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Shelby Cnty Judge of Probate, AL
06/21/2012 11:08:05 AM FILED/CERT

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IN THE MATTER OF THE ESTATE OF) PROBATE COURT OF
)
GILDER L. WIDEMAN,) JEFFERSON COUNTY, ALABAMA
)
DECEASED) CASE NO. 214050

PETITION FOR PROBATE OF WILL
(Self-Proved Will)

Comes the Petitioner, Frances Wideman, and shows unto this Court the following facts:

1. Gilder L. Wideman (the "decedent") died testate at Birmingham, Alabama, on or about the 23rd day of November, 2011, and at the time of death was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is the decedent's Last Will and Testament naming the undersigned Petitioners as Personal Representatives thereof, which was duly signed by the decedent when over eighteen (18) years of age, and was attested by the following witnesses:

NAME

ADDRESS

Ginette A. Dow

1821 3rd Avenue
Bessemer, AL 35020

Fred Ross, III

Unknown

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 **Ala. Code §43-8-132**. The name and present address of the officer authorized to administer oaths before whom said Will was acknowledged are as follows:

NAME

ADDRESS

Chanel D. Knight

Unknown

4. The following is a true, correct, and complete list of the names, relationships and addresses of the decedent's next-of-kin, all of whom are over the age of nineteen (19) years and mentally competent (as determined by Application of Ala. Code §43-8-42):

<u>NAME AND RELATIONSHIP</u>	<u>ADDRESS</u>
Frances Wideman Wife	106 Lockerbie Lane Birmingham, AL 35223
✓ Elizabeth Bleiberg Daughter	3806 Crestside Road Mountain Brook, AL 35223
✓ Anne Barton Daughter	212 Yelton Lane Birmingham, AL 35216
✓ Margaret Ames Daughter	11530 Highview Avenue Silver Spring, MD 20902
✓ Katherine Watters Daughter	2627 Fleur de Lys Atlanta, GA 30360
✓ John Wideman Son	156 County Road 1313 Vinemont, AL 35179

WHEREFORE, the Petitioner prays that this Court will take jurisdiction of this Petition, will cause all such notices 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 said decedent. This Petition is deemed to be verified pursuant to Ala. Code, §43-8-22.

Attorney for Petitioner:


 Brian T. Williams, Esq.
 Dominick Feld Hyde, P. C.
 2000 SouthBridge Parkway, Suite 500
 Birmingham, Alabama 35209
 (205) 802-7575

Petitioner:


 Frances Wideman
 106 Lockerbie Lane
 Birmingham, AL 35223

FILED IN OFFICE THIS 30th DAY OF
December, 20 11, PRAYER
 GRANTED AND PETITION ORDERED RECORDED

Alan L. King 214050--
 JUDGE OF PROBATE

Last Will and Testament

OF

GILDER L. WIDEMAN

STATE OF ALABAMA
JEFFERSON COUNTY

FILED IN OFFICE THIS THE
30 DAY OF Dec, 2011
FOR PROBATE AND RECORD.
Alan L. Kley
JUDGE OF PROBATE

I, **Gilder L. Wideman**, being a resident of Jefferson County, Alabama, over the age of 21 years, of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, revoking any and all other wills, codicils and testamentary documents heretofore made by me.

ITEM I.

I direct that my just debts and funeral expenses be paid as soon after my demise as may be practical.

ITEM II.

All the rest and residue of my estate, real, personal, choices in action, wheresoever situated, I give, devise and bequeath unto my wife, **Frances Wideman**. Should my wife predecease me or should we die under such circumstances that it is impossible to determine

which of us died first, then, in that event, I give, devise and bequeath all the rest and residue of my estate, real, personal choices in action, wherever situated unto my children, in equal shares. If any of my children shall predeceases me, then, in that event, I give, devise and bequeath that child share to his or her natural children, share and share alike.

ITEM III.

I hereby nominate and appoint my wife, **Frances Wideman**, to be the Executrix of this my Last Will and Testament. I hereby grant unto my Executrix the continuing, absolute and discretionary power to deal with any property, real or personal, held in my Estate as freely and completely as I might in handling my own affairs. I specifically grant unto my Executrix the power to sell, lease or mortgage any real property held in my Estate. I hereby authorize that my Executrix may exercise the power and authority herein granted independently and without prior or subsequent order or approval of any court of judicial authority, including the Court having jurisdiction over the settlement of my estate. I further direct that my Executrix not be required to give bond nor file inventory for the performance of her duties as such Executrix. If, for any reason, my wife should fail to serve as my Executrix for any reason, then, in that event, I nominate and appoint my daughter, **Katherine Wideman Watters**, as alternate Executrix of my estate with the same powers as my Executrix. If, for any reason, my daughter should fail to serve as my alternative Executrix for



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any reason, then, in that event, I nominate and appoint my friend, **Jack Wright**, as alternate Executor of my estate with the same powers as my Executor.

ITEM IV.

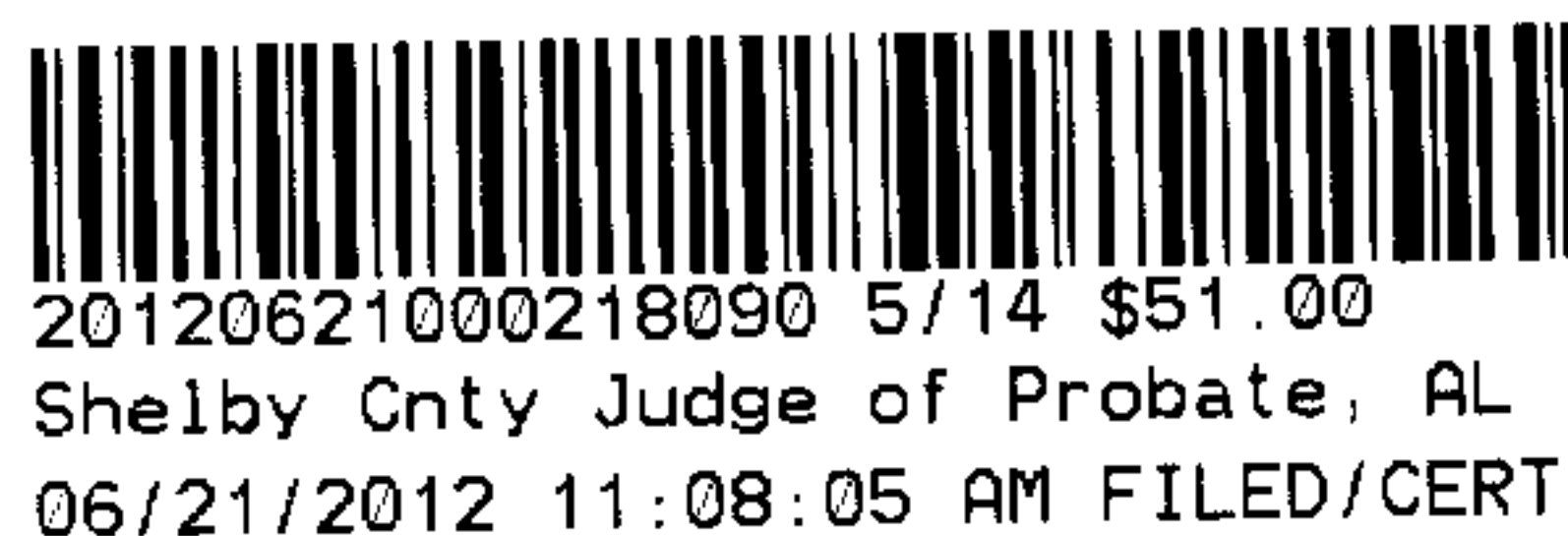
In the event that any part of this Will is declared invalid or unenforceable, that part shall not affect the remaining parts and they shall remain in effect.

ITEM V.

If at the time of my death, a Trust is still in existence then that said Trust shall be distributed among my children in share and share alike. If any of my children shall predeceases me, then, in that event, I give, devise and bequeath that child's share to his or her natural children, share and share alike.

ITEM VI.

Should any taker under this Will, including any taker under powers of appointment exercised herein, become an adverse party in a proceeding for its probate, such taker shall take the sum of One Dollar (\$1.00) only and shall forfeit any other interest hereunder and such interest shall pass as part of the residue of my estate and shall be divided proportionately among the other takers of the residue in accordance with the terms of this Will. This paragraph shall not be construed to limit the appearance by any taker as a witness in any proceeding for the probate of this Will, nor to limit his or her appearance in any capacity in a proceeding for its construction.



I, **Gilder L. Wideman**, the Testator, sign my name to this instrument this 9th day of June, 2004, and being first duly sworn, do hereby declare to the undersigned authority 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.

Gilder L. Wideman
Gilder L. Wideman, Testator

We, Ginette A. Dow and Fred Ross, III, 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 Testament 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.

Ginette A. Dow
WITNESS

1821 3rd Ave N, Bessemer 35222
ADDRESS

Fred Ross III
WITNESS

1821 3rd Ave N, Bessemer 35222
ADDRESS



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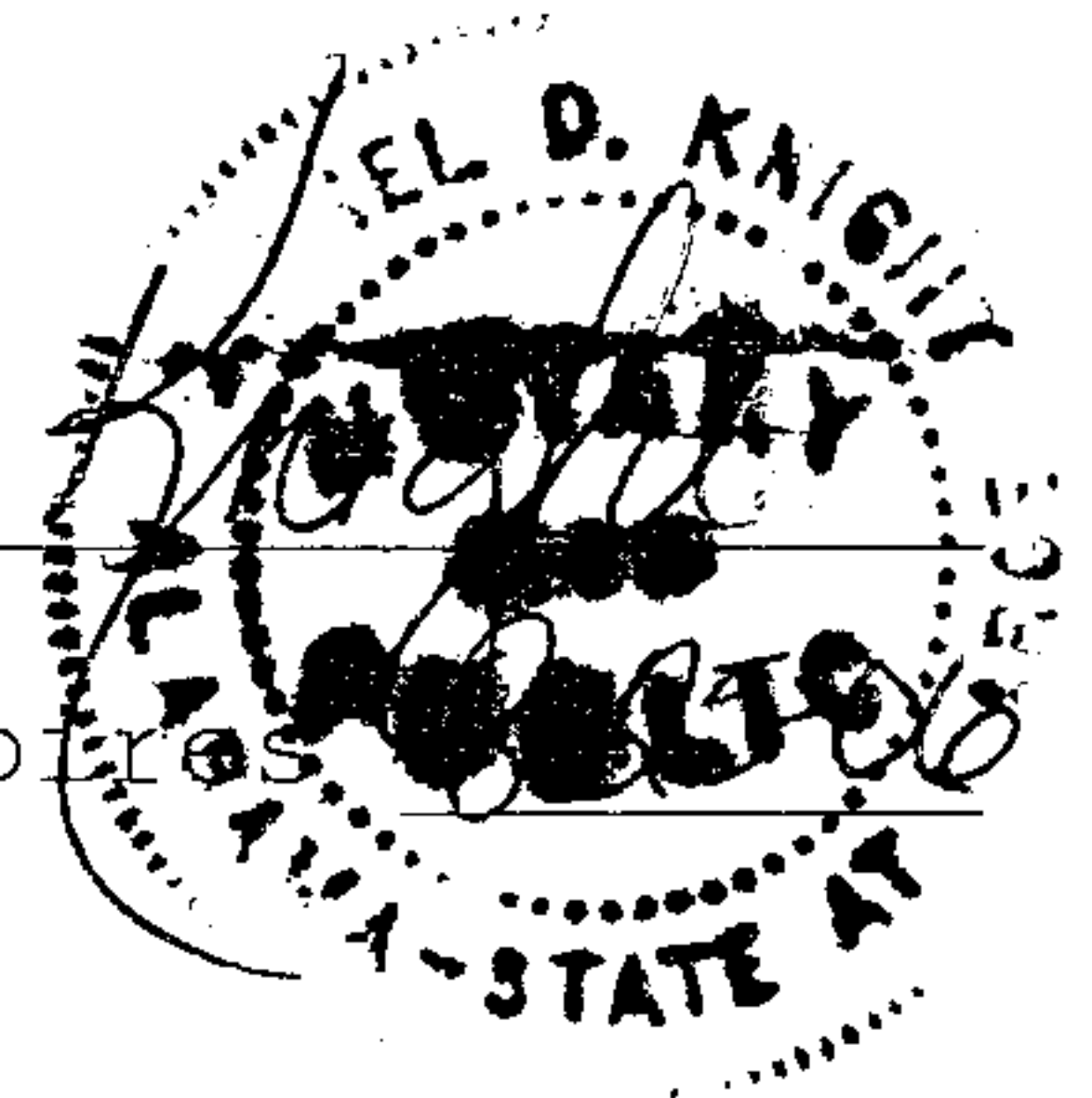
214050--

STATE OF ALABAMA
COUNTY OF JEFFERSON

Subscribed, sworn to and acknowledged before me by Gilder L.
Wideman, the Testator, and subscribed and sworn to before to me
by Ginette A. Dow and Ired Ross III,
the witnesses this the 9th day of June, 2004.

Shanel D. Knight

Notary Public
My Commission Expires



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CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama
JEFFERSON COUNTY
DIVISION

CASE NO. 2011214050

I, ALAN L. KING , Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing **instrument** of writing **has** this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine copy of last Will and Testament of GILDER L. WIDEMAN, Deceased and that said **will** together with the proof thereof have been recorded in my office in Judicial Record, Volume JK 2873, Page 14-18.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date DECEMBER 30, 2011.

Alan L. King

Judge of Probate

B-Probate-44



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Shelby Cnty Judge of Probate, AL
06/21/2012 11:08:05 AM FILED/CERT

IN THE MATTER OF:

THE ESTATE OF:

GILDER L. WIDEMAN
DECEASED)
)
)
)
)
)IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 214050

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Frances Wideman and filed a petition in writing, under oath, therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of Gilder L. Wideman, deceased, said will bearing date, June 9, 2004, and attested by Ginette A. Dow, Fred Ross, III, and Chanel D. Knight; and praying that the same be probated as provided by law; that the petitioner is the spouse of said deceased, and is named in said Will as executrix thereof; and that the next of kin of said deceased are as follows, to-wit: Frances Wideman, spouse, Birmingham, Alabama, Elizabeth Bleiberg, daughter, Mountain Brook, Alabama, Anne Barton, daughter, Birmingham, Alabama, Margaret Ames, daughter, Silver Spring, Maryland, Katherine Watters, daughter, Atlanta, Georgia, and John Wideman, son, Vinemont, Alabama, each of whom are over nineteen years of age and of sound mind.

And thereupon comes each of the above named next of kin expressly waiving all notice of the petition to probate said will and consenting that the same be probated at once, and the court having ascertained by sufficient evidence that the signatures affixed to said waivers of notice and acceptances of service are the genuine signatures of said next of kin; now on motion of said petitioner, the Court proceeds to hear said petition; and, after due proof and hearing had according to the laws of this state, the



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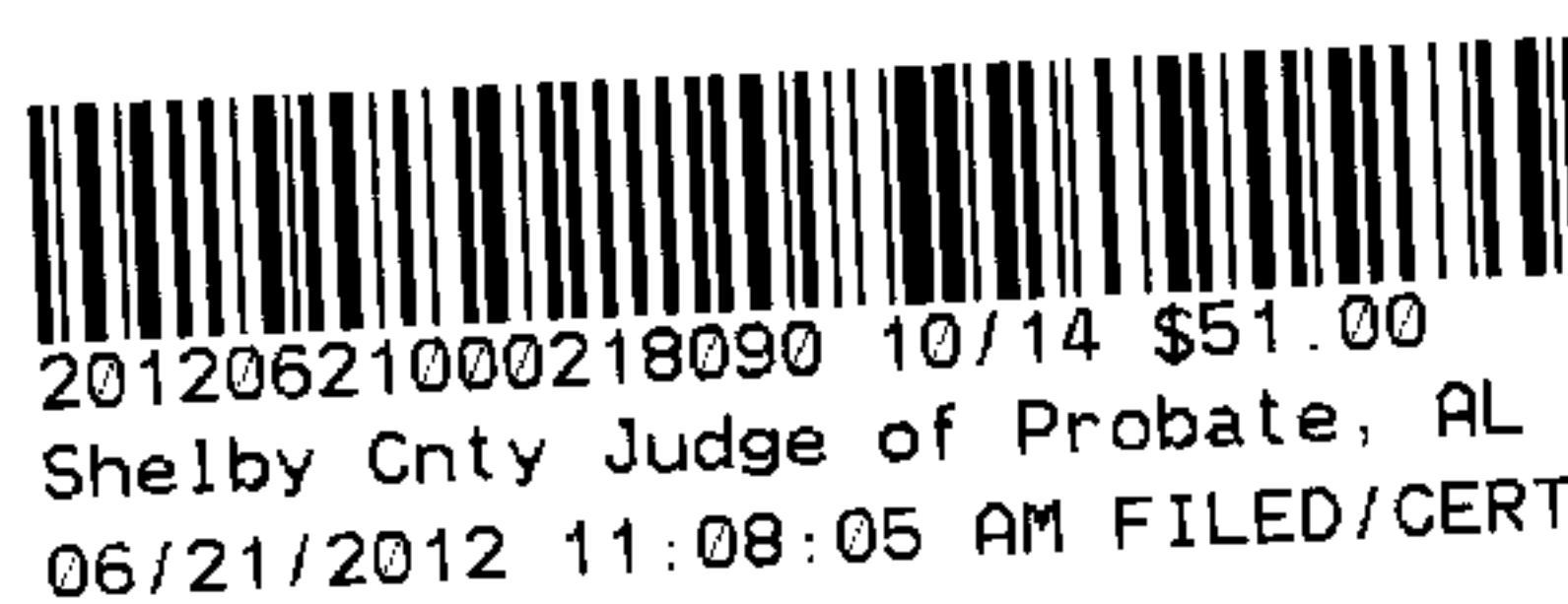
court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that such instrument should be probated as the Last Will and Testament of said deceased. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of Gilder L. Wideman, deceased, and 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, December 30, 2011.

Alan L. King

Judge of Probate



IN THE MATTER OF THE ESTATE OF)
)
GILDER L. WIDEMAN,)
)
Deceased)

PROBATE COURT OF

JEFFERSON COUNTY, ALABAMA

CASE NO. 214050 -

PETITION FOR LETTERS TESTAMENTARY
WITHOUT BOND

Comes the Petitioner, Frances Wideman, and shows this Court the following facts:

1. In the Last Will and Testament of Gilder L. Wideman, deceased (the "decedent"), which Will has been or shall be duly probated and admitted to record in this Court, the Petitioner is named as Personal Representative 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 Personal Representative. Under the terms of the decedent's Will, the Personal Representative is exempt from giving bond or filing inventory as such Personal Representative.
3. The decedent died seized and possessed of certain real and personal property, the value of which is estimated to be more than \$100,000.00.

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 **Ala. Code §43-2-851**. This Petition does not require verification under the applicable statutes.

Attorney for Petitioner:

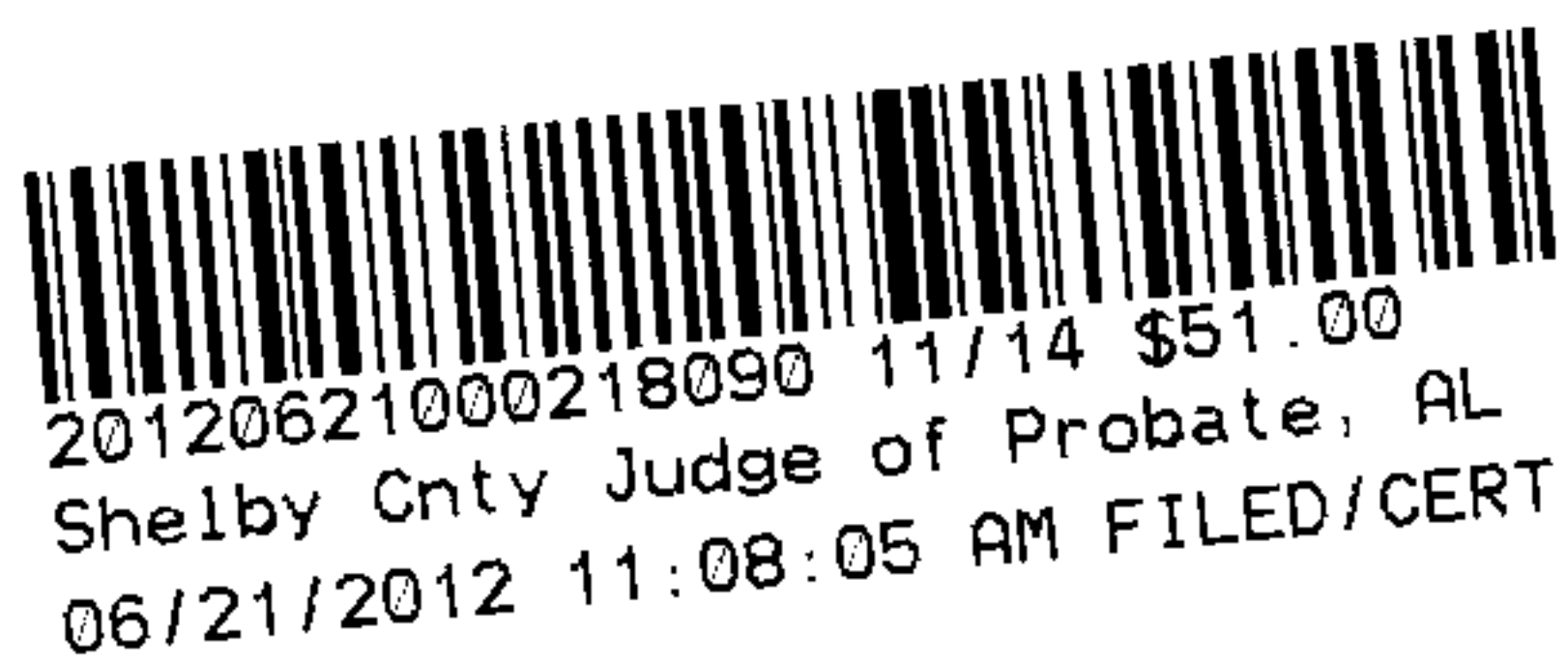


Brian T. Williams, Esq.
Dominick Feld Hyde, P.C.
2000 SouthBridge Parkway, Suite 500
Birmingham, AL 35209
(205) 802-7575

Petitioner:


 Frances Wideman
 106 Lockerbie Lane
 Birmingham, AL 35223

FILED IN OFFICE THIS 30th DAY OF
December, 2011, PRAYER
GRANTED AND PETITION ORDERED RECORDED
Alan L. King
JUDGE OF PROBATE



IN THE MATTER OF:

THE ESTATE OF:

GILDER L. WIDEMAN
DECEASED)
)
)
)
)
)IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 214050

ORDER GRANTING LETTERS TESTAMENTARY

Now on this day comes Frances Wideman and files in this Court her petition in writing, under oath, praying that Letters Testamentary upon the Will of Gilder L. Wideman, deceased, be issued to her.

It is therefore ORDERED and DECREED by the Court that Letters Testamentary upon said will be granted to Frances Wideman, 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, December 30, 2011.

Alan L. King

Judge of Probate



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LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

GILDER L. WIDEMAN

Deceased

CASE NO. 2011214050

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 FRANCES WIDEMAN 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, 30th day of December, 2011.

(SEAL)

Alan L. King

Judge of Probate

I, S. J. Rhodes, Chief Clerk of the Probate Court 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, 30th day of December, 2011.

Chief Clerk



CERTIFICATE TO COPIES

The State of Alabama
JEFFERSON COUNTY

CASE NO. 214050
PROBATE COURT

I, S.J. Rhodes, Chief Clerk of the Probate Court, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the **PETION FOR PROBATE OF WILL, LAST WILL AND TESTAMENT OF GILDER L. WIDEMAN, CERTIFICATE TO THE PROBATE OF WILL, ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT, PETITION FOR LETTERS TESTAMENTARY WITHOUT BOND, ORDER GRANTING LETTERS TESAMENTARY AND LETTERS TESTAMENTARY** in the matter of **THE ESTATE OF GILDER L. WIDEMAN, DECEASED** as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this date, 4th day of June, 2012.



CHIEF CLERK


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