



20181113000400210 1/24 \$84.00
Shelby Cnty Judge of Probate, AL
11/13/2018 10:29:58 AM FILED/CERT

This Instrument Prepared By:
J. Kevin Webb, Attorney at Law
1800 Providence Park
Suite 100
Birmingham, AL 35242

Send tax notice to:
Jennifer Clevenger
3031 Inn Point Road SE
Owens Cross Roads, AL 35763

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE INFORMATION SUPPLIED BY THE PARTIES HERETO. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED OF J. KEVIN WEBB BY EITHER GRANTOR OR GRANTEE, AND NONE WAS CONDUCTED AND/OR RENDERED. THIS INSTRUMENT MEETS THE REQUIREMENTS OF SECTION 40-22-1, CODE OF ALABAMA 1975, AS AMENDED (ALSO KNOWN AS ACT 2012-494).

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the terms of the NORTON T. MONTAGUE QUALIFIED PERSONAL RESIDENCE TRUST, dated April 27, 2005, directed that upon the expiration of the Trust Term that the interest in the personal residence be distributed, in equal shares, in trust for the benefit of the children of Norton T. Montague, or if a child is not then living, to such child's estate; and

WHEREAS, Charles T. Montague, the son of Norton T. Montague, died on March 5, 2007, and his Last Will and Testament dated June 15, 1999 was admitted to record in the Chancery Court of Washington County, Probate Division, Jonesborough, Tennessee, at Minute Book 86, Page No. 573, Will Book 99, Page No. 348, and the Court issued Letters Testamentary to the Executor on September 25, 2007. A copy of Charles T. Montague's Last Will and Testament as filed with the Court is attached hereto as Exhibit "B";

WHEREAS, the terms of Charles T. Montague's Last Will and Testament directs that all estate assets are to be distributed to his surviving spouse, Jennifer Thomas Montague, now known as Jennifer Clevenger. Attached hereto as Exhibit "A" is an affidavit from Jennifer Clevenger regarding the administration of Charles T. Montague's estate and her receipt of all estate assets.

NOW THEREFORE, in consideration of the terms of the NORTON T. MONTAGUE QUALIFIED PERSONAL RESIDENCE TRUST dated April 27, 2005 and the terms of the Last Will and Testament of Charles Montague, I, NORTON T. MONTAGUE, as TRUSTEE OF THE NORTON T. MONTAGUE QUALIFIED PERSONAL RESIDENCE TRUST, dated April 27, 2005, whose address is 9 Innisbrook Lane, Shoal Creek, AL 35242 (herein referred to as the "Grantor"), GRANT, BARGAIN, SELL, AND CONVEY unto JENNIFER CLEVENGER, whose address is 3031 Inn Point Road SE, Owens Cross Roads, AL 35763 (hereinafter referred to as "Grantee"), fifty percent (50%) of Grantor's right, title and interest in an to that certain real estate situated in Shelby Alabama, as more fully described below, together with all improvements

thereon (that being a twenty-five percent (25%) tenants-in-common interest):

Lot #190A according to the map of Shoal Creek Subdivision, as recorded in Map Book 9, Page 113, in the Probate Office of Shelby County, Alabama, together with an also subject to (1) all rights, privileges, duties and obligations as set out in the Declaration of Covenants, Conditions, and Restrictions pertaining to said Shoal Creek Subdivision, filed for record by Thompson Realty Co., Inc., and the Articles of Incorporation and Bylaws of Shoal Creek Association, Inc., as recorded in Real Volume 19, Page 861, in the Probate Office of Shelby County, Alabama; (2) ad valorem taxes for the current year; (3) mineral and mining rights owned by persons other than Thompson Realty Co., Inc.; and easements and restrictions set forth on the map of Shoal Creek Subdivision referred to hereinabove.²⁷ according to the Amended Final Record Plat of Cedar Creek Subdivision as recorded in Map Book 185, page 61, in the Probate Office of Jefferson County, Alabama

This property is the homestead of Norton T. Montague and Cynthia G. Montague. By each joining this Deed, each of them in their individual capacity acknowledges and consents to the transfer pursuant to the terms of The Norton T. Montague Qualified Personal Residence Trust dated April 27, 2005, and hereby releases and interest her or she may have in Grantor's said interest, including, but not limited to, her and her rights of homestead.

SOURCE OF TITLE: Instrument #20050620000305670

Property Address: 9 Innisbrook Lane, Shoal Creek, AL 35242

Tax Assessor's Market Value \$ 343,725 00

This conveyance is made subject to the following:

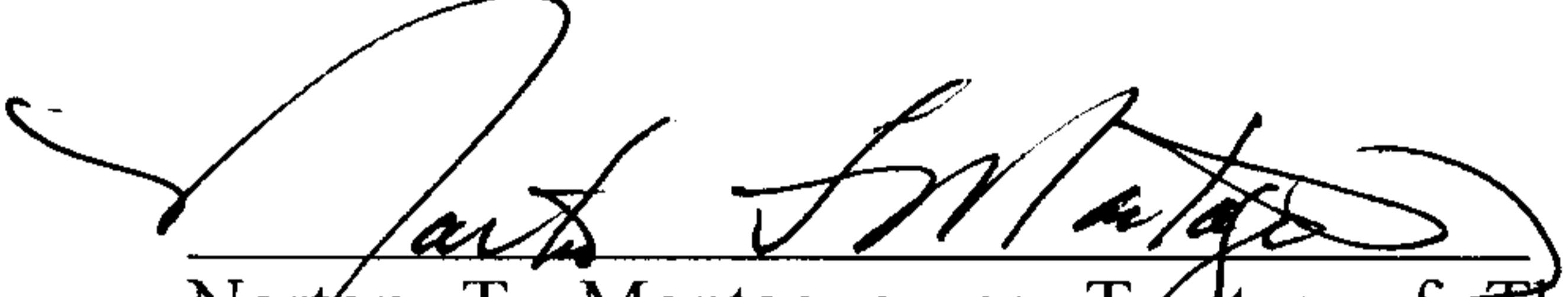
1. The lien for ad valorem taxes due in the current year or any subsequent year but not yet payable.
2. All easements, liens, encumbrances, restrictions, rights-of-way, any reservations of mineral rights, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.



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TO HAVE AND TO HOLD to said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal this 9th day of November, 2018.

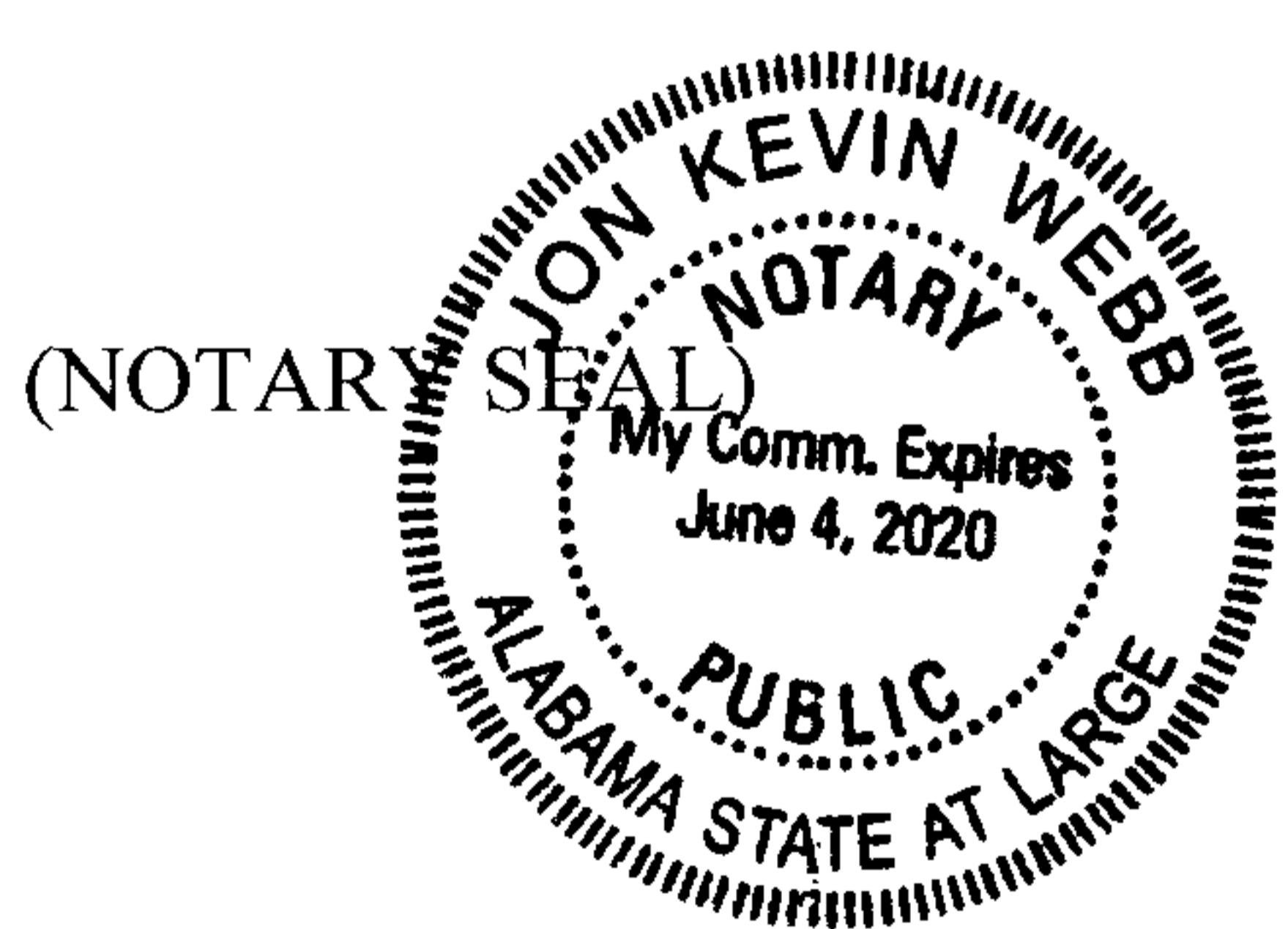

Norton T. Montague, as Trustee of The
Norton T. Montague Qualified Personal
Residence Trust dated April 27, 2005


Norton T. Montague


Cynthia G. Montague

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Norton T. Montague, as Trustee of The Norton T. Montague Qualified Personal Residence Trust dated April 27, 2005, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of such conveyance and with authority, he executed the same voluntarily on the day the same bears date.

Given under my hand this 9th day of November, 2018



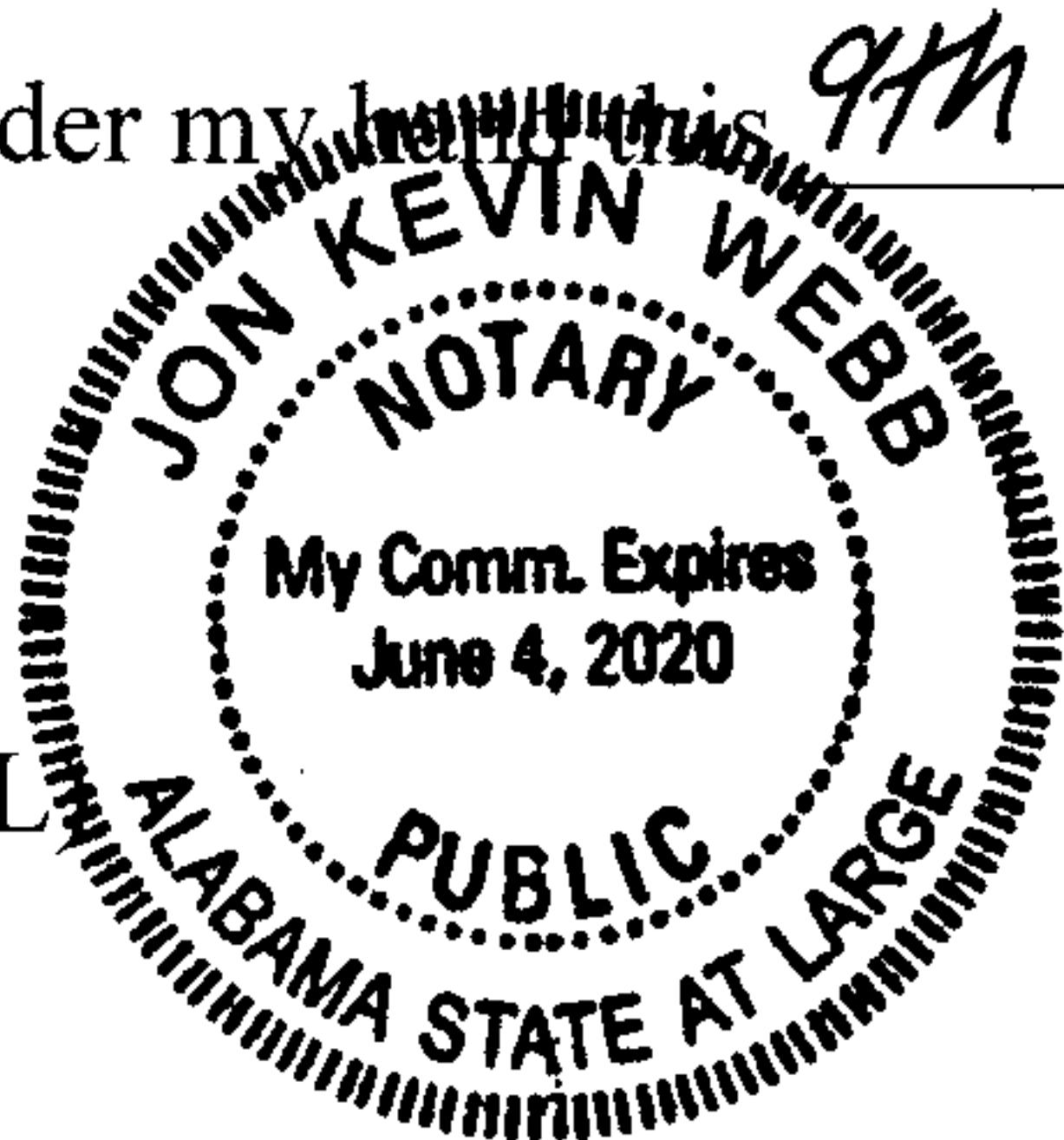

Notary Public
My Commission Expires: June 4, 2020


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I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Norton T. Montague, in his individual capacity, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of such conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this 9th day of November, 2018

(NOTARY SEAL)

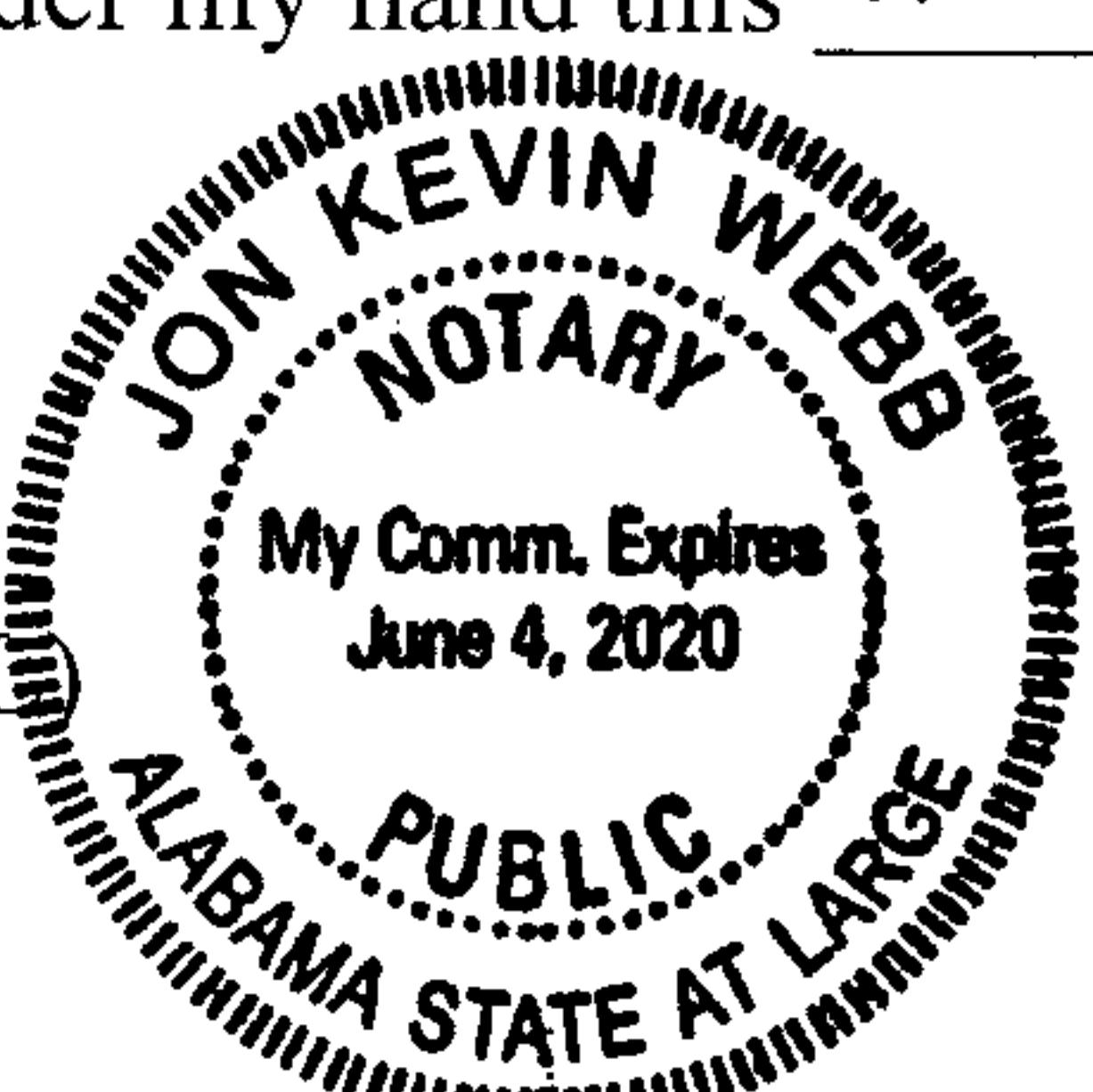


Jon Kevin Webb
Notary Public
My Commission Expires: June 4, 2020

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Cynthia G. Montague, in her individual capacity, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of such conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand this 9th day of November, 2018

(NOTARY SEAL)



Jon Kevin Webb
Notary Public
My Commission Expires: June 4, 2020

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Exhibit A

STATE OF ALABAMA)

COUNTY OF MADISON)

AFFIDAVIT

Before me, the undersigned authority, personally appeared Jennifer Clevenger, formerly known as Jennifer Thomas Montague, who, after being duly sworn, deposes and says as follows:

1. Jennifer Clevenger, formerly known as Jennifer Thomas Montague, is the surviving spouse of Charles T. Montague (the "Decedent") who died on March 5, 2007, a resident of Johnson City, Winston County, Tennessee.
2. The Decedent's Last Will and Testament dated June 15, 1999 (the "Will") (a copy of which is attached) was admitted to probate on September 25, 2007.
3. Jennifer Clevenger was appointed as Executrix of the Estate of Charles T. Montague.
4. In accordance with the terms of the Will, all Estate assets were distributed to Jennifer Clevenger.

Further the affiants saith not.

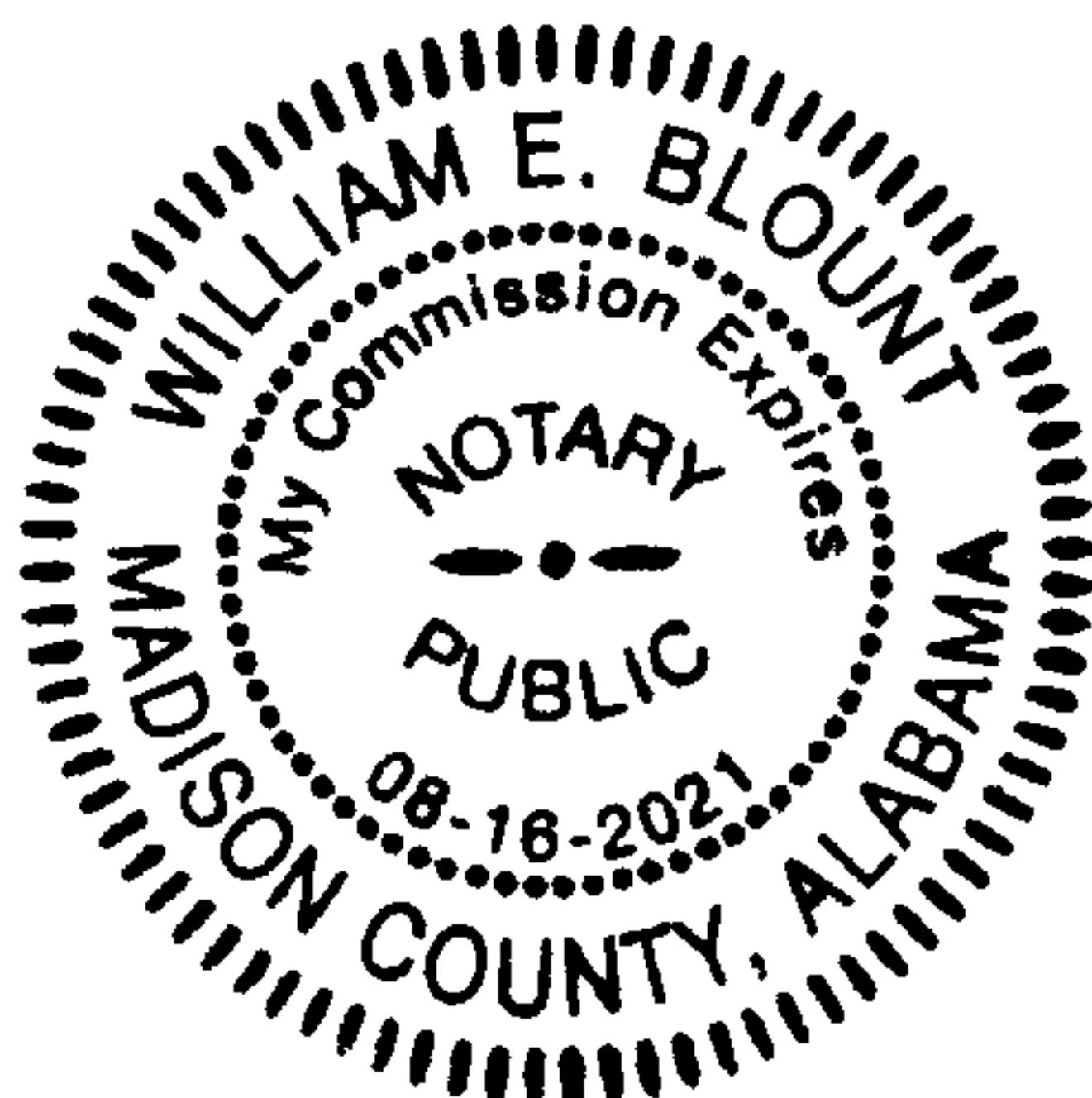
Jennifer Clevenger
Jennifer Clevenger, formerly known as
Jennifer Thomas Montague

Subscribed before me on November 1st, 2018.

William E. Blount
Notary Public

My commission expires: 08-16-2021

[SEAL]



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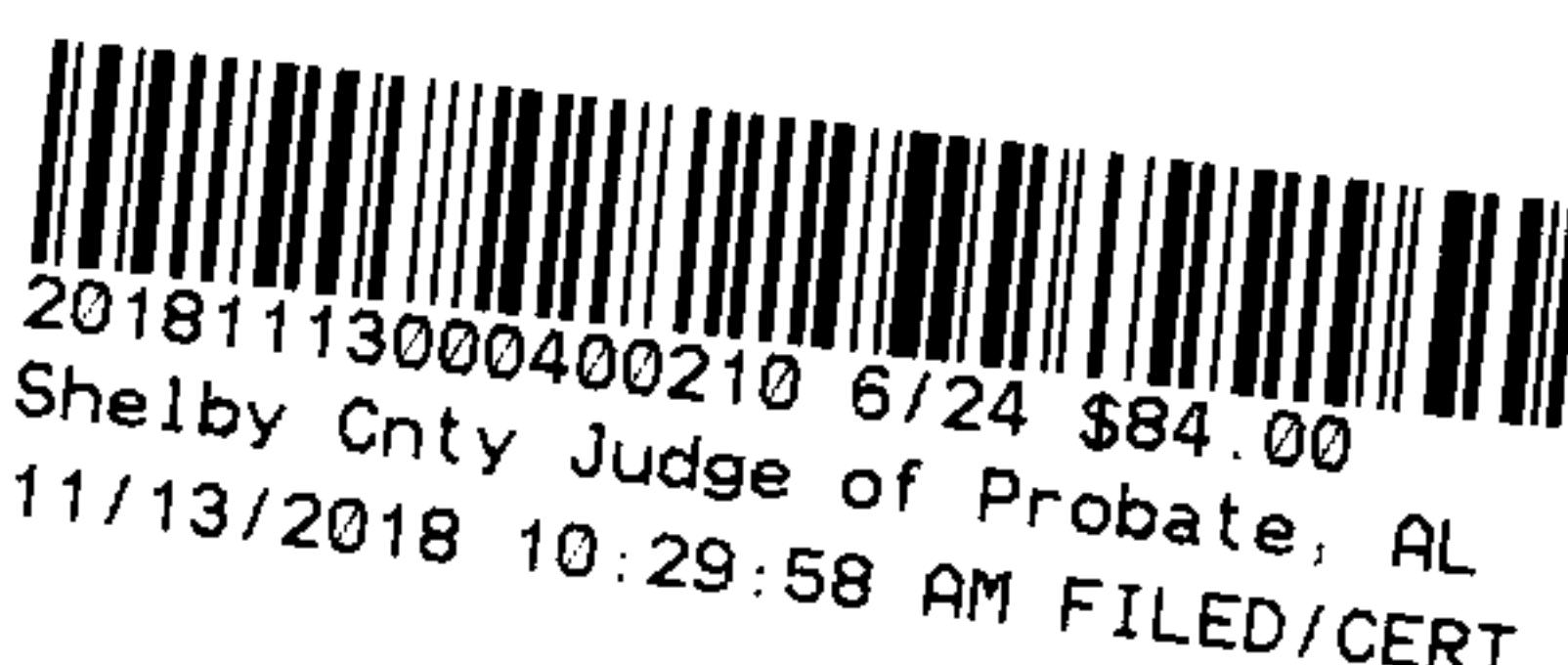
Exhibit B

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Will

of

Charles T. Montague



BRANDT AND BEESON, P.C.
ATTORNEYS AT LAW
SUITE 25, 206 PRINCETON ROAD
JOHNSON CITY, TENNESSEE 37601

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LAST WILL AND TESTAMENT

OF

CHARLES T. MONTAGUE

I, CHARLES T. MONTAGUE, of the City of Johnson City, County of Washington, and State of Tennessee, which I declare to be my domicile, do hereby make, publish, and declare this to be my LAST WILL AND TESTAMENT, hereby revoking all wills and codicils at any time heretofore made by me.

FIRST: I am married to Jennifer Thomas Montague (my "spouse"), and we have two children at the present time.

SECOND: I give all tangible personal property (except cash on hand), including, but not limited to, personal effects, automobiles, furniture, furnishings, household goods, clothing, and jewelry owned by me at the time of my death, and not otherwise disposed of herein, to my spouse, or if my spouse shall fail to survive me, then to those of my children who shall survive me, in substantially equal shares, to be divided among them as my executors shall determine, which determination shall be conclusive and binding upon all persons interested in my estate.

A. If my spouse shall fail to survive me and any child of mine shall be a minor at the time of my death:

1. I authorize and empower my Personal Representative, in my Personal Representative's absolute discretion, to transfer that child's share of tangible personal property to the person with whom such minor child resides and to accept the receipt of such person in full satisfaction of this gift.

2. I further authorize and empower my Personal Representative to select such

BBM FILED THIS 6 DAY OF Sept 2018 AT 2 1
O'CLOCK P. M. *BS*
BRENDA SNEYD
CIRK AND MASTERS



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items of personal property from that child's share as my Personal Representative shall deem practicable to retain until that child reaches his or her majority, at which time my Personal Representative shall deliver such items to that child.

3. The aforesaid notwithstanding, if it is impractical to retain or transfer that child's share of tangible personal property as provided above, I authorize and empower my Personal Representative, in my Personal Representative's absolute discretion, to sell any or all of the share of such minor child at private or public sale and to add the proceeds of such sale to my residuary estate to be distributed as an integral part thereof.

4. All such determinations shall be in my Personal Representative's sole discretion and shall be conclusive and binding upon all parties interested in my estate.

B. I direct that any expenses incurred in obtaining possession, appraising, safeguarding, delivering, or selling such property be paid from my estate as an administration expense.

THIRD: All the rest, residue and remainder of my property, of every kind and nature and wheresoever situated, whether real or personal (my "residuary estate"), I give to my spouse, if my spouse survives me.

FOURTH: If my spouse does not survive me, or if my spouse survives me and renounces or disclaims all or any portion of my estate, I direct my Personal Representative to divide my residuary estate, or that portion of my estate so renounced or disclaimed, into as many equal shares as shall provide one (1) share for each child of mine living at the time of my death and one (1) share for each deceased child of mine who leaves a child or children (my

"grandchild" or "grandchildren") living at the time of my death.

A. I give the equal share of each child of mine living at the time of my death to that child, provided, however, that if that child shall then be under the age of thirty (30), I give that child's equal share to my trustee, to be held in separate trust for the benefit of that child, and to be administered and distributed as follows:

1. Until that child reaches the age of twenty-five (25), my trustee shall pay to or apply for the benefit of that child so much of the net income of the trust as my trustee shall deem necessary or advisable to provide for that child's care, support, maintenance, health and education (including higher or special education). My trustee shall accumulate any income not so distributed and shall add the same to principal annually.
2. After that child reaches the age of twenty-five (25), and until that child shall reach the age of thirty (30), my trustee shall pay to or apply for the benefit of that child all of the net income of the trust in quarterly or more frequent installments.
3. My trustee shall distribute if the child shall request in writing delivered to the trustee, to that child one-half (1/2) of the trust principal when that child reaches age twenty-five (25) and the then remaining trust principal shall be distributed to that child when he or she reaches age thirty (30).
My trustee shall distribute such part or parts of the trust to that child at the trust's inception if that child has reached one or both of those ages at that time and requests such distribution in writing delivered to the trustee.
4. I authorize my trustee to pay or apply principal of the trust, at any time, to



or for the benefit of that child, even to the point of exhausting trust principal, in such amounts as my trustee, in my trustee's absolute discretion, deems necessary or advisable to provide for the support, maintenance, health and education (including higher or special education) of that child. For example, but not by way of limitation, my trustee may pay or apply trust principal, in my trustee's absolute discretion, for expenses customarily related to obtaining an education at any academic level, for wedding expenses for that child, to assist that child in purchasing a primary residence, to assist that child in purchasing a business, or to assist that child in entering a trade or profession. In determining the amount of principal to be disbursed, my trustee shall take into consideration any other resources available to that child.

5. When that child reaches age thirty (30), the trust shall terminate and my trustee shall distribute to that child all of the trust assets remaining on hand.

6. If that child dies before reaching age of thirty (30), survived by a child or children (my "grandchild" or "grandchildren"), my trustee shall hold the trust principal in a separate trust for the collective benefit of such grandchild or grandchildren and to administer and distribute that trust in the manner provided in Paragraph "B." of this Article.

7. If that child dies before reaching age thirty (30), and if that child is not survived by a child or children, my trustee shall distribute the trust to my then living issue per stirpes.

B. I give the equal share of each deceased child of mine, who leaves a child or children (my "grandchild" or "grandchildren") living at the time of my death, to my trustee, to be





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held in a separate trust for the collective benefit of such grandchild or grandchildren, to be administered and distributed as follows:

1. My trustee shall pay to or apply for the benefit of any such grandchild or grandchildren, without regard to equality of treatment, that portion of trust income or principal which my trustee, in my trustee's sole and absolute discretion, deems advisable for the support, maintenance, health and education (including higher or special education) of such grandchild or grandchildren.
2. Until the youngest surviving grandchild reaches his or her majority, any income not distributed shall be added to principal annually. Thereafter, all trust income shall be distributed annually.
3. When the youngest surviving grandchild reaches the age of twenty-one (21) or sooner dies, my trustee shall distribute the remaining trust principal and any accumulated income to the then living issue of my deceased child in equal shares per stirpes. If no such issue shall then be living, my trustee shall distribute trust principal and any accumulated income to my then living issue per stirpes.

FIFTH: Notwithstanding anything in this Will to the contrary, I direct that no trust created hereunder shall continue for a period longer than permissible under my domiciliary state's Rule Against Perpetuities, and upon the expiration of such period, each such trust shall terminate and the assets thereof shall be distributed outright to those persons then in being who would be entitled to receive the trust principal from that trust at the time of the termination specified.

SIXTH: If at the termination of any trust created under this Will any part of the trust principal is to be distributed to a person who shall then be the beneficiary of any other



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trust created under this Will, I direct that such person's part of the trust principal be added to his or her trust, to be administered and distributed as an integral part thereof.

SEVENTH: I confer upon my Personal Representative and upon any trustee serving under this will all powers granted to fiduciaries under the laws of the state of Tennessee, and particularly under the statutory provisions contained in Tennessee Code Annotated, § 35-50-110, whether my estate is administered in the state of Tennessee or elsewhere. In addition to the powers granted by law, I authorize my Personal Representative or other legal representatives of my estate and any trustee serving under this will:

A. To accept additions to my estate or to any trust under my will from any source.

B. To acquire the remaining undivided interest in property of my estate or trust in which my executor or trustee, in fiduciary capacity, holds an undivided interest.

C. To invest and reinvest the assets of my estate or any trusts created under this will in securities or in real or personal property, whether within or outside of the state of Tennessee or the United States, without the need for diversification as to kind or amount and without being limited to investments authorized by law for fiduciaries. More specifically, but not by way of limitation, I authorize and empower such Personal Representative or trustee to:

1. Invest in discretionary common trust funds, mutual funds, investment trusts, unsecured obligations, stocks, bonds, and real estate.
2. Retain as long as such Personal Representative or trustee deem proper any real or personal property or any stocks, bonds, notes or other securities (including securities issued by my corporate fiduciary) which I own at my death or which are subsequently acquired.

D. To effect and keep in force fire, rent, title, liability, casualty or other insurance to

protect the property of the estate or trust and to protect the fiduciary.

E. With respect to any property, real or personal, or any estate therein owned by my estate or trust, except where such property or any estate therein is specifically disposed of:

1. To take possession of, collect the rents from and manage the same.
2. To sell the same at public or private sale, and upon such terms and conditions, including credit, as to my fiduciary shall seem advisable.
3. To lease, mortgage, partition, or subdivide the same, even where the terms of such lease or mortgage shall extend beyond the administration of my estate or the term of any trust.
4. To abandon property which does not have sufficient economic value, in my Personal Representative's or my trustee's judgment, to make it worth protecting.
5. To repair or improve the same.
6. To grant options for the sale of same for a period not exceeding six (6) months.

F. With respect to any mortgage held by the estate or trust, to continue the same upon and after maturity, with or without renewal extension, upon such terms as the fiduciary deems advisable, or to foreclose, as an incident to collection of any bond or note, any mortgage securing such bond or note, and to purchase the mortgaged property or acquire the property by deed from the mortgagor in lieu of foreclosure.

G. To employ any bank or trust company incorporated in the state of my domicile, any national bank located in the state of my domicile or any private banker duly authorized to engage in business in the state of my domicile as custodian of any stock or other securities held





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as fiduciary, and the cost thereof, except in the case of a corporate fiduciary, shall be a charge upon the estate or trust.

H. To cause any stock or other securities to be registered and held in the name of a nominee.

I. In the case of the survivor of two or more fiduciaries, to continue to administer the property of the estate or trust without the appointment of a successor fiduciary.

J. As substitute or successor fiduciary, to succeed to all of the powers, duties and discretion of the original fiduciary, with respect to the estate or trust, as were given to the original fiduciary.

K. To contest, compromise or otherwise settle any claim in favor of the estate, trust or fiduciary or in favor of third persons and against the estate, trust or fiduciary, or to submit the same to arbitration, without judicial approval.

L. With respect to any shares of stock or other securities owned by my Personal Representative or by any trustee:

1. To vote or refrain from voting, in person or by proxy, discretionary or otherwise, such shares of stock or other securities.

2. To pay calls, assessments and any other sums chargeable or accruing against or on account of shares of stock, bonds, debentures or other corporate securities, whenever such payments may be legally enforceable against the fiduciary or any property of the estate or trust or the fiduciary deems payment expedient and for the best interests of the estate or trust.

3. To sell or exercise stock subscription or conversion rights, participate in foreclosures, reorganizations, consolidations, mergers, or liquidations and to



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consent to corporate sales, leases and encumbrances.

M. To execute and deliver agreements, assignments, bills of sale, contracts, deeds, notes, receipts and any other instruments necessary or appropriate for the administration of the estate or trust.

N. In the case of a trustee, to hold the property of two or more trusts or parts of such trusts created by the same instrument as an undivided whole without separation as between such trusts or parts, provided that such separate trusts or parts shall have undivided interests and provided further that no such holding shall defer the vesting of any estate in possession or otherwise.

O. To make distribution in cash, in kind valued at fair market value of the property at the date of distribution, or partly in each, without being required to make pro rata distributions of such property.

P. To pay all reasonable and proper expenses of administration from the property of the estate or trust, including the reasonable expense of obtaining and continuing the fiduciary's bond and any reasonable counsel fees which the fiduciary may incur.

Q. To employ and remunerate agents to perform necessary services for the estate or for any trust created thereunder such as, but not limited to: accountants, attorneys, investment advisors, actuaries, appraisers and custodians.

R. To borrow in the name of my estate or trusts from themselves or others and secure such loans by mortgage, note, or pledge, at prevailing rates of interest.

S. With regard to any business enterprise which I may own or possess an interest in at the time of my death, whether incorporated, unincorporated, or operated as a sole proprietorship or partnership:



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1. To retain all or any portion of the business and continue to operate the same for so long as my Personal Representative or trustee shall deem advisable; 2. To sell all or any portion of the business, at such time and on such terms and conditions (including credit), as my Personal Representative and trustee shall deem advisable. My Personal Representative and trustee may sell the business to any person, including a person interested in my estate or a fiduciary serving hereunder.
3. To control, direct or manage the business; vote any corporate shares; select, hire and compensate, or discharge employees, directors and officers of the business; serve on the board of directors of the business; retain and compensate experts to advise my Personal Representative or trustee concerning the management or disposition of the business;
4. To recapitalize or reorganize the business; invest additional sums of money in the business;
5. To participate in or consent to any merger, consolidation, reorganization, dissolution or liquidation of the business;
6. To account for the business as an entity separate from my estate or trust. In this regard, my Personal Representative or trustee shall be authorized to retain earnings in the business in conformity with sound business practice.
7. I exonerate my Personal Representative and my trustee from liability for any loss resulting from the retention and/or operation of any business enterprise unless such loss shall result from the Personal Representative' or trustee's gross negligence or willful misconduct.

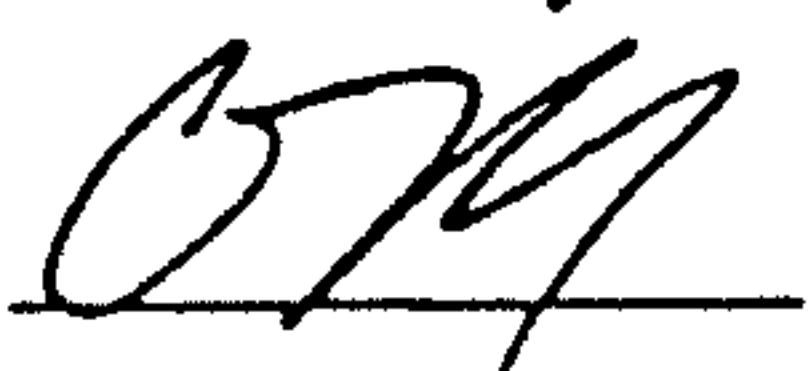
T. To claim administrative expenses of my estate either as income tax deductions or as estate tax deductions, in my Personal Representative's sole discretion, without regard to whether such expenses are payable from income or principal, and without the necessity of making adjustments or reimbursements between principal and income or among the property interests of the various beneficiaries of my estate. I exonerate my Personal Representative from any liability arising from the claim of a beneficiary of my estate whose entitlement under the terms of my will has been diminished by my Personal Representative's elections.

U. To execute, file and deliver proofs of claim or receipts required to collect all policies of life insurance on my life which name my estate or any trust created hereunder as beneficiary; elect any optional modes of settlement available under such policies; receive, administer and distribute the proceeds of such policies in accordance with the dispositive provisions of this will. The receipt of my Personal Representative or my Trustee shall constitute full acquittance to any insurance company for policy proceeds paid.

V. To terminate and distribute outright to the income beneficiaries thereof the assets of any trust which, in the opinion of my trustee, has become so small that it is uneconomic and not in the best interests of the trust beneficiary or beneficiaries to continue.

W. To allocate, in their sole and absolute discretion, any amount of the exemption from generation skipping taxes allowed under Internal Revenue Code, Section 2631(a), to property of which I am the transferor, including property transferred during my lifetime to which no allocation has previously been made, without the necessity of making adjustment or reimbursement to any person or trust as a result of such allocation.

X. To combine trusts having substantially identical terms and with the same beneficiary or beneficiaries, whether created under the terms of my Will or my spouse's, to be





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administered and distributed as a single trust.

Y. To join with my surviving spouse or the Personal Representative of my will in the execution and filing of:

1. a joint income tax return for any period prior to my death for which I have not filed a return and to agree as to the apportionment of any joint tax liability.
2. a gift tax return on gifts made by my surviving spouse and to consent to treat such gifts as being made one-half (1/2) by me, for any period prior to my death.

EIGHTH: If any of my Estate principal or income shall vest in absolute ownership in a minor, my Personal Representative shall have the authority, in my Personal Representative's discretion, and without court authorization, to:

- A. Hold and manage the property and defer payment or distribution of all or a part of the property to that minor until that minor reaches the age of twenty-one (21) years. My Personal Representative, in administering this property, shall have all of the authority granted to fiduciaries under Tennessee state law, and under the provisions of the previous Article of this will.
- B. Distribute part or all of the minor's property to a custodian for the minor under the Uniform Gifts To Minors Act or the Uniform Transfers To Minors Act of the jurisdiction where the minor resides.
- C. Select a custodian for the minor under the Uniform Gifts To Minors Act or under the Uniform Transfers To Minors Act of the jurisdiction where the minor resides without court order. My Personal Representative may select any fiduciary named in this will as such custodian without conflict of interest.

D. Distribute or pay part or all of the minor's property to the minor's legal guardian, to the adult person or persons with whom the minor resides, to the minor personally, to the trustee of any trust created for the sole benefit of the minor, or to the administrator or executor of the minor's estate.

E. Apply part or all of the minor's property for the minor's health, education, maintenance, support or welfare. My Personal Representative shall be entitled to be paid at the same rate as testamentary trustees under the state law of my domicile for the holding and managing of property pursuant to this Article of my will. My Personal Representative shall account in the same manner as trustees and shall not be required to render or file annual accountings with respect to the properties so held and administered for the minor. Nothing contained in this Article shall operate to suspend the absolute vesting of the share of any minor beneficiary of my estate.

NINTH: I direct that all estate, inheritance, succession, transfer or other death taxes assessed by any taxing authority, whether foreign or domestic, in respect of all property taxable by reason of my death or by inclusion of such property in my gross estate for estate tax purposes, be paid, without apportionment, first out of that portion of my residuary estate which does not qualify for the marital deduction and thereafter out of that portion of my residuary estate which does qualify for the marital deduction. However, the aforesaid notwithstanding, if, at the time of my death, I am the beneficiary of a qualified terminable interest property (QTIP) trust, and the principal of that trust is includible in my gross estate for tax purposes, it is my direction, pursuant to the provisions of Internal Revenue Code, Section 2207A, that my Personal Representative or the trustee of the trust withhold from the shares of the remaindermen of the trust an amount by which the estate tax in my estate exceeds the amount of the estate tax which





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would have been payable had the trust property not been included in my estate for tax purposes.

TENTH: If any person who may be interested in my estate dies at the same time as I do or under such circumstances that there is insufficient evidence to determine which of us died first, then it shall be presumed that such person predeceased me.

ELEVENTH: Throughout this Will I direct that the term "give" shall be deemed to include the term "bequeath" or "devise" when appropriate.

TWELFTH: If my spouse shall fail to survive me, I nominate and appoint Margaret Lauck and husband David Lauck, as the Guardian of the persons and property of each of my minor children. No Guardian shall be required to furnish any bond or other security in any jurisdiction. In the event Margaret Lauck and David Lauck are unable or unwilling to act as such Guardian it is my desire that my parents Norton T. Montague and Cynthia Montague and my wife's parents, Bill Thomas and Diane Thomas shall choose the person or person to the Guardians of my minor children.

THIRTEENTH: I nominate and appoint my spouse as Personal Representative of this, my will. If my spouse shall fail to survive me, shall decline to act, or having qualified shall, for any reason thereafter, cease to act, I nominate and appoint Norton T. Montague, as successor Personal Representative in my spouse's place and if he is unable to act for any reason I nominate and appoint Margaret Lauck as successor Personal Representative..

FOURTEENTH: I nominate and Norton T. Montague as trustee of any trust created under this will and if he is unable or unwilling to act at any time, I name and appoint David Lauck and Margaret Lauck or the survivor of them as trustee.

FIFTEENTH: I direct that no executor, trustee or other legal representative of my estate shall be required to furnish any bond or other security in any jurisdiction.

IN WITNESS WHEREOF, I have executed this instrument as my Last Will and Testament, consisting of Fifteen (15) pages and Fifteen (15) Items, in the presence of the individuals witnessing at my request, this the 15th day of June, 1999.


CHARLES T. MONTAGUE, Testator



20181113000400210 21/24 \$84.00
Shelby Cnty Judge of Probate, AL
11/13/2018 10:29:58 AM FILED/CERT



We certify that this instrument was signed and declared by **CHARLES T. MONTAGUE**, Testator, to be his Last Will and Testament in our presence and that we, in his presence and in the presence of each other, have signed our names as witnesses, this the 15th day of June, 1999.

Deborah J. Gardner Law Mts, TN
Witness Address

Jack Blandt Johnson City, Tn.
Witness Address

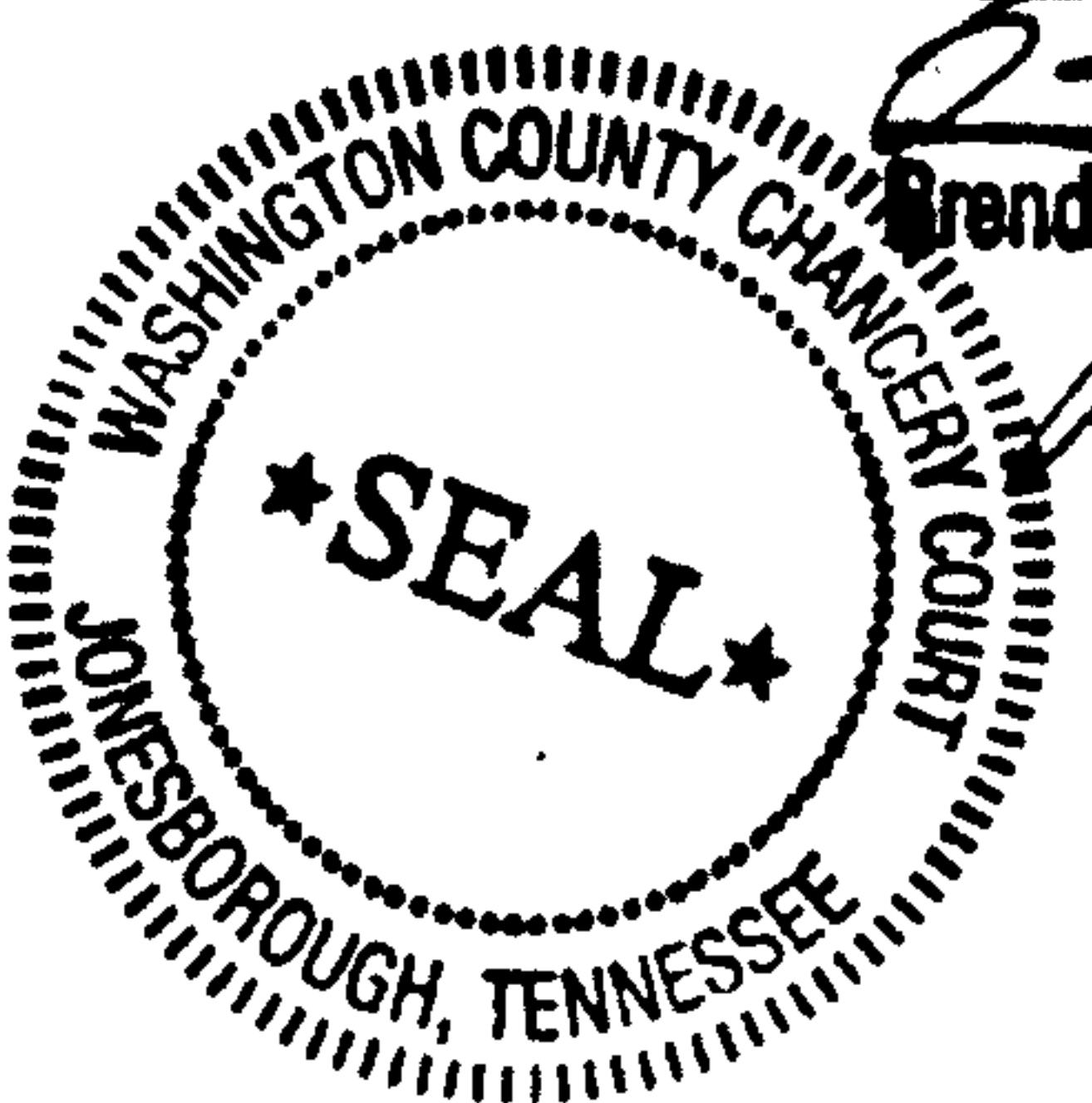
The foregoing Will admitted to probate on this the 25th day of September, 2007. Court Order admitting same to probate and appointment of Jennifer Thomas Montague, as Executrix, entered in Minute Book 86, Page No. 573, Will Book 99, Page No. 348.

Gary F. Walters DC&M

I Brenda Sneyd, Clerk and Master of the Chancery Court, Probate Division, Jonesborough Tennessee, hereby certify that this is a true and perfect copy of the original WILL filed in this cause

This 7th November 2008

Brenda Sneyd, Clerk and Master



20181113000400210 22/24 \$84.00
Shelby Cnty Judge of Probate, AL
11/13/2018 10:29:58 AM FILED/CERT

20181113000400210 23/24 \$84.00
Shelby Cnty Judge of Probate, AL
11/13/2018 10:29:58 AM FILED/CERT

AFFIDAVIT FOR WITNESSES

STATE OF TENNESSEE

COUNTY OF WASHINGTON

We, the undersigned witnesses, respectively, whose names are signed to the foregoing instrument, having been sworn, signed and declared to the undersigned officer that the Testator, CHARLES T. MONTAGUE, in the presence of the witnesses signed the instrument as his Last Will and Testament, that he signed willingly and that each of the witnesses, in the presence of the Testator, CHARLES T. MONTAGUE, and in the presence of each other, signed the Will as a witness. At the time the Testator, CHARLES T. MONTAGUE, signed said instrument, he was of sound mind and disposing memory and was over the age of eighteen (18) years.

FredBrandt
Witness

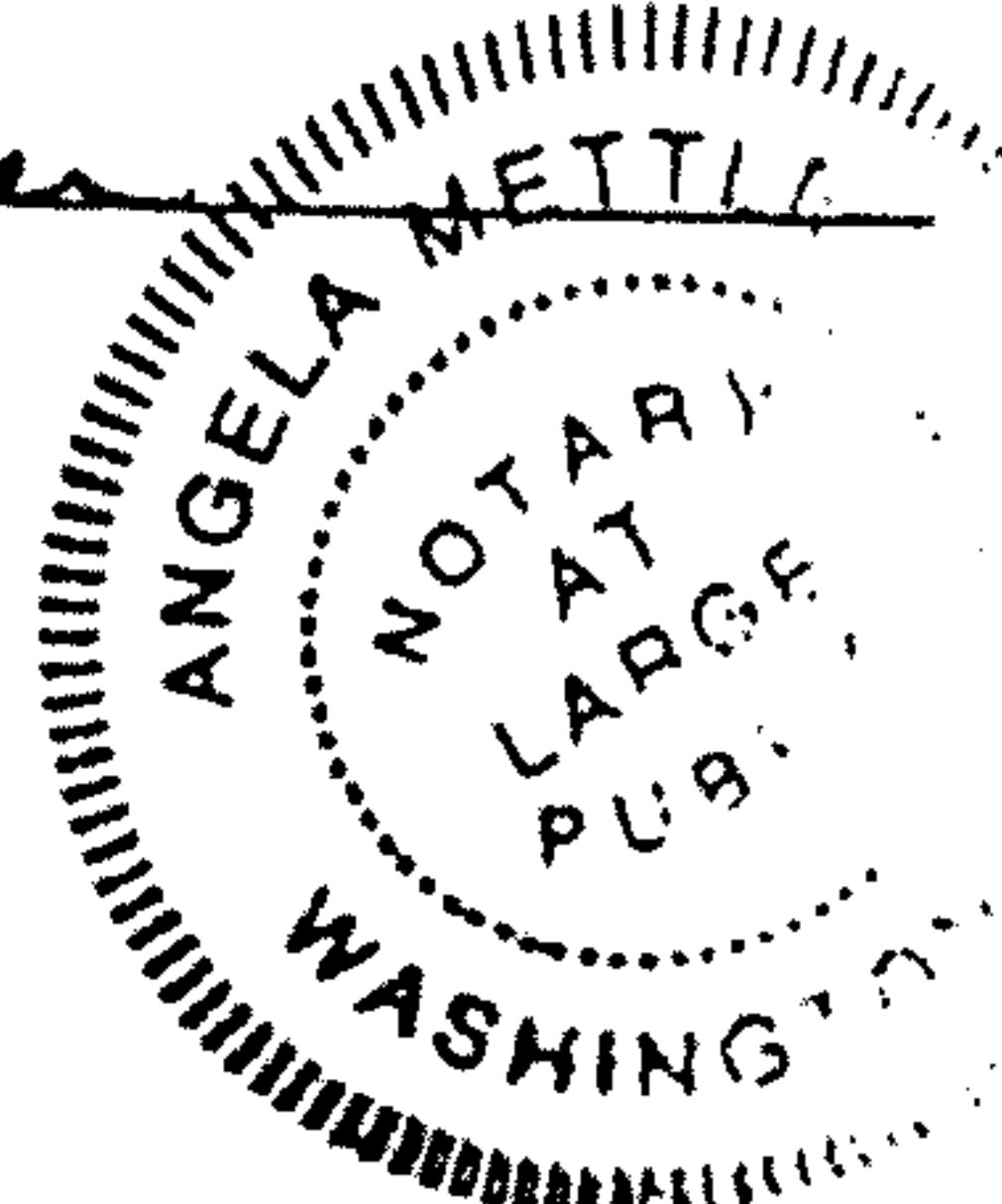
Alverah J. Gardner
Witness

Subscribed and sworn to before me, this the 15th day of June,
1999.

My commission expires:

1/28/2003

Angela Mettler
NOTARY PUBLIC



20181113000400210 24/24 \$84.00
Shelby Cnty Judge of Probate, AL
11/13/2018 10:29:58 AM FILED/CERT

IN THE CHANCERY COURT OF WASHINGTON COUNTY
AT JONESBOROUGH, TENNESSEE
(PROBATE DIVISION)

LETTERS TESTAMENTARY

It appearing to the undersigned that **Charles T. Montague** has died, a resident of Washington County, leaving a Will which has been approved and probated in this Court, and in which you,

Jennifer Thomas Montague
624 Harbor Point Drive
Johnson City, Tennessee 37615

had been appointed as Executrix, and you, having qualified (bond having been waived) and the undersigned, having been satisfied as to your claim and ability to administer the estate,

YOU ARE, THEREFORE, empowered to take into your possession and control, all of the personal property of said estate and return a true and perfect inventory thereof, as required by law, to pay all proven debts, and to do and transact all the duties required of personal representatives; and after having settled said estate, to deliver the residue thereof to those who are entitled to it.

Issued at office this 25 day of September, 2007.

CLERK & MASTER

Brenda Sneyd
By: Brenda Sneyd DCM

STATE OF TENNESSEE
COUNTY OF WASHINGTON

The undersigned does hereby certify that the foregoing is a true copy of Letters Testamentary, issued to **Jennifer Thomas Montague**, as Executrix of the Estate of **Charles T. Montague**, deceased, as the same appears in the records in this office and is now in full force and effect.

This 7th day of November, 2008.

CLERK & MASTER

I do hereby certify that this estate is
still in full force and effect.

Brenda Sneyd,

Clerk & Master

D.C. & M

Bryan Edmisten

NOV 7 2008



Brenda Sneyd DCM