

**IN THE PROBATE COURT OF
SHELBY COUNTY, ALABAMA**

IN THE MATTER OF THE ESTATE)
OF LEON F. KELLY, SR., DECEASED)

NO. 40-267

PARTIAL DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Leon F. Kelly, Sr., a resident of Shelby County, State of Alabama, died on 5th day of December, 2000; and

WHEREAS, the Last Will and Testament of Leon F. Kelly, Sr. was duly admitted to Probate in the Probate Court of Shelby County, Alabama on December 19, 2000, and that Letters Testamentary were been duly issued to Leon F. Kelly, Jr. as Personal Representative; and

WHEREAS, pursuant to Article I of the Last Will and Testament of Leon F. Kelly, Sr., certain the personal property belonging to Leon F. Kelly, Sr. is bequeathed to Leon F. Kelly, Jr.; and

WHEREAS, the undersigned, Leon F. Kelly, Jr. is desirous of disclaiming certain personal property listed on the attached Exhibit A bequeathed to him pursuant to Article I of the Last Will and Testament of Leon F. Kelly, Sr., Deceased; and

WHEREAS, the undersigned, Leon F. Kelly, Jr., after due consideration and advise of counsel, including advice of tax advisors, has decided to disclaim entirely and irrevocably any interest he may have in the personal property listed on the attached Exhibit A bequeathed to him pursuant to Article I of the Last Will and Testament Codicil thereto, of Leon F. Kelly, Sr., Deceased.

WHEREAS, pursuant to Article VII of the Last Will and Testament of Leon F. Kelly, Sr., the Residuary Trust is full due to gifting of the maximum amount by Leon F. Kelly, Sr. during his lifetime of unified tax credit, and therefore the disclaimed personal property listed on the attached Exhibit A will be allocated to the Marital Trust.

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES, and pursuant to Section 43-8-290, et. seq., Code of Alabama (1975), as amended, known as the Uniform Disclaimer of Property Interest Act, I, Leon F. Kelly, Jr. do hereby absolutely disclaim and renounce any right to take the personal property listed on the attached Exhibit A bequeathed to me pursuant to Article I. My disclaimer is unequivocal, constituting a complete and unqualified disclaimer and renunciation of my right to take the certain personal property listed on the attached Exhibit A bequeathed to him pursuant to Article I under the Last Will and Testament of Leon F. Kelly, Sr., Deceased.

Inst # 2001-36347

08/24/2001-36347
11:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CH 23.00

IN WITNESS WHEREOF, the undersigned has set his hand and seal this
23rd day of August, 2001.


LEON F. KELLY, JR. [SEAL]

STATE OF ALABAMA]
JEFFERSON COUNTY]

Personally appeared, before me, the undersigned authority in and for said county and state, on this 24th day of August, 2001 within my jurisdiction, the within named Leon F. Kelly, Jr., who acknowledged that he executed the above and foregoing instrument.

Given under my hand and official seal this 24th day of August, 2001.

[SEAL]


Notary Public
My Commission expires: 2/23/05

THIS INSTRUMENT WAS PREPARED BY:

ANNETTE T. RUFF
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Post Office Box 59807
Birmingham, AL 35259-0807
(205) 879-5959

EXHIBIT "A"

<u>ITEM</u>	<u>DESCRIPTION</u>
GUNS	10 Guns of varying descriptions.
TAXIDERMY	25 pieces including head mounts, half mounts and a rug.
½ ATOCHA SHIPWRECK COINS & ARTIFACTS	one half of Coins, gems and an Ingot recovered from the Atocha Shipwreck
4-RUNNER	Toyota utility vehicle
MORTGAGE RECEIVABLES (2)	Mortgages on property.
½ BOSTON WHALER	Disclaiming one half of 18' fishing boat.
1990 MOTOR HOME	Holiday Rambler
1 5200 JOHN DEERE TRACTOR	one half of the value of A 5200 Tractor # LV200D220861
1 5300 JOHN DEERE TRACTOR	one half of the value of A 5300 Tractor # LV300E632058
½ CASH	One half of value of Joint account with Deceased. CMA435-960-87

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11:11 AM CERTIFIED

GREELY COUNTY JUDGE OF PROBATE

003 CH 23.00