

IN THE MATTER OF

THE ESTATE OF

HELEN S. SMITH,

DECEASED

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§

IN THE PROBATE COURT

OF

TUSCALOOSA COUNTY, ALABAMA

CASE No. 2000-06010

Recorded in the Above

WILL Book & Page

09-07-2000 04:28:13 PM

DECREE ADMITTING WILL TO PROBATE AND RECORD
AND ISSUING LETTERS TESTAMENTARY

This Court having received the petition of Louis Coleman Smith, Jr. to have admitted to probate and record an instrument purporting to be the last will and testament and first codicil (the "Will") of Helen S. Smith, deceased (the "Decedent") and for the appointment of Louis Coleman Smith, Jr. as Executor of the Will as provided therein, without bond;

And notice having been accepted and waived by the next of kin, who are all over the age of nineteen years and of sound mind;

And this Court having heard the evidence offered for and against the granting of the Petition; and being satisfied from the said evidence that the instrument purporting to be the last will and testament and codicil of Decedent is the true and genuine last will and testament and codicil of Decedent and that he is fit to serve as Executor;

It is, therefore, ORDERED, ADJUDGED, and DECREED by this Court that the said instrument which purports to be the last will and testament and first codicil of the Decedent was duly and legally executed by the Decedent; and that the said instruments are the true and genuine last will and testament and codicil of the Decedent and that the said last will and testament and codicil be and the same is hereby admitted to probate and record in this Court.

It is further ORDERED, ADJUDGED and DECREED that Louis Coleman Smith, Jr. be and the same is hereby appointed Executor of the last will and testament of Decedent without bond as provided in the Will, and that letters testamentary be issued to Louis Coleman Smith, Jr.

It is further ORDERED, ADJUDGED and DECREED by this Court that the Will of Decedent, together with the evidence and testimony of the subscribing witnesses, be recorded in the probate records of Tuscaloosa County as provided by section 43-8-162 of the Code of Alabama (1975), as amended.

DONE this 30th day of August, 2000.

I, W. Hardy McCollum, Judge of Probate, do hereby certify that the foregoing is a true and correct copy of the instrument(s) herewith set out as same appears of record in

Will

Book 2000 at page 6010

in said Court.

W. Hardy McCollum

Judge of Probate

Witness my hand and seal this 8th day of November 2011.

W. Hardy McCollum

Judge of Probate

Tuscaloosa County, Alabama



20111110000340390 1/12 \$45.00
Shelby Cnty Judge of Probate, AL
11/10/2011 02:09:58 PM FILED/CERT

FILED 8/30 2000

W. Hardy McCollum

Judge of Probate
TUSCALOOSA COUNTY, ALABAMA

IN THE MATTER OF
THE ESTATE OF
HELEN S. SMITH,
DECEASED

LETTERS TESTAMENTARY

The last will and testament and codicil of Helen S. Smith, deceased, having been duly proved and admitted to record in said county, letters testamentary are hereby granted to Louis Coleman Smith, Jr., the Executor named in the said will, who has complied with the requirements of the law and is authorized to take upon himself the execution of said will.

DONE this 30th day of August, 2000.

W. Hardy McCollum
W. Hardy McCollum
Judge of Probate

STATE OF ALABAMA
TUSCALOOSA COUNTY

§
§ ss.
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I, W. Hardy McCollum, Judge of Probate in and for Tuscaloosa County, State of Alabama, hereby certify that the foregoing is a true and correct copy of the letters testamentary heretofore issued out of the Probate Court of Tuscaloosa County, State of Alabama, on the last will and testament and codicil of Helen S. Smith, deceased, to Louis Coleman Smith, Jr., as Executor thereof, as the same appears on file and of record in my office.

Given under my hand and the official seal of this said Court this the _____ day of _____, 2000.



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Shelby Cnty Judge of Probate, AL
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W. Hardy McCollum
Judge of Probate

I, W. Hardy McCollum, Judge of Probate, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appears of record in

Will Book 2000 at page 6011, in said Court.
Witness my hand and seal this 8th day of November, 2011

W. Hardy McCollum
Judge of Probate
Tuscaloosa County, Alabama

STATE OF ALABAMA
TUSCALOOSA COUNTY

2000 6000
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LAST WILL AND TESTAMENT OF

HELEN S. SMITH

KNOW ALL MEN BY THESE PRESENTS, that I, Helen S. Smith, a resident of the State of Alabama, Tuscaloosa County, being of sound mind and disposing memory and over the age of nineteen (19) years, do hereby make, publish and declare this instrument as and for my Last Will and Testament and hereby expressly revoke any and all Wills, Codicils and other testamentary dispositions heretofore made by me.

ITEM I

I hereby direct that all of my just debts, expenses of my last illness, funeral expenses, costs of administration and taxes incurred by reason of my death to be paid by my personal representative, hereinafter named, as soon as practicable after my death.

ITEM II

I do hereby specifically give, devise and bequeath unto my son, Louis Coleman Smith, Jr., approximately 150 acres of realty owned by me in Shelby County, Alabama.

ITEM III

I hereby direct that, at the time of my death, and except for the specific devise hereinabove provided for, the rest, residue and remainder of my estate shall be gathered together by my Executor and converted to cash as soon as is practicable. Once that is accomplished, I direct my Executor to distribute my cash estate according to the following:

Louis Coleman Smith, III	\$25,000.00
Jeffery E.B. Smith	\$25,000.00



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Shelby Cnty Judge of Probate, AL
11/10/2011 02:09:58 PM FILED/CERT

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FILED 8/14/2000
Judge of Probate
TUSCALOOSA COUNTY, ALABAMA
W. J. Smith

Ricky R. Smith

\$25,000.00

Louis Coleman Smith, Jr.

Remaining balance

If any of these beneficiaries shall predecease me, then I direct that the deceased beneficiary's share shall be equally divided among the survivors and given over to them.

I may leave a memorandum containing suggestions for division or the ultimate disposition of certain of the property bequeathed under this ITEM, but such memorandum shall not affect the absolute nature of this bequest.

ITEM IV

I hereby nominate, constitute and appoint my son, Louis Coleman Smith, Jr., to serve as Executor under this my Last Will and Testament, and he shall be exempt from giving bond or making inventory or reporting to or making settlement of any kind to or with any court as Executor of this my Last Will and Testament.

In the event my said son, Louis Coleman Smith, Jr., shall fail to qualify, die, resign, become incompetent or if he should not serve as Executor of this my Last Will and Testament for any reason, then I nominate, constitute and appoint AmSouth Bank, N.A. (or such corporation having trust powers as shall succeed said bank by purchase, merger, consolidation or change of charter or name) to be the Executor of this my Last Will and Testament and it shall be exempt from giving bond or making inventory or reporting to or making settlement of any kind to or with any court as Executor of this my Last Will and Testament.

My Executor herein named, is hereby given complete and full authority and power to sell, mortgage, pledge, transfer, convey, bargain or otherwise dispose of any and all of my estate and property, if in the sole and absolute discretion of my personal representative, named herein, the exercise of the powers and authority granted herein and hereby will

benefit my estate or will benefit any person who will in any manner take or benefit according to the terms and provisions of this my Last Will and Testament, or if in the sole and absolute discretion of my said personal representative, the exercise of such powers and authority herein and hereby granted the said personal representative is necessary to carry out and fulfill the terms, provisions and conditions of this my Last Will and Testament. The sale or other disposition of my property and estate by my personal representative as herein authorized shall be final and conclusive and the said personal representative shall execute such documents required of it or him to conclude such disposition of my property and estate or any portion thereof and any such act by my Executor shall be binding on all parties.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 10th day of August, 1992.

Helen S. Smith
Helen S. Smith

Signed, sealed, published and declared to be her Last Will and Testament by the Testatrix, Helen S. Smith, in our presence, and we, at her request, and in her presence, and in the presence of each other have hereunto subscribed our names as attesting witnesses on this 10th day of August, 1992.

Dana R. Montgomery
Claude M. B. J.

Tuscaloosa, Alabama
Tuscaloosa, Alabama


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2000 6002
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I, Helen S. Smith, the testatrix, sign my name to this instrument this 10th day of August, 1992, and being first duly sworn, do hereby 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 (19) years of age or older, of sound mind, and under no constraint or undue influence.

Helen S. Smith
Helen S. Smith

We, Dana R. Montgomery and Claude M. Burns Jr., 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 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.

Dana R. Montgomery
Witness

Claude M. Burns Jr.
Witness


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Shelby Cnty Judge of Probate, AL
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2000 6003
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WILL Book & Page
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STATE OF ALABAMA)
)
TUSCALOOSA COUNTY)

Subscribed, sworn to and acknowledged before me by Helen
S. Smih, the testatrix, and subscribed and sworn to before me
by Dana R. Montgomery and Claude M. Burns Jr.,
witnesses, this 10th day of August, 1992.

My Commission expires:

7/29/96

Brenda K. Simmons
Notary Public



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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA

JEFFERSON COUNTY

§
§ ss.
§

FIRST CODICIL TO
LAST WILL AND TESTAMENT
OF
HELEN S. SMITH

KNOW ALL MEN BY THESE PRESENTS, that I, Helen S. Smith, domiciled in Jefferson County, State of Alabama, do hereby make, publish, and declare this to be the first codicil to my last will and testament heretofore made and executed by me on August 10, 1992, at Tuscaloosa, Alabama (hereinafter my last will and testament is referred to as my "Will"). I hereby modify and amend my Will as follows:

- (1) I hereby delete the gift to Louis Coleman Smith, III in ITEM III of my will.
- (2) In every other respect and regard, I hereby ratify, confirm, and republish my Will insofar as it is not in conflict with this first codicil.

{THE NEXT PAGE IS NUMBERED 2}



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FILED 8/14/2000
2000
Judge of Probate
TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA

JEFFERSON COUNTY

§
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§ ss.
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Subscribed, sworn to, and acknowledged before me by Helen S. Smith, the Testatrix, and subscribed and sworn to before me by Peggy Dillard and Charles D. Davis, witnesses, this 14th day of January, 1997.

Joyce E. Spearman
Notary Public for the
State of Alabama at Large
My Commission Expires: 6-26-97
SEAL


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Shelby Cnty Judge of Probate, AL
11/10/2011 02:09:58 PM FILED/CERT

This Document Prepared By:

Laura K. Gregory
Attorney at Law
3600 Watermelon Road, Suite 203
Northport, Alabama 35476
Telephone (205) 349-4046

Ref:hsmith.cod

2000 6007
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THE STATE OF ALABAMA
TUSCALOOSA COUNTY

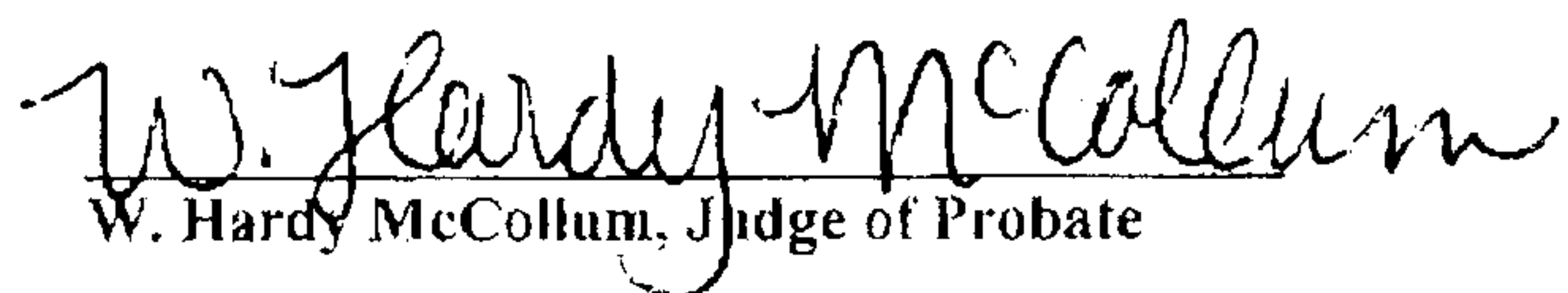
PROBATE COURT CASE NO. 2000-808

In the Matter of the application of Louis Coleman Smith, Jr., to admit to Probate an instrument purporting to be the Last Will and Testament and Codicil of:

HELEN S. SMITH
deceased

I, W. HARDY MCCOLLUM, Judge of Probate in and for said County and State, do hereby certify that the within Will and Codicil has been duly proved and recorded, that the date of proof and Probate of the said will and Codicil is the 17th day of August, 2000, and that the said Will and Codicil, together with the proof, is recorded in Will Book 2000, Page 6000.

Dated this the 30th of August, 2000.


W. Hardy McCollum, Judge of Probate


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Shelby Cnty Judge of Probate, AL
11/10/2011 02:09:58 PM FILED/CERT

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09-07-2000 04:28:13 PM

IN THE MATTER OF

THE ESTATE OF

HELEN S. SMITH,

DECEASED

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IN THE PROBATE COURT

OF

TUSCALOOSA COUNTY, ALABAMA

CASE NO. 2000-060100

Recorded in the Above

WILL Book & Page

08-07-2000 04:28:13 PM

DECREE ADMITTING WILL TO PROBATE AND RECORD
AND ISSUING LETTERS TESTAMENTARY

This Court having received the petition of Louis Coleman Smith, Jr. to have admitted to probate and record an instrument purporting to be the last will and testament and first codicil (the "Will") of Helen S. Smith, deceased (the "Decedent") and for the appointment of Louis Coleman Smith, Jr. as Executor of the Will as provided therein, without bond;

And notice having been accepted and waived by the next of kin, who are all over the age of nineteen years and of sound mind;

And this Court having heard the evidence offered for and against the granting of the Petition; and being satisfied from the said evidence that the instrument purporting to be the last will and testament and codicil of Decedent is the true and genuine last will and testament and codicil of Decedent and that he is fit to serve as Executor;

It is, therefore, ORDERED, ADJUDGED, and DECREED by this Court that the said instrument which purports to be the last will and testament and first codicil of the Decedent was duly and legally executed by the Decedent; and that the said instruments are the true and genuine last will and testament and codicil of the Decedent and that the said last will and testament and codicil be and the same is hereby admitted to probate and record in this Court.

It is further ORDERED, ADJUDGED and DECREED that Louis Coleman Smith, Jr. be and the same is hereby appointed Executor of the last will and testament of Decedent without bond as provided in the Will, and that letters testamentary be issued to Louis Coleman Smith, Jr.

It is further ORDERED, ADJUDGED and DECREED by this Court that the Will of Decedent, together with the evidence and testimony of the subscribing witnesses, be recorded in the probate records of Tuscaloosa County as provided by section 43-8-162 of the Code of Alabama (1975), as amended.

DONE this 30th day of August, 2000.



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Shelby Cnty Judge of Probate, AL
11/10/2011 02:09:58 PM FILED/CERT

Ref: smith.dec

W. Hardy McCallum
W. Hardy McCallum
Judge of Probate

FILED 8/30 2000

W. Hardy McCallum

Judge of Probate
TUSCALOOSA COUNTY, ALABAMA

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CASE NO. 00-6011  
2000 6011

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09-07-2000 04:28:13 PM  
W. Hardy McCollum - Probate Judge

The last will and testament and codicil of Helen S. Smith, of the said county, having been duly proved and admitted to record in said county, letters testamentary are hereby granted to Louis Coleman Smith, Jr., the Executor named in the said will, who has complied with the requirements of the law and is authorized to take upon himself the execution of said will.

DONE this 30th day of August, 2000.

W. Hardy McCollum  
W. Hardy McCollum  
Judge of Probate

STATE OF ALABAMA  
TUSCALOOSA COUNTY

ss.

I, W. Hardy McCollum, Judge of Probate in and for Tuscaloosa County, State of Alabama, hereby certify that the foregoing is a true and correct copy of the letters testamentary heretofore issued out of the Probate Court of Tuscaloosa County, State of Alabama, on the last will and testament and codicil of Helen S. Smith, deceased, to Louis Coleman Smith, Jr., as Executor thereof, as the same appears on file and of record in my office.

Given under my hand and the official seal of this said Court this the \_\_\_\_\_ day of \_\_\_\_\_, 2000.



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Shelby Cnty Judge of Probate, AL  
11/10/2011 02:09:58 PM FILED/CERT

W. Hardy McCollum  
Judge of Probate