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Shelby Cnty Judge of Probate, AL
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IN THE MATTER OF THE ESTATE) IN THE PROBATE COURT OF
OF EVELYN RUTH SPRAITZAR,) JEFFERSON COUNTY, ALABAMA
DECEASED.) CASE NO.: ~~2015-224228~~ 2015-224228

PETITION FOR PROBATE OF WILL

TO THE HONORABLE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA:

Comes now your Petitioner, Curtis Leslie Spraitzar, and upon information and belief, respectfully shows unto Your Honor the following facts:

1. That Evelyn Ruth Spraitzar died on or about October 8, 2014, at her home and residence address of 2009 Vestavia Park Court, Vestavia Hills, Alabama 35216, and at the time of her death, was an inhabitant and resident citizen of Jefferson County, Alabama.

2. That surrendered herewith is said decedent's Last Will and Testament dated October 25, 2013, which said Will was duly signed by said decedent when over eighteen years of age, of sound mind, and was attested by the following witnesses, namely,

<u>NAME</u>	<u>PRESENT ADDRESS</u>
Kim M. Foster	113 N. Main Street Columbiana, AL 35051
Celeste Fulmer	113 N. Main Street Columbiana, AL 35051
J. Frank Head	113 N. Main Street Columbiana, AL 35051

3. That the decedent, Evelyn Ruth Spraitzar, was not married at the time of her death, and the following is a true, correct and complete list of the names, ages, conditions, relationship, and address of the decedent's next-of-kin, namely:

<u>NAME, AGE, CONDITION, RELATIONSHIP</u>	<u>ADDRESS</u>
W 7-2-15 pub etm Stephen Scott Spraitzar, over 19 years of age, of sound mind, son	95 Island Court Walnut Creek, CA 94595

Returned
NF
CPM
proof W 22-15

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William Stanford Spraitzar, over 19 years of age, 2565 Stow Court
of sound mind, son Crofton, MD 21114

P Curtis Leslie Spraitzar, over 19 years of age, of 2009 Vestavia Park Court
sound mind, son Vestavia Hills, AL 35216

WHEREFORE, your Petitioner prays that Your Honor will take jurisdiction of this petition; will cause all such notices or citations to issue to the said next of kin and attesting witnesses as may be proper in the premises; and will cause such proceedings to be had and done, 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 deceased.

Curtis Leslie Spraitzar
Curtis Leslie Spraitzar, Petitioner
2009 Vestavia Park Court
Vestavia Hills, Alabama 35216

J. Frank Head
J. Frank Head
Attorney for Petitioner

WALLACE, ELLIS, FOWLER, HEAD & JUSTICE
P.O. Box 587
Columbiana, Alabama 35051
Telephone: (205) 669-6783
Facsimile: (205) 669-4932
E-Mail: jfhead@wefhlaw.com

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Curtis Leslie Spraitzar, who, being first duly sworn, makes oath that he has read the foregoing petition and knows the contents thereof, and that he is informed and

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believes, and upon such information and belief, avers that the facts alleged therein are true and correct.

Curtis Leslie Spraitzar
Curtis Leslie Spraitzar, Petitioner

Subscribed and sworn to before me this 19th day of January, 2015.

Kenn M. Foster
Notary Public
My Commission Expires: 1-7-19

Filed in office this 2nd
day of February, 20 15 and
set for hearing on the 7th
day of April, 20 15
at 2 o'clock PM
Alan L. King
Judge of Probate

Pub issued
2-CRM \$20.00
\$27.00 copies

4/21/15

Hearing set for the
6th Day of October @
1:30 pm (ALK)

2 CRM
Pub
Copies \$6

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Last Will and Testament

of

EVELYN RUTH SPRAITZAR

STATE OF ALABAMA)

SHELBY COUNTY)

I, **EVELYN RUTH SPRAITZAR**, with residence address of 2009 Vestavia Park Court, Vestavia Hills, Alabama 35216, and over the age of eighteen years, being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, revoking all former Wills and Codicils which may have been made at any time heretofore by me.

FIRST: I hereby direct the personal representative of my estate to pay any remaining funeral expenses, and other debts, as soon as practicable after my decease.

SECOND: I will, bequeath and devise all property, assets and estate which may be mine, or in which I may have an interest, at the time of my death, of whatsoever kind and character, and wheresoever situated, to my son, **CURTIS LESLIE SPRAITZAR**, to be his absolutely, to have and to hold, in fee simple forever.

THIRD: In the event the death of my said son, **CURTIS LESLIE SPRAITZAR**, should occur prior to my death, or simultaneously with the time of my death, I will, bequeath and devise all property, assets and estate which may be mine, or in which I may have an interest, at the time of my death, of whatsoever kind and character, and wheresoever situated, to my granddaughter, **RACHEL ANNE SPRAITZAR**, to be hers absolutely, to have and to hold, in fee simple forever.

FOURTH: I hereby nominate and appoint my son, **CURTIS LESLIE SPRAITZAR**, to be the Executor, or personal representative, of this Will, without bond, and hereby direct that he shall not be required to file an inventory, accounting, final or other settlement, or to report his acts and proceedings as such personal representative to any Court, and I hereby grant to and vest in my said personal representative full power and authority to sell, at private sale, and to convey, lease, exchange, mortgage, pledge, and otherwise alienate any or all of the assets of my estate, on such terms as he deems to be proper in his sole discretion, without the order of any Court, and to borrow money on behalf of my estate, and to continue to operate any business in which I may be engaged at the time of my death, either individually or as a member of a partnership, or

Evelyn Ruth Spraitzar

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otherwise. I further vest in and grant to my said personal representative authority to do each and every act or thing that he may consider to be necessary, convenient, or proper in and about the administration and management of my estate, it being my purpose and intention to grant to him all of the powers over said property and estate that I am capable of granting to him as such personal representative.


In the event that my son, **CURTIS LESLIE SPRAITZAR**, should not be living at the time a personal representative is appointed for my estate, or if he should, for any reason, fail to act, or resign, I nominate and appoint my granddaughter, **RACHEL ANNE SPRAITZAR**, to be the Executrix and personal representative of this Will, with all the powers, duties, and exemptions granted to and vested in **CURTIS LESLIE SPRAITZAR**, as such personal representative.

I, the undersigned testatrix, sign my name to this instrument this 25th day of October, 2013, 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 eighteen years of age or older, of sound mind, and under no constraint or undue influence.


Testatrix - **EVELYN RUTH SPRAITZAR**

We, the undersigned 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 testatrix's Last Will and that testatrix signs it willingly, and that each of us, in the presence and hearing of the testatrix, hereby sign this Will as witness to the testatrix's signing, and that to the best of our knowledge the testatrix is eighteen years of age or older, of sound mind, and under no constraint or undue influence.


Witness


Witness


STATE OF ALABAMA)
SHELBY COUNTY)

Subscribed, sworn to and acknowledged before me by **EVELYN RUTH SPRAITZAR**, the testatrix, and subscribed and sworn to before me by Kim M. Foster and Cecile Palmer, witnesses, this the 25th day of October, 2013.

D. F. Abbal
Notary Public
My Commission Expires: 9/20/13

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Evelyn Ruth Spritzar


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Shelby Cnty Judge of Probate, AL
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FILED IN OFFICE THIS THE
29th DAY OF July, 2015
FOR PROBATE AND RECORD.
Alan L. King
JUDGE OF PROBATE

IN THE MATTER OF:
THE ESTATE OF:
EVELYN RUTH SPRAITZAR
DECEASED

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NUMBER 2015-224228

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Curtis Leslie Spraitzar 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 Evelyn Ruth Spraitzar, deceased, said will bearing date, October 25, 2013, and attested by Kim M. Foster, Celeste Fulmer, and J. Frank Head; and praying that the same be probated as provided by law; that the petitioner is the son of said deceased, and is named in said Will as personal representative thereof; and that the next of kin of said deceased are as follows, to-wit: Stephen Scott Spraitzar, son, Walnut Creek, California, William Stanford Spraitzar, son, Crofton, Maryland, and Curtis Leslie Spraitzar, son, Vestavia Hills, Alabama, 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

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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 Evelyn Ruth Spraitzar, 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, July 23, 2015.

Alan L. King

Judge of Probate



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IN THE MATTER OF THE ESTATE) IN THE PROBATE COURT OF
OF EVELYN RUTH SPRAITZAR,) JEFFERSON COUNTY, ALABAMA
DECEASED.) CASE NO. 2015224228


PETITION FOR LETTERS TESTAMENTARY


TO THE HONORABLE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA:

Comes now your Petitioner, Curtis Leslie Spraitzar, and upon information and belief, respectfully shows unto Your Honor the following facts:


1. That in the Last Will and Testament of Evelyn Ruth Spraitzar, deceased, dated October 25, 2013, which said Will has been or shall be duly probated and admitted to record in this Court, your Petitioner is named as the Personal Representative thereof.
2. That the Petitioner is an inhabitant and resident citizen of Jefferson County, Alabama, with residence address of 2009 Vestavia Park Court, Vestavia Hills, Alabama 35216, above the age of nineteen (19) years, and in no respect disqualified under the law from serving as such personal representative.
3. That under said Will your Petitioner is exempted from giving any bond as such Personal Representative.
4. That the said decedent, Evelyn Ruth Spraitzar, whose Will is being probated, died seized and possessed of property in Jefferson County, Alabama.

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 said decedent, your Petitioner prays that Your Honor will take judicial notice of the probate of the Will of the decedent, and will grant Letters Testamentary to Petitioner in this matter without entering into bond as is provided by the terms of said Will and authorized by Alabama Code Section 43-2-851 (c), and will provide that the Petitioner may marshal, secure and take possession of all estate properties owned or possessed by the decedent, in accordance with the law.


Curtis Leslie Spraitzar, Petitioner
2009 Vestavia Park Court
Vestavia Hills, Alabama 35216


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Shelby Cnty Judge of Probate, AL
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J. Frank Head, Attorney for Petitioner


WALLACE, ELLIS, FOWLER, HEAD & JUSTICE
P.O. Box 587
Columbiana, Alabama 35051
Telephone: (205) 669-6783
Facsimile: (205) 669-4932
E-mail: jfhead@wefhlaw.com


STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Curtis Leslie Spraitzar, who, being first duly sworn, makes oath that he has read the foregoing petition and knows the contents thereof, and that he is informed and believes, and upon such information and belief, avers that the facts alleged therein are true and correct.


Curtis Leslie Spraitzar, Petitioner

Subscribed and sworn to before me this 19th day of January, 2015.


Notary Public
My Commission Expires: 1-7-19

FILED IN OFFICE THIS 29th DAY OF
July, 20 15, PRAYER.
GRANTED AND PETITION ORDERED RECORDED

JUDGE OF PROBATE

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

EVELYN RUTH SPRAITZAR,
Deceased

CASE NO. 2015-224228

LETTERS TESTAMENTARY

The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to CURTIS LESLIE SPRAITZAR, 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, 29th day of July, 2015.

Alan L. Knight

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, 29th day of July, 2015.

Chief Clerk



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Shelby Cnty Judge of Probate, AL
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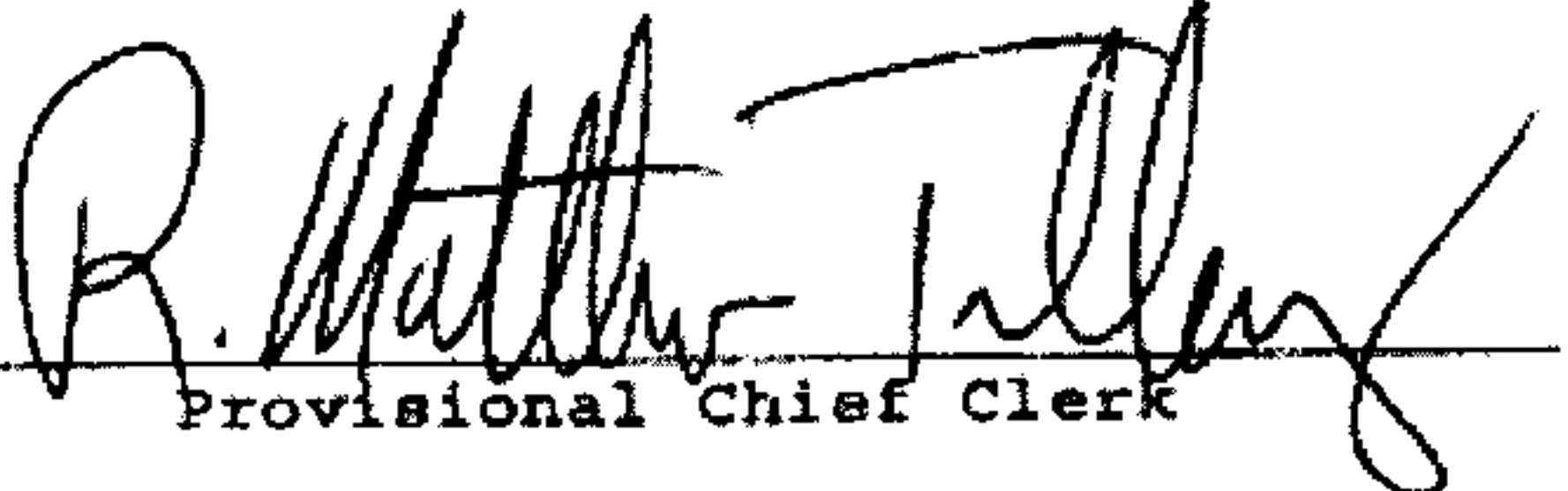
CERTIFICATE TO COPIES

STATE OF ALABAMA
JEFFERSON COUNTY

PROBATE COURT
CASE NO. 2015-224228

I, R. Matthew Talley, Provisional Chief Clerk of Probate Court, 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, LAST WILL AND TESTAMENT OF EVELYN RUTH SPRAITZAR, ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT, PETITION FOR LETTERS TESTAMENTARY, ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND, LETTERS TESTAMENTARY in the matter of the estate of EVELYN RUTH SPRAITZAR, DECEASED as the same appears on file and of record, in this office.

Given under my hand and seal of said Court this date,
July 15, 2016.


Provisional Chief Clerk



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Shelby Cnty Judge of Probate, AL
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The State of Alabama
Jefferson County

Probate Court

In Re

Fee _____

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