

THIS INSTRUMENT WAS PREPARED BY:
M. Wayne Wheeler, P.C.
2230 Third Avenue North
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Nickolas E. Dyer
2633 Chandafern Circle
Pelham, AL 35124

WARRANTY DEED

STATE OF ALABAMA)
) **KNOW ALL MEN BY THESE PRESENTS**
SHELBY COUNTY)

That in consideration of One Dollar (\$1.00)*¹ and other good and valuable consideration to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, I, Robin Ball Dyer, as Executrix for the Estate of Gary Kent Dyer, deceased, Probate Case No. 215003, (Grantor(s) (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto Nickolas E. Dyer, a single man, (Grantee(s) (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 104, according to the Map and Survey of Chandalar
South Second Sector, as recorded in Map Book 6, page 12,
in the Probate Office of Shelby County, Alabama.

1. Taxes due in the year of 2013, a lien, but not yet payable until October 1, 2012. Parcel #13-1-01-4-002-041.000.
2. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage covered by this Commitment.
3. (a) Taxes or assessments that are not shown on as existing liens by the records of any taxing authority that levies taxes or assessments on real

¹ * Consideration is the payoff of the mortgage to GMAC (\$62,084.83), and First Commercial Bank (\$55,903.72).
Total: \$117,988.55)

property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

4. Rights or claims of parties in possession not shown by the public records.
5. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
6. Easements, liens or encumbrances, or claims thereof, not shown by Public Records.
7. Any encroachment, encumbrances, violation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
8. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including but not limited to oil, gas, sand, limestone, and gravel in, on, and under subject property.
9. Agreement with regards to underground residential utility distribution with Alabama Power Company as recorded in Misc. Volume 7, Page 591.
10. Restrictions as recorded in Misc. Volume 7, Page 260.
11. Restrictions in favor of Alabama Power Company as recorded in Misc. Volume 7, Page 392.
12. Right of way to Alabama Power Company as recorded in Volume 264, Page 28 and Volume 285, Page 489.
13. 40 foot building line as shown on plat.
14. 5 foot easement along the Easterly side as shown by recorded plat for public utilities, sanitary sewers, storm sewers and storm ditches.

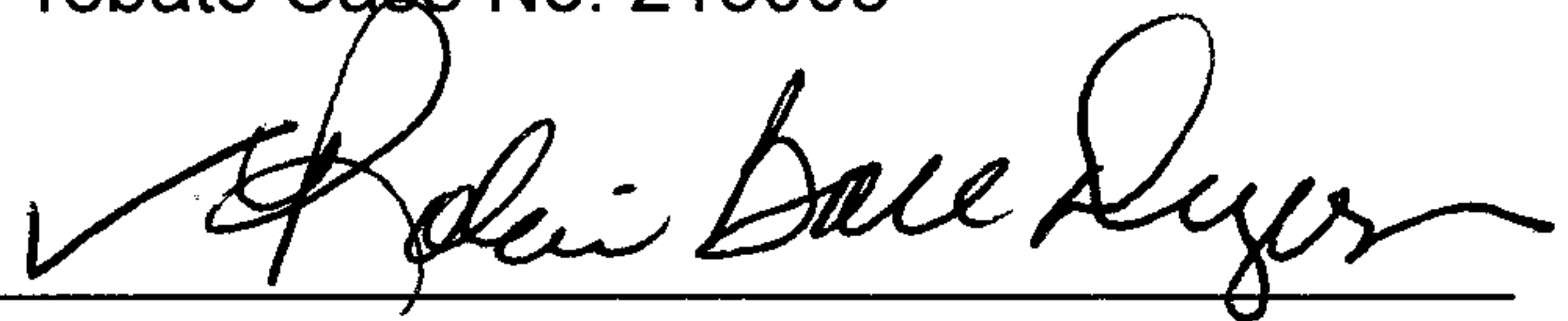
15. Any lien for services, labor or material in connection with improvements, repairs or renovations provided before, on or after Date of Policy, not shown by the public records.
16. Said property is not the homestead of the **Grantor**.
17. Certified copies of the following attached and incorporated into this deed:
 - A. Certified copy of Probate of Will
 - B. Certified copy of Last Will and Testament
 - C. Certified copy of Petition for Letters
18. Subject to rights of Creditor to file claims in the Estate of Gary Kent Dyer, Probate Case No. 215003 Jefferson County, Alabama..

TO HAVE AND TO HOLD to the said Grantee, his/her/their heirs and assigns forever.

And (I w) do, for (myself) and for my heirs, executors and administrators, covenant with said Grantee, Nickolas E. Dyer, his, heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, Nickolas E. Dyer, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I, Robin Ball Dyer, as Personal Representative of the Estate of Gary Kent Dyer, deceased, have hereunto set my hand(s) and seal(s) this the 29 day of Oct, 2012.

The Estate of Gary Kent Dyer, deceased
Probate Case No. 215003



Robin Ball Dyer, as Executrix
Grantor

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Robin Ball Dyer**, as Executrix of the Estate of Gary Kent Dyer, deceased, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29 day of Oct, 2012.



Notary Public

SEAL

IN THE MATTER OF THE ESTATE OF)
Gary K. Dyer)
Deceased) OF JEFFERSON COUNTY, ALABAMA

CASE NO. 2012-215003
-- 215003 --

PETITION FOR PROBATE OF WILL
(Self-Proved Will)

Comes the petitioner, Robin Ball Dyer, and shows this Court the following facts:

1. Gary K. Dyer (the "decedent") died testate at Alabama on or about the 2nd day of April, 19 2012, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.

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

Name	Present Address
Rebecca Whaley	1800 12th Ave. S., Birmingham, AL 35205
Patrice Dyer	1800 12th Ave. S., Birmingham, AL 35205

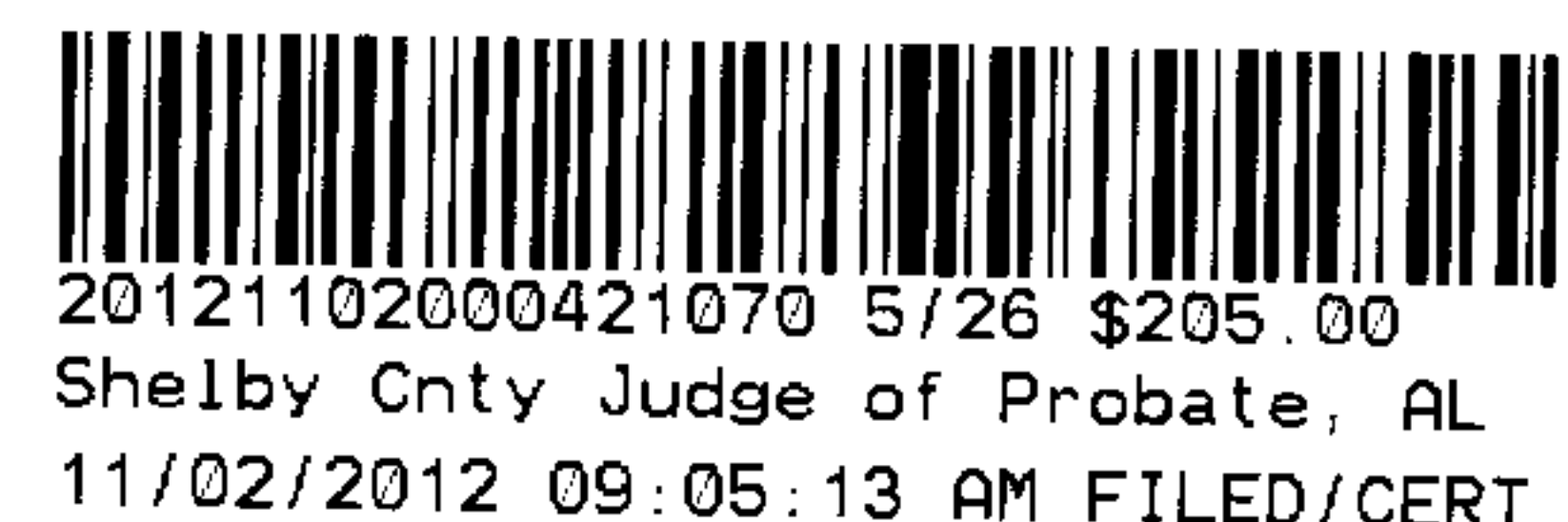
3. The decedent's last will and testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially in accordance with the requirements of Ala. Code §43-8-132. The name and present address of the officer authorized to administer oaths before whom said will was acknowledged are as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

Raymond Winston
1800 12th Avenue South
Birmingham, AL 35205

4. The following is a true, correct and complete list of the names, ages, conditions, relationships and addresses of the decedent's surviving spouse and next-of-kin (as determined by Application of Ala. Code §43-8-42):

✓ Nickolas E. Dyer, Son 501 Webster Road, Lot 291A
Adult of Sound Mind Auburn, AL 36832
(Waiver Attached)

3B.02



Name, age, condition, relationship

Address

- - 215003 - -

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 surviving spouse, 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 (and all codicils thereto) as the last will and testament of the decedent. This petition is deemed to be verified pursuant to Ala. Code §43-8-22.

Attorney for Petitioner.

M. Wayne Wheeler

M. Wayne Wheeler, PC

(Firm Name)

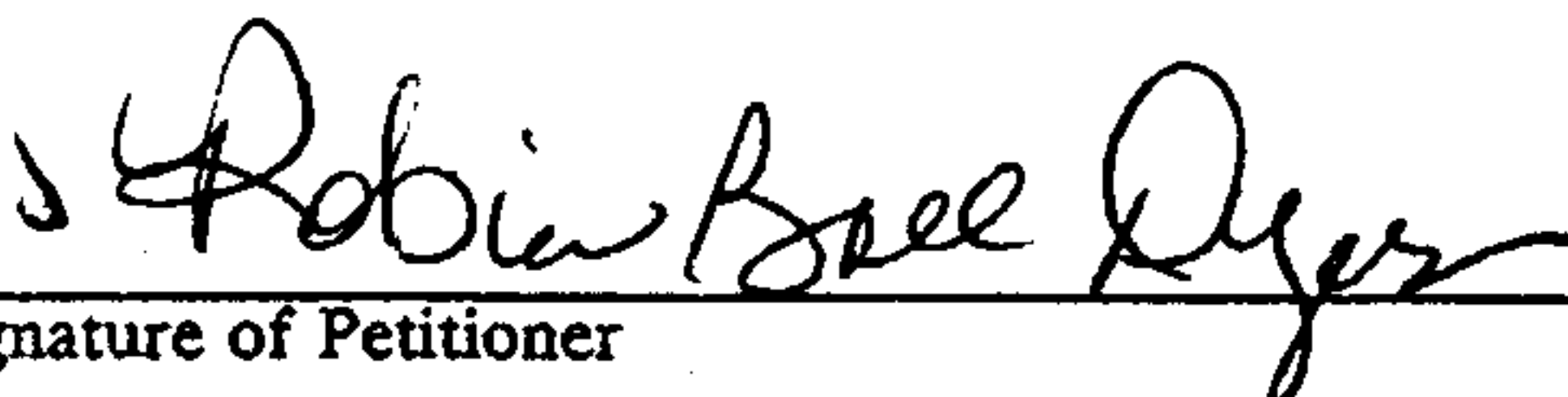
2230 Third Avenue North

Address

Birmingham, AL 35203

zip code

Telephone (205) 322 - 0627



Signature of Petitioner

Robin Ball Dyer

(Name of Petitioner)

2633 Chandafern Circle

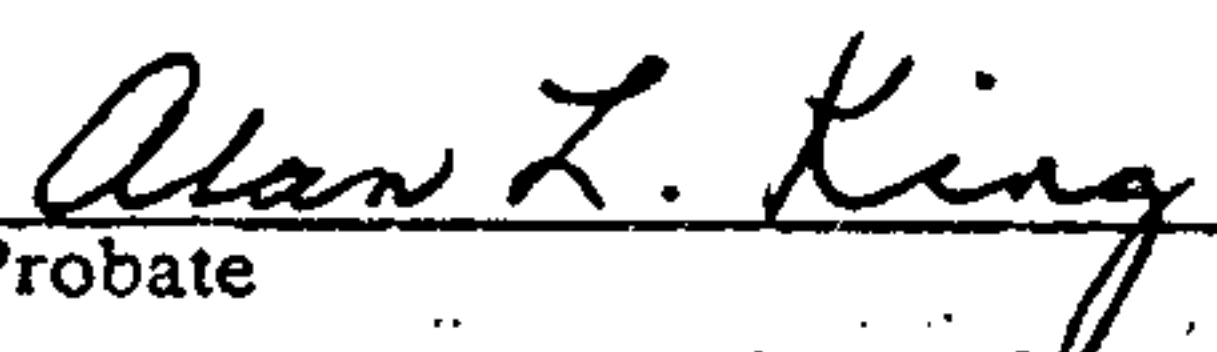
Address

Pelham, AL 35124

zip code

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama on the 9th day of April
19 2012, and prayer granted and ordered recorded.


 Judge of Probate

PETITION FOR PROBATE OF WILL
 (SELF-PROVED WILL)
 (Code 1975. §43-8-160, et seq., §§43-8-132 and 133)

B'HAM BAR ASS'N FORM NO. 3B.02
 (Revised May 1990)
 © 1990 Birmingham Bar Association

20121102000421070 6/26 \$205.00
 Shelby Cnty Judge of Probate, AL
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IN THE MATTER OF THE ESTATE OF)

PROBATE COURT

Gary K. Dyer

Deceased)

OF JEFFERSON COUNTY, ALABAMA

CASE NO. 215009**WAIVER OF NOTICE
ON PROBATE OF WILL**

I, Nickolas E. Dyer, a resident of Lee County
County, State of Alabama, being the surviving spouse or one of the next-of-kin
 (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Gary K. Dyer,
 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 (including all
 codicils thereto) 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 March 20, 1994, be ad-
 mitted 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 executor
 thereof.

Dated this 12 day of April, 2012.

WITNESS: (Required)

X
Signature of Witness

Signature of Person Making Waiver

Name of Witness

Nickolas E. Dyer
 Name of Person Making Waiver
BENCH NOTE
 Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 9th
 day of April, 2012.

Alan L. King
 Judge of Probate

Last Will and Testament

OF

GARY K. DYER

I, **GARY K. DYER**, a resident of the State of Alabama, Shelby County, being of sound mind and disposing memory, 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 DEBTS

I direct that all my debts and funeral expenses, including an appropriate marker for my grave, be paid as soon after my death as may be practicable. In the event there is any indebtedness owing by me, whether secured or unsecured, which has not matured at the time of my death, I authorize my Executor to pay such indebtedness either in full or according to the terms and tenor of any instrument evidencing such indebtedness as my Executrix may deem advisable under the then existing circumstances. I further direct that all estate and inheritance taxes which may be asserted or levied with respect to my estate, or any part thereof, whether or not passing under my Will, shall be paid out of my residuary estate as an expense of administration and without apportionment.

ITEM II RESIDUARY ESTATE

(a) I give and bequeath to my wife, Robin Ball Dyer, if she survives me, all my jewelry, wearing apparel, automobile or automobiles, books and all other articles of personal and household use together with any insurance thereon. I hereby vest in my Executor full power and authority to determine what objects of property are included in the foregoing description contained in this ITEM.

(b) If my wife, Robin Ball Dyer shall predecease me, I



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(ii) Upon such beneficiary's attainment of the age of twenty-two (22) years, the Trustee shall convey, assign, transfer and set over to such beneficiary, free from trust, his or her entire share, including and any all accumulation, and the trust for such respective beneficiary, shall thereupon be terminated.

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Shelby Cnty Judge of Probate, AL
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**ITEM III
DISSOLUTION OF TRUST**

JR 2882 PG 153

Any trust created hereunder, may, but need not be, terminated in the sole discretion of the Trustee when the income of the trust becomes too low to cover all fees and expenses of administration and also to yield a reasonable return to the beneficiaries. In such event, the Trustee shall distribute the assets thereof in its possession to the then current beneficiary of beneficiaries of the income and if more than one beneficiary is so entitled, in the proportions in which they are beneficiaries. If any such beneficiary is a minor at the date of the distribution, then his or her share of the trust shall be paid to a parent or relative of the beneficiary as custodian under the Alabama Uniform Gifts to Minors Act.

**ITEM IV
APPOINTMENT OF TRUSTEE**

(a) With respect to any trust created under the provisions of the Will, I hereby nominate and appoint my sister-in-law, Suzanne Michelle Gower, as Trustee, or if she fails or is unable to serve, I appoint my mother-in-law, Renee Ball, as Trustee hereunder.

(b) No Trustee appointed herein shall be required to give bond or to file and inventory or accounting in any Court, or render any report in Court upon final settlement of his acts as Trustee, although it shall be make out and keep an inventory and maintain records of all transactions relating hereto and shall exhibit the same to any part in interest at any reasonable time.

**ITEM VI
TRUSTEE POWERS**

Without limitation of the powers conferred by statute or general rules of law, my Trustee shall have the following powers and authorities in addition to others now or hereafter conferred by law, with respect to any property contained in my estate:

(1) To retain any property owned by me at the time of my death;

(2) To invest any funds in any corporate shares, bonds, or other securities or property, real or personal (including any common or commingled fund or funds), notwithstanding that such investments may not be of the character allowed to Trustee by statute or general rules of law and without any duty to diversify investments, it being my intention to confer the broadest

Handwritten signature/initials

investment powers and discretion upon the Trustee; JR 2882 PG 154

(3) To sell (at public or private sale, without application to any court) or otherwise dispose of any property, real or personal, for cash or upon credit, in such manner and on such terms and conditions as it may deem best and no person dealing with it shall be bound to see to the application of any monies paid;

(4) To manage, operate, repair, improve, mortgage, and lease for any term whether longer or shorter than the duration of any trust hereunder any real estate;

(5) Except to the extent prohibited by law, to cause any securities to be registered in the names of its nominees, or to hold any securities in such condition that same will pass by deliver;

(6) To employ such attorneys, accountants, custodians, investment counsel, an other persons as it may deem advisable and to pay them such reasonable compensation as it may deem proper;

(7) To distribute in cash or in kind upon the termination of any trust hereunder;

(8) To open and maintain one or more bank, custodian or other accounts in any bank or trust company and to deposit to the credit of such account or accounts all of the funds belonging to the trust which may at the time be in the possession of the Trustee; from time to time to withdraw a portion or all of said funds so deposited by check signed by the Trustee and any such bank or trust company is hereby authorized to pay such checks and also to receive the same for deposit, to the credit of any holder thereof who so signed or endorsed; to delegate to any one or more of its proper agents the rights to sign checks against the aforementioned account or accounts for the purposes of the trust, and any bank or trust company in which said account or accounts are maintained is hereby authorized and directed to pay such checks, provided, however, that prior thereto such delegation is evidenced by an appropriate instrument in writing deposited with the said bank or trust company by the Trustee; and

(9) In general, to exercise all powers in the management of any trust hereunder which any individual could exercise in the management of similar property owned in his own right, upon such terms and conditions as to them may seem best, and to execute and deliver all instruments and to do all acts which they may deem necessary or advisable in connection with the administration of any trust established hereunder.

ITEM VII
APPOINTMENT OF EXECUTOR

(a) I hereby nominate and appoint my wife, Robin Ball Dyer, to serve as Executrix under this Last Will and Testament. In the event that Robin Ball Dyer shall fail to qualify, die, resign, become incompetent, or otherwise fail or cease to serve as Executrix, then I appoint my brother, Clarence Edward Dyer, Jr., to serve as Executor hereunder.

(b) No Executor or Executrix named herein shall be required to give bond or to file and inventory or accounting in any Court, or render any report in Court upon final settlement of his acts as Executor, though he shall make out and keep an inventory and



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maintain records of all transactions relating hereto and shall exhibit the same to any part in interest at any reasonable time.

**ITEM VIII
EXECUTOR POWERS**

Without limitation of the powers conferred by statute or general rules of law, my Executor shall have the following powers and authorities in addition to others now or hereafter conferred by law, with respect to any property contained in my estate:

(1) To retain any property owned by me at the time of my death;

(2) To invest any funds in any corporate shares, bond, or other securities or property, real or personal (including any common or commingled fund or funds), notwithstanding that such investments may not be of the character allowed to Executor by statute or general rules of law and without any duty to diversify investments, it being my intention to confer the broadest investment powers and discretion upon the Executor;

(3) To sell (at public or private sale, without application to any court) or otherwise dispose of any property, real or personal, for cash or upon credit, in such manner and on such terms and conditions as it may deem best and no person dealing with it shall be bound to see to the application of any monies paid;

(4) To manage, operate, repair, improve, mortgage, and lease for any term whether longer or shorter than the duration of any trust hereunder any real estate;

(5) Except to the extent prohibited by law, to cause any securities to be registered in the names of its nominees, or to hold any securities in such condition that same will pass by deliver;

(6) To employ such attorneys, accountants, custodians, investment counsel, an other persons as it may deem advisable and to pay them such reasonable compensation as it may deem proper;

(7) To distribute in cash or in kind upon the termination of any trust hereunder;

(8) To open and maintain one or more bank, custodian or other accounts in any bank or trust company and to deposit to the credit of such account or accounts all of the funds belonging to the trust which may at the time be in the possession of the Trustee; from time to time to withdraw a portion or all of said funds so deposited by check signed by the Trustee and any such bank or trust company is hereby authorized to pay such checks and also to receive the same for deposit, to the credit of any holder thereof who so signed or endorsed; to delegate to any one or more of its proper agents the rights to sign checks against the aforementioned account or accounts for the purposes of the trust, and any bank or trust company in which said account or accounts are maintained is hereby authorized and directed to pay such checks, provided, however, that prior thereto such delegation is evidenced by an appropriate instrument in writing deposited with the said bank or trust company by the Trustee; and

(9) In general, to exercise all powers in the management of any trust hereunder which any individual could exercise in the management of similar property owned in his own right, upon such terms and conditions as to them may seem best, and to execute and deliver all instruments and to do all acts which they may deem necessary or advisable in connection with the administration of any

Original



trust established hereunder.

JR 2882 PG 158

**ITEM IX
SIMULTANEOUS DEATH**

If my wife and I should die simultaneously or in circumstances which make it difficult to determine which of us died first, I direct that I shall be deemed to have survived my wife for the purpose of this Will, and I direct further that the provisions of this Will shall be construed upon that contrary presumption of requiring survivorship for a fixed period as a condition of taking property by inheritance. If any other legatee or devisee under this Will and I should die simultaneously or in circumstances which makes it difficult to determine which of us died first, I direct that such devisee or legatee shall be deemed to have predeceased me for the purpose of this Will, and I direct further that the provisions of this Will shall be construed upon that assumption.

**ITEM X
APPOINTMENT OF GUARDIAN**

If my wife, Robin Ball Dyer, predeceases me or is adjusted to be incapacitated, then I appoint Suzanne Michelle Gower, as guardian of the person of my son, Nickolas E. Dyer, if he is unmarried and has not attained that age of majority under the laws of the jurisdiction in which he is domiciled at the time of my death, or if he has not otherwise had the disabilities of minority removed. If Suzanne Michelle Gower shall fail or is unable to serve, I appoint my mother-in-law Renee Ball, as Guardian, hereunder.

1) I direct that the guardian appointed hereunder:

a) shall have the responsibilities of a parent regarding the ward's health, support, education, or maintenance, but shall not be personally liable for the ward's expenses and shall not be liable to third persons by reason of the relationship for acts of the ward;

b) shall be exempt from the necessity of giving bond or other security, of filing an inventory, or of being answerable, as an incident of such guardianship, to any court; and

c) shall be entitled to reimbursement for room, board and clothing personally provided to the ward. Nothing expressed herein

Rw
Rd
H

shall be construed as a limitation upon the rights, powers, duties or responsibilities of a guardian conferred by statute or general rules of law.

Nothing contained in the item shall be construed as a limitation upon the rights, powers, duties or responsibilities of any trustee of a trust to which the ward is beneficiary. Any trustee appointed in this will shall not be required to make payments directly to the Guardian for the benefit of the child, but may do so if, in the trustee's sole discretion, it is in the best interest of the ward to do so.

**ITEM XI
MISCELLANEOUS**

The following provisions shall govern for all purposes in this Will, wherever they may be applicable:

(a) If any beneficiary of my estate shall be a minor, or under any legal disability, or, in the sole judgment of the Executor or Executrix, shall otherwise be unable to apply the proceeds of his or her share of my estate to his or her own best interest and advantage, the Executor or Executrix, may in his or her sole discretion, pay or apply income or principal which the Executor or Executrix is authorized or directed to pay to or for the benefit of such beneficiary in any one of the following ways:

- (1) directly to such beneficiary;
- (2) to the legal guardian, conservator, or custodian or such beneficiary for the use and benefit of such beneficiary;
- (3) to a relative of such beneficiary to be expended by such relative for the benefit of such beneficiary;
- or
- (4) by the Executor or Executrix expending any such income or principal for the benefit of such beneficiary.

(b) Throughout this Will, the masculine gender shall be deemed to include the feminine and vice versa, and both shall be deemed to include the neuter and vice versa, and the singular shall be deemed to include the plural and vice versa, whenever the context admits such construction.

(c) All headings and captions contained in this Will have been included for convenience of reference only, shall not be construed as part of this Will and shall in no way be construed as defining, limiting or affecting the scope or intent of the



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Shelby Cnty Judge of Probate, AL
11/02/2012 09:05:13 AM FILED/CERT

provisions of this will.

I, Gary K. Dyer, the Testator, sign my name to this instrument this 20th day of March, 1994, and being first duly sworn, do hereby declare to the undersigned authority that I sign and 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 19 years of age or older, of sound mind, and under no constrain or undue influence.

Gary K. Dyer
Gary K. Dyer

We, Rebecca Whaley and Patrice Dyer

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 she 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.

Rebecca Whaley
WITNESS

Patrice Dyer
WITNESS

STATE OF ALABAMA)
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by Gary K. Dyer, the Testator, and subscribed and sworn to before me by Rebecca Whaley and Patrice Dyer witnesses, this 20 day of March, 1994

Raymond White
Notary Public

FILED IN OFFICE THIS THE
9th DAY OF April, 2012
FOR PROBATE AND RECORD
Alan L. King
JUDGE OF PROBATE

20121102000421070 15/26 \$205.00
Shelby Cnty Judge of Probate, AL
11/02/2012 09:05:13 AM FILED/CERT

CERTIFICATE TO THE PROBATE OF WILL

State of Alabama
Jefferson County

CASE NO. 2012-215003

I, Alan L. King, the undersigned, 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 last Will and Testament of: **GARY K. DYER, Deceased** and that said will together with the proof thereof have been recorded in my office.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date the 9th day of April, 2012.

Alan L. King

Judge of Probate



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Shelby Cnty Judge of Probate, AL
11/02/2012 09:05:13 AM FILED/CERT

THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NUMBER 215003

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Robin Ball Dyer 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 Gary K. Dyer, deceased, said will bearing date, March 20, 1995, and attested by Rebecca Whaley, Patrice Dyer, and Raymond Winston; 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: Robin Ball Dyer, spouse, Pelham, Alabama and Nicholas E. Dyer, son, Auburn, 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 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,




JR 2882 PG 161

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of Gary K. Dyer, 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, April 9, 2012.

Alan L. King

Judge of Probate


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Shelby Cnty Judge of Probate, AL
11/02/2012 09:05:13 AM FILED/CERT

IN THE MATTER OF THE ESTATE OF)

PROBATE COURT

Gary K. Dyer)

OF JEFFERSON COUNTY, ALABAMA

Deceased)

CASE NO. -- 815003 --

PETITION FOR LETTERS TESTAMENTARY WITHOUT BOND

Comes the petitioner, Robin Ball Dyer *, and shows this Court the following facts:

1. In the last will and testament of Gary K. Dyer, deceased (the "decendent"), which will has been or shall be duly probated and admitted to record in this Court, the petitioner is named as executor 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 executor. Under the terms of the decedent's will, his executor(s) is (are) exempted from giving bond as such executor(s).

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

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 (and if appropriate, the other executor[s] named in said will) without entering into bond, as is provided by the terms of said Will and authorized by Ala. Code §43-2-81. This Petition does not require verification under the applicable statutes.

Attorney for Petitioner:

M. Wayne Wheeler

M. Wayne Wheeler, PC

(Firm Name)

2230 Third Avenue North
Address

Birmingham, AL 35203

zip code

Telephone (205) 322- 0627

Robin Ball Dyer
Signature of Petitioner

Robin Ball Dyer

(Name of Petitioner)

2633 Chandafern Circle
Address

Pelham, AL 35124

zip code

* Executrix is named in Will as Executrix, but is divorced from the deceased.

* Bank accounts are located in Jefferson County at First Commercial.

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Shelby Cnty Judge of Probate, AL
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BENCH NOTE


Filed in the Probate Court of Jefferson County, Alabama, prayer granted, and petition ordered
recorded this the 9th day of April, ~~2011~~ 2012.

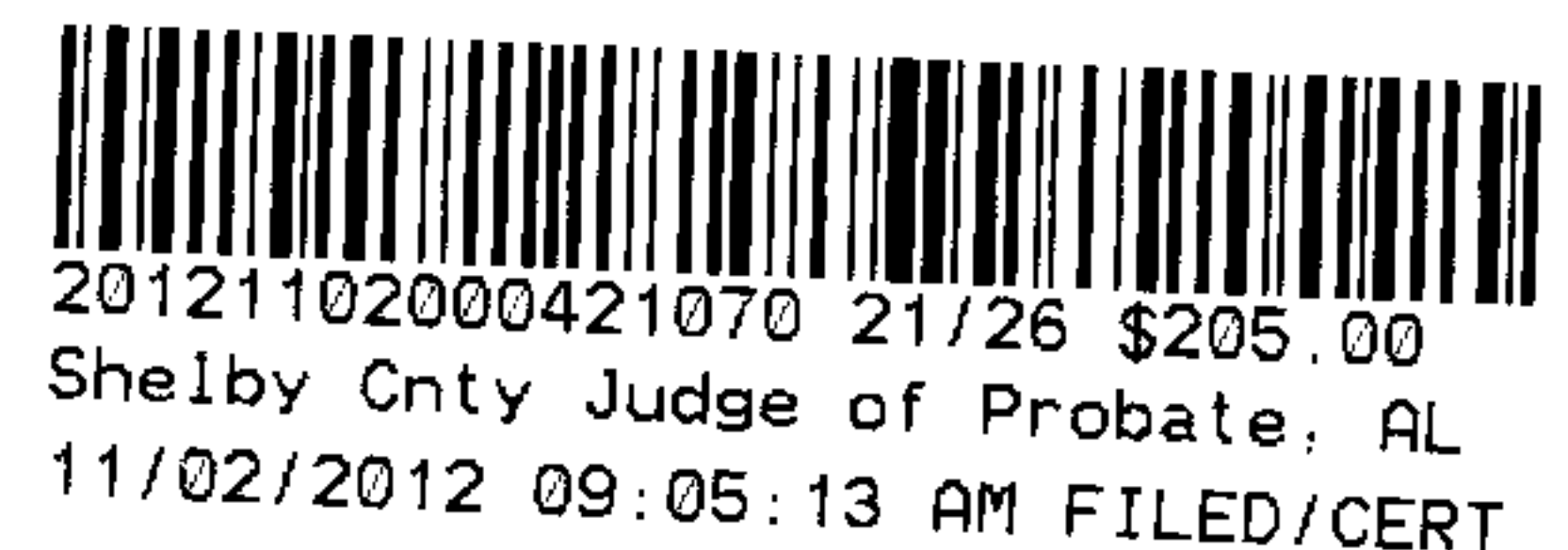
Alan L. King
Judge of Probate

--215003--

PETITION FOR LETTERS TESTAMENTARY
WITHOUT BOND
(Code 1975, §43-2-20, et seq.; §43-2-81; §43-2-190 and 191)

B'HAM BAR ASS'N FORM NO. 3B.05
Revised May 1990)
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LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

GARY K.DYER,
Deceased

CASE NO. 2012-215003

LETTERS TESTAMENTARY

The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to ROBIN BALL DYER, 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, 9th day of April, 2012.

Alan L. King

Judge of Probate

I, S.J. Rhodes, Chief Clerk of 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, 9th day of April, 2012.

Chief Clerk

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMAGARY K. DYER

Deceased

CASE NO. 2012-215003UPDATED
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
ROBIN BALL DYER

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, APRIL 9, 2012

(SEAL)



Judge of Probate

I, S. J. Rhodes, 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, OCTOBER 23, 2012
Chief Clerk

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT
CASE NO. 2012-215003

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 OF GARY K. DYER, DECEASED, WAIVER OF NOTICE ON PROBATE OF WILL, THE LAST WILL AND TESTAMENT OF GARY K. DYER, DECEASED, CERTIFICATE TO THE PROBATE OF WILL, ORDER ON FILING AND PROBATE IN LAST WILL AND TESTAMENT, PETITION FOR LETTERS OF TESTAMENTARY W/O BOND, ORDER GRANTING LETTERS OF TESTAMENTARY, LETTER OF TESTAMENTARY AND ONE UPDATED LETTER OF TESTAMENTARY

in the matter of THE ESTATE OF GARY K. DYER, DECEASED

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

Given under my hand and seal of said Court, this

the 23 day of OCTOBER, 20 12

S. Rhodes

Chief Clerk



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 Shelby Cnty Judge of Probate, AL
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Real Estate Sales Validation Questionnaire

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Est. of Gary Kent Dyer
by the Executrix: Robin Ball Dyer
Mailing Address: 2633 Chandafern Circle
Pelham, AL 35124

Grantee's Name Nickolas E. Dyer

Mailing Address: 2633 Chandafern Circle
Pelham, AL 35124

Property Address 2633 Chandafern Circle
Pelham, AL 35124

Date of Sale 10/29/2012

Total Purchase Price \$ 117,988.55

or

Current Assessor's MV \$ _____

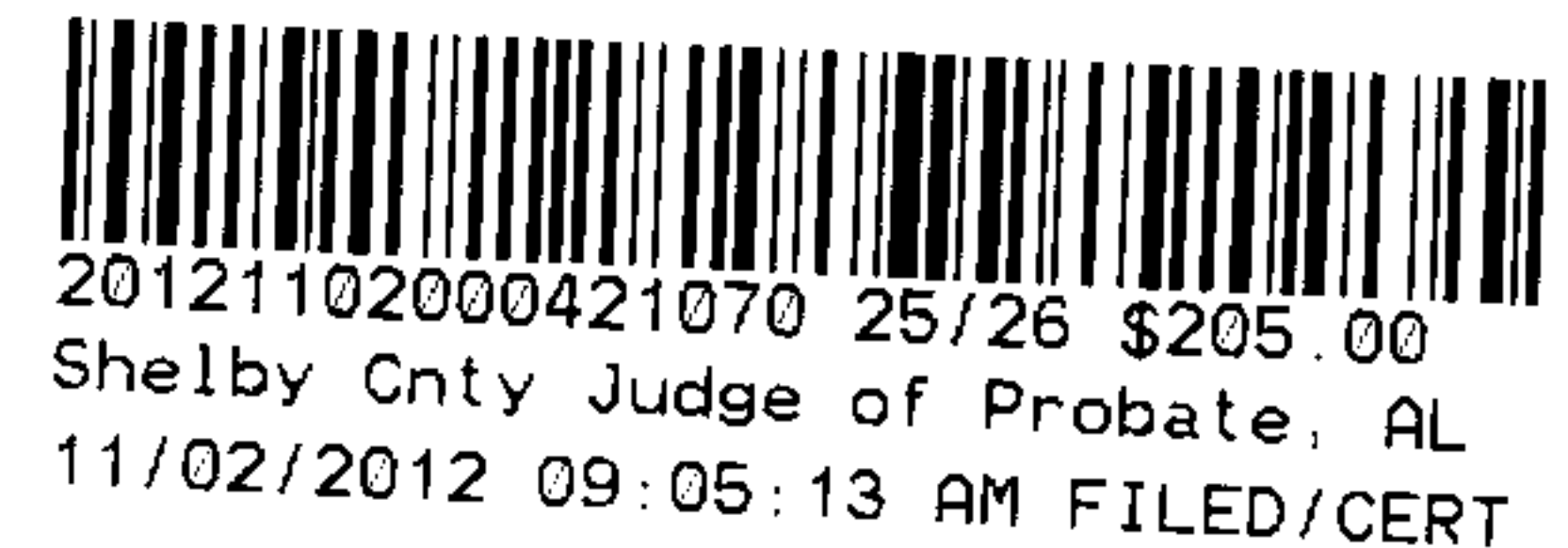
Documentary Evidence provided:

_____ Closing Statement

_____ Bill of Sale

_____ Sells Contract

x Other The purchase price is the payoff of the existing mortgages to First Commercial Bank and GMAC Mortgage in the amount of \$117,988.55.



Affidavit of Exception

Mark the appropriate situation upon which an exception is based.

When transfer of title to real estate or affidavit of equitable interest in real estate is made:

☐ Transfer of mortgage on real or personal property within this state upon which the mortgage tax has been paid.

☐ Deeds or instruments executed for a nominal consideration for the purpose of perfecting the title to real estate.

☐ Re-recordation of corrected mortgage, deed, or instrument executed for the purpose of perfecting the title to real estate or personal property, specifically, but not limited to, corrections of maturity dates thereof, and deeds and other instruments or conveyances, executed prior to October 1, 1923.

☐ Instrument conveying only leasehold easement, or licenses or the recordation of copies of instruments evidencing original transfers of title to land by the United States or the State of Alabama.

I hereby affirm that to the best of my knowledge and belief the information contained in this document is true and complete.

Date

10/29/12

Print

✓ Robin Ball Dyer
Estate of Gary Kent Dyer

Sign by:

Robin Ball Dyer
(Owner/Agent) circle one

Robin Ball Dyer, as Executrix

Shelby County, AL 11/02/2012
State of Alabama
Deed Tax: \$118.00

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

Before me, the undersigned, a Notary Public in and for said County in said State personally appeared Robin Ball Dyer, Executrix of the Estate of Gary Kent Dyer, who, being by me first duly sworn makes oath that he/she has read the foregoing Real Estate Sales Validation Questionnaire and knows the contents thereof, and that she avers that the facts therein are true and correct.

The Estate of Gary Kent Dyer


by: *Robin Ball Dyer*
Robin Ball Dyer, as Executrix
Affiant

Sworn to and subscribed before me this 29 day of Oct, 2012.

My Commission expires:

10-29-2012

[Signature]
Notary Public


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