

IN THE MATTER OF
THE ESTATE OF
MICHAEL ROUBIDOUX,

Deceased.

)
)
)
)
)
)

IN THE PROBATE COURT OF
TALLADEGA COUNTY, ALABAMA,
CASE NO.: PC-2023- 2023-334

TALLADEGA COUNTY
CHAD JOINER
1/9/2024 9:56:51 AM L. 3
Case: 2023-334
PROBATE Book 445 Page 329

PETITION FOR PROBATE OF WILL

TO THE HONORABLE HON. CHARLES JOINER, JUDGE OF PROBATE

1. Your Petitioner, Kayla Roubidoux Emmons, respectfully represents unto Your Honor that Michael Roubidoux ("Decedent"), who was at the time of his death an inhabitant of this County, departed this life on or about the 3rd day of July, 2023, leaving assets in the State and a Last Will and Testament ("Will") duly signed, notarized, and published by him and dated the 30th day of May, 2023, and attested by the following witnesses: Dana Kinzer and Aaron Emmons. Said Will is self-proving in that each is attested and notarized in substantially the form provided by §§43-8-132 and 43-8-133 of the Code of Alabama (1975).

2. Your Petitioner herewith files and propounds said Will in which she verily believes that she is named as Personal Representative.

3. Your Petitioner further represents that at the time of his death, Decedent was married, and had one (1) biological child.

4. Petitioner further represents that she is the Decedent's child, and that the heirs and next of kin of Decedent and their addresses are as follows:

Name, age, condition relationship

Address

Deborah Roubidoux, wife

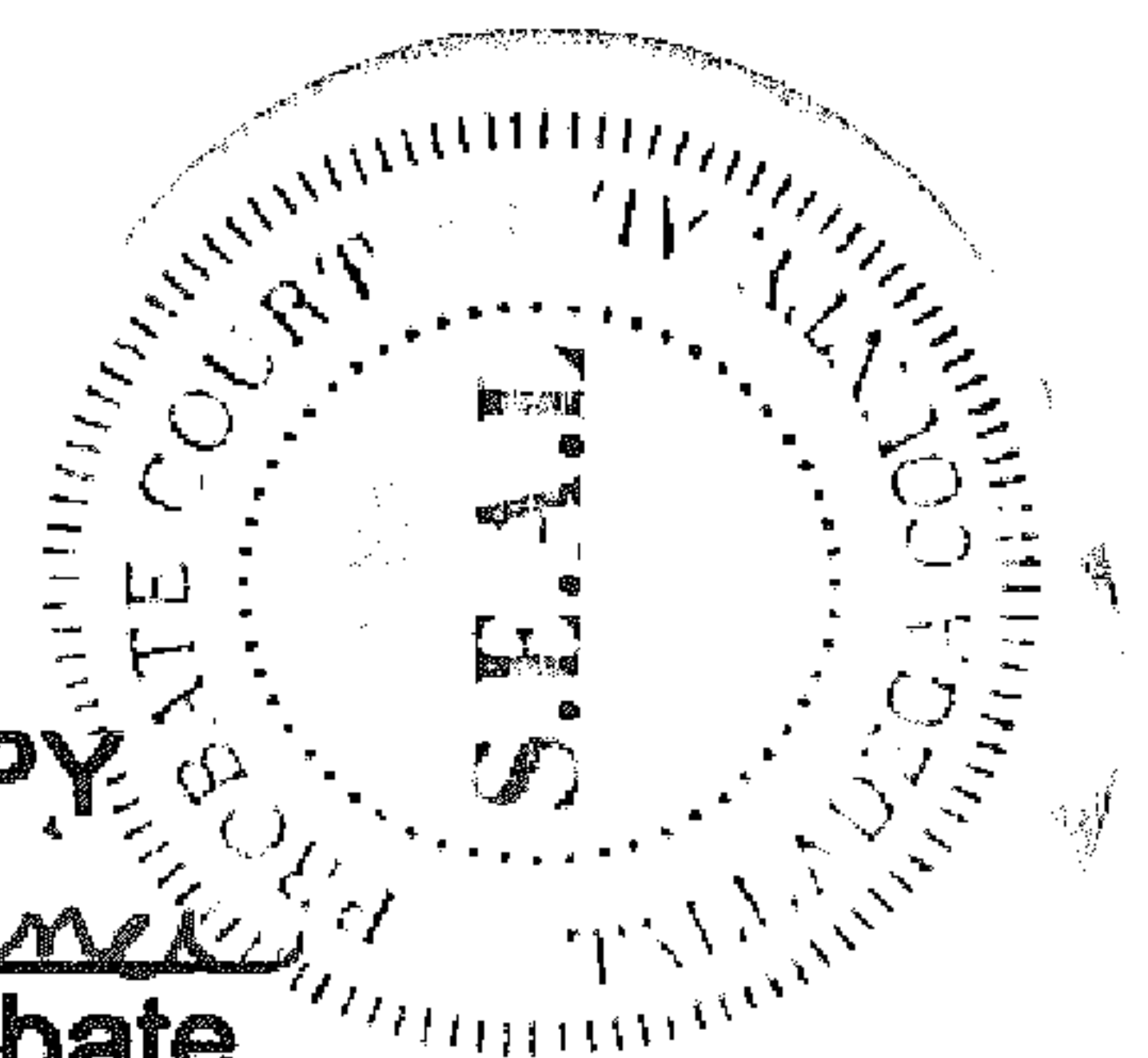
50 Woods Ferry Road
Lincoln, Alabama 35096

Kayla R. Emmons, daughter/Petitioner

50 Woods Ferry Road
Lincoln, Alabama 35096

FILED
I certify this instrument was filed on
12/20/2023 at 10:56:06 AM
PROBATE JUDGE
CHAD JOINER
TALLADEGA County, ALABAMA

TRUE COPY
Chad Joiner
Judge of Probate



All of the above being over the age of nineteen and under no legal disability.

WHEREFORE, Petitioner prays that this Court will take jurisdiction of this Petition, will cause all such notice to issue as may be proper in the premises; and will cause such proceedings to occur, and such proof to be taken, and render such orders and decrees as will duly and legally effect the probate and record in this Court of said Last Will and Testament, and that Letters Testamentary issue to Petitioner without bond, inventory or accounting as Personal Representative as provided by the Will and law; and that the Court enter such other, further or different orders or decrees as may be proper.

[SIGNATURE PAGE FOLLOWS]

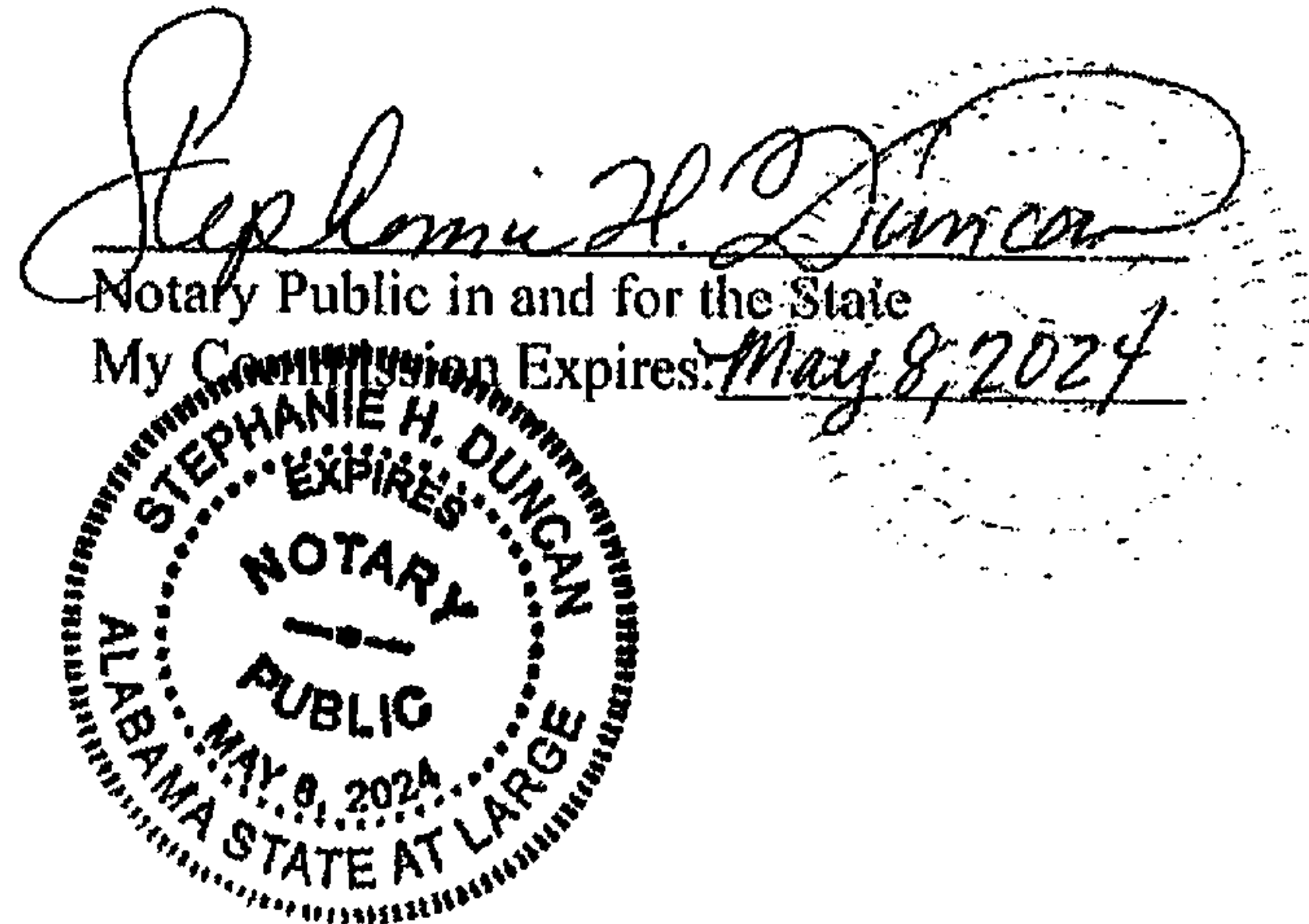
Respectfully submitted this the 15 day of December, 2023

Kayla Roubidoux Emmons
Kayla Roubidoux Emmons, Petitioner

STATE OF ALABAMA)
)
COUNTY OF TUSCALOOSA)

Kayla Roubidoux Emmons, being duly sworn, deposes and says that the facts averred in the foregoing Petition are true and correct to the best of her knowledge, information and belief.

Sworn to and subscribed before me on this 15th day of December, 2023.



Ruth B. McFarland
Ruth B. McFarland (BRI-034)
Bryan P. Winter (WIN-028)
WINTER MCFARLAND, LLC
4901 Rice Mine Road NE
Tuscaloosa, Alabama 35406
Telephone: (205) 650-1400
Attorneys for Petitioner

TALLADEGA COUNTY
JUDGE JOHNER
1/9/2024 9:57:58 AM - 10
Case 2023-334
PROBATE BOOK 415 Page 333

LAST WILL AND TESTAMENT OF MICHAEL ROUBIDOUX

I, Michael Roubidoux, presently of Lincoln, Alabama, declare that this is my Last Will and Testament.

PRELIMINARY DECLARATIONS

Prior Wills and Codicils

1. I revoke all prior Wills and Codicils.

Marital Status

2. I am married to Deborah Roubidoux (my "Spouse").

Current Children

3. I have the following living child:
 - Kayla Emmons.
4. The term 'child' or 'children' as used in this Will includes the above listed children and any children of mine that are subsequently born or legally adopted.

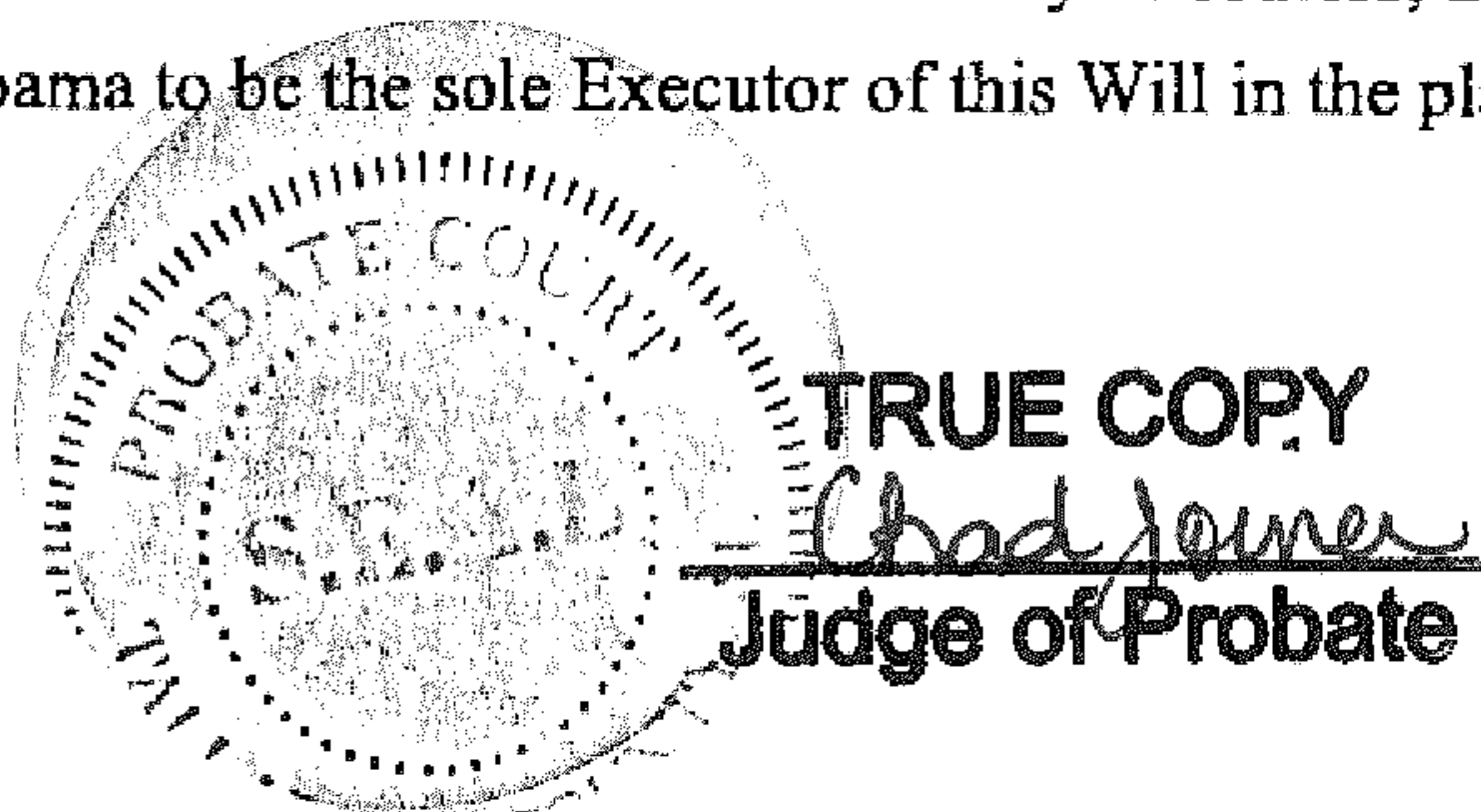
EXECUTOR

Definition

5. The expression 'my Executor' used throughout this Will includes either the singular or plural number, or the masculine or feminine gender as appropriate wherever the fact or context so requires. The term 'executor' in this Will is synonymous with and includes the terms 'personal representative' and 'executrix'.

Appointment

6. I appoint my Spouse, Deborah Roubidoux, and Kayla Emmons of Lincoln, Alabama, to be the Executors of this Will. If either Deborah Roubidoux or Kayla Emmons should predecease me, or either should refuse or be unable to act or continue to act as my Executor, then I appoint the survivor of Deborah Roubidoux and Kayla Emmons to be the sole Executor of this Will. If Deborah Roubidoux and Kayla Emmons should both predecease me, or if both should refuse or be unable to act or continue to act as my Executors, then I appoint Aaron Emmons of Lincoln, Alabama to be the sole Executor of this Will in the place of Deborah Roubidoux and Kayla



Emmons.

7. No bond or other security of any kind will be required of any Executor appointed in this Will.

Powers of My Executor

8. I give and appoint to my Executor the following duties and powers with respect to my estate:
- a. To pay my legally enforceable debts, funeral expenses and all expenses in connection with the administration of my estate and the trusts created by my Will as soon as convenient after my death. If any of the real property devised in my Will remains subject to a mortgage at the time of my death, then I direct that the devisee taking that mortgaged property will take the property subject to that mortgage and that the devisee will not be entitled to have the mortgage paid out or resolved from the remaining assets of the residue of my estate;
 - b. To take all legal actions to have the probate of my Will completed as quickly and simply as possible, and as free as possible from any court supervision, under the laws of the State of Alabama;
 - c. To retain, exchange, insure, repair, improve, sell or dispose of any and all personal property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;
 - d. To invest, manage, lease, rent, exchange, mortgage, sell, dispose of or give options without being limited as to term and to insure, repair, improve, or add to or otherwise deal with any and all real property belonging to my estate as my Executor deems advisable without liability for loss or depreciation;
 - e. To purchase, maintain, convert and liquidate investments or securities, and to vote stock, or exercise any option concerning any investments or securities without liability for loss;
 - f. To open or close bank accounts;
 - g. To maintain, continue, dissolve, change or sell any business which is part of my estate, or to purchase any business if deemed necessary or beneficial to my estate by my Executor;

accordance with the terms of this Will, to receive the whole of his or her share of my estate, but such child has a child or children which survive me, that child of mine shall be deemed to have survived me for the purposes of this division and the share of that child of mine or the amount remaining thereof shall be distributed according to the provisions hereinafter provided.

13. If any child of mine shall die before becoming entitled in accordance with the terms of this Will, to receive the whole of his or her share of my estate, I direct that such share or the amount remaining of that share will be divided and transferred in equal shares to each of the surviving children of that deceased child of mine. And if any of such children of my deceased child dies before receiving the whole of his or her share of my estate, that share or the amount remaining thereof will be divided in equal shares amongst the surviving children of that child of mine. But if that deceased child of mine leaves no surviving children, then that share or the amount remaining of that share will be divided amongst my surviving children in equal shares.

Wipeout Provision

14. Should my Spouse predecease me, or fail to survive me for thirty (30) full days and should I leave no children, child, grandchildren or grandchild surviving me, or should they all die before becoming entitled to receive the whole of their share of my estate, then I direct my Executor to divide any remaining residue of my estate into one hundred (100) equal shares and to pay and transfer such shares as follows:
- a. 50 shares to be divided equally between my parents and siblings, or the survivors thereof, for their own use absolutely, if all or any of them is then alive. If any of these beneficiaries shall die before becoming entitled, in accordance with the terms of this Will, to receive the whole of his or her share of my estate, but such beneficiary has a child or children which survive me, that beneficiary shall be deemed to have survived me for the purposes of this distribution. Provided however, that if all of my parents and siblings shall predecease me and have no children surviving them, or surviving me, die before receiving their share of my estate, I direct that their share of my estate or the amount remaining of that share will be divided equally between my Spouse's parents and siblings for their own use absolutely, if all or any of them is then alive; and
 - b. 50 shares to be divided equally between my Spouse's parents and siblings, or the survivors thereof, for their own use absolutely, if all or any of them is then alive. If any of these beneficiaries shall die before becoming entitled, in accordance with the terms of this Will, to receive the whole of his or her share of my estate, but such beneficiary has a child or children which survive me, that beneficiary shall be deemed to have survived me for the purposes of this distribution. Provided however, that if all of my Spouse's parents and

siblings shall predecease me and have no children surviving them, or surviving me, die before receiving their share of my estate, I direct that their share of my estate or the amount remaining of that share will be divided equally between my parents and siblings for their own use absolutely, if all or any of them is then alive.

TESTAMENTARY TRUST

Testamentary Trust For Minor Beneficiaries

15. It is my intent to create a testamentary trust (the "Testamentary Trust") for each minor beneficiary named in this Will. I name my Executor(s) as trustee (the "Trustee") of any and all Testamentary Trusts required in this Will. Any assets bequeathed, transferred, or gifted to a minor beneficiary named in this Will are to be held in a separate trust by the Trustee until that minor beneficiary reaches the designated age. Any property left by me to any minor beneficiary in this Will shall be given to my Executor(s) to be managed until that minor beneficiary reaches the age of majority.

Trust Administration

16. The Trustee shall manage the Testamentary Trust as follows:
- a. The assets and property will be managed for the benefit of the minor until the minor reaches the age set by me for final distribution;
 - b. Upon the minor reaching the age set by me for final distribution, all property and assets remaining in the trust will be transferred to the minor beneficiary as quickly as possible; and
 - c. Until the minor beneficiary reaches the age set by me for final distribution, my Trustee will keep the assets of the trust invested and pay the whole or such part of the net income derived therefrom and any amount or amounts out of the capital that my Trustee may deem advisable to or for the support, health, maintenance, education, or benefit of that minor beneficiary.
17. The Trustee may, in the Trustee's discretion, invest and reinvest trust funds in any kind of real or personal property and any kind of investment, provided that the Trustee acts with the care, skill, prudence and diligence, considering all financial and economic considerations, that a prudent person acting in a similar capacity and familiar with such matters would use.

18. No bond or other security of any kind will be required of any Trustee appointed in this Will.

Trust Termination

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

General Trust Provisions

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

(1) Powers of Trustee

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

- a. The power to make such expenditures as are necessary to carry out the purpose of the trust;
- b. Subject to my express direction to the contrary, the power to sell, call in and convert into money any trust property, including real property, that my Trustee in his or her discretion deems advisable;
- c. Subject to my express direction to the contrary, the power to mortgage trust property where my Trustee considers it advisable to do so;
- d. Subject to my express direction to the contrary, the power to borrow money where my Trustee considers it advisable to do so;
- e. Subject to my express direction to the contrary, the power to lend money to the trust beneficiary if my Trustee considers it is in the best interest of the beneficiary to do so;

- f. To make expenditures for the purpose of repairing, improving and rebuilding any property;
- g. To exercise all rights and options of an owner of any securities held in trust;
- h. To lease trust property, including real estate, without being limited as to term;
- i. To make investments he or she considers advisable, without being limited to those investments authorized by law for trustees;
- j. To receive additional property from any source and in any form of ownership;
- k. Instead of acting personally, to employ and pay any other person or persons, including a body corporate, to transact any business or to do any act of any nature in relation to a trust created under my Will including the receipt and payment of money, without being liable for any loss incurred. And I authorize my Trustee to appoint from time to time upon such terms as he or she may think fit any person or persons, including a body corporate, for the purpose of exercising any powers herein expressly or impliedly given to my Trustee with respect to any property belonging to the trust;
- l. Without the consent of any persons interested in trusts established hereunder, to compromise, settle or waive any claim or claims at any time due to or by the trust in such manner and to such extent as my Trustee considers to be in the best interest of the trust beneficiary, and to make an agreement with any other person, persons or corporation in respect thereof, which shall be binding upon such beneficiary;
- m. To make or not make any election, determination, designation or allocation required or permitted to be made by my Trustee (either alone or jointly with others) under any of the provisions of any local, state, federal, or other taxing statute, in such manner as my Trustee, in his or her absolute discretion, deems advisable, and each such election, determination, designation or allocation when so made shall be final and binding upon all persons concerned;
- n. To pay himself or herself a reasonable compensation out of the trust assets; and
- o. To employ and rely on the advice given by any attorney, accountant, investment advisor, or other agent to assist the Trustee in the administration of this trust and to compensate

them from the trust assets.

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

(2) Other Provisions

- a. Subject to the terms of this Will, I direct that my Trustee will not be liable for any loss to my estate or to any beneficiary resulting from the exercise by him or her in good faith of any discretion given him or her in this Will;
- b. Any trust created in this Will shall be administered as independently of court supervision as possible under the laws of the State having jurisdiction over the trust; and
- c. If any trust condition is held invalid, it will not affect other provisions that can be given effect without the invalid provision.

GENERAL PROVISIONS

Individuals Omitted From Bequests

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

Insufficient Estate

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

No Contest Provision

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

Severability

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

IN WITNESS WHEREOF, I have signed my name on this the 30th day of May, 2023, at Homewood, Alabama, declaring and publishing this instrument as my Last Will, in the presence of the undersigned witnesses, who witnessed and subscribed this Last Will at my request, and in my presence.

Michael Roubidoux
Michael Roubidoux (Testator) Signature

SIGNED AND DECLARED by Michael Roubidoux on the 30th day of May, 2023 to be the Testator's Last Will, in our presence, at Homewood, Alabama, who at the Testator's request and in the presence of the Testator and of each other, all being present at the same time, have signed our names as witnesses.

Dana Kinzer
Witness #1 Signature

Dana Kinzer
Witness #1 Name (Please Print)

1069 Ivy Place
Witness #1 Street Address

Moody AL 35004
Witness #1 City/State

Harold E. Emmons
Witness #2 Signature

Harold Emmons
Witness #2 Name (Please Print)

50 Woods Ferry Rd
Witness #2 Street Address

Lincoln AL 35096
Witness #2 City/State

AFFIDAVIT

I, Michael Roubidoux, the Testator, sign my name to this instrument this 30th day of May 20 23, 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 (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes expressed in the Last Will, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Michael Roubidoux
Testator

We, Dana Kinzer and AARON EMMONS, 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 the Testator's Last Will and that the Testator signs it willingly (or willingly directs another to sign for the Testator), and that each of us, in the presence and hearing of the Testator, hereby signs this Last 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.

[Signature]
Witness #1

[Signature]
Witness #2

STATE OF ALABAMA

COUNTY OF Jefferson

Subscribed, sworn to and acknowledged before me by Michael Roubidoux, the Testator, and subscribed and sworn to before me by DANA KINZER and AARON EMMONS, witnesses, this 30th day of May, 20 23.

(Seal)

(Signed)

Ausan RogersNotary at Large

(Official capacity of officer)

IN THE MATTER OF
THE ESTATE OF
MICHAEL ROUBIDOUX,
Deceased.

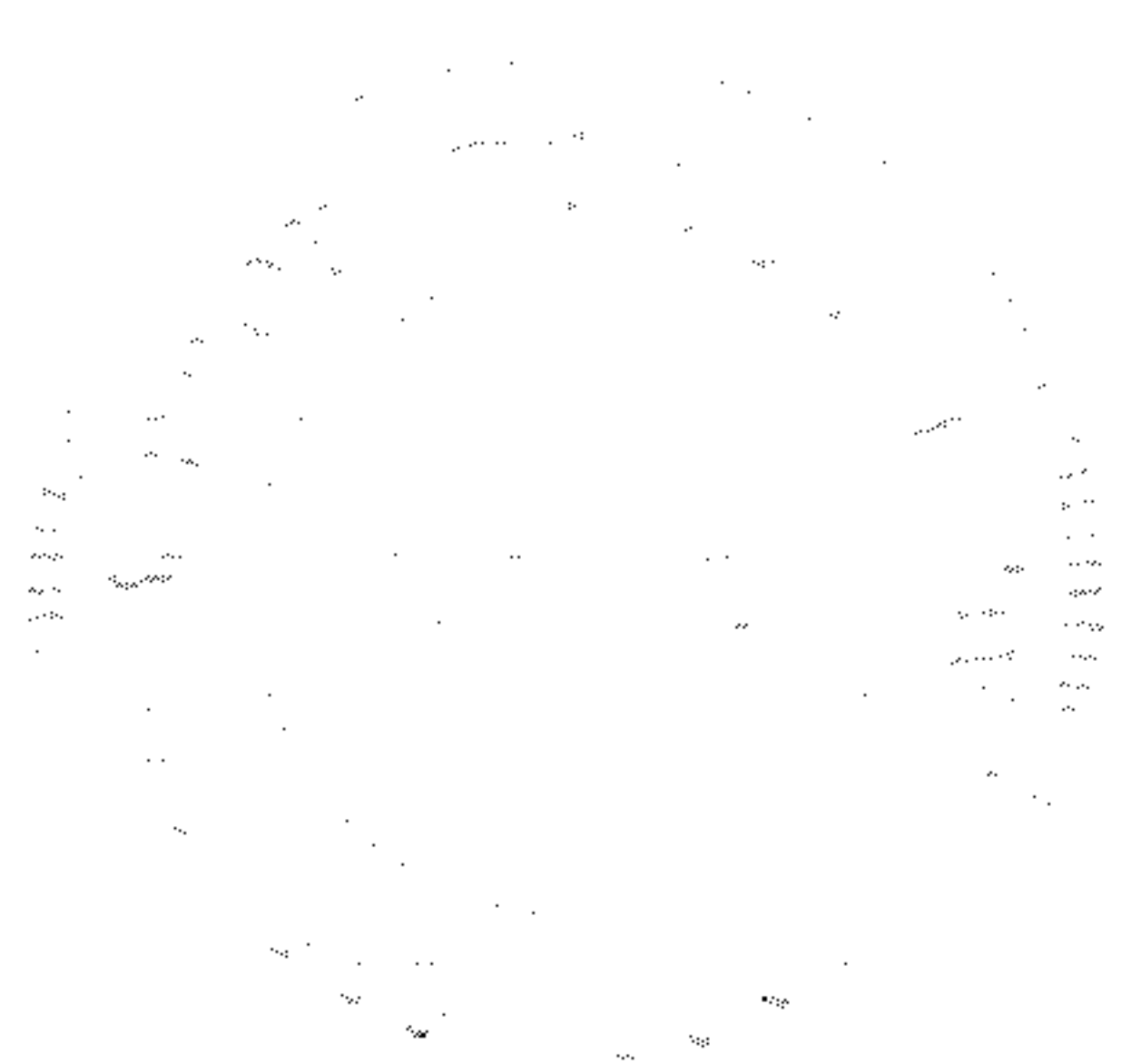
IN THE PROBATE COURT OF
TALLADEGA COUNTY, ALABAMA,
CASE NO.: PC-2023- 334

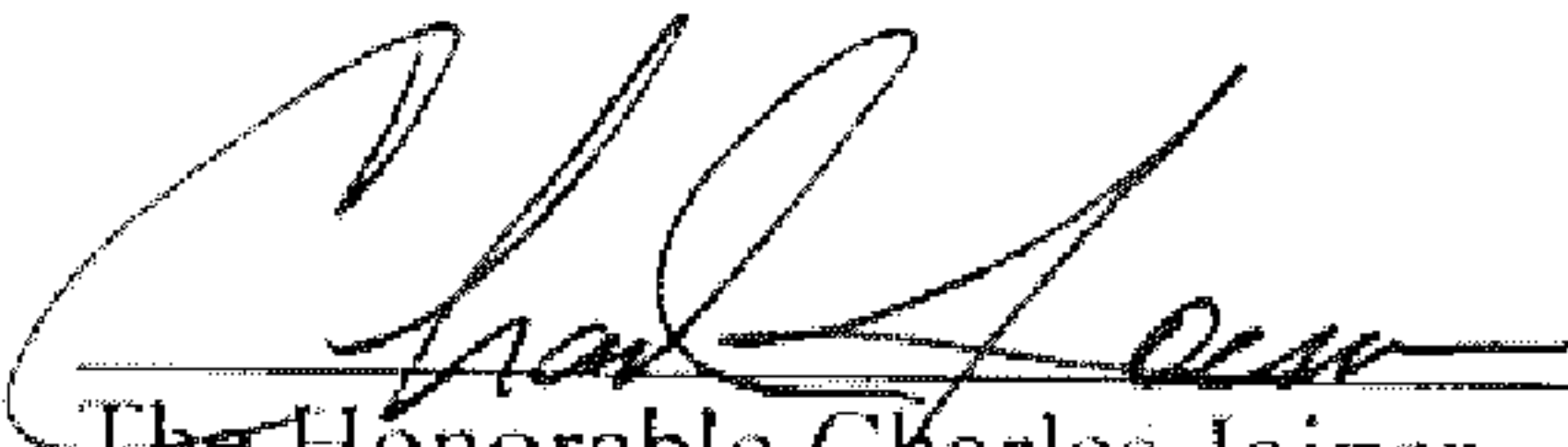
ORDER GRANTING LETTERS TESTAMENTARY

This day comes Kayla Roubidoux Emmons, by and through her attorney, and presents to the Court her application in writing, under oath, praying that Letters Testamentary may issue to her as Personal Representative of the Last Will and Testament of Michael Roubidoux, and that in the Will, heretofore filed and admitted to probate by this Court, that she is named Personal Representative therein. And it now further appearing to the Court, from the allegations contained in said application and from other good and sufficient evidence, that the said Will exempts the Personal Representative from posting bond, and that the said Petitioner is of the full age of nineteen (19) years, and is a fit person under the law and in estimation of the Court to serve as Personal Representative. It is therefore:

ORDERED, ADJUDGED AND DECREED that Letters Testamentary be issued to Kayla Roubidoux Emmons, as Personal Representative of the Estate of Michael Roubidoux, without bond, accounting or inventory, pursuant to the Last Will and Testament of Michael Roubidoux, executed May 30, 2023, being admitted to probate this date.

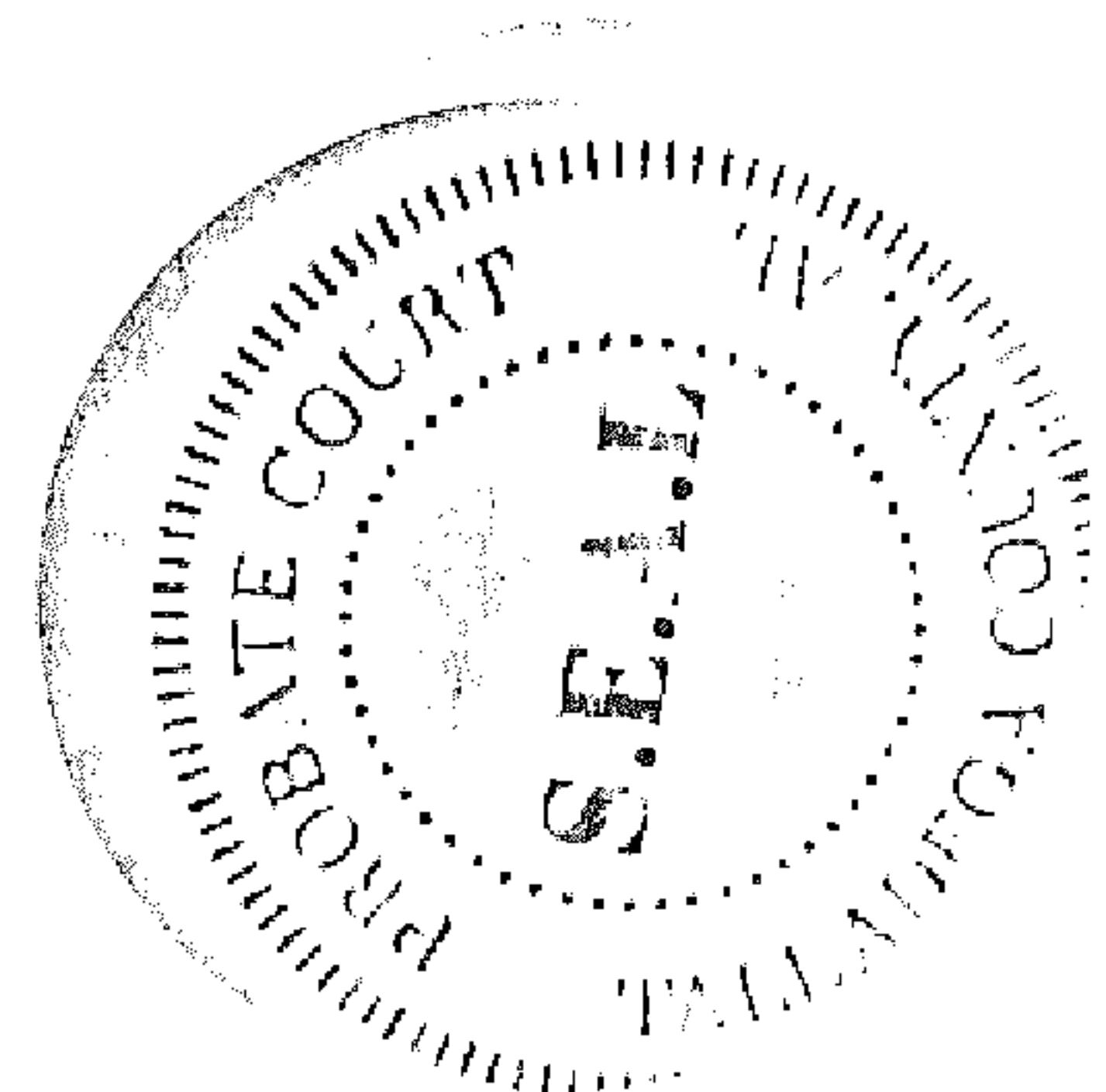
Done this the 22nd day of December, 2023.




The Honorable Charles Joiner
Judge of Probate in and for
Talladega County, Alabama

TRUE COPY

Judge of Probate



TALLADEGA COUNTY
 CHAD JOINER
 1/8/2024 10 01 23 AM - 1
 Case 2023-334
 PROBATE Book 445 Page 347

IN THE MATTER OF
 THE ESTATE OF
 MICHAEL ROUBIDOUX,
 Deceased.

)
)
)
)
)
)

IN THE PROBATE COURT OF
 TALLADEGA COUNTY, ALABAMA,
 CASE NO.: PC-2023- 334

LETTERS TESTAMENTARY

KNOW ALL MEN that Letters Testamentary on the Estate of Michael Roubidoux, Deceased, are hereby granted to Kayla Roubidoux Emmons, who is duly qualified as Personal Representative, and that she is authorized to administer such estate.

Done this the 22nd day of December, 2023.

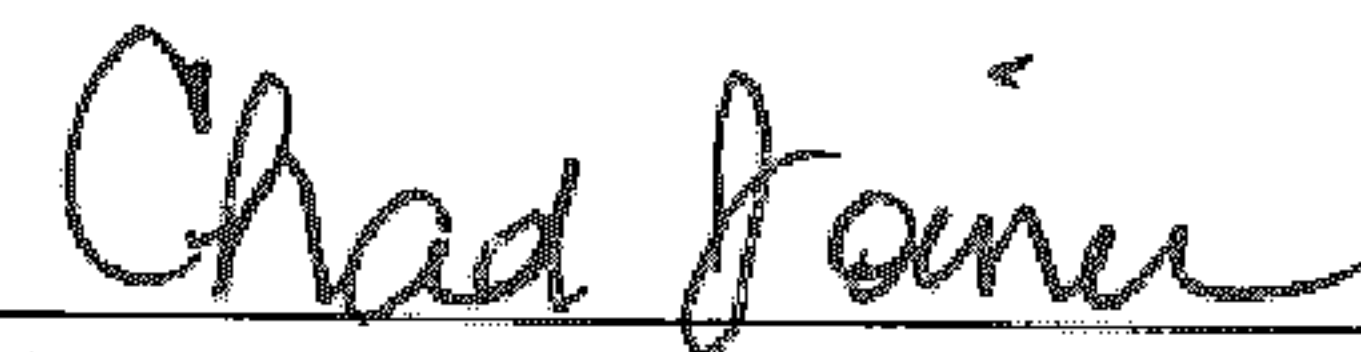

 CHARLES JOINER
 Judge of Probate in and for
 Talladega County, Alabama

CERTIFICATION

STATE OF ALABAMA)
)
 COUNTY OF TALLADEGA)

I, Charles Joiner, Judge of Probate of Talladega County, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Letters Testamentary granted to Kayla Roubidoux Emmons, as Personal Representative of the Estate of Michael Roubidoux, deceased, as the same appears of record in my office.

Given under my hand and the seal of the Court on this 22nd day of January, 2025 CJ
2023.


 CHARLES JOINER
 Judge of Probate in and for
 Talladega County, Alabama



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 02/10/2025 01:02:41 PM
 \$64.00 BRITTANI
 20250210000039710

Allen S. Bayl

