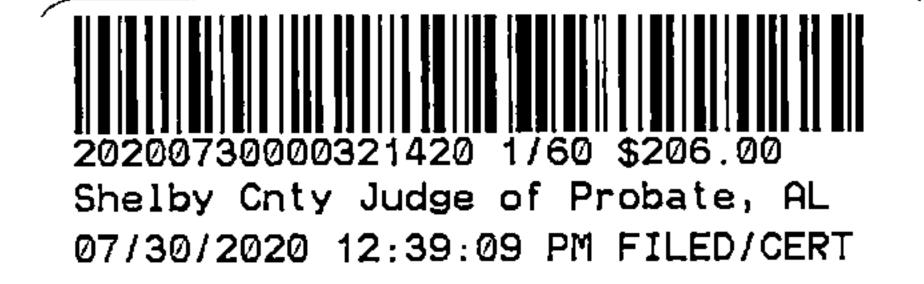
THIS INSTRUMENT PREPARED BY:
Barry E. Vickery
Covenant Law Firm, P.C.
2230 Third Avenue North
Birmingham, Alabama 35203

STATE OF ALABAMA

SHELBY COUNTY,



STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten Dollars and other valuable consideration to the undersigned Grantors, in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, BARRY E. VICKERY AND WILLIAM DANIELS, as CO-PERSONAL REPRESENTATIVES OF THE ESTATES OF PAUL EDWARD DAVIS, JEFFERSON COUNTY, ALABAMA PROBATE COURT, CASE NO. 2014-046813 and MARGIE RAY DRAKE DAVIS, JEFFERSON COUNTY, ALABAMA PROBATE COURT, CASE NO. 18BES00700, (collectively a ½ undivided interest); and DONNA VICKERY and her spouse BARRY E. VICKERY and PAULA DANIELS and her spouse WILLIAM DANIELS, (collectively a ½ undivided interest), (herein referred to as "Grantor"), hereby grants, bargains, sells and conveys unto DONNA VICKERY AND PAULA DANIELS, AS TENANTS IN COMMON (herein referred to as "Grantees"), the following described real estate situated in Shelby County, Alabama, to-wit:

A tract of land, lying in the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 19, South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 1" open top pipe found and locally accepted to be the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 29; thence South 89 degrees 27 minutes 38 seconds East along the North line of said 1/4-1/4 section for a distance of 1318.72 feet to a 1/2" capped rebar found; thence leaving said North line, South 00 degrees 37 minutes 07 seconds East for a distance of 282.69 feet to a 1/2" capped rebar found on the North right of way margin of U.S. Highway 280 (300' right of way); thence South 84 degrees 27 minutes 33 seconds West along said right of way for a distance of 1327.00 feet to a 3/4" rebar found on the West line of said 1/4-1/4 section; thence leaving said right of way, North 00 degrees 07 minutes 22 seconds West along said West line for a distance of 423.22 feet to the POINT OF BEGINNING. Containing 10.70 acres, more or less.

See certified copy of The Last Will and Testament of Paul Edward Davis, Petition for Probate of Will, Waivers of Notice on Probate of Will, Order on Filing and Probating Last Will and Testament and Letters Testamentary attached hereto as Exhibit "A".

See certified copy of The Last Will and Testament of Margie Ray Drake Davis, Petition for Probate of Will, Waivers of Notice on Probate of Will, Order on Filing and Probating Last Will and Testament and Letters Testamentary attached hereto as Exhibit "B".

This conveyance is made subject to any and all restrictions, reservations, easements and/or rights of way of record affecting said property.

The preparer of this instrument render no opinions as to the validity pf title, correctness of description or value of the above described property.

TO HAVE AND T HOLD to the said Grantees, their heirs and assign forever.

IN WITNESS WHEREOF, the undersigned by and through its authorized Grantors has hereunto set its hand and seal on the day the Notary Public witness same bears.

| Dans C. Maker |
|---|
| BARRY E. WCKERY, AS PERSONAL REPRESENTATIVE |
| OF THE ESTATE OF PAUL EDWARD DAVIS AND THE ESTATE OF MARGIE RAY DRAKE DAVIS |
| |
| Willew Sand |
| WILLIAM DANIELS, AS PERSONAL REPRESENTATIVE |
| OF THE ESTATE OF PAUL EDWARD DAVIS AND THE ESTATE OF MARGIE RAY DRAKE DAVIS |
| |
| Donna Vickery |
| DONNA VICKERY, as Grantor |
| |
| Brand & Holland |
| BARRY FDWARD VICKERY, as Spouse |
| |
| |
| Yaula (boulls) |
| PAULA DANIELS, as Grantor |
| |
| Willes Janet |
| WILLIAM DANIELS, as Spouse |

STATE OF ALABAMA,

SHELBY COUNTY.

I <u>Larry R. Boothe</u>, <u>Tr.</u>, a Notary Public in and for said State, hereby certify that Barry Edward Vickery in his personal capacity and in his capacity as Personal Representative of the Estate of Paul Edward Davis and the Estate of Margie Ray Drake Davis pursuant to Letters Testamentary is signed to the foregoing conveyance, and who is known to me, acknowledged in said capacity, executed the same voluntarily on the day the same bears.

Given under my hand and seal this 30

Commission Exp. 11/07/2023

STATE OF ALABAMA,

SHELBY COUNTY.

a Notary Public in and for said State, hereby certify that William Daniels in his personal capacity and in his capacity as Personal Representative of the Estate of Paul Edward Davis and the Estate of Margie Ray Drake Davis pursuant to Letters Testamentary is signed to the foregoing conveyance, and who is known to me, acknowledged in said capacity, executed the same voluntarily on the day the same bears.

Given under my hand and seal this__

m. Comme NOTARY PUBLIC

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STATE OF ALABAMA,

SHELBY COUNTY.

| Donna Vickery in her capacity as Grantor sit to me, acknowledged in said capacity, executions. | igned to the for uted the same \ | regoing conv voluntarily o | veyance, and on the day th | d who is k | known |
|--|-------------------------------------|--|-------------------------------|--------------------|-----------|
| Given under my hand and seal this_ | 30 de | ay of Jul | y de, | 2019. Z | 020 |
| | Cam | OTARY PUB | Xp. 11/0- | 1/2023 | |
| STATE OF ALABAMA, | | • | | | |
| SHELBY COUNTY. | | | | | |
| Roci Pottrell a | Notary Public i | n and for sa | id State, her | eby certif | fy that |
| Paula Daniels in her capacity as Grantor sign | ned to the fore | going conve | yance, and v | vho is kno | wn to |
| me, acknowledged in said capacity, execute Given under my hand and seal this_ | ed the same vol | untarily on to \mathcal{D}^{q} | the day the \mathbf{C} . | same bear 2019. | S. |
| | 100 | , ———————————————————————————————————— | Mth | 010- | |

NOTARY PUBLIC

Send Tax Notice To:

Donna Vickery
Paula Daniels
780 Cahaba River Estates
Birmingham, Alabama 35244

20200730000321420 3/60 \$206.00 Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT IN THE MATTER OF:
THE ESTATE OF:
PAUL EDWARD DAVIS
DECEASED

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NUMBER: 2014-046813

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 Barry Edward Vickery and or William Daniels the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, October 06, 2014.

JUDGE OF PROBATE

I, ALAN L KING, Judge of the Court of Probate 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, October 15, 2019.

JUDGE OF PROBATE

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CERTIFICATE TO COPIES

The State of Alabama JEFFERSON COUNTY

Bessemer Division PROBATE COURT

I, JUDGE ELIZABETH NORTH, Judge of the Court of Probate, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the Estate case of Paul Edward Davis, deceased, CASE NO:2014-046813, as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this date, October 15, 2019

Judge of Probate

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DOCKET ENTRY LISTING

Case Number:

2014-046813

vs. PAUL EDWARD DAVIS

| LINE | DATE | DESCRIPTION |
|------|------------|--|
| 1 | 10/06/2014 | CASE INITIATED - |
| 2 | 10/06/2014 | RECEIVABLE CREATED FOR \$0.00 |
| 3 | 10/06/2014 | FOLDER CREATED |
| 4 | 10/06/2014 | NOTICE TO CREDITORS-10/6/14 NOTICE TO CREDITORS ISSUED |
| . 5 | 10/06/2014 | PETITION-10/6/14 PET FOR LTRS TEST W/O BOND FILED GRANTED ORD |
| | | ENTERED LTRS ISSUED TO BARRY EDWARD VICKERY AND WILLIAMS DANIELS |
| , | | AND ORDERED RECORDED |
| 6 | 10/06/2014 | INVOICE # 18809 GENERATED FOR THE AMOUNT OF \$135.00 |
| 7 | 10/06/2014 | RECEIPT# 026732 GENERATED FOR THE AMOUNT OF \$ 135.00 |
| 8 | 10/06/2014 | PETITION-10/6/14 PET FOR PROBATE OF WILL WILL FILED GRANTED WILL |
| | | PROBATED ORDER ENTERED AND ALL RECORDED |
| 9 | 01/08/2016 | LETTERS TESTAMENTARY |

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Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

.

| IN THE MATTER OF THE ESTATE OF | IN THE PROBATE COURT OFJEFFERSON COUNTY, ALABA |
|---------------------------------|--|
| PAUL EDWARD DAVIS (DECEASED) | CASE NO. 2014-07681 |

BESSEMER DIVISION

PETITION FOR PROBATE OF WILL (Self-Proved Will)

Comes the petitioner, Barry Edward Vickery and William Daniels, and shows this Court the following facts:

- Paul Edward Davis (the "decedent") died testate at Brookwood Medical Center on or about the 26th day of May, 2014, and, at the time of such death, was an inhabitant of Hoover, Jefferson County, Alabama.
- Surrendered herewith is the decedent's last will and testament (and all codicils thereto) naming the petitioners as personal representatives thereof, which was (were) duly signed by the decedent when over eighteen (18) years of age, and was (were) attested by the following witnesses:

| Name | Present Address |
|-----------------|--|
| Sandra Jerkins | 2230 Third Avenue North Birmingham, Alabama 35203 |
| Louise B. Moore | 2230 Third Avenue North Birmingham, Alabama 35203 |

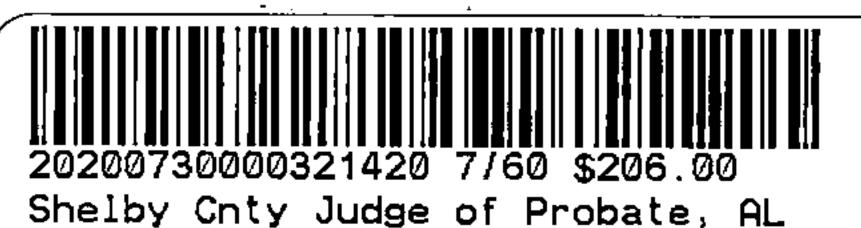
The decedent's last will and testament, as identified in paragraph 2 hereof, was selfproved in a manner substantially in accordance with the requirements of Ala. Code §43-8-132. The name and present address of the officer authorized to administer oaths before whom said will was acknowledged are as follows:

M. Wayne Wheeler

2230 Third Avenue North

Birmingham, Alabama 35203

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):



Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

Name, age, condition, relationship

- Margie Ray Davis, over 19 years of age, of sound mind, spouse
- Donna Ray Davis Vickery, over 19 years of age,
 Of sound mind, daughter
- Paula Davis Daniels, over 19 years of age,
 Of sound mind, daughter

Address

3850 Galleria Woods Drive, Apt 323 Hoover, Alabama 35244

780 Cahaba Hoover, Alabama 35244

4308 Marquette Drive Mobile, Alabama 36608

WHEREFORE, the petitioner prays that this Court will take jurisdiction of this petition, will cause all such notice or citations to issue to the said surviving spouse, next-of-kin, and attesting witnesses as may be proper in the premises; and will cause such proceedings to occur, 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:

Barry E. Vickery, Esq. Covenant Law Firm, P.C. 2230 Third Avenue North Birmingham, Alabama 35203 (205) 323-6006 Petitioners Signatures

Petitioner's Address:
Barry Edward Vickery
780 Cahaba River Estates
Birmingham, Alabama 35244

William Daniels 4308 Marquette Drive Mobile, Alabama 36608

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, on the cand day of September, 2014, and

_set for hearing the ___day of _____

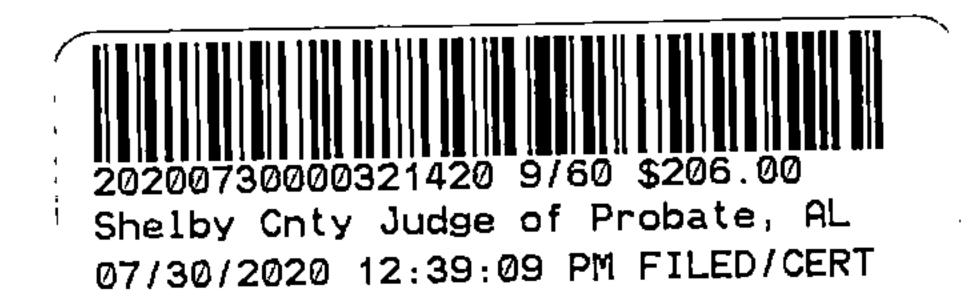
Judge of Probate

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| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA |
|---|---|
| | |
| PAUL EDWARD DAVIS (DECEASED) |) CASE NO. 2014-046813 |
| | AIVER OF NOTICE PROBATE OF WILL BESSEMER DIVISION |
| (as determined by application of the Ala. Cod deceased, being over the age of nineteen (19) the petition to probate the last will and testa hereby waive notice either by personal servi which bears the date of July 13, 2005, be add the personal representative named in said will | ferson County, State of Alabama, being one of the next-of-kin le §43-8-41 or 43-8-42, as appropriate) of Paul Edward Davis, years, hereby accept service and waive notice of the filing of ament (including all codicils thereto) of said decedent. I do ice or by publication and consent and request that said will, mitted to probate without further notice of any kind to me, and I be appointed as provided therein. I acknowledge that by this it to contest said will or to make an objection to the handling of ed by the personal representative thereof. |
| Dated this 5 4 day of September | 2014 |
| WITNESS: (Required) X Signature of Witness | Signature of Person Making Waiver |
| Name of Witness | Margie Ray Davis Name of Person Making Waiver |
| | 3850 Galleria Woods Drive, Apt 323 Hoover, Alabama 35244 |
| | Address |
| | BENCH NOTE |
| Octo Filed in the Probate Court of Jefferson September, 2014. | on County, Alabama, and ordered recorded this the day of |
| | Judge of Probate |

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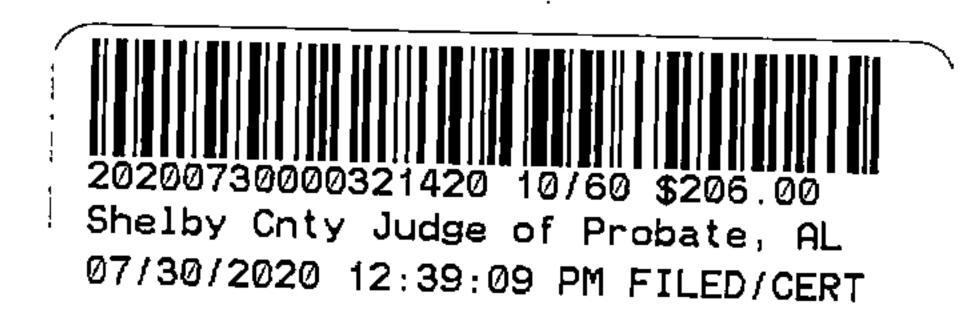


| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA |
|--|---|
| PAUL EDWARD DAVIS (DECEASED) |) CASE NO. 2014-046813 |
| | BESSEMER DIVISION |
| | OF NOTICE TE OF WILL |
| | TIL OF WILL |
| one of the next-of-kin (as determined by application appropriate) of Paul Edward Davis, deceased hereby accept service and waive notice of the testament (including all codicils thereto) of said personal service or by publication and consent of July 13, 2005, be admitted to probate with personal representative named in said will be that by this Waiver of Notice I am NOT giving | ation of the Ala. Code §43-8-41 or 43-8-42, as d, being over the age of nineteen (19) years, filing of the petition to probate the last will and decedent. I do hereby waive notice either by and request that said will, which bears the date nout further notice of any kind to me, and the appointed as provided therein. I acknowledge up my right to contest said will or to make an of the estate of the deceased by the personal |
| Dated this 5// day of September, 20 | 014 |
| WITNESS! (Required) | |
| x Kams Alla | Signature of Person Making Waiver |
| Signature of Witness | Signature of Person Making Waiver |
| Berry E- Vicher Name of Witness | Donna Ray Davis Vickery Name of Person Making Waiver |
| , | • |
| | 780 Cahaba River Estates <u>Hoover, Alabama 35244</u> |
| | Address |
| • | |
| | • |
| | • |
| BENCH | INOTE |
| | County Alahama and ordered recorded this the |

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the day of Geptember, 2014.

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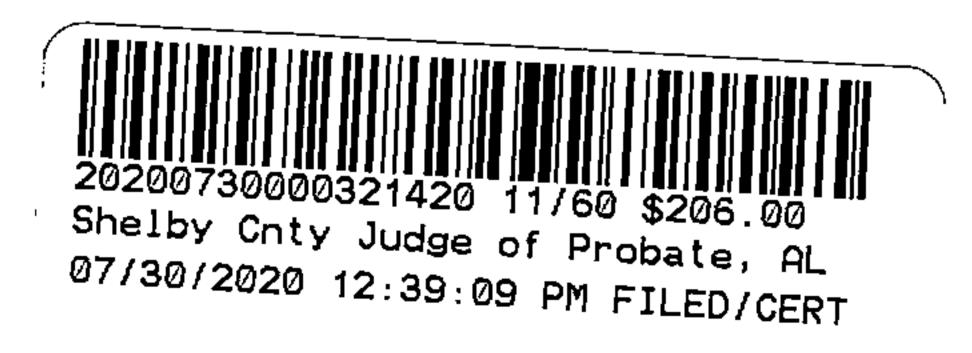
Judge of Probate



| | OFJEFFERSON COUNTY, ALABAMA |
|---|---|
| PAUL EDWARD DAVIS (DECEASED) | CASE NO. 2014-046813 |
| WAIVER O ON PROBAT | |
| I, Paula Davis Daniels, a resident of Mobile C (as determined by application of the Ala. Code §43-8-deceased, being over the age of nineteen (19) years, the petition to probate the last will and testament (in hereby waive notice either by personal service or by which bears the date of July 13, 2005, be admitted to the personal representative named in said will be apported by the administration of the estate of the deceased by the | nereby accept service and waive notice of the filing of including all codicils thereto) of said decedent. I do publication and consent and request that said will, probate without further notice of any kind to me, and pinted as provided therein. I acknowledge that by this st said will or to make an objection to the handling of |
| Dated this 2014 | |
| WITNESS: (Required) X | Signature of Person Making Waiver |
| | Paula Davis Daniels |
| Name of Witness | Name of Person Making Waiver |
| • | 4308 Marquette Drive Mobile, Alabama 36608 Address |
| | |
| BENCH | |
| Filed in the Probate Court of Jefferson County, September, 2014. | Alabama, and ordered recorded this the day of |
| Judge | e of Probate |
| | 1 |

IN THE PROBATE COURT

IN THE MATTER OF THE ESTATE OF



| IN ! | THE MAT | rer (| OF: | • | |) |
|------|---------|-------|------|--------|--------|---------|
| THE | ESTATE | OF: | PAUL | EDWARD | DAVIS, | , () |
| חפכו | RASED | | | | |) } |

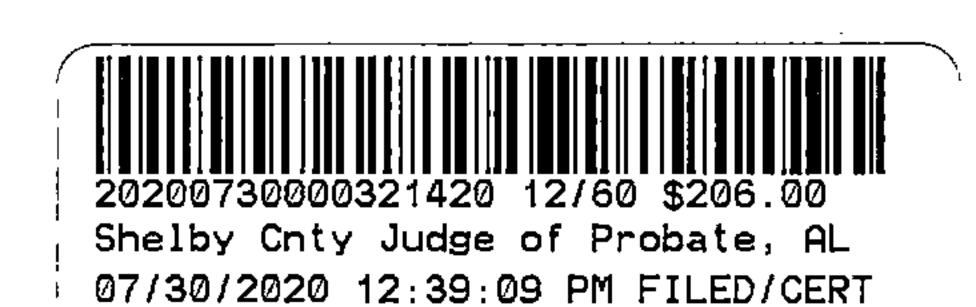
IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA BESSEMER DIVISION CASE NUMBER 2014-046813

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Barry Edward Vickery and William Daniels 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 Paul Edward Davis, deceased, said will bearing date, July 13, 2005 and attested by Sandra Jerkins, Louise B. Moore and M. Wayne Wheeler; and praying that the same be probated as provided by law; that the next of kin of said deceased are as follows, to-wit: Margie Ray Davis, widow, and Donna Ray Davis Vickery, daughter, Hoover, AL; aul Davis Daniels, daughter, Mobile, AL; each of whom is 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 waiver of notice and acceptances of services the genuine signatures of said next of kin; now on motion of said petitioners, the Court proceeds to hear said petition; and, after due proof and hearing had according to the laws of this state, the court is satisfied and is of the opinion that said instrument is the genuine Last Will and Testament of said deceased, and that 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 Paul Edward Davis, deceased, and ORDERED to be recorded together with the proof thereof and all other papers on file relating to this proceeding.



Page 2

Case 2014-046813

It is further **ORDERED** that petitioners pay the costs of this proceeding.

DONE this date, October 6, 2014.

Judge of Probate

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Wast Mill and Vestament

2014-016813

OF

PAUL EDWARD DAVIS

I, Paul Edward Davis, of Jefferson County, Alabama, being over nineteen years of age and of sound mind and disposing memory, do hereby make, publish and declare this instrument as and for my Last Will and Testament and hereby expressly revoke any and all Wills, Codicils and other testamentary dispositions heretofore made by me.

At the time of the execution of this Will, my immediate family group consists of my wife, Margie Ray Drake Davis hereinafter sometimes referred to as my "wife" or my "spouse", my children, Donna Ray Davis Vickery and Paula Davis Daniels, hereinafter sometimes referred to singularly as a "child" and collectively as "children".

ITEM ONE

direct that my legal debts (not barred by a statute of limitations or otherwise), including funeral expenses, the cost of a suitable monument, and costs of administration of my estate, be paid as soon as practicable after my death, and I hereby authorize and empower my Personal Representative, in case of any claim made against my estate, to settle and discharge the same in the absolute discretion of my Personal Representative.

In the event any property or interest in property passing under this Will, or by operation of law, or otherwise by reason of my death, shall be encumbered by a mortgage or a lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not be charged to or paid by my estate, but that the devisee, legatee, joint owner taking by survivorship, or

Shelby Cnty Judge of Probate, AL

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beneficiary shall take such property or interest in property subject to any such encumbrance existing at the time of my death.

ITEM TWO

I direct that my Personal Representative pay out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes (together with any interest or penalty thereon, but excluding any generation-skipping tax), assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or by any foreign government or political subdivision thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this Will or otherwise, including property over which I have a power of appointment. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes, except my Personal Representative shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of federal or estate tax attributable to property in which I have a qualifying income interest for life, over which I have a power of appointment, or which is included in my gross estate by reason of Section 2036 of the Internal Revenue Code, and which tax is not otherwise paid or payable. Any generation-skipping tax resulting from a transfer occurring under this Will shall be charged to the property constituting the transfer in the manner provided by applicable law.

ITEM THREE

All of my furniture, household goods, jewelry and personal effects shall be distributed in accordance with the provisions of a certain memorandum written entirely in my handwriting and signed by me. If for any reason said memorandum is not found and properly identified as such by my Executor within thirty (30) days after the probate of my Will, then all of the aforesaid property shall become a part of my residuary estate hereinafter disposed of.

This provision is limited to items in value of less than One Thousand Dollars (\$1,000.00) and shall deal primarily with keepsakes or family items. In order to be valid, said list must be signed by me with two witnesses in the same manner as a codicil of a

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2014-046813

will. Said separate list must reference this provision and shall be limited to personalty only.

ITEM FOUR

A. Jointly Held Property With Spouse:

I have various assets that are in a joint accounts with my spouse that are set out in the attached Exhibit A. It is my intention that all of the jointly held property shall be devised absolutely to my spouse, Margie Ray Drake Davis without regard to the character of the account whether it relates to real estate, financial accounts, bonds, or otherwise.

If my spouse should predecease me, or we die in a joint disaster, then I direct said assets shall go to our daughters, Donna Ray Davis Vickery and Paula Davis Daniels, share and share alike or to their descendants in equal shares per stirpes.

B. Individually Held Certificates of Deposit

Currently, I own Certificates of Deposit at various Banks. A list of these Certificates are set out in the attached Exhibit B. All of these Certificates are now in my individual name. In order to fund the Margie Ray Drake Davis Trust set out in Item V, I have changed the named Certificates of Deposit into my name in order to provide income for my spouse for her life with the corpus of the trust being devised to our children or grandchildren.

C. Gifts From Certificates of Deposit

In addition, I may elect to give gifts to my daughters or grandchildren from these Certificate Accounts during my lifetime. Said action may reduce the funding of the trust.

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Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

ITEM FIVE

I give, devise and bequeath all funds in the various Certificates of Deposit which I may own at the time of my death in my individual name only to the MARGIE RAY DRAKE DAVIS TRUST for the use and benefit of my spouse and children. Said funds to be held in trust and to be administered and distributed as follows:

- 1. If my spouse shall survive me, then this trust shall commence as of the date of my death. During the life of my spouse, Margie Ray Drake Davis, I direct that the Trustee shall pay as follows:
 - a. The Trustee shall pay to or apply for the benefit and use of my spouse all of the net income of the trust estate in annual or more frequent installments as the trustee may elect.
 - b. The Trustee shall also pay to or apply for the benefit of my spouse so much of principal of the trust as the Trustee, in the exercise of the Trustee's exclusive discretion, shall reasonably deem necessary for her health, maintenance and support of my spouse, having in mind both the standard of living to which my spouse has been accustomed and the income and principal that may be available to my spouse from other sources. However, it is my intention that the income derived from the Trust shall be deemed sufficient to support my spouse.
 - c. Additional, the Trustee is authorized to pay to or apply for the benefit of any of my descendants during the lifetime of my spouse such sums out of the principal of the trust as the Trustee, in the Trustee's exclusive discretion, may determine to be reasonably necessary for any such descendant's health, support, maintenance and education. Such payments may be made disproportionately among my descendants. Any such advancement of principal shall not be deducted from any descendant's ultimate share, if any.
 - d. The assets of this trust shall include and be limited to the funds in the attached Certificates of Deposit accounts. (Exhibit B)
- 2. Upon the date of death of my spouse, the trust estate shall terminate and the balance shall be divided and paid to my children, or their descendants per stirpes.
- 3. In the event I shall have no descendants then living, the Trustee shall distribute the property then constituting the Trust as follows:
 - a. One-half (1/2) thereof to those persons who would have been entitled to inherit, the same from me, and in such shares as they

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Page 5

would have been entitled to inherit, under the laws of descent and distribution of the State of Alabama in effect at the division date had I then died intestate and owning the same; and

b. One-half (1/2) thereof to those persons who would have been entitled to inherit the same from my spouse, and in such shares as they would have been entitled to inherit, under the laws of descent and distribution of the State of Alabama in effect at the division date had my spouse then died intestate and owning the same.

ITEM SIX

I hereby specifically provide that any person may renounce any interest which they may have or be entitled to receive under this Will. In the event of any such renunciation, any property so disclaimed shall devolve as if the disclaimant predeceased me, and the disclaimant shall have no power, duty, discretion or be entitled to receive any benefit therefrom which would caused said disclaimer to fail as a qualified disclaimer under Section 2518 of the Internal Revenue Code.

ITEM SEVEN

All the rest, residue, and remainder, I give to my spouse, Margie Ray Drake Davis, or to our children, Donna Ray Davis Vickery and Paula Davis Daniels, share and share alike, or to their descendants in equal shares per stirpes.

ITEM EIGHT

- 1. I hereby nominate and appoint my son-in-laws, Barry Edward Vickery and William Daniels, or the survivor thereof, as Joint Executors of this Will.
- 2. I hereby nominate and appoint my daughters, Donna Ray Davis Vickery and Paula Davis Daniels, or the survivor thereof as Joint Trustee of the trust established by this will.
- 3. Any successor fiduciary shall have all of the rights, duties, powers, privileges, exemptions and immunities, whether discretionary or otherwise, and shall act under the same terms and conditions as conferred upon the original fiduciary.
- 4. No successor fiduciary shall be liable or responsible in any way for the actions or defaults of any predecessor fiduciary nor have any loss or expense from or occasioned by anything done or neglected to be done by any predecessor fiduciary, but such successor fiduciary shall be liable only for such fiduciary's own actions and defaults in respect to property actually received by such fiduciary.
- 5. Any successor fiduciary appointed hereunder may accept the account rendered and the assets and property delivered to him by the predecessor fiduciary as a full and complete discharge of the predecessor fiduciary, and shall incur no liability or responsibility to any beneficiary by reason of so doing, all without the necessity of any court proceeding or judicial supervision or approval, regardless of any vested or contingent interests of any beneficiaries. Any predecessor fiduciary shall, at the cost

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and expense of the trust or estate, execute and deliver all conveyances and assignments, and do or cause to be done forthwith any and all acts and things as may be necessary to vest in the remaining fiduciaries, if any, and the successor fiduciary all of the rights, titles and interests of the predecessor fiduciary hereunder, and to confirm such authority to act as such.

- 6. No fiduciary serving hereunder shall be liable or responsible for any act or omission in the administration of my estate or any trust created herein, or for any loss or depreciation in value of any property of my estate or any such trust by reason of investment or otherwise, whether due to a mistake or error of judgment or otherwise, except for the gross negligence or willful misconduct of such fiduciary.
- 7. In the event it becomes necessary to have administration of my estate in any state other than Alabama, the Personal Representative named herein shall serve as such Ancillary Personal Representative if permitted by law, and if not, then such Personal Representative may appoint any person or organization as Ancillary Personal Representative as may qualify under applicable law. Such Administrator shall have the same rights, powers, duties and discretions herein conferred upon my Personal Representative.
- 8. I direct that no compensation be paid to any fiduciary serving under this Will who is a family member of mine (whether by blood or marriage), but that a reasonable compensation be paid to any fiduciary serving under this Will who is not a family member; provided, however, that any fiduciary serving under this Will (whether or not a family member) shall be reimbursed in full from my estate or the appropriate trust for all costs and expenses reasonably paid or incurred by such fiduciary in the administration of my estate or any trust under this Will.

ITEM NINE

- 1. I hereby grant to my Personal Representative and also to the Trustee of each trust established hereunder (including any substitute or Successor Personal Representative or Trustee) the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate or in any trust, as freely as I might in the handling of my own affairs. Such power may be exercised independently and without the prior or subsequent approval of any court or judicial authority, and no person dealing with such Personal Representative or Trustee shall be required to inquire into the propriety of any of the actions of such Personal Representative or Trustee. Without in any way limiting the generality of the foregoing, I hereby grant to my Personal Representative, and also to any Trustee hereunder, the following specific powers and authority, in addition to, and not in substitution of, powers conferred by law:
 - a. To compromise, settle or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement.
 - b. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, and to exchange any such security or property for other securities or properties and to retain such items received in exchange. Any fiduciary may presume that I have confidence in the securities owned by me at the time of my death and, therefore, no sale thereof shall be made solely in order to diversify investments.

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- c. To retain such property for any period, whether or not the same be of the character permissible for investments by fiduciaries under any applicable law, and without regard to any effect the retention may have upon the diversification of the investments.
- d. To sell, transfer, exchange, convert or otherwise dispose of, or grant options with respect to, any security or property, real or personal, held in my estate, at public or private sale, with or without security, in such manner, at such time or times, for such purposes, for such prices and upon such terms, credits and conditions as the fiduciary may deem advisable.
- e. To invest and reinvest in common stocks, preferred stocks, bonds, options, securities and other property, real or personal, foreign or domestic, whether or not such investments be of the character permissible for investments by fiduciaries under any applicable law, and without regard to the effect any such investment or reinvestment may have upon the diversity of the investments.
- f. To render liquid my estate, in whole or in part, at any time, or from time to time, and hold cash or readily marketable securities of little or no yield for such period as the fiduciary may deem advisable.
- g. To lease and sub-lease, and assign leases and approve assignments of leases, regardless if the term or duration of the lease.
- h. To join in or become a party to, or to oppose, any reorganization, readjustment, recapitalization, foreclosure, merger, voting trust, dissolution, consolidation or exchange, and to deposit any securities with any committee, depository or trustee, and to pay any and all fees, expenses and assessments incurred in connection therewith, and to charge the same to principal, to exercise conversion, subscription or other rights, and to make any necessary payments in connection therewith, or to sell any such privileges.
- i. To vote in person at meetings of stock or security holders, or any adjournment of such meetings, or to vote by general or limited proxy, or to refrain from voting, with respect to any such shares of stock or other securities held by the fiduciary.
- j. To hold securities in the name of a nominee without indicating the trust character of such holding, or unregistered, or in such form as will pass by delivery.
- k. To pay, compromise, compound, adjust, submit to arbitration, sell or release any claims or demands, and to make any payments in connection therewith.

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- I. To borrow money for any purpose from any source, and to secure the repayment of any and all amounts so borrowed by mortgage or pledge of any property.
- m. To possess, manage, insure against loss by fire or other casualties, develop, subdivide, control, partition, mortgage, lease or otherwise deal with any and all real property; to satisfy and discharge or extend the term of any mortgage thereon; to execute the necessary instruments and covenants to effectuate the foregoing powers, including the giving or granting of options in connection therewith; to make improvements, structural or otherwise, or abandon the same if deemed to be worthless or not of sufficient value to warrant keeping or protecting and to pay or refrain from paying assessments and expenses of whatever nature as may be advisable under the circumstances.
- n. To make distribution in kind, and to cause any share to be composed of cash, property or undivided fractional shares in property different in kind from any other share.
- To (A) conduct environmental assessments, audits, and site Ο. monitoring to determine compliance with any environmental law or regulation thereunder; (B) take all appropriate remedial action to contain, clean up or remove any environmental hazard including a spill, release, discharge or contamination, either on its own accord or in response to an actual or threatened violation of any environmental law or regulation thereunder; (C) institute legal proceedings concerning environmental hazards or contest or settle legal proceedings brought by any local, state, or federal agency concerned with environmental compliance, or by a private litigant; (D) comply with any local, state or federal agency order or court order directing an assessment, abatement or cleanup of any environmental hazards; and (E) employ agents, consultants and legal counsel to assist or perform the above undertakings or actions. Any expenses incurred by the fiduciary under this subparagraph may be charged against income or principal as the fiduciary shall determine.
- p. To disclaim any power granted hereby or by any other document, statute, or rule of law which, in the sole discretion of the fiduciary, may cause the fiduciary to incur personal liability under any environmental law.
- q. To allocate in the fiduciary's sole discretion, in whole or in part to principal and income, all receipts and disbursements for which no express provision is made hereunder, which allocation shall fully protect the fiduciary with respect to any action taken or payment made in reliance thereon; provided, however, that any proceeds received by the fiduciary from any "retirement plan", meaning any qualified pension, profit sharing, stock bonus, Keogh or other qualified plan, trust, contract, account, annuity, or bond, or individual retirement account, as those terms are defined in the Internal Revenue Code, or any non-qualified deferred

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compensation agreement, salary continuation agreement, or similar arrangement, shall be treated by the fiduciary as principal, except that any income earned within the retirement plan from such proceeds as a result of an installment or similar election or any other deferral or payment of the retirement plan's proceeds to the fiduciary shall be treated by the fiduciary as income when received.

- To file any and all tax returns, both Federal and State, that may be required, and to make such elections and allocations under the tax laws permitted to be made by the fiduciary as the fiduciary considers advisable (whether or not the election relates to property passing under this Will), without regard to, or adjustments between principal and income or the relative interests of the beneficiaries, and any such determination shall be binding on all beneficiaries. In furtherance of the foregoing, I specifically authorize my Personal Representative, in the Personal Representative's sole discretion (a) to make such elections (or to decline to make such elections) under the tax laws as my Personal Representative deems advisable. including an election to create qualified terminable interest property for both estate and generation-skipping tax purposes or for estate tax purposes alone, and (b) to allocate the unused portion, if any, of my GST exemption (as defined in this paragraph) to any property with respect to which I am the transferor for generationskipping tax purposes (irrespective of whether such property passes under this Will) in such manner as my Personal Representative deems advisable, in each case without regard to the relative interests of the beneficiaries, however my Personal Representative shall not make adjustments between principal and income, or in the interests of the beneficiaries, to compensate for the effects of such elections and allocation. Any decision made by my Personal Representative with respect to the exercise or non exercise of any tax election or the allocation of my GST exemption shall be binding and conclusive on all persons. As used in this paragraph, the "GST Exemption" means the exemption from generation-skipping tax allowed under Section 2631 of the Internal Revenue Code.
- s. To employ and to pay reasonable compensation to legal counsel, accountants, investment advisers, brokers and other agents or employees (including, without limitation, any person who may be serving as a fiduciary hereunder), and to treat as an expense of my estate or any trust hereunder any compensation so paid.
- t. To execute and deliver any and all instruments in writing which are deemed advisable to carry out any of the foregoing powers. No party to any such instrument in writing signed by fiduciary shall be obliged to inquire into its validity.
- 2. No fiduciary shall be liable for any loss or depreciation in value sustained by my estate or any trust hereunder by reason of the fiduciary's compliance or efforts to comply with any environmental law, specifically including any reporting requirement

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under such law, or as a result of the fiduciary retaining any property upon which there is later discovered to be hazardous materials or substances requiring remedial action pursuant to any federal, state, or local environmental law, unless the fiduciary contributed to the loss or depreciation in value through willful default, willful misconduct, or gross negligence.

- 3. No fiduciary, in such fiduciary's individual capacity, shall be considered an owner or operator of any property of my estate or any trust hereunder for purposes of any environmental law.
- 4. Notwithstanding any contrary provision of this instrument, to the maximum extent permitted by law, the fiduciary may withhold a distribution to a beneficiary from my estate or trust hereunder until receiving from the beneficiary an indemnification agreement in a form satisfactory to the fiduciary in which the beneficiary agrees to indemnify the fiduciary against any claims filed against the fiduciary as an "owner" or "operator" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as from time to time amended, or any regulation thereunder; provided further that the fiduciary may not take any action under this paragraph which would in any way jeopardize any marital deduction available under federal or state law for property passing to or for the benefit of my spouse.
- 5. No person paying money or delivering property to any fiduciary hereunder shall be required or privileged to see to its application. The certificate of the fiduciary that the fiduciary is acting in compliance with this instrument shall fully protect all persons dealing with a fiduciary.
- 6. Notwithstanding anything contained herein to the contrary, any power, duty or discretionary authority granted to the fiduciaries hereunder shall be void to the extent that either the right to exercise or the exercise thereof shall in any way jeopardize or cause my estate to lose all or any part of the tax benefit afforded my estate by the marital deduction under either federal or state laws; provided, however, that this provision shall not apply with respect to any power or discretionary authority granted to the fiduciaries hereunder with respect to any tax election which any such fiduciary may be permitted to make for all or any part of any property qualifying for the election provided for under Section 2056(b)(7) of the Internal Revenue Code (regardless of whether such property passes under this Will) to be treated as "qualified terminable interest property", as that term is defined in said Section 2056(b)(7), in order that such

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property qualify for the marital deduction for federal estate tax purposes, and nothing contained herein shall be construed as requiring any particular exercise or nonexercise of such election by any fiduciary, regardless of the effect thereof.

7. Any fiduciary shall exercise all rights, powers, duties and discretions in a fiduciary capacity, and in no event shall any fiduciary have the authority to discharge any legal obligation of support of the fiduciary, nor to exercise any right, power, duty or discretion in such a manner that such fiduciary authority would cause the assets subject to such authority to be included in the estate of the Trustee for federal estate tax purposes.

ITEM TEN

- 1. Throughout this Will the masculine gender shall be deemed to include the feminine and neuter genders, and vice versa, and the singular number shall include the plural number, and vice versa, where applicable.
- 2. Any reference in this Will to the Internal Revenue Code shall mean the Internal Revenue Code of 1986, as from time to time amended, and any reference in this Will to a section of the Internal Revenue Code shall be deemed to refer to that section of the Internal Revenue Code of 1986 as in effect on the date of this Will, or corresponding provisions of any subsequent federal tax laws that shall be in effect at the relevant time.
- 3. For all purposes of this Will, in determining who is a descendant of mine or of any other person designated herein, only such persons as shall be lawful blood descendants of mine or such other person designated, as the case may be, and who shall not have otherwise been specifically excluded pursuant to any Item of this Will.
- 4. In the event that my spouse and I die simultaneously or under circumstances that make it difficult to determine which of us died first, I direct that this Will shall be construed on the assumption that my spouse survived me, notwithstanding the provisions of any law establishing a different presumption of order of death or providing for survivorship for a fixed period as a condition of inheritance of property. In the event that any other beneficiary under this Will shall not survive me by more than five (5) days, I direct that such beneficiary shall be deemed to have predeceased me for

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the purpose of this Will, and I direct further that the provisions of this Will shall be construed upon that assumption.

- 5. If any trust created hereunder shall violate any applicable rule against perpetuities, accumulations or any similar rule of law, my Trustee is hereby directed to terminate such trust on the date limited by such rule of law; and thereupon the property held in trust shall be distributed to the persons then entitled to share such income, notwithstanding any provisions of this Will to the contrary.
- 6. No fiduciary herein shall be required to post any bond, file any inventory, or account to any court for the performance of fiduciary duties.
- 7. To the extent not contrary to law, it is my intention that the benefits to which my surviving spouse or children may become entitled to under this Will are in lieu of; and not in addition to, any rights such persons may have under any homestead, family or exempt property allowance or similar statute or rule, provided, however, that this general intention should be disregarded to the extent such intent would be to the detriment of such persons or any beneficiary of my estate and in favor of creditors of my estate.
- 8. Any property, or portion thereof, distributable to a Trustee of a trust identified in this Will, which trust pursuant to its terms would immediately distribute such property upon its receipt, may be distributed directly to the beneficiary of the trust in order to avoid the needless transfer of property to the Trustee as a preliminary step to the distribution to the beneficiary.
- 9. Applicable to each trust held under this Will and to the extent permitted by law, no power of appointment shall be subject to involuntary exercise, and no beneficiary shall have the right or power to anticipate, by assignment or otherwise, any income or principal payable, or to become payable, to the beneficiary, nor, in advance of actually receiving the same, have the right or power to sell, transfer, encumber or in anywise charge same; nor shall such income or principal, or any portion of the same, be subject, in any manner, to anticipation, alienation, assignment, pledge, execution, garnishment, attachment, insolvency, bankruptcy or other legal proceeding of any character or to interference or control by creditors or others, or legal sequestration, levy, sale or transfer, or in any event or manner be applicable or subject, voluntarily or

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involuntarily, to the payment of such beneficiary's debts, including, without limitation, claims for alimony or support; provided, however, that nothing in this paragraph shall in any way impair, or be applicable to the extent that the same may jeopardize, any marital deduction available under federal or state law for property passing to or the benefit of my spouse.

10. After the death of my spouse, any trust created hereunder may, but need not be, terminated in the sole discretion of the Trustee when the income of such trust shall become too low to cover all fees and expenses of administration and also to yield a reasonable return to the beneficiaries. In such event, the Trustee shall distribute the assets thereof in the Trustee's possession to the then current beneficiary or beneficiaries of the income and, if more than one beneficiary is so entitled, in the proportions in which they are beneficiaries. If any such beneficiary shall be a minor at the date of such distribution, then his or her share of such trust shall be paid to a parent or relative of such beneficiary as custodian under the Alabama Uniform Transfers to Minors Act.

ITEM ELEVEN

If any beneficiary of my estate or of any trust created hereunder shall be a minor, or under legal disability, or, in the sole judgment of the Trustee or Personal Representative, shall otherwise be unable to apply the proceeds of his or her trust or share of my estate to his or her own best interests and advantage, the Trustee or Personal Representative may, in such Trustee's or Personal Representative's sole discretion, pay or apply income or principal which the Trustee of Personal Representative is authorized or directed to pay to or for the benefit of such beneficiary in any one or more of the following ways:

- i. directly to such beneficiary;
- to the legal guardian, conservator, or custodian of such beneficiary for the use and benefit of such beneficiary;
- iii. to a relative of such beneficiary to be expended by such relative for the benefit or such beneficiary; or
- iv. by the Personal Representative or Trustee expending any such income or principal for the benefit of such beneficiary.

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2014-0468/3

ITEM TWELVE

I. MISCELLANEOUS PROVISIONS:

give and bequeath, in fee, all tangible personal property owned by me at the time of my death, including but not limited to, furniture, furnishings, rugs, pictures, books, silver pieces, silverplate, linen, china, glassware, objects of art, wearing apparel, jewelry and automobiles, (but specifically excluding cash on hand or on deposit, securities or other intangibles), to my spouse, if my spouse survives me, or, if my spouse does not survive me, to my children who survive me in equal shares, or, if only one child shall survive me, then except as otherwise hereinafter provided, to such surviving child solely; provided, however, if any child of mine shall not survive me, but there shall be any descendant of such deceased child who shall survive me, then I give and bequeath, in fee, the share which such deceased child would otherwise have received hereunder if such deceased child had survived me to such deceased child's descendants who survive me, per stirpes. The property disposed of hereunder shall be divided among the beneficiaries entitled thereto, if more than one, by my Personal Representative, in the Personal Representative's absolute discretion, in portions as nearly equal to the shares to which they are entitled as may be practicable, having due regard for the preferences of such beneficiaries. In the event none of such beneficiaries shall survive me, this bequest shall lapse and shall pass as part of my residuary estate.

If any beneficiary entitled to a share of the property disposed of by this ITEM shall be under the age of nineteen (19) years at the time of my death, I authorize the Personal Representative, in the Personal Representative's absolute discretion, and in any case, without requiring bond, either to:

- 1. Retain for such beneficiary all or any part of such beneficiary's share of said property until such beneficiary attains the age of nineteen (19) years; or
- 2. Deliver all or any part of any such beneficiary's share of such property directly to such beneficiary, or to any person deemed suitable by my Personal Representative for the benefit of such beneficiary.
- Upon making any payment or transfer hereunder, my Personal Representative shall be discharged as to such payment or transfer without liability for the subsequent application thereof.

IN WITNESS WHEREOF, I, Paul Edward Davis, have hereunto set my hand and seal this the 13th day of July, 2005.

PAUL EDWARD DAVIS, TESTATOR

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I, Paul Edward Davis, the Testator, sign my name to this instrument this 13th day of July, 2005, 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, and that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

PAUL EDWARD DAVIS, TESTATOR

We, the undersigned 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 nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Witness

2230 Third Avenue North Birmingham; Alabama 35203

Witness

2230 Third Avenue North Birmingham, Alabama 35203

STATE OF ALABAMA

COUNTY OF JEFFERSON

Subscribed, sworn to and acknowledged before me by PAUL EDWARD DAVIS, the Testator, and subscribed and sworn to before me by Sandra Jerkins, and Louise B. Moore, witnesses, this 13th day of July, 2005.

Notary Public

Judge of Probate

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CERTIFICATE TO THE PROBATE OF WILL

STATE OF ALABAMA JEFFERSON COUNTY BESSEMER DIVISION

CASE 2014-046813

| proven by the proper testimony to be | Court of Probate, in and for said State and County, do hereby certify that has this day, in said Court, and before me as the Judge thereof, been duly e the genuine last Will and Testament of Paul Edward Davis,, deceased proof thereof have been recorded in my office in Judicial Record, Volume |
|--------------------------------------|--|
| In witness of all which I have 2014. | hereto set my hand, and the seal of the said Court, this date, October 6, |
| B-Probate-44 | Alan L. King, Judge of Probate |

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| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA | | |
|---------------------------------|---|--|--|
| PAUL EDWARD DAVIS (DECEASED) |) CASE NO. <u>2014-046813</u> | | |

BESSEMER DIVISION

PETITION FOR LETTERS TESTAMENTARY WITHOUT BOND

Comes the petitioners, Barry E. Vickery and William Daniels, and shows this Court the following facts:

- 1. In the last will and testament of Paul E. Davis, deceased (the "decedent"), which will has been or shall be duly probated and admitted to record in this Court, the petitioner is named as personal representative thereof.
- 2. The petitioners are inhabitants of the Alabama, above the age of nineteen (19) years, and are not disqualified under the law from serving as such personal representatives. Under the terms of the decedent's will, his personal representatives are exempted from giving bond as such personal representatives.
- 3. The decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be \$800,000.00.
- 4. WHEREFORE, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said will may be executed according to the requests and directions of the decedent, the petitioner prays that the Probate Judge of this Court will grant letters testamentary to the petitioners (and if appropriate, the other personal representative[s] named in said will) without entering into bond, as is provided by the terms of said Will and authorized by Alar Code §43-2-81. This Petition does not require verification under the applicable statutes.

Attorney for Petitioner: Barry E. Vickery Covenant Law Firm, P. C. 2230 Third Avenue North Birmingham Alabama (205) 323-6006

Barry Edward Vickery and William Daniels

and

(Name of Petitioner)

Signature of Petitioners

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, prayer granted, and petition ordered recorded, this the violated of September, 2014.

Judge of Probate

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| IN THE MATTER OF: | IN THE PROBATE COURT OF |
|--------------------|----------------------------|
| |) JEFFERSON COUNTY, ALABAM |
| THE ESTATE OF: |) BESEMER DIVISION |
| | CASE NUMBER 2014-046813 |
| PAUL EDWARD DAVIS, |) |
| DECEASED | |

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day come Barry Edward Vickery and William Daniels and filed in this Court their petition in writing, under oath, praying that Letters Testamentary upon the Will of Paul Edward Davis, deceased, be issued to them.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Barry Edward Vickery and William Daniels, 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, October 6, 2014.

Judge of Probate

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IN THE MATTER OF THE ESTATE OF PAUL EDWARD DAVIS DECEASED

IN THE PROBATE COURT OF JEFFERSON COUNTY, BESSEMER DIVISION CASE 2014-046813

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 of Testamentary are hereby granted to Barry Edward Vickery and William Daniels, the Personal Representatives named in said Will, who has 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 Representative, 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, October 6, 2014.

Judge of Probate

Judge of the Court of Probate of Jefferson County, Alabama, Bessemer Division, 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,

Judge of Probate

20200730000321420 32/60 \$206.00 Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT IN THE MATTER OF:
THE ESTATE OF:
MARGIE RAY DRAKE DAVIS
DECEASED

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NUMBER: 18BES00700

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 Barry Edward Vickery and or William Daniels the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, October 30, 2018.

JUDGE OF PROBATE

I, Alan King, Judge of the Court of Probate 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, October 15, 2019.

JUDGE OF PROBATE

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CERTIFICATE TO COPIES

The State of Alabama JEFFERSON COUNTY

Bessemer Division PROBATE COURT

I, JUDGE ELIZABETH NORTH, Judge of the Court of Probate, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the Estate case of Margie Ray Drake Davis, deceased, CASE NO:18BES00700, as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this date, October 15, 2019

Judge of Probate

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DOCKET ENTRY LISTING

Case Number:

18BES00700

vs. MARGIE RAY DRAKE DAVIS

| LINE | DATE | DESCRIPTION |
|------|------------|--|
| 1 | 10/30/2018 | CASE FILED 10/30/2018 CASE NUMBER 18BES00700 |
| 2 | 10/30/2018 | JEFFERSON CASE#: 2018 BES 000700 M |
| 3 | 10/30/2018 | JUDGE ADMIN, JUDGE: ASSIGNED |
| 4 | 10/30/2018 | DOD10/03/2018 CERTIFICATE FILED |
| 5 | 10/30/2018 | PET FOR PROBATE OF WILL FILED WITH WAIVERS; PRAYER GRANTED & |
| | | ORDERED RECORDED |
| 6 | 10/30/2018 | COST BILL CREATED FOR \$105.00 |
| 7 | 10/30/2018 | PAYMENT \$105.00 RECEIPT #2018009492 |
| 8 | 10/30/2018 | LETTERS TESTAMENTARY |
| 9 | 10/30/2018 | CERTIFICATE TO THE PROBATE OF WILL |
| 10 | 10/30/2018 | NOTICE TO CREDITORS (#59098) |
| 11 | 10/30/2018 | ORDER PROBATING LAST WILL AND TESTAMENT |
| 12 | 10/30/2018 | ORDER GRANTING LETTERS OF TESTAMENTARY WITHOUT BOND ENTERED |
| | | AND ORDERED RECORDED |
| 13 | 08/30/2019 | JUDGE NORTH, ELIZABETH: ASSIGNED |
| 14 | 10/15/2019 | LETTERS TESTAMENTARY |

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| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA |
|--------------------------------------|---|
| MARGIE RAY DRAKE DAVIS (DECEASED) |) CASE NO. 201800070 |

PETITION FOR PROBATE OF WILL

(Self-Proved Will)

Comes the petitioners, Barry Edward Vickery and William Daniels, and shows this Court the following facts:

- 1. Margie Ray Drake Davis (the "decedent") died testate at The Oaks Retirement Community on or about the 3rd day of October, 2018, and, at the time of such death, was an inhabitant of Jefferson County, Alabama.
- 2. Surrendered herewith is the decedent's last will and testament (and all codicils thereto) naming the petitioners as personal representatives thereof, which was duly signed by the decedent when over eighteen (18) years of age, and was attested by the following witnesses:

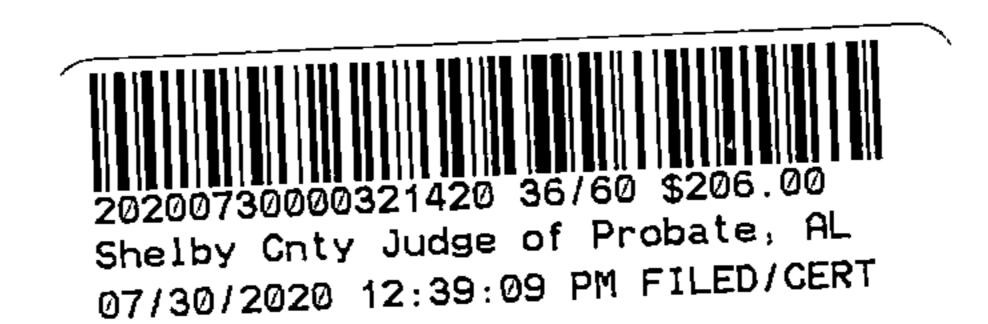
| <u>Name</u> | Present Address |
|-----------------|--|
| Sandra Jerkins | 2230 Third Avenue North Birmingham, Alabama 35203 |
| Louise B. Moore | 2230 Third Avenue North Birmingham, Alabama 35203 |

- 3. The decedent's last will and testament, as identified in paragraph 2 hereof, was self-proved in a manner substantially 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:

 M. Wayne Wheeler
- 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):

| | Name, age, condition, relationship | Address |
|---|---|--|
| 1 | Donna Ray Davis Vickery, Over 19 years of age Competent, Daughter | 780 Cahaba River Estate Birmingham, Alabama 35244 |
| 4 | Paula Davis Daniels, Over 19 years of age, Competent, Daughter | 1025Kearns Road Theodore, AL 36582-7433 |

WHEREFORE, the petitioner prays that this Court will take jurisdiction of this petition, will cause all such notice or citations to issue to the said surviving spouse, next-of-kin,



2018000700

attesting witnesses, and oath-administering officer, as may be proper in the premises; and will cause such proceedings to occur, 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.

Attenney for Retitioners:

Covenant Law Firm, P.C. 2230 Third Avenue North Birmingham, Alabama 35203

Phone: 205 323 6006 Fax: 205 322 6441 Petitioner's Signature

and

Barry Foliad / icker/ (Name of Petitioner)

Barry Vickery
780 Cahaba River Estates
Birmingham, AL 35244
(Petitioner's Address)

Petitioner's Signature

(Name of Petitioner)

William Daniels 10205 Kearns Rd. Mobile, AL 36582-7433 (Petitioner's Address)

BENCH NOTE

Filed in the Probate Court of Jefferson County. Alabama, this, the <u>30</u> day of October, 2018, and prayer growted and undered recorded.

Judge of Probate

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| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA | |
|-----------------------------------|---|--|
| MARGIE RAY DRAKE DAVIS (DECEASED) |) CASE NO. 2018000700 | |

WAIVER OF NOTICE ON PROBATE OF WILL

I, Paula Davis Daniels, a resident of Mobile County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Margie Ray Drake Davis, 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 either by personal service or by publication and consent and request that said will, which bears the date of July 13, 2005, 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 acknowledge 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 30 day of October, 2018

WITNESS: (Required)

x Donna David Vickery Gould Diris Comels Signature of Witness

Waiver

Donne Drus Vickery

Name of Witness

Paula Davis Daniels Name of Person Making Waiver

Signature of Person

1025 Kearns Road

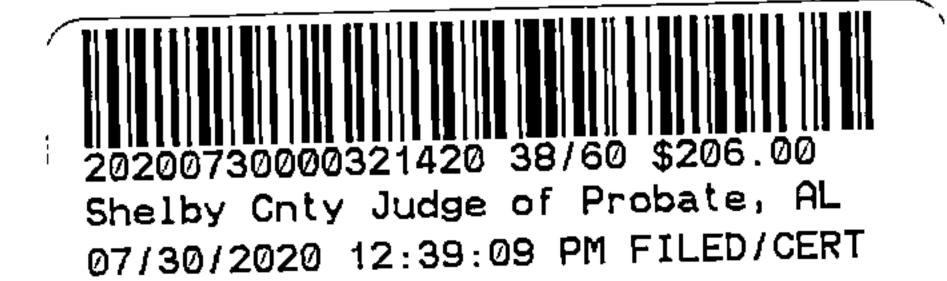
Theodore, Alabama 36582-7433

Address

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 30 day of October, 2018.

Judge of Probate



| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA |
|--------------------------------------|---|
| MARGIE RAY DRAKE DAVIS (DECEASED) |) CASE NO. 2018000700 |

WAIVER OF NOTICE ON PROBATE OF WILL

I, Donna Ray Davis Vickery, a resident of Jefferson County, State of Alabama, being one of the next-of-kin (as determined by application of the Ala. Code §43-8-41 or 43-8-42, as appropriate) of Margie Ray Drake Davis, 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 either by personal service or by publication and consent and request that said will, which bears the date of July 13, 2005, 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 acknowledge 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.

WITNESS: (Required)

**Yould Christ
Signature of Witness

**Donna Ray Davis Vickery
Name of Witness

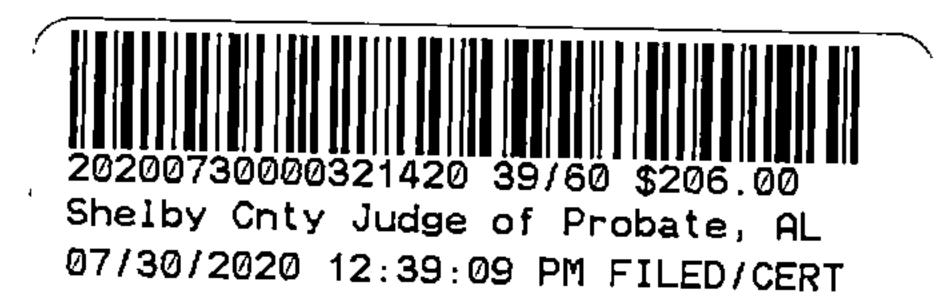
**Donna Ray Davis Vickery
Name of Person Making Waiver

**T80 Cahaba River Estates
Hoover, Alabama 35244
Address

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, and ordered recorded this the 30 day of October, 2018.

Judge of Probate



Nast Will and Oestament

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OF

MARGIE RAY DRAKE DAVIS

I, Margie Ray Drake Davis, of Jefferson County, Alabama, being over nineteen years of age and of sound mind and disposing memory, do hereby make, publish and declare this instrument as and for my Last Will and Testament and hereby expressly revoke any and all Wills, Codicils and other testamentary dispositions heretofore made by me.

At the time of the execution of this Will, my immediate family group consists of my husband, Paul Edward Davis hereinafter sometimes referred to as my "wife" or my "spouse", my children, Donna Ray Davis Vickery and Paula Davis Daniels, hereinafter sometimes referred to singularly as a "child" and collectively as "children".

<u>ITEM ONE</u>

I direct that my legal debts (not barred by a statute of limitations or otherwise), including funeral expenses, the cost of a suitable monument, and costs of administration of my estate, be paid as soon as practicable after my death, and I hereby authorize and empower my Personal Representative, in case of any claim made against my estate, to settle and discharge the same in the absolute discretion of my Personal Representative.

In the event any property or interest in property passing under this Will, or by operation of law, or otherwise by reason of my death, shall be encumbered by a mortgage or a lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually) it is my intention that such indebtedness shall not be charged to or paid by

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beneficiary shall take such property or interest in property subject to any such encumbrance existing at the time of my death.

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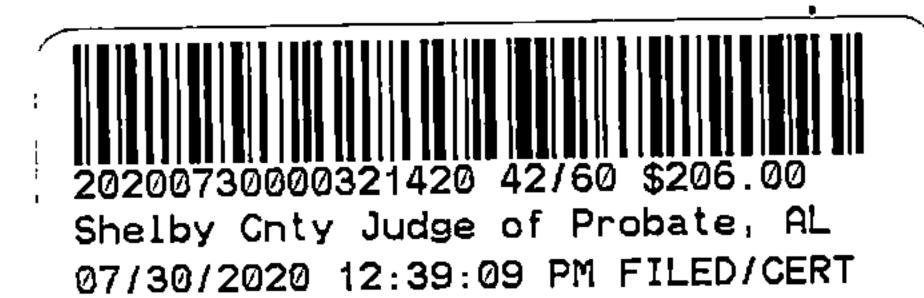
ITEM TWO

direct that my Personal Representative pay out of my residuary estate, without apportionment, all estate, inheritance, succession and other taxes (together with any interest or penalty thereon, but excluding any generation-skipping tax), assessed by reason of my death, imposed by the government of the United States, or any state or territory thereof, or by any foreign government or political subdivision thereof, in respect of all property required to be included in my gross estate for estate or like tax purposes by any of such governments, whether the property passes under this Will or otherwise, including property over which I have a power of appointment. I waive any right of reimbursement for, recovery of, or contribution toward the payment of those taxes, except my Personal Representative shall, to the maximum extent permitted by law, seek reimbursement for, recovery of, or contribution toward the payment of federal or estate tax attributable to property in which I have a qualifying income interest for life, over which I have a power of appointment, or which is included in my gross estate by reason of Section 2036 of the Internal Revenue Code, and which tax is not otherwise paid or payable. Any generation-skipping tax resulting from a transfer occurring under this Will shall be charged to the property constituting the transfer in the manner provided by applicable law.

ITEM THREE

All of my furniture, household goods, jewelry and personal effects shall be distributed in accordance with the provisions of a certain memorandum written entirely in my handwriting and signed by me. If for any reason said memorandum is not found and properly identified as such by my Executor within thirty (30) days after the probate of my Will, then all of the aforesaid property shall become a part of my residuary estate hereinafter disposed of.

This provision is limited to items in value of less than One Thousand Dollars



will. Said separate list must reference this provision and shall be limited to personalty only.

ITEM FOUR

I give all the rest, residue, and remainder to my spouse, Paul Edward Davis to be his absolutely. If he fails to survive me, or we die in a joint disaster, I give the rest, residue, and remainder to our daughters, Donna Ray Davis Vickery and Paula Davis Daniels to share and share alike or to their descendants in equal shares per

ITEM FIVE

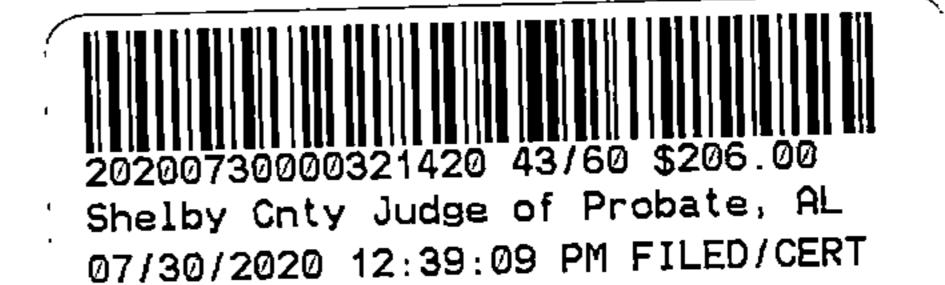
I hereby specifically provide that any person may renounce any interest which they may have or be entitled to receive under this Will. In the event of any such renunciation, any property so disclaimed shall devolve as if the disclaimant predeceased me, and the disclaimant shall have no power, duty, discretion or be entitled to receive any benefit therefrom which would caused said disclaimer to fail as a qualified disclaimer under Section 2518 of the Internal Revenue Code.

ITEM SIX

1. I hereby nominate and appoint my (husband), Paul Edward Davis, as Personal Representative of this Will.

In the event that the said Paul Edward Davis predeceases me, fails or refuses to act, or is incapable of acting in said capacity, then I nominate and appoint my son-in-laws, Barry Edward Vickery and William Daniels, or the survivor thereof, as Successor Co-Executors.

2. In the event it becomes necessary to have administration of my estate in any state other than Alabama, the Personal Representative named herein shall serve as such Ancillary Personal Representative if permitted by law, and if not, then such Personal Representative may appoint any person or organization as Ancillary Personal

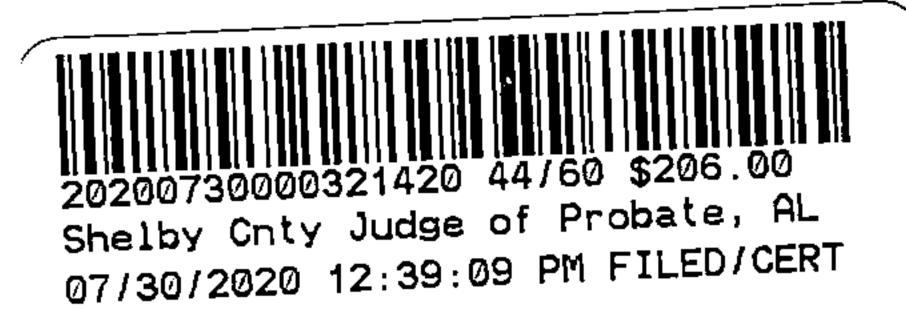


same rights, powers, duties and discretions herein conferred upon my Personal Representative.

3. I direct that no compensation be paid to any fiduciary serving under this Will who is a family member of mine (whether by blood or marriage), but that a reasonable compensation be paid to any fiduciary serving under this Will who is not a family member; provided, however, that any fiduciary serving under this Will (whether or not a family member) shall be reimbursed in full from my estate or the appropriate trust for all costs and expenses reasonably paid or incurred by such fiduciary in the administration of my estate of any trust under this Will.

ITEM SEVEN

- 1. I hereby grant to my Personal Representative the continuing, absolute, discretionary power to deal with any property, real or personal, held in my estate, as freely as I might in the handling of my own affairs. Such power may be exercised independently and without the prior or subsequent approval of any court or judicial authority, and no person dealing with such Personal Representative shall be required to inquire into the propriety of any of the actions of such Personal Representative. Without in any way limiting the generality of the foregoing, I hereby grant to my Personal Representative, the following specific powers and authority, in addition to, and not in substitution of, powers conferred by law:
 - a. To compromise, settle or adjust any claim or demand by or against my estate and to agree to any rescission or modification of any contract or agreement.
 - b. To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable, and to exchange any such security or property for other securities or properties and to retain such items received in exchange. Any fiduciary may presume that I have confidence in the securities owned by me at the time of my death and, therefore, no sale thereof shall be made solely in order to diversify investments.
 - c. To retain such property for any period, whether or not the same be of the character permissible for investments by fiduciaries under any applicable law, and without regard to any effect the retention



personal, held in my estate, at public or private sale, with or without security, in such manner, at such time or times, for such purposes, for such prices and upon such terms, credits and conditions as the fiduciary may deem advisable.

- e. To invest and reinvest in common stocks, preferred stocks, bonds, options, securities and other property, real or personal, foreign or domestic, whether or not such investments be of the character permissible for investments by fiduciaries under any applicable law, and without regard to the effect any such investment or reinvestment may have upon the diversity of the investments.
- f. To render liquid my estate, in whole or in part, at any time, or from time to time, and hold cash or readily marketable securities of little or no yield for such period as the fiduciary may deem advisable.
- g. To lease and sub-lease, and assign leases and approve assignments of leases, regardless if the term or duration of the lease.
- h. To join in or become a party to, or to oppose, any reorganization, readjustment, recapitalization, foreclosure, merger, voting trust, dissolution, consolidation or exchange, and to deposit any securities with any committee, depository or trustee, and to pay any and all fees, expenses and assessments incurred in connection therewith, and to charge the same to principal, to exercise conversion, subscription or other rights, and to make any necessary payments in connection therewith, or to sell any such privileges.
- i. To vote in person at meetings of stock or security holders, or any adjournment of such meetings, or to vote by general or limited proxy, or to refrain from voting, with respect to any such shares of stock or other securities held by the fiduciary.
- j. To hold securities in the name of a nominee without indicating the trust character of such holding, or unregistered, or in such form as will pass by delivery.
- k. To pay, compromise, compound, adjust, submit to arbitration, sell or release any claims or demands, and to make any payments in connection therewith.
- I. To borrow money for any purpose from any source, and to secure the repayment of any and all amounts so borrowed by mortgage or pledge of any property.
- m. To possess, manage, insure against loss by fire or other casualties, develop, subdivide, control, partition, mortgage, lease or otherwise deal with any and all real property: to satisfy and discharge or

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Page 6

therewith; to make improvements, structural or otherwise, or abandon the same if deemed to be worthless or not of sufficient value to warrant keeping or protecting and to pay or refrain from paying assessments and expenses of whatever nature as may be advisable under the circumstances.

- n. To make distribution in kind, and to cause any share to be composed of cash, property or undivided fractional shares in property different in kind from any other share.
- To (A) conduct environmental assessments, audits, and site monitoring to determine compliance with any environmental law or regulation thereunder; (B) take all appropriate remedial action to contain, clean up or remove any environmental hazard including a spill, release, discharge or contamination, either on its own accord or in response to an actual or threatened violation of any environmental law or regulation thereunder; (C) institute legal proceedings concerning environmental hazards or contest or settle legal proceedings brought by any local, state, or federal agency concerned with environmental compliance, or by a private litigant; (D) comply with any local, state or federal agency order or court order directing an assessment, abatement or cleanup of any environmental hazards; and (E) employ agents, consultants and legal counsel to assist or perform the above undertakings or actions. Any expenses incurred by the fiduciary under this subparagraph may be charged against income or principal as the fiduciary shall determine.
- p. To disclaim any power granted hereby or by any other document, statute, or rule of law which, in the sole discretion of the fiduciary, may cause the fiduciary to incur personal liability under any environmental law.
- To allocate in the fiduciary's sole discretion, in whole or in part to q. principal and income, all receipts and disbursements for which no express provision is made hereunder, which allocation shall fully protect the fiduciary with respect to any action taken or payment made in reliance thereon; provided, however, that any proceeds received by the fiduciary from any "retirement plan", meaning any qualified pension, profit sharing, stock bonus, Keogh or other qualified plan, trust, contract, account, annuity, or bond, or individual retirement account, as those terms are defined in the Internal Revenue Code, or any non-qualified deferred compensation agreement, salary continuation agreement, or similar arrangement, shall be treated by the fiduciary as principal, except that any income earned within the retirement plan from such proceeds as a result of an installment or similar election or any other deferral or payment of the retirement plan's proceeds to the fiduciary shall be treated by the fiduciary as income when received.

laws permitted to be made by the fiduciary as the fiduciary considers advisable (whether or not the election relates to property passing under this Will), without regard to, or adjustments between principal and income or the relative interests of the beneficiaries, and any such determination shall be binding on all beneficiaries. In furtherance of the foregoing, I specifically authorize my Personal Representative, in the Personal Representative's sole discretion (a) to make such elections (or to decline to make such elections) under the tax laws as my Personal Representative deems advisable, including an election to create qualified terminable interest property for both estate and generation-skipping tax purposes or for estate tax purposes alone, and (b) to allocate the unused portion, if any, of my GST exemption (as defined in this paragraph) to any property with respect to which I am the transferor for generationskipping tax purposes (irrespective of whether such property passes under this Will) in such manner as my Personal Representative deems advisable, in each case without regard to the relative interests of the beneficiaries, however my Personal Representative shall not make adjustments between principal and income, or in the interests of the beneficiaries, to compensate for the effects of such elections and allocation. Any decision made by my Personal Representative with respect to the exercise or non exercise of any tax election or the allocation of my GST exemption shall be binding and conclusive on all persons. As used in this paragraph, the "GST Exemption" means the exemption from generation-skipping tax allowed under Section 2631 of the Internal Revenue Code.

- s. To employ and to pay reasonable compensation to legal counsel, accountants, investment advisers, brokers and other agents or employees (including, without limitation, any person who may be serving as a fiduciary hereunder), and to treat as an expense of my estate or any trust hereunder any compensation so paid.
- t. To execute and deliver any and all instruments in writing which are deemed advisable to carry out any of the foregoing powers. No party to any such instrument in writing signed by fiduciary shall be obliged to inquire into its validity.

ITEM EIGHT

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1. Throughout this Will the masculine gender shall be deemed to include the feminine and neuter genders, and vice versa, and the singular number shall include the plural number, and vice versa, where applicable.

section of the Internal Revenue Code of 1986 as in effect on the date of this Will, or corresponding provisions of any subsequent federal tax laws that shall be in effect at the relevant time.

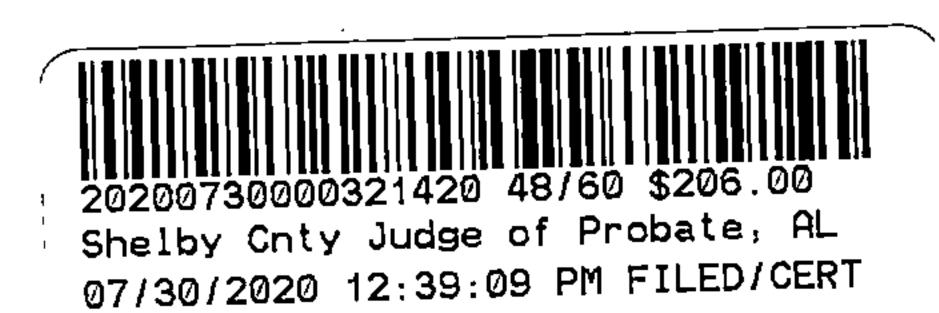
- 3. For all purposes of this Will, in determining who is a descendant of mine or of any other person designated herein, only such persons as shall be lawful blood descendants of mine or such other person designated, as the case may be, and who shall not have otherwise been specifically excluded pursuant to any Item of this Will.
- 4. In the event that my spouse and I die simultaneously or under circumstances that make it difficult to determine which of us died first, I direct that this Will shall be construed on the assumption that my spouse survived me, notwithstanding the provisions of any law establishing a different presumption of order of death or providing for survivorship for a fixed period as a condition of inheritance of property. In the event that any other beneficiary under this Will shall not survive me by more than five (5) days, I direct that such beneficiary shall be deemed to have predeceased me for the purpose of this Will, and I direct further that the provisions of this Will shall be construed upon that assumption.
- 5. No fiduciary herein shall be required to post any bond, file any inventory, or account to any court for the performance of fiduciary duties.
- 6. To the extent not contrary to law, it is my intention that the benefits to which my surviving spouse or children may become entitled to under this Will are in lieu of; and not in addition to, any rights such persons may have under any homestead, family or exempt property allowance or similar statute or rule, provided, however, that this general intention should be disregarded to the extent such intent would be to the detriment of such persons or any beneficiary of my estate and in favor of creditors of my estate.

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best interests and advantage, the Personal Representative may, in such Personal Representative's sole discretion, pay or apply income or principal which the Personal Representative is authorized or directed to pay to or for the benefit of such beneficiary in any one or more of the following ways:

- i. directly to such beneficiary;
- ii. to the legal guardian, conservator, or custodian of such beneficiary for the use and benefit of such beneficiary;
- to a relative of such beneficiary to be expended by such relative for the benefit or such beneficiary; or
- iv. by the Personal Representative or Trustee expending any such income or principal for the benefit of such beneficiary.

ITEM TEN



I. MISCELLANEOUS PROVISIONS:

give and bequeath, in fee, all tangible personal property owned by me at the time of my death, including but not limited to, furniture, furnishings, rugs, pictures, books, silver pieces, silverplate, linen, china, glassware, objects of art, wearing apparel, jewelry and automobiles, (but specifically excluding cash on hand or on deposit, securities or other intangibles), to my spouse, if my spouse survives me, or, if my spouse does not survive me, to my children who survive me in equal shares, or, if only one child shall survive me, then except as otherwise hereinafter provided, to such surviving child solely; provided, however, if any child of mine shall not survive me, but there shall be any descendant of such deceased child who shall survive me, then I give and bequeath, in fee, the share which such deceased child would otherwise have received hereunder if such deceased child had survived me to such deceased child's descendants who survive me, per stirpes. The property disposed of hereunder shall be divided among the beneficiaries entitled thereto, if more than one, by my Personal Representative, in the Personal Representative's absolute discretion, in portions as nearly equal to the shares to which they are entitled as may be practicable, having due regard for the preferences of such beneficiaries. In the event none of such beneficiaries shall survive me, this bequest shall lapse and shall pass as part of my residuary estate.

If any beneficiary entitled to a share of the property disposed of by this ITEM shall be under the age of nineteen (19) years at the time of my death, I authorize the Personal Representative, in the Personal Representative's absolute discretion, and in any case, without requiring bond, either to:

1. Retain for such beneficiary all or any part of such beneficiary's share of



Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

- Deliver all or any part of any such beneficiary's share of such property directly to such beneficiary, or to any person deemed suitable by my Personal Representative for the benefit of such beneficiary.
- 3. Upon making any payment or transfer hereunder, my Personal Representative shall be discharged as to such payment or transfer without liability for the subsequent application thereof.

IN WITNESS WHEREOF, I, Margie Ray Drake Davis, have hereunto set my hand and seal this the 13th day of July, 2005.

MARGIE RAY DRAKE DAVIS, TESTATRIX

I, Margie Ray Drake Davis, the Testatrix, sign my name to this instrument this 13th day of July, 2005, 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, and that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

MARGIE RAY DRAKE DAVIS, TESTATRIX

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and Testament and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this Will as witness to the Testatrix's signing, and that to the best of our knowledge the Testatrix is nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Witness

2230 Third Avenue North Birmingham, Alabama 35203

2230 Third Avenue North Birmingham, Alabama 35203 STATE OF ALABAMA
COUNTY OF JEFFERSON

Subscribed, sworn to and acknowledged before me by MARGIE RAY DRAKE DAVIS, the Testatrix, and subscribed and sworn to before me by Sandra Jerkins, and Louise B. Moore, witnesses, this 13th day of July, 2005.

Notary Rublic

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CERTIFICATE TO THE PROBATE OF WILL

State of Alabama Jefferson County

CASE NUMBER: 18BES00700

I, the undersigned, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument of writing has 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 MARGIE RAY DRAKE DAVIS 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 the OCTOBER 30, 2018.

ALAN L. KING
JUDGE OF PROBATE

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IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

MARGIE RAY DRAKE DAVIS

DECEASED

•

CASE NO: 18BES00700

ORDER ON FILING AND PROBATING THE LAST WILL AND TESTAMENT

This day came Barry E. Vickery and William Daniels, petitioner 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

MARGIE RAY DRAKE DAVIS, deceased, said will bearing date the October 1, 2018 and petitioners, praying

that the same be probated as provided by law; that the petitioner is the Barry E. Vickery is the son-in-law and

William Daniels is the son-in law of the deceased, and is named in said Will as executor thereof; and there are next

of kin of said deceased are as follows, to-wit: Donna Ray Davis Vickery, daughter from Birmingham, AL and

Paula Davis Daniels, daughter, Theodore, AL, both, who 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 notices and acceptances of services are the genuine signatures

of said next to kin; now on motion of said petitioners, the Court proceeds to hear said petition; and, after due proof

and hearing had according to the laws of this state, the court is satisfied and is of the opinion that said instrument is

the genuine Last Will and Testament of said deceased, and that 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 said MARGIE RAY DRAKE DAVIS, 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

petitioners pay the costs of this proceeding.

DONE this date October 30, 2018.

ALAN L. KING
JUDGE OF PROBATE

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Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

| IN THE MATTER OF THE ESTATE OF |) IN THE PROBATE COURT) OFJEFFERSON COUNTY, ALABAMA | |
|-----------------------------------|---|--|
| MARGIE RAY DRAKE DAVIS (DECEASED) |) CASE NO. 201800700 | |

PETITION FOR LETTERS TESTAMENTARY WITHOUT BOND

Comes the petitioners, Barry E. Vickery and William Daniels, and shows this Court the following facts:

- 1. In the last will and testament of Margie Ray Drake Davis, deceased (the "decedent"), which will has been or shall be duly probated and admitted to record in this Court, the petitioner is named as personal representative thereof.
- 2. The petitioners are inhabitants of the Alabama, above the age of nineteen (19) years, and are not disqualified under the law from serving as such personal representatives. Under the terms of the decedent's will, his personal representatives are exempted from giving bond as such personal representatives.
- The decedent died seized and possessed of certain real and personal property, the value of which is estimated, in the aggregate, to be \$800,000.00.
- 4. WHEREFORE, to the end that the properties constituting said estate may be collected and preserved for those who appear to have a legal interest therein, and that said will may be executed according to the requests and directions of the decedent, the petitioner prays that the Probate Judge of this Court will grant letters testamentary to the petitioners (and if appropriate, the other personal representative[s] named in said will) 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: Barry E. Vickery, Esq. Covenant Law Firm, P. C. 2230 Third Avenue North Birmingham Alabama

Phone: 205 323 6006 FAX: 205 322 6441

Petitioner's Signature

Barry Edward Vickery (Name of Petitioner)

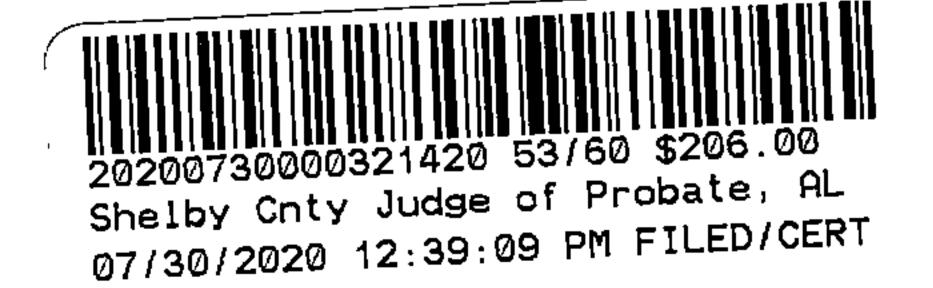
Petitioner's Signature

William Daniels
(Name of Petitioner)

BENCH NOTE

Filed in the Probate Court of Jefferson County, Alabama, prayer granted, and petition ordered recorded, this the <u>30</u> day of October, 2018.

Judge of Probate



| IN THE MATTER OF |) IN THE PROBATE COURT |
|---------------------------------|--------------------------------|
| THE ESTATE OF |) OF JEFFERSON COUNTY, ALABAMA |
| MARGIE RAY DRAKE DAVIS DECEASED |) CASE NO: 18BES00700 |

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Barry E. Vickery and William Daniels, and files in this Court their petition in writing, under oath, praying that Letters Testamentary upon the Will of MARGIE RAY DRAKE DAVIS deceased, be issued to them.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to **Barry E. Vickery and William Daniels**, 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 October 30, 2018

ALAN L. KING
JUDGE OF PROBATE

20200730000321420 54/60 \$206.00 Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT IN THE MATTER OF:
THE ESTATE OF:
MARGIE RAY DRAKE DAVIS
DECEASED

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NUMBER: 18BES00700

WITHOUT BOND 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 BARRY EDWARD VICKERY AND OR WILLIAM DANIELS, the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as amended).

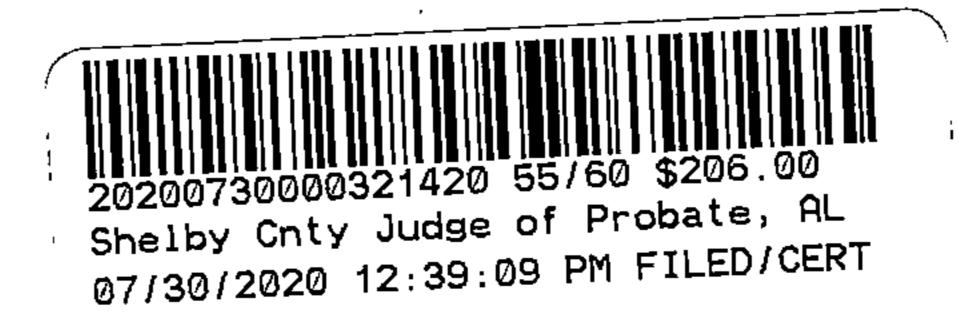
WITNESS my hand this date, OCTOBER 30, 2018.

JUDGE OF PROBATE

I, ALAN L. KING, Judge of the Court of Probate 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, OCTOBER 30, 2018.

JUDGE OF PROBATE



IN THE MATTER OF THE ESTATE OF:

MARGIE RAY DRAKE DAVIS DECEASED

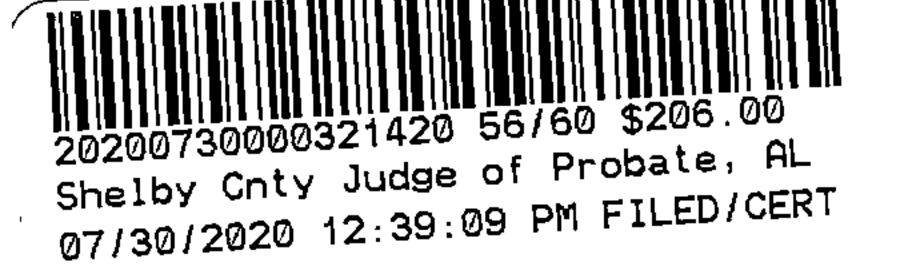
IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NUMBER: 18BES00700

LETTERS TESTAMENTARY UPON LAST WILL AND TESTAMENT of said decedent, having been granted to the Undersigned on the 30TH, day of OCTOBER, 2018, 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 the office of the said Judge of Probate within six months from above date, or said claim will be barred and payment prohibited.

BARRY E VICKERY WILLIAM DANIELS

Personal Representative(s)

| BARRY E VICKERY | • | | | |
|--------------------|---|---|---|---|
| Attorney of Record | | | | |
| | | • | | • |
| | | | • | |
| • | - | 1 | | |



Lee, Susan

From:

Lee, Susan

Sent:

Tuesday, October 30, 2018 4:02 PM

To:

bessemercutoff@gmail.com; Lee, Susan

Subject:

NOTICE TO CREDITORS ON LETTERS OF TESTAMENTARY CASE NO. 18BES00700

Attachments:

tmp7BA4.doc.dot

PLEASE PUB FOR NOTICE TO CREDITORS FOR LETTERS OF TESTAMENTARY PLEASE PUB FOR 3 CONSECUTIVE WEEKS BEGINNING OCTOBER 31, 2018

20200730000321420 57/60 \$206.00

Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

LEGAL DESCRIPTION

TRACT 1

A tract of land, lying in the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 19, South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 1" open top pipe found and locally accepted to be the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 29; thence South 89 degrees 27 minutes 38 seconds East along the North line of said 1/4-1/4 section for a distance of 1318.72 feet to a 1/2" capped rebar found; thence leaving said North line, South 00 degrees 37 minutes 07 seconds East for a distance of 282.69 feet to a 1/2" capped rebar found on the North right of way margin of U.S. Highway 280 (300' right of way); thence South 84 degrees 27 minutes 33 seconds West along said right of way for a distance of 1327.00 feet to a 3/4" rebar found on the West line of said 1/4-1/4 section; thence leaving said right of way, North 00 degrees 07 minutes 22 seconds West along said West line for a distance of 423.22 feet to the POINT OF BEGINNING. Containing 10.70 acres, more or less.

20200730000321420 58/60 \$206.00

Shelby Cnty Judge of Probate, AL 07/30/2020 12:39:09 PM FILED/CERT

Real Estate Sales Validation Questionnaire This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

| Grantor's Name: <u>Paul Edward Davis Estate</u> | Grantee's Name: <u>Donna D Vickery and</u> | | |
|--|--|--|--|
| Mailing Addross, Covenant Law Eirm D.C | Paula Daniels Nacilina Addresses a/a Course and Love Since DC | | |
| Mailing Address: <u>Covenant Law Firm, P.C.</u> 2230 Third Avenue North | Mailing Address: c/o Covenant Law Firm, PC | | |
| Birmingham, Alabama 35203 | 2230 Third Avenue North Birmingham, Alabama 35203 | | |
| Diriningiani, Madaina 55205 | Diffing Table 11 33203 | | |
| Property Address: See Attached legal | Date of Sale7/30/2020 | | |
| description | Total Purchase Price \$10.00 | | |
| | or | | |
| | Current Assessor's MV ½ \$448,800 or \$224,400 | | |
| | <u>7227,700</u> | | |
| Documentary Evidence provided: | | | |
| Closing Statement | | | |
| Bill of Sale | 20200730000321420 59/60 \$206.00 Shelby Cnty Judge of Probate, AL | | |
| Sells Contract | 07/30/2020 12:39:09 PM FILED/CERT | | |
| X Other Will | | | |
| ☐ Transfer of mortgage on real or personal promortgage tax has been paid. | perty within this state upon which the | | |
| mortgage tax mas been paru. | | | |
| X Deeds or instruments executed for a nominal title to real estate. | consideration for the purpose of perfecting the | | |
| ☐ Re-recording of corrected mortgage, deed, o | r instrument executed for the purpose of | | |
| perfecting the title to real estate or personal pro | | | |
| corrections of maturity dates thereof, and deed executed prior to October 1, 1923. | | | |
| ☐ Instrument conveying only leasehold easeme | ent or licenses or the recordation of conies of | | |
| instruments evidencing original transfer of title Alabama. | | | |
| I hereby affirm that to the best of my knowledge document is true and complete. | e and belief the information contained in this | | |
| Date 7/30/2020 | Print <u>Barry Vickery, Personal Rep</u> | | |
| | | | |
| | Sign Namer/Agent) circle one | | |

| STATE OF ALABAMA | |
|------------------|---|
| | : |
| SHELBY COUNTY |) |

Before me, the undersigned, a Notary Public in and for said State personally appeared Barry Vickery, who being by me first duly sworn makes oath that he/she has read the foregoing document and knows the contents thereof, and that he/she avers that the facts therein are true and correct.

Affiant

Sworn to and subscribed before me this 30th day of July, 2020.

Shelby Cnty Judge of Probate, AL

07/30/2020 12:39:09 PM FILED/CERT

My Commission expires:

11/07/2023

Notary Public