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Last Will and Testament

OF

HUGH PHILLIP ROWLAND

I, HUGH PHILLIP ROWLAND, a resident of and domiciled in the State of Alabama, make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me.

FIRST: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate, without apportionment and with no right of reimbursement from any recipient of any such property.

SECOND: I give and devise all of my right, title and interest in the real property which I occupy as my primary residence, namely the property known as 139 Cahaba Falls Lane, Helena, Alabama, or if I sell said property then all of my right, title and interest in the real property which I occupy as my primary residence at the time of my death, including all buildings and improvements thereon and all rights and easements appurtenant thereto and all rights that I have under any related insurance policies, to my wife DIANA LOCKHART ROWLAND, if she survives me, to have and to hold the same for and during her lifetime, without the necessity of paying rent or furnishing bond or other security therefor, but subject to and upon the condition that she pay all real property or similar taxes (not estate or inheritance taxes), assessments, carrying charges (including fire and extended coverage insurance premiums on the buildings and fixtures at the full insurable value thereof) and normal costs of maintenance and repair in respect thereof. My wife shall not be liable for waste and shall have no duty to account to the remaindermen. Upon the death of my wife, or upon her earlier disclaimer, renunciation or relinquishment of her interest in said real property, or upon my death if my wife does not survive me, I give and devise my interest in said real

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property to my then living issue in equal shares per stirpes as tenants in common. I give and devise all other real estate which I own or have an interest in at the time of my death to my children, COURTNEY ROWLAND NICE and GRAHAM HUGH ROWLAND, in equal shares per stirpes as tenants in common.

THIRD: I give and bequeath all of my tools, all of my firearms, all of my jewelry, and all of my oil paintings to my son GRAHAM HUGH ROWLAND.

All other tangible personal property is given to my wife DIANA LOCKHART ROWLAND, or if she does not survive me, to those of my children COURTNEY ROWLAND NICE and GRAHAM HUGH ROWLAND who survive me, in substantially equal shares, to be divided between them as they shall agree, or if they cannot agree, as my personal representative shall determine.

FOURTH: I give, devise and bequeath all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

(a) Fifty percent (50%) of my residuary estate shall be given to my wife DIANA LOCKHART ROWLAND if she shall survive me. If my wife does not survive me, then her fifty percent share shall be paid to COURTNEY ROWLAND NICE and GRAHAM HUGH ROWLAND in equal shares per stirpes.

(b) Twenty-five percent (25%) of my residuary estate shall be given to my daughter COURTNEY ROWLAND NICE if she shall survive me, and if she does not survive me, then to her then living issue per stirpes.

(c) The remaining twenty-five percent (25%) of my residuary estate shall be given to my son GRAHAM HUGH ROWLAND if he shall survive me, and if he does not survive me, then to his then living issue per stirpes.

(d) If none of the beneficiaries under clauses (a) through (c) above shall survive me, my residuary estate shall be paid and distributed as follows: fifty percent (50%) of my residuary estate shall be given to ERICA LOCKHART HEAD if she shall survive me, and if she does not survive me, then to her then living issue per stirpes.

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The remaining fifty percent (50%) of my residuary estate shall be given to FRANCIS GRAHAM ROWLAND, II, if he shall survive me, and if he does not survive me, then to his then living issue per stirpes.

FIFTH: If any property of my estate vests in absolute ownership in a minor or incompetent, my personal representative, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides. Evidence of any such distribution or the receipt therefor executed by the person to whom the distribution is made shall be a full discharge of my personal representative from any liability with respect thereto, even though my personal representative may be such person. If such beneficiary is a minor, my personal representative may defer the distribution of the whole or any part of such property until the beneficiary attains the age of nineteen (19) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article SEVENTH hereof. If the beneficiary dies before attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

SIXTH: I appoint my wife DIANA LOCKHART ROWLAND to be my personal representative. If my wife does not survive me, or shall fail to qualify for any reason as my personal representative, or having qualified shall die, resign or cease to act for any reason as my personal representative, I appoint COURTNEY ROWLAND NICE as my personal representative. I vest in my personal representative herein named full power and authority to handle, manage and deal with my estate as freely as I could act if I were living. Such power and authority may be exercised independently and without the prior or subsequent approval of any court or judicial authority. No one dealing with my personal representative shall be required to inquire into the propriety of any action taken by my personal representative. I direct that no personal representative shall be required to file or furnish any inventory, bond, surety or other security in any jurisdiction.

SEVENTH: I grant to my personal representative all powers conferred upon personal representatives and executors wherever my personal representative may act. I also grant

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to my personal representative power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to hold, manage, insure, repair, improve, demolish, divide, and otherwise deal with and dispose of any property; to borrow money and mortgage, encumber or pledge any property to secure loans; to divide and distribute property in cash or in kind; to exercise all powers of an absolute owner of property; to compromise and release claims with or without consideration; and to employ attorneys, accountants and other persons for services or advice. The term "personal representative" wherever used herein shall mean the personal representatives, executors, executor, executrix or administrator in office from time to time.

EIGHTH: If any beneficiary under this will and I die in a common accident or under circumstances in which it is difficult or impractical to determine who survived the other, such beneficiary shall be deemed to have predeceased me. The terms "child" and "children", as used in this will, include not only the child and children of the person designated, but also the legally adopted child and children of such person. The term "issue" includes not only the children and other issue of the person designated, but also the legally adopted children and issue of such person.

IN WITNESS WHEREOF, I, HUGH PHILLIP ROWLAND, the Testator, sign my name to this instrument as my last will and testament this 2nd day of December, 2005, 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 and deed for the purposes therein expressed, and that I am at least 19 years of age, of sound mind, and under no constraint, duress, fraud or undue influence. I also have affixed my initials on the bottom of each of the preceding pages hereof.

Hugh Phillip Rowland
HUGH PHILLIP ROWLAND

We Karen D Hollis + Lindell S. Howard, the witnesses, sign our names to this instrument, and, being first duly sworn, do each hereby declare to the undersigned authority that HUGH PHILLIP ROWLAND, the Testator, signed and executed this

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instrument as his last will and testament and that he signed it willingly, and that each of us, in the presence and hearing of the Testator, and each other, hereby signs this will as witness to the Testator's signing, and that to the best of each of our knowledge the Testator is at least 19 years of age, of sound mind, and under no constraint, duress, fraud or undue influence.

residing at

567 Miller Circle
Vestavia Springs AL 35224

Lindell S Howard

residing at

212 North River Dr
Shelby, AL 35143

STATE OF ALABAMA, COUNTY OF SHELBY, ss.

Subscribed, sworn to and acknowledged before me by the said HUGH PHILLIP ROWLAND, Testator, and subscribed and sworn to before me by the said KAREN D. HOLLIS AND LINDELL S. HOWARD as witnesses, this 2ND day of December, 2005.

Notary Public
My commission expires: 9/10/2008

Initial: _____