



20240122000016020 1/10 \$49.00  
Shelby Cnty Judge of Probate, AL  
01/22/2024 11:51:59 AM FILED/CERT

**IN THE PROBATE COURT OF CONECUH COUNTY, ALABAMA**

**IN RE: THE ESTATE OF  
REES R. OLIVER, JR.,  
DECEASED.**

RPB Book 383 Page 779  
I certify this Instrument was filed on  
07/20/2021 at 03:08:20 PM  
Probate Judge  
Stephanie W. Kemmer  
Bibb County, Alabama  
TOTAL \$36.50 10 Pages

**CASE NO.**

2021 487  
Recorded in the Above  
Wills Book & Page  
Case No: 2021070  
7/1/2021 2:05:55 PM  
Stephen Flemming  
Conecuh County, Alabama

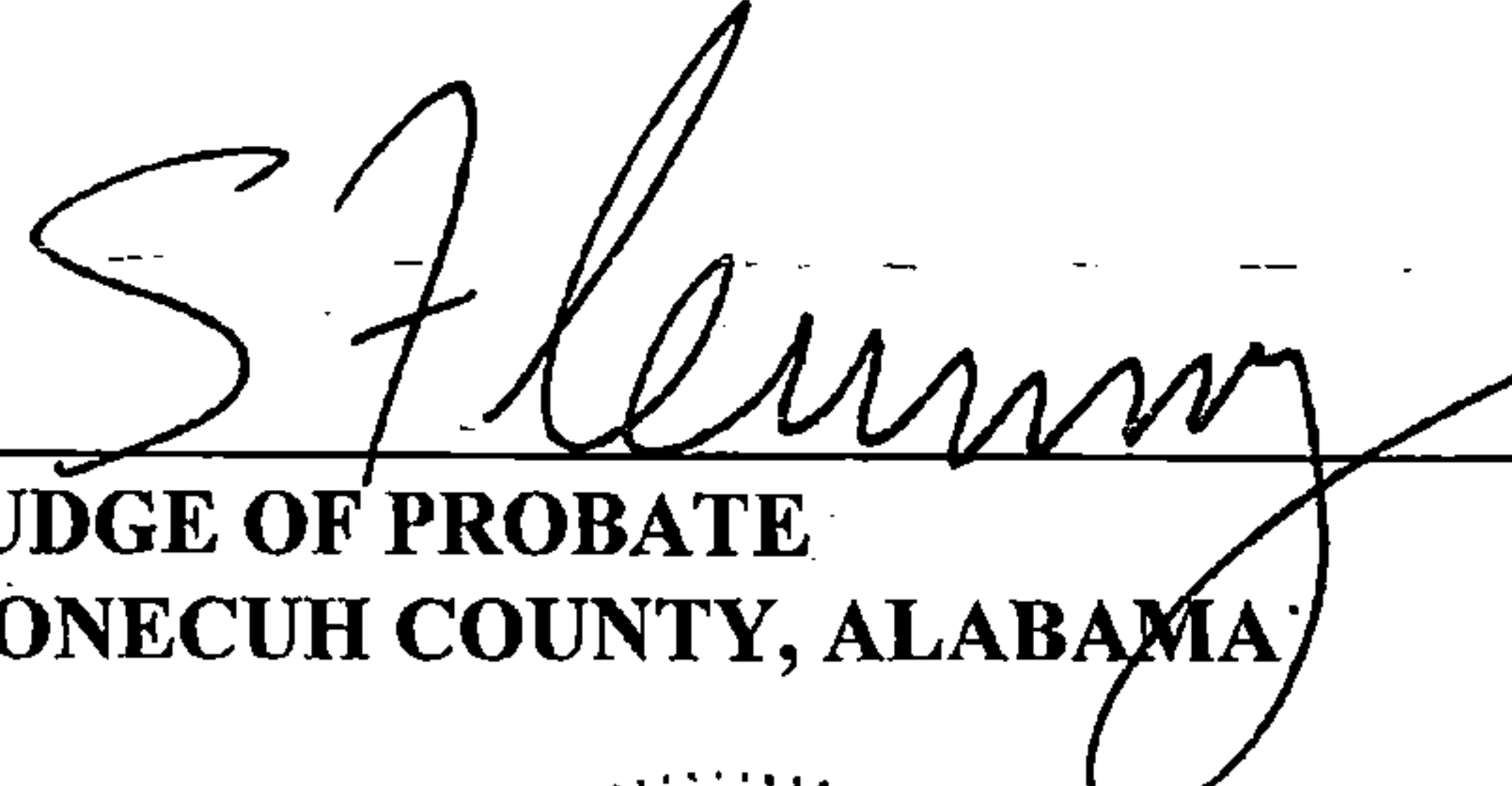
**ORDER ADMITTING FOREIGN WILL TO PROBATE AND RECORD**

This day came David T. Hyde, Jr., and filed in this Court a copy of the Last Will and Testament, together with the probate and record thereof of Rees R. Oliver, Jr., deceased, as admitted to Probate and record by the Bexar County, Texas, Probate Court, which is certified and authenticated as provided by 28 USCA §1738; and


It appearing to the Court that said certified copy complies with the provisions of §43-8-175 of the 1975 Code of Alabama,

It is therefore **ORDERED, ADJUDGED AND DECREED** by the Court that the certified copy of said will and probate thereof of Rees R. Oliver, Jr., deceased, be received and the same is hereby declared to be duly proven as the Last Will and Testament of said decedent and as such admitted to probate and ordered to be recorded together with the proof thereof and all other papers on file relating to this proceeding.

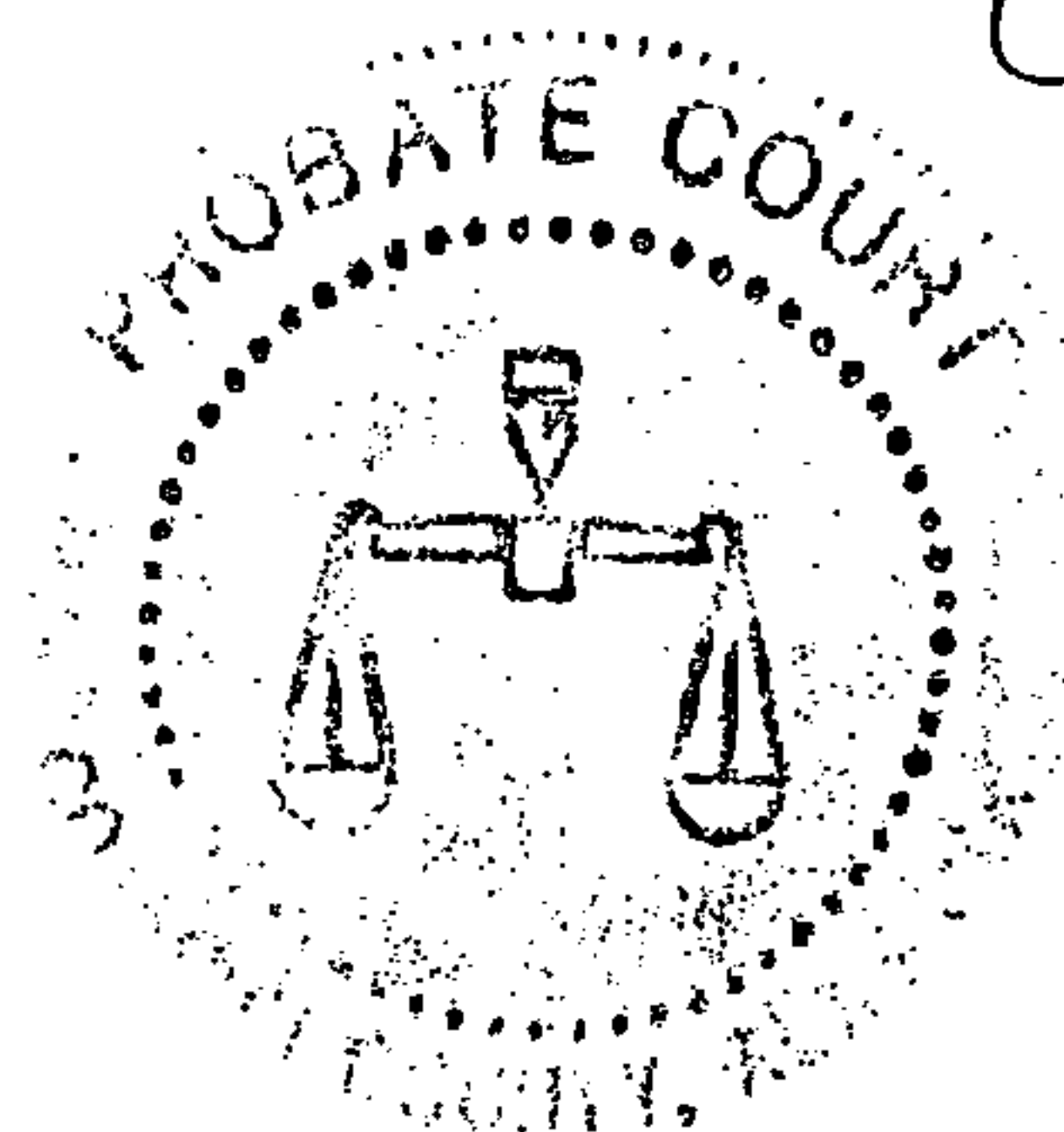
**THIS** the 1 day of July, 2021.

  
**JUDGE OF PROBATE  
CONECUH COUNTY, ALABAMA**

Filed for record this the 1 day of July, 2021.

  
**Stephen Flemming, Judge of Probate**

WillPro: Ancillary: Oliver, Rees R./FN



Conecuh County, AL  
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filed on 7/1/2021.  
Stephen Flemming  
Probate Judge

2011 PC 2024

LAST WILL AND TESTAMENT

OF

REES R. OLIVER, JR.

2011 JUN 28 PM 3:16

CLERK PROBATE COURTS  
BEXAR COUNTY, TEXAS  
BY: [Signature]  
DEPUTY



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I, REES R. OLIVER, JR., of Bexar County, Texas make this my Last Will and Testament, and I revoke all Wills and Codicils previously made by me.

ARTICLE I.

Identification

A. Wife. My wife's name is ELIZABETH A. OLIVER. All references in this Will to "my wife" are to her. I was formerly married to Mary Kathryn Oliver. That marriage was terminated by a Decree of Divorce, on March 19, 1987, in the District Court, 166<sup>th</sup> Judicial District, Bexar County, Texas, and all property of that marriage was disposed of in that Decree.

B. Children. I have one son from my prior marriage, REES R. OLIVER, III. All references in this Will to "my son" are to him.

ARTICLE II.

Memorandum

I request that the beneficiaries of my estate and my Executor honor the provisions of any memorandum written by me (which is not to be a part of this Will) directing the disposition of any portion of my personal and household effects.

ARTICLE III.

Specific Bequest

I give to my wife, ELIZABETH A. OLIVER, if she survives me, all of the following items listed below. If my wife fails to survive me, this gift shall lapse.

1. All my interests in and to the following accounts and certificates of deposit at the indicated banks or any successor institutions:

RROJE  
RRO, Jr

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Stephen Flemming  
Probate Judge

STATE OF TEXAS COUNTY OF BEXAR  
CERTIFIED COPY CERTIFICATE  
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ATTESTED:

MAR 10 2021



LUCY ADAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY





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- a. Frost Bank Account #61-4148649, styled *Rees R. Oliver, Jr., or Elizabeth A. Oliver*;
- b. Frost Bank Account #61-8008434, styled *Rees R. Oliver, Jr., as his sole and separate property and estate*;
- c. Frost Bank Account #61-4167252, styled *Rees R. Oliver, Jr., as his sole and separate property and estate*;
- d. Wachovia Bank Account #87-458-713, styled *Rees R. Oliver, Jr., as his sole and separate property and estate*;
- e. Wachovia Bank Certificate of Deposit in the amount of \$167,563, Account #65811210040507, maturing December 4, 2009;
- f. Wachovia Bank Certificate of Deposit in the amount of \$100,000, Account #658112040506945, maturing February 25, 2009;
- g. All real property in Bexar County owned by me at the time of my death and all personal property owned by me and located in or on such real property; and
- h. My 25% partnership interest in and to Space Savers No. 4, a partnership consisting of Harry S. Affleck, Jr., and Rees R. Oliver, Jr., the owner of land and improvements commonly referred to as Your Storage Place, 8029 Fredericksburg Road, San Antonio, Texas 78229.

2. All my interests in and to stocks, bonds, securities of any other type, cash and accounts in my name or held for my benefit at Investment Professionals, Inc. (or any successor thereof), presently located at 16494 San Pedro Avenue, Suite 150, San Antonio, Texas 78232; Wachovia Securities (or any successor thereof), presently located at 100 N.E. Loop 410, Suite 100, San Antonio, Texas 78216; or my personal safe located in my office presently at 1250 N.E. Loop 410, Suite 615, San Antonio, Texas 78209; including specifically, but without limitation, my Investment Professionals Inc. Account #4CM-943726 and my Wachovia Securities Account #5625-8831.

**ARTICLE IV.**  
**Beneficiaries**

It is my preference that the residue of my estate first be sold by my Executor and then distributed in money as hereafter stated unless in the judgment of my Executor to do so would result

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*RROR*  
RROR

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LUCY ADAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY

in a significant loss in value or a significant delay in distribution; but, whether or not first sold by my Executor, entirely or in part, all of the residue of my estate shall be divided into unequal shares and distributed to the following beneficiaries in the noted percentages:

1. 50% (Fifty Percent) shall be distributed to KEYSTONE SCHOOL, San Antonio, Texas. However, if KEYSTONE SCHOOL, San Antonio, Texas is not in existence on the date of my death, then this portion of the residue of my estate shall pass to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
2. 10% (Ten Percent) shall be distributed to my nephew, RICHARD O. WEED, of 4695 MacArthur Court, Suite 1430, Newport Beach, California; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
3. 10% (Ten Percent) shall be distributed to my nephew, TIMOTHY A. WEED, of 11000 Stillhouse Hollow Farm, Hume, Virginia; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
4. 20% (Twenty Percent) shall be distributed to my son, REES R. OLIVER, III; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
5. 2.5% (Two and Five Tenths Percent) shall be distributed to my grandson, STEPHEN SNIDER, c/o Kathy Snider, 6 Wint Road, Mandeville, Manchester, Jamaica, West Indies; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
6. 2.5% (Two and Five Tenths Percent) shall be distributed to my granddaughter, ANNA SNIDER, c/o Kathy Snider, 6 Wint Road, Mandeville, Manchester, Jamaica, West Indies; provided, however, if she fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.



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3

*RRO*  
RRO,

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Probate Judge

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LUCY ADAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY



7. 2.5% (Two and Five Tenths Percent) shall be distributed to my grandson, JAMES SNIDER, c/o Kathy Snider, 6 Wint Road, Mandeville, Manchester, Jamaica, West Indies; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.
8. 2.5% (Two and Five Tenths Percent) shall be distributed to my grandson, PAUL SNIDER, c/o Kathy Snider, 6 Wint Road, Mandeville, Manchester, Jamaica, West Indies; provided, however, if he fails to survive me, this share of the residue of my estate shall be distributed to the other beneficiaries named in this Article who are entitled to receive a portion of my estate in proportion to their share of the overall distribution being made.



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**ARTICLE V.**  
**Fiduciary Appointments**

A. **Executor.** I appoint FROST NATIONAL BANK, San Antonio, Texas (or its successor) to be Independent Executor of my Will and estate. In the event that FROST NATIONAL BANK is unable or unwilling to serve, I appoint BANK OF AMERICA (or its successor) to be Independent Executor of my Will and estate.

B. **Bond; Independent Administration.** No bond or other security shall be required of my Executor in any jurisdiction. No action shall be required in any court in relation to the settlement of my estate other than the probating and recording of my Will and the return of an inventory, appraisalment and list of claims of my estate.

C. **Expenses; Compensation.** Every fiduciary shall be reimbursed for the reasonable costs and expenses incurred in connection with such fiduciary's duties. Every Executor and Trustee shall be entitled to fair and reasonable compensation for services rendered by such fiduciary in an amount not exceeding the customary and prevailing charges for services of a similar character at the time and place such services are performed.

D. **Ancillary Fiduciaries.** If my estate contains property located in another state or a foreign jurisdiction and my Executor cannot or chooses not to serve under the laws thereof, my Executor shall have the power to appoint an ancillary individual or corporate Executor of such property.

E. **Executor and Fiduciary.** Unless another meaning is clearly indicated or required by context or circumstances, the term "Executor" shall also mean and include all persons or entities who may at any time be serving and any co-fiduciaries, alternates or successors. The term

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*RROJR*  
RROJR

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MAR 10 2021

  
LUCY ADAMS-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS  
BY: *[Signature]*  
DEPUTY

"fiduciary" shall include any Executor. Except as otherwise specifically provided in this Will, if two or more fiduciaries are named or serving hereunder and any one or more, but not all, decline, fail or cease to serve for any reason, then the remaining fiduciary or fiduciaries, as the case may be, shall be appointed or continue to serve in such capacity. In all matters relating to my estate, the decision of a majority of the Executors then serving shall control. Any writing signed by the persons whose decision shall control shall be valid and effective for all purposes as if signed by all such Executors.

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**ARTICLE VI.**  
**Fiduciary Provisions**

Each fiduciary shall act independently and free from the control of any court as to my estate (and as to all of the property of my estate), and shall have and possess all powers and authorities conferred upon trustees by the Texas Trust Code, and by any future amendments to the Texas Trust Code or any corresponding statute, except for any instance in which the Texas Trust Code, as amended, or any such other statutory provisions may conflict with the express provisions of this Will, in which case the express provisions of this Will shall control. In addition to such powers and authorities, each fiduciary shall have and possess the following powers and authorities (each of which shall be exercisable in the discretion of such fiduciary) with respect to my estate, and the following provisions shall apply to my estate:

(1) To retain, in the discretion of my Executor, any property owned by me without regard to the duty to diversify investments under the Texas Trust Code and without liability for any depreciation or loss occasioned by such retention;

(2) To exchange, sell or lease for cash, property or credit, or to partition, publicly or privately, at such prices, on such terms, times and conditions and by instruments of such character and with such covenants as my Executor deems proper, all or any part of the properties of my estate, and no vendee or lessee shall be required to look to the application of any funds paid to my Executor;

(3) To borrow money from any source (including any Executor) and to mortgage, pledge, or in any other manner encumber all or any part of the properties of my estate as may be advisable in the judgment of my Executor for the advantageous administration of my estate;

(4) To make, in the discretion of my Executor, any distribution required or permitted to be made to any beneficiary under this Will in any of the following ways when such beneficiary is a minor or is incapacitated: (i) to such beneficiary

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*R. ROSE*  
RRO,

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Stephen Flemming  
Probate Judge

STATE OF TEXAS COUNTY OF BEXAR  
CERTIFIED COPY OF WILL  
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been lawfully shown to redact confidential personal  
information but is otherwise a full, true and correct  
copy of the original on file and of record in my office.  
ATTESTED:

MAR 10 2021



LUCY ADAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY



directly; (ii) to the guardian of such beneficiary's person or estate; (iii) by utilizing the same, directly and without the interposition of any guardian, for the health, support, maintenance, or education of such beneficiary; (iv) to a person or financial institution serving as custodian for such beneficiary under a uniform gifts to minors act or a uniform transfers to minors act of any state; (v) by reimbursing the person who is actually taking care of such beneficiary (even though such person is not the legal guardian) for expenditures made by such person for the benefit of such beneficiary; and (vi) by managing such distribution as a separate fund on the beneficiary's behalf, subject to the beneficiary's continuing right to withdraw the distribution; and the written receipts of the persons receiving such distributions shall be full and complete acquittances to my Executor;



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(5) To make divisions, partitions, or distributions in money or in kind, or partly in each, whenever required or permitted to divide, partition, or distribute all or any part of my estate; and, in making any such divisions, partitions, or distributions, the judgment of my Executor in the selection and valuation of the assets to be so divided, partitioned, or distributed shall be binding and conclusive; and, further, my Executor shall be authorized to make distributions from my estate on a non-pro rata basis;

(6) To invest and reinvest the properties of my estate in any kind of property whatsoever, real or personal (including oil, gas and other mineral leases, royalties, overriding royalties and other interests), whether or not productive of income and without regard to the proportion that such property or property of a similar character held may bear to my entire estate; and

(7) To enter into any transaction on behalf of my estate (including loans to beneficiaries for adequate security and adequate interest) despite the fact that another party to any such transaction may be (i) a trust of which any Executor under this Will is also a trustee; (ii) an estate of which any Executor under this Will is also an executor, personal representative or administrator, including my estate; (iii) a business or trust controlled by any Executor under this Will or of which any such Executor, or any director, officer or employee of any such corporate Executor is also a director, officer or employee; or (iv) any beneficiary or Executor under this Will acting individually.

#### ARTICLE VII.

##### Miscellaneous

A. Spendthrift Provisions. Prior to the actual receipt of property by any beneficiary, no property (income or principal) distributable under this Will shall, voluntarily or involuntarily, be subject to anticipation or assignment by any beneficiary, or to attachment by or to

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*RRO*  
RRO<sub>r</sub>

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LUCY ADAMS CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY

the interference or control of any creditor or assignee of any beneficiary, or taken or reached by any legal or equitable process in satisfaction of any debt or liability of any beneficiary, and any attempted transfer or encumbrance of any interest in such property by any beneficiary hereunder prior to distribution shall be void.

B. Survivorship Provisions. No person shall be deemed to have survived me if such person shall die within 30 days after my death; however, my Executor may make distributions from my estate within that period for the support of my wife and my son.

C. Payment of Debts. I direct that all of my legal debts, funeral and testamentary expenses, costs and expenses of administration of my estate, and all estate, inheritance, transfer and succession taxes (Federal, State and others) upon or with respect to any property required to be included in my gross estate under the provisions of any law, and whether or not passing hereunder, shall be paid out of the residue of my estate, without apportionment, as soon after my death as in the opinion of my Executor is practical and advisable. If at the time of my death any of my real property is subject to a mortgage, I direct that the devisee taking such mortgaged property shall take it subject to such mortgage and that such person shall not be entitled to have the obligation secured thereby paid out of my general estate. My Executor is specifically given the right to renew, refinance and extend, in any form that my Executor deems best, any secured or unsecured debt or charge existing at the time of my death. Under no circumstances shall my Executor be required to prepay any debt of mine.

D. Incapacitated. A beneficiary shall be deemed "incapacitated" if my Executor, in my Executor's absolute and uncontrolled discretion, determines that such beneficiary lacks the ability, due to a physical or mental condition, to manage his or her own personal and financial affairs. A fiduciary shall be deemed "incapacitated" if and for as long as (i) a court of competent jurisdiction has made a finding to that effect, (ii) a guardian or conservator of such fiduciary's estate or person has been appointed by a court of competent jurisdiction and is serving as such, or (iii) two physicians (licensed to practice medicine in the state where the fiduciary is domiciled at the time of the certification, and one of whom shall be board certified in the specialty most closely associated with the cause of the fiduciary's incapacity) certify that due to a physical or mental condition the fiduciary lacks the ability to manage his or her own personal and financial affairs. An incapacitated fiduciary shall be deemed to have regained capacity if there is a finding to that effect by a court of competent jurisdiction or if two physicians (with the same qualifications described above) certify that the fiduciary is capable of managing his or her personal and financial affairs.



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7

*RROJE*  
RRO<sub>Jr</sub>

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Stephen Flemming  
Probate Judge

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copy of the original on file and of record in my office.  
ATTESTED:

MAR 10 2021



LUCY ARAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY



IN TESTIMONY WHEREOF, I have placed my initials on each of the foregoing pages of this, my Last Will and Testament, and in the presence of three Witnesses, who are acting as witnesses at my request, in my presence and in the presence of each other, I hereunto sign my name, on the 18 day of November, 2008.

Rees R. Oliver, Jr.  
REES R. OLIVER, JR., Testator

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Shelby Cnty Judge of Probate, AL  
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The foregoing instrument was signed by the Testator in our presence and declared by him to be his Last Will and Testament, and we, the undersigned Witnesses, sign our names hereunto as witnesses at the request and in the presence of the Testator, and in the presence of each other, on the 18<sup>th</sup> day of November, 2008.

Virginia L. Brown  
Witness

111 Laramie - San Antonio, Texas  
Address 78209

Spida S. Acetead  
Witness

1250 NE Loop 410, St. 830  
Address San Antonio TX 78209

Cecil Parent Jr.  
Witness

1250 NE Loop 410 Suite 830  
Address San Antonio TX 78209

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RRO Jr  
RRO Jr

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Stephen Flemming  
Probate Judge

STATE OF TEXAS COUNTY OF BEXAR  
CLERK OF COUNTY CLERK  
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copy of the original on file and of record in my office.  
ATTESTED:

MAR 10 2021

 LUCY ADAMS-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS  
BY: [Signature]  
DEPUTY

SELF-PROVING AFFIDAVIT

THE STATE OF TEXAS

§

§

COUNTY OF BEXAR

§

BEFORE ME, the undersigned authority, on this day personally appeared REES R. OLIVER, JR., VIRGINIA F. MUNROE, LINDA S. HALSTEAD, and CECILE PARENT GORHAM, known to me to be the Testator and the Witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of such persons being by me duly sworn, the Testator declared to me and to the Witnesses in my presence that such instrument is his last will and testament, and that he had willingly made and executed it as his free act and deed; and the Witnesses, each on his or her oath stated to me, in the presence and hearing of the Testator, that the Testator had declared to them that such instrument is his last will and testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each Witness stated further that they did sign the same as witnesses in the presence of the Testator and at his request; that he was at that time 18 years of age or over (or being under such age, was or had been lawfully married, or was then a member of the armed forces of the United States or of an auxiliary thereof or of the Maritime Service) and was of sound mind; and that each of the Witnesses was then at least 14 years of age.

Rees R. Oliver, Jr.  
REES R. OLIVER, JR., Testator

Virginia F. Munroe  
Witness

Linda S. Halstead  
Witness

Cecile Parent Gorham  
Witness

SUBSCRIBED AND SWORN TO before me by REES R. OLIVER, JR., Testator, and by VIRGINIA F. MUNROE, LINDA S. HALSTEAD, and CECILE PARENT GORHAM, Witnesses, on the 18<sup>th</sup> day of November, 2008.



[Signature]  
Notary Public, State of Texas

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Rees R.  
RRO,,

Conecuh County, AL  
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is a true and correct  
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filed on 7/1/2021.  
Stephen Flemming  
Probate Judge

STATE OF TEXAS COUNTY OF BEXAR  
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information but is otherwise a full, true and correct  
copy of the original on file and of record in my office.  
ATTESTED:

MAR 10 2021



LUCY ARAME-CLARK  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

BY:

DEPUTY