

LAST WILL AND TESTAMENT
OF

MICHAEL EDWARD WELDON



20220113000017020 1/8 \$43.00
Shelby Cnty Judge of Probate, AL
01/13/2022 03:39:45 PM FILED/CERT

I, MICHAEL EDWARD WELDON, A RESIDENT OF THE STATE OF ALABAMA, SHELBY COUNTY, BEING 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 ALL PRIOR WILLS AND CODICILS THAT I HAVE MADE.

ITEM I.

INTRODUCTION

MY NAME IS MICHAEL EDWARD WELDON. I AM UNMARRIED. AS OF THE DATE OF THIS WILL, I HAVE TWO CHILDREN, ONE (1) DAUGHTER, WHOSE NAME IS ASHLEY MARIE KING, AND ONE (1) SON, JOSHUA EDWARD WELDON. FOR THE PURPOSES OF THIS WILL, REFERENCES TO "MY CHILDREN" SHALL MEAN THE DAUGHTER AND SON NAMED HEREIN.

ITEM II.

PERSONAL PROPERTY

I DO HEREBY DEVISE ALL OF MY PERSONAL PROPERTY TO BE DISTRIBUTED TO MY CHILDREN FOR THEM TO DECIDE HOW TO SPLIT IT AMONGST THEMSELVES.

M.E.W.

ITEM III.

DISPOSITION OF RESIDUE

ALL THE REST, RESIDUE AND REMAINDER OF THE PROPERTY WHICH I OWN AT THE TIME OF MY DEATH, REAL, PERSONAL AND MIXED, TANGIBLE AND INTANGIBLE, SHALL BE SPLIT AS FOLLOWS:

I LEAVE THE PROPERTY AND THE HOME AND ALL OUT-BUILDINGS AT THE ADDRESS OF 543 HIGHWAY 480, VANDIVER, ALABAMA 35176 TO MY DAUGHTER, ASHLEY MARIE KING, TO DO WITH AS SHE WISHES.

I LEAVE THE PROPERTY AND THE HOME AND ALL OUT-BUILDINGS AT THE ADDRESS OF 161 BEACON DRIVE, VANDIVER, ALABAMA 35176 TO MY SON, JOSHUA EDWARD WELDON, TO DO WITH AS HE WISHES.

IF ANY TENANTS ARE LIVING IN OR ON EITHER PROPERTY AT THE TIME OF MY DEATH, THEY SHALL HAVE THIRTY (30) DAYS TO VACATE FROM THE DATE OF MY DEATH. MY PERSONAL REPRESENTATIVE HAS FULL AUTHORITY TO REMOVE ANY TENANTS LIVING IN OR ON SAID PROPERTIES.

ITEM IV.

APPOINTMENT OF PERSONAL REPRESENTATIVE

- A. I HEREBY APPOINT ASHLEY MARIE KING TO SERVE AS MY PERSONAL REPRESENTATIVE UNDER THIS WILL. IF SHE SHALL FAIL TO QUALIFY, DIE, RESIGN, BECOME INCOMPETENT, OR OTHERWISE FAIL OR CEASE TO SERVE AS PERSONAL REPRESENTATIVE, THEN I APPOINT MY SON, JOSHUA EDWARD WELDON TO SERVE AS THE PERSONAL REPRESENTATIVE. IF HE SHALL FAIL TO QUALIFY, DIE, RESIGN, BECOME INCOMPETENT, OR OTHERWISE FAIL OR CEASE TO SERVE AS PERSONAL REPRESENTATIVE, THEN I APPOINT THE SURVIVOR(S) OF THEM TO SERVE AS MY PERSONAL REPRESENTATIVE.
- B. NO PERSONAL REPRESENTATIVE NAMED HEREIN SHALL BE REQUIRED TO OBTAIN OR GIVE BOND OR OTHER SECURITY; OR TO FILE AN INVENTORY, ACCOUNTING OR APPRAISAL IN ANY COURT; OR TO RENDER ANY REPORT IN COURT UPON FINAL SETTLEMENT OF MY ESTATE.



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- C. THE PERSONAL REPRESENTATIVE IS HEREBY AUTHORIZED TO PAY THE PERSONAL REPRESENTATIVE ANY REASONABLE COMPENSATION FOR SERVICES RENDERED IN SUCH CAPACITY WITHOUT PRIOR COURT APPROVAL.

ITEM V.

POWERS OF PERSONAL REPRESENTATIVE

IN ADDITION TO ANY POWERS GRANTED BY LAW, I GIVE THE PERSONAL REPRESENTATIVE THE FOLLOWING POWERS AND AUTHORITY, EXERCISABLE IN THE DISCRETION OF THE PERSONAL REPRESENTATIVE AND WITHOUT COURT ORDER OR COURT APPROVAL:

- A. THE PERSONAL REPRESENTATIVE SHALL HAVE FULL POWER, WITHOUT THE NECESSITY FOR ANY ORDER FROM ANY COURT, TO SELL, PRECURE, EXCHANGE, LEASE, OR ENCUMBER ALL OR ANY PORTION OF MY ESTATE IN SUCH A MANNER AND UPON SUCH TERMS AND CONDITIONS AS IT MAY APPROVE. THE PERSONAL REPRESENTATIVE SHALL ALSO HAVE FULL POWER AND AUTHORITY TO MANAGE AND MAINTAIN ANY PRIOR BUSINESS.

ITEM VI.

PAYMENTS OF DEBTS AND EXPENSES

I DIRECT THE PERSONAL REPRESENTATIVE TO PAY MY FUNERAL AND BURIAL EXPENSES, INCLUDING THE COST OF A SUITABLE GRAVE MARKER AT MY GRAVE. ANY AND ALL OTHER DEBTS, AS THE PERSONAL REPRESENTATIVE WILL ONLY BE RESPONSIBLE FOR WHAT THE PERSONAL REPRESENTATIVE DEEMS MOST NECESSARY OR DESIRABLE. I DIRECT THE PERSONAL REPRESENTATIVE TO SEND REQUIRED DOCUMENTATION AND ACQUIRE PAYMENT FROM ANY LIFE INSURANCE OR BURIAL POLICIES I MAY HOLD IN MY NAME.

M.E.W.

ITEM VII.
MISCELLANEOUS



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- A. WHERE I HAVE DIRECTED THAT DISTRIBUTIONS BE MADE, ALL OTHER LATENT OR UPCOMING PERSONAL PROPERTY, GIFTS, MONIES OF ANY KIND SHALL BE DISTRIBUTED BETWEEN MY CHILDREN HOWEVER THEY DECIDE. MY CHILDREN ARE MY SOLE BENEFICIARIES.
- B. ALL HEADINGS AND CAPTIONS CONTAINED IN THIS WILL HAVE BEEN INCLUDED FOR CONVENIENCE OF REFERENCE ONLY, SHALL NOT BE CONSTRUED AS PART OF THIS WILL AND SHALL IN NO WAY BE CONSTRUED AS DEFINING, LIMITING OR AFFECTING THE SCOPE OR INTENT OF THE PROVISIONS OF THIS WILL.

ITEM VIII.
TAX MATTERS

- A. THE PERSONAL REPRESENTATIVE SHALL NOT BE LIABLE TO ANY BENEFICIARY HEREIN FOR ANY ACTION TAKEN OR NOT TAKEN, ELECTION MADE OR NOT MADE, OR RESULTING FEDERAL OR STATE INCOME TAX CONSEQUENCES UPON APPORTIONMENT OR DISTRIBUTION IN KIND OR OTHERWISE OF ANY ASSET OF MY ESTATE, WHERE THE PERSONAL REPRESENTATIVE EXERCISED GOOD FAITH AND ORDINARY DILIGENCE IN THE PERFORMANCE OF ITS DUTIES.
- B. I SPECIFICALLY AUTHORIZE AND EMPOWER THE PERSONAL REPRESENTATIVE, REGARDLESS OF WHETHER OR NOT IT AFFECTS THE INTEREST OF ANY BENEFICIARY UNDER THIS WILL, OR THE AMOUNT OF THE PROPERTY PASSING TO SUCH BENEFICIARY NOW OR HEREAFTER, TO EXERCISE ANY ELECTION GRANTED IN EFFECT AT THE TIME OF MY DEATH WHICH PERMITS THE PERSONAL REPRESENTATIVE TO TAKE AS DEDUCTIONS FOR FEDERAL INCOME TAX PURPOSES ANY AMOUNTS WHICH ARE ALSO ALLOWABLE FOR FEDERAL ESTATE TAX PURPOSES, AND THE PERSONAL REPRESENTATIVE SHALL INCUR NO LIABILITY WHATSOEVER TO ANY BENEFICIARY UNDER THIS WILL AS A RESULT OF ANY ELECTIONS MADE, AND SO NO ADJUSTMENT BETWEEN PRINCIPAL AND INCOME SHALL BE REQUIRED AS A RESULT OF SUCH ELECTION.

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I SPECIFICALLY AUTHORIZE AND EMPOWER THE PERSONAL REPRESENTATIVE TO EXECUTE AND FILE ANY INCOME TAX RETURNS FOR THE YEAR IN WHICH MY DEATH OCCURS OR FOR ANY YEAR(S) PRIOR THERETO, IF THEY WISH. I ALSO AUTHORIZE AND EMPOWER THE PERSONAL REPRESENTATIVE TO EXECUTE AND FILE ANY GIFT TAX RETURNS FOR THE YEAR IN WHICH MY DEATH OCCURS OR FOR ANY YEAR(S) PRIOR THERETO. I ALSO AUTHORIZE MY PERSONAL REPRESENTATIVE TO PAY OR RECEIVE ANY PORTION OR ALL OF ANY RESULTING INCOME TAXES AND GIFTS, IF THE PERSONAL REPRESENTATIVE WISHES. I GRANT FULL DISCRETION TO THE PERSONAL REPRESENTATIVE TO ACQUIESCE IN, COMPROMISE, OR LITIGATE OR DISOLVE, OR RECEIVE ANY DEMAND MADE AGAINST MY ESTATE FOR FEDERAL OR STATE INCOME, GIFT, ESTATE OR INHERITANCE TAXES. THE PERSONAL REPRESENTATIVE SHALL INCUR NO PERSONAL LIABILITY FOR ANY ACTION TAKEN IN GOOD FAITH IN ACCORDANCE WITH ANY FOREGOING AUTHORIZATIONS.

C. I HEREBY EMPOWER THE PERSONAL REPRESENTATIVE TO ALLOCATE ANY PORTION OF MY EXEMPTION UNDER SECTION 2631(a) OF THE CODE TO ANY PROPERTY AS TO WHICH I AM THE TRANSFEROR FOR THE GENERATIONAL-SKIPPING PURPOSES, INCLUDING PROPERTY TRANSFERRED TO ME OR BY ME DURING LIFE WHICH I DID NOT MAKE AN ALLOCATION BEFORE MY DEATH. IN EXERCISING THIS POWER, THE PERSONAL REPRESENTATIVE SHALL NOT BE REQUIRED TO TREAT DIFFERENT FAMILY BRANCHES IN THE SAME MANNER. THE PERSONAL REPRESENTATIVE SHALL NOT BE LIABLE TO ANY BENEFICIARY HEREIN, BY REASON OF SUCH DECISION TO MAKE OR NOT MAKE SUCH ALLOCATION, PROVIDED THE PERSONAL REPRESENTATIVE EXERCISED GOOD FAITH AND ORDINARY DILIGENCE IN THE MAKING OF SUCH DECISION(S).

M. E. W.



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IN WITNESS WHEREOF, I THE UNDERSIGNED, MICHAEL EDWARD WELDON, HAVE HEREUNTO
SET MY HAND AND SEAL ON THIS 12TH DAY OF APRIL, 2020.

Michael Edward Weldon SEAL

MICHAEL EDWARD WELDON

SIGNED, SEALED, PUBLISHED AND DECLARED BY MICHAEL EDWARD WELDON AS AND FOR HIS
LAST WILL AND TESTAMENT, IN OUR PRESENCE, AND WE, IN HIS PRESENCE AND IN THE
PRESENCE OF EACH OTHER, AND AT HIS REQUEST, HAVE HEREUNTO SET OUR HANDS AND
SEALS AS WITNESSES THERETO ON THE DAY THE SAME BEARS DATE.

Confidential

ADDRESS: 10580 N MAIN ST WILSONVILLE AL 35184

M.E.W.



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ADDRESS:

Jim Jones

406 Highway 480
Vanderbilt, AL 35176

ADDRESS:

Jim Jones

40580 W Main St Wilsonville AL 35186

I, MICHAEL EDWARD WELDON, THE TESTATOR, SIGN MY NAME TO THIS INSTRUMENT THIS 12TH DAY OF APRIL, 2020, AND BEING FIRST DULY SWORN, DO HEREBY DECLARE TO THE UNDERSIGNED AUTHORITY THAT I SIGN AND EXECUTE THIS INSTRUMENT AS MY LAST WILL AND TESTAMENT AND THAT I SIGN IT WILLINGLY, THAT I EXECUTE IT AS MY FREE AND VOLUNTARY ACT FOR THE PURPOSES THEREIN EXPRESSED, AND THAT I AM EIGHTEEN YEARS OF AGE OR OLDER, OF SOUND MIND, AND UNDER NO CONSTRAINT OR UNDUE INFLUENCE.

Michael Edward Weldon

MICHAEL EDWARD WELDON

WE, ASHLEY MARIE KING, AND JERRIE JONES, THE WITNESSES, SIGN OUR NAMES TO THIS INSTRUMENT, BEING FIRST DULY SWORN, AND DO HEREBY DECLARE TO THE UNDERSIGNED AUTHORITY THAT THE TESTATOR SIGNS AND EXECUTES THIS INSTRUMENT AS HIS LAST WILL AND TESTAMENT AND THAT HE SIGNS 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 EIGHTEEN YEARS OF AGE OR OLDER, OF SOUND MIND, AND UNDER NO CONSTRAINT OR UNDUE INFLUENCE.

Ashley Marie King

WITNESS

Jim Jones

WITNESS

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M.E.W.

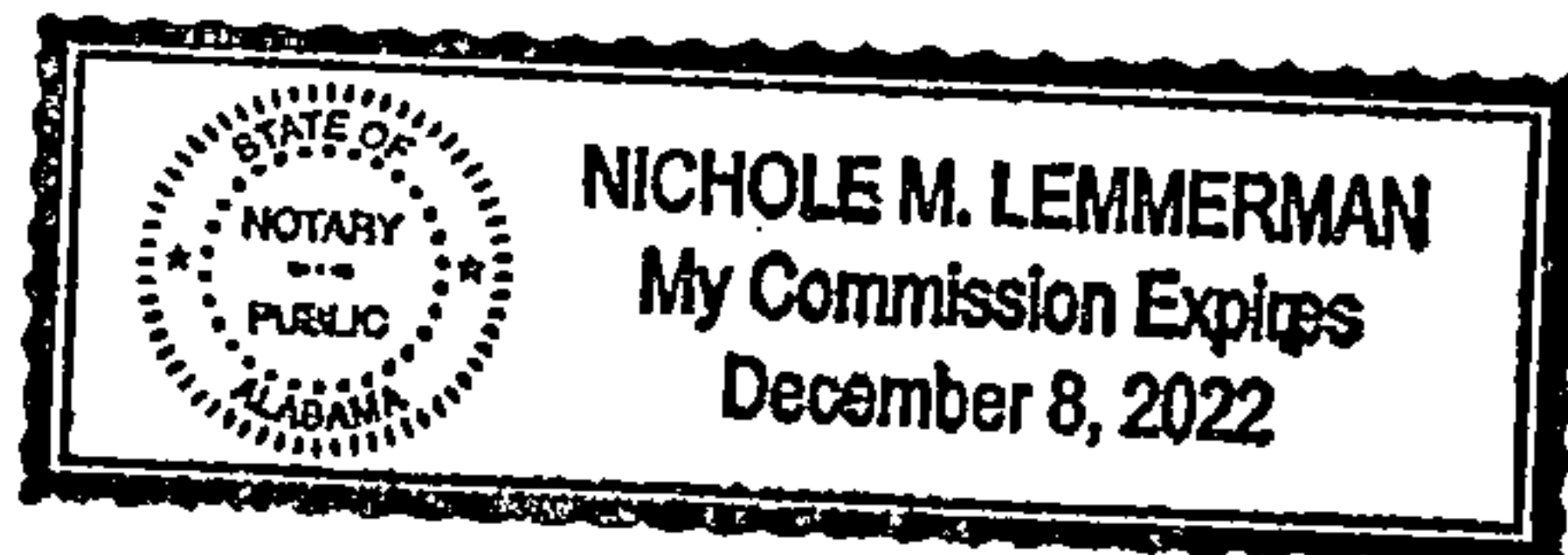
STATE OF ALABAMA }

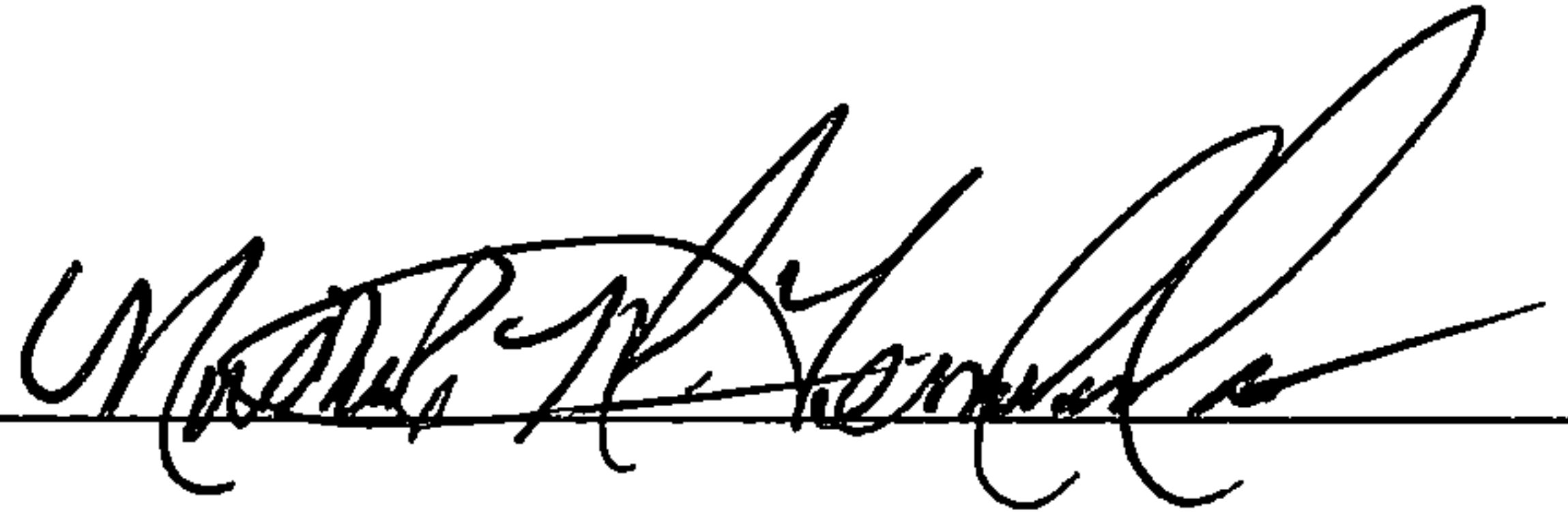
COUNTY OF SHELBY }



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SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME BY MICHAEL EDWARD
WELDON, THE TESTATOR, AND SUBSCRIBED AND SWORN TO BEFORE ME BY
ASHLEY MARIE KING AND JERRIE JONES, WITNESSES, THIS 12TH DAY OF
APRIL, 2020




NOTARY PUBLIC
MY COMMISSION EXPIRES: 12-8-22

(SEAL)

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