

LAST WILL AND TESTAMENT OF GEORGE HENRY MARTIN

I, George Henry Martin, presently of Wilsonville, Alabama, declare that this is my Last Will and Testament.

PRELIMINARY DECLARATIONS

Prior Wills and Codicils

1. I revoke all prior Wills and Codicils.

Marital Status

2. I am married to Barbara Parker Martin.

Current Children

- I have the following living child: Randi Carter McCain.
3. I have the following living grandchildren: Chelcie Joiner McCain and Candace Vanderslice

EXECUTOR

Definition

4. The expression 'my **Executor**' used throughout this Will includes either the singular or plural number, or the masculine or feminine gender as appropriate wherever the fact or context so requires.
5. **Devisee** can receive property from a decedent simply by being designated in the decedent's Will and does not necessarily have to be related to the decedent.

Appointment

6. I appoint my spouse, Barbara Parker Martin, as the sole Executor of this my Will, but if my spouse should predecease me, or should refuse or be unable to act or continue to act as my Executor, then I appoint Owen Dale Parker (my brother in law), Alabaster, Alabama to be the sole Executor of

this my Will in the place of my spouse. b If Owen is not available to execute this will then it is my wish that my special friend David Brooks shall be the sole Executor of this will.

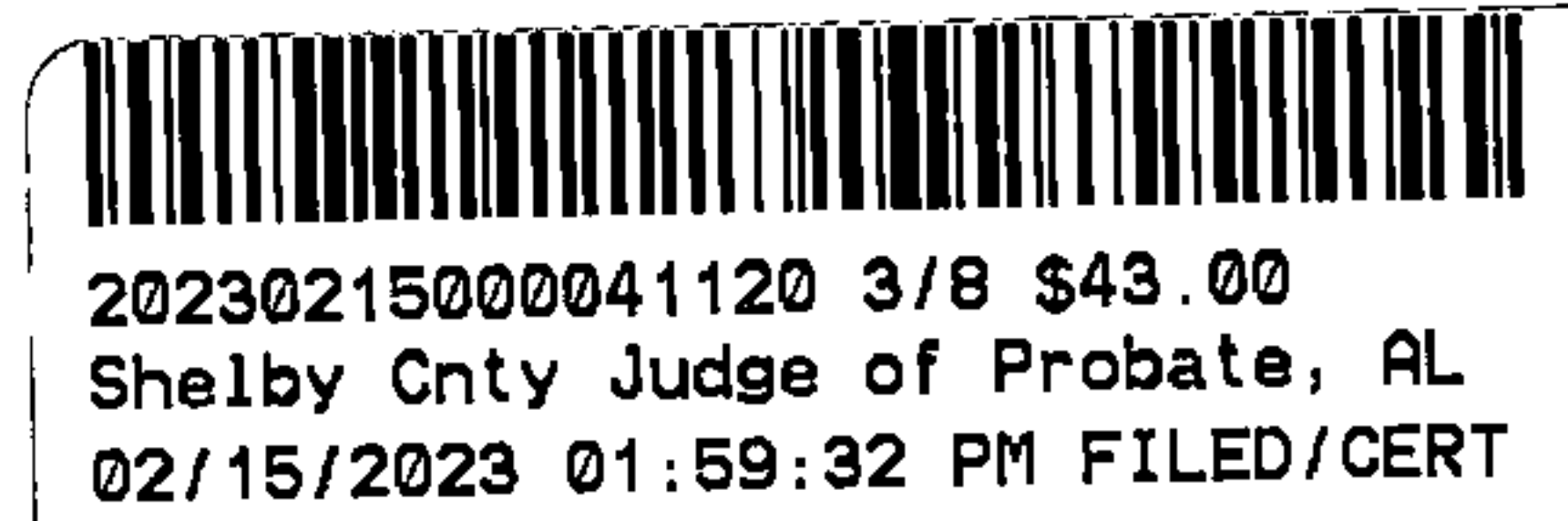
Powers of My Executor

7. I give and appoint to my Executor the following duties and powers with respect to my estate:

- a. To pay my legally enforceable debts, funeral expenses and all expenses in connection with the administration of my estate and the trusts created by my Will as soon as convenient after my death. If any of the real property devised in my Will remains subject to a mortgage at the time of my death, then I direct that the devisee taking that mortgaged property will take the property subject to that mortgage.
- b. To take all legal actions to have the probate of my Will completed as quickly and simply as possible, and as free as possible from any court supervision, under the laws of the State of Alabama;
- c. To retain, exchange, insure, repair, improve, sell or dispose of any and all personal property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;
- d. To invest, manage, lease, rent, exchange, mortgage, sell, dispose of or give options without being limited as to term and to insure, repair, improve, or add to or otherwise deal with any and all real property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;
- e. To open or close bank accounts;
- f. To maintain, settle, abandon, sue or defend, or otherwise deal with any lawsuits against my estate; to employ any lawyer, accountant or other professional as deemed necessary by the Executor.

8. The above authority and powers granted to my Executor are in addition to any powers and elective rights conferred by state or federal law or by other provision of this Will and may be exercised as often as required, and without application to or approval by any court.

SHARES AND DETERMINATION OF VALUE OF ESTATE



9. To determine the value of the estate the Executor shall have a complete appraisal performed on all assets-this includes land, vehicles, personal property, stocks, bonds, savings and checking accounts. This amount shall be divided by 100 to create the shares for distribution purposes. Nothing that belongs in the estate may be disposed of until the dollar value is established. Then the Executor shall be able to distribute the estate.

DISPOSITION OF ESTATE

Distribution of Residue

10. To receive any gift or property under this Will a beneficiary must survive me for thirty (30) days. Beneficiaries of my estate residue will receive and share all of my property and assets not specifically bequeathed or otherwise required for the payment of any debts owed, including but not limited to, expenses associated with the probate of my Will, the payment of taxes, funeral expenses or any other expense resulting from the administration of my Will. The entire estate residue is to be divided between my designated beneficiaries with the beneficiaries receiving a share of the entire estate residue. All property given under this Will is subject to any encumbrances or liens attached to the property.
11. The entire residue of my estate will be transferred to my spouse, if my spouse survives me for thirty (30) full days, for their own use absolutely.
12. If my spouse is not living on the thirtieth day following my death, I direct my Executor to divide the residue of my estate into as many equal shares as there shall be beneficiaries of mine then alive at my death, subject to the provisions hereinafter specified and to pay and transfer one such share to each of those surviving beneficiaries. If any beneficiaries of mine shall die before becoming entitled, in accordance with the terms of this my Will, to receive the whole of his or her share of my estate, but such child has a child or children which survive me, that child of mine shall be deemed to have survived me for the purposes of this division and the share of that child of mine or the amount remaining thereof shall be distributed according to the provisions hereinafter provided.

Wipeout Provision

13. Should my spouse predecease me, or fail to survive me for thirty (30) full days, then I direct my Executor to divide any remaining residue of my estate into one hundred (100) equal shares and to pay and transfer such shares as follows:
- a. 45 shares to Randi Carter McCain (daughter), Coco Beach, Florida for their own use absolutely, if she is alive. If she is not alive her shares are to go to Chelcie Joiner.
 - b. 45 shares to Chelcie Joiner McCain (granddaughter), Muscle Shoals, Alabama upon her reaching the age of 35, for their own use absolutely, if she is alive. If she is not alive her shares are to go first to Randi Carter McCain if she is alive, if she is deceased the share are to go do David Brooks.
 - c. 10 shares to David Brooks (a special friend), Wilsonville, Alabama for their own use absolutely, if he is alive. If he is not alive the shares are to go to his wife Tia Brooks and his sons Dalton Brooks and Dawson Brooks.

TESTAMENTARY TRUST

Testamentary Trust For Minor Beneficiaries

14. It is my intent to create a testamentary trust (the "Testamentary Trust") for each minor beneficiary named in this my Will. I name my Executor(s) as trustee (the "Trustee") of any and all Testamentary Trusts required in this my Will. Any assets bequeathed, transferred, or gifted to a minor beneficiary named in this my Will are to be held in a separate trust by the Trustee until that minor beneficiary reaches the designated age. The designated age that I choose is 35 years. Any property left by me to any minor beneficiary in this my Will shall be given to my Executor(s) to be managed until that minor beneficiary reaches the age of majority. In the event that Barbara Martin or Owen Parker are unable to serve as "Trustee", I designate David Brooks to carry out my wishes.

Trust Administration

15. The Trustee shall manage the Testamentary Trust as follows:

- a. The assets and property will be managed for the benefit of the minor until the minor reaches the age set by me for final distribution;
 - b. Upon the minor reaching the age set by me for final distribution, all property and assets remaining in the trust will be transferred to the minor beneficiary as quickly as possible; and
 - c. Until the minor beneficiary reaches the age set by me for final distribution, my Trustee will keep the assets of the trust invested and pay the whole or such part of the net income derived therefrom and any amount or amounts out of the capital that my Trustee may deem advisable to or for the support, health, maintenance, education, or benefit of that minor beneficiary.
16. The Trustee may, in the Trustee's discretion, invest and reinvest trust funds in any kind of real or personal property and any kind of investment, provided that the Trustee acts with the care, skill, prudence and diligence, considering all financial and economic considerations, that a prudent person acting in a similar capacity and familiar with such matters would use.
17. No bond or other security of any kind will be required of any Trustee appointed in this my Will.

Trust Termination

18. The Testamentary Trust will end after any of the following:
- a. The minor beneficiary reaching the age set by me for final distribution;
 - b. The minor beneficiary dies; or
 - c. The assets of the trust are exhausted through distributions.

General Trust Provisions

19. The expression 'my Trustee' used throughout this Will includes either the singular or plural number, or the masculine or feminine gender as appropriate wherever the fact or context so requires.

(1) Powers of Trustee

To carry out the terms of my Will, I give my Trustee the following powers to be used in his or her discretion at any time in the management of a trust created hereunder, namely:

- a. The power to make such expenditures as are necessary to carry out the purpose of the trust;
- b. Subject to my express direction to the contrary, the power to sell, call in and convert into money any trust property, including real property, that my Trustee in his or her discretion deems advisable;
- c. To make expenditures for the purpose of repairing, improving and rebuilding any property;
- d. To exercise all rights and options of an owner of any securities held in trust;
- e. To lease trust property, including real estate, without being limited as to term;
- f. To receive additional property from any source and in any form of ownership;
- g. To collect information as needed to obtain fair market value of property;
- h. To pay himself or herself a reasonable compensation out of the trust assets; and
- i. To employ and rely on the advice given by any attorney, accountant, investment advisor, or other agent to assist the Trustee in the administration of this trust and to compensate them from the trust assets.

The above authority and powers granted to my Trustee are in addition to any powers and elective rights conferred by statute or federal law or by other provision of this Will and may be exercised as often as required, and without application to or approval by any court.

(2) Other Provisions

- a. Subject to the terms of this my Will, I direct that my Trustee will not be liable for any loss to my estate or to any beneficiary resulting from the exercise by him or her in good faith of any discretion given him or her in this my Will;

- b. Any trust created in this Will shall be administered as independently of court supervision as possible under the laws of the State having jurisdiction over the trust; and
- c. If any trust condition is held invalid, it will not affect other provisions that can be given effect without the invalid provision.

GENERAL PROVISIONS

Individuals Omitted From Bequests

20. If I have omitted to leave property in this Will to one or more of my heirs as named above or have provided them with zero shares of a bequest, the failure to do so is intentional.

Insufficient Estate

21. If the value of my estate is insufficient to fulfill all of the bequests described in this Will then I give my Executor full authority to decrease each bequest by a proportionate amount.

No Contest Provision

22. If any beneficiary under this Will contests in any court any of the provisions of this Will, then each and all such persons shall not be entitled to any devises, legacies, bequests, or benefits under this Will or any codicil hereto, and such interest or share in my estate shall be disposed of as if that contesting beneficiary had not survived me.

Severability

23. If any provisions of this Will are deemed unenforceable, the remaining provisions will remain in full force and effect.

IN WITNESS WHEREOF, I have signed my name on this the 7th day of February 2023, at Pelham, Alabama, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.



George Henry Martin (Testator) Signature

NOTARY ACKNOWLEDGMENT



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Shelby Cnty Judge of Probate, AL
02/15/2023 01:59:32 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF Shelby

The foregoing instrument was acknowledged before me this 7th day of February,
2023, by George Martin, who is personally known to me or who has produced
Driver License as identification.

Notary Public

