

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF
THE ESTATE OF
CHARLES H. PEAY, JR.,
Decensed.

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Case No. 19 B H M O 2 3 1 7

PETITION FOR PROBATE OF WILL
(SELF-PROVED)

Come the Petitioners, **Charles H. Peay, III**, and **James Woodard Peay**, and, upon information and belief, respectfully show this Court the following facts:

1. Charles H. Peay, Jr. (the "Decedent") died testate in Jefferson County, Alabama, on or about September 7, 2019, and at the time of his death was an inhabitant of Jefferson County, Alabama.

2. Surrendered herewith is the Decedent's Last Will and Testament dated January 28, 1998, naming Charles H. Peay, III, and James Woodard Peay as Successor Co-Executors thereof, (the original named Executor, Patricia W. Peay, having predeceased the Decedent), which Last Will and Testament was duly signed by the Decedent when over eighteen (18) years of age, and was attested by the following witnesses:

Russell L. Irby, III
Ginger Burchfield

3. The Decedent's Last Will and Testament as identified in paragraph 2 hereof, was self-proved in accordance with the requirements of Alabama Code § 43-8-132. The name of the officer authorized to administer oaths before whom said will was acknowledged is as follows:

Sharon Swann

4. The following is a true, correct and complete list of the names, relationships and addresses of the Decedent's surviving next-of-kin (as determined by application of Alabama Code § 43-8-42), all of whom are over the age of nineteen (19) years and sui juris:

<u>NAME AND RELATIONSHIP</u>	<u>ADDRESS</u>
Ⓡ Charles H. Peay, III, son, over the age of 19 and of sound mind	163-A Old Montgomery Highway Birmingham, AL 35216
Ⓡ James Woodard Peay, son, over the age of 19 and of sound mind	4320 Warren Road Birmingham, AL 35213

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF
THE ESTATE OF
CHARLES H. PEAY, JR.,
Deceased.

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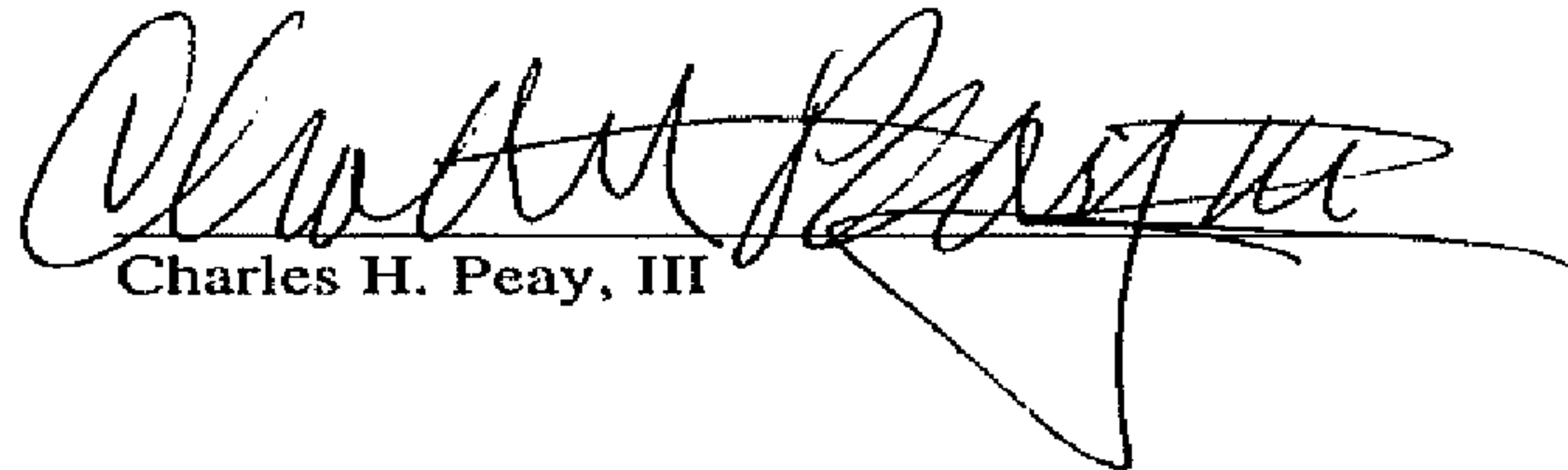
Case No. 19 BHM02317

WAIVER OF NOTICE

I, Charles H. Peay, III, a resident of Jefferson County, State of Alabama, being the son of Charles H. Peay, Jr., deceased ("Decedent"), and being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the Petition for Probate of Will and Petition for Letters Testamentary in the matter of the Estate of the decedent. I do hereby waive notice, either by personal service or by publication, and consent and request that the Last Will and Testament, dated January 28, 1998, be admitted to probate without further notice of any kind to me, and that myself and James Woodard Peay, who are named as successor Co-Executors therein (the original named Executor, Patricia W. Peay, having predeceased the Decedent), be appointed as Co-Executors. 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 Co-Executors thereof.

Dated this the 3rd day of October, 2019.


Signature of Witness


Charles H. Peay, III

Andrea S. Messick
Printed Name of Witness

FILED IN OFFICE THIS 15 DAY
OF October 2019
AND ORDERED RECORDED.

Sherril C. Friday
JUDGE OF PROBATE

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)
)
THE ESTATE OF)
)
CHARLES H. PEAY, JR.,)
)
Deceased.)

Case No. 19 BHM02317

WAIVER OF NOTICE

I, **James Woodard Peay**, a resident of Jefferson County, State of Alabama, being the son of Charles H. Peay, Jr., deceased ("Decedent"), and being over the age of nineteen (19) years, hereby accept service and waive notice of the filing of the Petition for Probate of Will and Petition for Letters Testamentary in the matter of the Estate of the decedent. I do hereby waive notice, either by personal service or by publication, and consent and request that the Last Will and Testament, dated January 28, 1998, be admitted to probate without further notice of any kind to me, and that myself and Charles H. Peay, III, who are named as successor Co-Executors therein (the original named Executor, Patricia W. Peay, having predeceased the Decedent), be appointed as Co-Executors. 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 Co-Executors thereof.

Dated this the 3rd day of October, 2019.

Jennifer Speagle
Signature of Witness

James Woodard Peay
James Woodard Peay

Jennifer Speagle
Printed Name of Witness

FILED IN OFFICE THIS 15 DAY
OF October, 2019
AND ORDERED RECORDED.

Sherri C. Friday
JUDGE OF PROBATE

Last Will and Testament

OF
CHARLES H. PEAY, JR.

FILED IN OFFICE THIS THE
15 DAY OF October 2019
FOR PROBATE AND RECORD.
Shemi C. Friday
JUDGE OF PROBATE

I, CHARLES H. PEAY, JR., a resident of Jefferson County, Alabama, being of sound and disposing mind and memory, do hereby make, publish and declare this instrument as and for my Last Will and Testament, hereby expressly revoking any and all wills, codicils, or any other testamentary disposition heretofore made by me.

ITEM ONE

(a) I give to my wife, PATRICIA W. PEAY (hereinafter referred to as my wife), if she survives me, my personal effects, such as wearing apparel, jewelry, books, pictures and paintings, fishing equipment, rifles, any personal automobiles and any club memberships or certificates of membership which I may own.

(b) If my wife is not living at my death, then I direct that the property given to her in this ITEM ONE shall be divided by my Executor for such of my children as may survive me, in shares of substantially equal value, and my Executor shall deliver the same to them. The decision of my Executor with respect to such division shall be final; however, it is my wish that in making such decision my Executor shall have due regard for the preferences of my children. In the event that I am not survived by my wife nor by any of my children, said property shall be added to and become a part of my residuary estate.

ITEM TWO

(a) If my wife survives me, I give and bequeath to her to be hers absolutely a sum equal to the amount by which the value of the property disposed of by this will exceeds the

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aggregate of (1) the value of the property disposed of by ITEM ONE above, (2) a sum equal to the largest amount, if any, that can pass free of federal estate tax under this will by reason of the unified credit and the state death tax credit (provided use of this credit does not require an increase in the state death taxes paid) allowable to my estate (but no other credit) and after taking account of property disposed of under ITEM ONE of this will and property passing outside of this will which is includable in my gross estate and does not qualify (other than by reason of disclaimer or election or non-election) for the marital or charitable deduction and after taking account of charges to principal that are not allowed as deductions in computing my federal estate tax, and (3) my debts, expenses of administration and other charges payable from principal by my Executor.

(b) In determining the sum bequeathed to my wife under this ITEM TWO, values as finally determined for federal estate tax purposes shall control. Such bequest shall be deemed a pecuniary bequest of a dollar amount and such bequest shall not participate in increases or decreases in the value of my estate during administration. In funding such bequest my Executor shall use only assets which qualify for the marital deduction. I direct my Executor, in determining the amount needed to satisfy this bequest to my wife, to make distribution from my estate either in cash or in kind, or partly in cash and partly in kind, but to the extent that the distribution is in kind the property distributed in kind shall be valued at values current at the date of distribution. The selection of assets used in satisfying the sum shall not be subject to question by any legatee, devisee or beneficiary of any trust, and no adjustment shall be made for a disproportionate allocation of unrealized gain for federal income tax purposes.

(c) It is my intention that the bequest under this ITEM TWO to my wife qualify for the marital deduction allowable in determining the federal estate tax upon my estate. Accordingly, I hereby direct that no authorization or direction or other provisions contained

in this will which would prevent this bequest from so qualifying shall apply to this bequest, and I hereby state that it is my intention that any court having jurisdiction over this will construe this instrument accordingly.

(d) Notwithstanding anything hereinabove contained to the contrary, if my wife, or, as the case may be, her representative, disclaims her interest in any amount or in any portion of property to be disposed of pursuant to this ITEM TWO, that amount or that portion of such property to which such disclaimer pertains, shall pass under and be governed by the provisions of ITEM THREE below.

(e) If my wife predeceases me, the bequest under this ITEM TWO shall lapse and the property described in this ITEM TWO shall pass under the provisions of ITEM FOUR below.

ITEM THREE

(a) If my wife survives me, after providing for the bequests in ITEMS ONE and TWO, I give, devise and bequeath to my Trustee hereinafter named, in trust nevertheless, all the rest, residue and remainder of my estate of whatsoever kind and character and wheresoever situated, both real and personal or mixed, which I may own or to which I may be entitled at the time of my death, including the proceeds of any life insurance policies payable to my estate, excluding, however, any property with respect to which I have the power of appointment, it being my intention not to exercise any such power, (my "residuary estate"), to hold, manage and invest the same, subject to the following provisions:

(i) The Trustee shall distribute to my wife in convenient installments, but not less often than quarter-annually, the entire net income of the trust. If my wife is incapacitated through illness, age or other cause, the Trustee may, in lieu

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of direct payment to my wife, apply the net income of this trust for her benefit while such incapacity exists.

(ii) The Trustee may also, from time to time, distribute to my wife, such amounts of principal of the trust as shall be necessary for her health, support and maintenance.

(iii) On the death of my wife, the trust held under this ITEM THREE shall terminate, and the trust as then constituted shall pass pursuant to ITEM FOUR below.

(b) If my wife predeceases me, the bequest under this ITEM THREE shall lapse, and my residuary estate shall pass pursuant to ITEM FOUR below.

ITEM FOUR

(a) I direct my Executor or Trustee, as the case may be, to divide, apportion, hold and distribute all property directed by this will to be disposed of and dealt with pursuant to this ITEM FOUR in the manner provided in this ITEM FOUR. If issue of mine are then surviving, said property shall be divided into as many equal shares as there are (i) children of mine then surviving and (ii) deceased children of mine who have issue then surviving. One of such shares shall be distributed to each child of mine then living and one of such shares shall be distributed, per stirpes, to the then living issue of each deceased child of mine, subject to the provisions of ITEM FOUR (b) below. If no issue of mine are then surviving all of such property shall be distributed by my Executor or Trustee to such person or persons who would inherit the same from me, and in the respective shares they would inherit, in accordance with the laws of Alabama, had I died at such time a resident of Alabama, intestate and owning such property.

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(b) If any issue of mine becomes entitled to any share of my estate upon my death, or to any share of the principal and undistributed income of any trust herein created upon its termination, and if such issue shall not have attained age 25 on the date he becomes so entitled to such share, then (although the share of such person in my estate or in the trust so terminating shall vest in him) the Trustee shall hold such share in trust for him until he attains age 25, using and applying for his support, health, maintenance and education such part or all of the net income and principal of his share as the Trustee deems necessary or desirable for said purposes; and if such person dies prior to attaining age 25 the Trustee shall pay over and distribute, free of trust, the then principal and undistributed income from his share to his estate.

(c) Notwithstanding any provisions set forth above, all interests held in trust under this ITEM FOUR shall vest finally in, and the principal and undistributed income of the trust estate or trust estates then held in trust shall be paid over and distributed to, the person or persons at the time entitled to receive income therefrom at the expiration of 21 years after the death of the last survivor of (i) my wife and (ii) all issue of mine living at the time of my death.

ITEM FIVE

As to the net income which by any provision of this Will may be payable to any issue of mine, such issue shall have no right or power, either directly or indirectly, to anticipate, charge, mortgage, encumber, assign, pledge, hypothecate, sell or otherwise dispose of such net income, or any part thereof, until it shall have been actually paid in hand to him by the Trustee; nor shall such income, nor the principal of any trust to which any issue of mine may become entitled hereunder, nor any part thereof or interest therein, be liable for, or to any extent subject to, any debts, claims or obligations of any kind or nature whatsoever, nor to any legal process in aid thereof, contracted or incurred by or for such issue before or after my death.

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ITEM SIX

With respect to any and all trusts created hereunder, the Trustee shall have and possess the following rights, powers and duties, which shall be in extension of and not in limitation of those given by law or by any other provision of this Will; said powers in each case to be exercisable from time to time in the Trustee's discretion and without order or license of court:

(a) To take charge of, manage and control all of the trust property, including any business or any interest in any business which I may own at the time of my death, and such other property as the Trustee may subsequently acquire pursuant to the power and authority herein given, and the Trustee shall collect all income derived therefrom;

(b) To exchange property belonging to the trust, either real or personal, for other property, or an interest in property and in the event any improvements are destroyed by fire or other hazard, the Trustee shall have the power to replace such improvements;

(c) To execute leases of property for such terms as the Trustee may see fit, even though the same may extend for a period beyond the possible termination of any trust hereby created;

(d) To sell at private sale, without order of court, and to convey by proper instrument any or all of the trust property in such manner and for such price and on such terms and conditions, and at such time or times as the Trustee deems to be to the interest of the trust;

(e) To invest from time to time in such securities or other investments as the Trustee may, in the Trustee's discretion, deem advisable, the proceeds of any sales of trust property as well as other funds belonging to the trust and to change investments and to reinvest proceeds of the sale of any investments as the Trustee may, from time to time, deem to be in the best interest of the trust, whether or not such investments or reinvestments are authorized trust investments under the laws of Alabama or of any other State. The Trustee may continue to hold any property originally received by the Trustee so long as the Trustee shall consider the

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retention thereof to be to the best interest of the trust, regardless of whether such property constitutes an authorized trust investment under the laws of Alabama or of any other State;

(f) To hold bonds, notes, stocks and other securities in bearer form and to omit to register them; to hold stocks, bonds, notes and other property in names other than that of the Trustee, all without any indication that the same are held in trust and without any disclosure of the fiduciary capacity of the Trustee;

(g) To exercise all voting rights with respect to stock or other securities held in the trust; to give general or special proxies or powers of attorney for voting or acting in respect to such stock or securities, which may be discretionary and with power of substitution; to deposit such stock or securities with or transfer them to protective committees or similar bodies; to join in any reorganization and to pay assessments or subscriptions called for in connection with such stock or securities;

(h) To borrow, without order of court, any money which the Trustee shall deem advisable for the protection or proper administration of the trust and as such Trustee to pledge, hypothecate and mortgage the trust property, or any of it, for the purpose of securing the same, and to execute any mortgage, note or other instrument as evidence thereof (including the joining with others in the execution of a mortgage and note covering property held in co-tenancy) with full power and authority to extend any indebtedness at any time existing against any of the trust property;

(i) When paying, dividing or distributing any trust property, to make such payment, division or distribution either in cash or in kind, or partly in cash and partly in kind, and to determine the identity of persons entitled to take hereunder;

(j) To pay from the income of the trust any and all expenses reasonable and necessary for the proper administration of the trust, and without limiting the generality of the foregoing, including interest, hazard insurance, public liability insurance, reasonable legal, accounting and

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appraisal fees, as well as any other expense incurred for the benefit of the trust, and in the event the income from the trust is insufficient for the purpose of paying such expenses, the same may be paid by the Trustee from the principal of the trust;

(k) The Trustee shall have the power to continue any business in which I may be interested at the time of my death, for such time and upon such terms and conditions as in the Trustee's judgment and discretion may be advisable, with full power to make such agreements or incur such obligations with respect to the proper administration of such business enterprise as to the Trustee may seem advisable. The Trustee shall not be liable to any person for any loss which may result from the operation of such business enterprise;

(l) If property passing to any trust hereunder is to be allocated all or any portion of my generation skipping transfer tax ("GST") tax exemption and such allocation would result in a GST tax inclusion ratio for such trust, as defined in Section 2642 of the IRC, other than either one (1) or zero (0), then as of the effective date of such allocation the Trustee shall have the power and authority to divide the trust into two separate trusts of equal or unequal value which shall be identical in all respects to, and administered on the same terms and conditions as, the original trust so that one of such two separate trusts shall have a GST tax inclusion ratio of one (1) and the other of such two separate trusts shall have a GST tax inclusion ratio of zero (0).

ITEM SEVEN

(a) I hereby nominate and appoint my wife, **PATRICIA W. PEAY**, as Executor of this my Last Will and Testament and as Trustee of all trusts created hereunder. In the event of the death of my wife, or in the event she fails to qualify as Executor or as Trustee for any cause or reason whatsoever, or having qualified, shall thereafter fail or cease to act or qualify as Executor or as Trustee, then I hereby nominate and appoint my sons **CHARLES H. PEAY**,

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III and **JAMES WOODARD PEAY**, as successor co-Executors and successor co-Trustees, with all of the rights, powers and duties and immunities herein granted to and conferred upon my original Executor and my original Trustee. In the event of the death of either **CHARLES H. PEAY, III** or **JAMES WOODARD PEAY**, or in the event that either of them fail to qualify as Executor or as Trustee for any reason, or having qualified, shall thereafter fail or cease to act or qualify as Executor or as Trustee, then the other shall serve as sole Executor and/or sole Trustee hereunder, as the case maybe.

(b) I hereby grant to my Executor the same full powers of management, control and disposition of my estate and duties in respect thereof as are granted to my Trustee under the terms and provisions of this Will. Neither my Executor nor my Trustee shall be required to file an inventory or appraisal in any court, but they shall make out and keep an inventory and exhibit the same to any party in interest at any reasonable time or times.

(c) I hereby expressly exempt my Executor and my Trustee from the requirement of making any bond; or, if bond is required by law, no surety on such bond shall be required.

(d) References in this Will to Executor and Trustee shall mean not only the Executor and Trustee as herein designated, but, as the context may permit, shall mean whichever of them may from time to time be qualified and acting hereunder as Executor or Trustee.

(e) In the event it is deemed necessary by my Executor to have administration upon my estate in any state other than the State of Alabama and the Executor does not see fit or is unable to qualify as Executor in such other state, then any person or corporation designated by my Executor shall act as ancillary administrator. It shall be the duty of such administrator to complete the administration of my estate in such state as soon as practicable and to transmit all property and assets belonging to my estate to my Executor hereunder. Such administrator shall have the right, with the consent and approval in writing of my Executor, to exercise any of the

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powers conferred upon my Executor hereunder, and shall be exempt from making any bond unless required to do so by my Executor or by the laws of such other state.

(f) My Executor shall elect to claim the expenses of administration of my estate as income tax deductions to the extent that such election, will, in the judgment of the Executor, result in an overall reduction of the aggregate income and death taxes payable by my estate and the beneficiaries thereof. No compensating adjustments shall be made as between income and principal nor in the value of any bequest hereunder as a result of any such election.

(g) The decision of my Executor as to the date which shall be selected for the valuation of the property included in my gross estate for Federal estate tax purposes shall be conclusive on all concerned.

(h) My Executor shall have the power to allocate any of my generation-skipping tax exemption which is remaining at the time of my death to any property with respect to which I am the transferor. My Executor may, but need not, allocate the exemption to property that my Executor believes will appreciate over time, rather than to property the value of which my Executor believes will remain the same or depreciate over time.

(i) My Executor and my Trustee shall be entitled to reimbursement for all expenses reasonably incurred in the administration of my estate and of any and all trusts created under this will but shall not be entitled to any compensation for services as such.

ITEM EIGHT

(a) In construing this Will, the masculine gender shall be deemed to include the feminine and the neuter, and the singular, the plural, and vice versa, whichever is proper in accordance with the context.

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(b) A child in gestation, who is later born alive, shall be regarded in this Will as a child in being during the period of gestation, in determining the issue of any person who has died and in determining, on the termination of any trust hereunder, whether such child is entitled to share in the disposition of such trust, but for other purposes such child's rights shall accrue from the date of birth.

(c) References in this Will to issue shall mean lineal descendants in the first, second or any other degree of the ancestor designated; provided, however, that when a child under the age of sixteen (16) has been adopted, such adoption shall have the same effect for all purposes under this Will as if such child had been born to the adopting parent or parents.

ITEM NINE

In the event that my wife and I shall die in a common accident or disaster, or under any circumstances creating any doubt as to which of us survived the other, my wife shall be presumed to have survived me for all purposes under this Will.

ITEM TEN

I direct my Executor to pay as an expense of administration all estate, inheritance, succession, transfer, legacy and other death taxes and duties and every part thereof, including interest and penalties thereon, levied, assessed or payable upon or with respect to any property, whether or not passing under this Will, required to be included in my gross taxable estate by reason of any State or Federal law or the law of any foreign jurisdiction now or hereafter in force. I direct that all such payments shall be charged, without any apportionment otherwise required by law, against my residuary estate.

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I, CHARLES H. PEAY, JR., the testator, sign my name to this instrument this 28th day of January, 1998, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will 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 18 years of age or older, of sound mind, and under no constraint or undue influence.

Charles H. Peay, Jr.
CHARLES H. PEAY, JR.

We, Russell L. Long, III and Ginger Buckfield, 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 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 eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

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WITNESS

ADDRESS AT DATE OF ATTESTATION

Russell L. Long, III

2900 Ansouth / Harbert Plaza
Birmingham, AL 35203

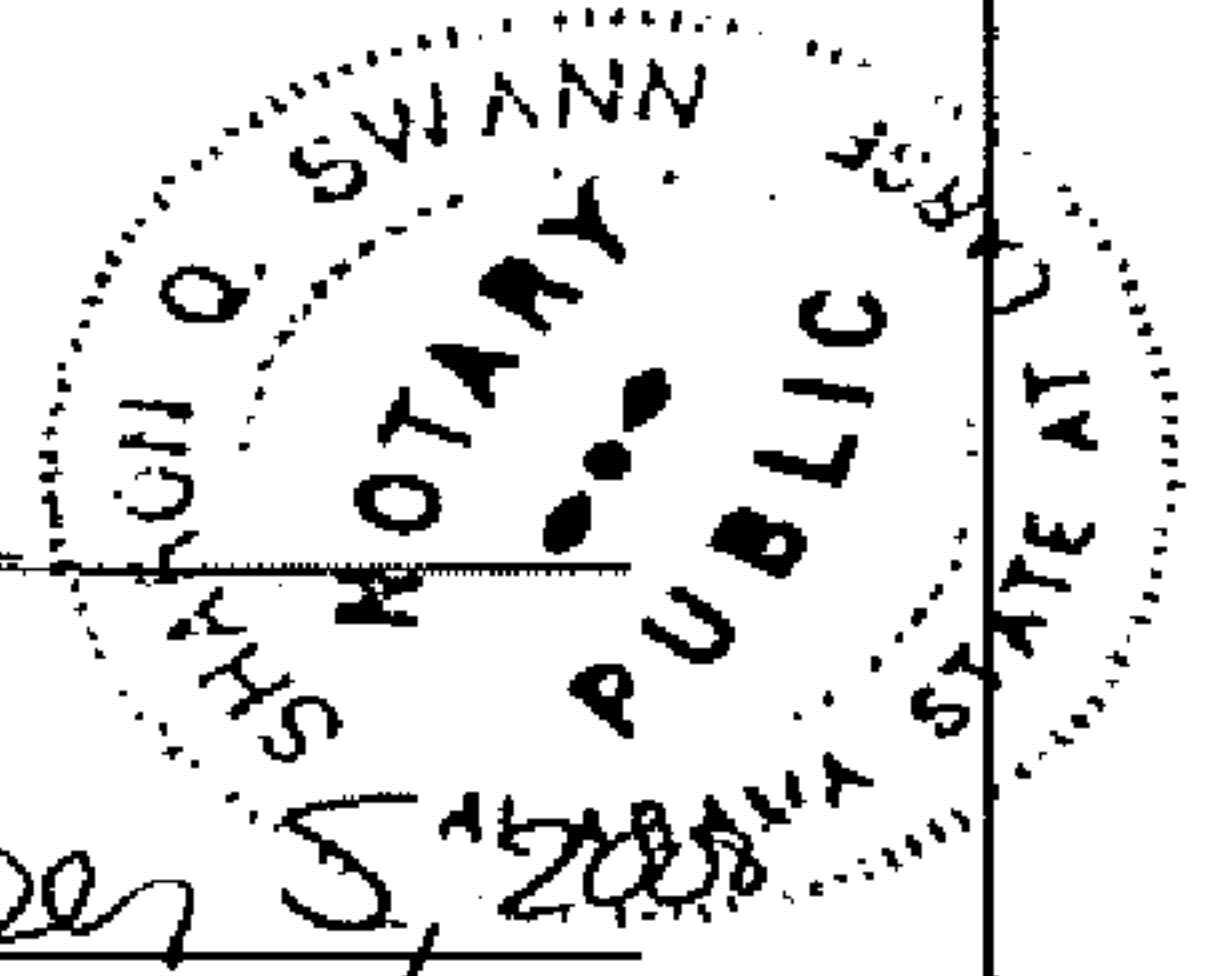
Ginger Buckfield

2900 Ansouth / Harbert Plaza
Birmingham, AL 35203

STATE OF ALABAMA)
COUNTY OF Jefferson)

Subscribed, sworn to and acknowledged before me by the testator, **Charles H. Peay, Jr.**, and subscribed and sworn to before me by Russell C. Irby, III and Ginger Birchfield, witnesses, this 28th day of JANUARY, 1998.

Harold Q. Swann
Notary Public



My Commission Expires: September 5, 2008

1988M02317

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF
THE ESTATE OF
CHARLES H. PEAY, JR.,
Deceased.

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Case No. 19 B H M O 2 3 1 7

PETITION FOR LETTERS TESTAMENTARY

Come the Petitioners, **Charles H. Peay, III**, and **James Woodard Peay**, and, upon information and belief, show this Court the following facts:

1. In the Last Will and Testament dated January 28, 1998, of Charles H. Peay, Jr. deceased (the "Decedent"), which will has been or shall be duly probated and admitted to record in this Court, the Decedent appointed Charles H. Peay, III, and James Woodard Peay as successor Co-Executors (the original named Executor, Patricia W. Peay, having predeceased the Decedent) of the Decedent's estate.

2. (a) Charles H. Peay, III, is an inhabitant of Jefferson County, Alabama, and is above the age of nineteen (19) years, and is not disqualified under the law from serving as such Co-Executor.

(b) James Woodard Peay is an inhabitant of Jefferson County, Alabama, and is above the age of nineteen (19) years, and is not disqualified under the law from serving as such Co-Executor.

3. Under the terms of the Decedent's will, his Executors are exempted from giving bond and from filing an inventory or appraisal as such Executors.

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 Petitioners pray that the Probate Judge of this Court will grant Letters Testamentary to the Petitioners without entering into bond, as is provided by the terms of said will and authorized by Alabama Code § 43-2-81. This Petition is deemed to be verified pursuant to Alabama Code § 43-8-22.

FILED IN OFFICE THIS 15 DAY OF
October, 2019, PRAYER
GRANTED AND PETITION ORDERED RECORDED
Sherrill C. Friday
JUDGE OF PROBATE

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CHARLES H. PEAY, JR.,
Deceased

CASE NO. 19BHM02317

LETTERS TESTAMENTARY

The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to CHARLES H. PEAY, III AND JAMES WOODWARD PEAY, 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, 15th day of October, 2019.

(SEAL)

Sherri C. Friday

Judge of Probate

I, Sherri C. Friday, Judge of Probate Court 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

IN THE MATTER OF: THE ESTATE OF: CHARLES H PEAY JR, DECEASED)))))))	IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NO. 19BHM02317
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ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Charles H. Peay, III and James Woodward Peay 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 Charles H. Peay, Jr., deceased. Said Will bears the date of January 28th, 1998, and is attested to by Russell L. Irby, III and Ginger Burchfield. Praying that the same be probated as provided by law, the petitioners, Charles H. Peay, III and James Woodward Peay, are the sons of said deceased, and is named in said Will as Personal Representative thereof. The next of kin of said deceased are as follows, to-wit: Charles H. Peay, III and James Woodward Peay, of whom are all 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 notice and acceptance of service are the genuine signatures of said next of kin, on motion of said petitioner, the Court proceeds to hear said petition. After due proof, 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 Charles H. Peay, Jr., deceased, and is **ORDERED** to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further **ORDERED** that petitioner pay the cost of this proceeding.

DONE this date, October 15th, 2019.



 Judge of Probate

IN THE MATTER OF:

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IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

THE ESTATE OF:

)

CASE NO: 19BHM02317

CHARLES H PEAY JR,
DECEASED

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ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Charles H. Peay, III and James Woodward Peay and files in this Court his petition in writing, under oath, praying that Letters Testamentary upon the Will of Charles H. Peay, Jr., deceased, be issued to Charles H. Peay, III and James Woodward Peay.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Charles H. Peay, III and James Woodward Peay, 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 15th, 2019.



Judge of Probate

IN THE MATTER OF:)
THE ESTATE OF:)
CHARLES H PEAY JR,)
DECEASED)

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NO: 19BHM02317

ORDER GRANTING LETTERS TESTAMENTARY WITHOUT BOND

Now on this day comes Charles H. Peay, III and James Woodward Peay and files in this Court his petition in writing, under oath, praying that Letters Testamentary upon the Will of Charles H. Peay, Jr., deceased, be issued to Charles H. Peay, III and James Woodward Peay.

It is therefore **ORDERED** and **DECREED** by the Court that Letters Testamentary upon said will be granted to Charles H. Peay, III and James Woodward Peay, 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 15th, 2019.

Atheni C. Friday

Judge of Probate

IN THE MATTER OF:)
)
THE ESTATE OF:)
)
CHARLES H PEAY JR,)
DECEASED)

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CASE NO. 19BHM02317

ORDER ON FILING AND PROBATING LAST WILL AND TESTAMENT

This day came Charles H. Peay, III and James Woodward Peay 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 Charles H. Peay, Jr., deceased. Said Will bears the date of January 28th, 1998, and is attested to by Russell L. Irby, III and Ginger Burchfield. Praying that the same be probated as provided by law, the petitioners, Charles H. Peay, III and James Woodward Peay, are the sons of said deceased, and is named in said Will as Personal Representative thereof. The next of kin of said deceased are as follows, to-wit: Charles H. Peay, III and James Woodward Peay, of whom are all 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 notice and acceptance of service are the genuine signatures of said next of kin, on motion of said petitioner, the Court proceeds to hear said petition. After due proof, 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 Charles H. Peay, Jr., deceased, and is **ORDERED** to be recorded together with the proof thereof and all other papers on file relating to this proceeding. It is further **ORDERED** that petitioner pay the cost of this proceeding.

DONE this date, October 15th, 2019.

Ahemi C. Friday

Judge of Probate

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF

JEFFERSON - BIRMINGHAM COUNTY, ALABAMA

CHARLES H PEAY JR

CASE NO. 19BHM2317

DECEASED

PROOF OF CLAIM

Loukas Arvanitis
Authorized Representative

The undersigned _____, being
first duly sworn, on oath states that

PARAGON CONTRACTING SERVICES, LLC

is/are the owner(s) of the claim against CHARLES H PEAY JR

deceased; that proof of said claim is attached hereto and made a part thereof; that the


said claim is lawful and justly due; that the undersigned has knowledge of the

said claim; that there is now due and unpaid on the said claim of the sum of

\$ 1,908.00 dollars; that all said credits, claims and set-offs have been given.

See attached claim detail for claim basis.

Filed in office this 27
day of June, 2020 at
12:17 o'clock P. M. as a
claim against the estate of
Charles H. Peay, Jr., D'cd


Loukas Arvanitis
Authorized Representative

Affiant/Creditor
Authorized Representative

PARAGON CONTRACTING SERVICES, LLC

C/O DCM SERVICES 7601 PENN AVE S SUITE A600

Address

MINNEAPOLIS, MN 55423-5004

(877) 326-1533

Phone

Sherril C. Friday
Judge of Probate

STATE OF MINNESOTA
COUNTY OF HENNEPIN

SIGNED AND SWORN TO (OR AFFIRMED)

BEFORE ME ON JUN 17 2020 (DATE) BY

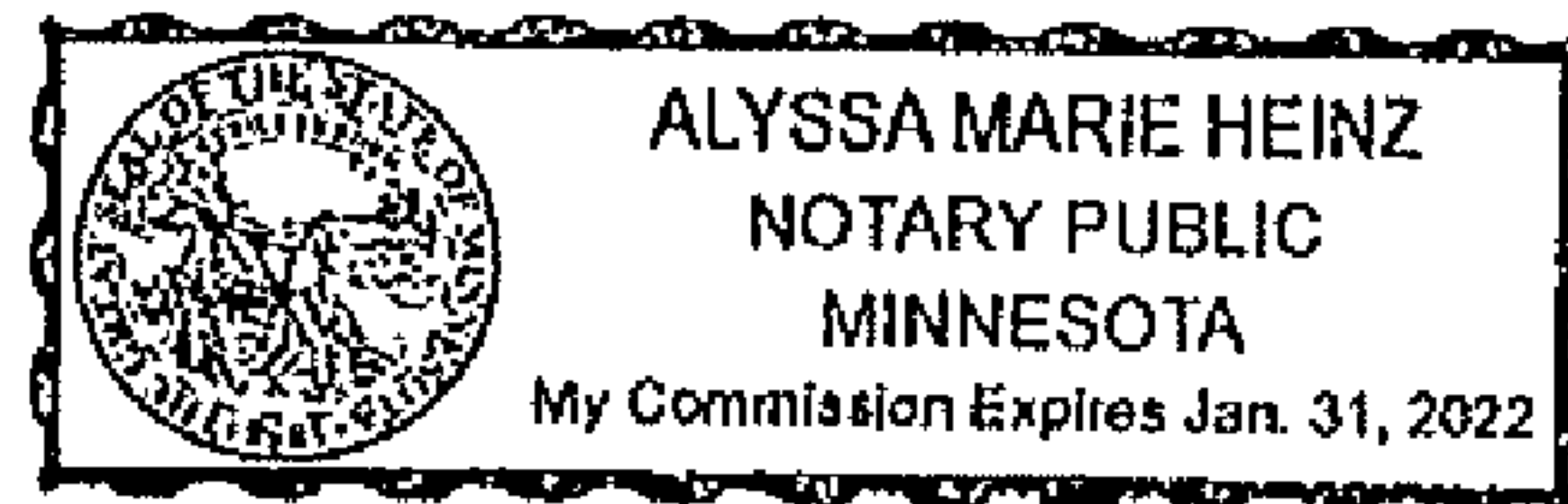
Loukas Arvanitis
Authorized Representative

(NAME(S) OF PERSON(S) SIGNING).



SIGNATURE OF NOTARY PUBLIC

My commission expires: 11/31/2022



SEAL

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that a true and correct copy of the foregoing was sent via U.S.

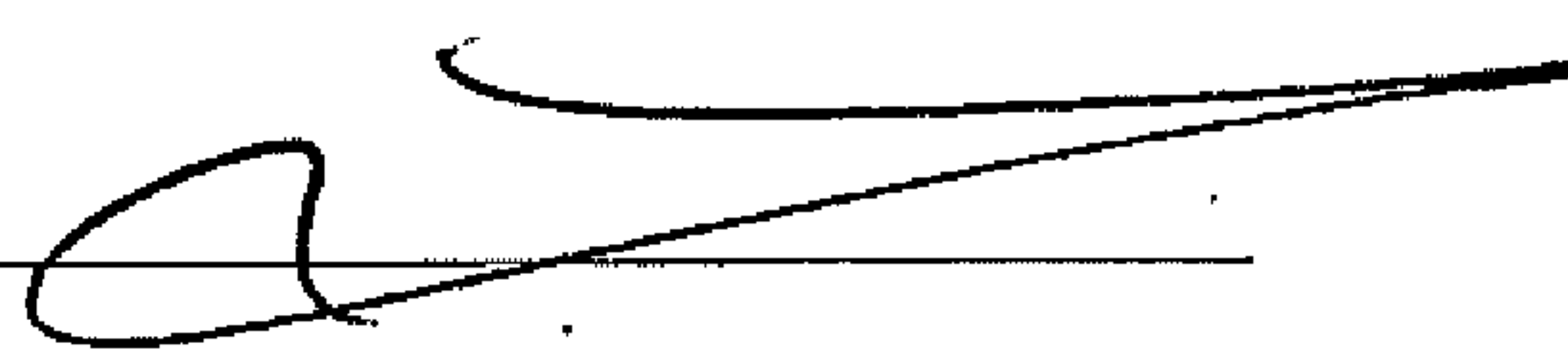
Mail to:

JAMES WOODARD PEAY
4320 WARREN RD
BIRMINGHAM, AL 35213

JUN 17 2020

On _____

By: _____



Loukas Arvanitis

Case Number:
19BHM2317



PF Reference No:
CL1296661



CL1296661

CLAIM DETAIL

IN RE ESTATE OF: CHARLES H PEAY JR

Claim detail is as follows:

*****5780

PARAGON CONTRACTING SERVICES, LLC

\$1,908.00

UNSECURED.

THE DECEDENT PURCHASED GOODS AND/OR SERVICES IN THE AMOUNT OF \$1,908.00, EVIDENCED BY ACCOUNT NUMBER *****5780.

Claim Balance: \$ 1,908.00

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Alabama Medicaid Agency
 ATTN: Estate Notice Office
 P.O. Box 5624
 Montgomery, AL 36103-5624

19 BHM 02317



9590 9402 1788 6074 1584 38

2. Article Number (Transfer from service label)
 7016 1370 0000 9973 5589

COMPLETE THIS SECTION ON DELIVERY

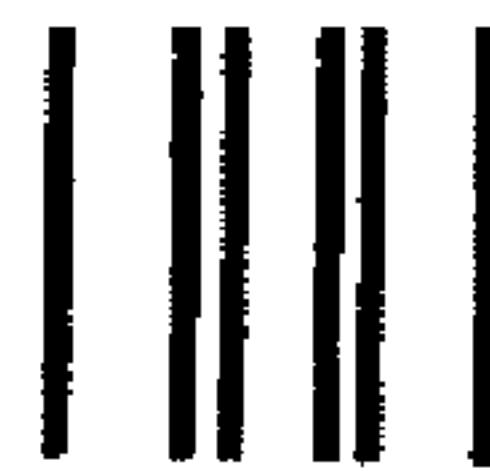
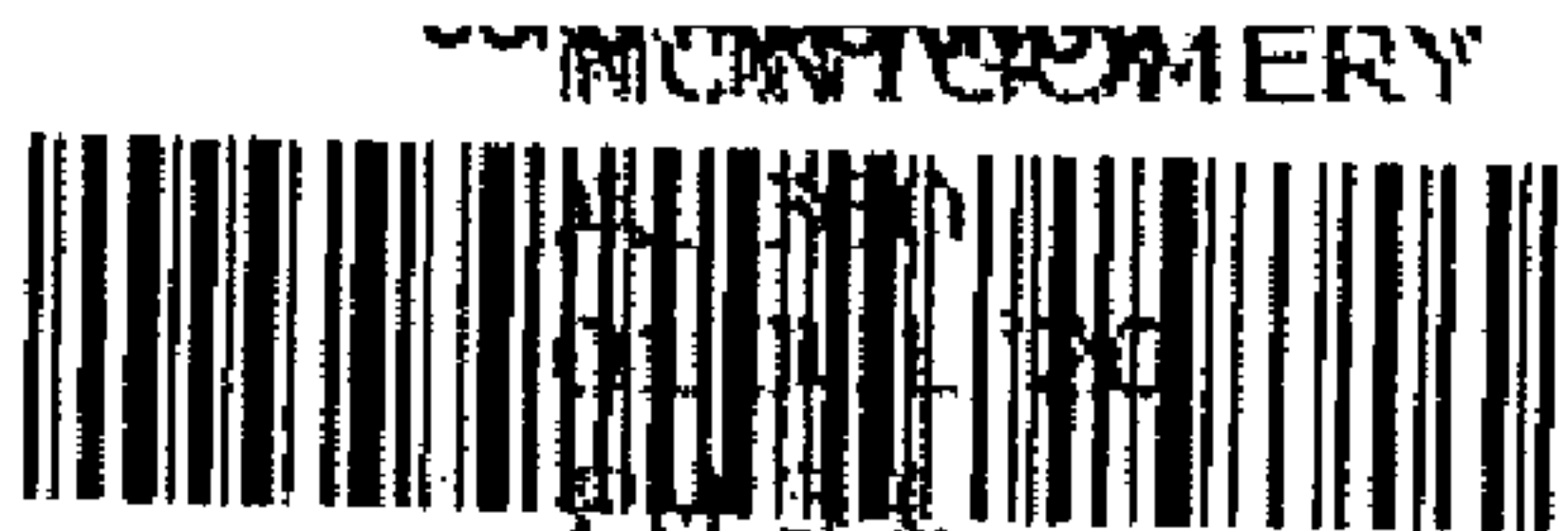
A. Signature Agent Addressee
X Christy Perry

B. Received by (Printed Name) *C. Perez* C. Date of Delivery *6/30/20*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

JUL 06 2020

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

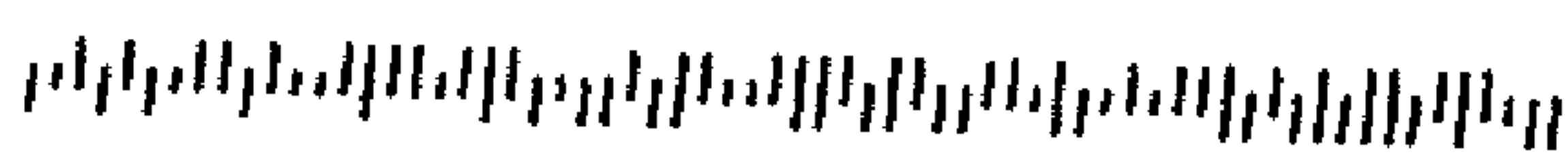
9590 9402 1788 6074 1584 38

19 8Hm 02317

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box •

Jefferson Co. Probate Court
Attn: Judicial / Estates Division
716 Richard Arrington Jr Blvd North
Room 130
Birmingham, AL 35203



Alabama Medicaid Agency



KAY IVEY
Governor

501 Dexter Avenue
P.O. Box 5624
Montgomery, Alabama 36103-5624

www.medicaid.alabama.gov
e-mail: almedicaid@medicaid.alabama.gov

Telecommunication for the Deaf: 1-800-253-0700
334-242-6000 1-800-302-1504



STEPHANIE MCGEE AZAR
Commissioner

July 06, 2020

Jefferson County Probate Court
716 Richard Arrington, Jr. Blvd
Birmingham AL 35203

Re: CHARLES H PEAY JR
Case No.: 19-BHM-02317

Dear Judge King:

Upon review of our records, we were unable to locate CHARLES H PEAY JR based on the information provided. There were no charges paid by Medicaid, so there are no monies from CHARLES H PEAY JR's Estate account owed to the Alabama Medicaid Agency.

If you have any questions or further information/documentation is required, please contact me by writing to the address above or by telephoning (334) 242-4097.

Sincerely,

Amanda Singletary
Estate Notice Office Administrator

FILED IN OFFICE THIS 9 DAY
OF July, 20 20
AND ORDERED RECORDED

JUDGE OF PROBATE

This notice does not constitute a complete satisfaction or release of any other possible claim that the Alabama Medicaid Agency or any other agency of the State of Alabama may have against the estate should any additional assets become available or medical claims paid.

Our Mission - to provide a system of financing health care for eligible Alabamians in accordance with established statutes and Executive Orders.

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)
)
THE ESTATE OF)
)
CHARLES H. PEAY, JR.,)
)
Deceased.)

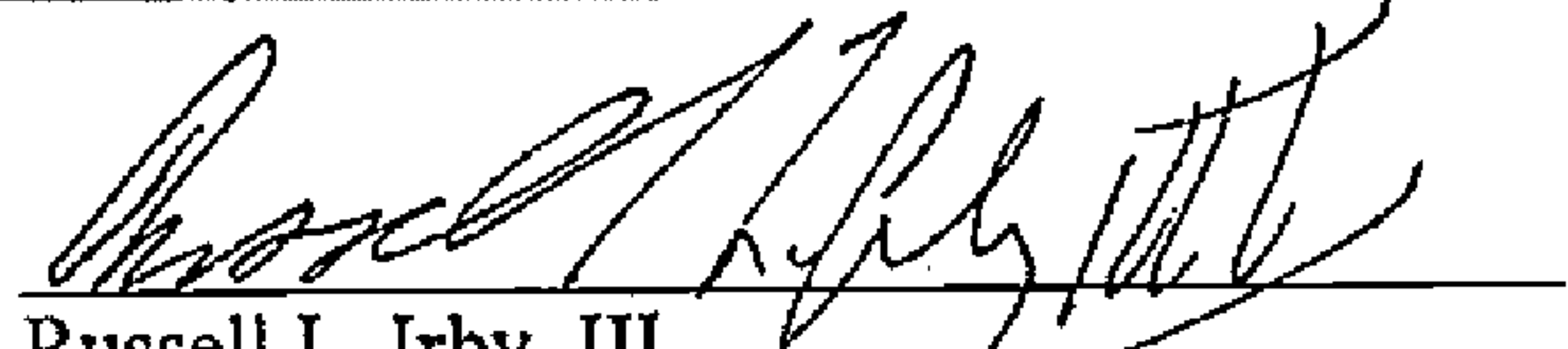
Case No. 19-BHM-02317

AFFIDAVIT OF CERTIFIED MAILING OF NOTICE OF PROBATE

I, Russell L. Irby, III, do say and verify that on June 24, 2020, I personally mailed the attached Notice of Probate by United States Postal Service Certified Mail, return receipt requested. The Notice of Probate was mailed to the following address:

Alabama Medicaid Agency
ATTN: Estate Notice Office
P.O. Box 5624
Montgomery, AL 36103-5624

The certified mail tracking number is 7016 1370 0000 9973 5589. I have attached a copy of the Notice of Probate to this affidavit.

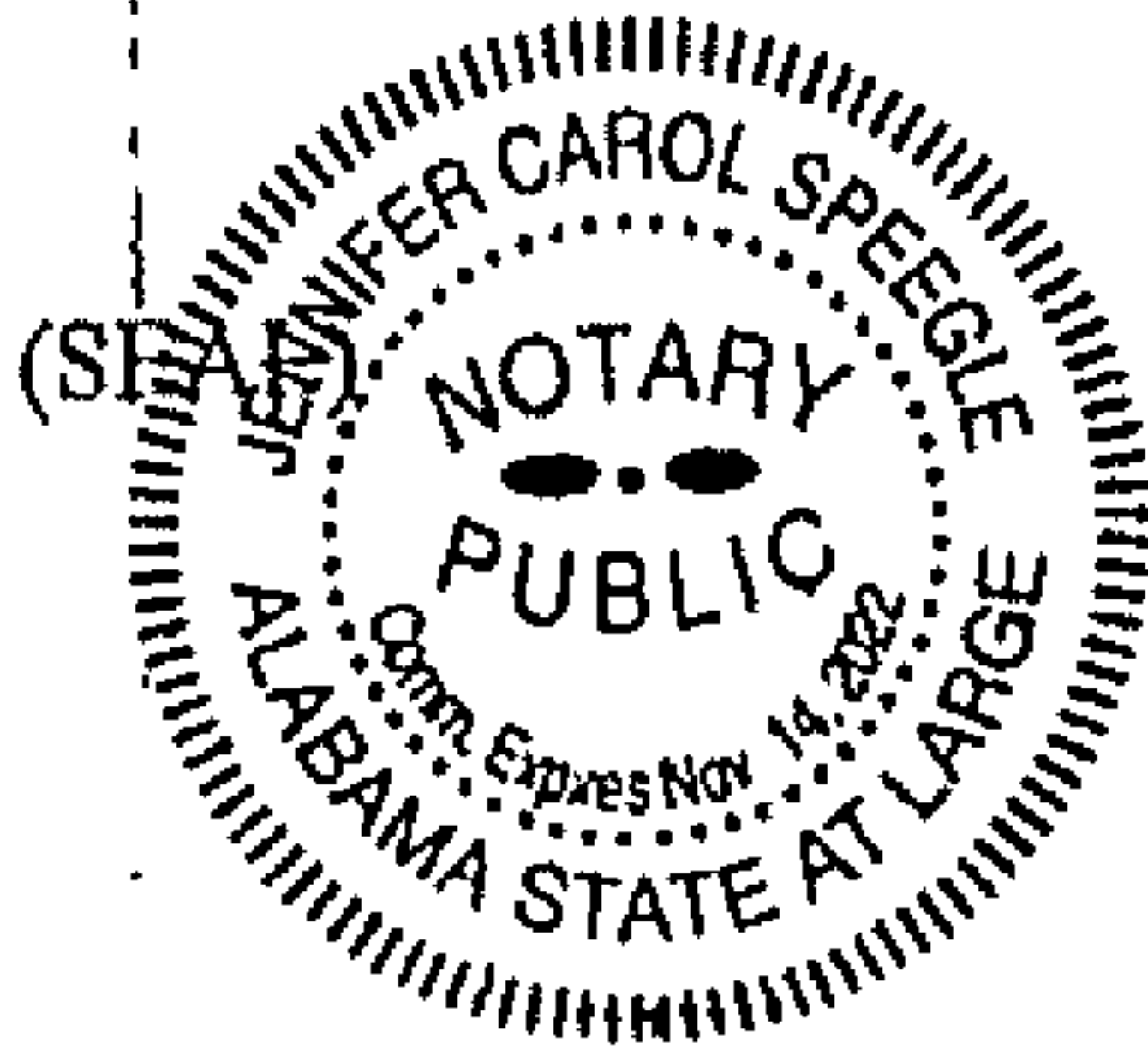


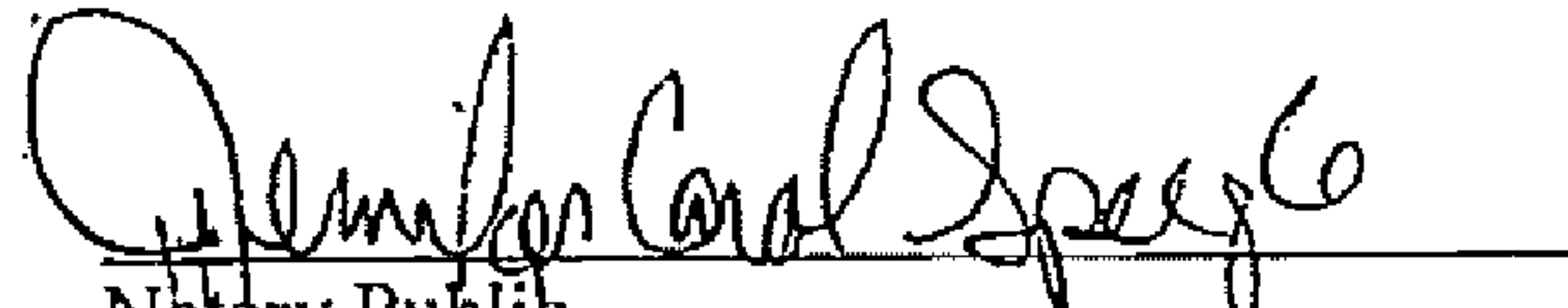
Russell L. Irby, III

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, Jennifer Carol Speegle, a notary, hereby certify that Russell L. Irby, III, whose name is signed to the foregoing Affidavit of Certified Mailing of Notice of Probate, and who is known to me, acknowledged before me on this day that he affirms that the statements above are true and correct.

Given under my hand on this the 24th day of June, 2020.

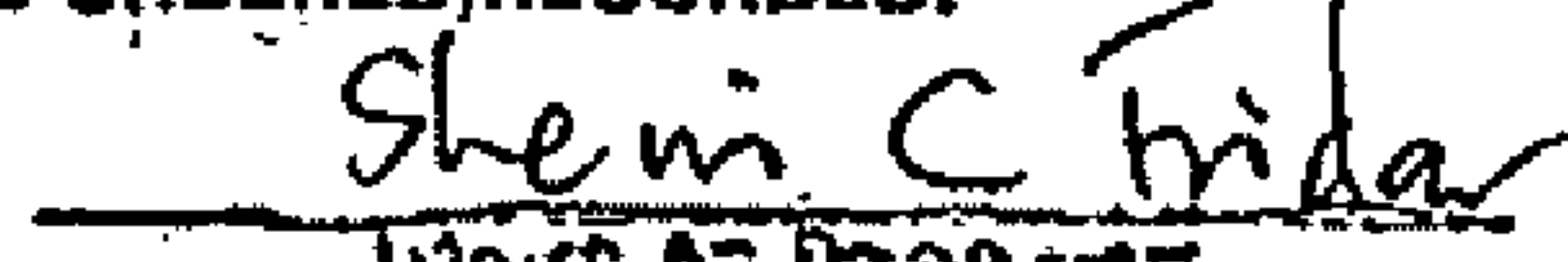




Notary Public

My Commission Expires: 11-14-2022

FILED IN OFFICE THIS 14th DAY
OF July, 20 20
AND ORDERED, RECORDED.



JUDGE OF PROBATE

NOTICE OF PROBATE

INFORMATION ABOUT THE DECEASED PERSON		
Full Legal Name Charles H. Peay, Jr.		
Date of Birth 05/15/1926	Date of Death 09/07/2019	Social Security Number 417-40-6130
Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input checked="" type="checkbox"/> Widow/Widower <input type="checkbox"/> Single		
INFORMATION ABOUT THE SPOUSE OF THE DECEASED PERSON (complete even if marital status is "Divorced" or "Widow/Widower")		
Spouse's (former spouse's) Full Legal Name Patricia W. Peay		
Spouse's (former spouse's) Address. 2524 Ashford Place Birmingham, AL 35243		Spouse's (former spouse's) Phone Number
INFORMATION ABOUT THE PROBATE COURT CASE		
County Where the Case was Filed Jefferson County, AL	Probate Case Number 19-BHM-02317	
Type of Probate Case Estate	Date Petition Filed or Letters Granted 10/15/2019	
INFORMATION ABOUT THE PERSON COMPLETING THIS FORM		
Full Legal Name Russell L. Irby, III		Phone Number 205-297-2223
Address 1819 Fifth Avenue North, Suite 1000 Birmingham, AL 35203		

IN THE PROBATE COURT IN AND FOR JEFFERSON - BIRMINGHAM COUNTY

IN RE: Estate of CHARLES H PEAY JR

Claimant: See attached claim detail

Case No: 19BHM2317

Account No: See attached claim detail

SATISFACTION AND RELEASE OF CREDITOR'S CLAIM

The Claimant(s) listed on the attached claim detail has/have received the sum of \$ 1,908.00 as payment in satisfaction of the Claim filed in the above-referenced matter and hereby releases the Estate and Personal Representative from any and all indebtedness relating to the Claim.

Dated: 3/25/21

Signature: *Brittany Egli*

Printed Name: Brittany Egli
Authorized Representative

State of Minnesota
County of Hennepin

Signed and sworn to (or affirmed) before me on MAR 25 2021

by Brittany Egli
Authorized Representative (name(s) of person(s) signing).

[Signature]
(Signature of Notary Public)

My commission expires: 01/31/2025

(notary seal)



Case Number:
19BHM2317



PF Reference No:
CL1296661



CDR620998

CLAIM DETAIL

IN RE ESTATE OF: CHARLES H PEAY JR

Claim detail is as follows:

*****5780

PARAGON CONTRACTING SERVICES, LLC

\$1,908.00

UNSECURED.

THE DECEDENT PURCHASED GOODS AND/OR SERVICES IN THE AMOUNT OF \$1,908.00, EVIDENCED BY ACCOUNT NUMBER *****5780.

Claim Balance: \$ 1,908.00

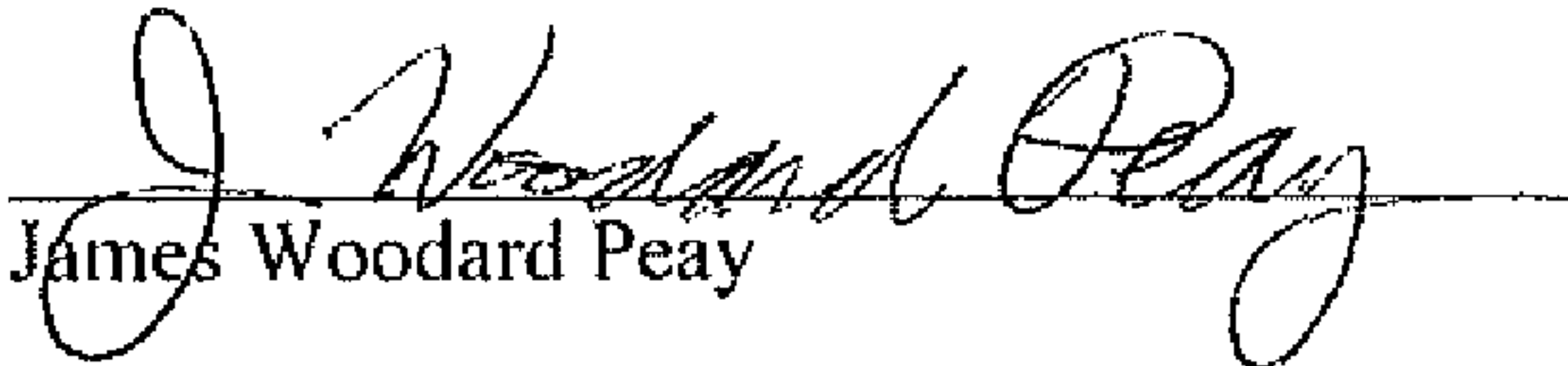
IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)
)
THE ESTATE OF)
)
CHARLES H. PEAY, JR.,)
)
Deceased.)

Case No. 19-BHM-02317

**RECEIPT, WAIVER AND CONSENT
TO SETTLEMENT OF DECEDENT'S ESTATE**

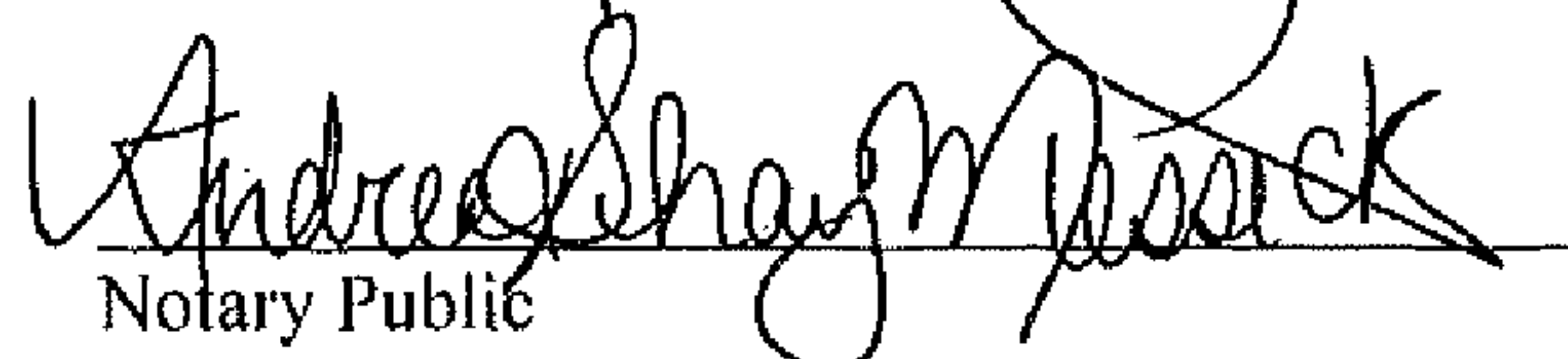
I, the undersigned, James Woodard Peay, constituting a next-of-kin, heir and distribute of Charles H. Peay, Jr., deceased (the "Decedent"), and being over nineteen (19) years of age, do hereby acknowledge receipt in full of the property entitled to me; do hereby accept service of notice of the filing of the Petition for Consent Settlement of Decedent's Estate by Charles H. Peay, III, and James Woodard Peay, as Co-Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging Charles H. Peay, III, and James Woodard Peay from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.


James Woodard Peay

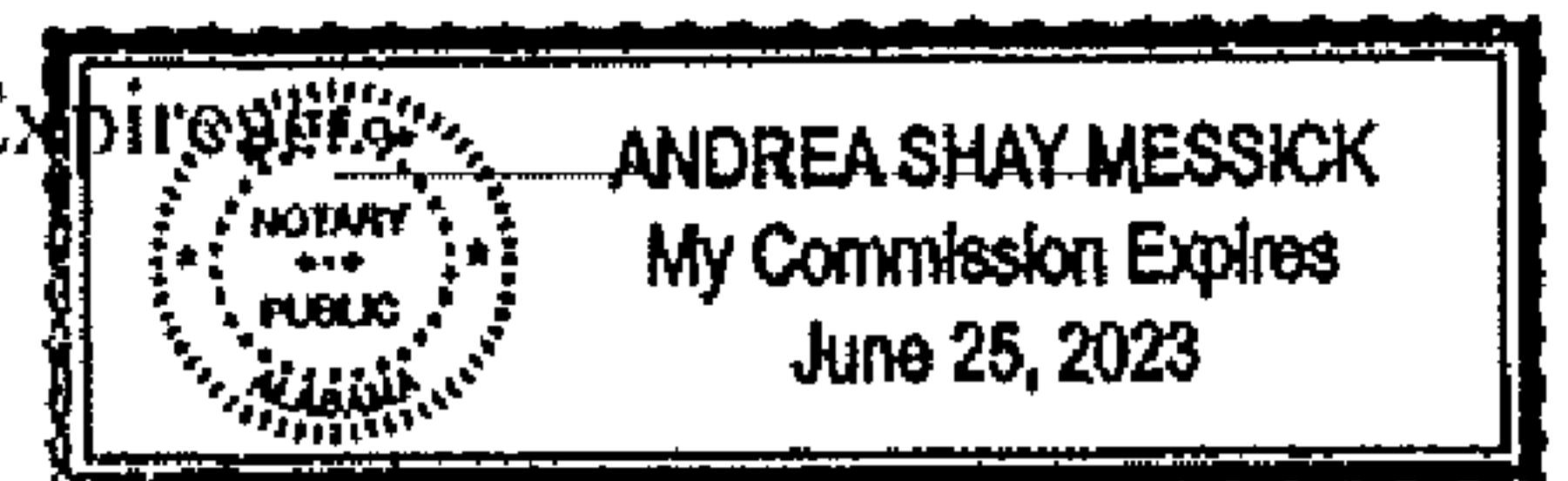
STATE OF ALABAMA)
)
COUNTY OF Jefferson)

I, a notary public in and for said county in said state, hereby certify that James Woodard Peay, whose name is signed to the foregoing Receipt, Waiver and Consent to Settlement of Decedent's Estate and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, he executed the same voluntarily.

Subscribed and sworn to before me this the 10 day of September, 2020


Notary Public

My Commission Expires



[NOTARIAL SEAL]

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)

THE ESTATE OF)

CHARLES H. PEAY, JR.,)

Deceased.)

Case No. 19-BHM-02317

**RECEIPT, WAIVER AND CONSENT
TO SETTLEMENT OF DECEDENT'S ESTATE**

I, the undersigned, James Woodard Peay, constituting a next-of-kin, heir and distribute of Charles H. Peay, Jr., deceased (the "Decedent"), and being over nineteen (19) years of age, do hereby acknowledge receipt in full of the property entitled to me; do hereby accept service of notice of the filing of the Petition for Consent Settlement of Decedent's Estate by Charles H. Peay, III, and James Woodard Peay, as Co-Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging Charles H. Peay, III, and James Woodard Peay from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

James Woodard Peay
James Woodard Peay

STATE OF ALABAMA)

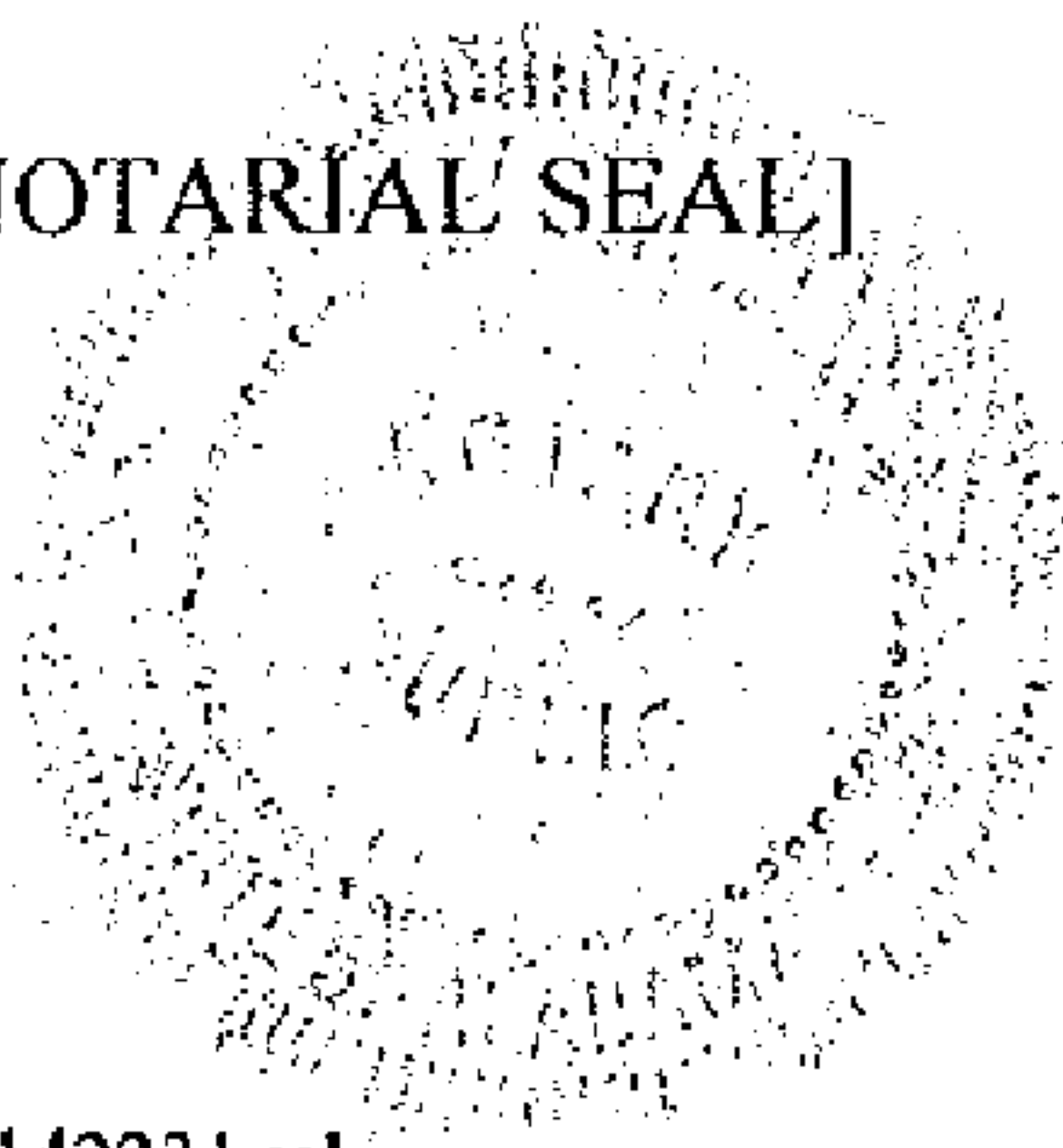
COUNTY OF Jefferson)

I, a notary public in and for said county in said state, hereby certify that James Woodard Peay, whose name is signed to the foregoing Receipt, Waiver and Consent to Settlement of Decedent's Estate and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, he executed the same voluntarily.

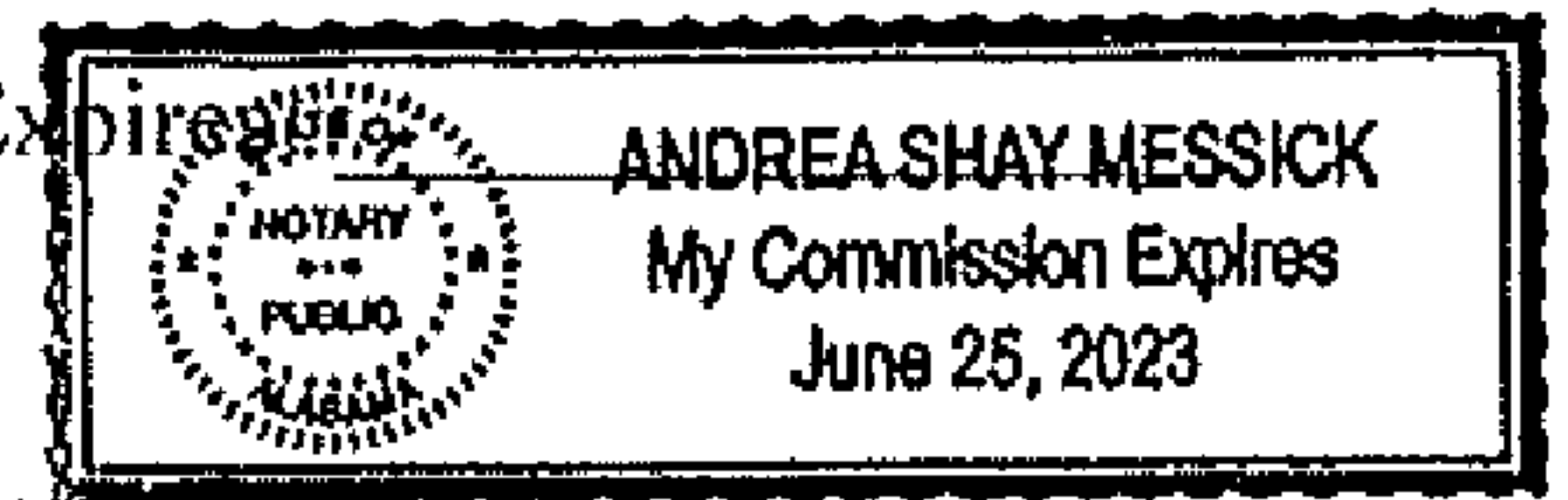
Subscribed and sworn to before me this the 10 day of September, 2020

Andrea Shay Messick
Notary Public

[NOTARIAL SEAL]



My Commission Expires



IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)

THE ESTATE OF)

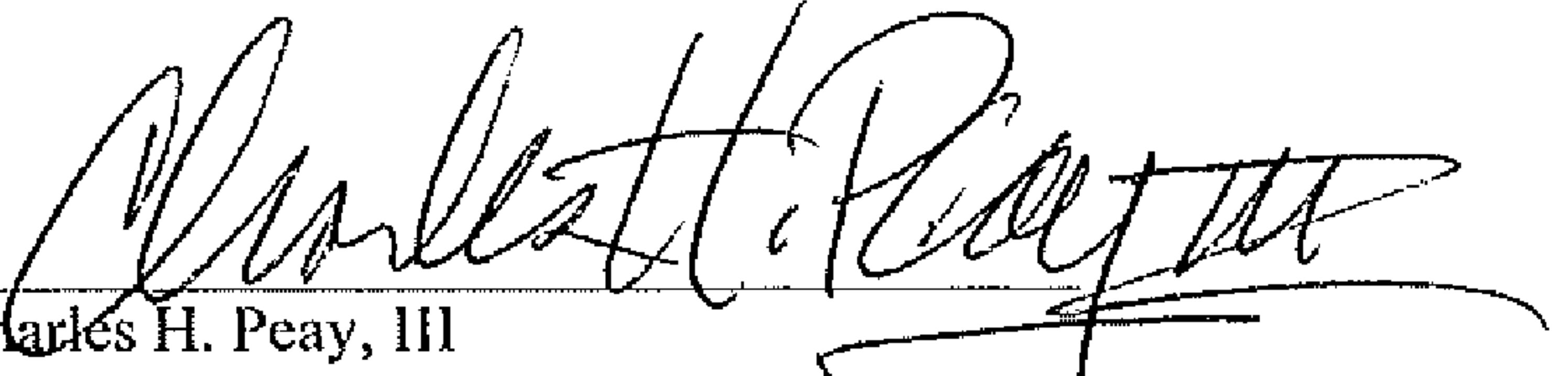
CHARLES H. PEAY, JR.,)

Deceased.)

Case No. 19-BHM-02317

**RECEIPT, WAIVER AND CONSENT
TO SETTLEMENT OF DECEDENT'S ESTATE**

I, the undersigned, Charles H. Peay, III, constituting a next-of-kin, heir and distributee of Charles H. Peay, Jr., deceased (the "Decedent"), and being over nineteen (19) years of age, do hereby acknowledge receipt in full of the property entitled to me; do hereby accept service of notice of the filing of the Petition for Consent Settlement of Decedent's Estate by Charles H. Peay, III, and James Woodard Peay, as Co-Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging Charles H. Peay, III, and James Woodard Peay from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.



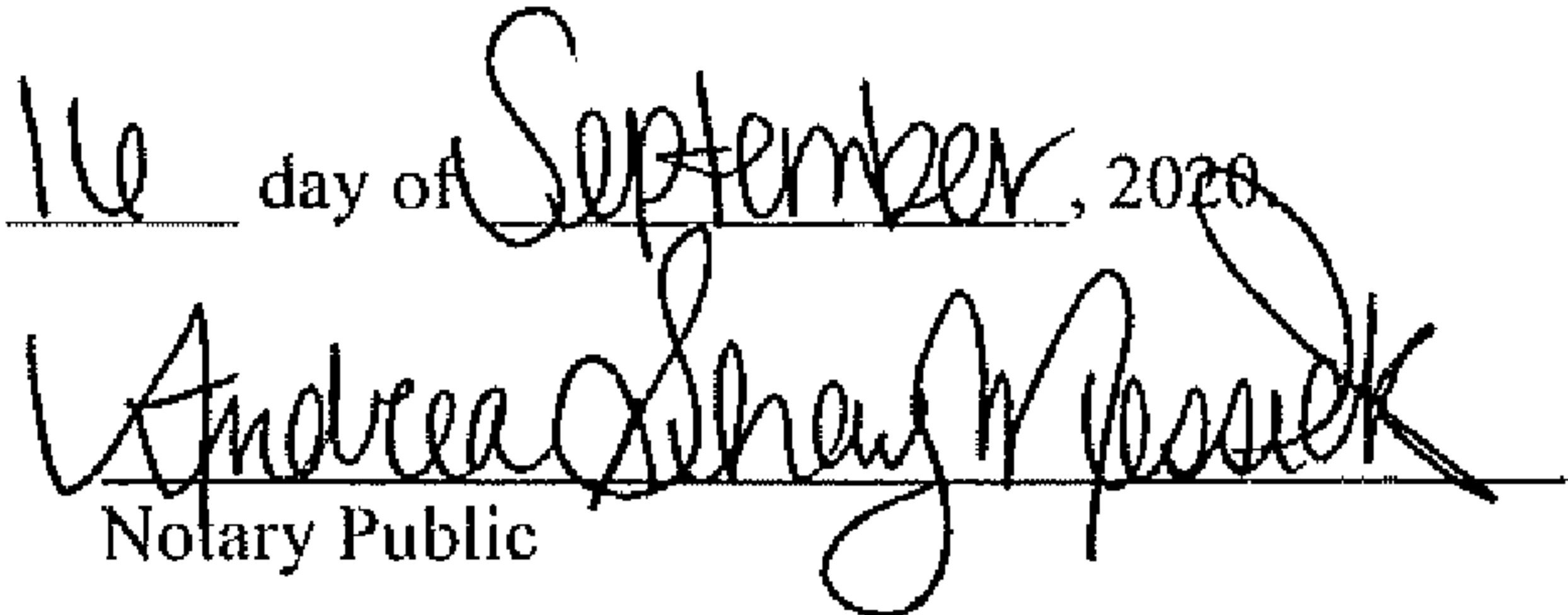
Charles H. Peay, III

STATE OF ALABAMA)

COUNTY OF Jefferson)

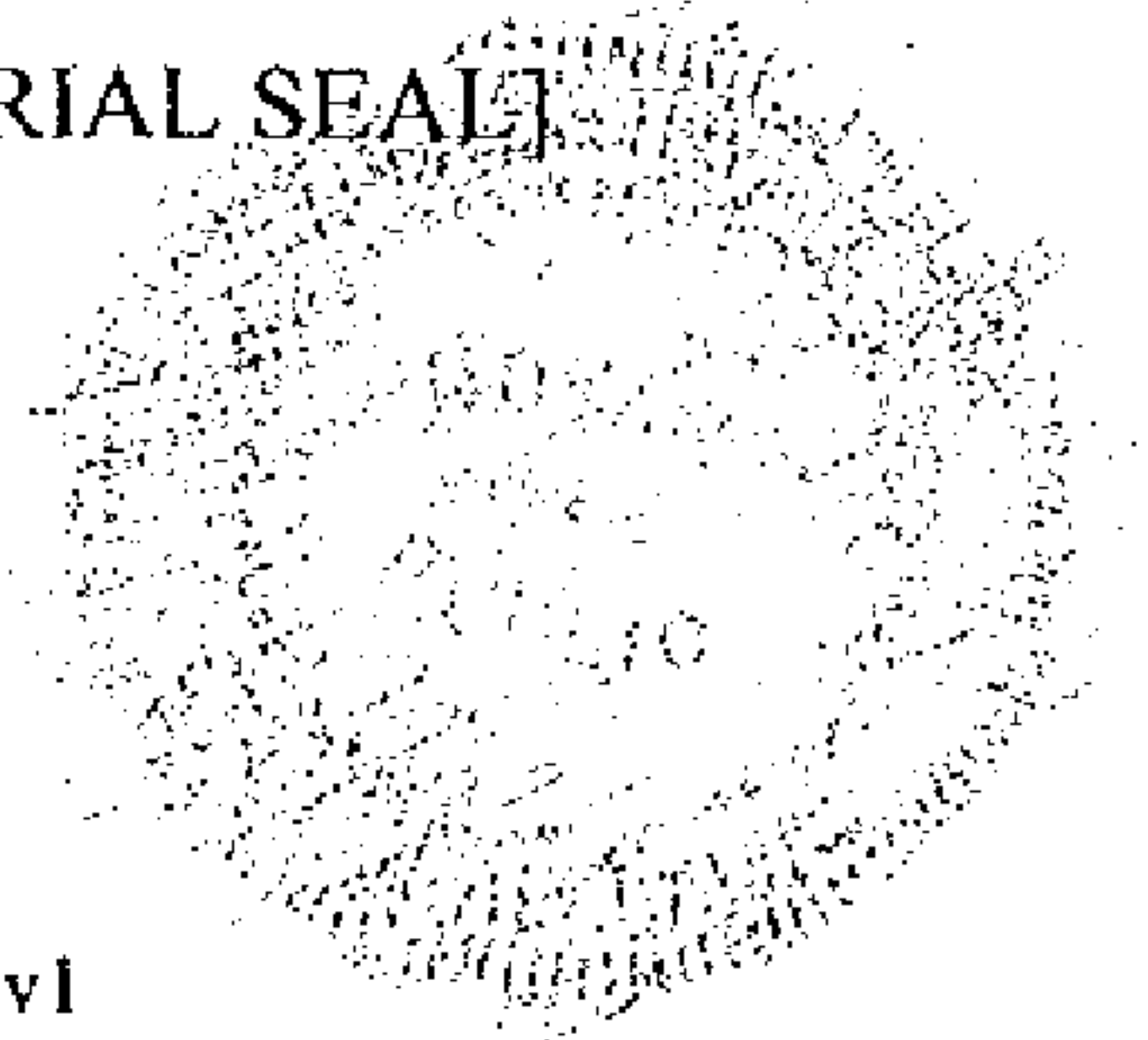
I, a notary public in and for said county in said state, hereby certify that Charles H. Peay, III, whose name is signed to the foregoing Receipt, Waiver and Consent to Settlement of Decedent's Estate and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, he executed the same voluntarily.

Subscribed and sworn to before me this the 16 day of September, 2020.

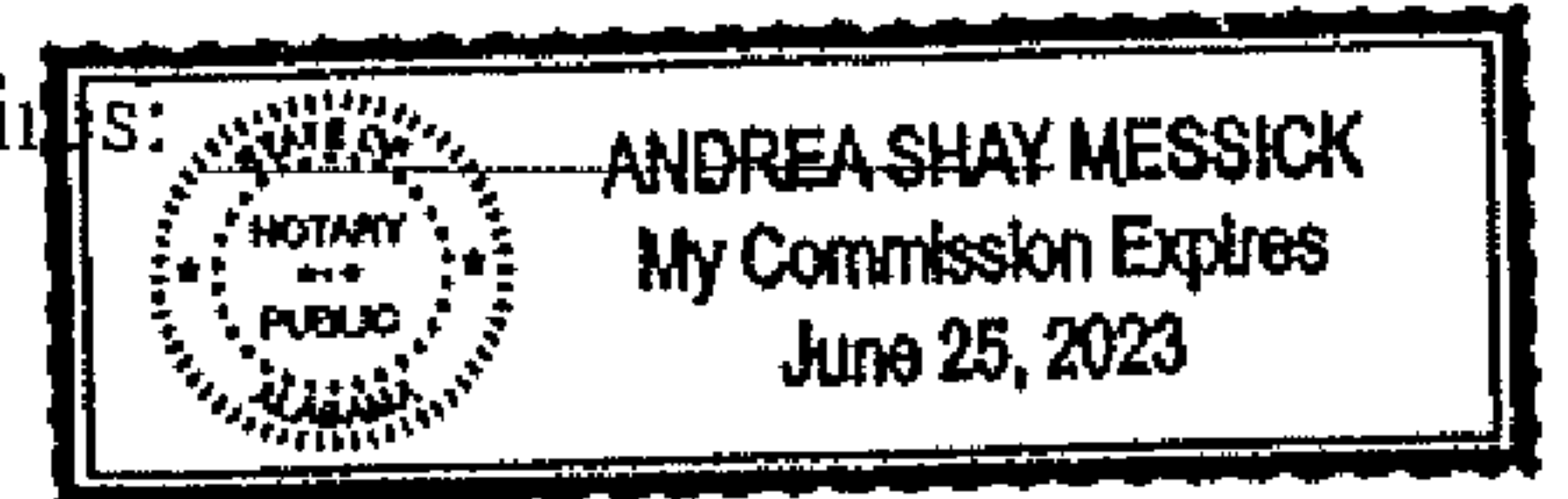


Notary Public

[NOTARIAL SEAL]



My Commission Expires:



IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)

THE ESTATE OF)

CHARLES H. PEAY, JR.,)

Deceased.)

Case No. 19-BHM-02317

RECEIPT, WAIVER AND CONSENT TO SETTLEMENT OF DECEDENT'S ESTATE

I, the undersigned, Charles H. Peay, III, constituting a next-of-kin, heir and distribute of Charles H. Peay, Jr., deceased (the "Decedent"), and being over nineteen (19) years of age, do hereby acknowledge receipt in full of the property entitled to me; do hereby accept service of notice of the filing of the Petition for Consent Settlement of Decedent's Estate by Charles H. Peay, III, and James Woodard Peay, as Co-Personal Representative of said estate, and waive all other or further notice thereof, either by publication or otherwise; do enter my appearance in Court upon the date for hearing said Petition; and do consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging Charles H. Peay, III, and James Woodard Peay from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Charles H. Peay III
Charles H. Peay, III

STATE OF ALABAMA)

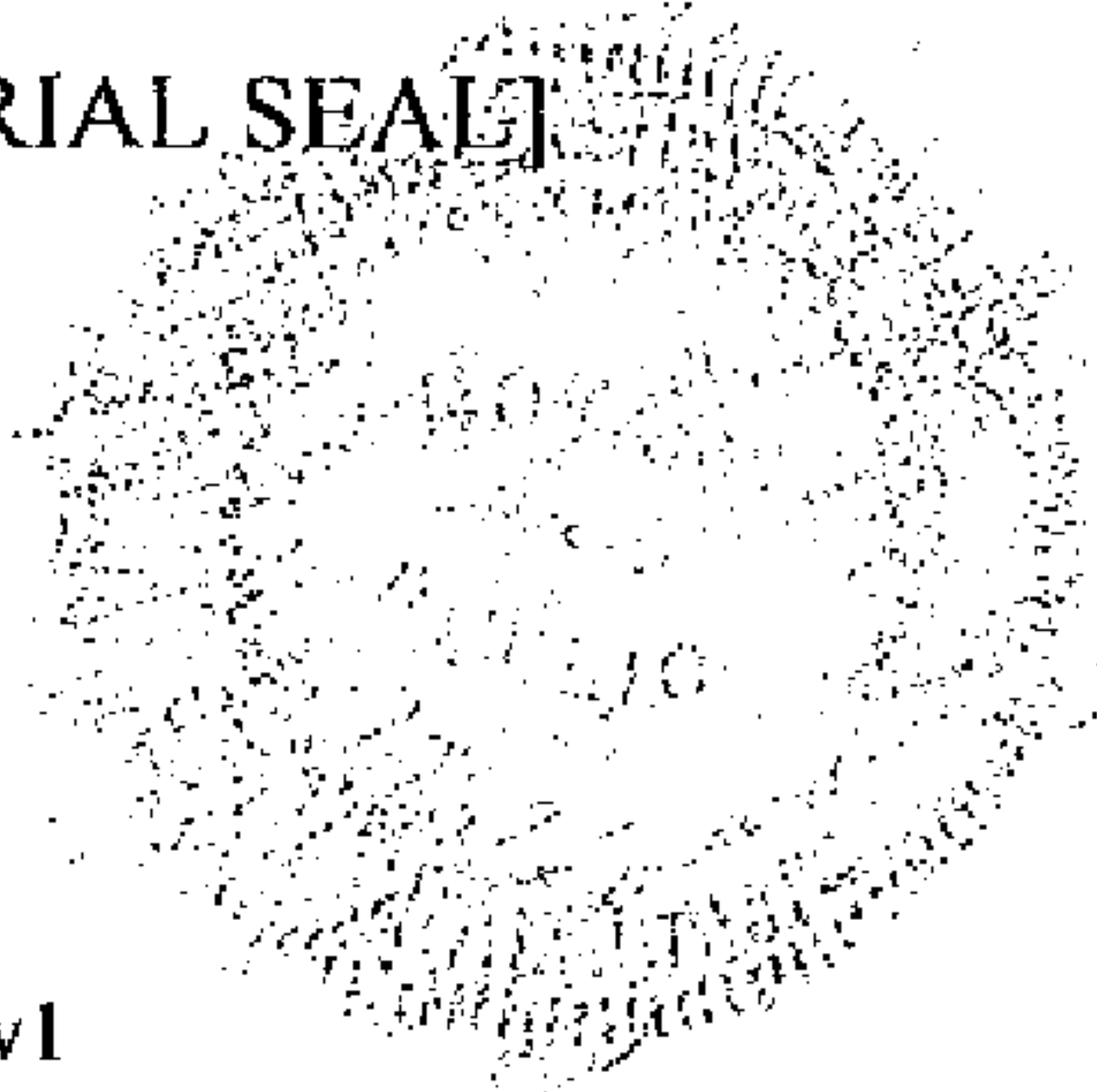
COUNTY OF Jefferson)

I, a notary public in and for said county in said state, hereby certify that Charles H. Peay, III, whose name is signed to the foregoing Receipt, Waiver and Consent to Settlement of Decedent's Estate and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, he executed the same voluntarily.

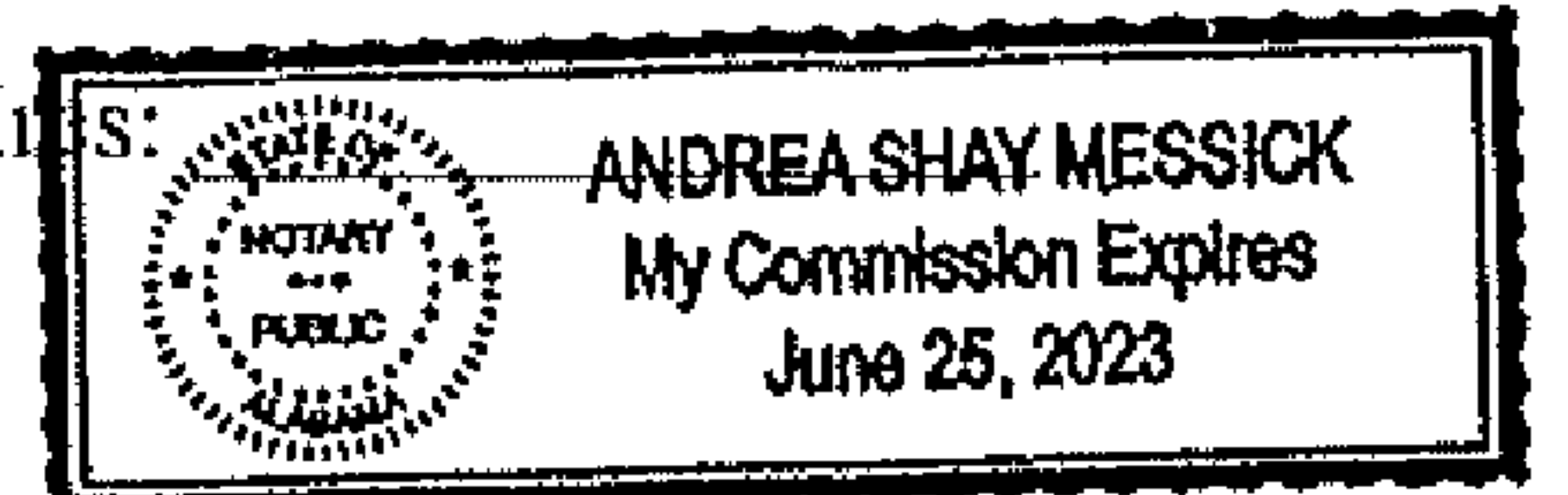
Subscribed and sworn to before me this the 16 day of September, 2020.

Andrea Shay Messick
Notary Public

[NOTARIAL SEAL]



My Commission Expires:



IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)	
)	
THE ESTATE OF)	
)	Case No. 19-BHM-02317
CHARLES H. PEAY, JR.,)	
)	
Deceased.)	

PETITION FOR CONSENT SETTLEMENT BY EXECUTORS

Come the Petitioners, Charles H. Peay, III, and James Woodard Peay, as Co-Executors of the Estate of Charles H. Peay, Jr., deceased, and respectfully show the Court the following facts:

1. By Letters Testamentary granted on October 15, 2019, Petitioners were appointed as Co-Executors of the estate of Charles H. Peay, Jr. (the "decedent"), and notice of said appointment was given as required by law.

2. More than six months have elapsed since said appointment, notice to creditors pursuant to Ala. Code § 43-2-61 has been given, and all debts of the decedent and all legal charges against said estate have been paid in full.

3. The following named beneficiaries are the sole devisees and distributes under the will of the decedent, and said beneficiaries are over the age of nineteen (19), of sound mind, and consent to this Petition:

Charles H. Peay, III, Son
(Over the Age of 19 and of Sound Mind)
163-A Old Montgomery Highway
Birmingham, AL 35216

James Woodard Peay, Son
(Over the Age of 19 and of Sound Mind)
4320 Warren Road
Birmingham, AL 35213

4. In said fiduciary capacity the decedent's Co-Executors have received and collected all properties of said estate and turned over and paid the net estate to the above-named beneficiaries strictly according to the terms of the decedent's will as is shown by the receipts and consents which are attached hereto and made a part hereof by reference.

WHEREFORE, the Petitioners pray that this Petition and the attached consents be taken and accepted as, for and in lieu of, a formal account or report for final settlement, and that the Co-Executors be henceforth discharged from all other or further liability for or on account of the administration of said Estate.

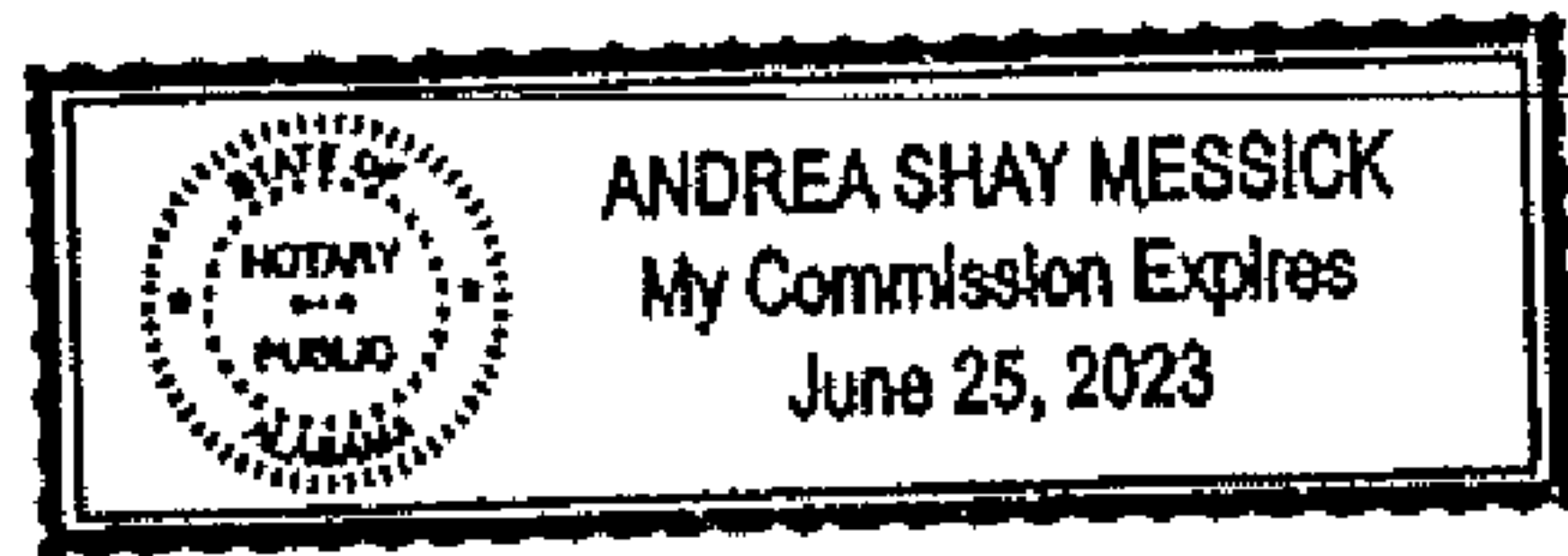
STATE OF ALABAMA)
COUNTY OF Jefferson)

Before me, the undersigned authority, a notary public in and for said county in said state, personally appeared James Woodard Peay, who, being first duly sworn, makes oath that he has read the foregoing Petition and knows the contents thereof, and that he is informed and believes, and, upon such information and belief, avers that the facts alleged therein are true and correct.

Subscribed and sworn to before me on this the 16 day of September, 2020.

Andrea Shay Messick
Notary Public

My Commission Expires:



(SEAL)



IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

IN THE MATTER OF)	
)	
THE ESTATE OF)	
)	Case No. 19-BHM-02317
CHARLES H. PEAY, JR.,)	
)	
Deceased.)	

PETITION FOR CONSENT SETTLEMENT BY EXECUTORS

Come the Petitioners, Charles H. Peay, III, and James Woodard Peay, as Co-Executors of the Estate of Charles H. Peay, Jr., deceased, and respectfully show the Court the following facts:

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2. More than six months have elapsed since said appointment, notice to creditors pursuant to Ala. Code § 43-2-61 has been given, and all debts of the decedent and all legal charges against said estate have been paid in full.

3. The following named beneficiaries are the sole devisees and distributees under the will of the decedent, and said beneficiaries are over the age of nineteen (19), of sound mind, and consent to this Petition:

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 (Over the Age of 19 and of Sound Mind)
 163-A Old Montgomery Highway
 Birmingham, AL 35216

James Woodard Peay, Son
 (Over the Age of 19 and of Sound Mind)
 4320 Warren Road
 Birmingham, AL 35213

4. In said fiduciary capacity the decedent's Co-Executors have received and collected all properties of said estate and turned over and paid the net estate to the above-named beneficiaries strictly according to the terms of the decedent's will as is shown by the receipts and consents which are attached hereto and made a part hereof by reference.

WHEREFORE, the Petitioners pray that this Petition and the attached consents be taken and accepted as, for and in lieu of, a formal account or report for final settlement, and that the Co-Executors be henceforth discharged from all other or further liability for or on account of the administration of said Estate.

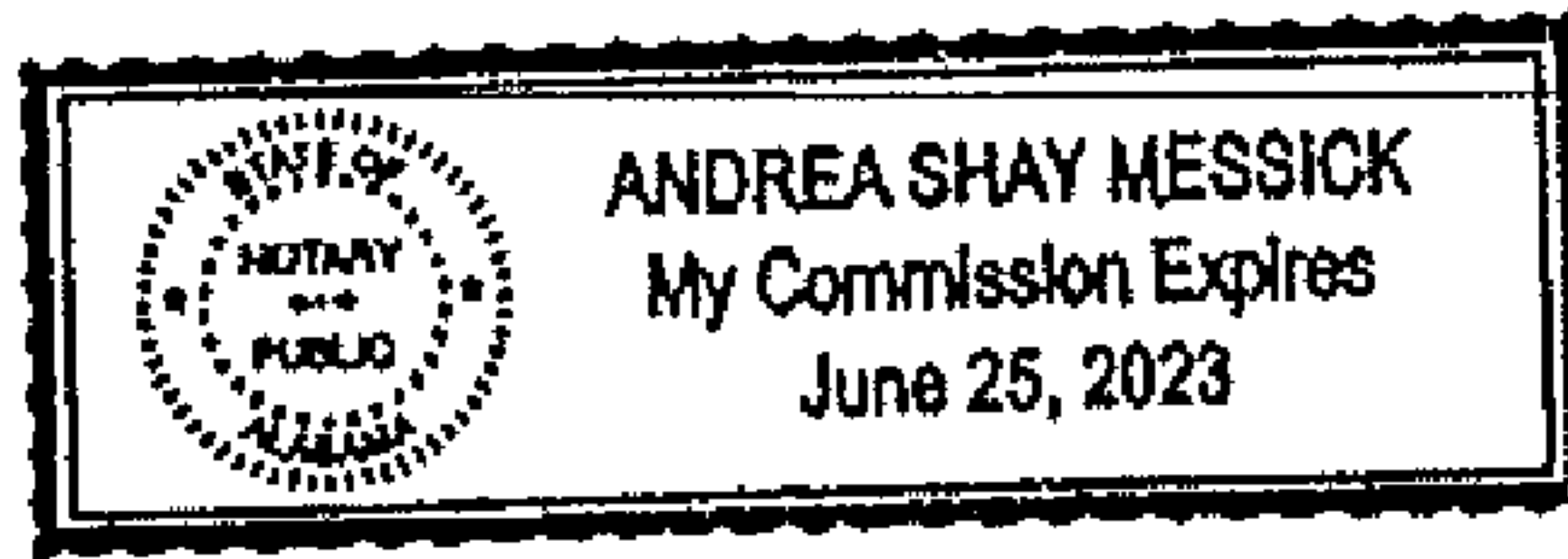
STATE OF ALABAMA)
COUNTY OF Jefferson)

Before me, the undersigned authority, a notary public in and for said county in said state, personally appeared James Woodard Peay, who, being first duly sworn, makes oath that he has read the foregoing Petition and knows the contents thereof, and that he is informed and believes, and, upon such information and belief, avers that the facts alleged therein are true and correct.

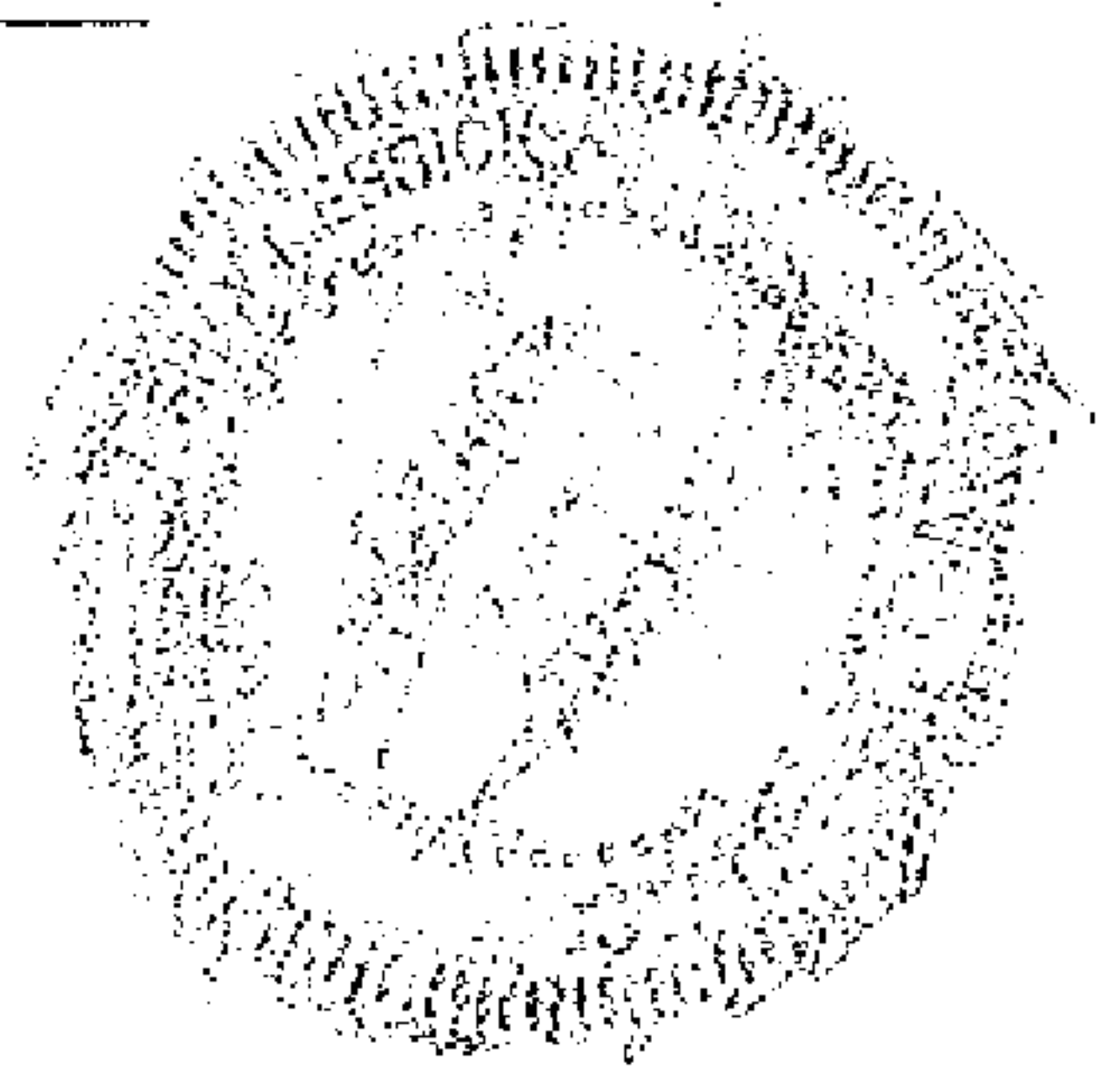
Subscribed and sworn to before me on this the 16 day of September, 2020.

Andrea Shay Messick
Notary Public

My Commission Expires:



(SEAL)



IN THE MATTER OF THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CHARLES H. PEAY, JR.,

CASE NO.: 19BHM02317

DECEASED.

DECREE ON FINAL CONSENT SETTLEMENT BY PERSONAL REPRESENTATIVES

This day came **Charles H. Peay, III** and **James Woodard Peay**, as Personal Representatives of the Estate of **Charles H. Peay, Jr.** deceased, and presented to the Court, under oath, a Joint Petition for Consent Settlement of Decedent's Estate, together with Consents to this settlement by the legatees under said Will, executed and acknowledged by each of them as required by law, 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 Personal Representatives, and that all claims filed in this Court within the time required by law have been paid and/or satisfied in full.

It further appearing to the Court that said Personal Representatives are the sole beneficiaries named in the Last Will and Testament of said Deceased, and that the Personal Representatives have complied with the terms of said Will by paying over and delivering to said beneficiaries, all the property and assets belonging to said estate, as shown by the said Petition.

It is therefore **ORDERED, ADJUDGED AND DECREED** by the Court that said Petition be, and the same is **GRANTED** and ordered recorded, and said Personal Representatives are discharged and released from all liability as such Personal Representatives. Costs of Court are hereby taxed against the Estate.

DONE AND ORDERED this 30th day of March, 2021.



JUDGE OF PROBATE

CERTIFICATE TO COPIES

**STATE OF ALABAMA,
JEFFERSON COUNTY**

**PROBATE COURT
CASE NO. 19BHM02317**

I, Judge 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 Consent Settlement by Personal Representatives**, in the matter of the estate of **Charles H. Peay, Jr.**, as the same appears on file and of record, in this office.

Given under my hand and seal of said Court this the 30th day of **March, 2021**.



Judge of Probate

CERTIFICATE TO COPIES

STATE OF ALABAMA

JEFFERSON COUNTY

PROBATE COURT

CASE NO.19BHM02317

I, **James P Naftel**, Judge of Probate Court, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the **Entire Probate Case the matter of the estate of Charles H Peay Jr. DECEASED** as the same appears on file and of record, in this office.

Given under my hand and seal of said Court this date, 10th day of October 2024.

THIS PROBATE CASE IS NO LONGER IN FULL FORCE AND EFFECT.

J.P. Naftel

Judge of Probate



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
10/10/2024 03:48:21 PM
\$163.00 PAYGE
20241010000319430

Allie S. Beyle