

LAST WILL AND TESTAMENT

OF

MARY D. WEGENER

I, **MARY D. WEGENER**, a resident of and domiciled in Jefferson County, Alabama, make, publish and declare this to be my Last Will and Testament, revoking all wills and codicils at any time heretofore made by me.

ONE: I direct that the expenses of my last illness and funeral, the expenses of the administration of my estate, and all estate, inheritance and similar taxes payable with respect to property included in my estate, whether or not passing under this will, and any interest or penalties thereon, shall be paid out of my residuary estate, without apportionment and with no right of reimbursement from any recipient of any such property.

mdw **TWO:** I give all my real property at (a) 1920 Highfield Drive, Birmingham, AL 35216, legally described as Lot 10, in Block 10, according to the survey known as Seventh Addition to Southridge Addition to Vestavia Hills recorded in Book 49, Page in the Office of the Judge of Probate of Jefferson County, Alabama and (b) 1901 McCain Parkway, Pelham, AL 35124, in Shelby County, Alabama, legally described as that certain parcel of land in the East ½ of the East ½ of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama recorded at Book 196, Page 533 in the Office of the Judge of Probate of Shelby County, Alabama, in equal shares to those of my children **HENRY GERALD WEGENER, JR.** and **KAREN WEGENER HURD** who survive me and to the issue who survive me of those of my children who shall not survive me, in equal shares per stirpes.

THREE: I give all tangible personal property owned by me at the time of my death (except cash, money market accounts, certificates of deposit, savings and checking accounts and other cash equivalents), including without limitation personal effects, clothing, ~~jewelry, furniture, furnishings, chinaware, silverware, household goods, automobiles and other~~ vehicles, together with all insurance policies relating thereto, to those of my children, **HENRY GERALD WEGENER, JR.** and **KAREN WEGENER HURD**, who survive me, in substantially equal shares, to be divided between them as they shall agree, or if they cannot agree, as my personal representatives shall determine.

FOUR: I give all the rest, residue and remainder of my property and estate, both real and personal, of whatever kind and wherever located, that I own or to which I shall be in any manner entitled at the time of my death (collectively referred to as my "residuary estate"), as follows:

FILED IN OFFICE THIS THE
13th DAY OF MAR, 2024
FOR PROBATE AND RECORD.
Sherri C. Friday
JUDGE OF PROBATE

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mdw

(a) To those of my children HENRY GERALD WEGENER, JR. and KAREN WEGENER HURD who survive me and to the issue who survive me of those of my children who shall not survive me, in equal shares per stirpes.

(b) If no issue of mine survives me, I give my residuary estate to those who would take from me as if I were then to die without a will, unmarried and the absolute owner of my residuary estate, and a resident of the State of Alabama.

FIVE: If any property of my estate vests in absolute ownership in a minor or incompetent, my personal representatives, at any time and without court authorization, may: distribute the whole or any part of such property to the beneficiary; or use the whole or any part for the health, education, maintenance and support of the beneficiary; or distribute the whole or any part to a guardian, committee or other legal representative of the beneficiary, or to a custodian for the beneficiary under any gifts to minors or transfers to minors act, or to the person or persons with whom the beneficiary resides. Evidence of any such distribution or the receipt therefor executed by the person to whom the distribution is made shall be a full discharge of my personal representatives from any liability with respect thereto, even though my personal representatives may be such person. If such beneficiary is a minor, my personal representatives may defer the distribution of the whole or any part of such property until the beneficiary attains the age of twenty-one (21) years, and may hold the same as a separate fund for the beneficiary with all of the powers described in Article SEVEN hereof. If the beneficiary dies before attaining said age, any balance shall be paid and distributed to the estate of the beneficiary.

SIX: I appoint HENRY GERALD WEGENER, JR. and KAREN WEGENER HURD as joint personal representatives of this will. If either of my personal representatives shall fail to qualify for any reason as personal representative or, having qualified shall die, resign or cease to act for any reason as personal representative, the other personal representative may act alone as my personal representative. In the event that, both, HENRY GERALD WEGENER, JR. and KAREN WEGENER HURD, shall fail to qualify for any reason as personal representatives or, having qualified shall die, resign or cease to act for any reason as personal representatives, I appoint JILL LAUREN WEGENER as my personal representative. I vest in my personal representatives herein named full power and authority to handle, manage and deal with my estate as freely as I could act if I were living. Such power and authority may be exercised independently and without the prior or subsequent approval of any court or judicial authority. ~~No one dealing with my personal representatives shall be required to inquire into the propriety of any action taken by my personal representatives.~~ I direct that no personal representative shall be required to file an inventory or furnish any bond, surety or other security in any jurisdiction.

SEVEN: I grant to my personal representatives all powers conferred upon personal representatives and executors wherever my personal representatives may act. I also grant to my personal representatives power to retain, sell at public or private sale, exchange, grant options on, invest and reinvest, and otherwise deal with any kind of property, real or personal, for cash or on credit; to hold, manage, insure, repair, improve, demolish, divide, and otherwise deal with and dispose of any property; to borrow money and mortgage, encumber or pledge any property to secure loans; to divide and distribute property in cash or in kind; to

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AFFIDAVIT

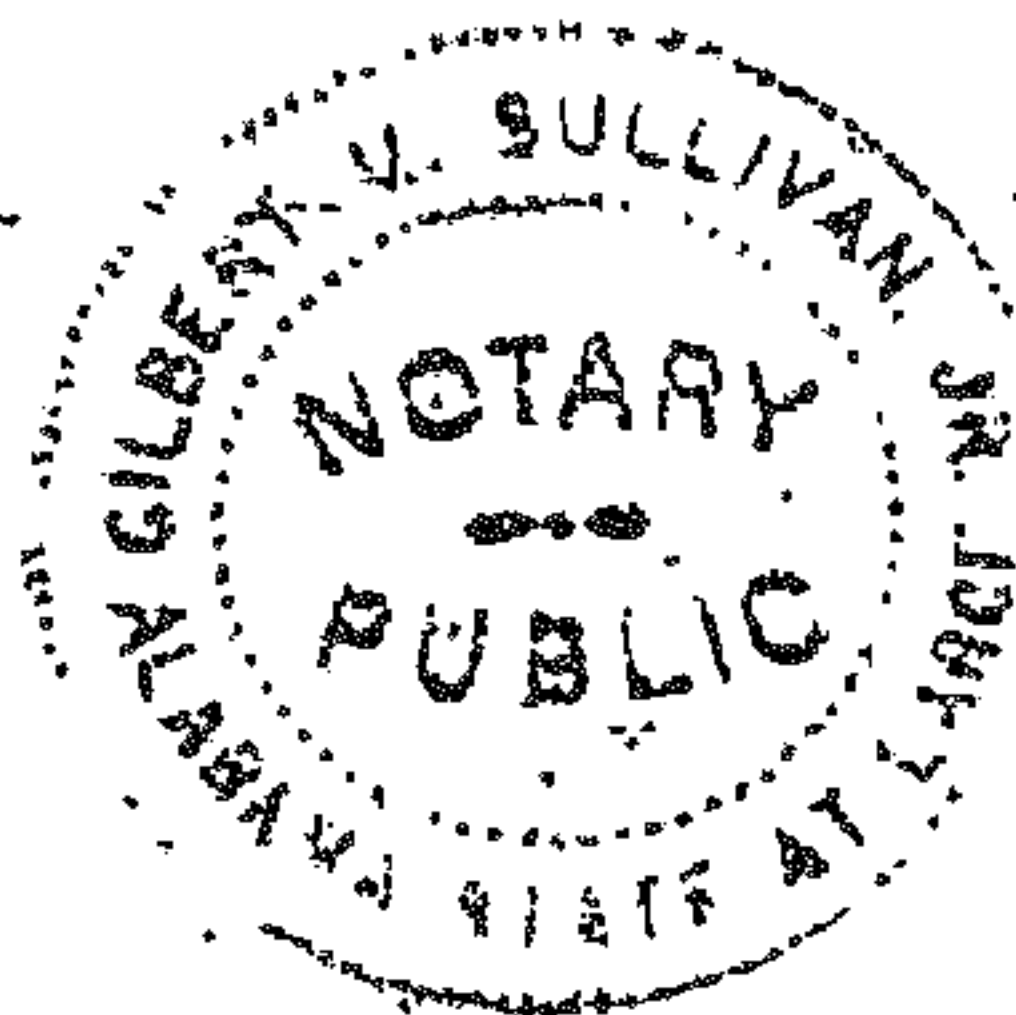
STATE OF ALABAMA
COUNTY OF JEFFERSON

We, MARY D. WEGENER and MAGEN B. MARLIN &
MUNDIS J. MINCIOTTA, JR., the Testatrix and the
witnesses respectively, whose names are signed to the attached or foregoing instrument, being
first duly sworn, do hereby declare to the undersigned authority that the Testatrix, MARY D.
WEGENER, signed and executed said instrument as her last will and testament in the presence
and hearing of the witnesses, and that she had signed willingly, and that she executed it as her
free and voluntary act and deed for the purposes therein expressed, and that each of the witnesses
at the request of the Testatrix, in the presence and hearing of the Testatrix and each other, signed
the will as witness, and that to the best of his or her knowledge the Testatrix was at the time at
least 19 years of age, of sound mind and under no constraint, duress, fraud or undue influence.

Mary D. Wegener
MARY D. WEGENER
Testatrix

Magen B. Marlin
Witness
Thom R. Runk
Witness

Subscribed, sworn to and acknowledged before me by the said MARY D.
WEGENER, Testatrix, and subscribed and sworn to before me by the said MAGEN
B. MARLIN & MUNDIS J. MINCIOTTA, JR.
as witnesses, this 3rd day of December, 2003.



[Signature]
Notary Public
My commission expires on

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Jan 31, 2005
BONDED THRU NOTARY PUBLIC UNDERWRITERS

24BHM00595

LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF:

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

MARY WEGENER A/K/A
MARY D. WEGENER A/K/A
MARY LOUISE DUKE WEGENER
Deceased

CASE NO. 24BHM000595

LETTERS TESTAMENTARY

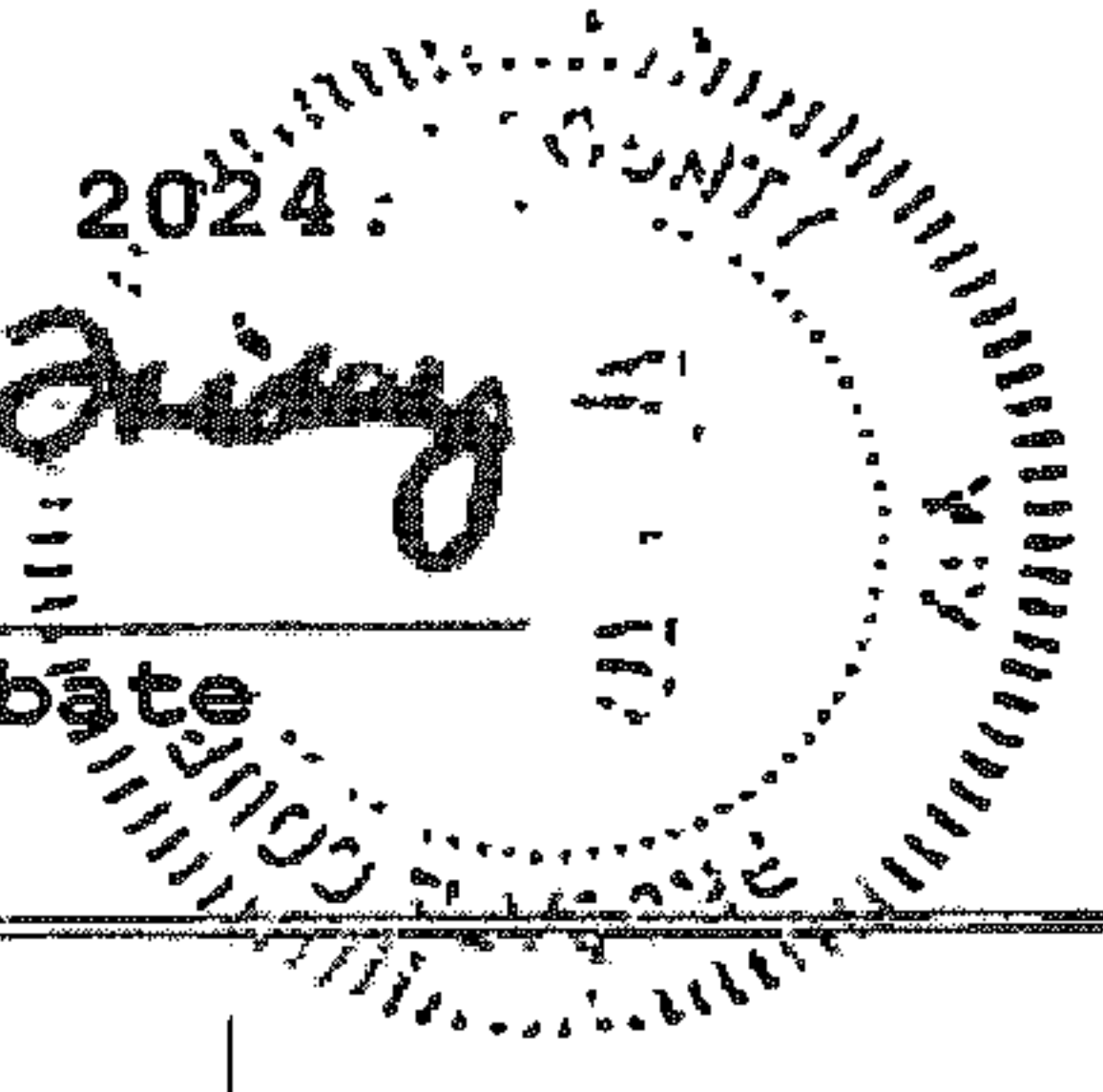
The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to HENRY G. WEGENER, JR and KAREN W. HURD the Personal Representatives named in said will, who has complied with the requisitions of the law and is authorized to administer 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 13th day of March, 2024:

(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, **March 13, 2024.**

Judge of Probate

CERTIFICATE TO COPIES

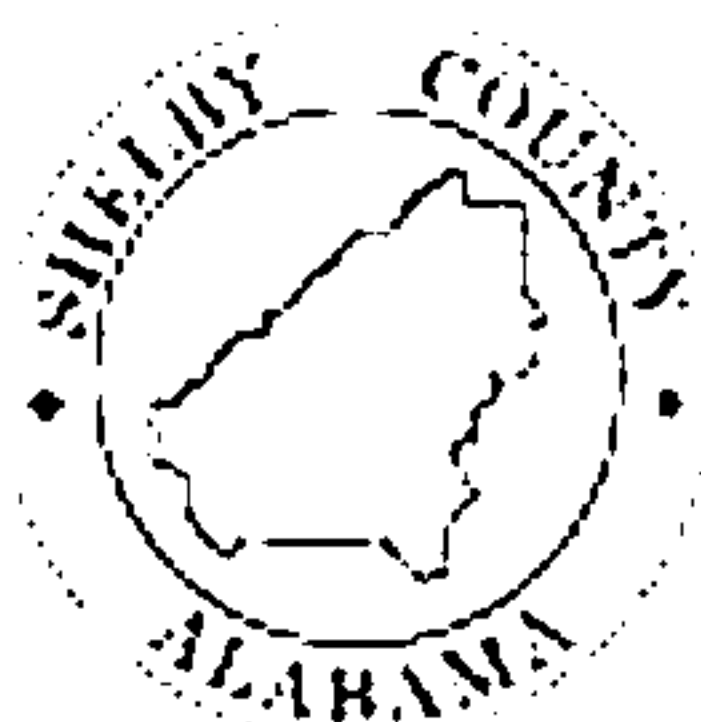
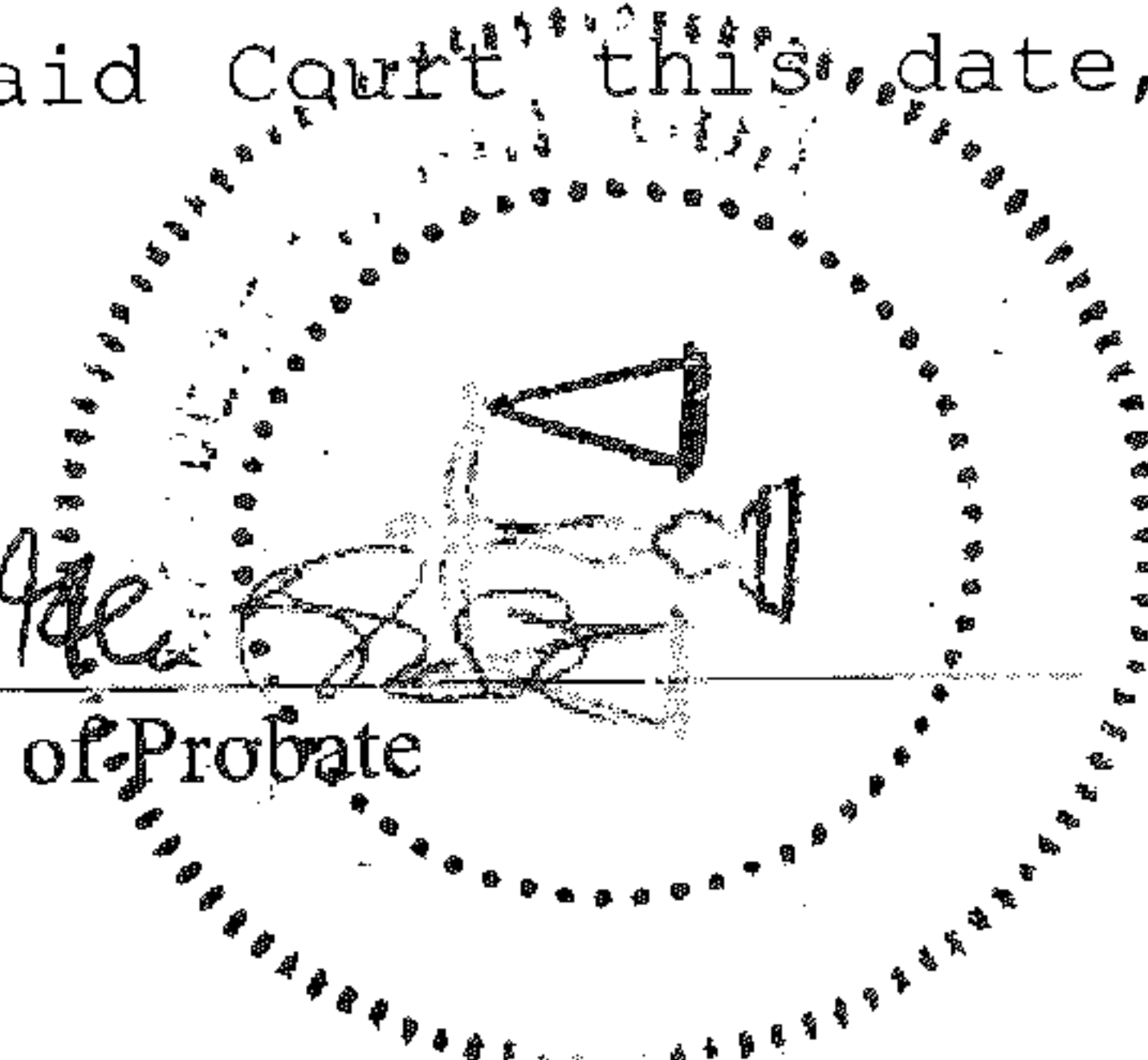
STATE OF ALABAMA
JEFFERSON COUNTY

PROBATE COURT

I, Judge 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 LAST WILL AND TESTAMENT OF MARY D. WEGENER AND LETTERS TESTAMENTARY in the matter **MARY WEGENER A/K/A MARY D. WEGENER A/K/A MARY LOUISE DUKE WEGENER** as the same appears on file and of record, in this office.

Given under my hand and seal of said Court this date,
January 29, 2025.


Judge of Probate



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
02/04/2025 09:00:44 AM
\$34.00 PAYGE
20250204000033490

Allie S. Bayl