be and she is hereby discharged and relieved from all further liability.

DONE AND ORDERED on this the 3rd day of January ¹⁹⁹⁷ 1996.

William Wyatt, Jr.
JUDGE OF PROBATE

Inst # 2000-32899

09/20/2000-32899
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
019 CJ1 53.50