

Last Will and Testament

OF

HELEN S. ISBELL

STATE OF ALABAMA

SHELBY COUNTY

I, **HELEN S. ISBELL**, a resident of Shelby County, State of Alabama, being of sound mind and disposing memory, do hereby make, publish, and declare this as and for my Last Will and Testament.

I hereby expressly revoke all former Wills and codicils by me at any time heretofore made.

I declare that I am an unmarried person.

ITEM ONE

I direct that all of my lawfully enforceable debts, the expenses of my last illness, the expenses of my funeral and burial, including a suitable marker or monument for my grave, unpaid charitable pledges evidenced by a writing signed by me (whether or not the same are enforceable obligations of my estate), the costs of administering my estate, including the reasonable expenses incurred in safeguarding or delivering estate property and payment of attorney fees, shall be paid by my Personal Representative, hereinafter named, out of and charged generally against the principal of my residuary estate as soon as the prudent and orderly administration of my estate will permit. However, I intend that any indebtedness secured by an interest in real property owned by me at the time of my death

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shall not be charged to or paid from my estate, but that the devisee, joint owner taking by survivorship, or beneficiary receiving such real property or interest in real property, shall take it subject to all encumbrances existing at the time of my death, unless my Personal Representative shall determine that it is in the best interest of my estate and the beneficiaries thereof that such indebtedness or a portion thereof shall be paid from my estate.

ITEM TWO

All of the rest, residue and remainder of my estate, whether real, personal, or mixed, wheresoever the same may be situated, including anything of value in which I have any interest or to which I may be entitled at the time of my death I give and devise to my children, Melvin H. Isbell and Marty V. Isbell, to be divided equally, in equal shares, share and share alike, per stirpes.

ITEM THREE

I hereby nominate and appoint Melvin H. Isbell to be Personal Representative of this Will, without bond, and hereby direct that he shall not be required to file an inventory or final settlement, or to report his acts and proceedings as such Personal Representative to any court. I hereby grant to and vest in my said Personal Representative full power and authority to sell at private sale and to convey, lease, exchange, mortgage, pledge, and otherwise alienate any or all of the assets of my estate, on such terms as he deems to be proper in his sole discretion, without the order of any court. I further vest in and grant to my said Personal Representative authority to do each and every act or thing that he may consider to be necessary, convenient, or proper in and about the administration and management of my estate, it being my purpose and intention to grant to him all of the powers over

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said property and estate that I am capable of granting to him as such Personal Representative.

In event that the said Melvin H. Isbell should not be living at the time a Personal Representative is appointed for my estate or if he should, for any reason, fail to act, or resign, I nominate and appoint Marty V. Isbell to be Personal Representative of this Will with all the powers, duties, and exemptions granted to and vested in the said Melvin H. Isbell.

The omission on my part to devise any part of my estate to any of my relatives or to anyone other than those heretofore named herein above in this Will is purposely made by me.

IN WITNESS WHEREOF, I, HELEN S. ISBELL, the said Testatrix, do hereunto set my hand and seal to this, my Last Will and Testament containing five pages, including the attestation and affidavit on this the 2nd day of December 2004.


HELEN S. ISBELL

I, **HELEN S. ISBELL**, the Testatrix sign my name to this instrument this 2nd day of December 2004, 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 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

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or older, of sound mind, and under no constraint or undue influence.

HeLEN S. IsBELL
HELEN S. ISBELL, TESTATRIX

We the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and Testament and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this Will as witness to the Testatrix's signing and that, to the best of our knowledge, the Testatrix is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Vernon N. Schmitt
Vernon N. Schmitt, Witness

P. O. Box 521
Leeds, Alabama 35094

Scott E. Isbell
Scott E. Isbell, Witness

P. O. Box 521
Leeds, Alabama 35094

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HELEN S. ISBELL

SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED before me by **HELEN S. ISBELL**, the Testatrix, and subscribed and sworn to before me by Vernon N. Schmitt and

Scott E. Isbell witnesses, this 2nd day of December 2004.

Kimberly D. Isbell
Notary Public
My Commission Expires: 4/11/2007

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