CERTIFICATE TO COPIES

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Shelby Cnty Judge of Probate, AL
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PROBATE - 67

The State of Alabama

JEFFERSON COUNTY

PROBATE COURT

I, Joy E. Cooper, Provisional Chief Clerk of the Court of Probate, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the ENTIRE PROBATE PROCEEDINGS

CASE # 178678

in the matter of VIRGINIA J MOEBES

as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this

the 27 day of NOV, 2006

Joy E. Cooper

Provisional Chief Clerk

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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 382

IN THE MATTER OF THE ESTATE OF)
)
VIRGINIA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 178678

PETITION FOR PROBATE OF WILL
(Self-Proved Will)

Comes your petitioner, AmSouth Bank N.A., and shows this Court the following facts:

1. Virginia J. Moebes (the "decedent") died testate at McCalla, Alabama on or about the 18th day of March, 2002, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is said decedent's Last Will and Testament naming petitioner as Executor thereof, which was duly signed by said decedent when over eighteen years of age, and was attested by the following witnesses:

Name	Present Address
Lauri Zykaski	Address Unknown
Virginia K. Hopper	3315 East Briarcliff Road Birmingham, Alabama 35223

3. The decedent's Last Will and Testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of Alabama Code §43-8-132. The name and present address of the officer authorized to administer oaths before whom said Will was acknowledged are as follows:

Name	Present Address
Jackson M. Payne	600 North 20th Street, Suite 400 Birmingham, Alabama 35203

4. The following is a true, correct, and complete list of the names, ages, conditions, relationships, and addresses of said decedent's widow/widower and next-of-kin (as determined by Application of Ala. Code §43-8-42):

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	Name	Relationship	Address
1.	Nellie Blanche J. Cunningham	Sister	1759 Garden Trail Helena, Alabama 35080
2.	Nicki Jones Kennedy	Great Niece	1759 Garden Trail Helena, Alabama 35080
3.	Simon G. Jones, IV	Great Nephew	5557 So. Shades Crest Rd. Bessemer, Alabama 35022

All of the above-named persons are competent and over the age of nineteen (19) years.

WHEREFORE, your petitioner prays that this Court will take jurisdiction of this petition; will cause all such notices or citations to issue to the said surviving spouse, next-of-kin, and attesting witnesses, and oath-administering officer, as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said Will as the Last Will and Testament of said decedent. This petition is deemed to be verified pursuant to Ala. Code §43-8-22.

Attorney for Petitioner:

Ms. Suzanne D. Paulson
Leitman, Siegal & Payne, P.C.
600 North 20th Street, Suite 400
Birmingham, Alabama 35203
(205) 251-5900

AmSouth Bank N.A.

By: _____
Its: Vice President

Address: AmSouth Bank N.A.
Estate Administration
P.O. Box 11426
Birmingham, Alabama 35202

Filed in the Office of the Judge of Probate of Jefferson County, Alabama this the 14 day of June, 2002 ~~and set hearing this _____ day of _____ 2002.~~ Probate granted & Ordered recorded.

Michael F. Bolin
Judge of Probate

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IN THE MATTER OF THE ESTATE OF) PROBATE COURT OF
) JEFFERSON COUNTY, ALABAMA
VIRGINIA J. MOEBES, DECEASED) CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Simon G. Jones, IV, a resident of Jefferson County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 14th day of June, 2002.

WITNESS:

Signature of Witness

Simon G. Jones, IV

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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IN THE MATTER OF THE ESTATE OF	)	PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
VIRGINIA J. MOEBES, DECEASED	)	CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Nicki Jones Kennedy, a resident of Shelby County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 11 day of June, 2002.

WITNESS:

Signature of Witness

Nicki Jones Kennedy

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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JR 1936 PG 386

IN THE MATTER OF THE ESTATE OF)
)
VIRGINIA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Nellie Blanche J. Cunningham, a resident of Shelby County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided herein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 11 day of June, 2002.

WITNESS:

Signature of Witness

Nellie Blanche J. Cunningham

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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JR 1936 PG 387

IN THE MATTER OF THE ESTATE OF	)	PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
VIRGINA J. MOEBES, DECEASED	)	CASE NO.

178678

RENUNCIATION AS EXECUTOR

I, Nellie Blanche J. Cunningham, 1759 Garden Trail, Helena, Alabama 35080, hereby renounce and refuse to serve as Executor under the Last Will and Testament of Virginia J. Moebes, dated October 16, 1991. I consent to the appointment of AmSouth Bank N.A. who is named as Co-Executor of the Estate of Virginia J. Moebes, under said will.

Dated this the 11 day of June, 2002..

Nellie Blanche Cunningham
Nellie Blanche J. Cunningham

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Nellie Blanche J. Cunningham, whose name is signed to the foregoing Renunciation as Executor and who is known to me, acknowledged before me on this day that, being informed of the contents of the Renunciation as Executor, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 10 day of June, 2002.

Cynthia Pearson
NOTARY PUBLIC
My Commission Expires: My Commission Expires March 15, 2004 Cynthia Pearson

Filed in office this 14
day of June, 2002
and ordered recorded.
Marshall J. Bolin
JUDGE OF PROBATE

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IN THE MATTER OF:	)	**IN THE PROBATE COURT OF**
	)	**JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	)	
	)	**CASE NUMBER 178678**
VIRGINIA J. MOEBES	)	
DECEASED	)	

ORDER ON FILING RENUNCIATION

Nellie Blanche J. Cunningham, who was nominated and appointed by Virginia J. Moebes to be the co-executrix under her Last Will and Testament, having duly renounced all right and claim to execute said Will and in writing filed the same in this Court, it is, therefore **ORDERED** by the Court that said renunciation be recorded, as required by law.

DONE this date, June 14, 2002.

Michael F Bolin
Judge of Probate

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STATE OF ALABAMA)

JEFFERSON COUNTY)

178678

FILED IN OFFICE THIS THE 14 DAY
OF June, 20 07
FOR PROBATE AND RECORD.
Michael F Bolin
JUDGE OF PROBATE

LAST WILL AND TESTAMENT

OF

VIRGINIA J. MOEBES

JR 1936 PG 389

I, VIRGINIA J. MOEBES, of Jefferson County, Alabama, hereby make, publish and declare this instrument as and for my Last Will and Testament and hereby expressly revoke any and all Wills, Codicils and other testamentary dispositions heretofore made by me.

ITEM I

DEBTS

I direct that all my debts and funeral expenses be paid as soon after my death as may be practicable. In the event there is any indebtedness owing by me, whether secured or unsecured, which has not matured at the time of my death, I authorize my Executors to pay such indebtedness either in full or according to the terms and tenor of any instrument evidencing such indebtedness as my Executors may deem best advisable under the then existing circumstances.

Virginia J. Moebes

ITEM II

DEVISES

(a) I give and devise to my nephew, SIMON G. JONES, III, if he shall survive me, all my right, title and interest in and to the real property situated in Jefferson County, Alabama, commonly known as the "Filling Station Property", located on the northeast corner of 16th Street and 8th Avenue North in Birmingham, Jefferson County, Alabama, and more particularly described as follows:

> The South 110 feet of the West Half of Lot 5 in Block 10, Survey of the City of Birmingham, Alabama.

(b) I give and devise to my nephew, SIMON G. JONES, III, and my sister, NELLIE BLANCHE J. CUNNINGHAM, in equal

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shares, all my right, title and interest in and to the real estate situated in Shelby County, Alabama, commonly known as the "Jones Farm Property", and more particularly described as follows:

A part of the West Half of the Southwest Quarter of Section 30, Township 20, Range 3 West, being the part of said West Half of the Southwest Quarter of said Section, Township, and Range that lies on the West side of Cahaba River, containing 25 acres more or less, also the Northwest Quarter of the Northwest Quarter of Section 31, Township 20, Range 3 West, containing 40 acres, also the Northeast Quarter of the Northeast Quarter of Section 36, Township 20, Range 4 West, containing 39.54 acres, also the Southeast Quarter of the Southeast Quarter of Section 25, Township 20, Range 4 West, containing 39.83 acres, also the Southwest Quarter of the Southeast Quarter of Section 25, Township 20, Range 4 West, containing 39.83 acres, also the Northwest Quarter of the Northeast Quarter of Section 36, Township 20, Range 4 West, containing 39.54 acres, all situated in Shelby County, Alabama.

(c) If either SIMON G. JONES, III or NELLIE BLANCHE J. CUNNINGHAM shall not survive me, the devise to him or her shall not lapse but shall pass to his or her then living descendants, per stirpes, if any, or if none, then the devise shall pass to the other of them, if living, or if not, to his or her then living descendants, per stirpes.

Virginia L Nobles

ITEM III

RESIDUARY ESTATE

All the rest, residue and remainder of my estate, of whatever kind and character and wheresoever situated, including any property hereinbefore mentioned but not effectually disposed of (all such property being herein sometimes referred to as my "residuary estate"), I dispose of as follows:

(a) I give and devise twenty-five percent (25%) thereof to my nephew, SIMON G. JONES, III, if he shall survive me. If he shall not survive me, his share thereof shall pass to his then living descendants, per stirpes, if any, or if none, to my sister, NELLIE BLANCHE J. CUNNINGHAM, if she shall survive me.

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(b) I give and devise twenty-five percent (25%) thereof to my sister, NELLIE BLANCHE J. CUNNINGHAM, if she shall survive me. If she shall not survive me, her share thereof shall pass to my nephew, SIMON G. JONES, III, if he shall survive me, or if he shall not survive me, to his then living descendants, per stirpes.

(c) I give and devise twenty-five percent (25%) to my deceased husband's niece, NORMA JEAN M. CHEVRIER, if she shall survive me. If she shall not survive me, her share thereof shall pass to her then living descendants, per stirpes, if any, or if none, to my deceased husband's niece, ELIZABETH ANN M. WESLEY, and my deceased husband's nephews, CLAYTON McADAMS, JR. and GEORGE McADAMS, in equal shares. If any of them shall not survive me, his or her share thereof shall pass to his or her then living descendants, if any, or if none, then to the others or other of them; provided, however, that the then living descendants of any deceased beneficiary shall take, per stirpes, the share of their deceased ancestor.

Virginia J. Mabry

(d) I give and devise twenty-five percent (25%) thereof to my deceased husband's niece, ELIZABETH ANN M. WESLEY, and my deceased husband's nephews, CLAYTON McADAMS, JR. and GEORGE McADAMS, in equal shares. If any of them shall not survive me, his or her share thereof shall pass to his or her then living descendants, per stirpes, if any, or if none, to the others or other of them; provided, however, that the then living descendants of any deceased beneficiary shall take, per stirpes, the share of their deceased ancestor.

ITEM IV

APPOINTMENT OF EXECUTORS AND TRUSTEES

(a) I hereby nominate and appoint my sister, NELLIE BLANCHE J. CUNNINGHAM, and AMSOUTH BANK N.A. (or such corporation having trust powers as shall succeed said Bank

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by purchase, merger, consolidation or change of charter or name) as Executors of this my Last Will and Testament. In the event **NELLIE BLANCHE J. CUNNINGHAM** shall fail to qualify, die, resign, become incompetent or otherwise fail or cease to serve as Executor, then and in any of such events, **AMSOUTH BANK N.A.** (or its successor) shall serve as sole Executor hereunder.

(b) The Executors named herein shall not be required to give bond or to file an inventory or accounting in any court upon final settlement of their acts as Executors, although they shall make out and keep an inventory and maintain records of all transactions relating hereto and shall exhibit the same to any party in interest at any reasonable time.

(c) **NELLIE BLANCHE J. CUNNINGHAM** shall serve as Executor without compensation, except that she shall be entitled to reasonable compensation for extraordinary services. **AMSOUTH BANK N.A.** (or its successor) shall be entitled to the fees provided for in its compensation schedule in effect at the time the service is rendered.

Virginia J. Noegrun

ITEM V

EXECUTOR POWERS

(a) Without limitation of the powers conferred by statute or general rules of law, my Executors shall have the following powers and authorities in addition to others now or hereafter conferred by law with respect to any property contained in my estate:

(1) To compromise, settle, or adjust any claim or demand by or against my estate and to agree to rescission or modification of any contract or agreement;

(2) To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange;

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(3) To sell, exchange, assign, transfer and convey any security or property, real or personal held in my estate, at public or private sale, at such time and price and upon such terms and conditions (including credit) as the Executors may determine;

(4) To invest and reinvest in any such stocks, bonds and other securities and properties as my Executors may deem advisable including stocks and unsecured obligations, warrants, commercial paper, variable interest notes, options, undivided interests, interests in investment trusts, mutual funds, legal and discretionary common trust funds, leases and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by the Constitution of Alabama, any statute or court decision (now or hereafter existing) regulating or limiting investments by fiduciaries;

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(5) To register and carry any property in my Executors' own names or in the name of my Executors' nominee or to hold it unregistered, but without thereby increasing or decreasing my Executors' liability as fiduciary;

(6) To sell or exercise any "rights" issued on any securities held in my estate hereunder;

(7) Unless inconsistent with other provisions of this Will, to consider and treat as principal all dividends payable in stock, all dividends in liquidation and all "rights" issued on securities, and to consider and treat as income all other dividends received (except those declared and payable as of a "record date" preceding my death, which shall be considered and treated as principal);

(8) To charge or credit to principal any premiums and discounts on securities purchased at more or less than par;

(9) To vote in person or by proxy any stocks or securities held, and to grant such proxies and powers of attorney to such person or persons as my Executors may deem proper;

(10) To consent to and participate in any plan for the liquidation, merger, consolidation, combination, reorganization, recapitalization or change of charter or name of any corporation, any security of which is held;

(11) To borrow money (from my Executors individually or from others) upon such terms and conditions as my Executors may determine and to mortgage and pledge estate assets as security for the repayment thereof;

(12) To lease any real estate for such term or terms and upon such conditions and rentals and in such manner as my Executors may deem

advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though same shall extend beyond the duration of the trust; to insure against fire or other risk; to make repairs, replacements and improvements, structural or otherwise, to any such real estate and to charge the expense thereof to principal or income (or apportion same between principal and income) as my Executors may deem proper; to subdivide real estate, to dedicate same to public use and to grant easements as my Executors may deem proper;

(13) Whenever required or permitted to divide and distribute my estate, to make such division or distribution in money or in kind or partly in money and partly in kind; and to exercise all powers herein conferred, after the termination of any trust until the same is fully distributed; and

(14) To employ accountants, attorneys and such agents as my Executors may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as my Executors may deem proper.

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Virginia J. Moore

(b) No person or corporation dealing with the Executors shall be required to inquire into the terms of this instrument or any trust hereunder, nor shall any purchaser therefrom be required to see to the application of the purchase money.

(c) The powers herein granted to the Executors may be exercised in whole or in part, from time to time, and shall be deemed to be supplementary to and not exclusive of the general powers of executors pursuant to law, and shall include all powers necessary to carry the same into effect.

ITEM VI

RESIGNATION OF EXECUTOR

(a) Any Executor may resign upon sixty (60) days' written notice to the other Executor then serving, or if there is no other Executor then serving, to all of the then beneficiaries.

(b) If any corporate Executor shall resign or otherwise cease to serve hereunder, a successor Executor shall be appointed by a majority in interest of the adult beneficiaries of the estate and of the guardians of all minor beneficiaries.

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(c) Any successor Executor appointed under the provisions of this ITEM must be a bank or trust company qualified to act as such in any state with a net capital and surplus of not less than Ten Million Dollars ($10,000,000.00) in the aggregate and must be authorized to accept and administer trusts.

(d) Such right of appointment of a successor Executor shall be exercised by written instrument signed and acknowledged by the person or persons having such power as provided above and delivered to the Executor which has resigned and to the appointed successor Executor.

(e) In the event a successor Executor is not appointed as provided hereinabove within ninety (90) days after receipt of notice of such resignation by the person entitled to make such appointment of a successor Executor, then the Executor wishing to resign may petition a court of competent jurisdiction for the appointment of a successor Executor and the judicial settlement of its account.

Virginia J. Morber

ITEM VII

STATUS OF SUCCESSOR FIDUCIARY

(a) Any successor fiduciary shall be vested with all the duties, rights, titles, powers (whether discretionary or otherwise) and exemptions as if originally named as Trustee or Executor.

(b) No successor fiduciary shall be liable or responsible in any way for the actions or defaults of any predecessor fiduciary, nor have any loss or expense from or occasioned by anything done or neglected to be done by any predecessor fiduciary, but such successor fiduciary shall be liable only for its own actions and defaults in respect to property actually received as such fiduciary.

(c) Any successor fiduciary appointed hereunder may accept the account rendered and the assets and property delivered to it by the predecessor fiduciary as a full and

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complete discharge of the predecessor fiduciary, and shall incur no liability or responsibility to any beneficiary by reason of so doing, all without the necessity of any court proceedings or judicial supervision or approval, regardless of any beneficial vested or contingent interests of any minors, incompetent beneficiaries, or unborn beneficiaries. Any superseded fiduciary shall, at the cost and expense of the trust or estate, execute and deliver all conveyances and assignments, and do or cause to be done any and all acts and things as may be necessary to vest effectually in the remaining fiduciary, if any, and the successor fiduciary all of the rights, titles and interests of the superseded fiduciary hereunder, and to confirm to such successor fiduciary the authority to act as such. Such action shall be taken by the superseded fiduciary within ninety (90) days after the receipt of the notice of such removal or the giving of notice of resignation.

Virginia J. Morgan

ITEM VIII

MISCELLANEOUS TAX PROVISIONS

My Executors are hereby authorized, to the extent permitted by law, to deduct administration expenses and commissions whether against the gross estate in computing the estate tax or against estate income in computing estate income tax, as my Executors, in their sole discretion, shall elect.

ITEM IX

SIMULTANEOUS DEATH

If any legatee or devisee under this Will and I shall die simultaneously or in circumstances which make it difficult to determine which of us died first, I direct that such legatee or devisee shall be deemed to have predeceased me for the purposes of this Will, and I direct further that the provisions of this Will shall be construed upon that assumption, irrespective of any provisions of law establishing a contrary presumption.

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ITEM X

MISCELLANEOUS

JR 1936 PG 397

The following provisions shall govern for all purposes of this Will, wherever they may be applicable:

(a) If any beneficiary of my estate shall be a minor, or under any legal disability, or, in the sole judgment of the Executors, shall otherwise be unable to apply the proceeds of his or her share of my estate to his or her own best interests and advantage, the Executors may, in their sole discretion, pay or apply income or principal which the Executors are authorized or directed to pay to or for the benefit of such beneficiary in any one or more of the following ways:

(1) directly to such beneficiary;

(2) to the legal guardian, conservator, or custodian of such beneficiary for the use and benefit of such beneficiary;

(3) to a relative of such beneficiary to be expended by such relative for the benefit of such beneficiary; or

(4) by the Executors expending any such income or principal for the benefit of such beneficiary.

(b) Upon making any payment or transfer hereunder, the Executors shall be discharged as to such payment or transfer without liability for the subsequent application thereof.

(c) Throughout this Will, the masculine gender shall be deemed to include the feminine and the singular the plural, and vice-versa, whenever the context admits such construction.

(d) In this Will, references to "child" or "children" mean lawful blood descendants in the first degree of the parent designated, and references to "descendants" mean lawful blood descendants in the first, second or any other degree of the ancestor designated, provided always, however, that an adopted child, whether of myself, my descendants or any other person, shall, for all purposes

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Virginia G. Mosher

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under this Will, whether for the determination of relationships or otherwise, be considered to have and shall be given exactly the same status as natural born children.

(e) All headings and captions contained in this Will have been included for convenience of reference only, shall not be construed as part of this Will and shall in no way be construed as defining, limiting or affecting the scope or intent of the provisions of this Will.

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I, VIRGINIA J. MOEBES, the testator, sign my name to this instrument this 16th day of October, 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 Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Virginia J. Moebes

Virginia J. Moebes (SEAL)
VIRGINIA J. MOEBES

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator 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 testator, hereby signs this Will as witness to the testator signing, and that to the best of our knowledge, the testator is nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Lani Zykoski
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

Virginia K Hopper
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

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STATE OF ALABAMA)

JEFFERSON COUNTY)

JR 1936 PG 399

Subscribed, sworn to and acknowledged before me by VIRGINIA J. MOEBES, the testator, and subscribed and sworn to before me by the above-named witnesses, this 16th day of October, 1991.

Notary Public

My Commission Expires: 10/12/95

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Virginia J. Moebes

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JR 1936 PG 400

VIRGINIA J. MOEBES 178678

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama

JEFFERSON COUNTY

I, Michael F. Bolin, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing ha 8 this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament _____ of VIRGINIA J. MOEBES Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume JR1936, Page 389-399.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date 5/14/02.

Michael F. Bolin

PROBATE - 98 _____, Judge of Probate.

20061129000579980 21/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 1836 PG 491

IN THE MATTER OF:	)	**IN THE PROBATE COURT OF**
	)	**JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	)	
	)	**CASE NUMBER 178678**
VIRGINIA J. MOEBES	)	
DECEASED	)	

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came AmSouth Bank N.A. and filed a petition in writing, under oath, therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of Virginia J. Moebes, deceased, said will bearing date, October 16, 1991, and attested by Lauri Zykaski and Virginia K. Hopper; and praying that the same be probated as provided by law; that the petitioner is AmSouth Bank N.A., and is named in said Will as executor thereof; and that the next of kin of said deceased are as follows, to-wit: Nellie Blanche J. Cunningham, sister, Helena, Alabama; Nicki Jones Kennedy, great-niece, Helena, Alabama and Simon G. Jones, IV, great-nephew, Bessemer, Alabama, each of whom is over nineteen years of age and of sound mind.

And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waivers of notice and acceptances of service are the genuine signatures of said next of kin; now on motion of said petitioner, the Court proceeds to hear said petition; and, after due proof and hearing had according to the laws of this state, the court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that such instrument should be probated as the Last Will and Testament of said deceased. It is, therefore,

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Shelby Cnty Judge of Probate,AL
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ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of Virginia J. Moebes, deceased, and **ORDERED** to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further **ORDERED** that petitioner pay the costs of this proceeding.

DONE this date, June 14, 2002.

Michael J Balch

Judge of Probate

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Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 1936 PG 403

IN THE MATTER OF THE ESTATE OF)
)
VIRGINIA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 178678

PETITION FOR LETTERS TESTAMENTARY
WITHOUT BOND

Comes your petitioner, AmSouth Bank N.A., and shows this Court the following facts:

1. In the Last Will and Testament of Virginia J. Moebes, deceased, which said Will has been or shall be duly probated and admitted to record in this Court, your petitioner and Nellie Blanche J. Cunningham are named as the Executors thereof. In the event Nellie Blanche J. Cunningham shall resign as Executor, then AmSouth Bank N.A. shall serve as sole Executor.

2. Nellie Blanche J. Cunningham desires to renounce and refuse to accept the appointment to serve as Executor.

3. The instrument evidencing the renunciation of Nellie Blanche J. Cunningham has been or shall be filed of record in this Court.

4. Under said Will, the named individual and AmSouth Bank N.A. were both exempted from giving any bond as such Executors.

5. The decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be in excess of $10,000.

WHEREFORE, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said Will may be executed according to the requests and directions of the decedent, your petitioner prays that the Judge of Probate of this Court will grant letters testamentary to the petitioner without entering into bond, as is provided by the terms of said Will and authorized by Ala. Code §43-2-91. This Petition does not require verification under the applicable statutes.

Attorney for Petitioner:)
)
Ms. Suzanne D. Paulson)
Leitman, Siegal & Payne, P.C.)
600 North 20th Street, Suite 400)
Birmingham, Alabama 35203)
(205) 251-5900)
_____)
)

AmSouth Bank N.A.

By: _____
Its: Vice President

Address: AmSouth Bank N.A.
Estate Administration
P.O. Box 11426
Birmingham, Alabama 35202

JR 1936 PG 404

178678

Filed in the Office of the Judge of Probate of Jefferson County, Alabama, prayer granted, and petition ordered recorded this 14 day of June, 2002.

Michael F. Bolin
Judge of Probate

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Shelby Cnty Judge of Probate, AL
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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 405

IN THE MATTER OF:	)	**IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	)	**CASE NUMBER 178678**
VIRGINIA J. MOEBES DECEASED	)	

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes AmSouth Bank N.A. and files in this Court its petition in writing, under oath, praying that Letters Testamentary upon the Will of Virginia J. Moebes, deceased, be issued to it.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to AmSouth Bank N.A., and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

DONE this date, June 14, 2002.

Michael F Bolin
Judge of Probate

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Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

LETTERS TESTAMENTARY — PROBATE - 60

IN THE MATTER OF THE ESTATE OF

VIRGINIA J. HOEBES
Deceased

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

CASE NO. 178678

LETTERS TESTAMENTARY

TO ALL WHOM IT MAY CONCERN:

The Will of the above-named deceased having been duly admitted to record in said county. **Letters Testamentary** are hereby granted to AMSOUTH BANK N.A. the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in § 43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under § 43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, June 14, 2002.

Michael F. Bolen
Judge of Probate

I, Carol K. Johnson, Chief Clerk of the Court of Probate of Jefferson 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 date, _____

_____
Chief Clerk

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Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 1936 PG 382

IN THE MATTER OF THE ESTATE OF)
)
VIRGINIA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO.
178678

PETITION FOR PROBATE OF WILL
(Self-Proved Will)

Comes your petitioner, AmSouth Bank N.A., and shows this Court the following facts:

1. Virginia J. Moebes (the "decedent") died testate at McCalla, Alabama on or about the 18th day of March, 2002, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is said decedent's Last Will and Testament naming petitioner as Executor thereof, which was duly signed by said decedent when over eighteen years of age, and was attested by the following witnesses:

Name	Present Address
Lauri Zykaski	Address Unknown
Virginia K. Hopper	3315 East Briarcliff Road Birmingham, Alabama 35223

3. The decedent's Last Will and Testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of Alabama Code §43-8-132. The name and present address of the officer authorized to administer oaths before whom said Will was acknowledged are as follows:

Name	Present Address
Jackson M. Payne	600 North 20th Street, Suite 400 Birmingham, Alabama 35203

4. The following is a true, correct, and complete list of the names, ages, conditions, relationships, and addresses of said decedent's widow/widower and next-of-kin (as determined by Application of Ala. Code §43-8-42):

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Shelby Cnty Judge of Probate,AL
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	Name	Relationship	Address
1.	Nellie Blanche J. Cunningham	Sister	1759 Garden Trail Helena, Alabama 35080
2.	Nicki Jones Kennedy	Great Niece	1759 Garden Trail Helena, Alabama 35080
3.	Simon G. Jones, IV	Great Nephew	5557 So. Shades Crest Rd. Bessemer, Alabama 35022

All of the above-named persons are competent and over the age of nineteen (19) years.

WHEREFORE, your petitioner prays that this Court will take jurisdiction of this petition; will cause all such notices or citations to issue to the said surviving spouse, next-of-kin, and attesting witnesses, and oath-administering officer, as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said Will as the Last Will and Testament of said decedent. This petition is deemed to be verified pursuant to Ala. Code §43-8-22.

Attorney for Petitioner:

Ms. Suzanne D. Paulson
Leitman, Siegal & Payne, P.C.
600 North 20th Street, Suite 400
Birmingham, Alabama 35203
(205) 251-5900

AmSouth Bank N.A.

By: _____
Its: Vice President

Address: AmSouth Bank N.A.
Estate Administration
P.O. Box 11426
Birmingham, Alabama 35202

Filed in the Office of the Judge of Probate of Jefferson County, Alabama this the 14 day of June, 2002 ~~and set hearing this _____ day of _____, 2002.~~ Petition granted & Ordered recorded.

Michael F. Bolin
Judge of Probate

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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 384

IN THE MATTER OF THE ESTATE OF	)	PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
VIRGINIA J. MOEBES, DECEASED	)	CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Simon G. Jones, IV, a resident of Jefferson County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 14th day of June, 2002.

WITNESS:

Signature of Witness

Simon G. Jones, IV

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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Shelby Cnty Judge of Probate,AL
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IN THE MATTER OF THE ESTATE OF)
)
VIRGINIA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Nicki Jones Kennedy, a resident of Shelby County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 11 day of June, 2002.

WITNESS:

Signature of Witness

Nicki Jones Kennedy

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 386

IN THE MATTER OF THE ESTATE OF) PROBATE COURT OF
) JEFFERSON COUNTY, ALABAMA
VIRGINIA J. MOEBES, DECEASED) CASE NO. 178678

WAIVER OF NOTICE ON PROBATE OF WILL

I, Nellie Blanche J. Cunningham, a resident of Shelby County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Virginia J. Moebes, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament (including all codicils thereto) of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of October 16, 1991, be admitted to probate without further notice of any kind to me, and that AmSouth Bank N.A. be appointed as provided herein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executor thereof.

Dated this 11 day of June, 2002.

WITNESS:

Signature of Witness

Nellie Blanche J. Cunningham

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 14 day of June, 2002.

Judge of Probate

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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 387

IN THE MATTER OF THE ESTATE OF)
)
VIRGINA J. MOEBES, DECEASED)

PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO.

178678

RENUNCIATION AS EXECUTOR

I, Nellie Blanche J. Cunningham, 1759 Garden Trail, Helena, Alabama 35080, hereby renounce and refuse to serve as Executor under the Last Will and Testament of Virginia J. Moebes, dated October 16, 1991. I consent to the appointment of AmSouth Bank N.A. who is named as Co-Executor of the Estate of Virginia J. Moebes, under said will.

Dated this the 11 day of June, 2002..

Nellie Blanche Cunningham
Nellie Blanche J. Cunningham

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Nellie Blanche J. Cunningham, whose name is signed to the foregoing Renunciation as Executor and who is known to me, acknowledged before me on this day that, being informed of the contents of the Renunciation as Executor, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 10 day of June, 2002.

Cynthia Pearson
NOTARY PUBLIC
My Commission Expires:

My Commission Expires March 18, 2004
Cynthia Pearson

Filed in office this 14
day of June, 2002
and ordered recorded.
Michael F. Bolin
JUDGE OF PROBATE

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Shelby Cnty Judge of Probate,AL
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IN THE MATTER OF:	)	**IN THE PROBATE COURT OF**
	)	**JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	)	
	)	**CASE NUMBER 178678**
VIRGINIA J. MOEBES	)	
DECEASED	)	

ORDER ON FILING RENUNCIATION

Nellie Blanche J. Cunningham, who was nominated and appointed by Virginia J. Moebes to be the co-executrix under her Last Will and Testament, having duly renounced all right and claim to execute said Will and in writing filed the same in this Court, it is, therefore **ORDERED** by the Court that said renunciation be recorded, as required by law.

DONE this date, June 14, 2002.

Michael F Bolin
Judge of Probate

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Shelby Cnty Judge of Probate,AL
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STATE OF ALABAMA)

JEFFERSON COUNTY)

178678

FILED IN OFFICE THIS THE 14 DAY
OF June, 20 07
FOR PROBATE AND RECORD.
Michael F Bolin
JUDGE OF PROBATE

LAST WILL AND TESTAMENT

OF

VIRGINIA J. MOEBES

JR 1936 PG 389

I, VIRGINIA J. MOEBES, of Jefferson County, Alabama, hereby make, publish and declare this instrument as and for my Last Will and Testament and hereby expressly revoke any and all Wills, Codicils and other testamentary dispositions heretofore made by me.

ITEM I

DEBTS

I direct that all my debts and funeral expenses be paid as soon after my death as may be practicable. In the event there is any indebtedness owing by me, whether secured or unsecured, which has not matured at the time of my death, I authorize my Executors to pay such indebtedness either in full or according to the terms and tenor of any instrument evidencing such indebtedness as my Executors may deem best advisable under the then existing circumstances.

Virginia J. Moebes

ITEM II

DEVISES

(a) I give and devise to my nephew, SIMON G. JONES, III, if he shall survive me, all my right, title and interest in and to the real property situated in Jefferson County, Alabama, commonly known as the "Filling Station Property", located on the northeast corner of 16th Street and 8th Avenue North in Birmingham, Jefferson County, Alabama, and more particularly described as follows:

> The South 110 feet of the West Half of Lot 5 in Block 10, Survey of the City of Birmingham, Alabama.

(b) I give and devise to my nephew, SIMON G. JONES, III, and my sister, NELLIE BLANCHE J. CUNNINGHAM, in equal

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Shelby Cnty Judge of Probate, AL
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shares, all my right, title and interest in and to the real estate situated in Shelby County, Alabama, commonly known as the "Jones Farm Property", and more particularly described as follows:

A part of the West Half of the Southwest Quarter of Section 30, Township 20, Range 3 West, being the part of said West Half of the Southwest Quarter of said Section, Township, and Range that lies on the West side of Cahaba River, containing 25 acres more or less, also the Northwest Quarter of the Northwest Quarter of Section 31, Township 20, Range 3 West, containing 40 acres, also the Northeast Quarter of the Northeast Quarter of Section 36, Township 20, Range 4 West, containing 39.54 acres, also the Southeast Quarter of the Southeast Quarter of Section 25, Township 20, Range 4 West, containing 39.83 acres, also the Southwest Quarter of the Southeast Quarter of Section 25, Township 20, Range 4 West, containing 39.83 acres, also the Northwest Quarter of the Northeast Quarter of Section 36, Township 20, Range 4 West, containing 39.54 acres, all situated in Shelby County, Alabama.

(c) If either SIMON G. JONES, III or NELLIE BLANCHE J. CUNNINGHAM shall not survive me, the devise to him or her shall not lapse but shall pass to his or her then living descendants, per stirpes, if any, or if none, then the devise shall pass to the other of them, if living, or if not, to his or her then living descendants, per stirpes.

Virginia J Moore

ITEM III

RESIDUARY ESTATE

All the rest, residue and remainder of my estate, of whatever kind and character and wheresoever situated, including any property hereinbefore mentioned but not effectually disposed of (all such property being herein sometimes referred to as my "residuary estate"), I dispose of as follows:

(a) I give and devise twenty-five percent (25%) thereof to my nephew, SIMON G. JONES, III, if he shall survive me. If he shall not survive me, his share thereof shall pass to his then living descendants, per stirpes, if any, or if none, to my sister, NELLIE BLANCHE J. CUNNINGHAM, if she shall survive me.

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Shelby Cnty Judge of Probate,AL
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(b) I give and devise twenty-five percent (25%) thereof to my sister, **NELLIE BLANCHE J. CUNNINGHAM**, if she shall survive me. If she shall not survive me, her share thereof shall pass to my nephew, **SIMON G. JONES, III**, if he shall survive me, or if he shall not survive me, to his then living descendants, per stirpes.

(c) I give and devise twenty-five percent (25%) to my deceased husband's niece, **NORMA JEAN M. CHEVRIER**, if she shall survive me. If she shall not survive me, her share thereof shall pass to her then living descendants, per stirpes, if any, or if none, to my deceased husband's niece, **ELIZABETH ANN M. WESLEY**, and my deceased husband's nephews, **CLAYTON McADAMS, JR.** and **GEORGE McADAMS**, in equal shares. If any of them shall not survive me, his or her share thereof shall pass to his or her then living descendants, if any, or if none, then to the others or other of them; provided, however, that the then living descendants of any deceased beneficiary shall take, per stirpes, the share of their deceased ancestor.

Virginia J. Moebes

(d) I give and devise twenty-five percent (25%) thereof to my deceased husband's niece, **ELIZABETH ANN M. WESLEY**, and my deceased husband's nephews, **CLAYTON McADAMS, JR.** and **GEORGE McADAMS**, in equal shares. If any of them shall not survive me, his or her share thereof shall pass to his or her then living descendants, per stirpes, if any, or if none, to the others or other of them; provided, however, that the then living descendants of any deceased beneficiary shall take, per stirpes, the share of their deceased ancestor.

ITEM IV

APPOINTMENT OF EXECUTORS AND TRUSTEES

(a) I hereby nominate and appoint my sister, **NELLIE BLANCHE J. CUNNINGHAM**, and **AMSOUTH BANK N.A.** (or such corporation having trust powers as shall succeed said Bank

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by purchase, merger, consolidation or change of charter or name) as Executors of this my Last Will and Testament. In the event NELLIE BLANCHE J. CUNNINGHAM shall fail to qualify, die, resign, become incompetent or otherwise fail or cease to serve as Executor, then and in any of such events, AMSOUTH BANK N.A. (or its successor) shall serve as sole Executor hereunder.

(b) The Executors named herein shall not be required to give bond or to file an inventory or accounting in any court upon final settlement of their acts as Executors, although they shall make out and keep an inventory and maintain records of all transactions relating hereto and shall exhibit the same to any party in interest at any reasonable time.

(c) NELLIE BLANCHE J. CUNNINGHAM shall serve as Executor without compensation, except that she shall be entitled to reasonable compensation for extraordinary services. AMSOUTH BANK N.A. (or its successor) shall be entitled to the fees provided for in its compensation schedule in effect at the time the service is rendered.

Virginia J. Noegrn

ITEM V

EXECUTOR POWERS

(a) Without limitation of the powers conferred by statute or general rules of law, my Executors shall have the following powers and authorities in addition to others now or hereafter conferred by law with respect to any property contained in my estate:

(1) To compromise, settle, or adjust any claim or demand by or against my estate and to agree to rescission or modification of any contract or agreement;

(2) To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, to exchange any such security or property for other securities or properties and to retain such items received in exchange;

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(3) To sell, exchange, assign, transfer and convey any security or property, real or personal held in my estate, at public or private sale, at such time and price and upon such terms and conditions (including credit) as the Executors may determine;

(4) To invest and reinvest in any such stocks, bonds and other securities and properties as my Executors may deem advisable including stocks and unsecured obligations, warrants, commercial paper, variable interest notes, options, undivided interests, interests in investment trusts, mutual funds, legal and discretionary common trust funds, leases and property which is outside of my domicile, all without diversification as to kind or amount without being restricted in any way by the Constitution of Alabama, any statute or court decision (now or hereafter existing) regulating or limiting investments by fiduciaries;

(5) To register and carry any property in my Executors' own names or in the name of my Executors' nominee or to hold it unregistered, but without thereby increasing or decreasing my Executors' liability as fiduciary;

(6) To sell or exercise any "rights" issued on any securities held in my estate hereunder;

(7) Unless inconsistent with other provisions of this Will, to consider and treat as principal all dividends payable in stock, all dividends in liquidation and all "rights" issued on securities, and to consider and treat as income all other dividends received (except those declared and payable as of a "record date" preceding my death, which shall be considered and treated as principal);

(8) To charge or credit to principal any premiums and discounts on securities purchased at more or less than par;

(9) To vote in person or by proxy any stocks or securities held, and to grant such proxies and powers of attorney to such person or persons as my Executors may deem proper;

(10) To consent to and participate in any plan for the liquidation, merger, consolidation, combination, reorganization, recapitalization or change of charter or name of any corporation, any security of which is held;

(11) To borrow money (from my Executors individually or from others) upon such terms and conditions as my Executors may determine and to mortgage and pledge estate assets as security for the repayment thereof;

(12) To lease any real estate for such term or terms and upon such conditions and rentals and in such manner as my Executors may deem

Virginia J. Morbus

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advisable (with or without privilege of purchase), and any lease so made shall be valid and binding for the full term thereof even though same shall extend beyond the duration of the trust; to insure against fire or other risk; to make repairs, replacements and improvements, structural or otherwise, to any such real estate and to charge the expense thereof to principal or income (or apportion same between principal and income) as my Executors may deem proper; to subdivide real estate, to dedicate same to public use and to grant easements as my Executors may deem proper;

(13) Whenever required or permitted to divide and distribute my estate, to make such division or distribution in money or in kind or partly in money and partly in kind; and to exercise all powers herein conferred, after the termination of any trust until the same is fully distributed; and

(14) To employ accountants, attorneys and such agents as my Executors may deem advisable; to pay reasonable compensation for their services and to charge same to (or apportion same between) income and principal as my Executors may deem proper.

(b) No person or corporation dealing with the Executors shall be required to inquire into the terms of this instrument or any trust hereunder, nor shall any purchaser therefrom be required to see to the application of the purchase money.

(c) The powers herein granted to the Executors may be exercised in whole or in part, from time to time, and shall be deemed to be supplementary to and not exclusive of the general powers of executors pursuant to law, and shall include all powers necessary to carry the same into effect.

Virginia J. Moore

ITEM VI

RESIGNATION OF EXECUTOR

(a) Any Executor may resign upon sixty (60) days' written notice to the other Executor then serving, or if there is no other Executor then serving, to all of the then beneficiaries.

(b) If any corporate Executor shall resign or otherwise cease to serve hereunder, a successor Executor shall be appointed by a majority in interest of the adult beneficiaries of the estate and of the guardians of all minor beneficiaries.

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(c) Any successor Executor appointed under the provisions of this ITEM must be a bank or trust company qualified to act as such in any state with a net capital and surplus of not less than Ten Million Dollars ($10,000,000.00) in the aggregate and must be authorized to accept and administer trusts.

(d) Such right of appointment of a successor Executor shall be exercised by written instrument signed and acknowledged by the person or persons having such power as provided above and delivered to the Executor which has resigned and to the appointed successor Executor.

(e) In the event a successor Executor is not appointed as provided hereinabove within ninety (90) days after receipt of notice of such resignation by the person entitled to make such appointment of a successor Executor, then the Executor wishing to resign may petition a court of competent jurisdiction for the appointment of a successor Executor and the judicial settlement of its account.

Virginia J. Morber

ITEM VII

STATUS OF SUCCESSOR FIDUCIARY

(a) Any successor fiduciary shall be vested with all the duties, rights, titles, powers (whether discretionary or otherwise) and exemptions as if originally named as Trustee or Executor.

(b) No successor fiduciary shall be liable or responsible in any way for the actions or defaults of any predecessor fiduciary, nor have any loss or expense from or occasioned by anything done or neglected to be done by any predecessor fiduciary, but such successor fiduciary shall be liable only for its own actions and defaults in respect to property actually received as such fiduciary.

(c) Any successor fiduciary appointed hereunder may accept the account rendered and the assets and property delivered to it by the predecessor fiduciary as a full and

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Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

complete discharge of the predecessor fiduciary, and shall incur no liability or responsibility to any beneficiary by reason of so doing, all without the necessity of any court proceedings or judicial supervision or approval, regardless of any beneficial vested or contingent interests of any minors, incompetent beneficiaries, or unborn beneficiaries. Any superseded fiduciary shall, at the cost and expense of the trust or estate, execute and deliver all conveyances and assignments, and do or cause to be done any and all acts and things as may be necessary to vest effectually in the remaining fiduciary, if any, and the successor fiduciary all of the rights, titles and interests of the superseded fiduciary hereunder, and to confirm to such successor fiduciary the authority to act as such. Such action shall be taken by the superseded fiduciary within ninety (90) days after the receipt of the notice of such removal or the giving of notice of resignation.

Virginia J. Moore

ITEM VIII

MISCELLANEOUS TAX PROVISIONS

My Executors are hereby authorized, to the extent permitted by law, to deduct administration expenses and commissions whether against the gross estate in computing the estate tax or against estate income in computing estate income tax, as my Executors, in their sole discretion, shall elect.

ITEM IX

SIMULTANEOUS DEATH

If any legatee or devisee under this Will and I shall die simultaneously or in circumstances which make it difficult to determine which of us died first, I direct that such legatee or devisee shall be deemed to have predeceased me for the purposes of this Will, and I direct further that the provisions of this Will shall be construed upon that assumption, irrespective of any provisions of law establishing a contrary presumption.

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Shelby Cnty Judge of Probate,AL
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ITEM X

MISCELLANEOUS

JR 1936 PG 397

The following provisions shall govern for all purposes of this Will, wherever they may be applicable:

(a) If any beneficiary of my estate shall be a minor, or under any legal disability, or, in the sole judgment of the Executors, shall otherwise be unable to apply the proceeds of his or her share of my estate to his or her own best interests and advantage, the Executors may, in their sole discretion, pay or apply income or principal which the Executors are authorized or directed to pay to or for the benefit of such beneficiary in any one or more of the following ways:

(1) directly to such beneficiary;

(2) to the legal guardian, conservator, or custodian of such beneficiary for the use and benefit of such beneficiary;

(3) to a relative of such beneficiary to be expended by such relative for the benefit of such beneficiary; or

(4) by the Executors expending any such income or principal for the benefit of such beneficiary.

Virginia G. Moshea

(b) Upon making any payment or transfer hereunder, the Executors shall be discharged as to such payment or transfer without liability for the subsequent application thereof.

(c) Throughout this Will, the masculine gender shall be deemed to include the feminine and the singular the plural, and vice-versa, whenever the context admits such construction.

(d) In this Will, references to "child" or "children" mean lawful blood descendants in the first degree of the parent designated, and references to "descendants" mean lawful blood descendants in the first, second or any other degree of the ancestor designated, provided always, however, that an adopted child, whether of myself, my descendants or any other person, shall, for all purposes

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Shelby Cnty Judge of Probate,AL
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under this Will, whether for the determination of relationships or otherwise, be considered to have and shall be given exactly the same status as natural born children.

(e) All headings and captions contained in this Will have been included for convenience of reference only, shall not be construed as part of this Will and shall in no way be construed as defining, limiting or affecting the scope or intent of the provisions of this Will.

I, VIRGINIA J. MOEBES, the testator, sign my name to this instrument this 16th day of October, 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 Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Virginia J. Moebes

Virginia J. Moebes (SEAL)
VIRGINIA J. MOEBES

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator 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 testator, hereby signs this Will as witness to the testator signing, and that to the best of our knowledge, the testator is nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Lawi Zykoski
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

Virginia K Hopper
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

STATE OF ALABAMA)

JR 1936 PG 399

JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by VIRGINIA J. MOEBES, the testator, and subscribed and sworn to before me by the above-named witnesses, this 16th day of October, 1991.

Notary Public

My Commission Expires: 10/12/95

1034P

Virginia J. Moebes

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Shelby Cnty Judge of Probate, AL
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Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 1936 PG 400

178678

VIRGINIA J. MOEBES

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama
JEFFERSON COUNTY

I, Michael F. Bolin, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing ha s this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament _____ of VIRGINIA J. MOEBES Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume JR1936, Page 389-399.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date 6/14/02.

Michael F. Bolin, Judge of Probate.

PROBATE – 98

20061129000579980 46/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

IN THE MATTER OF:	**IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	
VIRGINIA J. MOEBES DECEASED	**CASE NUMBER 178678**

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came AmSouth Bank N.A. and filed a petition in writing, under oath, therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of Virginia J. Moebes, deceased, said will bearing date, October 16, 1991, and attested by Lauri Zykaski and Virginia K. Hopper; and praying that the same be probated as provided by law; that the petitioner is AmSouth Bank N.A., and is named in said Will as executor thereof; and that the next of kin of said deceased are as follows, to-wit: Nellie Blanche J. Cunningham, sister, Helena, Alabama; Nicki Jones Kennedy, great-niece, Helena, Alabama and Simon G. Jones, IV, great-nephew, Bessemer, Alabama, each of whom is over nineteen years of age and of sound mind.

And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waivers of notice and acceptances of service are the genuine signatures of said next of kin; now on motion of said petitioner, the Court proceeds to hear said petition; and, after due proof and hearing had according to the laws of this state, the court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that such instrument should be probated as the Last Will and Testament of said deceased. It is, therefore,

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Shelby Cnty Judge of Probate,AL
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JR 1936 PG 402

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of Virginia J. Moebes, deceased, and **ORDERED** to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further **ORDERED** that petitioner pay the costs of this proceeding.

DONE this date, June 14, 2002.

Michael J Bolin
Judge of Probate

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Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 1936 PG 403

IN THE MATTER OF THE ESTATE OF	)	PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
VIRGINIA J. MOEBES, DECEASED	)	CASE NO. 178678

PETITION FOR LETTERS TESTAMENTARY
WITHOUT BOND

Comes your petitioner, AmSouth Bank N.A., and shows this Court the following facts:

1. In the Last Will and Testament of Virginia J. Moebes, deceased, which said Will has been or shall be duly probated and admitted to record in this Court, your petitioner and Nellie Blanche J. Cunningham are named as the Executors thereof. In the event Nellie Blanche J. Cunningham shall resign as Executor, then AmSouth Bank N.A. shall serve as sole Executor.

2. Nellie Blanche J. Cunningham desires to renounce and refuse to accept the appointment to serve as Executor.

3. The instrument evidencing the renunciation of Nellie Blanche J. Cunningham has been or shall be filed of record in this Court.

4. Under said Will, the named individual and AmSouth Bank N.A. were both exempted from giving any bond as such Executors.

5. The decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be in excess of $10,000.

WHEREFORE, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said Will may be executed according to the requests and directions of the decedent, your petitioner prays that the Judge of Probate of this Court will grant letters testamentary to the petitioner without entering into bond, as is provided by the terms of said Will and authorized by Ala. Code §43-2-91. This Petition does not require verification under the applicable statutes.

Attorney for Petitioner:	)	AmSouth Bank N.A.
	)	
Ms. Suzanne D. Paulson	)	By: _____
Leitman, Siegal & Payne, P.C.	)	Its: Vice President
600 North 20th Street, Suite 400	)	
Birmingham, Alabama 35203	)	Address: AmSouth Bank N.A.
(205) 251-5900	)	Estate Administration
_____	)	P.O. Box 11426
	)	Birmingham, Alabama 35202

20061129000579980 49/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

178678

Filed in the Office of the Judge of Probate of Jefferson County, Alabama, prayer granted, and petition ordered recorded this 14 day of June, 2002.

Michael F. Bolin
Judge of Probate

20061129000579980 50/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

IN THE MATTER OF:	)	**IN THE PROBATE COURT OF**
	)	**JEFFERSON COUNTY, ALABAMA**
THE ESTATE OF:	)	
	)	**CASE NUMBER 178678**
VIRGINIA J. MOEBES	)	
DECEASED		

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes AmSouth Bank N.A. and files in this Court its petition in writing, under oath, praying that Letters Testamentary upon the Will of Virginia J. Moebes, deceased, be issued to it.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to AmSouth Bank N.A., and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

DONE this date, June 14, 2002.

Michael F Bolin
Judge of Probate

20061129000579980 51/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

LETTERS TESTAMENTARY — PROBATE – 60

IN THE MATTER OF THE ESTATE OF

VIRGINIA J. MOEBES
Deceased

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

CASE NO. 178678

LETTERS TESTAMENTARY

TO ALL WHOM IT MAY CONCERN:

The Will of the above-named deceased having been duly admitted to record in said county. **Letters Testamentary** are hereby granted to AMSOUTH BANK N.A. the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in § 43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under § 43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, June 14, 2002.

Michael F. Bolen
Judge of Probate

I, Carol K. Johnson, Chief Clerk of the Court of Probate of Jefferson 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 date, _____

Chief Clerk

20061129000579980 52/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 570

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF)
) CASE NO. 178678
VIRGINIA J. MOEBES, DECEASED)

PETITION FOR CONSENT SETTLEMENT OF DECEDENT'S ESTATE

Come the petitioner AmSouth Bank, N.A., as personal representative of the estate of Virginia J. Moebes, deceased (the "decedent"), and shows this Court the following facts:

1. By letters testamentary granted on June 14, 2002, AmSouth Bank, N.A. was appointed as personal representative of the estate of the decedent; and notice of said appointment was given as required by law.

2. More than six months have elapsed since the initial appointment on June 14, 2002, notice to creditors pursuant to Ala. Code §43-2-61 has been given, and all debts of the decedent and all legal charges against said estate have been paid in full.

3. The following is a true and correct list of all of the devisees and distributees under the will of the decedent and all parties are over the age of nineteen (19) and consent to this Petition.

Name	Relationship	Address
Nellie Blanche J. Cunningham	Sister	8226 South Lagoon Panama City Beach, FL 32408
Nicki Jones Kennedy	Great Niece	1759 Garden Trail Helena, Alabama 35080
Elizabeth Ann M. Wesley	Deceased Husband's Niece	1523 Crofton Parkway Crofton, Maryland 21114-1531
Juanita Hartfield McAdams Personal Representative Estate of Clayton A. McAdams, Jr.	Estate of Deceased Husband's Nephew	443 Northover Road Jackson, Mississippi 39211-6121
Norma Jean M. Chevrier	Deceased Husband's Niece	7305 East 68th Place Tulsa, Oklahoma 74133\

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Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

Simon G. Jones, IV	Great Nephew	5557 South Shades Crest Road Bessemer, Alabama 35022
William George McAdams	Deceased Husband's Nephew	702 Edgewood Drive Sheffield, Alabama 35660-7216

4. In said fiduciary capacity the decedent's personal representative has received and collected all properties of said estate and turned over and paid the net estate to the above-named individuals and estate strictly according to the terms of the decedent's will as is shown by the consents which are attached hereto and made a part hereof by reference.

WHEREFORE, the petitioner prays that this Petition and the attached consents be taken and accepted as, for and in lieu of, a formal account or report for final settlement, and that the personal representative be henceforth discharged from all other or further liability for or on account of the administration of said Estate.

Attorney for Petitioner:

Suzanne D. Paulson
Leitman, Siegal & Payne, P.C.
600 North 20th Street, Suite 400
Birmingham, AL 35223
(205) 986-5043

AmSouth Bank, N.A.

By: _____
Charles C. Osbun, Vice President

Address: AmSouth Bank, N.A.
Estate Administration
P.O. Box 11426
Birmingham, Alabama 35202

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, a notary public in and for said county in said state, personally appeared Charles C. Osbun, as Vice President of AmSouth Bank, N.A., being first duly sworn, makes oath that he has read the foregoing petition and knows the contents thereof, and that he is informed and believes, and upon such information and belief, avers that the facts therein are true and correct.

Subscribed and sworn to before me this the 8th day of September 2003.

_____
Notary Public
My Commission Expires: 12-28-04

20061129000579980 54/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

Filed in the Probate Court of Jefferson County, Alabama, prayer granted and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

FORMER COST: _____ NO CLAIMS _____
FILING FEE: _____ 1 CLAIM SAT ✓
EXTRA PAGES: 10.50 ALL CLAIMS SAT _____
COPIES: 4.00
TOTAL PAID: 14.50 COPY/DEGREE: (YES) NO

20061129000579980 55/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 573

PROBATE COURT
OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF)

VIRGINIA J. MOEBES, DECEASED) CASE NO. 178678
Deceased

PETITION FOR CONSENT SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributes named in the Last Will and Testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the Petition for Consent Settlement by AmSouth Bank, as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Nellie Blanche Cunningham

Nellie Blanche Cunningham
Address: 1759 Garden Trail
Helena, Alabama 35080

JR 2246 PG 574

VERIFICATION

20061129000579980 56/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

Before, Cynthia Pearson, a notary public in and for said county in said state, hereby certify that Nellie Blanche Cunningham, whose name is signed to the foregoing Consent and who is known to me, acknowledged before me, that, being informed of the contents thereof, he/she executed the same voluntarily.

Subscribed and sworn to before me this the 6 day of August, 2003.

My Commission Expires March 15, 2004
Cynthia Pearson

Notary Public

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 57/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 575

PROBATE COURT
OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF)

VIRGINIA J. MOEBES, DECEASED) CASE NO. 178678
Deceased

PETITION FOR CONSENT SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributes named in the Last Will and Testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the Petition for Consent Settlement by AmSouth Bank, as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Nicki Jones Kennedy
Address: 1759 Garden Trail
Helena, Alabama 35080

JR 2246 PG 576

VERIFICATION

20061129000579980 58/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

Before, Cynthia Pearson, a notary public in and for said county in said state, hereby certify that Nicki J. Kennedy, whose name is signed to the foregoing Consent and who is known to me, acknowledged before me, that, being informed of the contents thereof, he/she executed the same voluntarily.

Subscribed and sworn to before me this the 6 day of August, 2003.

My Commission Expires March 15, 2004
Cynthia Pearson

Notary Public

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 59/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF	)	
	)	CASE NO. 178678
VIRGINIA J. MOEBES, DECEASED	)	

CONSENT TO SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributees named in the last will and testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the petition for consent settlement by AmSouth Bank, N.A., as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, N.A. from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Elizabeth Anne M. Wesley

Elizabeth Ann M. Wesley

Address: 1523 Crofton Parkway
Crofton, MD 21114-1531

20061129000579980 60/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 578

VERIFICATION

STATE OF MARYLAND)

Anne Arundel **COUNTY)**

I, Evelyn Junior, a notary public in and for said county in said state, hereby certify that Elizabeth M. Wesley, whose name is signed to the foregoing consent and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, she executed the same voluntarily.

Subscribed and sworn to before me this the 28 day of May, 2003.

EVELYN V. JUNIOR
NOTARY PUBLIC
CALVERT COUNTY
STATE OF MARYLAND
COMM. EXP. 07-01-05

Evelyn V. Junior
Notary Public
My Commission Expires: July 1, 2005

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 61/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 579

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF	)	
	)	CASE NO. 178678
VIRGINIA J. MOEBES, DECEASED	)	

CONSENT TO SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting the legal representative of one of the distributees named in the last will and testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to Clayton A. McAdams, Jr., (deceased) under the Will of said decedent; do hereby accept service of notice of the filing of the petition for consent settlement by AmSouth Bank, N.A., as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, N.A. from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Juanita Hartfield McAdams

Juanita Hartfield McAdams, as Personal Representative of Estate of Clayton A. McAdams, Jr.

Address: c/o Estate of Clayton A. McAdams, Jr.
4431 Northover Road
Jackson, MS 39211-6121

A

20061129000579980 62/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 580

VERIFICATION

STATE OF MISSISSIPPI)

Hinds **COUNTY)**

I, LIZA R. GREGORY, a notary public in and for said county in said state, hereby certify that Juanita Hartfield McAdams, whose name is signed to the foregoing consent and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, she executed the same voluntarily.

Subscribed and sworn to before me this the 30th day of April, 2003.

Notary Public
My Commission Expires: Jan 5, 2005

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 63/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 581

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF	)	
	)	CASE NO. 178678
VIRGINIA J. MOEBES, DECEASED	)	

CONSENT TO SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributees named in the last will and testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the petition for consent settlement by AmSouth Bank, N.A., as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, N.A. from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Norma Jean M. Chevrier

Norma Jean M. Chevrier

Address: 7305 East 68th Place
Tulsa, OK 74133

20061129000579980 64/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 582

VERIFICATION

STATE OF OKLAHOMA)

Tulsa **COUNTY)**

I, Chris Lowther, a notary public in and for said county in said state, hereby certify that Norma Jean M. Chevrier, whose name is signed to the foregoing consent and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, she executed the same voluntarily.

Subscribed and sworn to before me this the 24th day of April, 2003.

Notary Public Oklahoma
OFFICIAL SEAL
CHRIS LOWTHER
TULSA COUNTY
COMMISSION #00002598
Comm. Exp. 02-11-2004

Notary Public
My Commission Expires: 2-11-04

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 65/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 583

PROBATE COURT
OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF)

VIRGINIA J. MOEBES, DECEASED) CASE NO. 178678
Deceased

PETITION FOR CONSENT SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributes named in the Last Will and Testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the Petition for Consent Settlement by AmSouth Bank, as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Simon G. Jones, IV
Address: 5557 South Shades Crest Road
Bessemer, Alabama 35022

JR 2246 PG 584

VERIFICATION

20061129000579980 66/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

Before, Cynthia Pearson, a notary public in and for said county in said state, hereby certify that Simon B. Jones, IV, whose name is signed to the foregoing Consent and who is known to me, acknowledged before me, that, being informed of the contents thereof, he/she executed the same voluntarily.

Subscribed and sworn to before me this the 6 day of August, 2003.

My Commission Expires March 15, 2004
Cynthia Pearson

Notary Public

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolt
Judge of Probate

20061129000579980 67/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 585

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF	)	
	)	CASE NO. 178678
VIRGINIA J. MOEBES, DECEASED	)	

CONSENT TO SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, constituting one of the distributees named in the last will and testament of Virginia J. Moebes, deceased (the "decedent"), and being over nineteen years of age, do hereby acknowledge receipt in full of the property devised to me under the Will of said decedent; do hereby accept service of notice of the filing of the petition for consent settlement by AmSouth Bank, N.A., as Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging AmSouth Bank, N.A. from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

William George McAdams

Address: 702 Edgewood Drive
Sheffield, Alabama 35660-7216

20061129000579980 68/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 586

VERIFICATION

STATE OF ALABAMA)

Colbert COUNTY)

I, Josephine Jowett, a notary public in and for said county in said state, hereby certify that William George McAdams, whose name is signed to the foregoing consent and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, she executed the same voluntarily.

Subscribed and sworn to before me this the 22nd day of April, 2003.

Josephine Jowett
Notary Public
My Commission Expires: 8/16/2004

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 11th day of Sept, 2003.

Michael F. Bolin
Judge of Probate

20061129000579980 69/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 587

IN THE MATTER OF:	)	**IN THE PROBATE COURT OF**
THE ESTATE OF:	)	**JEFFERSON COUNTY, ALABAMA**
VIRGINIA J. MOEBES	)	**CASE NO. 178678**
DECEASED	)	

DECREE ON FINAL SETTLEMENT

This day comes AmSouth Bank, N.A., as Personal Representative of the estate of Virginia J. Moebes, deceased, and presents to the Court, under oath, a petition for final settlement of said estate, together with consents to this settlement by the legatees under said will, executed and acknowledged by each of them as required by law and moves the Court to proceed with the hearing of said petition.

It appearing to the Court that more than six months have elapsed since the appointment of said Personal Representative, and that the only claim filed in this Court within the time required by law has been paid and satisfied in full. It further appearing to the Court that Nellie Blanche J. Cunningham, Nicki Jones Kennedy, Elizabeth Ann M. Wesley, Juanita Hartfield McAdams, as Personal Representative of the Estate of Clayton A. McAdams, Jr., deceased, Norma Jean M. Chevrier, Simon G. Jones, IV and William George McAdams are all the beneficiaries named in the will of said deceased, and that the Personal Representative has complied with the terms of said will by paying over and delivering to said beneficiaries, all property and assets belonging to said estate, as shown by receipt and release made a part of said petition.

20061129000579980 70/72 $224.00
Shelby Cnty Judge of Probate,AL
11/29/2006 03:34:06PM FILED/CERT

JR 2246 PG 588

It is therefore **ORDERED, ADJUDGED AND DECREED** by the Court that said petition be and the same is granted and ordered recorded and said Personal Representative discharged and released from all liability as such Personal Representative.

DONE AND ORDERED this 11th day of September, 2003.

Michael F Bolin
JUDGE OF PROBATE

20061129000579980 71/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

CLAIM FORM FOR COMPANY OR ORGANIZATION

JR 1935 PG 826

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON) CASE NO. 178678

The undersigned, JOHNS-RIDOUT'S MORTUARY ELMWOOD CHAPEL hereinafter referred to as claimant, herewith presents and files his claim against the Estate of VIRGINIA MOEBES _____, deceased, for and on account of the following described indebtedness owing by said Estate to Claimant, viz:

FUNERAL SERVICES	$4,570.00
CASKET	3,795.00
VAULT	2,395.00
FLOWERS	486.00
MEMORIAL PACKAGE	297.00
ONLINE MEMORIAL	295.00
AFTERCARE PLANNER	245.00
OBITUARY	150.00
DISCOUNTS	- 2002.00
TOTAL	10,231.00

FILED IN OFFICE THIS June 21, 20 02 AT 4:40 O'CLOCK P M, AS A CLAIM AGAINST THE ESTATE OF Virginia J. Moebes, Did DECEASED
Michael F Bolin
JUDGE OF PROBATE $1.50 PD

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

Before me, the undersigned authority in and for said County in said State, personally appeared JOHN V. DEACY, who being first duly sworn, says that (s)he is MANAGER of JOHNS-RIDOUT'S MORTUARY ELMWOOD CHAPEL, the claimant, and that (s)he has full and complete knowledge of the correctness of the above claim against the Estate of VIRGINIA MOEBES, deceased, and the amount claimed is justly due (or to become due), and after allowing all proper credits.

SIGNATURE OF AUTHORIZED PERSONNEL FOR CLAIMANT

Subscribed and sworn to before me this 20TH day of JUNE, 2002

NOTARY PUBLIC

MY COMMISSION EXPIRES:
April 26, 2003

AMSOUTH AmSouth Bank
Birmingham, AL

WEALTH MANAGEMENT GROUP CHECK

7161089

ACCOUNT NO. 108884009 030

DATE 07/26/02

PAY **********10,231 DOLLARS AND 00 CENTS ****

$**10,231.00

TO THE ORDER OF JOHNS-RIDOUTS MORTUARY

Void After 180 Days

Authorized Signature

⑈7161089⑈ ⑆062000191⑆ 00175411476⑈

⑈00010231 00⑈

178678

FILED IN OFFICE THIS 14th DAY
OF January, 2003
AND ORDERED RECORDED.
Michael F. Bolin
JUDGE OF PROBATE

20061129000579980 72/72 $224.00
Shelby Cnty Judge of Probate, AL
11/29/2006 03:34:06PM FILED/CERT

JR 1979 PG 158

78678