



20220217000069860 1/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

AFFIDAVIT
of
Linda Wheat Field
Regarding Matters Pertaining to the Ownership of Real Estate Located
within the County of Shelby, Alabama

State of Florida
County of Monroe

I, Linda Wheat Field, a married woman, residing at 321 9th Street, Key Colony Beach, County of Monroe, State of Florida, being duly sworn, do declare and affirm that the following is a true and correct representation of the matters stated herein and of the content of documents referenced and relied upon in this affidavit, to wit:

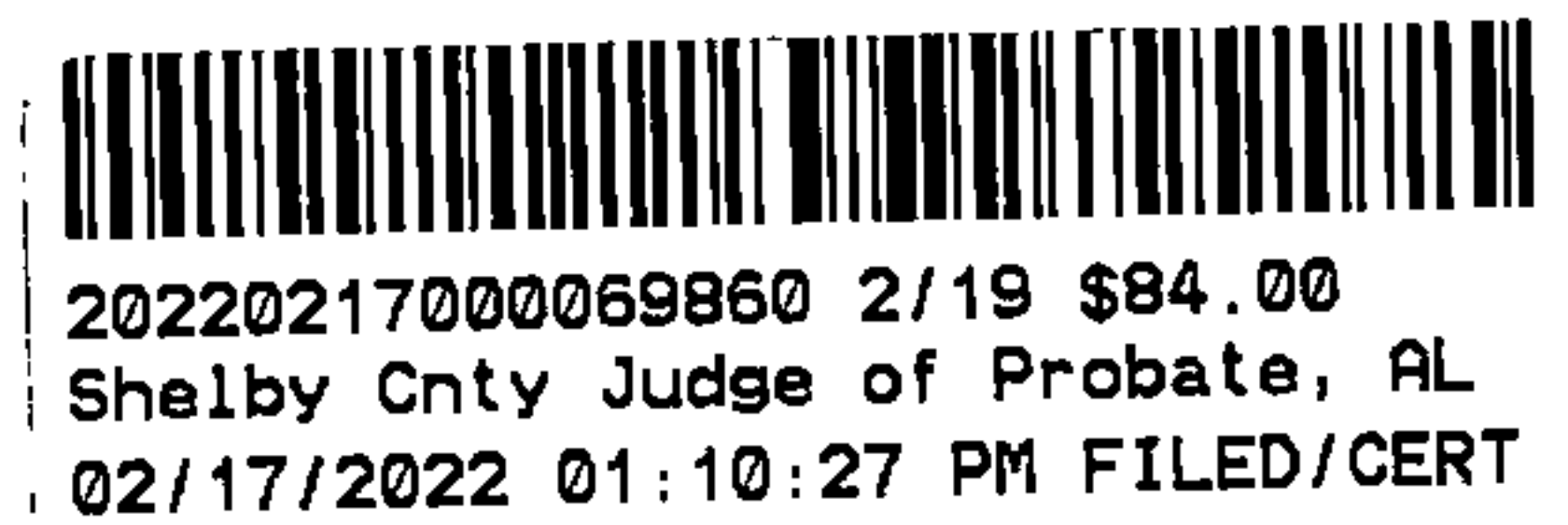
I. I am the sole surviving heir to the estate of Lallage Farrell McKee who died intestate in Jefferson County, Alabama on September 7, 1990. I am the sole surviving beneficiary of the estate of Edres F. Payne, pursuant to her will of January 6, 1984, who was formerly known as Edres Farrell McCloskey, and who died in Jefferson County, Alabama on February 25, 1994.

II. Lallage Farrell McKee and Edres Farrell McCloskey, cum Edres Farrell Payne, owned, by warranty deed from the estate of Jack Wheat, the following property located in Shelby County, Alabama:

The Southwest Quarter of the Southwest Quarter of Section 18,
Township 20, Range 1 West; Southeast Quarter of the Southeast
Quarter of Section 13, Township 20, Range 2 West; North half of the
Northeast Quarter of Section 24, Township 20, Range 2 West.
Containing 160 acres more or less. Last deed recorded in Book 308,
Page 926 of the Shelby County real estate records.

III. "Lallage Farrell McKee" and "Lallage McKee" are one and the same person. I have personal knowledge of the foregoing as Mrs. McKee was my paternal grandmother.

IV. "Edres Farrell McCloskey", "Edres Farrell Payne", and "Edres F. Payne" are one and the same person. I have personal knowledge of the foregoing as Mrs. Payne was my paternal great-aunt.



P. 2 of 4, Field, Affidavit

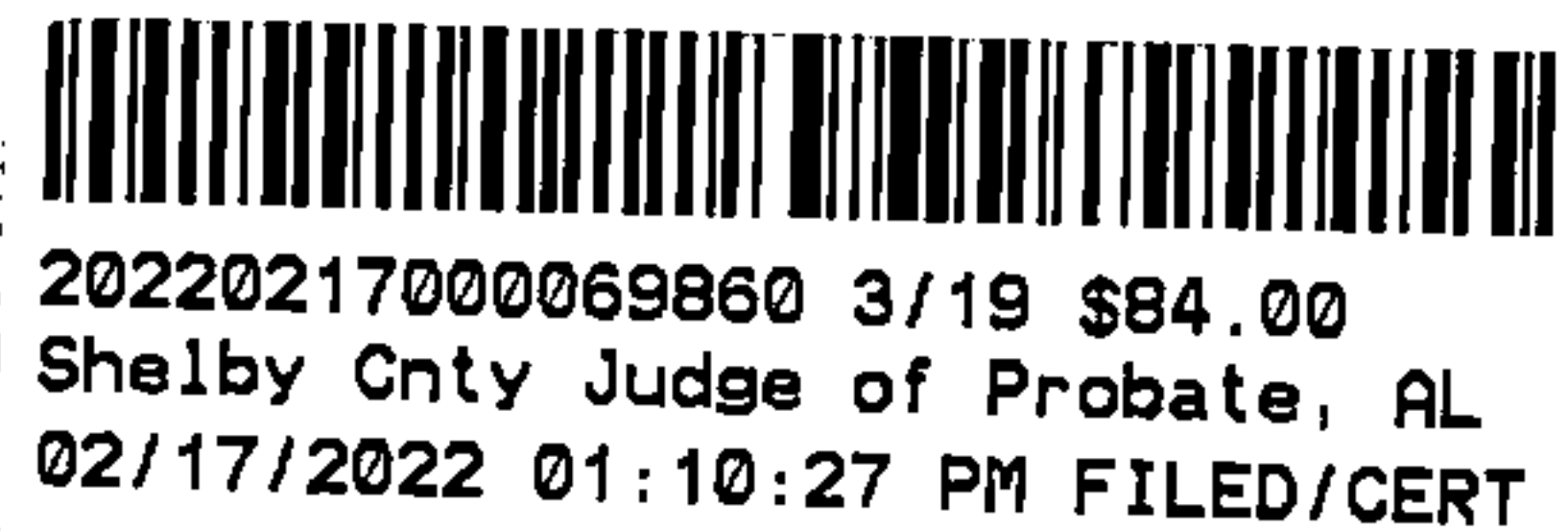
V. Linda Wheat Field, the undersigned, is one and the same person as "Linda Wheat Gowaty" and "Linda Wheat Gowaty Field".

VII. By operation of the laws of intestacy in the State of Alabama and the determination of Judge of Probate, George R. Reynolds, Jefferson County, Alabama, I became the undivided one-half interest owner of the property described above upon the death of Lallage Farrell McKee.

VI. By the terms of the will of Edres F. Payne, filed in Probate Court of Jefferson County by her conservator, James M. Tingle, Linda Wheat Gowaty became the undivided one-half interest owner of the balance of the property described above.

VII. I present the following documents in support of this affidavit:

1. Warranty Deed from Jack Farrel (sic) Wheat, pursuant to his will, to Edres Farrell McCloskey and Lallage Farrell McKee describing the same real estate for which the legal description is given above. Said deed is dated October 3, 1977, and recorded on November 15, 1977, in Shelby County, Alabama at Book 308, Page 926.
2. Certificate of Death, State of Alabama, for Lallage Farrell McKee who died on September 7, 1990.
3. Decree of Final Settlement of Administration, Probate Court of Jefferson, County Alabama, Case # 135249, for Lallage McKee, stating in pertinent part as follows, "...Linda Wheat Field is the sole heir and distributee of said estate, and that the said Administrator has paid over to the said sole heir and distributee all of the property and assets ...".
4. Affidavit of Name Change, Jefferson County, Alabama documenting how and when Edres Farrell McCloskey (a widow) remarried and became Edres F. Payne and was widowed a second time but did not remarry prior to her death, dated September 27, 1994.
5. Certificate of Death, State of Alabama, for Edres F. Payne who died on February 25, 1994.
6. Last Will and Testament of Edres F. Payne dated January 6, 1984 prepared by Jefferson County Attorney John E. Amari.
7. Letters Testamentary, granted in the matter of the estate of Edres Payne in the Probate Court of Jefferson County, Alabama, Case #147267, to Linda



Wheat Gowaty Field on July 21, 1994. Two identical copies included, one signed by Judge Reynolds and the other by the Clerk of Court.

8. Decree of Final Settlement, Probate Court of Jefferson County, Alabama, Case # 118215, in the matter of the estate of Edres F. Payne, a protected person, dated April 20, 1994. This document listed the final accounting of the conservator and ordered the final payout of the estate "to the duly appointed representative of Edres F. Payne, deceased."

In reference to document #8 above, as holder of the Letters Testamentary (see document #7) and as Executrix for the Estate of Edres F. Payne pursuant to her will (see document #6), I, Linda Wheat Gowaty Field, was the duly appointed representative as well as the sole surviving beneficiary (also see document #6) of Edres F. Payne.

I hereby declare and say that to the best of my knowledge and belief the information contained herein is true, correct and complete.

Executed this 26 day of January, 2022.

Linda Wheat Field

in her individual capacity,

and

as the sole surviving heir of Lallage Farrell McKee

and

as the sole surviving beneficiary pursuant to the will of Edres F. Payne

Witness:

Name

Name

STANLEY E. FIELD

211-9th ST Key Colony Beach FL 33051

Address

321 5th Street, Key Colony Beach, FL 33051

Address

P. 4 of 4, Field, Affidavit

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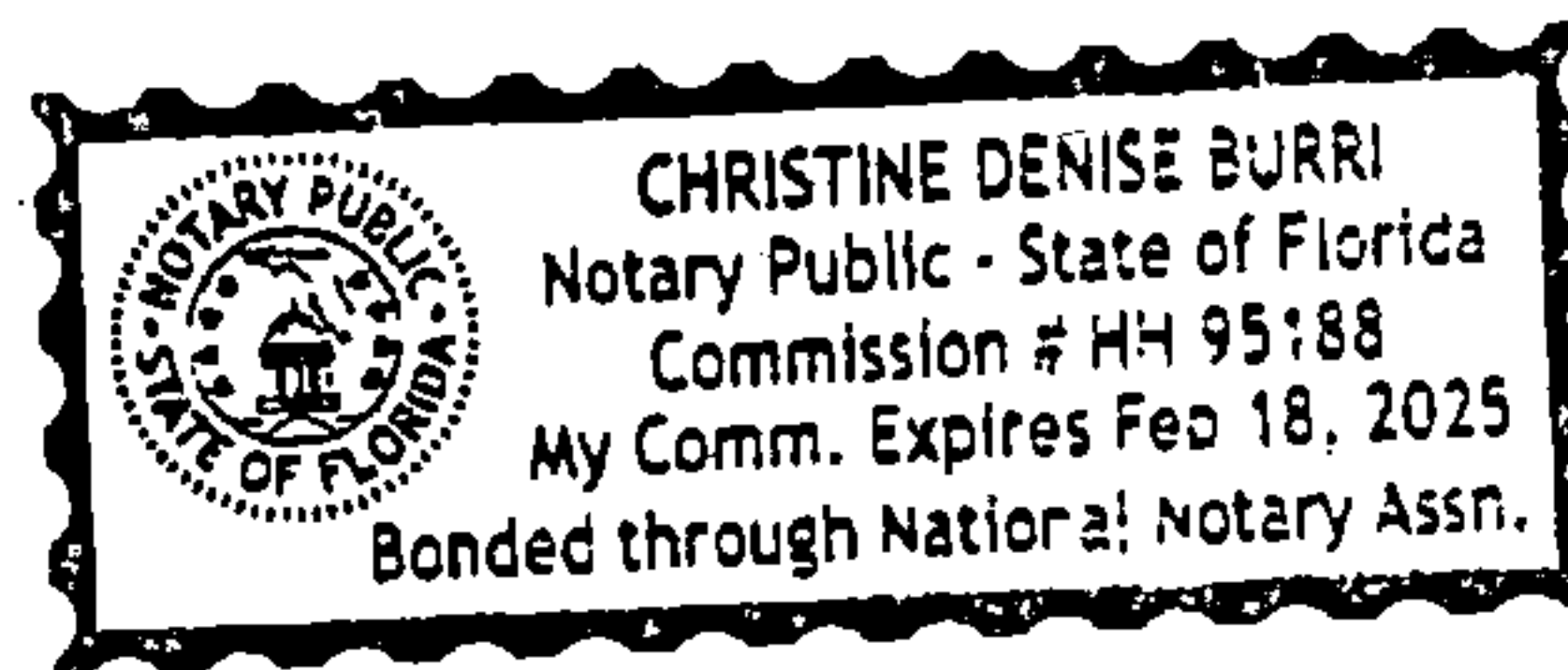
State of Florida
County of Monroe

Subscribed, sworn and acknowledged before me, Linda Wheat Field, a
Notary Public in and for said County and State, hereby certify that Linda Wheat Field
whose name is signed to the forgoing Affidavit, and who is known to me,
acknowledged before me on this day that being informed of the contents, she willingly
confirmed said contents and voluntarily executed this document.

Given under my hand and official seal this 26 day of January, 2022.

Christine Denise Burri
Notary Public

SEAL



This instrument was prepared by
(Name) JACK E. PROPST, Attorney At Law

4350

(Address) Suite 1513, The 2121 Building, Birmingham, Alabama 35203

Form 1-1-27 Rev. 1-66

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

JEFFERSON

COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ONE (\$1.00) DOLLAR and other good & Valuable consideration and pursuant to that certain Will of Jack Farrel Wheat, Case No. 89431, in the Probate Court of Jefferson County, Alabama.

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, EDRES FARRELL MCCLOSKEY, Co-Executrix of the Estate of Jack Farrel Wheat and LALLAGE FARRELL MCKEE, Co-Executrix of the Estate of Jack Farrel Wheat

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

EDRES FARRELL MCCLOSKEY and LALLAGE FARRELL MCKEE

(herein referred to as grantee, whether one or more), the following described real estate, situated in SHELBY County, Alabama, to-wit:

The Southwest Quarter of Southwest Quarter of Section Eighteen, Township Twenty, Range One West; Southeast Quarter of Southeast Quarter of Section Thirteen, Township 20, Range Two West; The North one half of the Northeast Quarter of Section Twenty-Four, in Township Twenty, Range Two West - Containing 160 acres more or less.



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BOOK 308 PAGE 926

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

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TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, We have hereunto set OUR hands(s) and seal(s), this 3rd day of OCTOBER, 19 77.

Lallage Farrell McKee (Seal)
LALLAGE FARRELL MCKEE,
Co-Executrix of the Estate of Jack Farrel Wheat (Seal)

Edres Farrell McCloskey (Seal)
EDRES FARRELL MCCLOSKEY,
Co-Executrix of the Estate of Jack Farrel Wheat (Seal)

STATE OF ALABAMA

JEFFERSON

COUNTY

General Acknowledgment

I, JACK E. PROPST

hereby certify that EDRES FARRELL MCCLOSKEY and LALLAGE FARRELL MCKEE whose name S are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of OCTOBER

A. D., 19 77

Jack E. Propst
Notary Public.

629 North 80th Street

#2

This is a true and exact copy of the record on file with the Jefferson County Health Department.

Felix C Hartley

Nov. 7, 1994

Signature of Local or Deputy Registrar Date of Issue

AC 100
D.C. 100

006299

STATE OF ALABAMA
CERTIFICATE OF DEATH

State
File
Number

101

90-027337

1. DECEASED—NAME First Middle Last (Print last name all capitals) LALLAGE FARRELL McKEE			2. DATE OF DEATH (Month, Day, Year) SEPTEMBER 7, 1990		3. COUNTY OF DEATH JEFFERSON	
4a. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE HOMEWOOD 35209			4b. INSIDE CITY LIMITS (Specify Yes or No) YES		4c. PLACE OF DEATH—HOSPITAL OR OTHER INSTITUTION—(If not in either, give street and number) BROOKWOOD MEDICAL CENTER HOSPITAL	
4d. IF HOSPITAL (Specify Inpatient, ER or Outpatient, DOA) INPATIENT			5a. OF HISPANIC ORIGIN (Specify Yes or No) If yes, Specify Cuban, Mexican, Puerto Rican, etc. NO		5b. RACE—(Specify American Indian, Black, White, etc.) WHITE	
5c. SEX FEMALE						
6a. AGE 86 YRS		6b. UNDER 1 YEAR MOS. DAYS HOURS MINS.		7. DATE OF BIRTH (Month, Day, Year) MARCH 4, 1904		
8. DECEASED'S SOCIAL SECURITY NUMBER [REDACTED]						
9. EDUCATION (Specify ONLY highest grade completed BELOW) a. ELEMENTARY/SECONDARY (Specify 0-12) 4			10. MARITAL STATUS (Specify Married, Never Married, Widowed, Divorced) WIDOWED		11. SURVIVING SPOUSE (If wife, give maiden name) NONE	
12. Was Decedent ever in Armed Forces? NO						
13. STATE OF BIRTH (If not in USA, name country) ALABAMA		14a. RESIDENCE—STATE ALABAMA		14b. COUNTY JEFFERSON		
14c. CITY, TOWN, OR LOCATION AND ZIP CODE BIRMINGHAM 35203						
14d. INSIDE CITY LIMITS (Specify Yes or No) YES		14e. STREET AND NUMBER 900 PARK PLACE TOWERS		15. INFORMANT—Name and Address HORTENSE JENNINGS 900 PARK PLACE TOWERS, B'HAM., ALABAMA		
16a. USUAL OCCUPATION (Give kind of work done during most of working life even if retired) TEACHER			16b. KIND OF BUSINESS OR INDUSTRY EDUCATION			
17. FATHER—NAME First Middle Last UNKNOWN FARRELL			18. MOTHER—MAIDEN NAME First Middle Last UNKNOWN			
19a. DISPOSITION OF BODY (Specify Burial, Cremation, Medical Donation, Hospital Disposal, Other) BURIAL		19b. DATE OF DISPOSITION (Month, Day, Year) SEPT. 10, 1990		20a. CEMETERY OR CREMATORY—Name ELMWOOD CEMETERY		
20b. LOCATION—(City or Town—State) BIRMINGHAM, AL						
21. FUNERAL HOME—Name and Address RIOUT'S ELMWOOD CHAPEL 800 DENNISON AVE. SW B'HAM., AL 35211			22a. FUNERAL DIRECTOR—Signature <i>[Signature]</i>		22b. DATE SIGNED BY FUNERAL DIRECTOR SEPT. 10, 1990	
23a. I Ascertained the Cause of Death (Physician certifying cause of death) To the best of my knowledge death occurred at the time, date and place, and due to the cause(s) and manner stated. 23b. I Assisted the Deceased from Month Day Year TO Month Day Year 8 8 89 9 7 90			23c. I viewed the body after death (Specify Yes or No) NO		23d. HOUR OF DEATH 2:00 P.M.	
24a. Medical Examiner _____ Coroner _____ Health Officer On the basis of examination and/or investigation in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner stated.						
25. PHYSICIAN'S NAME and Address Chivers R Woodruff, Jr. M.D. 1009 Montgomerie Highway Sh. on AL 35214			26a. CERTIFIER—PHYSICIAN—MEDICAL EXAMINER/CORONER OR HEALTH OFFICER (Type Name) Chivers R. Woodruff, Jr. M.D.			
26b. CERTIFIER'S SIGNATURE <i>[Signature]</i>						
26c. DATE SIGNED (Month, Day, Year) 10/1/90		26d. CERTIFIER LICENSE NUMBER 7007		27a. REGISTRAR—Signature Louise M. Brainer		
27b. DATE RECEIVED BY LOCAL REGISTRAR October 3, 1990						

MEDICAL CERTIFICATION

28. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. LIST ONLY ONE CAUSE ON EACH LINE. IMMEDIATE CAUSE (Final disease or condition resulting in death.) a. <i>Cardiovascular Bleeding</i> DUE TO (OR AS A CONSEQUENCE OF): b. DUE TO (OR AS A CONSEQUENCE OF): c. DUE TO (OR AS A CONSEQUENCE OF): d. Sequently list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST.			APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH 4 days		
29. PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I. <i>Hypokalemia 10/88</i>			30. Was operation performed for any conditions in items 28 and 29? If yes, type of operation and date of operation. NO		
31. WAS THERE A PREGNANCY IN LAST 42 DAYS? (Specify Yes, No, or Unk.) NO					
32. MANNER OF DEATH (Specify—Accident, Homicide, Suicide, Undetermined Circumstances, Pending Investigation, Natural Cause) <i>Natural causes</i>			33a. AUTOPSY (Specify Yes or No) NO		
33b. If yes, were findings considered in determining cause of death? (Specify Yes or No)					
34a. HOW INJURY OCCURRED (Enter nature of injury in Part I, Item 28 or Part II, Item 29)			34b. DATE OF INJURY (Month, Day, Year)		
34c. HOUR OF INJURY					
34d. INJURY AT WORK (Specify Yes or No)		34e. PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify)		34f. LOCATION OF INJURY (Street or R.F.D. No., City or Town, State)	



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Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

#3, p1 of 2

IN THE MATTER OF:
THE ESTATE OF:
LALLAGE MCKEE,
DECEASED

20220217000069860 7/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 135249

DECREE ON FINAL SETTLEMENT OF ADMINISTRATION

This day comes Terrill W. Sanders, as Administrator of the Estate of Lallage McKee, deceased, and presents to the Court, under oath, a petition for final settlement of said estate, together with acceptance of service and waiver of notice and consent by the sole heir and distributee of said estate, executed and acknowledged by each of them as required by law and Mildred McCarn Edwards, as Attorney in Fact for The Fidelity and Deposit Company, surety on the bond of said Administrator, and moves the Court to proceed with the hearing of said petition.

It appearing to the Court that more than six months have elapsed since the appointment of said Administrator, and that all claims filed in this Court against said estate within the time required by law have been paid and satisfied in full and it further appearing that Linda Wheat Field is the sole heir and distributee of said estate, and that the said Administrator has paid over to the said sole heir and distributee all the property and assets in his hands belonging to said estate, as evidenced by receipt and release filed herein.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that said petition be, and the same is granted and ordered recorded, and said Administrator discharged and released.

DONE this 17th day of March, 1992.

George P. Reynolds
JUDGE OF PROBATE

JR 114b P6b 31



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Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

CERTIFIED COPY

I, GEORGE R. REYNOLDS, JUDGE OF THE COURT
OF PROBATE FOR JEFFERSON COUNTY,
ALABAMA, HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE, CORRECT AND FULL
COPY OF THE INSTRUMENT _____ HEREWITH
SET OUT AS APPEARS OF RECORD IN SAID COURT.
WITNESS MY HAND AND SEAL OF SAID COURT,
THIS 7 DAY OF November,
19 94.

George R. Reynolds
JUDGE OF PROBATE



STATE OF ALABAMA
COUNTY OF JEFFERSON



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Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

AFFIDAVIT OF NAME CHANGE

Linda Wheat Field, affiant herein, being duly sworn, deposes and says:

1. That she is the duly appointed executrix of the estate of Edres F. Payne who died on February 25, 1994.
2. That she was personally acquainted with the deceased person, Edres F. Payne. Mrs. Payne was the great-aunt of Linda Wheat Field.
3. That Edres F. Payne was one and the same person as Edres F. McCloskey. Edres F. Payne was born Edres Nannette Farrell on May 22, 1906 in the state of Alabama. In her majority she married Edward Bruce McCloskey of Pensacola, Florida and remained married and domiciled in the state of Florida until his death in August, 1969. Several years later she returned to live in Birmingham, Alabama and on April 2, 1979 she married Loyd T. Payne. They remained married until his death on October 25, 1982.
4. Thereafter the decedent did not remarry. Her legal name on the date of her death was Edres F. Payne.

IN WITNESS WHEREOF, I have hereunto set my hand, this 27th day of September, 1994.

Linda Wheat Field

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, *Barbara S. Antolini*, a Notary Public in and for said County, in said State, hereby certify that Linda Wheat Field whose name is signed to the foregoing, and who is known to me, acknowledged before me on this day that being informed of the contents of this conveyance, executed the same voluntarily on the day the same bears date.

Given under my hand this 27th day of September, 1994.

Barbara S. Antolini
Notary Public

My Commission expires

August 31, 1995.



#5

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Shelby Cnty Judge of Probate, AL
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This is a true and exact copy of the record on file with
the Jefferson County Health Department.

D. S. Payne
Signature of Local or Deputy Registrar

03-07-94

Date of Issue

001468

ALABAMA

CERTIFICATE OF DEATH

94-006052

County
File
Number

State File Number 101


1. DECEASED—NAME First Middle Last (Type last name all capitals) Edres F. PAYNE			2. DATE OF DEATH (Month, Day, Year) February 25, 1994		3. COUNTY OF DEATH Jefferson	
4. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE Birmingham 35235			5. INSIDE CITY LIMITS (Specify Yes or No) Yes		6. PLACE OF DEATH—HOSPITAL OR OTHER INSTITUTION—(If not in either, give street and number) Medical Center East	
7. IF HOSPITAL (Specify Inpatient, ER or Outpatient, DOA) Inpatient			8. OF HISPANIC ORIGIN (Specify Yes or No; If Yes, Specify Cuban, Mexican, Puerto Rican, etc.) No		9. RACE—(Specify American Indian, Black, White, etc.) White	
11. AGE 87 YRS.		12. UNDER 1 YEAR MOS. DAYS HOURS MINS UNDER 1 DAY		10. SEX Female		
15. EDUCATION (Specify ONLY highest grade completed below) Elementary or High School (0-12) College (1-4 or 5+) College (1-4 or 5+)			16. MARITAL STATUS (Specify Married, Never Married, Widowed, Divorced) Widowed		14. DECEASED'S SOCIAL SECURITY NUMBER [REDACTED]	
19. STATE OF BIRTH (If not in USA, name country) Alabama		20. RESIDENCE—STATE Alabama		21. COUNTY Jefferson		
23. INSIDE CITY LIMITS (Specify Yes or No) Yes		24. STREET AND NUMBER 706 Sage Circle		22. CITY, TOWN, OR LOCATION AND ZIP CODE Trussville 35173		
26. USUAL OCCUPATION (Give kind of work done during most of working life even if retired) School Teacher (Retired)			25. INFORMANT—Name and Address Mrs. Linda W. Field 706 Sage Circle, Trussville, AL 35173			
28. FATHER—NAME First Middle Last Seth M. Farrell			27. KIND OF BUSINESS OR INDUSTRY Education			
30. DISPOSITION OF BODY (Specify Burial, Cremation, Medical Donation, Hospital Disposal, Other) Burial			29. MAIDEN NAME OF MOTHER—First Middle Last Fannie F. England			
34. FUNERAL HOME—Name and Address Roebuck East Chapel 1500 Gadsden Road, Bham, AL 35235			32. CEMETERY OR CREMATORY—Name Bayview Cemetery			
37. <input checked="" type="checkbox"/> Certifying Physician (Physician certifying cause of death) To the best of my knowledge death occurred at the time and date, and due to the cause(s) and manner stated. <input type="checkbox"/> Medical Examiner <input type="checkbox"/> Coroner Signature: <i>Richard A. Lytle</i>			33. LOCATION—(City or Town—State) Pensacola, FL			
39. TIME AND DATE OF DEATH 8:32 a.m. Feb. 25, 1994			36. DATE SIGNED BY FUNERAL DIRECTOR Feb. 28, 1994			
42. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46) Suite 308 S2 Medical Park Dr. East Birming. AL 35235			38. DATE SIGNED (Month, Day, Year) 2/25/94			
44. REGISTRAR—Signature <i>Louise M. Graves</i>			41. NAME AND TITLE OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46) RICHARD A. LYTLE M.D.			
45. DATE FILED (Month, Day, Year) March 2, 1994			43. CERTIFIER LICENSE NUMBER 5467			

MEDICAL CERTIFICATION

15. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. LIST ONLY ONE CAUSE ON EACH LINE.		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
a. SADDLE EMBOLUS TO DISTAL AORTA DUE TO (OR AS A CONSEQUENCE OF)			
b. PROBABLE CARDIAC MYRIAL THROMBUS DUE TO (OR AS A CONSEQUENCE OF)			
c. GENERALIZED CARDIOVASCULAR DISEASE DUE TO (OR AS A CONSEQUENCE OF)			
PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I			
MANNER OF DEATH (Specify—Accident, Homicide, Suicide, Undetermined Circumstances, Pending Investigation, Natural Cause) NATURAL		48. WAS THERE A PREGNANCY IN LAST 42 DAYS? (Specify Yes, No, or Unk.) NO	
HOW INJURY OCCURRED (Enter nature of injury in Item 46, Part I & Item 47, Part II)		50. AUTOPSY (Specify Yes or No) NO	
53. DATE OF INJURY (Month, Day, Year) 0		51. If yes, were findings considered in determining cause of death? (Specify Yes or No) 0	
54. HOUR OF INJURY 0		52. LOCATION OF INJURY (Street or R.F.D. No., City or Town, State) 0	
55. PLACE OF INJURY—(Specify at home, farm, street, factory, office building, etc.) 0		56. LOCATION OF INJURY (Specify at home, farm, street, factory, office building, etc.) 0	

COPY

Last Will and Testament

OFEDRES F. PAYNE


20220217000069860 11/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, EDRES F. PAYNE, a resident of Jefferson County, Alabama, being of sound mind and disposing memory, do make, publish and declare this instrument as and for my Last Will and Testament, hereby revoking any other Wills and codicils thereto heretofore made by me.

ITEM I

I direct that all of my just debts, including the expenses of my last illness and funeral, shall first be paid out of my Estate by my Executrix hereinafter named as soon as practicable after my death.

ITEM II

I give, devise and bequeath unto my sister, namely, Lallage F. McKee, all of my property, real, personal or mixed, of whatever kind or character and wheresoever situated, or to which I may be entitled to at the time of my death, absolutely, provided she survives me.

ITEM III

In the event my said beneficiary shall predecease me or die with me in a common disaster under such circumstances that it is doubtful which of us survived the

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other, I then give, devise and bequeath all of my said property to my neice, namely Linda Wheat Gowaty, absolutely.

ITEM IV

I hereby nominate and appoint my neice, Linda Wheat Gowaty, as Executrix of this, my Last Will and Testament, and I direct that she shall not be required to give bond for the performance of her duties arising hereunder, nor shall she be required to make any inventory of the property coming into her hands as such Executrix or make any report to any Court of her actions hereunder, and my said Executrix is specifically exempted from filing any final settlement of my estate, and further, she shall have power at any time, and from time to time, at public or private sale, and on such terms and with such security for deferred payment as to her may seem best, to sell, mortgage, transfer or otherwise dispose of any part or all of the assets of my estate for any purpose whatsoever, and without the prior or subsequent approval of any court or judicial authority. It is my intention that my said Executrix shall have every right and power in the handling of my estate that I would have if living. No person dealing with the Executrix shall be required to inquire into the propriety of any of her actions.

ITEM V

Throughout this Will the masculine gender shall be deemed to include the feminine, the singular, the plural, and vice versa, whichever is proper in accordance with its context.

COPY



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IN WITNESS WHEREOF, I, EDRES F. PAYNE, sign my name to this instrument on this 6th day of January, 1984, 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 over the age of nineteen (19) years, of sound mind, and under no constraint or undue influence.

Edres F. Payne
Edres F. Payne

We, the 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, 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 signing, and that to the best of our knowledge the Testatrix is over the age of nineteen (19) years, of sound mind, and under no constraint or undue influence.

WITNESS:

ADDRESS:

John E. Amari of 9636 Parkway East, Bham, Al.

Cheryl Leigh Stott of 9636 Parkway East, Bham, Al.

STATE OF ALABAMA)

JEFFERSON COUNTY)

SUBSCRIBED, sworn to and acknowledged before me by Edres F. Payne, the Testatrix and subscribed and sworn to before me by John E. Amari and Cheryl Leigh Stott, as witnesses, on this the 6th day of January, 1984.

Dorothy J. Emerich
Notary Public

7 p 1 of 2

LETTERS TESTAMENTARY

PROBATE - 60

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

EDRES PAYNE

Deceased

CASE NO. 147267



20220217000069860 14/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

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
Linda Wheat Gowaty Field

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).

July 21, 1994

WITNESS my hand that date,

George R. Reynolds
Judge of Probate

I, Peggy A. Proctor, Chief Clerk 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,

Chief Clerk

#7, p. 2 of 2

LETTERS TESTAMENTARY

PROBATE 60

IN THE MATTER OF THE ESTATE OF

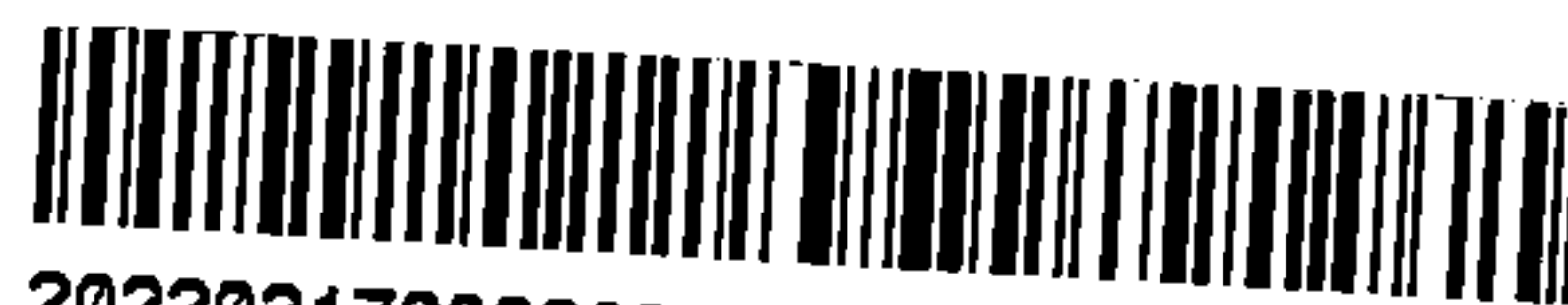
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July 21, 1994

WITNESS my hand that date, _____.

GEORGE R. REYNOLDS

(SEAL)

Judge of Probate

I, Peggy A. Proctor, Chief Clerk 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, July 21, 1994.


Peggy A. Proctor
Chief Clerk

IN THE MATTER OF:
THE ESTATE OF:
EDRES F. PAYNE,
A PROTECTED PERSON

)
)
)
)
)
)
)

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NO. 118215

DECREE ON FINAL SETTLEMENT


20220217000069860 16/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

This cause comes on to be heard for examining and auditing the account heretofore filed by James M. Tingle, as Conservator of the estate of Edres F. Payne, a Protected Person, for a final settlement of his said conservatorship, now comes the said James M. Tingle, as Conservator, and moves the Court to proceed with said settlement.

It appears to the Court from proper evidence that due notice of the time and nature of said settlement has been given in strict accordance with law and Virginia Roberts, as Attorney in Fact for United States Fidelity and Guaranty, as surety, having accepted service and waived notice of said settlement; and Bryant Whitmire, Jr., who was heretofore appointed to act as Administrator ad Litem for and to protect the interest of the Estate of Edres F. Payne, deceased, coming now and consenting to act as such Administrator ad Litem, denying the correctness of said account and of each and every item charged on the credit side thereof, and insisting that strict proof be made as to the correctness of same; and no person having appeared to contest said settlement, or any part thereof; the Court, having examined and audited said account for final settlement, proceeds to state the same.

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PAGE 2

CASE NUMBER: 118215

20220217000069860 17/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

It appears to the Court that the said James M. Tingle, as Conservator, is chargeable with the sum of \$175,548.16, as shown by his account of the assets received by him, and that he is entitled to credits for monies paid out in and about the costs and charges necessary and incident to said conservatorship and for the support and maintenance of the said Ward, in the sum of \$123,845.51, including the following:

Court costs	\$190.00
Conservator's commission	\$5,424.00
Attorney's fee	\$4,339.00

leaving a balance in his hands, of the sum of \$51,702.65, due said Ward.

It further appears to the Court that the said Conservator is chargeable with the following additional assets:

New South Federal CD	\$70,000.00
IDS Financial Services	\$279,991.00
NY Life Insurance Policy	\$2,500.00
1/2 Interest in Shelby Co., AL property	
Coin collection and silver service and eight (8) rings	

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that the said account and vouchers, as stated, be and the same are hereby passed and allowed and ordered to be recorded, and it is further ORDERED that the said Conservator make distribution as set out above and pay the balance on hand in the amount of \$51,702.65, plus the additional assets listed above, to the duly appointed Personal Representative of the Estate of Edres F. Payne, deceased. It is further ORDERED that the costs of this proceeding be and hereby are taxed against the Conservator and surety on his bond, for all of which execution may issue and from the operation and

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PAGE 3
CASE NUMBER: 118215

effect of this decree there can be no claim of exemption as to
personal property asserted.

DONE this the 20th day of April, 1994.

S/ GEORGE R. REYNOLDS
JUDGE OF PROBATE



20220217000069860 18/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT

CERTIFICATE TO COPIES

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT

I, Peggy A. Proctor, Chief Clerk of the Probate Court, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the **DECREE ON FINAL SETTLEMENT** in the matter of **THE ESTATE OF EDRES F. PAYNE, A PROTECTED PERSON**, as the same appears on file and of record, in this office.

Given under my hand and seal of said Court,
this date, **April 21, 1994.**

Peggy A. Proctor
Chief Clerk



20220217000069860 19/19 \$84.00
Shelby Cnty Judge of Probate, AL
02/17/2022 01:10:27 PM FILED/CERT