

# LAST WILL AND TESTAMENT OF

## EARL CAESAR CUNNINGHAM

I, Earl Caesar Cunningham, of 460 Samford Street, Montevallo, AL 35115, declare this to be my last will and testament, revoking all others heretofore made by me.

### I

I decline to exercise any powers of appointment I may have. If any part of this will is found to be in violation of the Rule Against Perpetuities or other provision of law, said part shall not be stricken or nullified, but is hereby amended to conform to the minimum requirements of the law.

### II

I give all my property to my daughter Corretta Toinetta Cunningham Alvira Williams, of 1402 Turtle Lake Drive, Birmingham, AL 35242. If she does not survive me, I give all my property to my granddaughter Cheniah Samaria Williams, also of 1402 Turtle Lake Drive, Birmingham, AL 35242, with right of representation per stirpes. I have provided elsewhere for my other children: Charlene Bonita Cunningham, of Detroit, MI; Christina Chennel Cunningham, of Detroit, MI; and Earl Caesar Cunningham, Jr of Bessemer, AL.

### III

I hereby nominate and appoint Corretta Toinetta Cunningham Alvira Williams to be my personal representative under this Will. If for any reason she shall fail to qualify or serve as personal representative, I nominate and appoint as successor Rev Albert L Jones of Mt Olive Missionary Baptist Church. My personal representative, or any successors, shall possess full powers to implement this will, including the power to sell any property whose disposition is not otherwise directed herein, and shall be exempt from filing an inventory, or making any report or final settlement, or giving bond for any court, heir, or person. I direct that my estate be settled without the intervention of any court, except to the extent required by law.



20091223000468780 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
12/23/2009 01:51:42 PM FILED/CERT

I, Earl Caesar Cunningham, the testator, sign my name to this instrument consisting of this and one preceding page this 23 December 2009, 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 nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Earl C Cunningham  
Earl Caesar Cunningham, Testator

We, 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 his last will and that he 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's signing, and that to the best of our knowledge the testator is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Steve Sears, residing at 655 Main  
Montevallo, AL 35115

E F Cecil, residing at 655 Main  
E F Cecil Montevallo, AL 35115

Walt Czeskleba, residing at 665 Main  
Walt Czeskleba Montevallo, AL 35115

Subscribed, sworn to, and acknowledged before me by Earl Caesar Cunningham the testator and subscribed and sworn to before me by the witnesses, who were all known to me, on the date last above written.

Steve Sears  
Notary public  
My Commission Expires 07 March 2010