COUNTY OF LAUDERDALE

IN RE: THE ESTATE OF MARY W. SHIRLEY, DECEASED

IN THE PROBATE COURT

CASE NUMBER 16063

VOL 142 PAGE 484

20050503000210820 1/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### PETITION FOR PROBATE OF WILL

TO the Honorable Dewey D. Mitchell, Judge of Probate:

The petition of the undersigned, Paulette S. Alexander, respectfully represents unto Your Honor that Mary W. Shirley, who was at the time of her death an inhabitant of this County, departed this life on or about the 12<sup>th</sup> day of March, 2001, leaving assets in this state, and leaving a Last Will and Testament duly signed and published by her on the 31<sup>st</sup> day of May, 1977 and attested by Conrad M. Fowler, Jr. and Erline B. Mayhew, as witnesses thereto.

Your petitioner, as she verily believes, is named in the said Last Will and Testament as Personal Representative and she does herewith surrender the said Last Will and Testament with the petition that after proper proceedings and proof, it may be probated and admitted to record as the true Last Will and Testament of Mary W.Shirley, deceased.

Your petitioner further represents that the following persons are the heirs at law of the said Mary W.Shirley, all of whom are of sound mind and over the age of nineteen years, to-wit: Melinda S. Woods (daughter), 5764 St. Christopher Dr., Orlando, Florida 32822, Betty June Holcomb (daughter), 520 Fairway Dr., Jacksonville, Alabama 36265 and Paulette S. Alexander (daughter), 1134 Sorrento Rd., Florence, Alabama 35630.

Your petitioner further represents to the Court that the said Last Will of the said decedent does not comply with the provisions of the Alabama self-proving will statute and the attesting witnesses reside in Columbiana, Alabama, wherefore it will be necessary for this court to issue a commission to take the testimony of Conrad M. Fowler, Jr., who is one of the subscribing witnesses who is prepared to appear for deposition to give proof of the will upon the filing of this petition.

Your petitioners therefore further pray 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 effect the probate and record of said Will in this Court.

Paulette S. Alexander 1134 Sorrento Rd. Florence, AL 35630

John C. Harris, Jr. HAR039

Attorney for Petitioner Harris, Harris & King Post Office Box 99 Florence, AL 35631

20050503000210820 2/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

THE STATE OF ALABAMA

COUNTY OF LAUDERDALE

#### VERIFICATION

Paulette S. Alexander, 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.

PAULETTE S. ALEXANDER

NOTARY PUBLIC

JUN 1 2 2001

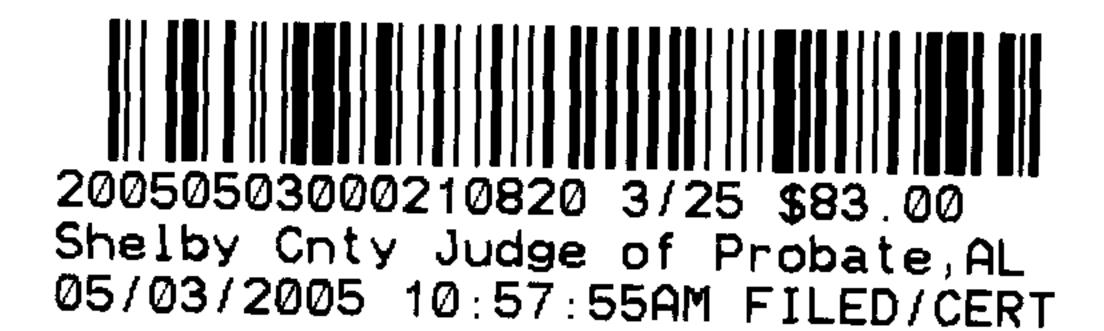
Judge of Probate

142 PAGE 435

VOL 1.42 PAGE 486

## Aust Mill and Testament

OF
MARY W. SHIRLEY



STATE OF ALABAMA

SHELBY COUNTY

I, MARY W. SHIRLEY, of Chelsea, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, revoking hereby any will made by me at any time heretofore, to-wit:

FIRST: I will and direct that my just debts and funeral expenses be paid out of my estate as soon after my death as may be convenient.

SECOND: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughter, Betty June Holcomb, per stirpes,

NE¼ of SW¾ of Section 7, Township 20, Range 1 West, Less and Except the following (1) mineral and mining rights and (2) parcel of land conveyed to Jerry Maxwell Davis and wife as recorded in Deed Book 243, page 182 in the office of the Judge of Probate of Shelby County, Alabama.

THIRD: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughters, Melinda S. Woods and Paulette S. Alexander, share and share alike, per stirpes,

SE¼ of NW¼ of Section 7, Township 20, Range 1 West, Less and Except that parcel of land conveyed to Jerry Maxwell Davis and wife as recorded in Deed Book 243, page 182 in the office of the Judge of Probate of Shelby County, Alabama.

SW4 of SE4 of Section 6, Township 20, Range 1 West.

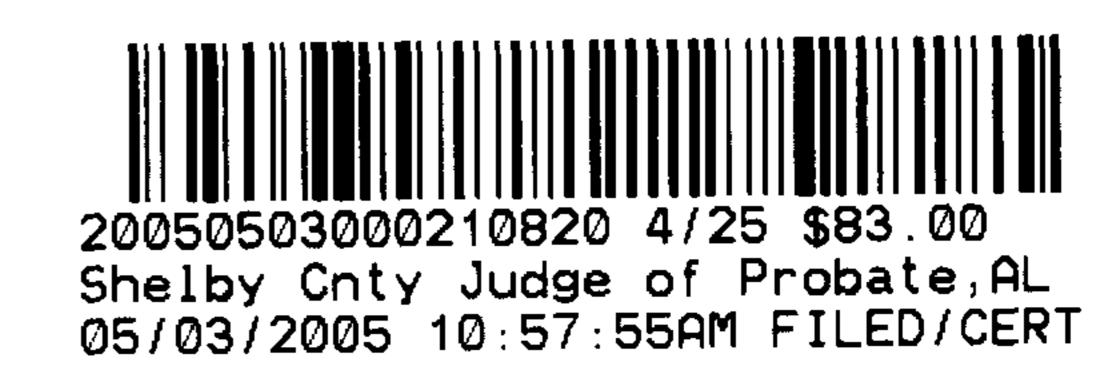
NE¼ of NW¼ of Section 7, Township 20, Range 1 West, Less and Except the Northwest diagonal ½ of N½ of NE¼ of NW¼.

NW4 of NE4 of Section 7, Township 20, Range 1 West.

SW¼ of NE¼ of Section 7, Township 20, Range 1 West, Less and Except the following, (1) parcel of land conveyed to Pleasant Valley Free Will Baptist Church recorded in Deed Book 270, page 323, (2) parcel of land conveyed to Melinda S. Woods in Deed Book 268, page 880, and deed of correction in Deed Book 284, page 559 and, (3) parcel of land conveyed to Melinda S. Woods and husband Connie Dan Woods, in Deed Book 294, page 733.

Less and Except the mineral and mining rights to all of the above described lands.

Many w. Shirley



FOURTH: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughter, Melinda S. Woods, per stirpes,

The Post Office building and lot on which it is located, in Chelsea, Alabama.

FIFTH: I will, devise and bequeath all of the rest of my property and estate of every kind and character, that I own or have an interest in at the time of my death, to my children, Betty June Holcomb, Melinda S. Woods, and Paulette S.Alexander, share and share alike, per stirpes.

SIXTH: I nominate and appoint Melinda S. Woods and Paulette S. Alexander, to be the Co-executrices of this my Last Will and Testament. It is my will and desire that my Co-executrices shall not be required to give any bond or security for the performance of their duties as such Co-executrices or to account to any Court for their acts and doings as such Co-executrices, and that they are hereby expressly exempted from filing any inventory or making any report of final settlement of my estate.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal on this  $3/2^{-}$  day of may, 1977.

Mary W. Shuley (Seal)

SIGNED, SEALED, PUBLISHED, and DECLARED by the above named MARY W. SHIRLEY, as, and for her Last Will and Testament, in the presence of us, who, in her presence, and in the presence of each other, have hereto set our hands as witnesses.

Address: Columbiana, alabana

Address: Columbiana Ala.

JUN 1 2 7001

Judge of Probate

VOL 192PAGE 407

COUNTY OF LAUDERDALE

VOL 142 PAGE 488

IN RE: MARY W. SHIRLEY, DECEASED

#### WAIVER OF NOTICE REGARDING PROBATE OF WILL

COMES NOW PAULETTE S. ALEXANDER, and states that she is an heir to the estate of Mary W.Shirley, deceased, that she is over the age of nineteen years, and does hereby accept service and waiver notice of the petition of Paulette S. Alexander to probate the Last Will and Testament of Mary W.Shirley which instrument is dated 31st day of May, 1977 and moves the Court to admit the said Will to Probate and Record.

And I do hereby enter my appearance at any hearing set in the matter of admitting said Last Will and Testament to Probate and Record, in the office of the Judge of Probate of Lauderdale County, Alabama and consent to the said instrument being immediately admitted to Probate and Record as the true Last Will and Testament of Mary W.Shirley, deceased.

PAULETTE S. ALEXANDER

Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

THE STATE OF ALABAMA

COUNTY OF LAUDERDALE

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Betty June Holcomb whose name is signed to the foregoing waiver and consent, and who is known to me, acknowledged before me on this day that being informed of and understanding the contents of the same, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 12 day of June, 2001.

MUNISTERN PUBLIC

SEAL

Prepared by:

Harris, Harris & King, Attorneys P. O. Box 99, Florence, AL 35631

JUN 2 2001

IN THE PROBATE COURT

COUNTY OF LAUDERDALE

IN RE: MARY W. SHIRLEY, DECEASED

20050503000210820 6/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### WAIVER OF NOTICE REGARDING PROBATE OF WILL

COMES NOW BETTY JUNE HOLCOMB, and states that she is an heir to the estate of Mary W.Shirley, deceased, that she is over the age of nineteen years, and does hereby accept service and waiver notice of the petition of Paulette S. Alexander to probate the Last Will and Testament of Mary W.Shirley which instrument is dated 31<sup>st</sup> day of May, 1977 and moves the Court to admit the said Will to Probate and Record.

And I do hereby enter my appearance at any hearing set in the matter of admitting said

Last Will and Testament to Probate and Record, in the office of the Judge of Probate of

Lauderdale County, Alabama and consent to the said instrument being immediately admitted to

Probate and Record as the true Last Will and Testament of Mary W.Shirley, deceased.

DATED this the 30 th day of June, 2001.

Betty June Holcomb

BETTY JUNE HOLCOMB

THE STATE OF ALABAMA

COUNTY OF CALHOUN

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Betty June Holcomb whose name is signed to the foregoing waiver and consent, and who is known to me, acknowledged before me on this day that being informed of and understanding the contents of the same, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the  $20^{+h}$  day of June, 2001.

NOTARY PUBLIC

MY COMMISSION EXPIRES MAY 10, 2002

SEAL

Prepared by:

Harris, Harris & King, Attorneys P. O. Box 99, Florence, AL 35631

VOL 142 PAGE 489

Filed in Office

JUL 3 2001

THE STATE OF ALABAMA
COUNTY OF LAUDERDALE

IN THE PROBATE COURT

20050503000210820 7/25 \$83.00

Shelby Cnty Judge of Probate, AL
05/03/2005 10:57:55AM FILED/CERT

IN RE: MARY W. SHIRLEY, DECEASED

VOL 142 PAGE 400

#### WAIVER OF NOTICE REGARDING PROBATE OF WILL

COMES NOW MELINDA S. WOODS, and states that she is an heir to the estate of Mary W.Shirley, deceased, that she is over the age of nineteen years, and does hereby accept service and waiver notice of the petition of Paulette S. Alexander to probate the Last Will and Testament of Mary W.Shirley which instrument is dated 31<sup>st</sup> day of May, 1977 and moves the Court to admit the said Will to Probate and Record.

And I do hereby enter my appearance at any hearing set in the matter of admitting said

Last Will and Testament to Probate and Record, in the office of the Judge of Probate of

Lauderdale County, Alabama and consent to the said instrument being immediately admitted to

Probate and Record as the true Last Will and Testament of Mary W.Shirley, deceased.

DATED this the 15 day of June, 2001.

MELINDA S. WOODS

THE STATE OF FLORIDA

COUNTY OF ORANGE

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Melinda S. Woods whose name is signed to the foregoing waiver and consent, and who is known to me, acknowledged before me on this day that being informed of and understanding the contents of the same, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the

day of June, 2001.

Feal # 6330 557497580

Prepared by:

Harris, Harris & King, Attorneys P. O. Box 99, Florence, AL 35631

DAVID F. JERNIGAN, JR.

MY COMMISSION # CC 860916

EXPIRES: December 4, 2003

Bonded Thru Notary Public Underwriters

Filed in Office

JUL 3 2001

LAUDERDALE COUNTY

IN THE PROBATE COURT

CASE NO. 16063

IN RE: THE ESTATE OF MARY W. SHIRLEY,
DECEASED

20050503000210820 8/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### TESTIMONY IN SUPPORT OF DEPOSITION

Before me, Dewey D. Mitchell, Judge of Probate for Lauderdale County, Alabama, personally appeared John C. Harris, Jr., who being by me first duly sworn deposes and says: That he is the attorney for the petitioner, Paulette Alexander, that the witnesses, Conrad M. Fowler, Jr. and Erline B. Mayhew reside some 170 miles from Florence, Alabama, and that the witness, Conrad M. Fowler, Jr., Attorney, whose office is at Columbiana, Shelby County, Alabama 35011, whose testimony is to be taken, and who is a material witness for the petitioner, and his evidence should be secured by deposition upon the appointment of a commissioner pursuant to the *Code of Alabama (1975)*, §43-8-168, will be material evidence for the petitioner in the trial of this cause.

John C. Harris, Jr.
Harris, Harris & King
Attorney for Petitioner
P. O. Box 99
Florence, AL 35631

Sworn to and subscribed before me this \_\_\_\_\_ day of June, 2001.

Dewey D. Mitchell Indeed of the bate

Judge of Probate

The name of Lanice Brasher, a Notary Public, P. O. Box 587, Columbiana, Alabama, is suggested as a fit and suitable person to be commissioned to take down the answers to interrogatories in this cause and it is requested that a commission issue to her for that purpose.

John C. Harris, Jr., Attorney for Petitioner

JUN 2 2001

Judge of Probate

VOL 142 PAGE 401

IN THE PROBATE COURT

LAUDERDALE COUNTY

CASE NO. 16063

VOL 142 PAGE 402

20050503000210820 9/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

## IN RE: THE ESTATE OF MARY W. SHIRLEY, DECEASED

#### APPOINTMENT OF COMMISSIONER

TO: LANICE BRASHER

THE OFFICE OF WALLACE, ELLIS, FOWLER & HEAD P.O. BOX 587 COLUMBIANA, AL 35051

Pursuant to the authority of the *Code of Alabama (1975)*, §73-8-168, I hereby appoint you as commissioner and issue this commission to you to take the deposition of Conrad Fowler, Jr., P.O. Box 587, Columbiana, AL 35051 (telephone 256-669-6783), a witness to the signing of an instrument purported to be the Last Will and Testament of Mary W. Shirley, now deceased, in proof of such Last Will of said decedent.

You are requested to summon the said Conrad Fowler, Jr. into your presence, propound the attached interrogatories to him, under his oath, and return the same to me forthwith.

Dewey D. Mitchell
DEWEY D. MITCHELL
Judge of Probate, Lauderdale County

JUN 1 2 700!

LAUDERDALE COUNTY

IN THE PROBATE COURT

20050503000210820 10/25 5 Shelby Coty Judge of Brok

IN RE: THE ESTATE OF MARY W. SHIRLEY
DECEASED

INTERROGATORIES TO WITNESS: CONRAD M. FOWLER, JR.

Now comes the petitioner, Paulette Alexander, and propounds interrogatories to Conrad M. Fowler, Jr., a witness, whose testimony, when taken, will be material evidence for the petitioner in regard to the proof of the paper purported to be the Last Will and Testament of Mary W. Shirley, deceased:

First Interrogatory:

Please state your name, age, residence and place of employment.

Second Interrogatory:

Please state whether or not you knew Mary W. Shirley during her life, who died on March 12, 2001.

Third Interrogatory:

I show you herewith a photocopy of an instrument purporting to be the Last Will and Testament of Mary W. Shirley, and on the foot of the same what purports to be the signature of Mary W. Shirley, and purports to be the signature of you, and Erline B. Mayhew. Please examine this instrument and state whether or not you are familiar with the same.

Fourth Interrogatory:

Please state if you saw Mary W. Shirley execute the said instrument, a copy of which is attached to the answers of these interrogatories and made a part hereof and marked Exhibit "A".

Fifth Interrogatory:

Please state if you signed the same, and if that is your signature (Conrad M. Fowler, Jr.) that appears at the foot of said instrument.

Sixth Interrogatory:

Please state if Mary W. Shirley signed the same, and if that is her signature that appears at the foot of said instrument.

Seventh Interrogatory:

VOL 142 PAGE 403

Please state if Mary W. Shirley executed said instrument in your presence and in the presence of Erline B. Mayhew.

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Eighth Interrogatory:

Please state if the testatrix, Mary W. Shirley, was also present and requested you to execute the instrument as a witness to her will.

Ninth Interrogatory:

Please state if you and Erline B. Mayhew saw Mary W. Shirley execute the said instrument, and if she executed the same in your presence and if you and Erline B. Mayhew

Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

Tenth Interrogatory:

Please state whether or not the said Mary W. Shirley was of sound mind and disposing memory in your judgement at the time she executed the said instrument.

executed the same in her presence and in the presence of each other.

Eleventh Interrogatory:

Please state whether or not said instrument was executed by you and Erline B. Mayhew on the 31<sup>st</sup> day of May, 1977.

Twelfth Interrogatory:

Was Mary W. Shirley eighteen years of age or older on May 31, 1977?

Thirteenth Interrogatory:

State a fair and reasonable amount of compensation for your effort and time in answering these interrogatories.

Fourteen Interrogatory:

State a fair and reasonable amount of compensation for the services of the Commissioner, Lanice Brasher.

John C. Harris, Jr.

HARRIS, HARRIS & KING

Attorney for Petitioner

P. O. Box 99

Florence, AL 35631

(256) 764-1358

.100 200 2001

Judge et mobers

LAUDERDALE COUNTY

IN THE PROBATE COURT

IN RE: THE ESTATE OF MARY W. SHIRLEY DECEASED

20050503000210820 12/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### ANSWERS TO INTERROGATORIES

By virtue of the commission hereto annexed, issued from the Probate Judge of
Lauderdale County, State of Alabama, I, the Commissioner therein named, have called and cause
to come before me the said Conrad M. Fowler, Jr., the witness named in the said commission,
this the \_\_\_\_\_ day of June, 2001, in my office at Wallace, Ellis, Fowler & Head, Columbiana,
Alabama, and having duly cautioned and sworn the said witness to speak the truth, the whole
truth and nothing but the truth, Conrad M. Fowler, Jr., the said witness, deposeth and saith as
follows:

1. To the first interrogatory he saith:

ionvail im Jowler In Age - 34 your ,21 Bolton hans kirlum miane, Ala 35057 Wallace, Ethic, Jowler and Head, Attorneyor Kolumbiane Ala 35057

2. To the second interrogatory he saith:

400

- Jam Jamihim with its with of many who strivery.
- 4. To the fourth interrogatory he saith:

  J man many w. Assirley might her will.
- J withered many w. Minten we will with . My righthere of the many with an a withere

To the sixth interrogatory he saith:

Many W. Allusty signed her with in my

presques and in the presence of Erling to.

Mayhew. Mr. Mayhew and I witherness the with

of Mr. Alively in her presence and in the

presence of such other. Mr. Alusty's signestime

and it the look of the wide.

To the seventh interrogatory he saith:

mary w. Alwely executed her with the my presence of Erlins A. May hun.

To the eighth interrogatory he saith:

Ter Erline M. Muy hen , strendt det with me wither.

To the ninth interrogatory he saith: Ereine A. May hew and I now many w. Swiley execute her wir. Ale rigned her will in our presence. Mr. mayben and I rigned Mr. Aluilez: with in her presence and in 2e presence of

To the tenth interrogatory he saith: Ar Retime mor suicen signed her with she was of something and disposing memory.

- To the eleventh interrogatory he saith: mr. meg hen med s rigned the with of man w. Aunilan om 5/3/177.
- To the twelfth interrogatory he saith: nang w. Auntley war aven de age of eigentum ginn on 5/3:177.
- To the thirteenth interrogatory he saith: P 75.00

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To the fourteenth interrogatory he saith:

Lowned Lowell J.

Conrad M. Fowler, Jr.

I, Lanice Brasher, the Commissioner in said commission named, do hereby certify that the foregoing testimony and answers taken down and written by me in the words of the witness, Conrad M. Fowler, Jr., were read over to him and that he assented thereto, swore to and

subscribed the same in my presence, at the time and place herein mentioned; and that I have personal knowledge of the personal identity of the said witness; that I am not of counsel or kin to either of the parties to said cause, nor interested in the result thereof. I enclose the said testimony, together with said commission and the interrogatories, direct to the said Probate Judge of said Court, whence the same emanated, as my full execution of said commission.

Given under my hand and seal this \_\_\_\_ day of June, 2001.

Lanice Brasher
Notary Public

P. O. Box 587

Columbiana, AL 35051

20050503000210820 14/25 \$83.00 20050503000210820 14/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

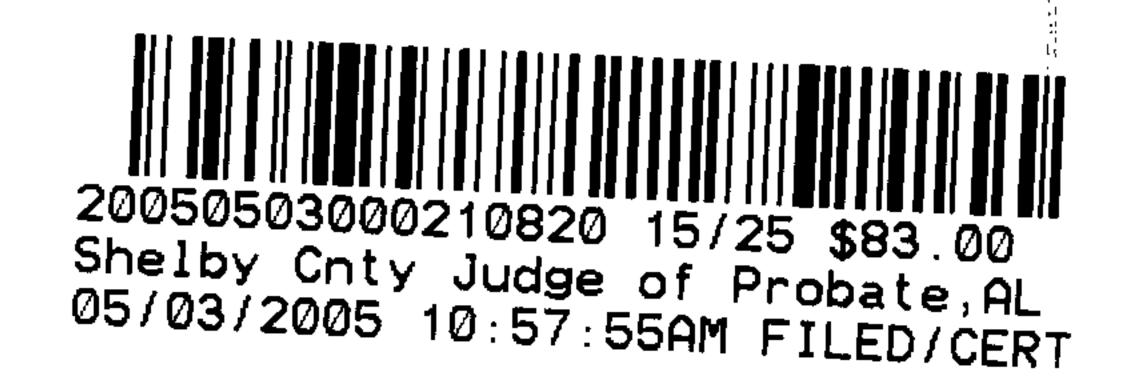
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VOL 142 PAGE 407

## Tast Mill and Testament

OF MARY W. SHIRLEY



STATE OF ALABAMA

SHELBY COUNTY

I, MARY W. SHIRLEY, of Chelsea, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, revoking hereby any will made by me at any time heretofore, to-wit:

FIRST: I will and direct that my just debts and funeral expenses be paid out of my estate as soon after my death as may be convenient.

SECOND: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughter, Betty June Holcomb, per stirpes,

NE¼ of SW¼ of Section 7, Township 20, Range 1 West, Less and Except the following (1) mineral and mining rights and (2) parcel of land conveyed to Jerry Maxwell Davis and wife as recorded in Deed Book 243, page 182 in the office of the Judge of Probate of Shelby County, Alabama.

THIRD: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughters, Melinda S. Woods and Paulette S. Alexander, share and share alike, per stirpes,

SE¼ of NW¼ of Section 7, Township 20, Range 1 West, Less and Except that parcel of land conveyed to Jerry Maxwell Davis and wife as recorded in Deed Book 243, page 182 in the office of the Judge of Probate of Shelby County, Alabama.

SW4 of SE4 of Section 6, Township 20, Range 1 West.

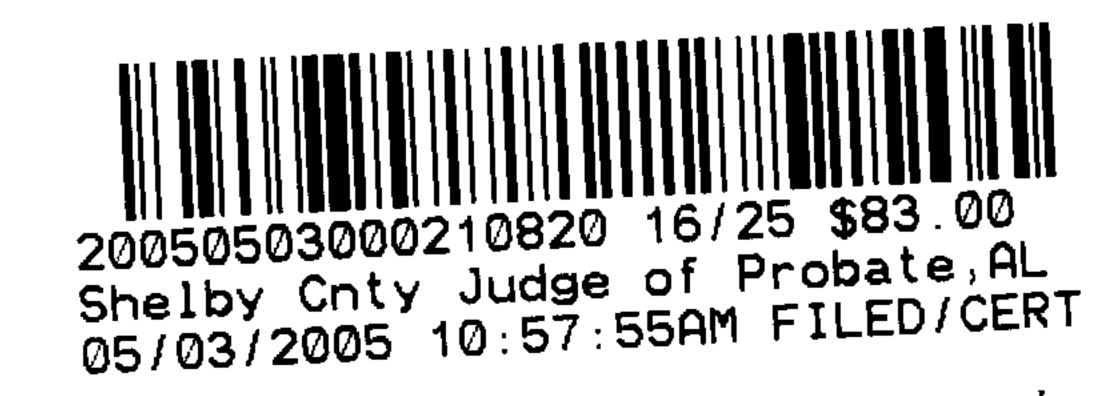
NE¼ of NW¼ of Section 7, Township 20, Range 1 West, Less and Except the Northwest diagonal ½ of N½ of NE¼ of NW¼.

NW4 of NE4 of Section 7, Township 20, Range 1 West.

SW¼ of NE¾ of Section 7, Township 20, Range 1 West, Less and Except the following, (1) parcel of land conveyed to Pleasant Valley Free Will Baptist Church recorded in Deed Book 270, page 323, (2) parcel of land conveyed to Melinda S. Woods in Deed Book 268, page 880, and deed of correction in Deed Book 284, page 559 and, (3) parcel of land conveyed to Melinda S. Woods and husband Connie Dan Woods, in Deed Book 294, page 733.

Less and Except the mineral and mining rights to all of the above described lands.

Many w. Shiller



FOURTH: I will, devise and bequeath all of my right, title, and interest in the following described property to my daughter, Melinda S. Woods, per stirpes,

The Post Office building and lot on which it is located, in Chelsea, Alabama.

FIFTH: I will, devise and bequeath all of the rest of my property and estate of every kind and character, that I own or have an interest in at the time of my death, to my children, Betty June Holcomb, Melinda S. Woods, and Paulette S.Alexander, share and share alike, per stirpes.

SIXTH: I nominate and appoint Melinda S. Woods and Paulette S. Alexander, to be the Co-executrices of this my Last Will and Testament. It is my will and desire that my Co-executrices shall not be required to give any bond or security for the performance of their duties as such Co-executrices or to account to any Court for their acts and doings as such Co-executrices, and that they are hereby expressly exempted from filing any inventory or making any report of final settlement of my estate.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal on this 3/2 day of may, 1977.

Mary W. Shuley (Seal)

SIGNED, SEALED, PUBLISHED, and DECLARED by the above named MARY W. SHIRLEY, as, and for her Last Will and Testament, in the presence of us, who, in her presence, and in the presence of each other, have hereto set our hands as witnesses.

Address: Columbiana, alabama

Address: Columbiana Ala.

20050503000210820 17/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

THE STATE OF ALABAMA

COUNTY OF LAUDERDALE

IN THE PROBATE COURT

CASE NUMBER 16063

IN RE: THE ESTATE OF MARY W. SHIRLEY,
DECEASED

VOL 142 PAGE 500

#### ORDER ADMITTING WILL TO PROBATE

The Court having this day received the petition of Paulette S. Alexander, offering a certain instrument in writing purporting to be the Last Will and Testament of Mary W.Shirley, late an inhabitant of this county and state and praying that upon proper proceedings and proof said instrument should be admitted to probate and record as the true Last Will and Testament of the said Mary W.Shirley, deceased, and it appearing to the Court that notice of the said petition and of the time appointed for hearing same has been waived by all the persons entitled to notice thereof by instrument in writing filed with the Court, the Court proceeds to an immediate hearing on the said petition.

It appears to the Court from the written testimony in the file and from the testimony of the petitioner that the said instrument in writing filed with the Court was signed in the presence of Conrad M. Fowler, Jr. and Erline B. Mayhew, that they, on the date thereof, signed the said instrument as subscribing witnesses to the same, at the request of the deceased, declaring that the said instrument was signed by the said Mary W.Shirley in the presence of the said witnesses; and it also being shown to the Court by competent testimony that the said Mary W.Shirley was of the full age of eighteen years and upwards at the time of making the said Will, of sound mind, it seems to the Court that the petition should be granted..

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the said Last Will and Testament of Mary W.Shirley, deceased, dated 31<sup>st</sup> day of May, 1977, be received, and the same is hereby received and duly proved as the Last Will and Testament of the said Mary W.Shirley, and, as such, is admitted to probate to be recorded, together with the proof thereof and the other papers on file relating to this proceeding.

Done at Florence, Alabama, this the \_3 ad \_ day of June 2001.

ried in Office

Dewey D. Mitchell, Probate Judge

JUL 3 2001

COUNTY OF LAUDERDALE

IN THE PROBATE COURT

CASE NUMBER 16063

20050503000210820 18/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

IN RE: MARY W. SHIRLEY, DECEASED

#### PETITION FOR LETTERS TESTAMENTARY

Come now Melinda S. Woods and Paulette S. Alexander and respectfully represent to the Court that under the Last Will and Testament of Mary W.Shirley, which Will and Testament has been duly admitted to record in the Court, they were named as the Co-Personal Representatives thereof.

Your petitioners further represent that under the express provisions of Item Six of said

Last Will and Testament, they are exempted from giving any bond as such Personal

Representatives.

Your petitioners being above the age of nineteen years and in no respect disqualified under the law from serving as such Co-Personal Representatives, and the said Mary W.Shirley having died leaving assets in this county in this state, therefore, to the end that the said estate may be collected and preserved for those who appear to have a legal interest therein, your petitioners pray Your Honor will grant Letters Testamentary to them as the personal representatives of the estate of Mary W.Shirley, without bond, to execute the provisions of the Last Will and Testament of said decedent.

Melinda S. Woods

Mul I live to

Paulette S. Alexander

John C. Harris, Jr. HAR/39

Attorney for Petitioner Harris, Harris & King

Post Office Box 99

Florence, AL 35631

THE STATE OF FLORIDA

VOL 142 PAGE 502

COUNTY OF ORANGE

20050503000210820 19/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### VERIFICATION

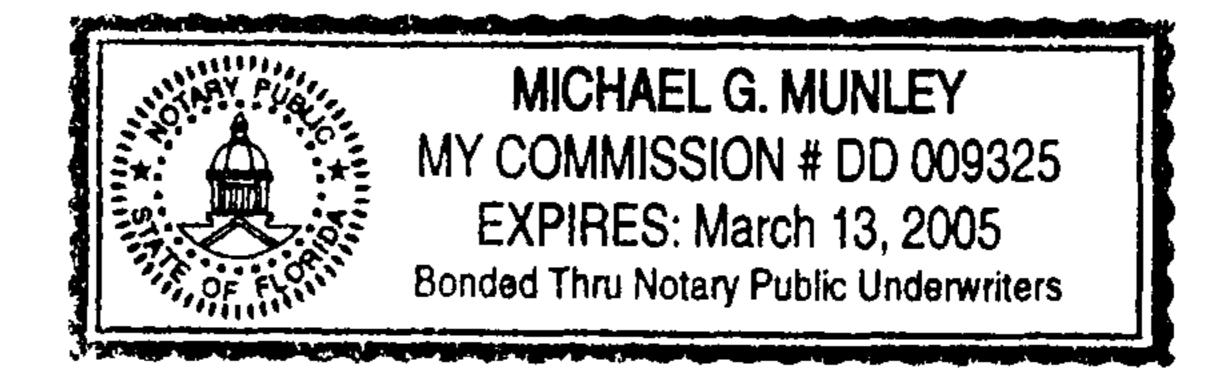
Melinda S. Woods being by me duly sworn, deposes and says that the fact alleged in the above petition for Letters Testamentary are true and correct to the best of her knowledge, information and belief.

Melinda S. Woods

Subscribed and sworn to before me this \_\_\_\_\_i\(^2\) day of June, 2001.

Notary Public

SEAL



THE STATE OF ALABAMA
COUNTY OF LAUDERDALE

#### VERIFICATION

Paulette S. Alexander being by me duly sworn, deposes and says that the fact alleged in the above petition for Letters Testamentary are true and correct to the best of her knowledge, information and belief.

Paulette S. Alexander

Notary Public

Subscribed and sworn to before me this  $12^{-12}$  day of June, 2001.

Filed in Office

SEAL

JUL 3 2001

COUNTY OF LAUDERDALE

IN RE: MARY W. SHIRLEY, DECEASED

IN THE PROBATE COURT

CASE NUMBER 16063

Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

ORDER GRANTING LETTERS TESTAMENTARY

This day comes Melinda S. Woods and Paulette S. Alexander and presents unto the Court their application in writing, under oath, praying that Letters Testamentary may issue to them as Co-Executrices of the Last Will of Mary W.Shirley, deceased; and the Court being now already fully advised concerning the death of the said Mary W.Shirley, and that in her Will, heretofore filed and admitted to probate by this Court, the said Melinda S. Woods and Paulette S. Alexander were named as Co-Executrices thereof, the Court now proceeds with a consideration of the application.

It appears to the Court, from the allegations contained in said petition, and from other good and sufficient evidence, that the said petitioners, Melinda S. Woods and Paulette S. Alexander, are of the full age of nineteen years, a fit persons in the estimation of the Court and under the law to serve as such Personal Representatives, and no person has appeared to oppose the grant of Letters Testamentary to said petitioners, and, in the opinion of the Court, no limitations on the statutory authority granted the Co-Personal Representatives need be imposed.

It further appears to the Court that in Item Six of said Will the deceased, Mary W.Shirley, waived the requirement that the Personal Representatives be under bond.

It is, THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that Letters Testamentary be, and they hereby are, granted to Melinda S. Woods and Paulette S. Alexander, as Co-Executrices under the Last Will and Testament of Mary W.Shirley, Deceased and, with full authority granted by statute, and said Co-Personal Representatives are hereby authorized to administer the said estate to the end that the goods and chattels of said deceased may be collected and preserved for those persons who may be shown to have a legal interest therein, all in accordance with the said Last Will and Testament.

AND FURTHER ORDERED by the Court that the said Co-Personal Representatives shall have all the powers granted to Personal Representatives by the Code of Alabama (1975), §43-2-843, in conjunction with the power and authority granted the Personal Representative

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under the provisions of the said Last Will and Testament of said decedent.

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AND FURTHER ORDERED by the Court that the costs of court in this proceeding are set at \$\_170.00\_\_\_\_, for which execution may issue.

Done at Florence, Alabama, this the \_\_\_\_\_ day of hine 2001.

Dewey D. Mitchell

Judge of the Probate Court

20050503000210820 21/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

## Filed in Office

JUL 3 2001

THE STATE OF ALABAMA
COUNTY OF LAUDERDALE

IN THE PROBATE COURT

20050503000210820 22/25 \$83.00 Shelby Cnty Judge of Probate, AL 05/03/2005 10:57:55AM FILED/CERT

#### LETTERS TESTAMENTARY

BE IT MADE KNOWN TO ALL WHOM IT MAY CONCERN THAT the Last Will and Testament of MARY W. SHIRLEY, deceased, having been duly admitted to probate and record in this County, Letters Testamentary are hereby granted to PAULETTE S.

ALEXANDER and MELINDA S. WOODS, named in said Will as Co-Personal Representatives, who has complied with the requisition of the law, and who is authorized to administer the estate of said decedent and execute the provisions of the said Will. Acting prudently for the benefit of persons having a legal interest in said estate, the said Personal Representatives shall have all the powers, without limitation, authorized Personal Representatives under the *Code of Alabama* (1975), §43-2-843, in conjunction with the powers granted by the provisions of the said Last Will.

Witness my hand this the \_3.1 day of July, 2001.

Dewey D. Mitchell
Judge of Probate

THE STATE OF ALABAMA
COUNTY OF LAUDERDALE

#### CERTIFICATION

I, Dewey D. Mitchell, Judge of the Probate Court of said County in said State, hereby certify that the within and foregoing is a true, correct, and complete copy of the Letters Testamentary issued to **Paulette S. Alexander** and **Melinda S. Woods**, as Co-Personal Representative of the estate of **Mary W.Shirley**, under the Last Will and Testament of said decedent, as the same appears of record in my office, and are still in full force and effect.

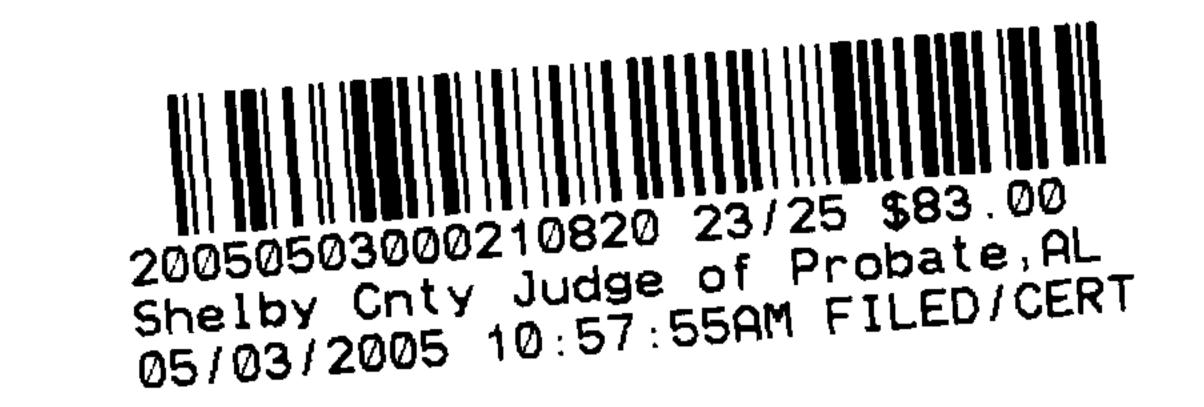
Given under my hand and official seal of office this \_\_\_\_\_ day of \_\_\_\_\_\_, 2001.

Dewey D. Mitchell Judge of Probate

## Filed in Office

JUL 3 2001

VOL 142 PAGE 505



IN RE: THE ESTATE OF MARY W. SHIRLEY

IN THE PROBATE COURT

#### NOTICE OF APPOINTMENT

VOL 142 PAGE 506

Letters Testamentary upon the estate of Mary W.Shirley having been granted to the undersigned, Paulette Alexander, on the \_\_\_\_\_\_ day of July, 2001, by the Hon. Dewey D. Mitchell, Judge of the Probate Court of Lauderdale County, Alabama, notice is hereby given that all persons having claims against said estate are hereby required to present the same by filing a verified claim in writing, within the time allowed by law or the same will be barred.

Paulette Alexander

Attorney for Personal Representative: John C. Harris, Jr. P. O. Box 99 Florence, AL 35631 (256) 764-1358

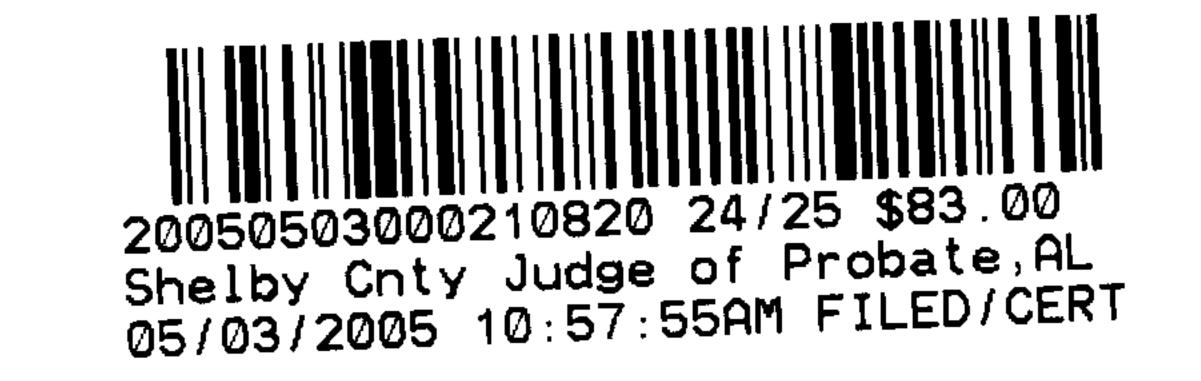
To the Publisher of the Times-Daily,

Please publish the above notice for three consecutive weeks in said newspaper.

Dewey D. Mitchell, Judge

Filed in Office

JUL 3 2001



## AFFIDAVIT OF PUBLICATION STATE OF ALABAMA LAUDERDALE COUNTY

I, Renita Jimmar, Advertising Manager of the TimesDaily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale, Colbert and Franklin Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

### ESTATE NOTICE FOR MARY W. SHIRLEY. PROBATE COURT

As published in TimesDaily on the days and dates and in the amount of space as here given, as follows:

JULY 11, 18, 25, 2001 27 LINES @ \$1.10 PER LINE PER DAY

LEGAL NOTICE

Notice of Appointment

the estate of Mary W. Shirley

having been granted to the

undersigned, Paulette

Alexander, on the 3rd day of

July, 2001, by the Hon. Dewey

D. Mitchell, Judge of the Pro-

bate Court of Lauderdale

County, Alabama, notice is

hereby given that all persons

having claims against said

estate are hereby required to

present the same by filing a

verified claim in writing, within

the time allowed by law or the

Paulette Alexander

July 11, 18, 25, 2001(c)

same will be barred.

Attorney for Personal

Representative:

(256)764-1358

P.O. Box 99

John C. Harris, Jr.

Florence, AL 35631

Letters Testamentary upon

In Re: The Estate of Mary

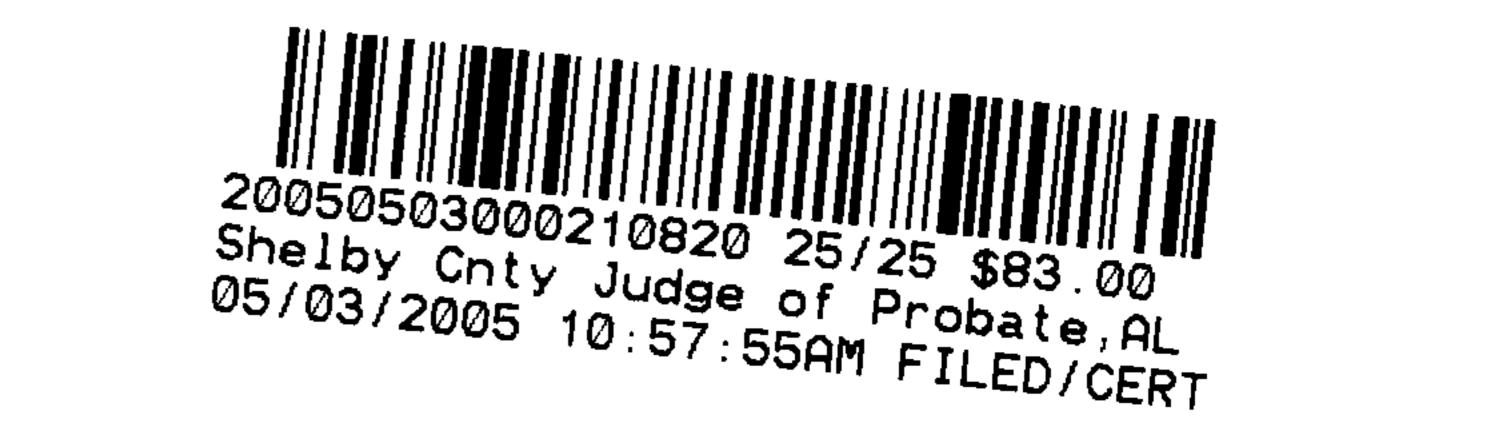
In the Probate Court

W. Shirley

Florence, ALJULY 25, 2001	
Printer's Fee \$89.10	
Sworn to me this 25TH_day ofJULY,	2001
Meritta Standridge, Notary Public, State at Large My commission expires September 23, 2002	

fied in Office

AUG 6 2001



# STATE OF ALABAMA LAUDERDALE COUNTY

#### IN THE PROBATE COURT

I, Dewey D. N	Mitchell, Judge of Probate in and for the State a	and County
aforesaid, do hereby	certify that the foregoing is a true and correct	copy of the
original as the same	appears of record in this office.	
Given under n	ny hand and official seal of office this $\frac{38+6}{2}$	day of
April	, 20 <u><i>0</i>5</u> .	
	Dewey De Mitchell	
	DEWEY D. MITCHELL, JUDGE OF PRO	<b>DBATE</b>