

157465

LAST WILL AND TESTAMENT

OF *J.B. Burton*
JOHNNIE ~~WILLIE~~ BURTON JR 1486PG 359

I, Johnnie ^B~~WILLIE~~ Burton, a resident of Jefferson County, Alabama, being over the age of nineteen years and of sound mind and disposing memory, do hereby make, declare and publish this my Last Will and Testament and do hereby revoke any and all Wills and Codicils which may have been at any time heretofore made by me.

ITEM ONE

I will and direct that my Personal Representatives hereinafter named shall pay all debts and charges against my estate as soon after my death as practicable and shall pay the expenses of my funeral and, as required, the cost of a suitable gravesite, marker and/or monument at my grave, except that the payment of any debt secured by a mortgage or pledge on real or personal property may be postponed by my Personal Representatives in their discretion. I further direct that my Personal Representatives may probate my Last Will and Testament either in the county of my residence at the time of my death or in any county in the State of Alabama in which I may own property at the time of my death. 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 TWO

I own property at: 704 Antwerp^P Avenue in Birmingham, Jefferson County, Alabama 35212. Living in said house at this time

J.B. Burton
JOHNNIE ~~WILLIE~~ BURTON

Page 1 of 6 Pages.
FILED IN OFFICE THIS THE 24 DAY
OF October, 19 96 FOR
PROBATE AND RECORD.

George R. Rayne
JUDGE OF PROBATE

D.B.D.
QJ

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is the former wife of my grandson, LeRoy Burton, II, whose name is Valarissa Michelle Grove, along with her daughter, Tameka Burton, who is my great granddaughter. The arrangement that I have with Valarissa Michelle Grove is that she pays rent in the amount of One Hundred Dollars (\$100.00) per month. I desire for that arrangement to continue in said amount after my death and that she be allowed to reside in said homeplace even though she may be remarried, as long as she pays said \$100.00 per month, and in addition, that she pays all maintenance, taxes, assessments and insurance for said property ^{AND KEEPS IT UP} during said time and if either one of these things are not done, the maintenance being in a reasonable manner, then her rights in this property shall cease at said time. In addition to Valarissa Michelle Grove having these rights aforementioned, I also give these rights to ~~me~~ this property at ~~One Hundred Dollars (\$100.00) per month~~ under the aforementioned terms and conditions to my great granddaughter, Tameka Burton. ~~In the event that Valarissa Michelle Grove shall decide not to remain in said premises while Tameka Burton is under the age of Nineteen (19) years and Valarissa Michelle Grove shall make a decision that she shall not stay in said premises any further, Tameka Burton would have no further rights therein. After Tameka Burton reaches the age of nineteen (19) years, then in the event that Valarissa Michelle Grove desires to give up rights aforementioned in said premises, then my great granddaughter, Tameka Burton, shall have all the aforementioned rights. Once Tameka Burton reaches 19 years of age and she shall make that her homeplace, as well as Valarissa Michelle Grove, then at such time, either one or both of them desiring to stay in said homeplace would have the right even though the other might give up the right to live there under the conditions aforementioned, as long as the \$100.00 per month comes in from either of them, then either of them would have the right to live in said homeplace subject, of course, to all other things~~

JOHNNIE B BURTON

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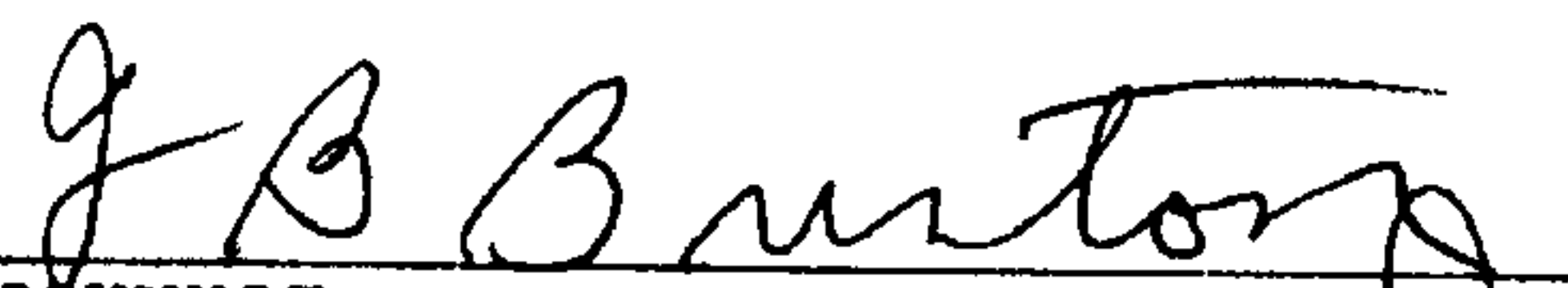
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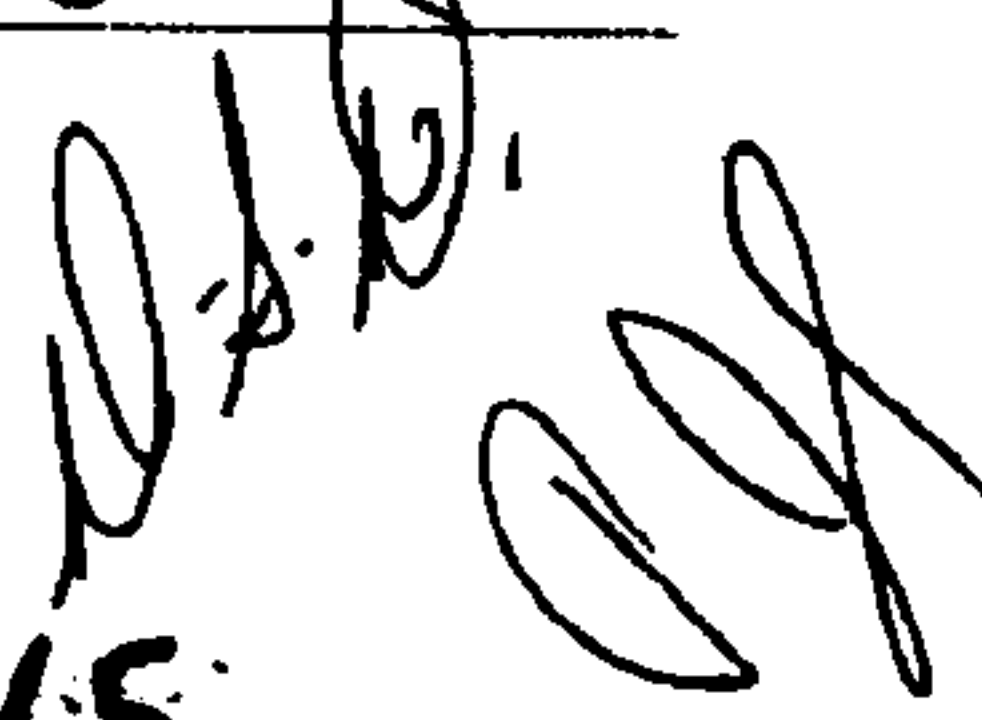
ITEM FOUR

JR 1486PG 362

I hereby nominate, constitute and appoint my daughter-in-law, Rudeen Burton, my granddaughter, Leigh Ann Burton Jackson and my grandson, LeRoy Burton, II, to be the Personal Representatives of this my Last Will and Testament and hereby exempt them from the necessity of giving bond as such Personal Representatives and I also hereby exempt them from the necessity of filing any inventory or making any report or final settlement of my estate in any court. I hereby authorize and empower my Personal Representatives to sell at either private or public sale (without liability on the purchaser to see to the proper application of the proceeds of such sale or sales), convey, lease or exchange all or any part of my estate, whether real, personal or mixed property, for such consideration and upon such terms and conditions as she deems proper, to the interest of the beneficiary or beneficiaries hereunder, and to execute and deliver all instruments necessary or proper to evidence such sale, lease or exchange, and to collect all rents, profits, income, dividends or issues due to my estate, to insure, repair or rebuild any buildings or other structures constituting a part of my estate, to settle, compromise or adjust any claims on behalf of or against my estate, and in general to do any and all things with respect to my estate that I myself might do if living and which my said Personal Representatives in their discretion may deem proper, and to do all the things specified in this Item without first obtaining any order of court therefor. Without limitation of the powers conferred by statute or general rules of law, my Personal Representatives shall have all of the above powers and authorities in addition to others now or hereafter conferred by law, with respect to any property contained in my estate.


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Shelby Cnty Judge of Probate, AL
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JOHNNIE ~~BURTON~~ BURTON


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ITEM FIVE

If any one or more of my Personal Representatives should die, resign or for any reason fail to qualify or continue to act as a Personal Representative, then I hereby nominate, constitute and appoint the survivor(s) as the Personal Representative(s) of this my Last Will and Testament, and as such Personal Representative(s), he, she or they shall have all of the same exemptions and all of the same power and authority as herein conferred upon my original named Personal Representatives.

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Shelby Cnty Judge of Probate, AL
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ITEM SIX

If any person to whom any property is given or devised is, at the time of the distribution of such property to him or her, under any legal disability, such as minority or incompetence, according to the laws then in effect at such person's domicile, and there is no other provision for said person in this Will, then, my Personal Representative(s), in their discretion thereof, may deliver such property to such person, to the guardian of such person or to some third party (including any Personal Representative(s) of mine) for the benefit or account of such person; and the receipt of the person, firm or corporation to whom such property is so delivered shall discharge my Personal Representative(s) with respect to the property to which such receipt relates.

ITEM SEVEN

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 consideration.

I, Johnnie ^B~~B~~ Burton, the Testatrix, sign my name to this instrument this 6th day of March, 1996, and being

JB Burton
JOHNNIE ~~B~~ BURTON

B

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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 therein expressed, and that I am nineteen (19) years of age or older, of sound mind and under no constraint or undue influence.

Johnnie B. Burton
JOHNNIE ~~B~~ BURTON

^{DAVIS B}
We, DOROTHY SHEPPARD & PHILLIP J. SARRIS, 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 Testament and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this Will as witness to the Testatrix's signing, and that to the best of our knowledge, the Testatrix is nineteen (19) years of age or older, of sound mind and under no constraint or undue influence.


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STATE OF ALABAMA

COUNTY OF JEFFERSON

Subscribed, sworn to and acknowledged before me by Johnnie ~~B~~ Burton, the Testatrix, and subscribed and sworn to before me by DOROTHY SHEPPARD & PHILLIP J. SARRIS, witnesses, this the 6th day of March, 1996.

Demetra D. Sarris
NOTARY PUBLIC

DEMETRA D. SARRIS
My Commission Expires Nov. 10, 1998

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Shelby Cnty Judge of Probate, AL
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CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama

JEFFERSON COUNTY

I, George R. Reynolds, 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 Johnnie B. Burton Deceased and that said Will _____

together with the proof thereof have been recorded in my office in Judicial Record, Volume JR 1486, Page 359-364.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date Oct. 24, 1996.

PROBATE -- 98

George R. Reynolds, Judge of Probate.

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, S.J. Rhodes, 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 _____

Last Will and Testament and the Certificate to the Probate of Will

in the matter of the estate of Johnnie B. Burton Case# 157465

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

Given under my hand and seal of said Court, this

the 19th day of November, 20 08

S.J. Rhodes

Provisional Chief Clerk