

CERTIFICATION OF TRUST

This Certification of Trust is in lieu of a copy of the trust instrument pursuant to Section 19-3B-1013 of the Code of Alabama, as amended from time to time.

1. The Laird Children Testamentary Trust dated August 4, 2006 (the "Trust"), created by the Last Will and Testament of Ella Louise Laird, is currently in existence. The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained herein to be incorrect. Excerpts of the Trust consisting of the first page and the signature page are attached hereto and made a part hereof.
2. The settlor of the Trust is Ella Louise Laird, as established in her Last Will and Testament. Deceased on or about June 15, 2004
3. The name and addresses of the currently acting Trustee is:  
Arlen Butz  
2523 Napoleon Avenue  
Pearl, MS 39208
4. The pages of the Trust setting forth the relevant powers of the Trustee are attached hereto and made a part hereof.
5. The Trust is irrevocable.
6. The tax identification number currently assigned to the Trust is [REDACTED]
7. The name in which title to trust property may be taken is Verna Laird Estoque.

Witnesses:

Renee Yates  
Dianne Black

Arlen Butz  
Arlen Butz

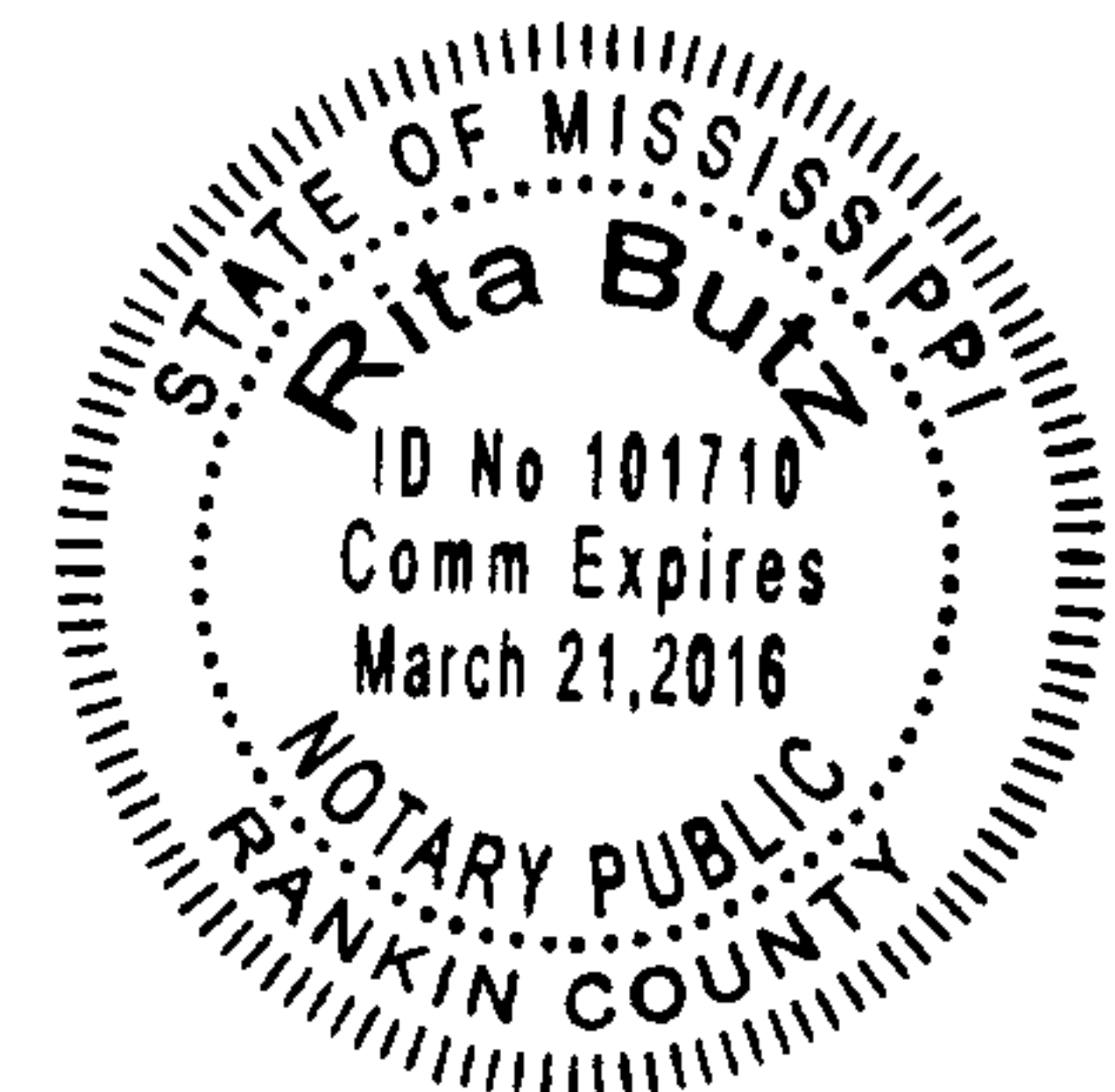
I, the undersigned, a Notary Public in and for the State of Mississippi at Large, hereby certify Arlen Butz, whose name as Trustee aforesaid assigned to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, the said instrument was executed by Arlen Butz, and with authority, and the aforesaid witnesses on the day the same bears date.

Given under my hand and seal on August 28th, 2012.

Rita Butz

This Instrument Prepared by:  
Caroline H. Allen, Esq.  
2110 Devereux Circle Suite 100  
Birmingham, AL 35243

  
20120829000326070 1/19 \$15.00  
Shelby Cnty Judge of Probate, AL  
08/29/2012 01:21:45 PM FILED/CERT



**FILED**

AUG 28 2008

LARRY SWALES  
Chancery Clerk, Rankin County  
Rec. In Bk. \_\_\_\_\_ Pg. \_\_\_\_\_

IN THE CHANCERY COURT OF RANKIN COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF:

ELLA LOUISE LAIRD, DECEASED

CIVIL ACTION NO. 59,742

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**ACCEPTANCE OF APPOINTMENT AS TRUSTEE**

---

COMES NOW Arlen Butz, and hereby accepts his appointment as Trustee of the Laird Children Testamentary Trust, for the use and benefit of Verna Amaris Laird and Jonathan Daniel Turner, as established in the Last Will and Testament of Ella Louise Laird that was duly admitted to probate in this cause on August 4, 2006. The undersigned acknowledges that he has been provided a copy of the Last Will and Testament of Ella Louise Laird dated August 11, 1995, and understands the terms of the Trust set forth therein. The undersigned acknowledges that the proceeds of the Laird Children Testamentary Trust are for the benefit of Verna Amaris Laird and Jonathan Daniel Turner, and are to be allocated and expended only as dictated by the terms of the Trust.

This the 18<sup>th</sup> day of August, 2008.

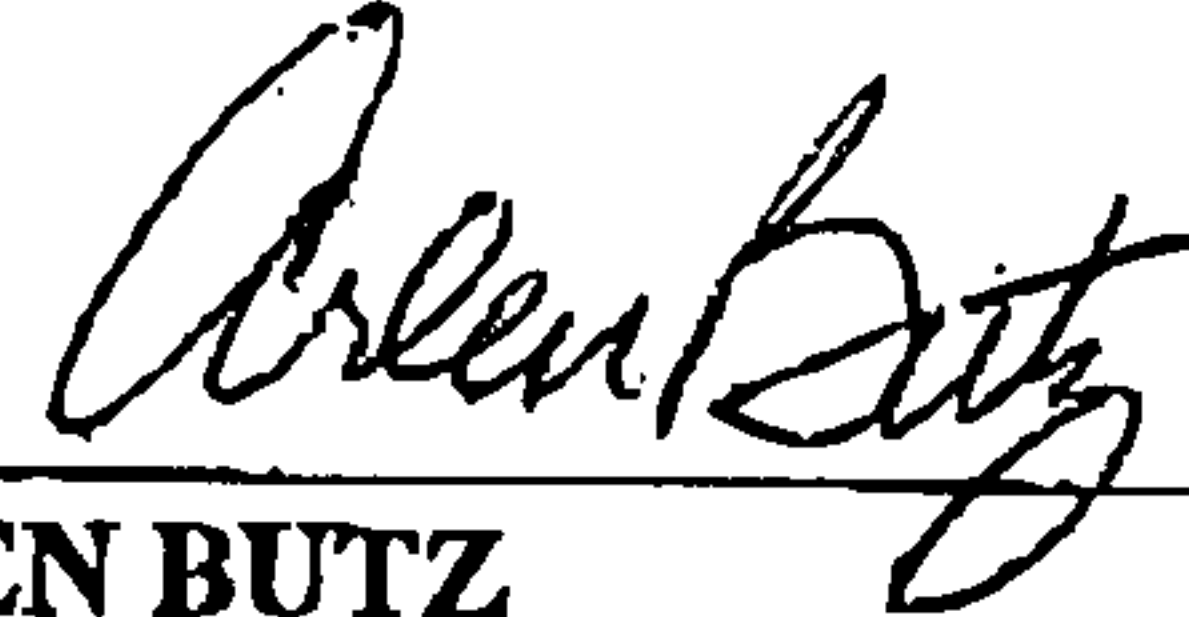
  
\_\_\_\_\_  
**ARLEN BUTZ**

  
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Shelby Cnty Judge of Probate, AL  
08/29/2012 01:21:45 PM FILED/CERT

STATE OF MISSISSIPPI

COUNTY OF Rankin

Personally came and appeared before me, the undersigned authority of law in and for the above styled jurisdiction, the within named, **ARLEN BUTZ**, who having been by me first duly sworn, states on his oath that the matters and things set forth in the above and foregoing Acceptance of Appointment as Trustee is true and correct as therein stated.



**ARLEN BUTZ**

SWORN TO AND SUBSCRIBED before me, this the 19 day of August, 2008.

  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 17, 2010  
BONDED THRU STEGALL NOTARY SERVICE



Prepared by:

John R. Elliott, Jr. (MBN 100372)  
**MORROW & ELLIOTT, P.L.L.C.**  
200 East Government Street  
Post Office Box 148  
Brandon, Mississippi 39043  
Telephone: 601-824-5040  
Facsimile: 601-824-9060

  
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Shelby Cnty Judge of Probate, AL  
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**FILED**  
AUG - 4 2008  
MURPHY ADKINS  
Chancery Clerk, Rankin County  
Rec. In Bk. \_\_\_\_\_ Pg. \_\_\_\_\_

**THE LAST WILL AND TESTAMENT**

**OF**

**ELLA LOUISE LAIRD, nee ELLA LOUISE LAIRD**

WHEREAS, I, ELLA LOUISE LAIRD, *nee* ELLA LOUISE LAIRD, FORMERLY KNOWN AS ELLA ARNOLD, ELLA TURNER, AND ELLA RAMSEY, a sole femme, being an adult resident citizen of Rankin County, currently residing at 429 Old Whitfield Road, Pearl, Mississippi 39208, and being of sound and disposing mind and of testamentary capacity, and not contemplating suicide, and having borne but two children during my lifetime; being VERNA AMARIS MINCEY, also known as Verna Amaris Laird, whose date of birth is February 8, 1983, and JONATHAN DANIEL TURNER, also known as Jonathan Darnell Laird, whose date of birth is September 22, 1988, and having adopted with Titus Arnold, but one child, April Arnold, whose date of birth is June 6, 1971, do hereby make and publish and declare this as my Last Will and Testament, hereby revoking any and all Wills and Codicils which may have heretofore been made by me, specifically including that certain Last Will and Testament dated August 28, 1985.

I.

I hereby direct that all expenses of my funeral and grave marker be paid by my Executrix as soon after my death as is convenient. I hereby direct that all my just debts for

Page 1 of 14 Pages

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Exhibit "A"

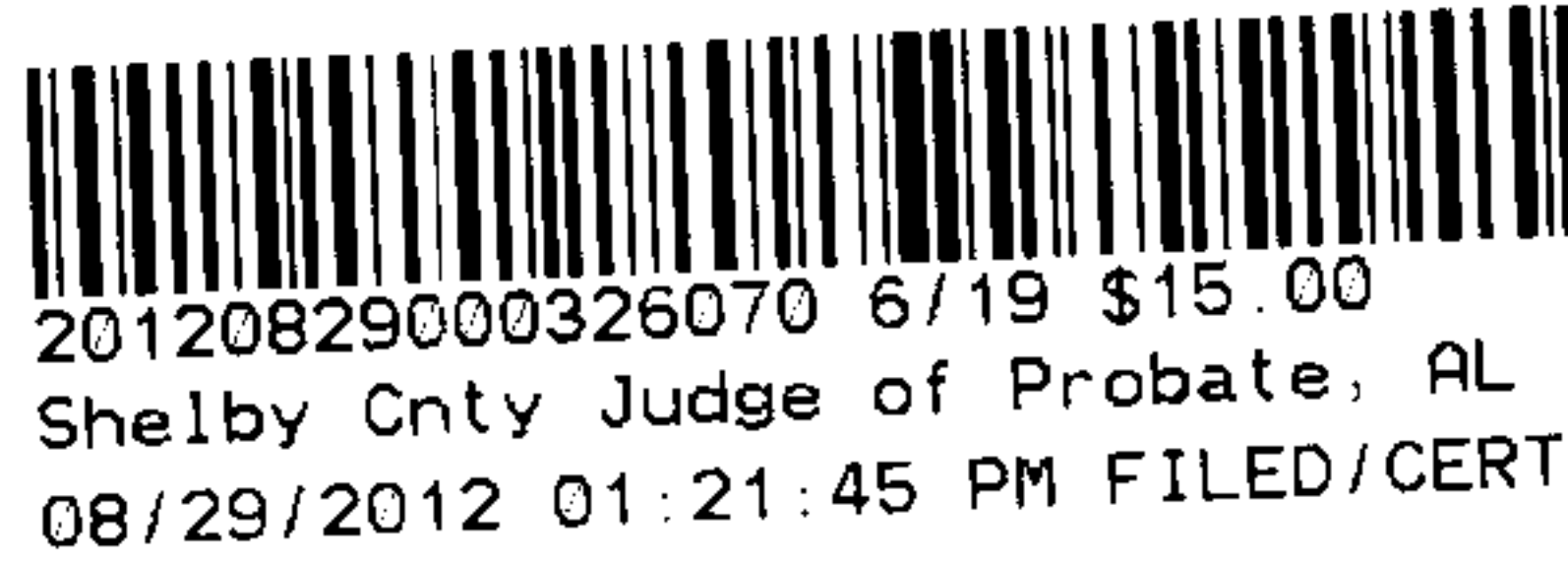
which timely and proper claims against my Estate which are timely probated and registered by the Clerk and allowed by the Court, be paid. Provided however, that this direction shall not authorize the payment of any debts or obligations prior to their maturity in due course nor does this direction authorize the payment of any debt or obligation which has been barred by the Statute of Limitations or discharged in bankruptcy proceedings.

II.

If my two children, Verna Amaris Mincey and Jonathan Daniel Turner are emancipated adults at the time of my death, I hereby appoint them both as Co-Executor and Co-Executrix of my Estate. I direct that no bonds, nor accountings, shall be required of Verna Amaris Mincey and Jonathan Daniel Turner, in their capacity as co-Executrix and Co-Executor of my Estate. If only one of the two of them is willing and/or able to serve, then that one of them I hereby appoint. I direct that no bonds nor accounting shall be required of such Executor/trix.

III.

Should my two children, Verna Amaris Mincey and Jonathan Daniel Turner be unemancipated minors at the time of my death, I hereby appoint DAISY WILKERSON, currently residing in Jackson, Mississippi, as Executrix of my Estate. I direct that no bonds, nor accountings shall be required of any Executrix named herein in any proceedings connected with my Estate or the probate thereof.



I hereby waive any requirement for inventory and appraisal of my Estate.

IV.

In the event that I have any certificate(s) of deposit, savings account(s), and/or checking account(s) with any bank or savings institution, that are in my name and the name of someone else, then I bequeath such said funds unto the person with whom I am named on such said account(s); and, if more than one person is named on such, as to all such person(s) as are alive at the time of my death. As to any person named on such, which person is not alive at the time of my death, the bequest shall lapse as to that person.

V.

I wish for it to be known that I love and respect my adopted daughter, April Arnold, but that I am not favoring her in this my Last Will and Testament.

I hereby devise and bequeath unto my two children, Verna Amaris Mincey, also known as Verna Amaris Laird, and Jonathan Daniel Turner, also known as Jonathan Darnell Laird, share and share alike, my entire Estate, whether real, personal or mixed, and wherever situated, subject to Trust provisions set out below.

In the event my two children, Verna Amaris Mincey, also known as Verna Amaris Laird, and Jonathan Daniel Turner, also known as Jonathan Darnell Laird, have not attained the age of majority at my death, I hereby nominate and appoint my cousin, CORINE BRACEY as legal Guardian of the person only for any said children who remain minors.

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VI.

If my two children, Verna Amaris Mincey, also known as Verna Amaris Laird, and Jonathan Daniel Turner, also known as Jonathan Darnell Laird, have not attained the age of twenty-five, then I direct that my Estate be liquidated and that the proceeds from said liquidation be held in Trust for their benefit with ARLEN BUTZ to serve as Trustee. The Trustee shall provide through the interest and corpus of this Trust for all health care, education expenses, and necessities respectively for my children who are beneficiaries under the terms of this Trust prior to providing funds for those things not deemed necessities by the Trustee.

The Trustee shall have as his/her first financial responsibility, to see that the health of the Ward(s) is maintained. Toward that end, the Trustee shall obtain or cause to be obtained comprehensive major medical insurance, such that in event of catastrophic injury or illness of Ward(s), the Trust would only have deductibles and limited co-insurance payments to satisfy.

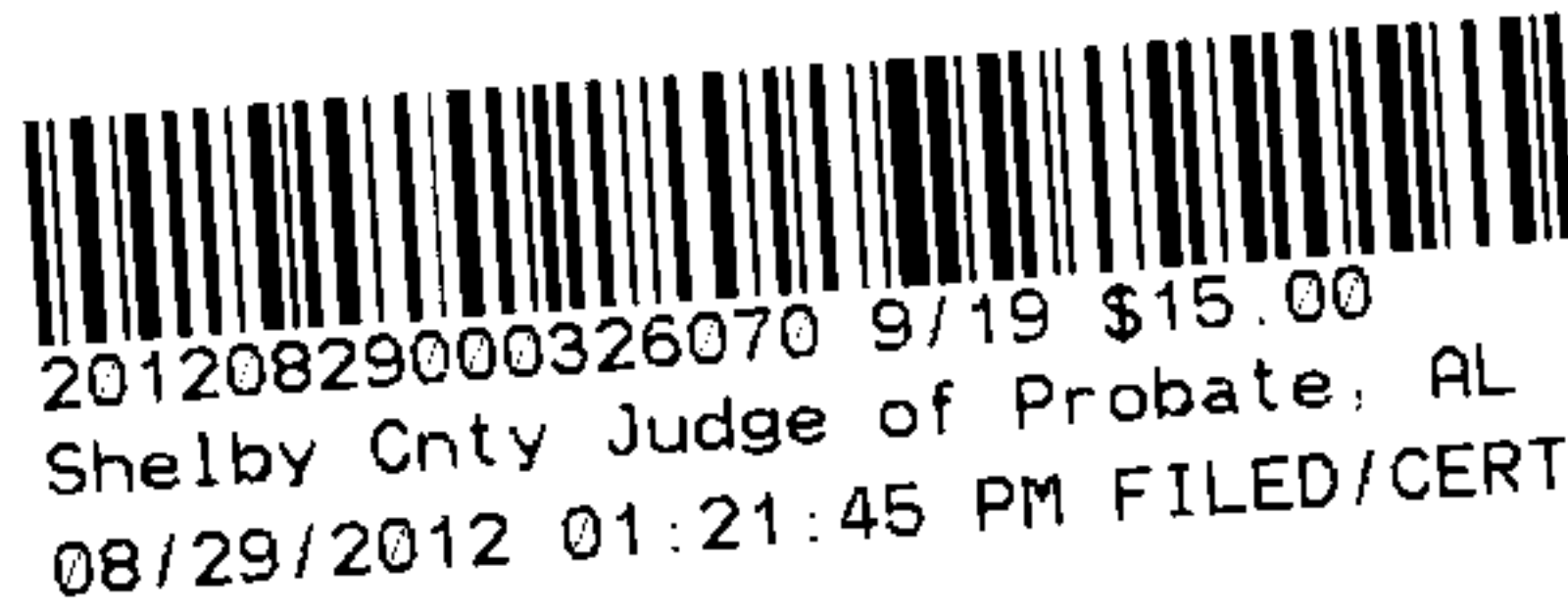
If any of the Ward(s) drive a motor vehicle, the Guardian should see that full coverages are maintained, so as to protect assets of the Trust in the event of a substantial vehicular liability incurred by the Ward(s). The Guardian is to pay for the post high school education of the Ward(s) at the accredited college or university chosen by the Ward(s), provided, the Guardianship shall pay no more for such education than is paid for room,

board, books, tuition and other customary incidentals when an individual attends an accredited college or university in the State of Mississippi. The Trust is to distribute upon the sooner of the youngest child obtaining a four year degree from a duly accredited college or university, or the youngest child attaining the age of twenty-five, whichever occurs first, one fourth (1/4) of the corpus of the trust unto each of the two favored children.

As to the balance of the corpus thereof in interest thereon as corpus, the Trustee, Arlen Butz, is to continue to manage and invest according to the terms of the Trust, until my youngest child attains the age of thirty (30). The Trust shall then be dissolved with the corpus thereof being divided, share and share alike between my two children, Verna Amaris Mincey, also known as Verna Amaris Laird, and Jonathan Daniel Turner, also known as Jonathan Darnell Laird. The said Trustee is to serve sans requirement of bond, accounting, or inventory.

## VII.

If the aggregate value of the assets available for the establishment of any trust created in this Will shall be less than \$2,000.00 at the time of the Executor's/Executrix's final accounting, or if during the administration of any trust or trusts hereunder, the principal assets of such trust or trusts shall be less than \$1,500.00, I direct that such trust or trusts shall not be established or shall terminate, as the case may be, and that the assets which are in or would have been distributed to such trust or trusts be distributed instead to the beneficiaries

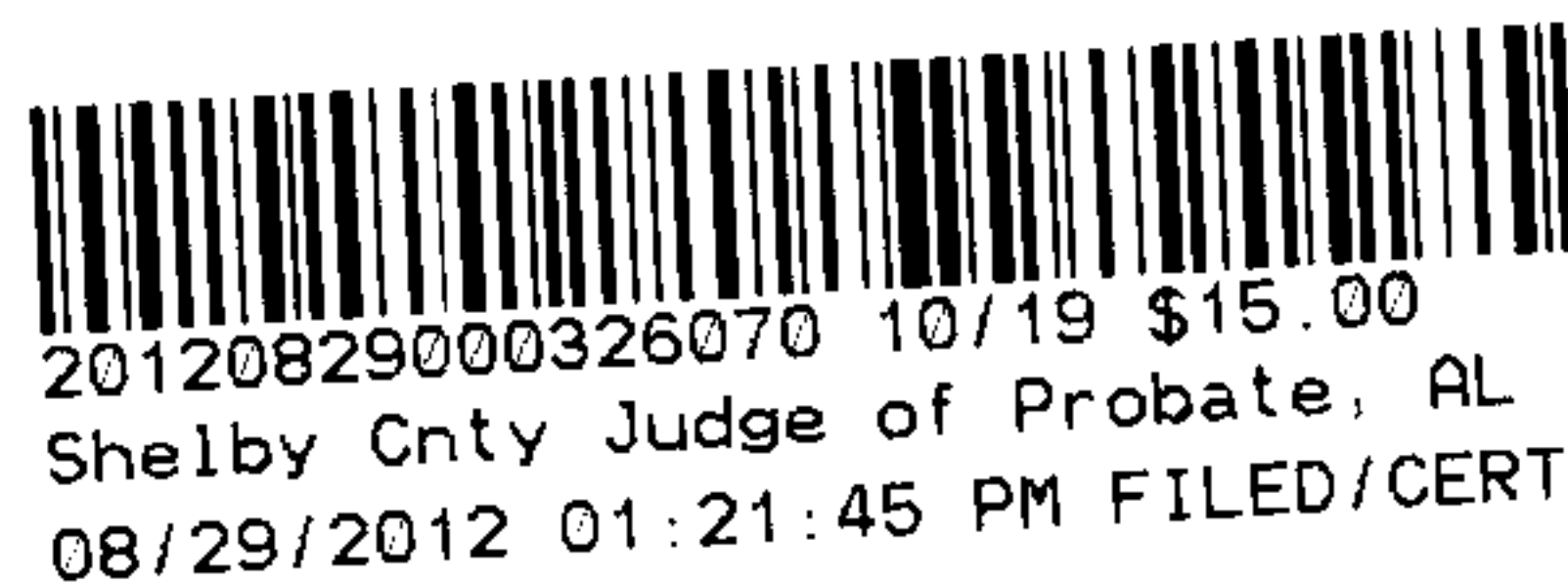


who are then or would have been entitled to receive the income from said trust or trusts and in the same proportions as they are or would have been entitled to such income absolutely and free from trust.

The Trustee shall have the following powers to be extended in the interest of life beneficiaries:

- A. To deal/administer in his absolute discretion and for such period as to him shall be deemed advisable any and all investments and other property held by me at my death without liability for any loss incurred by reason of retention of these investments or properties.
- B. To change investments or properties and to invest or reinvest all or any part of the corpus of my Estate or of any of the Trustee by establishing such securities or investments or other property as to him seems advisable or proper, irrespective of whether the same are authorized for the investment of Trust funds by the laws of the State of my domicile.
- C. To invest funds in a common trust fund established by the Trustee pursuant to the *Uniform Common Trust Fund Act of Mississippi*.
- D. To retain, with no obligation to sell, any property coming into his hands as Trustee under the terms of this instrument, and may, in his sole judgment, continue to hold and retain any and all of the investments,

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securities and property which may come into her hands by virtue of this Will, whether or not the same would be treated as legal for the investment of trust funds.

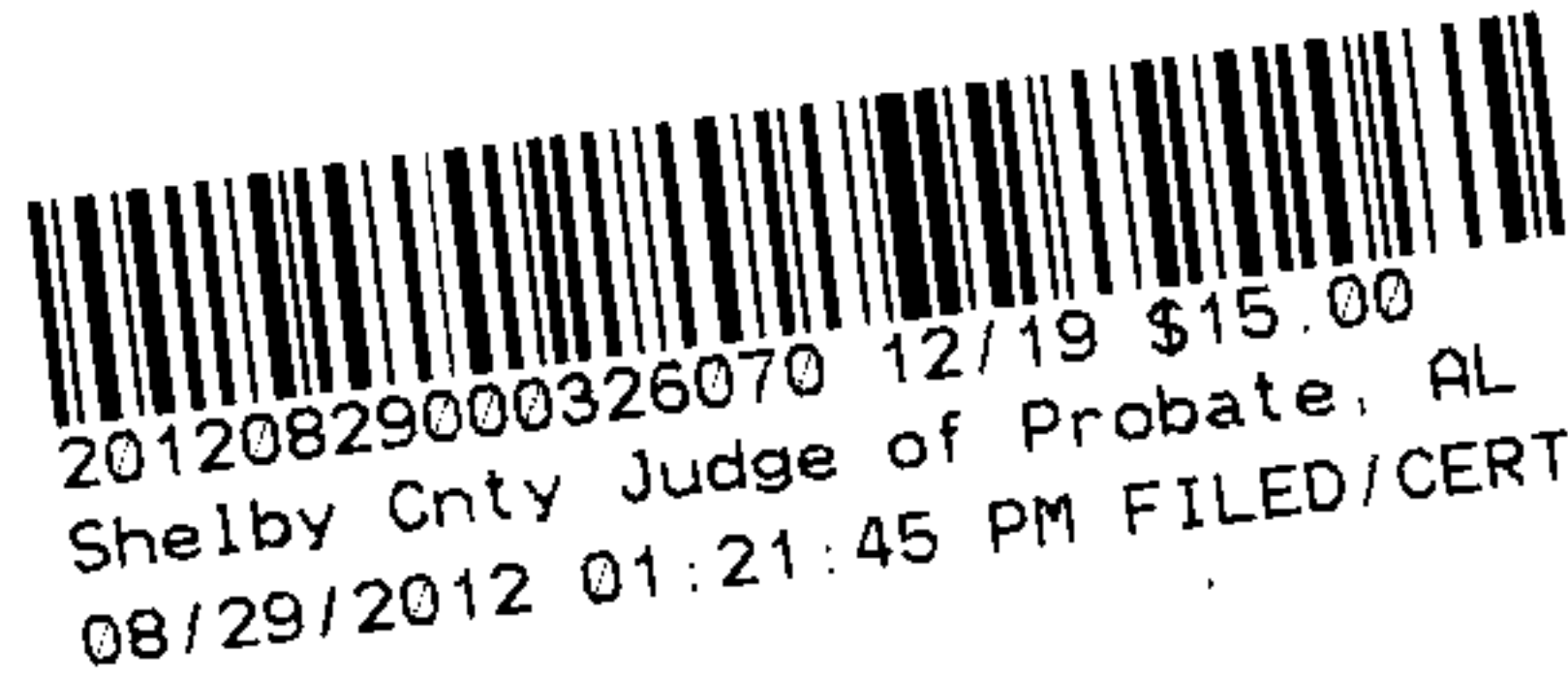
E. To sell some and/or all of the property of any kind whatsoever for which I may claim and/or own and/or possess in which I may be or may become in any way entitled or have any interest whatsoever for which I may have any power of appointment or which at any time may constitute a part of my estate or of the Trust hereby established, at such time, upon such terms, for cash or on credit with or without security, in such manner and at such prices either at public or private sale, as to him shall seem advisable, and to execute good and sufficient deeds from the sale thereof. To lease any property held by the Trust beneficiaries in duration of term, irrespective of the provisions of any statute or of the termination of any Trust; and to mortgage, pledge, collect and receive whatever be deemed, exchange or otherwise expose of securities or other property at any time held by him.

F. To expend from the income, rents, profits, dividends and/or expenses from sales of the trust property the necessary expenses of administering this trust, including taxes, Trustee's fees and attorneys' fees.

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- G. To borrow money, whether to pay taxes, exercise subscriptions, rights, and options, pay assessments or to accomplish any other purpose of any nature incidental to the administration of my estate or the Trust hereby established and to pledge any security for the property held by him as security therefor.
- H. To enforce any bonds, mortgages, agreements or any other obligations or liens held hereunder to enter upon such contracts and agreements and to make such compromises or settlements of debts claimed to be in controversy as she may deem necessary or advisable; to submit to arbitration any matter of difference; to personally by any process of shares of stock which may at any time be held by him hereunder, and similarly to exercise by alternative any right pertinent to any other securities or property in time held by him herein.
- I. To participate in any plan of reorganization, consolidation or dissolution or similar proceedings involving assets comprising the trust estate, and to deposit or withdraw securities under any such proceedings.
- J. To enter into any oil and gas or other mineral leases though the term might exceed the termination date of the Trust, with or without pooling

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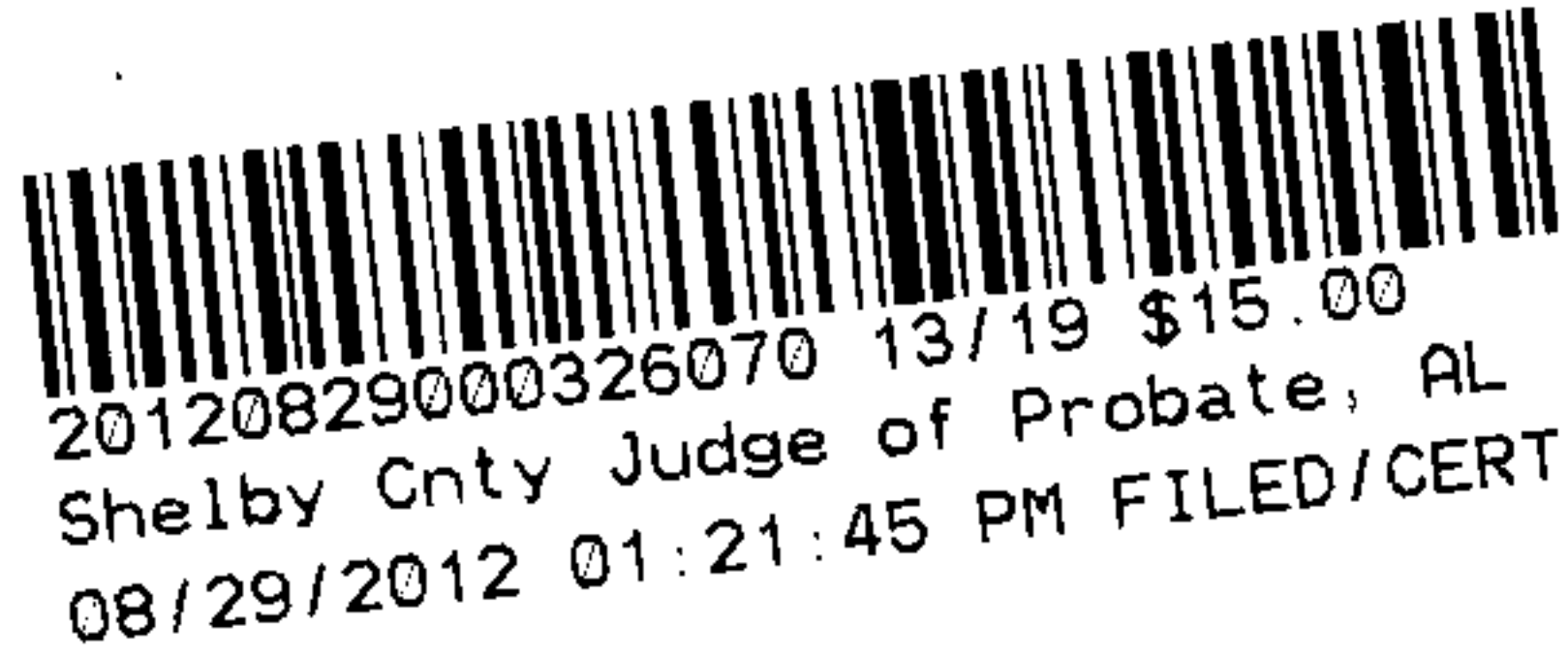


provisions; to enter into operating agreements or other contracts for the exploration and development of oil, gas and mineral interests;

K. To determine the manner in which the expenses incidental to or connected with the administration of my estate and/or the Trust shall be apportioned between income and principal.

L. To make any division or distribution required under the terms of this Will, in kind or in money, or partly in kind and partly in money, and to that end, allot to any part or share to allot to such stock, share securities, or any other property, real or personal, as to him seems proper; provided however that this Trustee shall not be required to make physical division of the funds except when necessary for a distribution of principal, but may, in her discretion, keep the Trust in one or more consolidated funds; nor shall the Trustee be required to make any provision on account of the diminution or increase on value of any security investments at any time, constituting part of my estate at any time or of the Trust hereby established, or for depreciation or respect of any tangible property for the purpose of amortizing or making good any amounts paid in premiums on the purpose of securities or of any other profit.

*ELL*



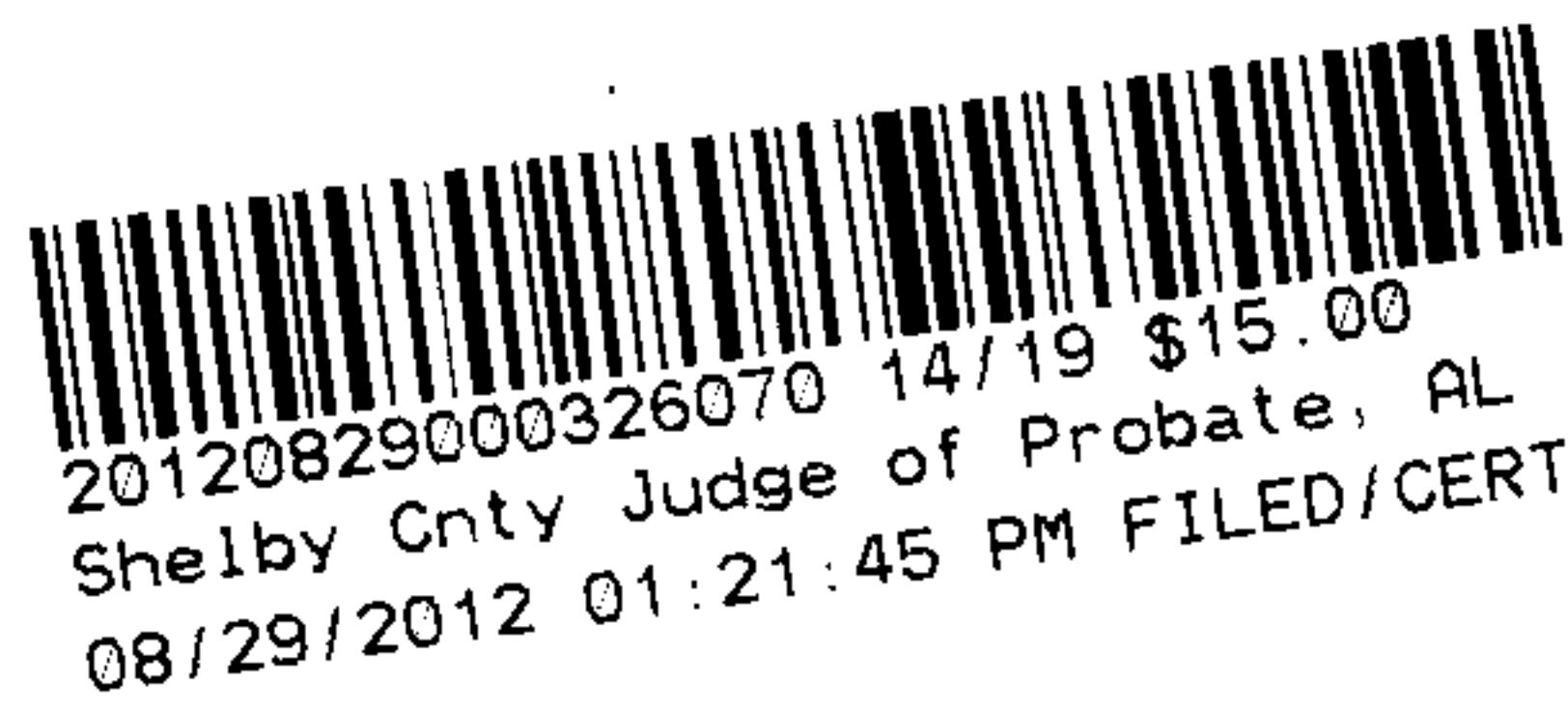
M. Neither the principal nor the income of the trust fund, nor any part of same, shall be liable for the debts of the beneficiary hereunder, nor shall the same be subject to seizure by any creditor of the beneficiary hereunder and the beneficiary hereunder shall have no power to sell, assign, transfer, or in any manner to anticipate or dispose of his interest in the trust fund, or any part of same, or the income produced from said fund, or any part of same.

#### VIII.

The Executrix and Trustee may fully act under all and any of the powers by this Will given to them in any matter concerning my estate or the Trust hereby established after forming their judgment based upon all the circumstances of any particular situation as to the wisest and best courses to pursue without the necessity of obtaining the consent or permission of any person or the consent or approval of any court, notwithstanding that they may also be acting as individuals, or as Trustees of other Trusts or as agents for other persons, corporations interested in the same matters, or may be interested in the same matters as stockholders, directors, or otherwise; and that the devises and bequests made in this Will have been so made in contemplation of such freedom of judgment and action.

Powers herein granted to the Executors and Trustees may be exercised in whole or in

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part, from time to time, it shall be deemed to be supplementary to and not exclusive of the general powers of Executors and Trustees pursuant to the laws of the State of my domicile, which shall include all powers to carry the same effect. Executors and Trustees shall not exercise any power in a manner inconsistent with the right to the beneficial enjoyment of the Trust proper according through the effective life beneficiaries under the general principals of the law.

#### IX.

I direct that all estate inheritance, legacies, successions, or other death taxes of any nature which may be assessed, or levied by the United States of America or the State of my domicile or by any other jurisdiction, upon or with respect to property passing by the provisions of this Will but upon which property such taxes are assessed or imposed, including all such taxes imposed upon the proceeds of any and all policies of insurance upon my life paid out of my residuaries, unless my residual estate is insufficient to pay those taxes in full, no claim shall be made by my Executrix for contribution toward the payment of such taxes against any beneficiary under this Will, other than residual beneficiaries, or against any person who by reason of death receives property outside this Will or any person who receives the proceeds of life insurance contracts.

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Shelby Cnty Judge of Probate, AL  
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IN WITNESS WHEREOF, I SIGN, SEAL AND DELIVER THIS MY LAST WILL  
AND TESTAMENT BEFORE THE WITNESSES HERE AT MY REQUEST, THIS THE  
11<sup>th</sup> DAY OF August, 1995.

Ella Louise Laird

ELLA LOUISE LAIRD, *nee*  
ELLA LOUISE LAIRD, FORMERLY  
KNOWN AS ELLA ARNOLD,  
ELLA TURNER, AND ELLA RAMSEY

WITNESSES:

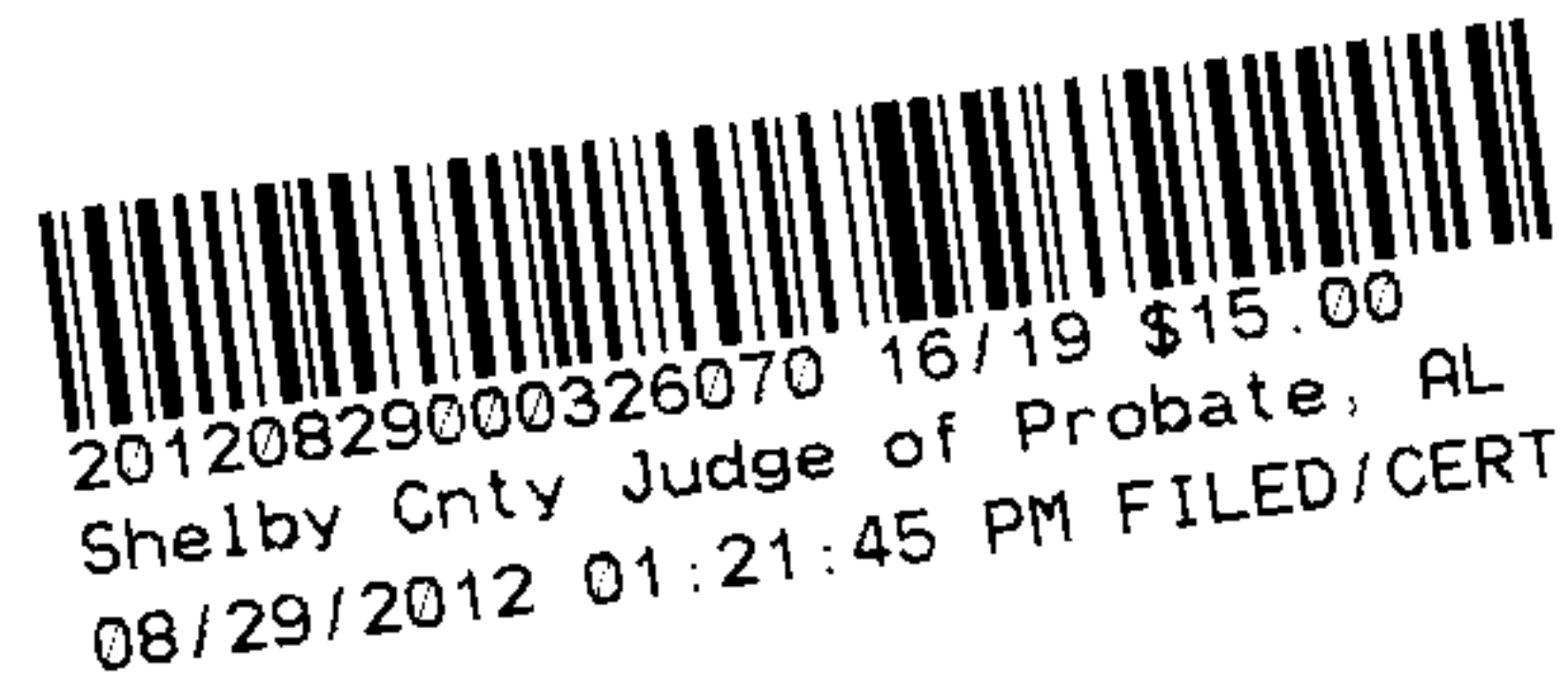
Martha W. Rials

Christy L. Lilly

**ATTESTATION CLAUSE**

We, each of the subscribing witnesses to the Last Will and Testament of Ella Louise Laird, *nee* Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, do hereby certify that said instrument was signed by the said Ella Louise Laird, in our presence and in the presence of each of us and that Ella Louise Laird, *nee* Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, declared the same to be her Last Will and Testament in the presence of each of us and that we each signed as subscribing witnesses to said Last Will and Testament at the request of Ella Louise Laird, *nee* Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, in her presence

ELL



and in the presence of each other.

WITNESSES:

Martha W. Rials  
NAME

Christy L. Tilly  
NAME

501 Scarborough Rd.  
ADDRESS

219 Lewis Street  
ADDRESS

Hannville, MS 39082

Florence, MS 39073

STATE OF MISSISSIPPI

COUNTY OF RANKIN

**AFFIDAVIT OF PROOF OF WILL**

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Martha W. Rials and Christy L. Tilly, who being by me first placed on oath depose and say:

Affiants have this day examined an instrument of writing dated the 11<sup>th</sup> day of August, 1995, purporting to be the Last Will and Testament of Ella Louise Laird, nee Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, and attested by Affiants as subscribing witnesses, which instrument of writing has this day been exhibited to Affiants;

On the date of said instrument of writing, at the request of the said Ella Louise Laird, nee Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, who, in the presence of the Affiants signed, published and declared said instrument of writing as her true Last Will and Testament, Affiants at the request of the said Ella Louise Laird, nee

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Shelby Cnty Judge of Probate, AL  
08/29/2012 01:21:45 PM FILED/CERT

Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, and in her presence and in the presence of each other, affixed their signatures to said instrument of writing as subscribing witnesses;

On the date of said instrument of writing the said Ella Louise Laird, *nee* Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey, was above the age of eighteen (18) years and possessed of sound and disposing mind, memory and understanding. Affiants are over the age of eighteen, not the convict of a felony, and are not beneficiaries under the said Last Will and Testament of Ella Louise Laird, *nee* Ella Louise Laird, formerly known as Ella Arnold, Ella Turner, and Ella Ramsey.

Martha W. Rials

Christy L. Tilly

SWORN TO AND SUBSCRIBE before me by Martha W. Rials and Christy L. Tilly, on this the 11<sup>th</sup> day of August, 1995.

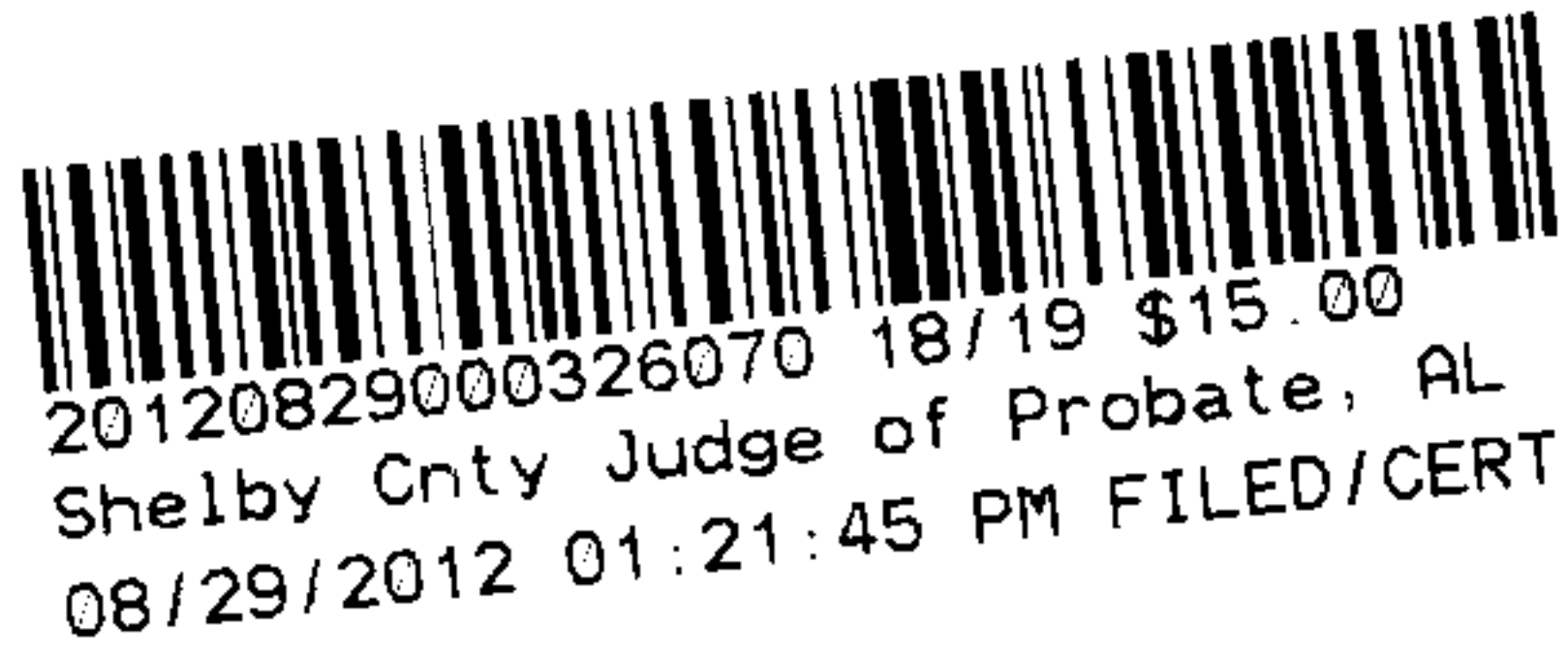
My Commission Expires:

1/21/99

Ann R. Armentrout  
NOTARY PUBLIC

PREPARED BY:  
RINGER & CLARK  
DAVID RINGER, MSB# 5364  
203 EAST MAIN STREET  
POST OFFICE BOX 737  
FLORENCE, MISSISSIPPI 39073  
(601) 845-7349 / FAX (601) 845-6799  
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IN THE CHANCERY COURT OF RANKIN COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ELLA LOUISE LAIRD, DECEASED

CIVIL ACTION NO. \_\_\_\_\_

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF RANKIN

THIS DATE, PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named Christy L. Tilly, now know as Christy L. Prewette, who being by me first duly sworn according to law, says on oath:

1. That this Affiant is one of the subscribing witnesses to an instrument of writing purporting to be the Last Will and Testament of ELLA LOUISE LAIRD, Deceased, who was personally known to the Affiant, and whose signature is affixed to said Last Will and Testament, which Last Will and Testament is dated August 11, 1995. My address is 1606 Dogwood Terrace, Clinton, Mississippi 39056.

2. That on the 11th day of August 1995, the said Ella Louise Laird signed, published and declared said instrument of writing as her Last Will and Testament in the presence of this Affiant and in the presence of Martha W. Rials, the other subscribing witness to said instrument.

Exhibit "B"

3. That said Ella Louise Laird was on August 11, 1995, of sound and disposing mind and memory and above the age of twenty-one (21) years.

4. That this Affiant, together with Martha W. Rials, subscribed and attested said instrument as witnesses to the signature and publication thereof, at the special instance and request and in the presence of said Ella Louise Laird, and in the presence of each other.

Christy L. Prewette  
Christy L. Prewette, formerly  
known as Christy L. Tilly

SWORN TO AND SUBSCRIBED BEFORE ME, this the 3rd day of  
August, 2006.

Karen Porch Boykin  
NOTARY PUBLIC

My commission expires:

July 24, 2009

