

LETTERS TESTAMENTARY

PROBATE - 60

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

PAUL P. DURETTE, JR.

Deceased

CASE NO. 199288

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

GLORIA D. WHITE

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, FEBRUARY 25, 2008.

(SEAL)

ALAN L. KING
Judge of Probate

I, Wanda L. McDaniel, 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, MAY 21, 2008.

Wanda L. McDaniel
Chief Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, PAUL P. DURETTE, JR., a resident of Jefferson County, State of Alabama, being of sound and disposing mind and memory, and over the age of 21 years, 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 ONE

I give and bequeath all of my wearing apparel, jewelry, books, pictures, any automobile I may own, and all other objects of my personal use to my wife, ELINOR CROWELL DURETTE, To be hers absolutely, if she be living at the time of my death. I make no disposition of household furniture and furnishings inasmuch as these items are the property of my wife, having been given to her by me at the time they were purchased. I hereby vest in my executors full power and authority to determine what objects of property are included in the foregoing description contained in this item of my will.

ITEM TWO

All of the rest, residue and remainder of my property of whatsoever kind and character and wheresoever situated, I give, bequeath and devise unto my wife, ELINOR CROWELL DURETTE, and my brother-in-law, John K. White as trustees, or should either resign, or for any reason fail to or cease to act, then I designate and appoint my sister, Gloria D. White as co-trustee.

The trustees shall hold the trust estate in trust for the use and benefit of my said wife, ELINOR CROWELL DURETTE, for and during her lifetime.

Signature

Paul P. Durette Jr.



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Shelby Cnty Judge of Probate, AL
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During such period the trustees shall pay over to my said wife, in such installments as may be convenient to her, for her support and comfort, the entire net income from said trust estate. If at any time during such period the net income from said trust estate shall not in the opinion of the trustees be sufficient for the proper support and comfort of my said wife, I direct that the trustees shall pay over to my said wife such additional sum or sums out of the principal of said trust estate as the trustees may deem necessary or desirable as provided in Paragraph 2 of Item Three hereof. All payments made by the trustees to my said wife hereunder shall fully discharge the trustees as to the amounts so paid, without obligation on the part of my said wife to account therefor.

From and after the death of my said wife, ELINOR CROWELL DURETTE, the trust shall terminate and the trustees shall pay over all trust property, free from trust, to my mother, Leoda S. Durette, who presently resides at 277 Beech Street, Fittsburg, Massachusetts, or, in the event my mother is not living at said time, then said trust property shall be paid over free from trust to my sister, Gloria D. White, who presently resides at 211 Placid Drive, San Antonio, Texas.

In the event my mother and sister die prior to the distribution of the trust as last above described, then the trustees shall transfer and pay over the trust estate to such persons as would be entitled to inherit the property constituting said trust and in the proportions in which they would be entitled to inherit the same from me under the laws of Alabama then in force, had I died at said time a resident of Alabama intestate and owned said property.

ITEM THREE

Powers of Trustees

1. The trustees shall hold and manage the property constituting the said trust estate, and such other property as they may subsequently

Signature

Paul F. Durette, Jr.

acquire for said trust estate pursuant to the power and authority herein given to them, with full power to compromise, adjust and settle in their discretion any claim in favor of or against said trust estate, with full power to collect the income therefrom and from time to time to sell, convey, exchange, lease for a period beyond the possible termination of the trust, or for a less period, to improve, encumber, borrow on the security of, or otherwise dispose of, all or any portion of said trust estate, in such manner and upon such terms and conditions as said trustees may approve, and with full power to invest and reinvest said trust estate and the proceeds of sale or disposal of any portion thereof, in such loans, bonds, stocks, mortgages, common trust funds, securities, or other property, real or personal, as to said trustees may seem suitable, and to change investments and to make new investments from time to time that to said trustees may seem necessary or desirable.

The trustees may continue to hold any property or securities originally received by them as a part of said trust estate, including any stock or interest in any family corporation, partnership, or enterprise, so long as they shall consider the retention thereof for the best interests of said trust estate, regardless of whether such property or securities are in law a proper investment of trust funds. In the disposition of any property constituting a part of said trust estate, the trustees may acquire other property which is not a proper investment of trust funds in accordance with law where such course is in their opinion for the best interests of said trust estate. The trustees shall have power to determine whether any money or property coming into their hands shall be treated as a part of the principal of said trust estate or a part of the income therefrom, and to apportion between such principal and income any loss or expenditure in connection with said trust estate as to them may seem just and equitable.

2. Whenever and as often as, in the opinion of the trustees, the income from the trust estate is insufficient for the purposes herein defined, including the reasonable and comfortable support and maintenance of the beneficiary entitled to income hereunder, taking into consideration any other income said beneficiary may at that time be receiving from all other sources, the trustees shall advance or utilize for the maintenance, support, comfort, or education of the beneficiary entitled to income from the trust estate, so much of the corpus or principal as the trustees may deem necessary or proper. Any such advances or the money so utilized shall be deemed to be partial distributions from said trust estate or share thereof and not debts of the recipient or beneficiary, or his estate.

3. Upon the death of the beneficiary hereunder, the trustees may pay the funeral and burial expenses and the expenses of the last illness of such beneficiary from the corpus of or principal of the trust estate.

4. The trustees shall have power and authority at any time or from time to time to advance money to the trust estate from their funds for any purpose or purposes of the trust, and may reimburse themselves for the money advanced and reasonable interest thereon from the trust estate or from any funds belonging to the trust estate thereafter coming into their custody from any source.

5. The trustees shall not be entitled to receive any compensation for acting as trustees under my will.

Signature

Paul P. Durell

6. The trustees shall pay from and out of the income of the trust estate any and all expenses reasonably necessary for the administration of the trust, including interest, taxes, insurance, public liability insurance, as well as any other expenses incurred for the benefit of the trust estate, and in the event the income from the trust estate is insufficient for the purpose of paying such expenses, the same may be paid from the corpus of the trust estate.

7. The trustees shall not be required to pay any interest on any money in their custody while awaiting distribution and investment under the terms hereof, even though the money be commingled with their own funds, provided they shall keep a separate account of same on their books.

ITEM FOUR

I hereby nominate and appoint my wife, Elinor Crowell Durette, and my brother-in-law, John K. White, as executors, or should one of them resign or for any reason fail or cease to act, then I designate and appoint my sister, Gloria D. White, as co-executor of this my last will and testament. I direct that my said executors shall not be required to give bond or to file an inventory or appraisal of my estate in any court, though they shall make out and keep an inventory and shall exhibit the same to any party in interest at any reasonable time. I hereby vest in my said executors the same full powers of management, control and disposition of my estate herein given to the trustees under Item Three hereof, and I direct that in the exercise of such powers, they shall be free from the control and supervision of the Probate Court or any other court. The executors shall serve without compensation.

ITEM FIVE

IN THE event my said wife, Elinor Crowell Durette, and I shall die in a common accident or disaster or under any circumstances creating any doubts as to which of us survived the other, my said wife shall be presumed to have predeceased me for all purposes under this will.

IN WITNESS WHEREOF, I, the said PAUL P. DURETTE, JR., have

Signature

Paul P. Durette, Jr.

hereunto set my hand and seal, this the 4th day of December,
1963.

Paul P. Durette Jr (SEAL)
PAUL P. DURETTE, JR.

Signed, sealed, published and declared by the said PAUL P. DURETTE, JR.,
as and for his last will and testament, in our presence, and we, at his
request and in his presence, and in the presence of each other, hereby
subscribe our names as witnesses on the day and date last above written.

Leslie Taylor
Name

921 Brown Max Bldg, Birmingham, Alabama
Address

Marta L Jones

8215- Division Ave, Bham, Ala.

Mary Girdling

922 Brown Max Bldg, Bham, Ala.


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