

CERTIFICATE TO COPIES

**The State of Alabama**  
**JEFFERSON COUNTY**



20110627000187130 1/20 \$69.00  
Shelby Cnty Judge of Probate, AL  
06/27/2011 03:37:09 PM FILED/CERT

PROBATE - 67

**PROBATE COURT**

I, S. Jacquelyn Rhodes, 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 Petition for probate of will  
and codicil, self proved, Last will and testament and codicil, certificate to the  
probate of will, order on filing and probating last will and testament and codicil  
thereto, petition for letters testamentary without bond, order granting letters  
testamentary without bond, letters testamentary

in the matter of the estate of JOAN F. TURNER, DECEASED

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

Given under my hand and seal of said Court, this

the 6th day of June, 2011

*S. J. Rhodes*

Chief Clerk



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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 960

IN THE MATTER OF THE ESTATE OF )  
 )  
 )  
 ) OF JEFFERSON COUNTY, ALABAMA  
JOAN F. TURNER, )  
Deceased. ) CASE NO. 192114

PETITION FOR PROBATE OF SELF-PROVED WILL  
AND SELF-PROVED CODICIL THERETO

**192114**

Comes the petitioner, LISBETH ANNE WEINHEIMER, and shows this Court the following facts:

1. JOAN F. TURNER, (the "decedent") died testate at 2017 Hickory Road, Birmingham, Alabama 35216, on or about March 17, 2006, and at the time of her death, was an inhabitant of Birmingham, Jefferson County, Alabama.

2. Surrendered herewith is the decedent's last will and testament and codicil thereto, naming the petitioner as executrix thereof. The said will was duly signed by the decedent when over eighteen (18) years of age, and was attested by the following witnesses:

Name:

Present Address:

Katherine M. Parker

2102-E Cahaba Road  
Birmingham, AL 35223

J. Massey Relfe, Jr.

2102-D Cahaba Road  
Birmingham, AL 35223

3. The decedent's last will and testament, as identified in Paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of the Code of Alabama 43-8-132. The name and present address of the officer authorized to administer oaths before whom said will was acknowledged is as follows:

Vivian W. Richards  
Notary Public  
2102-D Cahaba Road  
Birmingham, AL 35223

4. Also surrendered herewith is the decedent's codicil to the above described last will and testament, naming the petitioner as executrix thereof. The said codicil was duly signed by the decedent when over eighteen (18) years of age, and was attested by the following witnesses:

Name:

Present Address:

Marion C. Carter

915 31<sup>st</sup> Street South  
Birmingham, AL 35205





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Ann V. Relfe

3043 Canterbury Road  
Birmingham, AL 35223

5. The decedent's codicil, as identified in Paragraph 4 hereof, was self-proved in a manner substantially in accordance with the requirements of the Code of Alabama 43-8-132. The name and present address of the officer authorized to administer oaths before whom said codicil was acknowledged is as follows:

J. Massey Relfe, Jr.  
Attorney and Notary Public  
2102-D Cahaba Road  
Birmingham, AL 35223

6. The following is a true, correct and complete list of the names, ages, conditions, relationships and addresses of the decedent's next of kin as determined by application of the Code of Alabama 43-8-42;

Name, age, condition, relationship & address:

John C. Fiorella, Father, deceased in 1990  
Angela R. Fiorella, Mother, deceased in 1996  
Paul D. Turner, Spouse, deceased in 2001  
Lisbeth Anne Weinheimer, daughter, over 19 years of age,  
good, condition, 4308 Northwood Lake Drive West,  
Northport, AL 35473

WHEREFORE, the petitioner prays that this Court will take jurisdiction of this petition, will cause all such notice or citations to issue to the said next-of-kin, attesting witnesses, and oath-administering officer, as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said will as the last will and testament of the decedent. This petition is deemed to be verified pursuant to the Code of Alabama 43-8-22.

Attorney for Petitioner:

J. MASSEY RELFE, JR.  
Attorney at Law  
2102-D Cahaba Road  
Birmingham, AL 35223  
205-870-1138

Petitioner:

LISBETH ANNE WEINHEIMER  
4308 Northwood Lake Drive West  
Northport, AL 35473  
205-330-9474

Signature of Attorney

Signature of Petitioner

GRANTED AND PETITION ORDERED RECORDED  
JUDGE OF PROBATE



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JR 2481 PG 962

IN THE MATTER OF THE ESTATE OF)  
JOAN F. TURNER, )  
Deceased. )

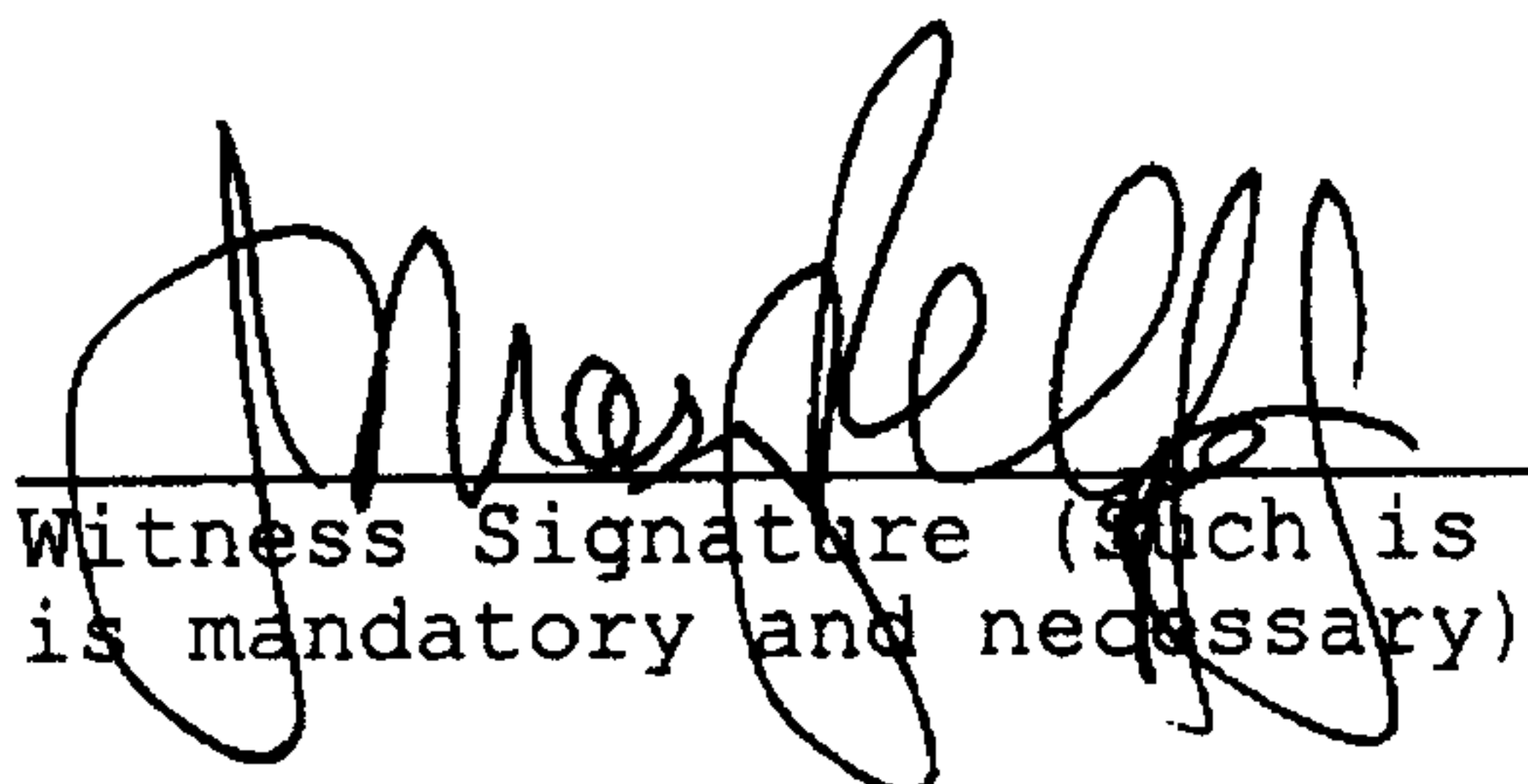
IN THE PROBATE COURT  
OF JEFFERSON COUNTY, ALABAMA  
CASE NO. 192114

**192114**

WAIVER OF NOTICE ON PROBATE OF WILL

I, LISBETH ANNE WEINHEIMER, a resident of Tuscaloosa, Alabama, one of the next-of-kin (as determined by application of the Ala. Code 43-8-41 or 43-8-42, as appropriate) of JOAN F. TURNER, deceased, being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the petition to probate the last will and testament of said decedent. I do hereby waive notice either by personal service or by publication and consent and request that said will, which bears the date of July 31, 2004 and codicil thereto which bears the date of February 19, 2006, be admitted to probate without further notice of any kind to me, and the executor named in said will be appointed as provided therein. I acknowledge that by this Waiver of Notice I am NOT giving up my right to contest said will or to make an objection to the handling of the administration of the estate of the deceased by the executrix thereof.


Dated this 27th day of March, 2006.

  
Witness Signature (Such is  
is mandatory and necessary)

  
Signature of:  
LISBETH ANNE WEINHEIMER

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and  
ordered recorded this the 28 day of March 2006,    .

  
Judge of Probate:





20110627000187130 5/20 \$69.00  
Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 963

# Last Will and Testament

OF

JOAN F. TURNER

192114

STATE OF ALABAMA)

SHELBY COUNTY )

I, JOAN F. TURNER, a resident of Shelby County, State of Alabama, being of sound mind and disposing memory, do make, publish, and declare this instrument as and for my Last Will and Testament, hereby revoking any and all other wills and codicils thereto heretofore made by me.

## ITEM ONE

973 I direct that all of my just debts, including the expenses of my last illness and funeral, shall first be paid out of my estate by my Executrix, hereinafter named as soon as practicable after my death.

## ITEM TWO

I hereby give, devise and bequeath the following described house and real property to my daughter, LISBETH ANNE WEINHEIMER. The house and real property which is the subject of this bequest is located at 5228 Old Mill Circle, Pelham, Alabama, more particularly described as:

Lot 22, according to the Map and Survey of Old Mill Trace, Second Sector, as recorded in Map Book 8, Page 156, in the Probate Office of Shelby County, Alabama.

## ITEM THREE

I hereby give, devise and bequeath the following described house and real property to my step-daughter, KELLY DIANE TURNER. The house and real property which is the subject of this bequest

FILED FOR RECORD THE 28 DAY  
OF March 2006  
Mark Turner  
JUDGE OF PROBATE



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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 964

is located at 638 Highway 54, Montevallo, AL 35115, more particularly described as

COM SW COR NE1/4 NE1/4, N43.22 TO POB; CONT  
N1251.98, E374.91 SE185.53 SW227.22 SW352.93 S692.37,  
WLY68.37 ALG ROW TO POB.

ITEM FOUR

I hereby give, devise and bequeath to my daughter LISBETH ANNE WEINHEIMER, all my clothes and jewelry (with the exception of my deceased husband's wedding band), sterling silver flatware, fine china and sterling silver pieces, my IRA and brokerage accounts at Compass Bank, my stock account with NBC Securities, and one of my deceased husband's guitars as provided for in ITEM FIVE below, all absolutely, per stirpes.

ITEM FIVE

I hereby give, devise and bequeath to KELLY DIANE TURNER my deceased husband's wedding band, the Singer sewing machine which belonged to my deceased husband's mother, and all his musical equipment with the exception of one guitar as provided for in ITEM FOUR above which is to be selected by KELLY DIANE TURNER for LISBETH ANNE WEINHEIMER, all absolutely, per stirpes. I further give, devise and bequeath the IRA in my deceased husband, PAUL D. TURNER'S name, located at AmSouth Bank unto KELLY DIANE TURNER, absolutely.

ITEM SIX

I hereby give, devise and bequeath the funds I have in Compass Bank, in accounts [REDACTED] and [REDACTED] as follows:

- (1) Fifteen Percent (15%) to PAUL KEITH TURNER absolutely.
- (2) Ten Percent (10%) to SHAUN MANN absolutely.

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(3) Seventy Five Percent (75%) in equal shares to LISBETH ANNE WEINHEIMER and KELLY DIANE TURNER absolutely.

ITEM SEVEN

I hereby give devise and bequeath all other houses and real property I own at the time of my death, including but not limited to the houses and real property I own located at 5209 Logan Drive, Birmingham, AL 35242 and 5243 Old Mill Circle, Pelham, AL 35124, equally to LISBETH ANNE WEINHEIMER and KELLY DIANE TURNER, absolutely, per stirpes.

ITEM EIGHT

Al of the rest residue and remainder of my property, both real or personal, of whatsoever kind and character and wheresoever situated in equal shares to my daughter LISBETH ANN WEINHEIMER and KELLY DIANE TURNER, absolutely.

ITEM NINE

I hereby nominate and appoint my daughter, LISBETH ANN WEINHEIMER, as the Executrix of this my Last Will and Testament. I direct that my said Executrix shall not be required to furnish bond or other security or to file an inventory or appraisal of my estate in any court, though she shall make and keep an inventory and shall exhibit the same to any party in interest at any reasonable time. I direct that in the exercise of the powers enumerated in ITEM NINE hereof, she be free from the control and supervision of the Probate Court or any other court.

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ITEM TEN

In the administration of my estate, I authorize my Executrix to retain, purchase or otherwise acquire without restriction any stocks, bonds, notes, or any other securities or any other variety of real or personal property, including stocks or interest in investment trusts, the holding of which he deems advisable for my estate, even though such property would not otherwise be of a character suitable for investment by fiduciaries, or is unsecured, unproductive, overproductive, or of a wasting nature; to sell, lease, pledge, mortgage, transfer, exchange, convert, or otherwise dispose of, or grant options with respect to any real or personal property at any time forming a part of my estate, in such time for such purposes, for such prices, and upon such terms, credits, or conditions as he deems advisable; to manage, operate, repair and improve any real property forming any part of my estate in such manner as She deems advisable; to borrow money for any purposes connected with the protection, preservation or improvement of my estate, whenever in her judgment advisable, and as security to mortgage or to pledge any property forming a part of my estate on such terms and conditions as she deems advisable; to compromise or otherwise adjust any claims or demands in favor of or against my estate; to make distribution in kind and to cause any share to be composed of cash, property, or undivided fractional share of property different in kind from any other share; to execute and deliver such instruments as may be necessary to carry out any of these powers; and to do any other act which she deems necessary or desirable for the proper execution or discharge of any powers or duties held by or imposed upon her, whether by the terms of this Will or by applicable law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

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JR 2481 PG 967

the 31<sup>st</sup> day of July, 2004.

Joan F. Turner  
Joan F. Turner

We, KATHERINE M. PARKER and J. MASSEY REZFEJR  
the witnesses, signed our names to this instrument, being first  
duly sworn, and do declare to the undersigned authority that the  
testatrix signed and executed this instrument as her Last Will and  
Testament, and that she signed it willingly, and that each of us,  
in the presence and hearing of the testatrix, and in the presence  
each other, hereby signed this Last Will and Testament as witnesses  
to the testatrix's signature, and that to the best of our knowledge  
the testatrix is 21 years of age or older, of sound mind, and under  
no constraint or undue influence.

Katherine M. Parker  
Address: 3102 - E Cahaba Rd  
Birmingham 35223

J. Massey Rezfejr  
Address: 2102 - E Cahaba Rd  
Birmingham, AL 35223

STATE OF ALABAMA)  
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before, the  
undersigned, a notary public in and for said county and said state;  
JOAN F. TURNER, the testatrix, signed her Last will and Testament,  
and subscribed and sworn to before me, the undersigned the  
witnesses, KATHERINE M. PARKER and J. MASSEY REZFEJR

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did witness the testatrix's signature and signed their names as  
such, this the 31st day of July, 2004.

Union W. Richards  
Notary Public  
My Commission Expires: Aug. 3, 2006

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Shelby Cnty Judge of Probate, AL  
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CODICIL TO LAST WILL AND TESTAMENT

OF

JR 2481 PG 969

JOAN F. TURNER

I, JOAN F. TURNER, a resident citizen of Shelby County, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this to be a Codicil to my Last Will and Testament, executed on the 31st day of July, 2004. I further hereby ratify and affirm the aforesaid Last Will and Testament with the exception of ITEM SIX, ITEM SEVEN and ITEM NINE therein and the with the addition of ITEM ELEVEN herein. In lieu of ITEM SIX, ITEM SEVEN and ITEM NINE, I hereby substitute and replace each with the following:

ITEM SIX

I hereby give, devise and bequeath the funds I have in INGDIRECT.COM account #29996601 as follows:

- (1) Fifteen Percent (15%) as follows:
  - a. Three Percent to JEAN F. LAMM.
  - b. Three Percent to CHRISTINE LAMM CUTTY.
  - c. Three Percent to MICHAEL LAMM.
  - d. Three Percent to SALLY C. TUTTLE.
  - e. Three Percent to TERESA LAMM GRALUND to be held in trust for the use and benefit of JOHN T. LAMB as is necessary.
- (2) Ten Percent (10%) to SHAUN MANN.
- (3) Seventy-five Percent (75%) in equal shares to LISBETH ANNE WEINHEIMER and KELLY DIANE TURNER.
- (4) Additionally, the balance in my Compass Bank Checking Account Number [REDACTED] is first to be used to pay the debts of my estate with any remainder thereafter to be split equally between LISBETH ANNE WEINHEIMER & KELLY DIANE TURNER.

ITEM SEVEN

I hereby give, devise and bequeath the other houses and real property I own at 5209 Logan Drive, Birmingham, AL 35242 to LISBETH

28  
March 2006  
Mark Haines





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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 970

ANNE WEINHEIMER, per stirpes and the house and real property I own at 5243 Old Mill Circle, Pelham, AL 35124 to KELLY DIANE TURNER, per stirpes.

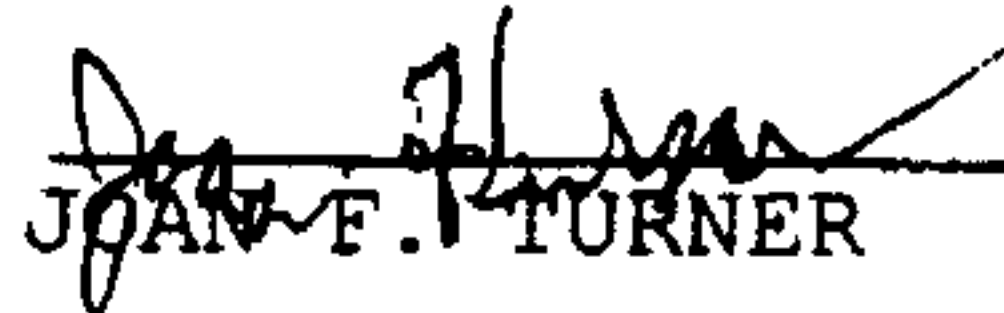
ITEM NINE

I hereby nominate and appoint my daughter, LISBETH ANNE WEINHEIMER, as the Executrix of this my Last Will and Testament. I direct that my said Executrix shall not be required to furnish bond or other security or to file an inventory or appraisal of my estate in any court, through she shall make and keep an inventory and shall exhibit the same to any party in interest at any reasonable time. I direct that in the exercise of the powers enumerated in ITEM TEN hereof, she shall be free from the control and supervision of the Probate Court or any other court.

ITEM ELEVEN

I hereby give, devise and bequeath my 2003 Chevrolet Blazer unto LISBETH ANNE WEINHEIMER and KELLY DIANE TURNER in equal shares, per capita.

IN WITNESS WHEREOF I have hereunto set my hand and seal this the 19th day of February, 2006.

  
JOAN F. TURNER

We, MARION C. CARTER and ANN W. ROLFE, the witnesses, sign our name to this instrument, being first duly sworn, and do declare to the undersigned authority that the testator signs and executes this instrument as a codicil to 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 codicil to her last will and testament as witness to the testatrix's signing, and that to the best of our knowledge the testatrix is 21 years of age or older, of sound mind, and under no constraint or undue influence.

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Address:   
  




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JR 2461 PG 971

Address:

Ann V. Relfe  
3043 Canterbury Road  
Birmingham, AL 35223

STATE OF ALABAMA)  
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me, the undersigned, a Notary Public, in and for said county and said state, JOAN F. TURNER, the Testatrix, signed this codicil and subscribed and sworn to before me by MARION C. CARTER and ANN V. RELFE, as witnesses thereto, this 19th day of February, 2006.

[Signature]  
Notary Public

My Commission Expires: 9/29/07

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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 972

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**CERTIFICATE TO THE PROBATE OF WILL**

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**The State of Alabama**  
**JEFFERSON COUNTY**

192114

I, Mark Gaines, 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 and Codicil of JOAN F. TURNER Deceased and that said Will and Codicil

together with the proof thereof have been recorded in my office in Judicial Record, Volume JP2481, Page 963-971.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date MARCH 28, 2006.

Mark Gaines, Judge of Probate.





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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 973

**IN THE MATTER OF:**

**THE ESTATE OF:**

**JOAN F. TURNER,  
DECEASED**

**IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA**

**CASE NUMBER 192114**

**ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT  
AND CODICIL THERETO**

This day came Lisbeth Anne Weinheimer and filed a petition in writing, under oath, therewith producing and filing in this Court instruments of writing purporting to be the Last will and Testament and Codicil thereto of Joan F. Turner, deceased, said will bearing date the 31st day of July, 2004, and attested by Katherine M. Parker and J. Massey Relfe, Jr.; and said Codicil bearing date the 19th day of February, 2006, and attested by Marion C. Carter and Ann V. Relfe; and praying that the same be probated as provided by law; that the petitioner is the daughter of said deceased, is over nineteen years of age and of sound mind; is the only next of kin of said deceased, and is named in said Will as executor thereof.

Now on motion of said petitioner, the Court proceeds to hear said petition, and, after proof and hearing had according to the laws of this state, the court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that such instrument should be probated as the Last Will and Testament of said deceased. It is, therefore

ORDERED, ADJUDGED AND DECREED by the Court that said instruments be duly admitted to probate as the Last Will and Testament and Codicil thereto of Joan F. Turner, deceased, and



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JR 2481 PG 974

**ORDERED** to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further **ORDERED** that petitioner pay the costs of this proceeding.

**DONE** this date, March 28, 2006.

*Mark James*

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Judge of Probate



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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 975

IN THE MATTER OF THE ESTATE OF )  
JOAN F. TURNER, )  
Deceased.)

IN THE PROBATE COURT  
OF JEFFERSON COUNTY, ALABAMA  
CASE NO. 192114

PETITION FOR LETTERS TESTAMENTARY  
WITHOUT BOND

**192114**

Comes the petitioner, LISBETH ANNE WEINHEIMER, and shows this Court the following facts:

1. In the last will and testament codicil thereto of, JOAN F. TURNER, deceased, which will and codicil have been or shall be duly probated and admitted to record in this Court, the petitioner is named as executrix thereof.

2. The petitioner is an inhabitant of the State of Alabama, above the age of nineteen (19) years, and is not disqualified under the law from serving as such executrix. Under the terms of the decedent's will and codicil thereto, the executrix is exempted from giving bond as such executrix.

3. The decedent died seized and possessed of certain personal & real property, the value of which is estimated, in the aggregate, to be \$800,000.00.

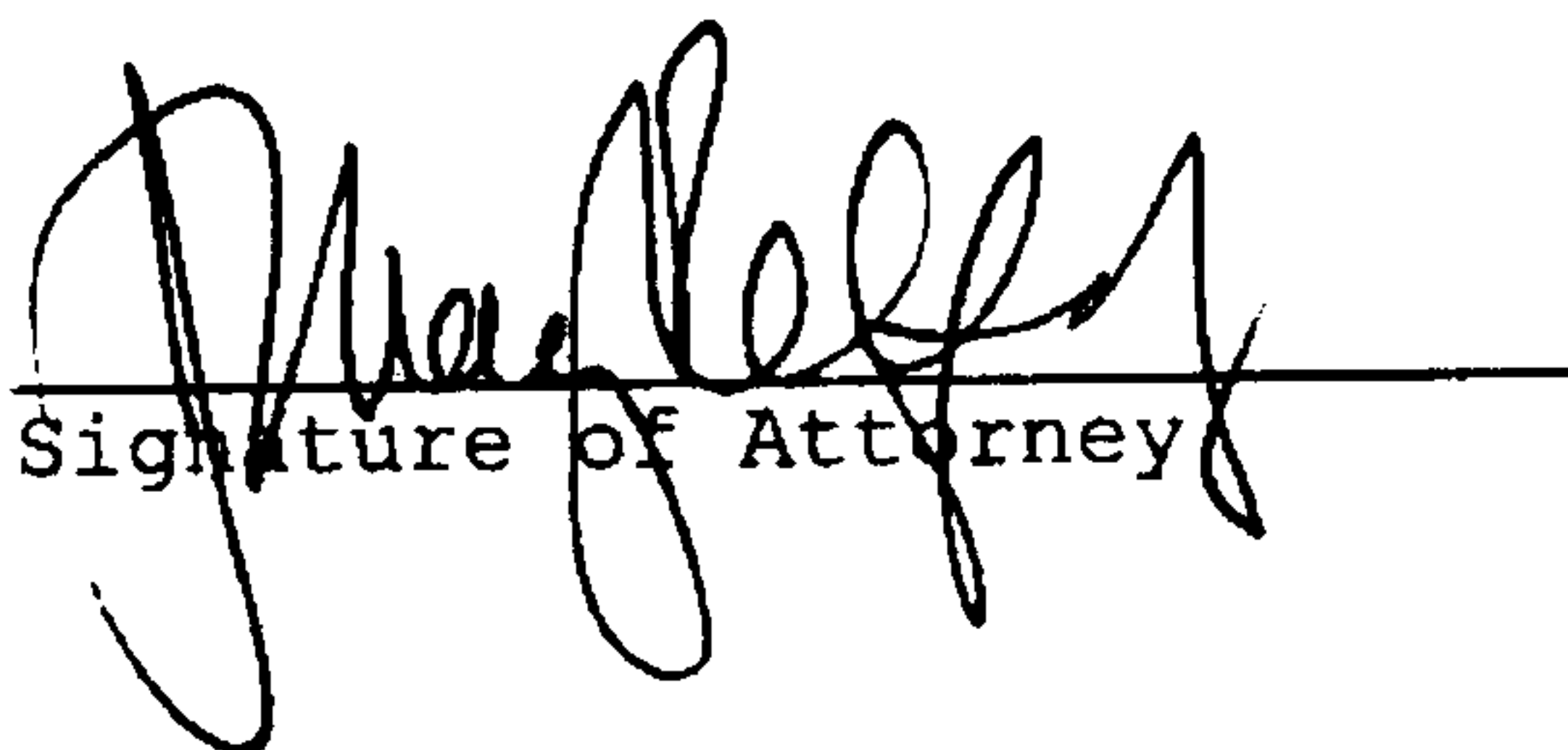
WHEREFORE, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said will may be executed according to the requests and directions of the decedent, the petitioner prays that the Probate Judge of this Court will grant letters testamentary to the petitioner without entering into bond, as is provided by the terms of said Will and authorized by the Code of Alabama 43-2-81. This Petition does not require verification under the applicable statutes.

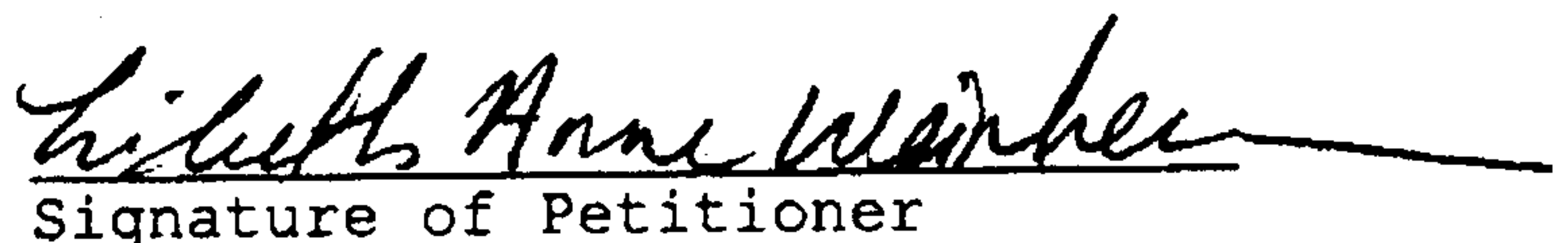
Attorney for Petitioner:

J. MASSEY RELFE, JR.  
Attorney at Law  
2102-D Cahaba Road  
Birmingham, AL 35223  
205-870-1138

Petitioner:

LISBETH ANNE WEINHEIMER  
4308 Northwood Lake Drive West  
Northport, AL 35473  
205-330-9474

  
Signature of Attorney

  
Signature of Petitioner





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Shelby Cnty Judge of Probate, AL  
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JR 2481 PG 976

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and  
prayer granted, and petition ordered recorded this the 28 day of  
March, 2006.

Mark Dennis  
Judge of Probate



20110627000187130 19/20 \$69.00  
Shelby Cnty Judge of Probate, AL  
06/27/2011 03:37:09 PM FILED/CERT

JR 2481 PG 977

**IN THE MATTER OF:**

**THE ESTATE OF:**

**JOAN F. TURNER,  
DECEASED**

**IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA**

**CASE NUMBER 192114**

## ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Lisbeth Anne Weinheimer and files in this Court her petition in writing, under oath, praying that Letters Testamentary upon the Will of Joan F. Turner, deceased, be issued to her.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Lisbeth Anne Weinheimer, and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

**DONE** this date, March 28, 2006.

**Judge of Probate**



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Shelby Cnty Judge of Probate, AL  
06/27/2011 03:37:09 PM FILED/CERT

JR 2481 PG 978

**LETTERS TESTAMENTARY**

PROBATE - 60

**IN THE MATTER OF THE ESTATE OF**

**JOAN F. TURNER**

**Deceased**

**IN THE PROBATE COURT OF  
JEFFERSON COUNTY, ALABAMA**

**CASE NO. 192114**

**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 **LISBETH ANNE WEINHEIMER**  
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, \_\_\_\_\_

**MARCH 28, 2006**

*Mark Jones*  
Judge of Probate

I, Joy E. Cooper, 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, \_\_\_\_\_

Chief Clerk