20200702000273210 07/02/2020 08:44:52 AM WILLS 1/24

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

W. CARROLL GARDNER, JR. AKA WALTER CARROLL GARDNER, JR., Deceased.

**CASE NO. 19BHM00332** 

#### SUCCESSOR 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 RICHARD C. GARDNER the Executor named in said Will, who have complied with the requisitions of 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 Representatives, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-8-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, 30<sup>TH</sup> DAY OF JULY, 2019.

	alan L. Ymg
	Judge of Probate
I, ALAN L. KING, Judge, of the Probate Court of Jeffe foregoing is a true, correct and full copy of the Letters Testament of record in said Court. I further certify that said Letters are still in	ary issued in the above-styled cause as appears
WITNESS my hand and seal of said Court this date, the	July 30, 2019
	Judge of Probate

#### 20200702000273210 07/02/2020 08:44:52 AM WILLS 2/24

#### LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF: W. CARROLL GARDNER, JR., A/K/A, JEFFERSON COUNTY, ALABAMA WALTER CARROLL GARDNER, JR. Deceased

IN THE PROBATE COURT OF CASE NO. 19BHM00332

#### LETTERS TESTAMENTARY

The Will of the above-named deceased having been duly admitted to record in said county, Letters Testamentary are hereby granted to PATRICIA REED GARDNER, the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. to the priorities stated in §43-8-76, Code of Alabama (1975, 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, 12th day of Februal

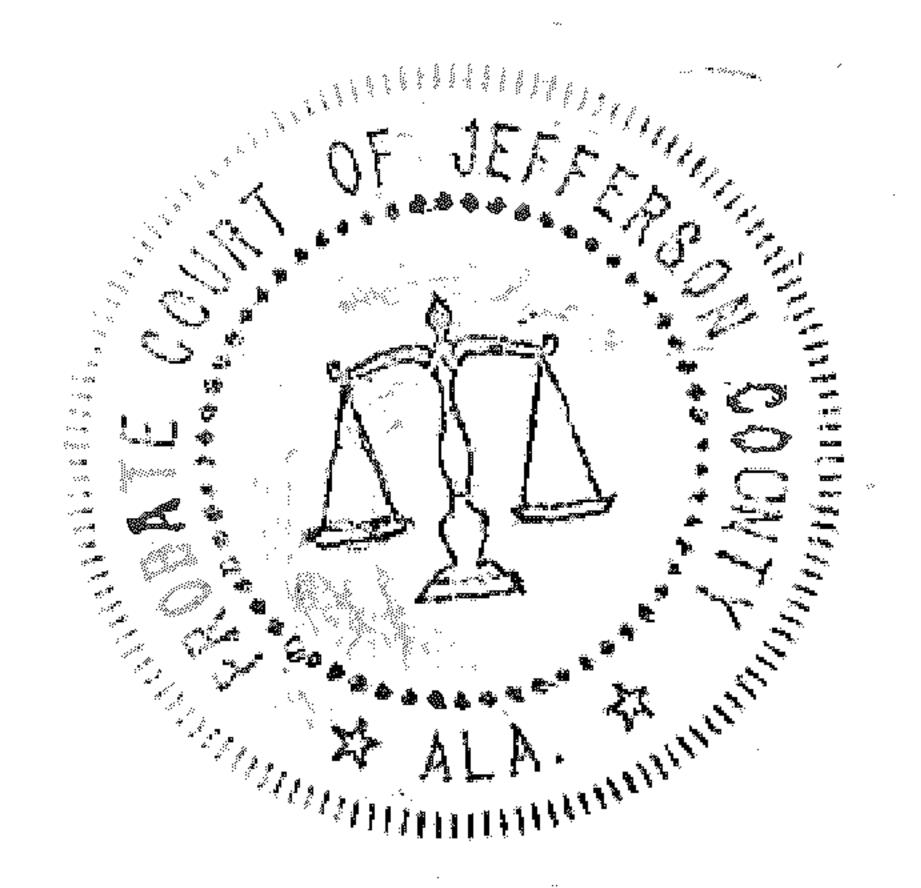
(SEAL)

I, Alan L. King, Judge 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, and the second second Judge of Probate State of the state

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State of Alabama

Jefferson County

I, the Undersigned, as Judge of Probate Court in and for Jefferson County, Alabama, hereby certify that the foregoing is a full, true and correct copy of the instrument with the filing of same as appears of record in this office. Given under my hand and official seal, this the 12 th day of 1944, 2020.

JUDGE OF PROBATE

202007020	00273210 07/02/2020 08:44:52 AM WILLS 4/2
IN THE MATTER OF THE ESTATE OF	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED AKA	) JEFFERSON COUNTY, ALABAMA )
Walter Carroll Gardner, Fr	)
	CASE NO. 1 9 B H M 0 0 3 3 2

# PETITION FOR PROBATE OF WILL (Self-Proved Will)

Comes the petitioner, PATRICIA REED GARDNER, and shows this Court the following facts:

- 1. W. CARROLL GARDNER, JR., (the "decedent") died married and testate in Jefferson County, Alabama on the 20th day of December, 2018.
- 2. Surrendered herewith is the decedent's last will and testament naming the petitioner as Personal Representative thereof, which was duly signed by the decedent when over eighteen (18) years of age, and attested by the following witnesses:

Name:
Present Address:

Pam Roberson

1824 29<sup>th</sup> Avenue N.
Hueytown, AL 35023

Carlene H. Palmer

328 Redwood Street
Birmingham, AL 35210

3. The decedent's last will and testament, as identified in paragraph 1 hereof, was self-proved in a manner 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 is as follows:

Steve Martin
3 Riverchase Office Plaza
Suite 212
Hoover, AL 35244



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### 20200702000273210 07/02/2020 08:44:52 AM WILLS 5/24

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)

#### **SPOUSE:**

PATRICIA REED GARDNER, wife, good health, over nineteen years old, 3000 Dolly Ridge Drive, Birmingham, AL 35243.

**ISSUE:** 

RICHARD C. GARDNER, son, excellent health, over nineteen years old, 3115 Overton Drive, Birmingham, AL 35209.

MICHAEL R. GARDNER, son, excellent health, over nineteen years old, 1807 Windsor Boulevard Birmingham, AL 35209.

JAMES R. GARDNER, son, excellent health, over nineteen years old, 320 Woodland Drive, Birmingham, AL 35209.

DAVID B. GARDNER, son, excellent health, over nineteen years old, 125 Greenbriar Lane, Birmingham, AL 35213.

WHEREFORE, the petitioner prays that the court will take jurisdiction of this petition, will cause all such notice or citations to issue to the said next of kin, attesting witnesses, and oath-administering officer, as may be proper in the circumstances 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:** 

3 Riverchase Office Plaza, Ste. 212

Hoover, Alabama 35224

**Petitioner:** 

PATRICIA REED GARDNER

3000 Dolly Ridge Drive

Birmingham, AL 35243

FILED IN OFFICE THIS rebruary

PRAYER

GRANTED AND PETITION

**CADERED** RECORDED

ina JUDGE OF PROBATE

913-PetitionForProbateOfWill-02042019 S/law/client documents

20200702000273210	07/02/2020 08:44:52 AM WILLS 6/24
IN THE MATTER OF THE ESTATE OF )	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED )	JEFFERSON COUNTY, ALABAMA
	CASE NO: 198410332

I, the undersigned, a resident of Birmingham, Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42, as appropriate) of W. CARROLL GARDNER, JR., 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 whether by personal service or by publication and consent and request that said will be admitted to probate without further notice of any kind to me, and the Personal Representative named in said will be appointed as provided therein. I acknowledged 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 Personal Representative thereof.

PATRICIA REED GARDNER 3000 DOLLY RIDGE DRIVE

BIRMINGHAM, AL 35243

Print Name of Witness

Signature of Witness

913-Waiver-Pat-02052019 S/Law/ClientDocuments

Filed in office this 12th

day of February 2019

and ordered recorded.

Allow hima

JUDGE OF PRUBAU



20200702000273210	07/02/2020 08:44:52 AM WILLS 7/24
IN THE MATTER OF THE ESTATE OF )	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED )	JEFFERSON COUNTY, ALABAMA
<b>)</b>	CASE NO: 198 H M 0 0 3 3 2

I, the undersigned, a resident of Birmingham, Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42, as appropriate) of W. CARROLL GARDNER, JR., 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 whether by personal service or by publication and consent and request that said will be admitted to probate without further notice of any kind to me, and the Personal Representative named in said will be appointed as provided therein. I acknowledged 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 Personal Representative thereof.

RICHARD C. GARDNER
3115 OVERTON DRIVE
BIRMINGHAM, AL 35209

MIKITES Dowde //
Print Name of Witness

4 Julites Wordel

Signature of Witness

913-Waiver-Dick-02052019 S/Law/ClientDocuments

> > JUDGE OF PALSEATE

20200702000273210	07/02/2020 08:44:52 AM WILLS 8/24
IN THE MATTER OF THE ESTATE OF )	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED )	JEFFERSON COUNTY, ALABAMA
	CASE NO: 19BHM00332

I, the undersigned, a resident of Birmingham, Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42, as appropriate) of W. CARROLL GARDNER, JR., 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 whether by personal service or by publication and consent and request that said will be admitted to probate without further notice of any kind to me, and the Personal Representative named in said will be appointed as provided therein. I acknowledged 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 Personal Representative thereof.

MICHAEL R. GARDNER 1807 WINDSOR BOULEVARD BIRMINGHAM, AL 35209

Signature of Witness

**Print Name of Witness** 

913-Waiver-Mike-02052019
S/Law/ClientDocuments

Filed in office this 12th slay of February 2019 cand ordered recorded.

Man L. Jung Washington

20200702000273210	07/02/2020 08:44:52 AM WILLS 9/24
IN THE MATTER OF THE ESTATE OF )	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED )	IFFFFDSON COINTY AT ARAMA
v. Carroll Grandini die, die, december ,	JEI'I EROUN COUNT I, ADAMA
	19BHM00332
	CASE NO:

I, the undersigned, a resident of Birmingham, Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42, as appropriate) of W. CARROLL GARDNER, JR., 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 whether by personal service or by publication and consent and request that said will be admitted to probate without further notice of any kind to me, and the Personal Representative named in said will be appointed as provided therein. I acknowledged 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 Personal Representative thereof.

JAMES R. GARDNER 320 WOODLAND DRIVE BIRMINGHAM, AL 35209 Print Name of Witness

Signature of Witness

913-Waiver-Jim-02052019 S/Law/ClientDocuments



20200702000273210	07/02/2020 08:44:52 AM WILLS 10/24
IN THE MATTER OF THE ESTATE OF )	PROBATE COURT OF
W. CARROLL GARDNER, JR., DECEASED )	JEFFERSON COUNTY, ALABAMA
) }	CASE NO: 1 Q R H M N N 3 3 2

I, the undersigned, a resident of Birmingham, Alabama, being the surviving spouse or one of the next-of-kin (as determined by application of the Ala. Code Section 43-8-41 or 43-8-42, as appropriate) of W. CARROLL GARDNER, JR., 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 whether by personal service or by publication and consent and request that said will be admitted to probate without further notice of any kind to me, and the Personal Representative named in said will be appointed as provided therein. I acknowledged 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 Personal Representative thereof.

Dated this the May of Furning, 2019

DAVID B. GARDNER 125 GREENBRIAR LANE BIRMINGHAM, AL 35213

Print Name of Witness

Signature of Witness

913-Waiver-Chip-02052019 S/Law/ClientDocuments

Filed in office this 12th
day of February 20 19
cond ordered recorded.

Alan L. hing
JUDGE OF PROBATE



20200702000273210 07/02/2020 QB: 44:57 AM WILLS 11/24

| Z h DAY OF | ebruary 20 | 9
FOR PROBATE AND RECORD.
| Alan L. hing
| JUDGE OF PROBATE

## LAST WILL AND TESTAMENT

OF

W. CARROLL GARDNER, JR.

Dated: February  $\frac{4}{}$ , 2015

## Prepared by:

Steve E. Martin, Esq.
3 Riverchase Office Plaza, Suite 212
Hoover, Al. 35244
205-834-8900

913-Will-Carroll-01292015 s/law/client documents



## LAST WILL AND TESTAMENT

#### OF

## W. CARROLL GARDNER, JR.

I, W. Carroll Gardner, Jr., make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me. I am married to Patricia Reed Gardner. I have four children whose names are Richard C. Gardner, Michael R. Gardner, James R. Gardner, and David B. Gardner. I reside and am domiciled in Jefferson County, Alabama.

FIRST: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate, without apportionment and with no right of reimbursement from any recipient.

**SECOND:** A certain portion of my furniture, furnishings, household goods, ornaments, clothing, jewelry, automobiles, and other personal effects shall be distributed in accordance with the provisions of a certain written memorandum signed by me, the terms of which are incorporated herein by this reference.

If for any reason such memorandum is not found and properly identified as such by my personal representative within thirty (30) days after the presentation of my Will for probate, this gift shall be void and of no effect, and all of the aforesaid property shall be disposed of as hereinafter provided.

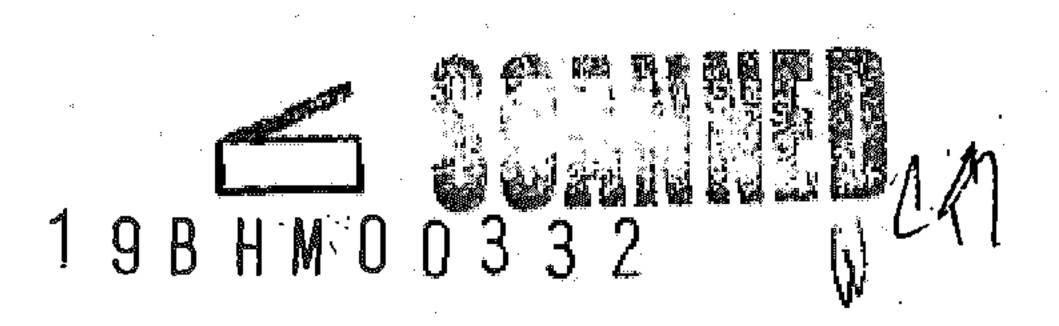


### 20200702000273210 07/02/2020 08:44:52 AM WILLS 13/24

**THIRD**: I give all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

- (a) If my wife survives me, all to my wife outright.
- (b) If my wife does not survive me, then I give the balance of my estate to those of my children who survive me and to the issue who survive me of those of my children who predecease me, in equal shares per stirpes.

FOURTH: If any property of my estate vests in absolute ownership in a minor or incompetent, my personal representative, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides. Evidence of any such distribution or the receipt therefor executed by the person to whom the distribution is made shall be a full discharge of my personal representative from any liability with respect thereto, even though my personal representative may be such person. If such beneficiary is a minor, my personal representative may defer the distribution of the whole or any part of such property until the beneficiary attains the age of twenty-one (21) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article SIXTH hereof. If the beneficiary dies before



20200702000273210 07/02/2020 08:44:52 AM WILLS 14/24

attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

I direct that in any proceeding involving my estate it shall not be necessary to serve process upon, or to make a party to the proceeding, any person under a disability if another party to the proceeding who is not under a disability has the same interest as the person under a disability. The written approval by all of the then living adult beneficiaries of this will of any matter relating to the administration of my estate, whether the same relates to an accounting or any other action taken or omitted or proposed to be taken or omitted by my personal representative, shall be deemed to be the approval of and shall be binding upon all beneficiaries hereunder including those who are minors or are not yet born at the time of such action.

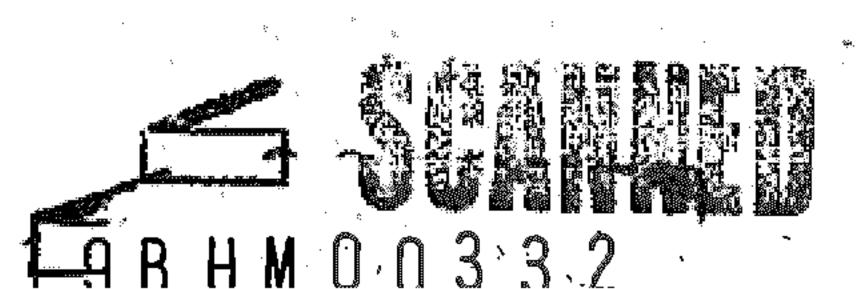
FIFTH: I appoint my wife Patricia Reed Gardner to be my personal representative. If my wife does not survive me, or shall fail to qualify for any reason as my personal representative, or having qualified shall die, resign or cease to act for any reason as my personal representative, I appoint my son, Richard C. Gardner as my personal representative. I vest in my personal representative herein named full power and authority to handle, manage and deal with my estate as freely as I could act if I were living. Such power and authority may be exercised independently and without the prior or subsequent approval of any court or judicial authority. No one dealing with my personal representative shall be required to inquire into the propriety of any action taken by my personal representative. I direct that no personal representative shall be required to file or furnish any bond, surety or other security in any jurisdiction. No personal representative shall be required to file or furnish any inventory or to file or furnish any account of their proceedings or of the property which may come into their possession or to make any report of any kind to any court. Nothing herein,

## 20200702000273210 07/02/2020 08:44:52 AM WILLS 15/24

however, shall be construed as limiting the right of my personal representative to seek a judicial settlement of any account. My personal representative shall maintain proper books and records reflecting all income, disbursements and other transactions of my estate, and shall make such books and records accessible to the beneficiaries hereunder and other parties having an interest in my estate, at reasonable times after notice.

SIXTH: I grant to my personal representative all powers conferred upon personal representatives and executors wherever my personal representative may act. I also grant to my personal representative power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to borrow money and encumber or pledge any property to secure loans; to pay any legacy or distribute, divide or partition property in cash or in kind, or partly in kind, and to allocate different kinds of property, disproportionate amounts of property and undivided interests in property among any parts, funds or shares; to determine the fair valuation of property, with or without regard to tax basis; to determine what property shall receive basis increases pursuant to Section 1022(b) and (c) of the Internal Revenue Code and the amount of such increases, and to make such determinations without regard to any duty of impartiality as between different beneficiaries; to exercise all powers of an absolute owner of property; to compromise and release claims with or without consideration; and to employ attorneys, accountants and other persons for services or advice. The term "personal representative" wherever used herein shall mean the personal representatives, executors, executor, executrix or administrator in office from time to time.

My son Jim and my grandson John David Gardner have been of considerable assistance to me in the past and I place great trust in both of them. Jim is a real estate broker and John David is a personal financial planner. Accordingly,



### 20200702000273210 07/02/2020 08:44:52 AM WILLS 16/24

I direct that my personal representative shall utilize the services of Jim and/or John David to the extent that such professional services are necessary and / or advisable for the prudent administration of my estate. Furthermore, I direct that Jim and / or John David are to be compensated for their services in the same manner that such services would be compensated and paid to an unrelated professional party.

**SEVENTH**: If any beneficiary under this will and I die in a common accident or under circumstances in which it is difficult or impractical to determine who survived the other, such beneficiary shall be deemed to have predeceased me.

IN WITNESS WHEREOF, I, W. Carroll Gardner, Jr., the Testator, sign my name to this instrument as my last will and testament this 4th day of February, 2015, and, being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and testament, and that I sign it willingly, that I execute it as my free and voluntary act and deed for the purposes therein expressed, and that I am at least 19 years of age, of sound mind, and under no constraint, duress, fraud or undue influence.

W. Carroll Gardner, Jr.

We am Roberson and Carlene H. Ralmer, the witnesses, sign our names to this instrument, and, being first duly sworn, do each hereby declare to the undersigned authority that W. Carroll Gardner, Jr., the Testator, signed and executed this instrument as his/her last will and testament and that he/she signed it willingly, and that each of us, in the presence and hearing of

## 20200702000273210 07/02/2020 08:44:52 AM WILLS 17/24

the Testator, and each other, hereby signs this will as witness to the Testator's signing, and that to the best of each of our knowledge the Testator is at least 19 years of age, of sound mind, and under no constraint, duress, fraud or undue influence.

residing at

1824-29th Mue, N-Nuentaun, Al 35023

(arlene H. Palmer)

residing at

328 Redwood St. Birmingham, Al 35210

STATE OF ALABAMA) COUNTY OF JEFFERSON)

Subscribed, sworn to and acknowledged before me by the said W. Carroll Gardner, Jr., Testator, and subscribed and sworn to before me by the said the Robe Some and Carlene H. Palmer as witnesses, this 14th day of February, 2015.

Notary Public

My commission expires on

11/13/2018

## CERTIFICATE TO THE PROBATE OF WILL

# THE STATE OF ALABAMA JEFFERSON COUNTY

I, Alan L. King, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument of writing <u>have</u> 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 <u>W</u>, <u>CARROLL GARDNER</u>, JR., A/K/A, WALTER CARROLL GARDNER, JR., 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 February 12, 2019.

ALAN L. KING

Judge of Probate



#### 20200702000273210 07/02/2020 08:44:52 AM WILLS 19/24

IN THE MATTER OF:	)	IN THE PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
THE ESTATE OF:	)	
	)	CASE NUMBER 19BHM00332
W. CARROLL GARDNER, JR., AKA	)	
WALTER CARROLL GARDNER, JR.,	)	
DECEASED	•	

#### ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Patricia Reed Gardner 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 W. Carroll Gardner, Jr., aka Walter Carroll Gardner, Jr., deceased, said will bearing date, February 4, 2015, and attested by Pam Roberson, Carlene H. Palme, and Steve Martin; 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 personal representative thereof; and that the next of kin of said deceased are as follows, to-wit: Patricia Reed Gardner, spouse, Birmingham, Alabama, Richard C. Gardner, son, Birmingham, Alabama, James R. Gardner, son, Birmingham, Alabama, and David B. Gardner, son, Birmingham, 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



#### 20200702000273210 07/02/2020 08:44:52 AM WILLS 20/24

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,

ORDERED, ADJUDGED AND DECREED by the Court that said instrument be duly admitted to probate as the Last Will and Testament of W. Carroll Gardner, Jr., aka Walter Carroll Gardner, Jr., 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, February 12, 2019.

Judge of Probate

IN THE MATTER OF THE ESTATE OF )	PROBATE COURT
W. CARROLL GARDNER, JR., DECEASED	JEFFERSON COUNTY, ALABAMA
	1.9 B H M O O 3 3 2

# PETITION FOR LETTERS TESTAMENTARY WITHOUT BOND

Comes the petitioner, PATRICIA REED GARDNER as Personal Representative of the Estate of W. CARROLL GARDNER, JR. and shows this Court the following facts:

- 1. In the Last Will and Testament of W. CARROLL GARDNER, JR., deceased (the "decedent"), which Last Will and Testament has been or shall be duly probated and admitted to record in this Court, the petitioner is named as Personal Representative.
- 2. The Petitioner is above the age of nineteen (19) years, and is not disqualified under the law from serving as Personal Representative. Under the terms of the decedent's Will, his Personal Representative is exempt from giving bond as such Personal Representative.
- 3. The decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be \$\frac{\scrtan}{2000}\$.

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 Last Will and Testament may be executed according to the requests and directions of the decedent, the petitioner prays that the Probate Judge of the Court will grant letters testamentary to the petitioner 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:

STEVE E. MARTIN (
3 RIVERCHASE OFFICE PLAZA
SUITE 212

HOOVER, AL 35244

913-PetitionLtrsTestamentary-02042019 S/Law/ClientDocuments PETITIONER:

PATRICIA REED GARDNER
3000 DOLLY RIDGE DRIVE
BIRMINGHAM, AL 35243

FILED IN OFFICE THIS DAY OF FEBRUARY 20 9 PRAYER GRANTED AND PETITION ONDERED RECORDED

JUDGE OF PROBATE

202	00702000273210	07/02/2020 08:44:52 AM WILLS 22/24
IN THE MATTER OF:	)	IN THE PROBATE COURT OF
	)	JEFFERSON COUNTY, ALABAMA
THE ESTATE OF:	)	
	)	CASE NUMBER 19BHM00332
W. CARROLL GARDNER, JR.	, AKA	
WALTER CARROLL GARDNER,	•	
DECEASED	, in the second	

## ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Patricia Reed Gardner and files in this Court her petition in writing, under oath, praying that Letters Testamentary upon the Will of W. Carroll Gardner, Jr., aka Walter Carroll Gardner, Jr., deceased, be issued to her.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Patricia Reed Gardner, and that said letters issue without bond or security being required, in accordance with the terms of said will. It is further **ORDERED** that the petition in this behalf be recorded.

DONE this date, February 12, 2019.

Judge of Probate)



## AFFIDAVIT OF Physlologothy 10 07/02/2020 08:44:52 AM WILLS 23/24

## STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, State, personally appeared KAREN ABERCROMBIE, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, a semi-weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, and that there was published in said newspaper in the issues of

February 16, 23, March 2, 2019

a legal notice, a copy of which is hereto attached.

Sworn and subscribed to on this the 4th day of March, 2019

Notary Public

PAID ALABAMA MESSENGER

Case No. 19BHM00332

NOTICE TO CREDITORS

In the Probate Court of Jefferson

W. CARROLL GARDNER, JR. a/k/a, WALTER CARROLL GARDNER,

Letters Testamentary upon last will and testament of said decedent, having been granted to the undersigned on the 12th day of February, 2019, by the Honorable Alan L. King, Judge of the Probate Court of Jefferson County, Alabama, notice is hereby given that all persons having claims against said Estate are required to file an itemized and verified statement of such claim in

and verified statement of such claim in

the office of the said Judge of Probate

within six months from above date, or

said claim will be barred and payment

PATRICIA REED GARDNER

Ala. Ms. Feb. 16, 23, Mar. 2, 2019

Personal Representative

In the matter of the Estate of:

County, Alabama

JR., Deceased

prohibited.

Amount

\$65.00

The sum charged by the Newspaper for said publication is the actual lowest regular price for legal advertising notices as determined by Ala.Code § 6-8-64(a). There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.





Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
07/02/2020 08:44:52 AM
\$91.00 CHARITY
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ate of Alabama Jefferson County

I, the Undersigned, as Judge of Probate Court in and for Jefferson County, Alabama, hereby certify that the foregoing is a full, true and correct copy of the instrument with the filing of same as appears of record in this office. Given under my hand and official seal, this the Athana day of Araba .

JUDGE OF PROBATE