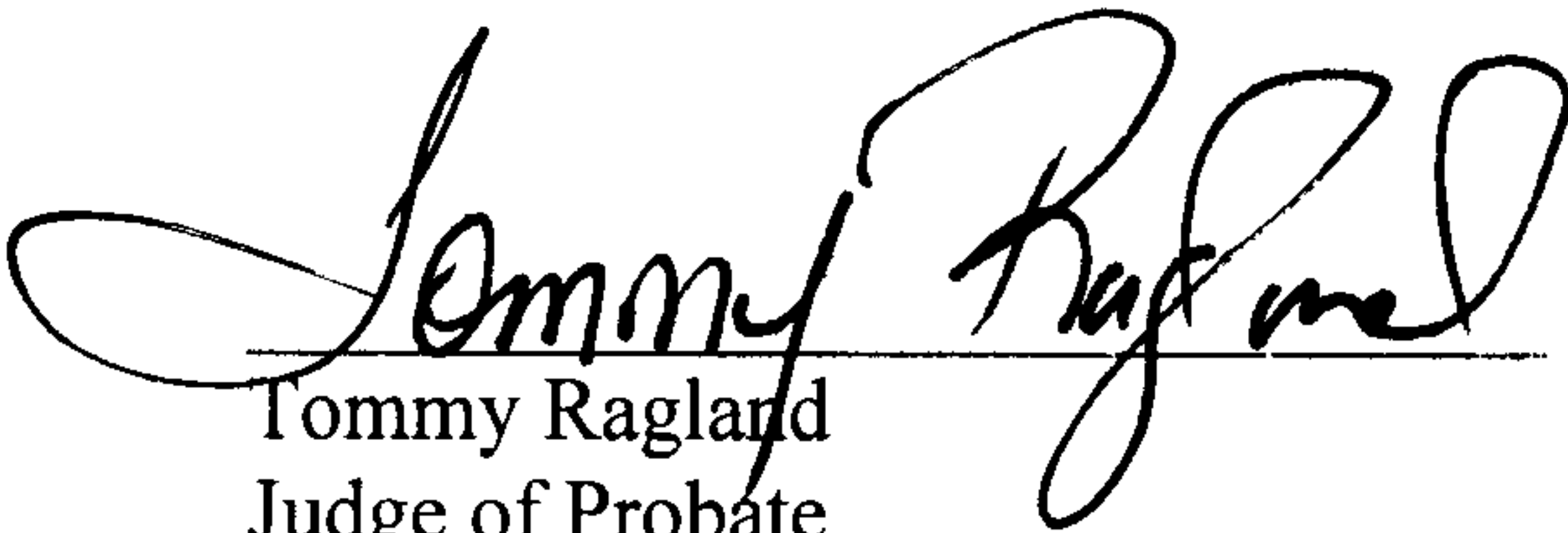


STATE OF ALABAMA

MADISON COUNTY

I, Tommy Ragland, Judge of Probate Court in and for the County and State aforesaid, hereby certify that the within and foregoing is a true, correct and complete copy of the Petition, recorded in book 0367 pg 0849, Decree admitting Will to probate, recorded in book 0154 pg 0939, Letters Testamentary, recorded in book 0367 pg 0854, Last will and Testament of Jon D. Caldwell, recorded in book 0093 pg 0072, Petition for settlement of estate, recorded in book 0413 pg 0076 and Decree on final settlement, recorded 0165 pg 0291, as same appears of record in my office.

Given under my hand and seal of office this the 21st day of April, 2010.


Tommy Ragland
Judge of Probate

POR PAGE
0867 0849

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF:
JON DAVID CALDWELL, DECEASED

CASE NO. 50918

PETITION FOR LETTERS TESTAMENTARY

Your Petitioners, **Don Tinsley Caldwell and Kenneth Alan Caldwell**, respectfully represent unto this Court that **Jon David Caldwell** died in Huntsville, Madison County, Alabama on or about the 10th day of August, 2007, and was at the time of his death domiciled in this County and State; died leaving assets in this State; and died leaving a Last Will and Testament duly signed by him on the 25th day of March, 1993, attested by the following witnesses: Evelyn T. Caldwell and Dorris Caldwell.

Your Petitioners herewith file and propound said Last Will and Testament in which they are named in said Last Will and Testament as Co-Personal Representative, and do now herewith surrender the Last Will and Testament to the Court and represent to the Court that the Last Will and Testament of Jon David Caldwell **IS NOT SELF-PROVING** as provided by **Code of Alabama 1975, §§43-8-132 and 43-8-133.**

Your Petitioners further represent that there are heirs and next of kin of the decedent and that the names, addresses, and condition of the next of kin are as follows:

DON TINSLEY CALDWELL, aged 54, brother
1918 Wrenwood Drive
Huntsville, Alabama 35803

KENNETH ALAN CALDWELL, aged 52, brother
63 Sharon Street
San Francisco, California 94114-1708

Waivers on the probate of said Will for each of the persons listed above are filed herewith.

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JIMMY RASBAND
PROBATE JUDGE
MADISON COUNTY, AL

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Shelby Cnty Judge of Probate, AL
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WHEREFORE, PREMISES CONSIDERED, your Petitioners respectfully pray that the Last Will and Testament of the Decedent be probated and admitted to record as the true Last Will and Testament of the said deceased, that notice of this Petition be issued to the next of kin as required by law, that proper notice be issued to the subscribing witnesses to the Will, and that all such orders and decrees including an order granting letters testamentary to your Petitioners without requiring bond as provided by the Last Will and Testament and law be issued, and that the Court enter such other orders or decrees as may be proper.

Respectfully submitted this 30th day of August, 2007.

Don Tinsley Caldwell
Don Tinsley Caldwell
Petitioner

Kenneth Alan Caldwell
Kenneth Alan Caldwell
Petitioner

STATE OF ALABAMA
COUNTY OF MADISON

Don Tinsley Caldwell, Petitioner, being duly sworn, deposes and says under oath that the facts and allegations averred in the foregoing petition are true and correct according to the best of his knowledge, information and belief.

Don Tinsley Caldwell
Don Tinsley Caldwell
Petitioner

SWORN TO and SUBSCRIBED before me on this the 30th day of August, 2007.

Not W. Crawford
Notary Public
My Commission Expires: 03/09/2009

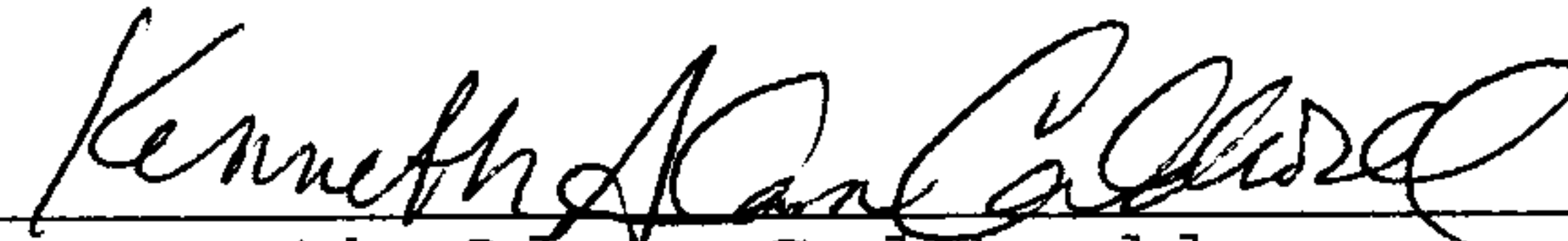
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TOMMY RAGLAND
PROBATE JUDGE
MADISON COUNTY, AL



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STATE OF ALABAMA
COUNTY OF MADISON

Kenneth Alan Caldwell, Petitioner, being duly sworn, deposes and says under oath that the facts and allegations averred in the foregoing petition are true and correct according to the best of his knowledge, information and belief.


Kenneth Alan Caldwell
Petitioner

SWORN TO and SUBSCRIBED before me on this the 30th day of August, 2007.


Notary Public
My Commission Expires: 03/09/2009

This document prepared by:


Fulton S. Hamilton (HAM017)
Attorney At Law
121 Jefferson Street, North
Huntsville, Alabama 35801
Tel: 256-533-7171

FILED
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TONY RAGLAND
PROBATE JUDGE
MADISON COUNTY, AL



0154 0039

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

CASE NO.

50918

IN THE MATTER OF THE ESTATE OF:
JON DAVID CALDWELL, Deceased

**DECREE ADMITTING WILL TO PROBATE AND
GRANTING LETTERS TESTAMENTARY**

The Petition of **Don Tinsley Caldwell and Kenneth Alan Caldwell** to have admitted to Probate and Record an instrument which purports to be the Last Will and Testament of Jon David Caldwell, deceased, having come before the Court this day for hearing, and notice having been accepted by the next of kin who are over the age of nineteen years and of sound mind, and the Court finding that there are no minors or incapacitated persons who are next of kin and that Waivers have been filed by all next of kin who are over the age of nineteen, and upon consideration of the Petition and the other evidence, it is the finding of the Court that the instrument which purports to be the Last Will and Testament of the decedent is the legal Will of said decedent. It is therefore,

ORDERED by this Court that the said instrument which purports to be the Last Will and Testament of the said decedent was duly and legally executed by Jon David Caldwell; that said instrument is the legal Last Will and Testament of the said decedent; that the said Last Will and Testament is hereby admitted to Probate and Record in this Court; and that pursuant to **Code of Alabama 1975**, § 43-2-21, Letters Testamentary be granted to Don Tinsley Caldwell and Kenneth Alan Caldwell as Co-Personal Representatives under said Last Will and Testament;

ORDERED by this Court that the said Co-Personal Representatives shall have all the powers and duties provided in the Last Will and Testament and all the general powers, authorized for transactions enumerated in **Code of Alabama 1975**, §43-2-843;

ORDERED that the Co-Personal Representatives, in addition to the general powers and duties granted, specifically is



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Shelby Cnty Judge of Probate, AL
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50918

LAST WILL AND TESTAMENT of: Jon D. Caldwell

I, Jon D. Caldwell, a resident of the County of Shelby, the State of Alabama, declare that this is my Will.

FIRST:

I revoke all Wills and Codicils that I have previously made.

SECOND:

I am not currently married.

I have no children now living, nor have I any deceased children who died and left issue.

THIRD:

I give all my jewelry, clothing, household furniture and furnishings, personal automobiles and other tangible articles of a personal nature, or my interest in any such property not otherwise disposed of by this Will or in any other manner together with any insurance on the property, to Don T. Caldwell and Kenneth A. Caldwell in equal shares. If, however, any of the above named persons fails to survive me by thirty (30) days, then I direct that his or her share shall be distributed pro rata with the gifts that are effectively distributed herein.

FOURTH:

I give the residue of my estate in equal shares to Don T. Caldwell and Kenneth A. Caldwell. If any of those persons shall not survive me by thirty (30) days, then the share that would have been given to that person had he or she survived me by thirty (30) days shall be distributed pro rata with the gifts which are effectively distributed under this paragraph.

FIFTH:

I nominate Don T. Caldwell and Kenneth A. Caldwell as joint Executors of this Will, to serve without bond. If either of the above shall for any reason fail to qualify as Executor, then I nominate Dorris Caldwell to serve in his or her stead as joint executor, to serve without bond. The term "my Executor" as used in this Will shall include any personal representative of my estate.

I authorize my Executor to sell, with or without notice, at either public or private sale, and to lease



any property belonging to my estate, subject only to such confirmation of court as may be required by law.

I authorize my Executor to invest and reinvest any surplus money in the Executor's hands in every kind of property, real, personal, or mixed and every kind of investment, specifically including but not limited to interest bearing accounts, corporate obligations of every kind, preferred or common stocks, shares of investment trusts, investment companies, mutual funds, or common trust funds, including funds administered by the Executor, and mortgage participations, that persons of prudence, discretion, and intelligence acquire for their own account.

No bequest provided for in this Will or in any codicil hereto shall bear interest if not paid or satisfied within any period prescribed by law.

SIXTH:

I direct that all inheritance, estate, or other death taxes (excluding any additional tax imposed under Internal Revenue Code Section 2032A or any generation skipping transfer tax) that may by reason of my death be attributable to my probate estate or any portion of it, or to any property or transfers of property outside my probate estate, shall be paid by my Executor out of the residue of my estate disposed of by this Will, without adjustment among the residuary beneficiaries, and shall not be charged against or collected from any beneficiary of my probate estate, or from any transferee or beneficiary of any property outside my probate estate.

SEVENTH:

Except as otherwise provided in this Will, I have intentionally failed to provide herein for any of my heirs, and I specifically disinherit any person claiming to be my heir who is not provided for in this Will. If any beneficiary under this Will in any manner, directly or indirectly, contests or attacks this Will or any of its provisions, any gift or other provision I have made to or for that person under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary had predeceased me without issue.

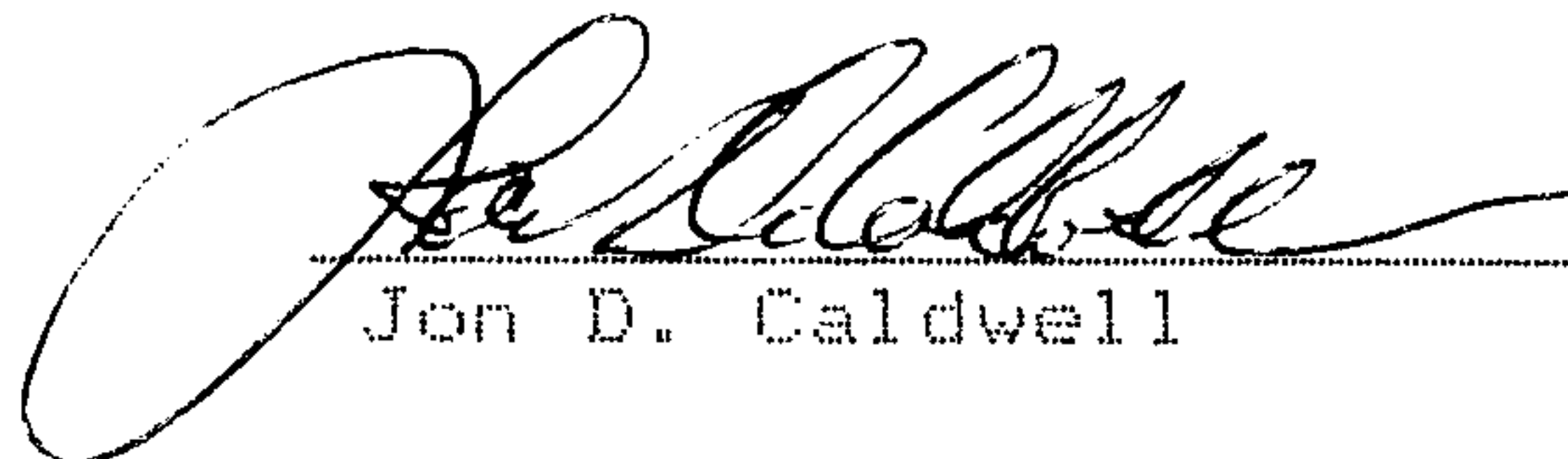
EIGHTH:

As used in this Will, the term "issue" shall refer to lineal descendants of all degrees, and the terms "child," "children," and "issue" shall include adopted persons. However, in no event shall any of these terms include any foster child or stepchild, regardless of the existence of a parent-and-child relationship between that person and myself.



0093 0074

I subscribe my name to this Will on
25th March 1993, 11:00pm, at Hoover, the State of
Alabama.


Jon D. Caldwell

On the date written below, Jon D. Caldwell declared to us, the undersigned, that this instrument, consisting of these few pages including the page signed by us as witnesses, was his Will and requested us to act as witnesses to it. He thereupon signed this Will in our presence, all of us being present at the same time. We now, at his request, in his presence and in the presence of each other, subscribe our names as witnesses.

Each states that the testator is not a minor and appears to be of sound mind and that we have no knowledge of any facts indicating that the foregoing instrument, or any part of it, was procured by duress, menace, fraud or undue influence.

We, each for himself or herself, declare that each of us is over the age of majority, and that each of us is, and the others appear to be of sound mind.



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Shelby Cnty Judge of Probate, AL
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We, each for himself or herself, declare under penalty of perjury that the foregoing is true and correct and that this attestation and this declaration are executed on the 25th day of March, 1993 at Hoover, the State of Alabama.

Eugene J. Caldwell residing at:
421 Pearson Dr, Sec
Huntsville, AL 35802

Laura Caldwell residing at:
421 Pearson Dr Sw,
Huntsville, AL 35802

_____ residing at:



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STATE OF ALABAMA

IN THE PROBATE COURT

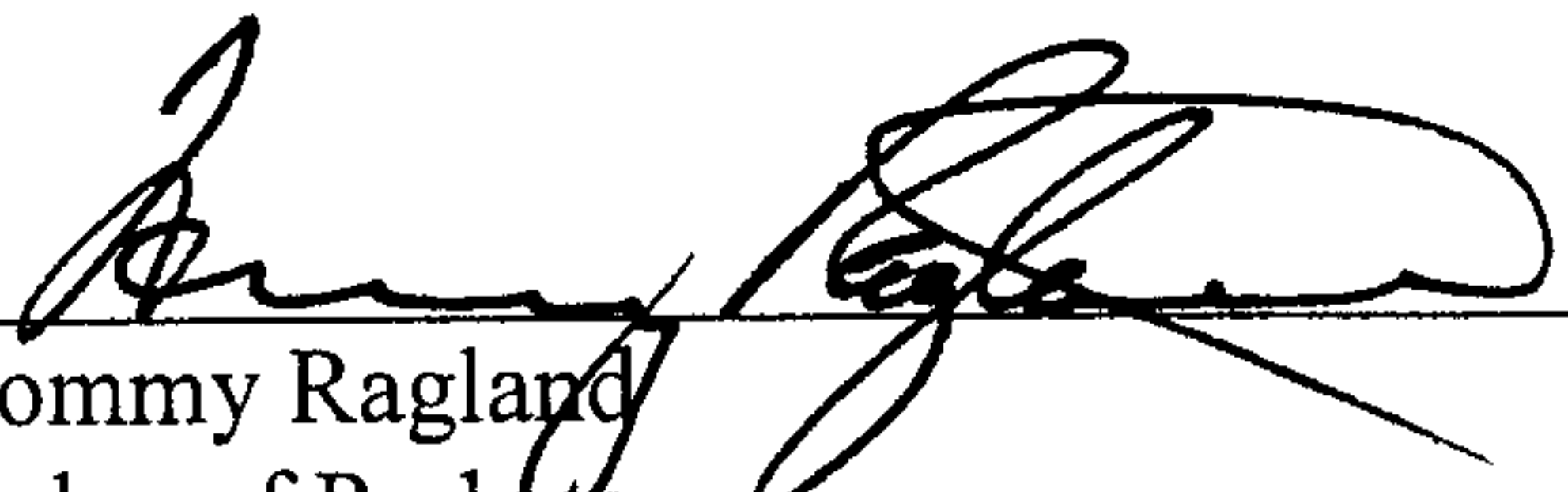
COUNTY OF MADISON

CASE NO: 50918

I, Tommy Ragland, Judge of Probate in and for the County and State
aforesaid, do hereby certify that the within instrument in writing has been duly proven to
be the Last Will and Testament of Jon David Caldwell, deceased, and that said will has
been recorded in my office in Will Book No. 93 of Wills at Page No.

72.

In witness whereof, I have hereunto set my hand and affixed the seal of
said Probate Court, on this 21st day September, 2007.



Tommy Ragland
Judge of Probate


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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA
COUNTY OF MADISON

IN THE PROBATE COURT
CASE NO. 50918

LETTERS TESTAMENTARY

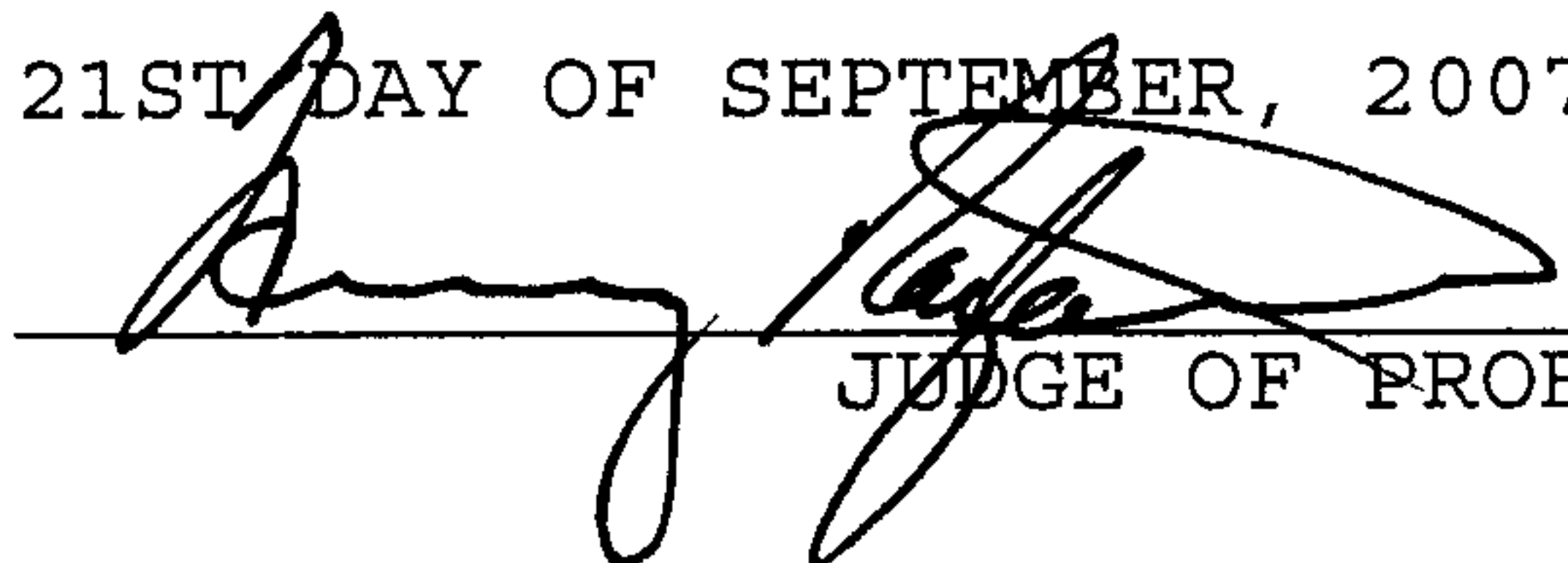
THE WILL OF JON DAVID CALDWELL HAVING BEEN DULY ADMITTED TO RECORD IN SAID COUNTY, LETTERS TESTAMENTARY ARE HEREBY GRANTED TO

DON TINSLEY CALDWELL
KENNETH ALAN CALDWELL

THE PERSONAL REPRESENTATIVES NAMED IN SAID WILL, WHO HAVE COMPLIED WITH THE REQUISITIONS OF THE LAW, AND ARE AUTHORIZED TO ADMINISTER THE ESTATE. SUBJECT TO THE PRIORITIES STATED IN CODE OF ALABAMA (1975, AS AMENDED) 43-8-76, THE SAID PERSONAL REPRESENTATIVES, ACTING PRUDENTLY FOR THE BENEFIT OF INTERESTED PERSONS, HAVE ALL THE POWERS AUTHORIZED IN TRANSACTIONS UNDER CODE OF ALABAMA (1975. AS AMENDED) 43-2-843.

IT IS FURTHER ORDERED THAT THE PERSONAL REPRESENTATIVES, IN ADDITION TO THE GENERAL POWERS AND DUTIES GRANTED, SPECIFICALLY IS AUTHORIZED, WITH PRIOR COURT APPROVAL, TO ACT IN TRANSACTIONS ENUMERATED IN CODE OF ALABAMA (1975, AS AMENDED) 43-2-844, UNLESS OTHERWISE PROVIDED IN SAID WILL.

WITNESS MY HAND, AND DATED THIS 21ST DAY OF SEPTEMBER, 2007.


JUDGE OF PROBATE


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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA

IN THE PROBATE COURT

MADISON COUNTY

CASE NO.: 50918

IN THE MATTER OF THE ESTATE OF JON DAVID CALDWELL, DECEASED

**PETITION FOR SETTLEMENT OF ESTATE
AND
DISCHARGE OF PERSONAL REPRESENTATIVES**

COMES NOW your Petitioners, **DON TINSLEY CALDWELL** and **KENNETH ALAN CALDWELL**, the Personal Representatives of the Estate of Jon David Caldwell, deceased, who submit the following facts as the basis for this Petition:

1. Your Petitioners were appointed as Personal Representatives of the Estate of Jon David Caldwell and Letters Testamentary were granted by an order and decree of this Court on the 21st day of September, 2007.

2. More than six (6) months have expired from the date that the first notice was given of the appointment of the Personal Representative of said Estate to the date of the filing of this Petition and more than thirty (30) days have elapsed since the last notice to all known parties who have an interest in the Estate.

3. A Notice to Creditors published in **The Huntsville Times**, a newspaper of general circulation in this County, and an Affidavit of Mailing to Known Creditors have been previously filed with the Court in this cause.

4. All debts or claims filed or due from said Estate have been paid in full.

5. All of the personal property and assets belonging to said Estate remaining in the hands of your Petitioners, as Personal Representatives of said Estate, have been paid and turned over to the Legatees of said Estate, namely: Don Tinsley Caldwell, and Kenneth Alan Caldwell, who constitute the sole and only heirs of Jon David Caldwell, deceased.

6. The heirs have signed a sworn Waiver On Final Settlement By Personal Representatives disclosing that each is over nineteen (19) years of age and that all of the personal property and assets remaining in the hands of the Personal Representatives have been paid and turned over to each of them, that they waive further notice of these proceedings, that they waive the filing of vouchers or accounting of the settlement, and that they consent that said Estate be finally settled and that the Personal Representatives and sureties be discharged. Said Affidavits are attached hereto and made a part hereof the same as if fully set forth herein.



7. This Petition is filed under the authority of §43-2-506 of the **Code of Alabama**, as amended.

Wherefore, your Petitioners pray that this Court will enter a Decree of Final Settlement in this cause, direct that the estate be closed and that the Personal Representatives and Sureties be fully and finally discharged and released.

Respectfully submitted on this the 16th day of April, 2010.


DON TINSLEY CALDWELL,
Personal Representative of the
Estate of Jon David Caldwell, Deceased

STATE OF ALABAMA)

SS.

COUNTY OF MADISON)

SWORN TO and subscribed before me this 16th day of April, 2010.

Wendy Ryan
Notary Public
Commission Expires 1-9-13

(Place Notary Seal Above)

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2010 APR 16 PM 1:35
CLINTON PARAGLAND
CLINTON JUDGE
CLINTON COUNTY, AL
CLINTON

(Signature of Kenneth Alan Caldwell on next page)



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Shelby Cnty Judge of Probate, AL
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Kenneth Alan Caldwell

KENNETH ALAN CALDWELL,
Personal Representative of the
Estate of Jon David Caldwell, Deceased

STATE OF CALIFORNIA)

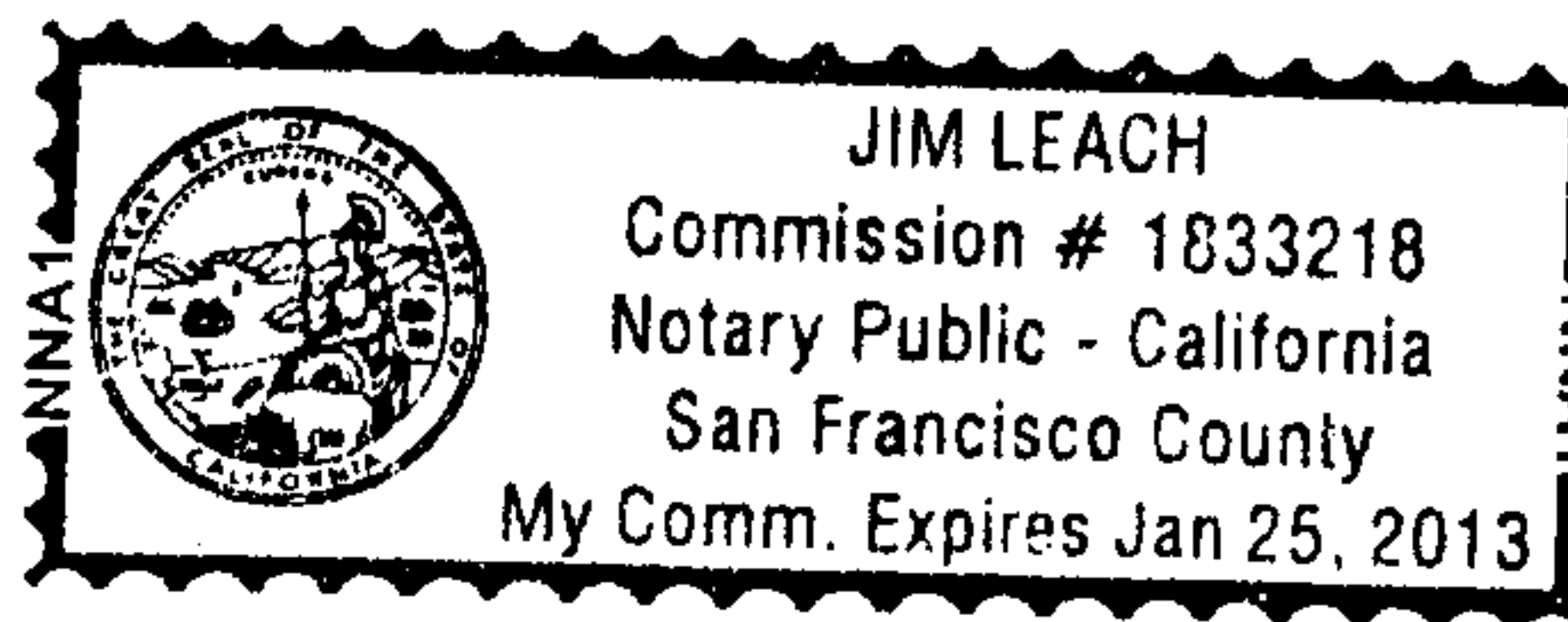
SS.

COUNTY OF SAN FRANCISCO)

Subscribed and sworn to (or affirmed) before me on this 15 day of April, 2010, by
KENNETH ALAN CALDWELL, proved to me on the basis of satisfactory
evidence to be the person(s) who appeared before me.

J. Leach

Signature of Notary Public



(Place Notary Seal Above)

DESCRIPTION OF THE ATTACHED DOCUMENT

ESTATE OF JON DAVID CALDWELL,
RELEASED
WAIVER ON FINAL SETTLEMENT BY

(Title or description of attached document)

PERSONAL REPRESENTATIVES

(Title or description of attached document continued)

Number of pages 6 Document Date 04/15/2010

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer - Title _____
☐ Partner (s) - ☐ Limited ☐ General
☐ Trustee (s)
☐ Personal Representative of Estate
☐ Other _____

This Document Prepared By:
Fulton S. Hamilton
Attorney At Law
120 Jefferson Street North
Huntsville, AL 35801
Tel: (256) 533-7171

FILED
2010 APR 16 PM 1:13
CLERK OF COURT
SHELBY COUNTY, ALABAMA



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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA

IN THE PROBATE COURT

MADISON COUNTY

CASE NO.: 50918

IN THE MATTER OF THE ESTATE OF JON DAVID CALDWELL, DECEASED

**DECREE ON FINAL SETTLEMENT
AND
DISCHARGE OF PERSONAL REPRESENTATIVES**

This cause coming on to be heard and being submitted for Decree on the sworn written petition of Don Tinsely Caldwell and Kenneth Alan Caldwell, Personal Representatives of the Estate of Jon David Caldwell, deceased, for final settlement of said estate and the discharge of the Personal Representatives and sureties; and it appearing to the Court that more than six months have expired from the date that the first notice was given of the appointment of Personal Representatives of said estate until the date of the filing of this petition for final settlement, and more than five months has passed from the date of the publication of notice and more than thirty days actual notice was given to all known creditors; that all of the heirs of Jon David Caldwell, deceased, are over the age of nineteen (19) years and of sound mind, have consented to said settlement by written instrument filed in this court and have waived further notice of this Court's consideration of said petition for final settlement, and have consented that the Personal Representatives and Sureties be discharged, and have waived an accounting and have acknowledged receipt of all monies and other property due from said estate; and it appearing to the Court that said Personal Representatives transferred all of the estate of said decedent, it is therefore,

ORDERED, ADJUDGED and DECREED as follows:

1. That the Petition for Final Settlement and Discharge of the Personal Representatives and Sureties be granted and said settlement is hereby confirmed;
2. That the final settlement of the Estate of Jon David Caldwell, deceased, be and is hereby approved and that Don Tinsley Caldwell and Kenneth Alan Caldwell, as Personal Representatives, be and are hereby released from all liability as such Personal Representatives and are discharged as Personal Representatives of the Estate of Jon David Caldwell, deceased, and the Surety on the Personal Representatives' bond, if any, be discharged from said bond and relieved from all and any further liability on said bond.

Done and Ordered this the 19th day of April, 2010.



TOMMY RAGLAND
Probate Judge