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 Shelby Cnty Judge of Probate, AL  
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B - PROBATE - 10

CERTIFICATE TO COPIES

THE STATE OF ALABAMA,  
 Jefferson County.

PROBATE COURT, BESSEMER DIVISION

I, Alan L. King, Judge 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 CASE# 41526

Petition for Probate Will, Ordering on Filing and Probate Last Will and Testament,

Certificate to The Probate of Will, Letters Testamentary, and Copy of the Will

CLAYTON T. SWEENEY, ATTORNEY AT LAW

In the matter of The Estate of Annabelle Wingo Shield

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

Given under my hand and official seal, this

the 19th day of September, 20 07

*Alan L. King*

Judge of Probate.

IN THE MATTER OF THE ESTATE OF: )  
 )  
 ANNABELLE WINGO SHIELD, )  
 )  
 )  
 )  
 Deceased. ) CASE NO. \_\_\_\_\_

CASE 41526

**PETITION FOR PROBATE OF WILL**  
**(Self-Proved Will)**

Comes the petitioner, Terra Lea Shield Richardson, AKA Terra S. Richardson, and shows this Court the following facts:

1. Annabelle Wingo Shield, (the "decedent"), died testate at Bessemer, Jefferson County, Alabama on or about the 21<sup>st</sup> day of October, 2006, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.


2. Surrendered herewith is the decedent's Last Will and Testament (and all codicils thereto) naming the petitioner as Executrix thereof, which was (were) duly signed by the decedent when over eighteen (18) years of age, and was (were) attested by the following witnesses:

<u>Name</u>	<u>Present Address</u>
Kathy Smith	Unknown
Janet Miller, FKA Janet C. Littleton	2000 Southbridge Parkway Suite 500 Birmingham, Alabama 35209

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 Ala. 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:

Louis B. Feld	2000 Southbridge Parkway Suite 500 Birmingham, Alabama 35209
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4. The following is a true, correct and complete list of the names, ages, conditions, relationships and addresses of the decedent's surviving spouse and next-of-kin (as determined by application of Ala. Code, § 43-8-42):

  
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<u>Name, Age, Condition, Relationship</u>	<u>Address</u>
W Charles Franklin Shield, III	13420 East Harry Wichita, KS 67230
W Linda Kay Shield Wells	150 Mason Drive Orangeburg, SC 29118
W Anita Louise Shield Lee	3500 Clayton Place Hoover, AL 35244
W James Floyd Shield	192 SE 51 <sup>st</sup> Circle Warrensburg, MO 64093
pet. Terra Lea Shield Richardson	5216 Southcrest Terrace Hoover, AL 35244

WHEREFORE, the 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, 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 (and all codicils thereto) as the Last Will and Testament of the decedent. This petition is deemed to be verified pursuant to Ala. Code, § 43-8-22.

Attorney for Petitioner:

Jonathan D. Green, Esq.

Dempsey, Steed, Stewart, Ritchey & Gaché, LLP

1800 International Park Drive, Suite 10

Birmingham, Alabama 35243

Phone: (205) 970-0034

*Terra Lea Shield Richardson*

Terra Lea Shield Richardson, AKA

Terra S. Richardson

5216 Southcrest Terrace

Hoover, AL 35244

**BENCH NOTE**

Filed in the Probate Court of Jefferson County, Alabama, (Bessemer Division) on the 20<sup>th</sup> day of March, 2009, and: *prayer granted and recorded.*

*Alan L. King*

Judge of Probate



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Shelby Cnty Judge of Probate, AL  
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IN THE MATTER OF:

THE ESTATES OF:

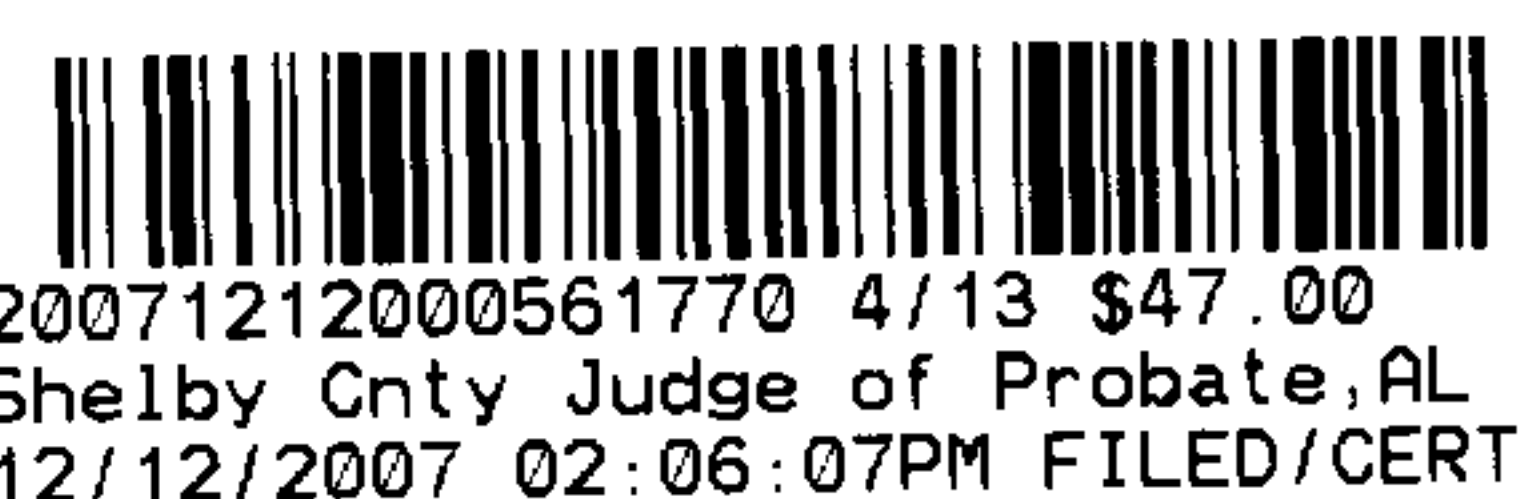
ANNABELLE WINGO SHIELD  
DECEASED  
BESSEMER DIVISIONIN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 41526

## ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came TERRA LEA SHIELD RICHARDSON 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 ANNABELLE WINGO SHIELD, deceased, said will bearing date the 18TH day of November 1993, and attested by KATHY SMITH AND JANET MILLER; and praying that the same be probated as provided by law; that the petitioner is the next of kin of said deceased, and is named in said Will as executor thereof; and that the next of kin of said deceased are as follows, to-wit: CHARLES FRANKLIN SHIELD III, SON, WICHITA, KS; LINDA KAY SHIELD WELLS, DAUGHTER, ORANGEBURG, SC; ANITA LOUISE SHIELD LEE, DAUGHTER, HOOVER, AL; JAMES FLOYD SHIELD, SON, WARRENSBURG, MO; TERRA LEA SHIELD RICHARDSON, DAUGHTER, HOOVER, AL; each of whom is over nineteen years of age and sound mind.

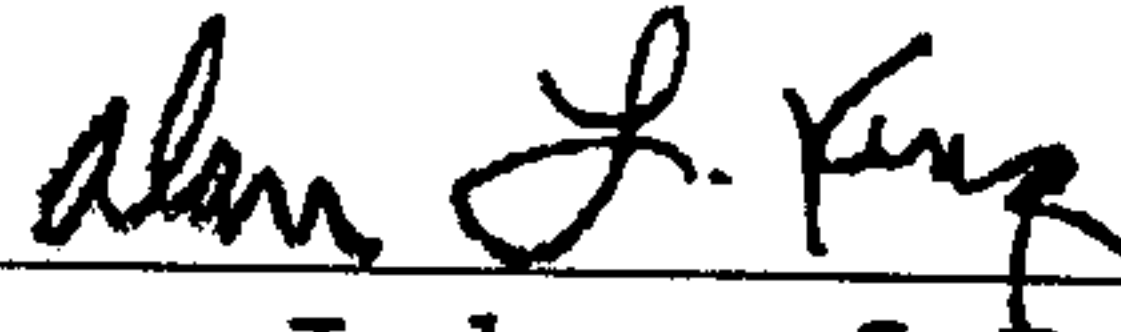
And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waivers of notices and acceptances of services 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,

**ORDERED, ADJUDGED AND DECREED** by the Court that said instrument be duly admitted to probate as the Last Will and Testament of said ANNABELLE WINGO SHIELD, 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 March 20, 2007.

  
\_\_\_\_\_  
Judge of Probate

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CERTIFICATE TO THE PROBATE OF WILL

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The State of Alabama

CASE NO. 41526

**JEFFERSON COUNTY  
BESSEMER DIVISION**

I, ALAN L. KING, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing **instrument** of writing **has** 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 ANNABELLE WINGO SHIELD deceased and that said **will** together with the proof thereof have been recorded in my office in Judicial Record, Volume 449, Page 383.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date March 20, 2007.

Alan L. King Judge of Probate

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LETTERS TESTAMENTARY

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IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA  
BESSEMER DIVISION

ANNABELLE WINGO SHIELD, Deceased

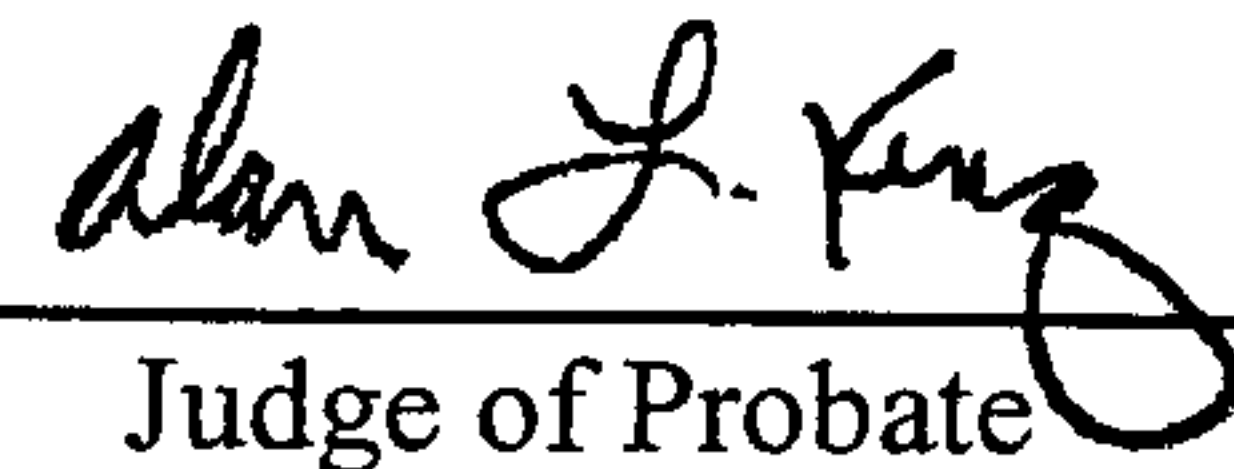
CASE NO. 41526

**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 TERRA LEA SHIELD RICHARDSON the Personal Representative named in said Will, who has complied with the requisitions of 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 §43-8-843, Code of Alabama (1975, as amended).

**WITNESS** my hand this date, March 20, 2007.


  
Judge of Probate

I, Alan L. King, Judge of the Court of Probate of Jefferson County, Alabama, Bessemer Division, 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, the \_\_\_\_\_.

\_\_\_\_\_  
Judge of Probate  
Bessemer Division

STATE OF ALABAMA )  
COUNTY OF MADISON )

  
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Shelby Cnty Judge of Probate, AL  
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LAST WILL AND TESTAMENT

OF

ANNABELLE WINGO SHIELD

\* \* \* \* \*

I, ANNABELLE WINGO SHIELD, a resident of Madison County, Alabama, being of sound and disposing mind and memory, do make, publish and declare this instrument as and for my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

ITEM I.

DEBTS AND EXPENSES/PROBATE OF WILL/ALLOWANCES

I direct that all of my debts, my funeral expenses (including the costs of a suitable monument at my grave), any unpaid charitable pledges (whether the same are enforceable obligations of my estate or not), and the costs of administration of my estate be paid out of and charged against my residuary estate, as soon as practicable after my death. 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 the Executor to pay such indebtedness either in full or according to the terms and tenor of any instrument evidencing such indebtedness, as the Executor may deem most desirable under the then existing circumstances. I further direct that the Executor may probate my Last Will and Testament either in the county of my residence at the time of my death or in Jefferson County, Alabama. Any provisions herein for the benefit of my beneficiaries are expressly in lieu of any right to homestead allowance, exempt property and the family allowance; and any acceptance of such statutory or constitutional benefits shall be charged against any benefits hereunder.

ITEM II.

DISPOSITION OF PERSONAL EFFECTS

(a) I give and devise all of my wearing apparel, jewelry, books, pictures, household furniture and furnishings,



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both useful and ornamental, any automobile that I may own, and all other objects of my personal use, together with any insurance thereon, in equal shares, absolutely, to my children, CHARLES FRANKLIN SHIELD III, LINDA KAY SHIELD WELLS, ANITA LOUISE SHIELD LEE, JAMES FLOYD SHIELD and TERRA LEA SHIELD RICHARDSON. There is excluded from this devise all cash on hand or on deposit, stocks, bonds, notes, evidences of debts, other choses in action, intangibles and all other property held for investment. If any child of mine should not survive me, then I give and devise said child's share of said property to his or her then living issue, per stirpes, if any, and if none, to my other children, per stirpes. In the event that my said children should all predecease me, leaving no issue surviving, then this devise shall lapse, and the aforesaid property shall become a part of the residue of my estate. I hereby vest in the Executor hereinafter named full power and authority to determine what objects of property are included in the foregoing description contained in this ITEM of my Will, and to make such division and distribution of said objects of property to my children, as may be desirable in the absolute discretion of the Executor, having due regard for the personal preferences of my said children. In the event any beneficiary under this ITEM of my Will shall be under the age of twenty-one (21), the share of such beneficiary shall pass to the Trustee hereinafter named, as custodian for such beneficiary under the Alabama Uniform Transfers to Minors Act. In addition, the Executor may sell all or any part of such minor beneficiary's share hereof, and deliver the net proceeds of such sale to the custodian herein named, to be held as a part of the custodianship created herein for such minor beneficiary.

(b) All costs of safeguarding, insuring, packing and storing my tangible personal property before its distribution and of delivering each item to the place of residence of the beneficiary of that item of property shall be deemed to be expenses of administration of my estate.

(c) I have prepared a memorandum in conjunction with this, my Last Will and Testament, which indicates my desires with regard to the disposition of special personal property of mine. I



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have attached such memorandum to this, my Last Will and Testament, and have distributed copies to my family. Such memorandum is an expression of my desires with regard to the disposition of such personal property, and shall not be binding upon the Executor.

ITEM III.MONETARY DEVISE

I give and devise to TERRA LEA SHIELD RICHARDSON the sum of Six Thousand Dollars (\$6,000.00). I direct that this devise shall bear no interest from the date of my death or any date to the date of payment. If TERRA LEA SHIELD RICHARDSON shall not survive me, said devise shall lapse, and said property shall become a part of my residuary estate.

ITEM IV.DISPOSITION OF RESIDUE

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this Will, including all lapsed legacies and devises and including any property over or concerning which I may have any power of appointment, I give and devise in fee to my children, CHARLES FRANKLIN SHIELD III, LINDA KAY SHIELD WELLS, ANITA LOUISE SHIELD LEE, JAMES FLOYD SHIELD and TERRA LEA SHIELD RICHARDSON, in equal shares. If a child of mine should predecease me, such child's share thereof shall pass to such child's then living issue, per stirpes, if any, and if none, then to my other children, per stirpes. In the event any of my said beneficiaries shall be under twenty-one (21) years of age on the occasion of my death, then I direct that the Executor shall transfer and pay over the share of such minor beneficiary to his or her parent or legal guardian (or if said parent or legal guardian shall be unable or unwilling to serve, then to any successor Executor named herein), as custodian for such minor under the Alabama Uniform Transfer to Minors Act.



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ITEM V.EXECUTORS

(a) I hereby nominate and appoint TERRA LEA SHIELD RICHARDSON, as Executor of this, my Last Will and Testament. In the event TERRA LEA SHIELD RICHARDSON shall predecease me or shall die during the administration of my estate or be unable or unwilling to serve as Executor, then I nominate and appoint LINDA KAY SHIELD WELLS to serve as Executor of this, my Last Will and Testament. In the event LINDA KAY SHIELD WELLS shall predecease me or shall die during the administration of my estate or be unable or unwilling to serve as Executor, then I nominate and appoint ANITA LOUISE SHIELD LEE to serve as Executor of this, my Last Will and Testament.

(b) It is my will and desire that the Executor, regardless of which of those named above shall so serve, shall not be required to give any bond or security for the performance of any duties as such Executor or to account to any court for any acts and doings done as such Executor, and that such Executor shall be expressly exempted from filing any inventory or making any report or final settlement of my estate. The Executor shall have full power, without the necessity for an order from any court, to sell (for payment of debts and all other purposes), exchange, lease, or encumber all or any portion of my estate in such manner and upon such terms and conditions as the Executor may approve; to continue to hold any property or securities originally received by it, including any stock or interest in any family corporation, partnership or business interest so long as the Executor shall consider the retention thereof in the best interests of the estate and regardless of whether such property is a so-called "legal" investment of trust funds; to invest and reinvest my estate and the proceeds of sale to any portion thereof in such loans, stocks, bonds or other securities, mortgages, common trust funds, shares of investment companies or investment securities of management-type investment companies such as mutual funds, or such other property as the Executor may consider suitable, whether or not a so-called "legal" investment of trust funds, and to change investments and to make new investments from



time to time as may seem necessary or desirable to the Executor; to delegate all or any part of the above investment powers to such investment counselors, consultants or managers as the Executor may deem appropriate; to make divisions and distributions hereunder provided for either in cash or in kind or partly in cash and partly in kind, and for that purpose to determine the values thereof, and to determine the identity of persons entitled to take hereunder; to institute and defend any and all suits or legal proceedings relating to my estate, in any court, and to employ counsel and to compromise or submit to arbitration all matters of dispute in which my estate may be involved, as in the judgment of the Executor may be necessary or proper. The Executor shall also have full power and authority to continue to operate, carry on, repair, renew, insure, and otherwise conserve and maintain any business or business item or asset of my estate, and to enter into and perform any contracts necessary and desirable in connection therewith, and shall have full power and authority to borrow money on account of my estate and secure same by mortgage or pledge of any asset thereof, all without the necessity for any other order from any court or notice to anyone whatsoever. It is also my direction and intention that my Last Will and Testament be interpreted and administered by the Executor in accordance with the Internal Revenue Code of 1986, as amended. The Executor shall not be liable to any beneficiary herein for any action taken or not taken, election made or not made, or resulting federal income tax consequences upon the apportionment or distribution in kind or otherwise of any asset of my estate, where the Executor has exercised good faith and ordinary diligence in the performance of its duties.

ITEM VI.

DEFINITIONS

As used in my Will, the terms "issue," "descendants" and "lineal descendants" are intended to include any persons heretofore or hereafter born or adopted by any descendant of mine and my children, CHARLES FRANKLIN SHIELD III, LINDA KAY SHIELD WELLS, ANITA LOUISE SHIELD LEE, JAMES FLOYD SHIELD and TERRA LEA SHIELD RICHARDSON. As used in my Will, the terms "child" and



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"children" are intended to include CHARLES FRANKLIN SHIELD III, LINDA KAY SHIELD WELLS, ANITA LOUISE SHIELD LEE, JAMES FLOYD SHIELD and TERRA LEA SHIELD RICHARDSON. Where the context so permits, the term "Executor" and words of reference to my Executor shall mean, respectively, any person or entity serving in that capacity, without regard to gender or number.

IN WITNESS WHEREOF, I, ANNABELLE WINGO SHIELD, the testatrix, sign my name to this instrument this 18th day of November, 1993, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Annabelle Wingo Shield  
ANNABELLE WINGO SHIELD

We, Kathy Smith and Janet C. Littleton, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testatrix signs and executes this instrument as her last will and that she signs it willingly, and that each of us, in the presence and hearing of the testatrix and the undersigned authority, hereby signs this will as witness to the testatrix's signing, and that to the best of our knowledge and belief, testatrix is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Kathy Smith  
Witness 2100 A Southbridge Pkwy  
Address Ste. 590  
Birmingham, Al. 35203

Janet C. Littleton  
Witness  
Address 1924 County Rd 38  
Jemison, Al 35085

STATE OF ALABAMA )

COUNTY OF MADISON )

Subscribed, sworn to and acknowledged before me by ANNABELLE WINGO SHIELD, the testatrix, and subscribed and sworn to before me by Kathy Smith and Janet C. Littleton, witnesses, this 18th day of November, 1993.

SEAL

[Signature]  
Notary Public  
My Commission Expires: 1-12-96

FILED IN OFFICE THIS THE 20 DAY  
OF Nov 20 0 3 FOR  
PROBATE AND RECORD  
Alan J. King  
JUDGE OF PROBATE