

## Will of Jimmy R Underwood Sr.

I, Jimmy R Underwood Sr., a resident of Shelby County, State of Alabam, declare that this is my will.

**1. Revocation.** I revoke all wills that I have previously made.

**2. Marital Status.** I am single.

**3. Children.** I have the following natural children:

Name	Date of Birth
Janice Schneiberg	[REDACTED]
Valerie McCarter	[REDACTED]
Jimmy Underwood Jr.	[REDACTED]
Danita Ryan	[REDACTED]
Elvie Schooley	[REDACTED]
Willie Underwood	[REDACTED]

**4. Specific Gifts.** I make the following specific gifts:

I leave all of my clothes and personal possessions to all 6 of my children to be divided equally.

I leave all money I have in my bank accounts left over after all my burial expenses and debts are paid to all 6 of my children to be divided equally.

Upon my death my 2009 C300 Mercedes Benz [REDACTED] is to be sold and the proceeds from the sale of the vehicle shall be divided equally amongst my 6 children.

I leave my house and property located at 303 3rd Street SE, Alabaster, AL (parcel#23-1-01-2-003-028.000) to all 6 of my children. Upon the sell of the house and property the proceeds of the sale shall be divided equally between all 6 of my children.

I leave the property that I own located on the Old Hwy 31(parcel#23-1-01-3-002-056.006) to all 6 of my children. Upon the sell of the property the proceeds of the sale shall be divided equally between all 6 of my children.

I currently have a pending Asbestos Lawsuit with Liston/Lancaster [REDACTED] If the lawsuit is settled after my death then all proceeds from the lawsuit shall be awarded to all 6 of my children and divided equally.

I currently have 3 insurance policies: MetLife, Colonial Penn and American Income Life. I have already named the beneficiaries of all 3 said policies. The proceeds from the policies are to be used for my burial expenses and any proceeds left over shall be divided equally amongst my 6 children.

**5. Residuary Estate.** I leave my residuary estate, that is, the rest of my property not otherwise specifically and validly disposed of by this will including lapsed or failed gifts, to all 6 of my children to be divided equally.

**6. Beneficiary Provisions.** The following terms and conditions apply to the beneficiary clauses of this will.

**A. 45-Day Survivorship Period.** As used in this will, the phrase "survive me" means to be alive or in existence as an organization on the 45th day after my death. Any beneficiary, except any alternate residuary beneficiary, must survive me to take property under this will.

**B. Shared Gifts.** If I leave property to be shared by two or more beneficiaries, it shall be shared equally by them unless this will provides otherwise.

If any beneficiary of a shared specific gift left in a single paragraph of the Specific Gifts clause, above, does not survive me, the gift shall be given to the surviving beneficiaries in equal shares.

If any beneficiary of a shared residuary gift does not survive me, the residue shall be given to the surviving residuary beneficiaries in equal shares.

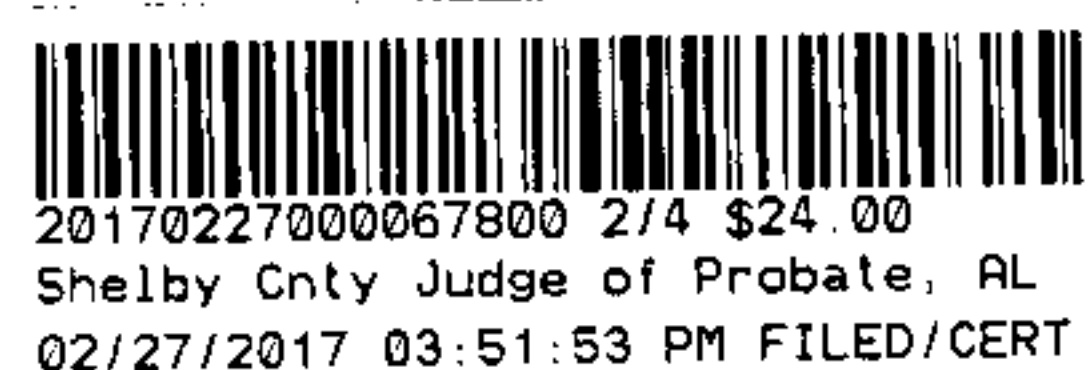
**C. Encumbrances.** All property that I leave by this will shall pass subject to any encumbrances or liens on the property.

**7. Executor.** I name Janice Schneiberg as executor, to serve without bond.

I direct that my executor take all actions legally permissible to probate this will, including filing a petition in the appropriate court for the independent administration of my estate.

I grant to my executor the following powers, to be exercised as the executor deems to be in the best interests of my estate:

A. To retain property, without liability for loss or depreciation resulting from such retention.



- B. To sell, lease, or exchange property and to receive or administer the proceeds as a part of my estate.
- C. To vote stock; convert bonds, notes, stocks, or other securities belonging to my estate into other securities; and to exercise all other rights and privileges of a person owning similar property.
- D. To deal with and settle claims in favor of or against my estate.
- E. To continue, maintain, operate, or participate in any business which is a part of my estate, and to incorporate, dissolve, or otherwise change the form of organization of the business.
- F. To pay all debts and taxes that may be assessed against my estate, as provided under state law.
- G. To do all other acts which in the executor's judgment may be necessary or appropriate for the proper and advantageous management, investment, and distribution of my estate. These powers, authority, and discretion are in addition to the powers, authority, and discretion vested in an executor by operation of law and may be exercised as often as deemed necessary, without approval by any court in any jurisdiction.

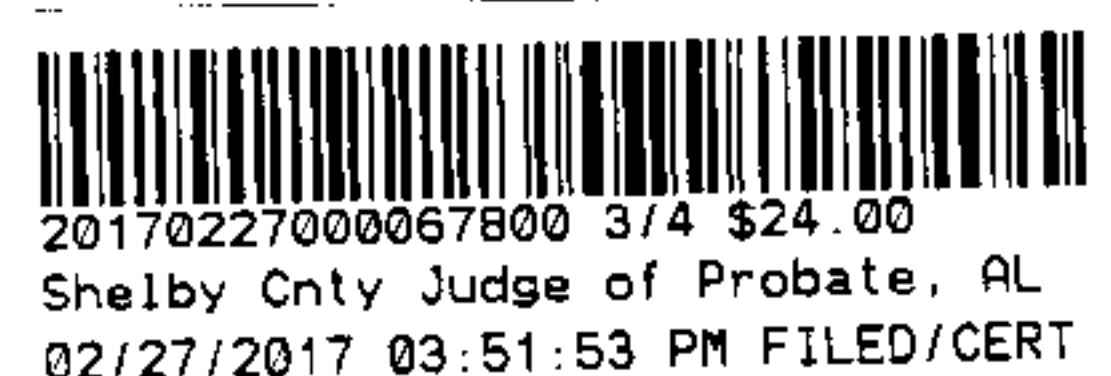
**Signature**

I subscribe my name to this will this 14 day of February, 2017, at Shelby County, State of Alabama. I declare that it is my will, that I sign it willingly, that I execute it as my free and voluntary act for the purposes expressed, and that I am of the age of majority or otherwise legally empowered to make a will and under no constraint or undue influence.

Signature Jimmy R Underwood

**Witnesses**

On this 14 day of February, 2017, the testator, Jimmy R Underwood Sr, declared to us, the undersigned, that this instrument was his will and requested us to act as witnesses to it. The testator signed this will in our presence, all of us being present at the same time. We now, at the testator's request, in the testator's presence and in the presence of each other, subscribe our names as witnesses and each declare that we are of sound mind and of proper age to witness a will. We



further declare that we understand this to be the testator 's will and that to the best of our knowledge the testator is of the age of majority, or is otherwise legally empowered to make a will, and appears to be of sound mind under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct, this 14 day of February, 2017 at Shelby County, State of Alabama.

Witness 1

*Janice Smith-Hermon*

Signature

Janice Smith-Hermon

Typed or printed name

317 Sweet Leaf Drive

Residing at

Maylene, AL 35114

City, State, zip

Witness 2

*Elvie L. Schooley*

Signature

Elvie L. Schooley

Typed or printed name

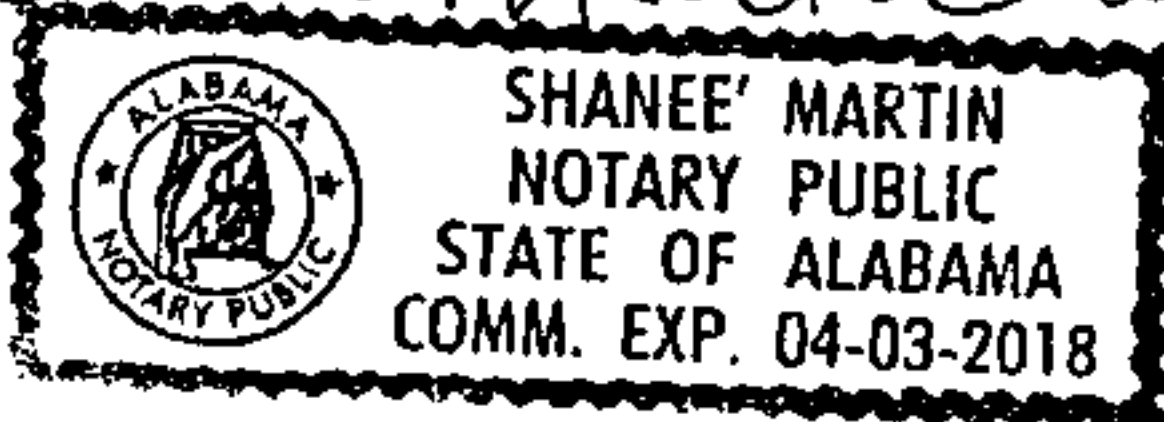
3388 FM 1101

Residing at

New Braunfels, TX 78130

City, State, zip

*Shanee' Martin 2/14/2017*



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Shelby Cnty Judge of Probate, AL  
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