

BK 22 pg. 117

# LAST WILL AND TESTAMENT

## OF

### VERNON L. CANNON



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Shelby Cnty Judge of Probate, AL  
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STATE OF ALABAMA )  
                                  )  
COUNTY OF HOUSTON )

I, VERNON L. CANNON, a resident of Dothan, Alabama, make, publish and declare this to be my Last Will and Testament, and I revoke all prior Wills and Codicils that I have made.

#### ARTICLE I

A. I name "my spouse", METHA JEAN CANNON as Executrix ("my Executrix") of this Will. If my spouse should die, resign, be disqualified or be unwilling or unable to serve for any reason then I name "my children", GLENN G. CANNON and PAMELA C. WEATHERS, or the survivor(s) of them, as successor Co-Executors of this Will.

B. My Executrix shall not be required to furnish bond or to file an inventory or appraisal of my estate in any court. My Executrix shall further not be required to make any report or final settlement to any court of their proceedings hereunder.

C. In the event it is deemed necessary to administer my estate in any state other than the State of Alabama, then I desire that my Executrix named in this Article shall serve as such Ancillary Executrix.

D. My Executrix shall have all the powers and discretion with respect to my estate during administration that are set forth or referred to with respect to the Trustee hereunder (including the power to sell real or personal property at public or private sales for any purpose and to hold title to property in the name of a nominee), to be exercised without court order.

#### ARTICLE II

All estate, inheritance, and other death taxes (including interest and penalties, if any, but excluding any generation - skipping tax), together with the expenses of my last illness and all

  
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Vernon L. Cannon

  
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administration expenses including an appropriate marker for my grave, payable in any jurisdiction by reason of my death (including those taxes and expenses payable with respect to assets which do not pass under this Will) shall be paid out of and charged generally against the principal of my residuary estate.

**ARTICLE III**

A. I devise all the tangible personal property which I own at my death and not otherwise specifically devised in this Article, including any household furniture and furnishings, automobiles, books, pictures, jewelry, art objects, hobby equipment and collections, club memberships, wearing apparel, and other articles of household or personal use or ornament, to my spouse, if my spouse is living on the date of my death, or, if my spouse is not then living, to my children (or the lineal descendants of any deceased child, per stirpes), in shares of substantially equal value.

B. All costs of safeguarding, insuring, packing, and storing my tangible personal property prior to its distribution and of delivering each item to the place of residence of the beneficiary of that item shall be deemed to be expenses of administration of my estate.

**ARTICLE IV**

A. If my spouse survives me (and for purposes of this Article if the actual sequence of our deaths cannot readily be determined, my spouse shall be presumed to have survived me), I devise to her, as a general legacy, that pecuniary amount which is equal to the value as finally determined for federal estate tax purposes of "qualified property" (as defined in this paragraph) reduced by the largest amount, if any, which, if allocated to the Family Trust (created in Article V of this Will), would result in no increase in federal estate tax payable at my death by reason of taking into account the Unified Credit allowable to my estate, but no other credits. As used in this paragraph, "qualified property" is all property disposed of by this Will which is included in my gross estate for federal estate tax purposes, irrespective of the investment or reinvestment of property so included, or the sale or other disposition of property so included, which is not otherwise effectively disposed of by (i) Article III of this Will, or (ii) payment of debts, expenses of administration, and other charges payable from principal by my Executrix, including the death taxes referred to in Article II of this Will.

Vernon L. Cannon  
Vernon L. Cannon

[Signature]  
[Signature]

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B. I recognize that in some circumstances no property may be allocated to the general legacy to my spouse pursuant to the formula set forth in paragraph A of this Article.

C. For purposes of determining the pecuniary amount to be allocated to the general legacy to my spouse, I direct that:

1. Compensating adjustments can, but need not, be made as Executrix shall decide, between income and principal or in that amount by reason of certain tax elections made by my Executrix and the decision of my Executrix with respect to such adjustments shall be binding and conclusive on all persons;

2. None of the provisions of this Article shall be construed as requiring any particular exercise or nonexercise of tax elections, regardless of their effect on the determination of that amount; and

3. The amount so determined shall be diminished if and to the extent required by subparagraph 2 of paragraph D of this Article.

D. For purposes of funding the general legacy to my spouse:

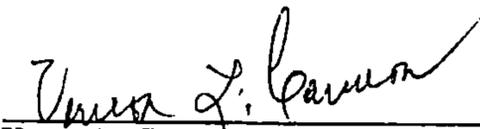
1. Property allocated in kind shall be valued as of the date of its allocation to the marital devise; and

2. Only property or proceeds of property with respect to which the federal estate tax marital deduction would be allowable shall be allocated to the marital devise.

**ARTICLE V**

I devise to the Trustee designated in paragraph B of Article VIII of this Will, to be held as a separate trust named the "Family Trust", my residuary estate, being all property, real, personal or mixed, tangible or intangible, wherever situated, in which I may have any interest at my death not otherwise effectively disposed of, said Family Trust to be administered as follows:

A. If my spouse survives me, then commencing as of the date of my death and during the life of my spouse, the Trustee shall distribute to my spouse the entire net income of the Family Trust in convenient installments, at least as frequently as monthly, and as much of the

  
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Vernon L. Cannon

  
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G. H. B.

principal of the Family Trust, even to the extent of exhausting principal, as the Trustee from time to time determines to be required for my spouse's health, maintenance and support.

B. Upon the death of my spouse (the "division date"), the Trustee shall divide and allocate the remaining principal of the Family Trust into as many separate equal shares as are necessary so that one such share may be named for each child of mine either living on the division date or then deceased leaving one or more descendants living on the division date, and the Trustee shall, as soon as practicable, distribute each share to the recipient thereof, per stirpes and free of trust, and the Family Trust created hereby shall terminate.

C. Despite the preceding provisions of this instrument, the Trustee may elect to withhold any property otherwise distributable under clause Paragraph B of this Article to a beneficiary who has not reached the age of twenty-one (21) years and may retain the property for that beneficiary in a separate trust named for the beneficiary, to be distributed to the beneficiary when he or she reaches the age of twenty-one (21) years, or before then if the Trustee so elects. The Trustee shall apply as much of the net income and principal of the trust so retained as the Trustee believes desirable for the health, support in reasonable comfort, education, best interests, and welfare of the beneficiary for whom the trust is named, considering all circumstances and factors deemed pertinent by the Trustee. Any undistributed net income shall be accumulated and added to principal, as from time to time determined by the Trustee. If the beneficiary for whom the trust is named dies before complete distribution of the trust, the remaining net income and principal of the trust shall be distributed to the beneficiary's estate.

#### ARTICLE VI

The provisions of this Article shall apply to each trust held under this instrument:

A. If a beneficiary eligible to receive net income or principal distributions is under legal disability, or in the opinion of the Trustee is incapable of properly managing his or her financial affairs, the Trustee may make those distributions directly to the beneficiary, to a duly appointed guardian of the estate or person of the beneficiary, or to a custodian selected by the Trustee for the beneficiary under the applicable Uniform Transfers to Minors Act, or may otherwise expend the amounts to be distributed for the benefit of the beneficiary in such manner as the Trustee considers advisable.

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Vernon L. Cannon

  
M.K.B.

  
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B. Except as otherwise provided in this instrument, all income accrued or undistributed at the termination of any interest shall be treated as if it had accrued or been received immediately after the termination.

C. Among the circumstances and factors to be considered by the Trustee in determining whether to make discretionary distributions of principal to a beneficiary are the income and assets known to the Trustee to be already available to that beneficiary and the advisability of supplementing such income or assets.

D. No power of withdrawal shall be subject to involuntary exercise, and no interest of any beneficiary shall be subject to anticipation, to claims for alimony or support, to voluntary transfer without the written consent of the Trustee, or to involuntary transfer in any event.

E. For all purposes of this instrument, in determining whether a person is a child or descendant of any other person, legal adoption, single or successive, shall be equivalent in all respects to blood relationship provided the adoption occurred prior to the adopted child or descendant of any other person having attained his or her age of majority under the laws of the jurisdiction where the adoption occurred.

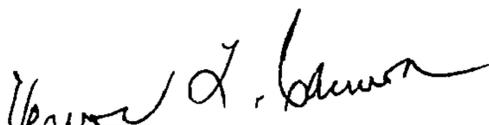
F. Notwithstanding any other provision of this instrument, at the end of twenty-one (21) years after the death of the last to die of myself, my spouse, and all descendants of mine who are living at the death of the first to die of my spouse and me, the Trustee shall distribute the principal and all accrued or undistributed net income of the Family Trust to my then living descendants in equal shares per stirpes.

G. Upon making any payment or transfer, the Trustee shall be discharged as to such payment or transfer without liability for the subsequent application thereof, and when the final payment or transfer is made from the principal of a trust, that trust shall terminate and the Trustee shall be fully discharged as to that trust.

**ARTICLE VII**

A. The Trustee shall have the following powers with respect to each trust held under this instrument, exercisable in the discretion of the Trustee:

  
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Vernon L. Cannon


1. Retention and Dispositions.

The Trustee may retain, hold and manage said property, and such other property as the Trustee may subsequently acquire, pursuant to the power and authority herein given to said Trustee, with full power to compromise, adjust and settle, in the Trustee's discretion, any claim in favor of or against any trust, collect the income, and from time to time sell, convey, exchange, lease for a period beyond the termination of any trust or for a lesser period, improve, encumber, borrow, on the security of, or otherwise dispose of any or all of any trust, in such manner and upon such terms and conditions as said Trustee may approve.

2. Investments.

The Trustee may invest or reinvest any of said property and the proceeds of sale or disposal of any portion thereof in such loans, mortgages, stocks, bonds, participation in common trust funds, or other property, real or personal, as to said Trustee may seem suitable, and change investments and make investments from time to time, as to said Trustee may seem necessary or desirable.

3. Proper Investment.

The Trustee may hold any property or securities originally received as a part of any trust so long as the Trustee shall consider the retention thereof to be in the best interests of such trust, regardless of whether such property or securities are in law a proper investment of any such trust funds.

4. Sales.

The Trustee may dispose of any property at public or private sale, for cash or upon credit or partly for cash and partly for credit, without being limited or restricted to a class of investments which a trustee is or may be permitted by statutes or the Constitution of the State of Alabama to make, where such course is deemed by the Trustee to be for the best interests of any trust.

5. Allocation.

The Trustee may determine whether any money or property coming into the hands of the Trustee shall be treated as a part of the principal of any trust or a part of the income therefrom, and to portion between such principal and income any loss or expenditure in connection with such trust as to the Trustee may seem just and equitable.

6. Title.

The Trustee may cause the securities, which the Trustee may acquire from time to time, constituting a trust or any part thereof, to be registered in the name of the Trustee hereunder, or in the name of the nominee of the Trustee, or take and keep the same unregistered and retain them, or any part thereof, in such condition that they will pass by delivery, but without thereby increasing or decreasing the liability of the Trustee as fiduciary.

7. Real Estate.

The Trustee may improve or develop real estate, construct, alter or repair buildings or structures on real estate, settle boundary lines and easements and exercise other rights with respect to real estate.

  
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**8. Agents.**

The Trustee may employ investment counsel, custodians of trust property, brokers, agents, accountants, and attorneys, and pay reasonable compensation for their services and charge the same to income or principal, or portion same between income and principal, as to the Trustee may seem proper.

**9. Securities.**

The Trustee may hold and retain in any trust estate, and exercise all rights applicable to, any stock or other security issued by a trustee in its individual capacity and owned by any trust, including any stock dividends thereon and any securities issued in lieu thereof as a result of any recapitalization, consolidation or merger.

**10. Additional Property.**

The Trustee may receive additional property from any source and add it to and commingle it with any trust corpus.

**11. Expenses.**

The Trustee may deduct, retain, expend and pay out of any money belonging to any trust any and all necessary and proper expenses in connection with the operation and conduct of such trust, and pay all taxes, insurance premiums on any policies constituting a part of such trust corpus and other legal assessments, debts, claims or charges which at any time may be due and owing by, or which may exist against, such trust.

**12. Business Participation.**

The Trustee may continue or dispose of any business enterprise without liability therefor, whether such enterprise be in the form of a sole proprietorship, partnership, corporation or otherwise, and to develop, add capital to, expand or alter the business of such enterprise, to liquidate, incorporate, reorganize, manage or consolidate the same, or change its charter or name, to enter into, continue or extend any voting trust for the duration of or beyond the term of any trust, to appoint directors and employ officers, managers, employees or agents (including any trustee or directors, officers or employees thereof) and to compensate and offer stock options and other employee or fringe benefits to them, and in exercising the powers in relation to such business enterprise, to receive extra compensation therefor.

**13. Diversification.**

The Trustee may retain for any period of time without limitation, and without liability for loss or depreciation in value, any property transferred to the Trustee, including partnership interests (whether general or limited) and stock in closely held corporations, even though the Trustee could not properly purchase the property as a trust investment and though its retention might violate principles of investment diversification.

**14. Distributions.**

The Trustee may, in any distribution of any trust herein created, pay over the share or shares to be distributed either in cash or in property, or partly in cash and partly in property. Property distributed shall be valued at its approximate fair

*Vernon L. Cannon*  
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market value as determined by the Trustee, and the determination of the Trustee shall be final, conclusive and binding upon all persons interested in such distribution.

**15. Borrowing.**

The Trustee may borrow, with or without security, for the benefit of any trust. A trustee may borrow from himself in his individual capacity and may pledge trust assets as security for the repayment of funds so borrowed.

**16. Location.**

The Trustee may keep any or all of any trust property at any place in the United States, and remove any trust property to any place within the United States.

**17. Reimbursement.**

The Trustee may reimburse any trustee for any expenses incurred by said trustee in the administration of any trust.

**B.** The powers granted in this Article shall be in addition to those granted by law, and may be exercised even after termination of all trusts hereunder until actual distribution of all trust principal, but not beyond the period permitted by any applicable rule of law relating to perpetuities.

**C.** To the extent that such requirements can legally be waived, no trustee hereunder shall ever be required to give bond or security as trustee, or to qualify before, be appointed by, or account to any court, or to obtain the order or approval of any court before exercising any power or discretion granted in this instrument.

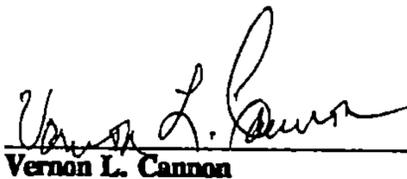
**D.** No person paying money or delivering property to any trustee hereunder shall be required or privileged to see to its application. The certificate of the trustee that the trustee is acting in compliance with this instrument shall fully protect all persons dealing with a trustee.

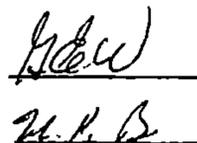
**E.** This instrument and all dispositions hereunder shall be governed by and interpreted in accordance with the laws of the State of Alabama.

**F.** The trustee of any trust created herein may receive reasonable compensation for services rendered as trustee. Compensation for services rendered as trustee may be charged to principal or to income or partly to each in the discretion of the Trustee.

**ARTICLE VIII**

**A.** Any trustee may resign at any time by giving prior written notice to the beneficiary or beneficiaries to whom the current trust income may or must be distributed.

  
Vernon L. Cannon

  
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B. On my death, I name as Trustee (the "Trustee") of each trust held under this my Will, my spouse, METHA JEAN CANNON; and, upon the death, disqualification, resignation, refusal or inability to serve as Trustee of my spouse, METHA JEAN CANNON, then I name my children, GLENN G. CANNON and PAMELA C. WEATHERS, or the survivor of them, as Co-Trustees.

C. The incumbent trustee shall have all of the title, powers, and discretion granted to the original Trustee, without court order or act of transfer. No successor trustee shall be personally liable for any act or failure to act of a predecessor trustee.

I, VERNON L. CANNON, the Testator, sign my name to this instrument this 29<sup>th</sup> day of January, 1991, 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 for the purposes therein expressed, and that I am 19 years of age or older, of sound mind, and under no constraint or undue influence.

Vernon L. Cannon  
Vernon L. Cannon, Testator

WE, Glaude E. Williams and Melba Ann Brown, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and Testament, and that he signs it willingly, and that each of us, in the presence and hearing of the Testator, hereby signs this Will as witness to the Testator's signing, and that to the best of our knowledge the Testator is 19 years of age or older, of sound mind, and under no constraint or undue influence.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Glaude E. Williams  
\_\_\_\_\_ Melba Ann Brown  
\_\_\_\_\_

State of Alabama )  
County of Houston )

Subscribed, sworn to and acknowledged before me by VERNON L. CANNON, the Testator, and subscribed and sworn to before me by Glaude E. Williams and Melba Ann Brown, witnesses, this 29<sup>th</sup> day of January, 1991.

Mary Alice Mitchell  
Notary Public  
My Commission Expires: October 30, 1994

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Vernon L. Cannon  
Vernon L. Cannon

GLW  
MAB

THE STATE OF ALABAMA ) Case No. \_\_\_\_\_  
 HOUSTON COUNTY ) PROBATE COURT

PETITION FOR PROBATE OF WILL

Petition of Metha Jean Cannon for the Probate of the Will of Vernon L. Cannon, deceased.

The petition of the undersigned Metha Jean Cannon respectfully represents unto Your Honor that Vernon L. Cannon, who was at the time of his death an inhabitant of this County, departed this life in Dothan, Alabama, on or about the 13th day of February, 1991, leaving assets in this State, and leaving a Last Will and Testament duly signed and published by him, attested by Glenda E. Williams and Walter Ken Brown and acknowledged in due form by Mary Alice Mitchell, Notary Public. That said will is a self-proving will executed in accordance with the provisions of Ala. Code § 43-8-132.

That your petitioner as she verily believes is named in said Will as Executrix and does now herewith surrender said Will to the Court and pray that after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said deceased. Your petitioner further represents that she is the widow of said deceased, and that the names, residence and condition of the next of kin are as follows, to-wit:

Metha Jean Cannon (widow)  
 1205 Honeysuckle Road  
 Dothan, Alabama 36301

Glenn G. Cannon (son)  
 104 Cottonwood Road  
 Dothan, Alabama 36301

Pamela C. Weathers (daughter)  
 102 Stargell Place  
 Dothan, Alabama 36303

All of the heirs are over the age of nineteen (19) years.

Your petitioner therefore further prays that Your Honor will take jurisdiction of this her petition and cause all such notices or citations to issue to the said next of kin and to said witnesses, and cause all such proceedings to be had and done and

  
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render all necessary orders and decrees in the premises as will  
duly and legally affect the probate and record of said Will in  
this Court.

Address of Petitioner  
1205 Honeysuckle Road  
Dothan, Alabama 36301

Metha Jean Cannon  
Metha Jean Cannon

THE STATE OF ALABAMA, )  
HOUSTON COUNTY. )

Metha Jean Cannon, being duly sworn, deposes and says that  
the facts alleged in the above petition are true, according to  
the best of her knowledge, information and belief.

Subscribed and sworn to before me this the 6th day of March,  
1991.

T E Bentley  
Notary Public  
My Commission Expires: \_\_\_\_\_  
(SEAL)

Metha Jean Cannon  
Metha Jean Cannon

Filed in Probate Court this 7 day of March, 1991.

Cletus N. Youmans  
Judge of Probate, Houston County,  
Alabama

  
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Shelby Cnty Judge of Probate, AL  
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STATE OF ALABAMA )  
HOUSTON COUNTY )

PROBATE COURT

March \_\_\_\_\_, 1991.

ORDER ADMITTING WILL TO PROBATE AND RECORD

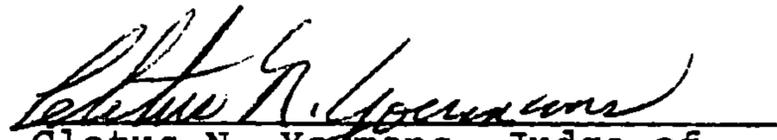
In the Matter of the Estate of Vernon L. Cannon, deceased.

The Petition of Metha Jean Cannon, heretofore filed in this Court, for the probate of an instrument in writing, purporting to be the Last Will and Testament of the said Vernon L. Cannon, deceased, having been presented this day to the Court; and it appearing to the satisfaction of the Court that notice of the said application and of the time appointed for hearing same has been given in pursuance of law in that all of the heirs have executed and filed with the Court waiver of notice and consent to probate said Will.

Now, on the motion of the said Metha Jean Cannon, the applicant aforesaid, the Court proceeds to hear said application. It appearing to the satisfaction of the Court that Glenda E. Williams and Walter Ken Brown on the day of the date thereof, in the presence of the testator, and at his request, and in the presence of Mary Alice Mitchell, Notary Public, signed the said instrument as subscribing witnesses to the same, the said testator then declaring that said instrument constituted his Last Will and Testament; and it also being shown to the satisfaction of the Court that said testator was of the full age of nineteen years and upwards at the time of making said Will; that said Will is self-proving pursuant to the provisions of Ala. Code § 43-8-132 (1975 as amended 1984). It appears to the Court that said application should be granted. It is, therefore,

Ordered, adjudged and decreed by the Court that said Will of said Vernon L. Cannon, deceased, be received, and the same is hereby declared to be proved as the Last Will and Testament of said testator, and, as such, admitted to probate to be recorded, together with all papers on file relating to this proceeding.

It is further ordered that said applicant pay the cost of this proceeding and that she be reimbursed from said estate.

  
Cletus N. Youmans, Judge of Probate



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Shelby Cnty Judge of Probate, AL  
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7 day of March 91  
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Cletus N. Youmans  
Houston County, Ala

THE STATE OF ALABAMA, )  
HOUSTON COUNTY. ) PROBATE COURT

PETITION FOR LETTERS TESTAMENTARY

Petition of Metha Jean Cannon for Letters Testamentary on the Will of Vernon L. Cannon, deceased.

TO THE HONORABLE CLETUS N. YOUMANS, JUDGE, PROBATE COURT, SAID COUNTY:

The petition of the undersigned Metha Jean Cannon respectfully represents unto Your Honor, that in the Last Will and Testament of Vernon L. Cannon, deceased, which Will and Testament has been duly probated and admitted to record in this Court, Vernon L. Cannon named as the Executrix thereof: Metha Jean Cannon. That the said testator died seized and possessed of certain real and personal estate, consisting chiefly of real and personal property and bank accounts; that your petitioner, Metha Jean Cannon, is an inhabitant of the State of Alabama, above the age of nineteen years, and in no respect disqualified, under the law, from serving as such Executrix.

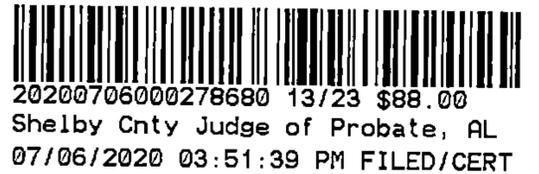
To the end, therefore, that the said property may be collected and preserved for those who shall appear to have a legal interest therein, and the said will executed according to the requests of the said testator, your petitioner prays that Your Honor will grant Letters Testamentary to her as Executrix of the said Last Will and Testament. That the said Metha Jean Cannon was expressly exempted in and by said will from giving bond as Executrix thereof.

Metha Jean Cannon  
Metha Jean Cannon

Metha Jean Cannon being duly sworn, deposes and says that the facts alleged in the above petition are true according to the best of her knowledge, information and belief.

Metha Jean Cannon  
Metha Jean Cannon

STATE OF ALABAMA,  
COUNTY OF HOUSTON.



Subscribed and sworn to before me this the 6th day of March, 1991.

(SEAL)

T. E. Benton Jr.  
Notary Public  
My Commission Expires: \_\_\_\_\_

Filed in Probate Court this 7 day of Mar 19 91  
Recorded in Book 127 Page 715  
Cletus N. Youmans  
Judge of Probate for said County Ala

THE STATE OF ALABAMA, )  
 HOUSTON COUNTY. )

PROBATE COURT

ORDER GRANTING LETTERS TESTAMENTARY

In the Matter of the Estate of Vernon L. Cannon, Deceased.

Present Hon. Cletus N. Youmans, Judge of Probate.

This day comes Metha Jean Cannon and presents to the Court her application in writing, under oath, praying that Letters Testamentary may issue to her as Executrix of the last Will of Vernon L. Cannon, deceased; and the Court being now already fully advised concerning the death of the said Vernon L. Cannon, and that in his will, heretofore filed and admitted to probate by this Court, the said Vernon L. Cannon named as Executrix hereof: Metha Jean Cannon, and it now further appearing to said Court, from the allegations contained in said application, and from other good and sufficient evidence, that the said petitioner is of the full age of nineteen years, is an inhabitant of the State of Alabama, and is a fit person under the law and in the estimation of the Court to serve as said Executrix, and no person having appeared to oppose the granting of Letters to the said Metha Jean Cannon or to show cause why the application of said petitioner should not be granted; it is ordered that the same be granted.

It is further ordered that the said petition be recorded.

It is therefore ordered, adjudged and decreed by the Court that Letters Testamentary be granted to the said Metha Jean Cannon as Executrix under said Will. It is further ordered that the said Metha Jean Cannon proceed immediately to collect and take into her possession the goods and chattels, money, books, papers and evidences of debt of said deceased.

This 7 day of March, 1991.

*Cletus N. Youmans*  
 Cletus N. Youmans,  
 Judge of Probate

Filed in Probate Court this 7 day of March, 1991.

*Cletus N. Youmans*  
 Judge of Probate, Houston County,  
 Alabama.

  
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THE STATE OF ALABAMA )  
HOUSTON COUNTY )

COURT OF PROBATE

LETTERS TESTAMENTARY

The will of Vernon L. Cannon, deceased, having been duly admitted to record in said County, letters testamentary are hereby granted to Metha Jean Cannon, the executrix named in said will, who has complied with the requisitions of the law, and is authorized to take upon herself the execution of said will.

Witness my hand, and dated this 7 day of March, 1991.

Cletus N. Youmans  
Cletus N. Youmans, Judge of Probate

Filed in Probate Court this 7 day of March, 1991.

Cletus N. Youmans  
Judge of Probate, Houston County, Alabama

STATE OF ALABAMA,  
HOUSTON COUNTY.

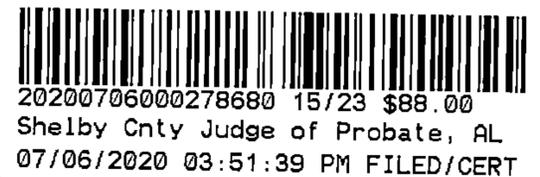
I, Cletus N. Youmans, Judge of Probate in and for said County and State, hereby certify that the within and foregoing is a true, correct, and complete copy of the Letters Testamentary issued to Metha Jean Cannon, as Executrix of the Will of Vernon L. Cannon, deceased, as the same appears of record in my office, and is still in full force and effect.

Given under my hand and seal of office, this the \_\_\_\_\_ day of 199 .

\_\_\_\_\_  
Judge of Probate

Filed in Probate Court this 7 day of March 1991

Recorded in Book 127 Page 716  
Cletus N. Youmans  
Judge of Probate, Houston County, Ala



IN THE MATTER OF	)	IN THE PROBATE COURT
THE ESTATE OF	)	OF HOUSTON COUNTY,
VERNON L. CANNON,	)	ALABAMA
DECEASED	)	CASE NO. _____

**PETITION FOR LETTERS TESTAMENTARY OF SUCCESSOR EXECUTRIX  
TO THE HONORABLE CLETUS YOUMANS AS JUDGE THEREOF:**

Comes now Pamela C. Weathers and in the above styled cause, and states that she is the daughter of Vernon L. Cannon, deceased; that she is named in the Last Will and Testament of Vernon L. Cannon as successor co-executor thereof; that she is a resident of the State of Alabama, over the age of twenty-one (21) years, and otherwise fit and willing to serve in such capacity; that said Last Will and Testament of Vernon L. Cannon was admitted to probate on March 7, 1991, in the Probate Court of Houston County, Alabama; that Metha Jean Cannon, the named executrix therein, was issued Letters Testamentary with respect to said estate; that Metha Jean Cannon departed this life on October 11, 1994, in the City of Dothan, Houston County, Alabama, and a Certificate of Death to that effect is attached hereto and incorporated herein in its entirety by this reference; that the other named co-executor of the Estate of Vernon L. Cannon, Deceased, is Glenn G. Cannon, a resident of the State of Florida, over the age of twenty-one (21) years, and the son of Vernon L. Cannon, deceased; that the said Glenn G. Cannon has renounced his appointment as successor co-executor of the Estate of Vernon L. Cannon, Deceased as reflected in that certain Renunciation dated November 15, 1994, which is attached hereto and incorporated herein in its entirety by this reference; that the said Pamela C. Weathers is willing to serve as sole successor executrix of the Estate of Vernon L. Cannon, Deceased.

Now, therefore, Pamela C. Weathers prays that the Court will take jurisdiction of this her petition and cause Letters Testamentary to be granted in her favor concerning the Estate of Vernon L. Cannon, Deceased.

The said Pamela C. Weathers, residing at 3103 Ridgewood Drive, Dothan, Alabama, 36303, has hereunto set her hand and seal on November 16, 1994.

*Pamela C. Weathers* (Seal)  
Pamela C. Weathers

  
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 Shelby Cnty Judge of Probate, AL  
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STATE OF ALABAMA

BOOK 0148 PAGE 514

COUNTY OF HOUSTON

Pamela C. Weathers, being duly sworn, deposes and says that the facts alleged in the above petition are true, according to the best of her knowledge, information and belief.

Subscribed and sworn to before me this 16th day of November, 1994.

*Cletus N. Youmans*  
Cletus Youmans, Judge of Probate,  
Houston County, Alabama

Filed in Probate Court this 16th day of November, 1994, and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_.

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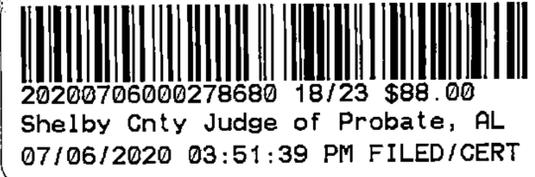


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Shelby Cnty Judge of Probate, AL  
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Filed in Probate Court this 16 day of Nov. 19 94  
Recorded in Book 148 Page 513  
*Cletus N. Youmans*  
Judge of Probate Houston County, Alabama

*Sutt G. Webb*  
SIGNATURE OF LOCAL REGISTRAR

October 18, 1994  
DATE OF ISSUE



**ALABAMA**  
**CERTIFICATE OF DEATH**

County File Number: **941000** State File Number: **101**

1. DECEASED NAME: <b>Metha Jean Holland CANNON</b>			2. DATE OF DEATH: <b>October 11, 1994</b>		3. COUNTY OF DEATH: <b>Houston</b>		
4. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE: <b>Dothan 36301</b>				5. INSIDE CITY LIMITS: <b>Yes</b>		6. PLACE OF DEATH: <b>1277 Honeysuckle Road-Residence</b>	
7. IF HOSPITAL: <b>No</b>			8. OF HISPANIC ORIGIN: <b>No</b>		9. RACE: <b>White</b>		10. SEX: <b>Female</b>
11. AGE: <b>70 YRS.</b>		12. UNDER 1 YEAR: <b>MOS.</b>		13. DATE OF BIRTH: <b>April 8, 1924</b>		14. DECEASED'S SOCIAL SECURITY NUMBER: <b>[REDACTED]</b>	
15. EDUCATION: <b>12</b>			16. MARITAL STATUS: <b>Widowed</b>		17. SURVIVING SPOUSE: <b>[REDACTED]</b>		18. Was Decedent ever in Armed Forces: <b>No</b>
19. STATE OF BIRTH: <b>Alabama</b>		20. RESIDENCE STATE: <b>Alabama</b>		21. COUNTY: <b>Houston</b>		22. CITY, TOWN, OR LOCATION AND ZIP CODE: <b>Dothan 36301</b>	
23. INSIDE CITY LIMITS: <b>Yes</b>		24. STREET AND NUMBER: <b>1277 Honeysuckle Road</b>		25. INFORMANT: <b>Pamela C. Weathers</b> 3103 Ridgewood Drive Dothan, AL 36303			
26. USUAL OCCUPATION: <b>Homemaker</b>				27. KIND OF BUSINESS OR INDUSTRY: <b>Own Home</b>			
29. FATHER NAME: <b>Lonnie Holland</b>			28. MOTHER MAIDEN NAME: <b>Emma Thomley</b>				
30. DISPOSITION OF BODY: <b>Burial</b>		31. Date of Disposition: <b>Oct. 13, 1994</b>		32. CEMETERY OR CREMATORY: <b>Memory Hill Cemetery</b>		33. LOCATION: <b>Dothan, AL</b>	
34. FUNERAL HOME: <b>BYRD FUNERAL HOME</b> 3409 WEST MAIN STREET, DOTHAN AL 36301				35. FUNERAL DIRECTOR SIGNATURE: <i>Robert Byrd</i>		36. DATE SIGNED BY FUNERAL DIRECTOR: <b>Oct. 12, 1994</b>	
37. Certifying Physician: <i>Rafael Mayor MD</i>						38. DATE SIGNED: <b>10/14/94</b>	
39. TIME OF DEATH: <b>7:30 p.m.</b>		40. DATE AND TIME PRONOUNCED DEAD: <b>Oct. 11, 1994 7:30pm</b>		41. NAME AND TITLE OF PERSON WHO COMPLETED CAUSE OF DEATH: <b>Rafael Mayor, MD</b>			
42. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH: <b>1602 E. Main, Suite 301 Dothan AL 36301</b>						43. CERTIFIER LICENSE NUMBER: <b>9173</b>	
44. REGISTRAR SIGNATURE: <i>Sutt G. Webb</i>				45. DATE FILED: <b>Oct. 18, 1994</b>		46. For State or County use only	

**MEDICAL CERTIFICATION**

46. PART I. Enter the disease, injury, or complications that caused the death. Do not enter the mode of dying. LIST ONLY ONE CAUSE ON EACH LINE. APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. <b>metastatic glioblastoma</b>	
b. DUE TO (OR AS A CONSEQUENCE OF): <b>16 day of Nov. 19 94</b>	
c. DUE TO (OR AS A CONSEQUENCE OF): <b>Recorded in Book 148 Page 515</b>	
d. <b>Alletia H. Gorman</b> Judge of Probate, Houston County, Alabama	
47. PART II. Other significant conditions contributing to death but not resulting in death. <b>Ovarian CA</b>	
48. WAS THERE A PREGNANCY IN LAST 42 DAYS? <b>N</b>	
49. MANNER OF DEATH: <b>Natural Cause</b>	
50. AUTOPSY: <b>N</b>	
51. If yes, were findings considered in determining cause of death? <b>N</b>	
52. HOW INJURY OCCURRED: <b>[REDACTED]</b>	
53. DATE OF INJURY: <b>[REDACTED]</b>	
54. HOUR OF INJURY: <b>[REDACTED]</b>	
55. INJURY AT WORK: <b>[REDACTED]</b>	
56. PLACE OF INJURY: <b>[REDACTED]</b>	
57. LOCATION OF INJURY: <b>[REDACTED]</b>	

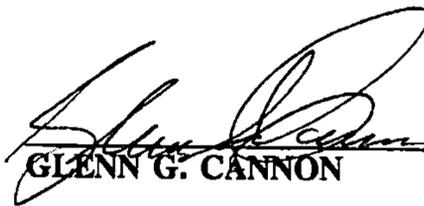
**RENUNCIATION**

IN THE MATTER OF	)	IN THE PROBATE COURT
	)	
THE ESTATE OF	)	OF HOUSTON COUNTY,
	)	
VERNON L. CANNON,	)	ALABAMA
	)	
DECEASED	)	CASE NO. _____

**TO THE HONORABLE CLETUS YOUMANS AS JUDGE THEREOF:**

Comes now GLENN G. CANNON and in the above styled cause, and states that he is named as successor co-Executor in the Last Will and Testament of Vernon L. Cannon, deceased, and that he hereby renounces such appointment as co-Executor in accordance with and pursuant to Section 43-2-25, Alabama Code (1975).

IN WITNESS WHEREOF, the said GLENN G. CANNON has hereunto set his hand and seal on this the 15<sup>th</sup> day of November, 1994.

  
GLENN G. CANNON

STATE OF ALABAMA ]  
                                  ] ]  
COUNTY OF HOUSTON ]

I, Marilyn C. Chancey, a Notary Public, in and for said County in said State, hereby certify that GLENN G. CANNON, whose name is signed to the foregoing Renunciation, and who is known to me, acknowledged before me on this day that, being informed of the contents of this Renunciation, he executed the same voluntarily on the day the same bears date.

Given under my hand this 15<sup>th</sup> day of November, 1994.

  
Marilyn C. Chancey  
Notary Public

My Commission Expires: 1-16-96



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Shelby Cnty Judge of Probate, AL  
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Filed in Probate Court this 16 day of Nov. 19 94  
Recorded in Book 148 Page 516  
Cletus N. Youmans  
Judge of Probate Houston County, Alabama

IN THE MATTER OF	)	IN THE PROBATE COURT
THE ESTATE OF	)	OF HOUSTON COUNTY,
VERNON L. CANNON,	)	ALABAMA
DECEASED	)	CASE NO. _____

ORDER GRANTING LETTERS TESTAMENTARY TO SUCCESSOR EXECUTRIX

PRESENT THE HONORABLE CLETUS YOUMANS AS JUDGE THEREOF:

This day comes Pamela C. Weathers and presents to the Court her application in writing and under oath praying that Letters Testamentary may issue to her as successor executrix of the Estate of Vernon L. Cannon, Deceased; and the Court, being fully advised (i) that Vernon L. Cannon died testate on February 13, 1991, in Houston County, Alabama, (ii) that the Last Will and Testament of the said Vernon L. Cannon was admitted to probate in this Court on March 7, 1991, and Letters Testamentary were granted at that time to the named executrix under said Will, namely Metha Jean Cannon, widow of Vernon L. Cannon, deceased, (iii) that the said Metha Jean Cannon died testate on October 11, 1994, in Houston County, Alabama, (iv) that Pamela C. Weathers and Glenn G. Cannon are named as successor co-executors of the Estate of Vernon L. Cannon, Deceased pursuant to the terms of paragraph A, Article I of the Last Will and Testament of Vernon L. Cannon, deceased, (v) that the said Glenn G. Cannon has renounced his appointment as successor co-executor of the Estate of Vernon L. Cannon, Deceased, and (vi) that the petitioner is willing and able to serve as successor sole executrix of the Estate of Vernon L. Cannon, Deceased; and it appearing to the Court that the allegations contained in the said application, and from other good and sufficient evidence, that the petitioner is over the age of twenty-one (21) years and not otherwise disqualified from serving as sole successor executrix, and no one having appeared to oppose the granting of Letters to the petitioner as sole successor executrix or to show cause why the application of said petitioner should not be granted, it is ordered that the same be granted and that the said Pamela C. Weathers is expressly exempted from filing in this Court a bond as such sole successor executrix by specific provision in the Testator's Will.

It is further ordered that the said petition be recorded in the Probate Records of the Probate Office of Houston County, Alabama.

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 Shelby Cnty Judge of Probate, AL  
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It is therefore ordered, adjudged and decreed by the Court that Letters Testamentary shall be granted to the said Pamela C. Weathers as successor sole executrix under said Will.

IN WITNESS WHEREOF, the said Cletus Youmans, Judge of Probate of Houston County, Alabama, has hereunto set his hand and seal on this the 16 day of Nov, 1994.

*Cletus Youmans*  
Cletus Youmans, Judge of Probate



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Shelby Cnty Judge of Probate, AL  
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Filed in Probate Court this 16 day of Nov 1994  
Recorded in Book 148 Page 517  
*Cletus H. Youmans*  
Judge of Probate Houston County, Alabama

Form 1106-3. (Rev. July, 1975) LETTERS TESTAMENTARY (Code 1940, Tit. 61, Sec. 70) Printed and for Sale by Roberts & Son, Birmingham

THE STATE OF ALABAMA

Houston County

COURT OF PROBATE

The will of Vernon L. Cannon, deceased,

having been duly admitted to record in said County, letters testamentary are hereby granted to

Pamela C. Weathers

Personal Representative

, the ~~executor~~ named in said will, who has complied with the requisitions of the law, and is authorized to take upon herself the execution of said will.

Witness my hand, and dated this 16th day of November, 1994

Filed in Probate Court this 16 day of Nov. 19 94

Recorded in Book 148 Page 519

Cletus N. Youmans Judge of Probate Houston County, Alabama

Cletus Youmans Judge of Probate

ROBERTS & SON BIRMINGHAM



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Shelby Cnty Judge of Probate, AL  
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**AUTHENTICATION OF RECORDS**

**STATE OF ALABAMA  
HOUSTON COUNTY,**

I, the undersigned, **Heather B. Helms**, Chief Clerk of the Probate Court of Houston County, Alabama, do hereby certify that I am the Chief Clerk of the Probate Court of Houston County, Alabama, and have possession of said records of said Court, and the foregoing:

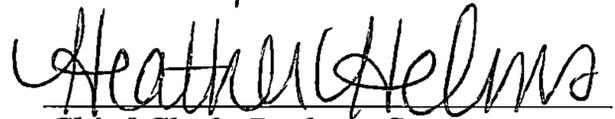
**RE: VERNON L. CANNON**

**CASE # 22-447,**

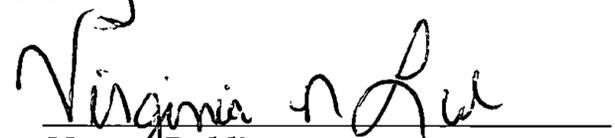
**LAST WILL AND TESTAMENT, PETITION TO PROBATE WILL, ORDER ADMITTING WILL TO  
PROBATE AND RECORD, ORDER GRANTING LETTERS TESTAMENTARY, LETTERS  
TESTAMENTARY, PETITION FOR LETTERS TESTAMENTARY OF SUCCESSOR EXECUTRIX,  
DEATH CERTIFICATE OF METHA JEAN HOLLAND CANNON, RENUNCIATION, ORDER  
GRANTING LETTERS TESTAMENTARY TO SUCCESSOR EXECUTRIX, LETTERS TESTAMENTARY**

are true and correct copies of said documents on file in the Probate Court of Houston County, Alabama, as the same appears of record in said Court and that Honorable Patrick H. Davenport is the Judge of the Probate Court of Houston County, Alabama, duly elected and sworn, and that full faith and credit are due to his official acts.

Witness my hand and the seal of said Court on this 1<sup>st</sup> day of JULY, 2020.

  
Chief Clerk, Probate Court  
Houston County, Alabama

Sworn to and subscribed, before me, this 1<sup>st</sup> day of July, 2020.

  
Notary Public  
My Commission Expires: 1/30/2024

**STATE OF ALABAMA,  
HOUSTON COUNTY**

I, **Patrick H. Davenport**, Judge of Probate of Houston County, Alabama, do hereby certify that **Heather B. Helms**, whose name is signed to the foregoing Certificate and Authentication is the Chief Clerk of the Probate Court of Houston, Alabama, that the seal affixed to said Authentication of Court Records is the seal of the Probate Court of Houston County, Alabama, and that the attestation thereof by said Chief Clerk is in due form of law.

This the 1<sup>st</sup> day of JULY, 2020.

  
Judge of Probate  
Houston County, Alabama



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Shelby Cnty Judge of Probate, AL  
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