

***LAST WILL AND TESTAMENT  
OF  
BILLY WATSON, JR.***

I, Billy Watson, Jr., of Alabaster, Alabama, revoke my former Wills and Codicils and declare this to be my Last Will and Testament.

**ARTICLE I  
IDENTIFICATION OF FAMILY**

I am married to Annette N. Watson and all references in this Will to "my spouse" are references to Annette N. Watson.

The names of my children from my prior marriage are Billy Joe Watson and Deborah Watson Texier. All references in this Will to "my children from my prior marriage" are references to the above-named children.

The names of my children from my current marriage are Jerri Taunton Gray and Jon Michael Taunton. All references in this Will to "my children of my current marriage" are references to the above-named children.

**ARTICLE II  
PAYMENT OF DEBTS AND EXPENSES**

I direct that my just debts, funeral expenses and expenses of last illness be first paid from my estate.

**ARTICLE III  
DISPOSITION OF PROPERTY**

A. Specific Bequests. I direct that the following specific bequests be made from my estate.

1. Seiko Mickey Mouse Watch shall be distributed to Billy Joe Watson. If this beneficiary does not survive me, this bequest shall be distributed to Deborah Watson Texier. If this beneficiary does not survive me, this bequest shall be distributed with my residuary estate.
2. Tools (excluding Table Saw) shall be distributed to Billy Joe Watson. If this beneficiary does not survive me, this bequest shall be distributed to Deborah Watson Texier. If this beneficiary does not survive me, this bequest shall be distributed with my residuary estate.
3. Two guns shall be distributed to Billy Joe Watson. If this beneficiary does not survive me, this bequest shall be distributed to Deborah Watson Texier. If this beneficiary does not survive me, this bequest shall be distributed with my residuary estate.

B. Residuary Estate. I direct that my residuary estate be distributed to my spouse, Annette N. Watson. If my spouse does not survive me, the residuary estate shall be distributed to the following beneficiaries in the percentages shown:

50.00% - my children from my current marriage in equal shares. If a child of mine from my current marriage does not survive me, such deceased child's share shall be distributed in equal shares to the children of such deceased child who survive me by right of representation. If a

child of mine from my current marriage does not survive me and has no children who survive me, such deceased child's share shall be distributed in equal shares to my other children from my current marriage, if any, or to their respective children by right of representation.

50.00% - my children from my prior marriage in equal shares. If a child of mine from my prior marriage does not survive me, such deceased child's share shall be distributed in equal shares to the children of such deceased child who survive me by right of representation. If a child of mine from my prior marriage does not survive me and has no children who survive me, such deceased child's share shall be distributed in equal shares to my other children from my prior marriage, if any, or to their respective children by right of representation.

100.00 - *Percent Total*

If there are no survivors from an entire class listed under this provision, the share of that class shall be distributed to the other class listed under this provision.

If none of the previously named beneficiaries survive me, my residuary estate shall be distributed to the following beneficiaries in the percentages as shown:

50.00% to my heirs-at-law, their identities and respective shares to be determined under the laws of the State of Alabama, then in effect, as if I had died intestate at the time fixed for distribution under this provision.

50.00% to my spouse's heirs-at-law, their identities and respective shares to be determined under the laws of the State of Alabama, then in effect, as if my spouse had died intestate at the time fixed for distribution under this provision.

100.00 - *Percent Total*

#### **ARTICLE IV NOMINATION OF EXECUTOR**

I nominate John Henry Gray, of Alabaster, Alabama, as the Executor, without bond or security. If such person or entity does not serve for any reason, I nominate Billy Joe Watson, of Sedalia, Missouri, and Deborah Watson Texier, of Belleville, Illinois, as Co-Executors (the "Executor"), without bond or security.

#### **ARTICLE V EXECUTOR POWERS**

My Executor, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to lease, sell, mortgage, or otherwise encumber any real or personal property that may be included in my estate, without order of court and without notice to anyone.

My Executor shall have the right to administer my estate using "informal", "unsupervised", or "independent" probate or equivalent legislation designed to operate without unnecessary intervention by the probate court.

#### **ARTICLE VI MISCELLANEOUS PROVISIONS**

A. Paragraph Titles and Gender. The titles given to the paragraphs of this Will are inserted for reference purposes only and are not to be considered as forming a part of this Will in interpreting

its provisions. All words used in this Will in any gender shall extend to and include all genders, and any singular words shall include the plural expression, and vice versa, specifically including "child" and "children", when the context or facts so require, and any pronouns shall be taken to refer to the person or persons intended regardless of gender or number.

B. Thirty Day Survival Requirement. For the purposes of determining the appropriate distributions under this Will, no person or organization shall be deemed to have survived me unless such person or entity is also surviving on the thirtieth day after the date of my death.

C. Common Disaster. If my spouse and I die under circumstances such that there is no clear or convincing evidence as to the order of our deaths, or if it is difficult or impractical to determine which person survived the death of the other person, it shall, for the purpose of distribution of my life insurance, property passing under any Trust or other contracts, if any, and property passing under this Will, be conclusively presumed that I predeceased the death of my spouse, and notwithstanding any other provision of this Will, my spouse (or my spouse's estate as the case may be) shall receive the distribution to which my spouse would otherwise be entitled to receive without regard to a survivorship requirement, if any.

D. Liability of Fiduciary. No fiduciary who is a natural person shall, in the absence of fraudulent conduct or bad faith, be liable individually to any beneficiary of my estate, and my estate shall indemnify such natural person from any and all claims or expenses in connection with or arising out of that fiduciary's good faith actions or nonactions as the fiduciary, except for such actions or nonactions which constitute fraudulent conduct or bad faith.

E. Beneficiary Disputes. If any bequest requires that the bequest be distributed between or among two or more beneficiaries, the specific items of property comprising the respective shares shall be determined by such beneficiaries if they can agree, and if not, by my Executor.

IN WITNESS WHEREOF, I have subscribed my name below, this 20<sup>th</sup> day of November 2009.

Testator Signature: \_\_\_\_\_

Billy Watson, Jr.

We, the undersigned, hereby certify that the above instrument, which consists of 4 pages, including the page(s) which contain the witness signatures, was signed in our sight and presence by Billy Watson, Jr. (the "Testator"), who declared this instrument to be his/her Last Will and Testament and we, at the Testator's request and in the Testator's sight and presence, and in the sight and presence of each other, do hereby subscribe our names as witnesses on the date shown above.

Witness Signature: \_\_\_\_\_

Name: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Charity R Hogg  
Charity R Hogg  
Columbiana  
Alabama

Witness Signature: Lisa Morgan  
Name: Lisa Morgan  
City: Columbiana  
State: AL

Witness Signature: Cherry Green  
Name: Cherry Green  
City: Columbiana  
State: AL

AFFIDAVIT

I, Billy Watson, Jr., the Testator, sign my name to this instrument this 20<sup>th</sup> day of November, 2009, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Will and that I sign it willingly, in the presence of the undersigned witnesses, that I execute it as my free and voluntary act for the purposes expressed in the Will, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Testator Signature:

Billy Watson, Jr.  
Billy Watson, Jr.

We, Charity R. Hogg and Lisa Morgan  
and Cherry Green, the 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 the Testator's will and that the Testator signs it willingly in our presence, and that the Testator executes it as the Testator's free and voluntary act for the purposes expressed in the will, and that each of us, in the presence and hearing of the Testator, at the Testator's request, and in the presence of each other, hereby signs this will, on the date of the instrument, as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind and memory, and under no constraint or undue influence, and the witnesses are of adult age and otherwise competent to be witnesses.

Witness Signature:

Name:

City:

State:

Charity R Hogg  
Charity R Hogg  
Columbiana  
Alabama

Witness Signature:

Name:

City:

State:

Lisa Morgan  
Lisa Morgan  
Columbiana  
Alabama

Witness Signature:

Name:

City:

State:

Cherry Green  
Cherry Green  
Columbiana  
AL

STATE OF ALABAMA  
COUNTY OF SHELBY



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Shelby Cnty Judge of Probate, AL  
11/20/2009 11:11:19 AM FILED/CERT

Subscribed, sworn to and acknowledged before me by Billy Watson, Jr., the Testator; and  
subscribed and sworn to before me by Charity E. Hugg and  
Lisa Morgan and Cherry Green,  
witnesses, this 20<sup>th</sup> day of November, 2009.

Jessica L. Gelland  
Notary public, or other officer  
authorized to take and certify  
acknowledgments and administer oaths