

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF)

)

MARY KAY KELLEY,)

Deceased.)

CASE NO. PR-2025-002543

ORDER

This matter came before the Court on October 27, 2025 on the Motion For Private Sale of Real Property For Division And Distribution and on the Affidavit of Witness To Mary Kay Kelley’s Last Will and Testament Dated July 31, 2024. Notice was given as required by law and as Ordered by this Court on September 24, 2025. Present in open court for the hearing were: Susan Scott Nowak, along with J. Britton Funderburk, Esq. and Mark W. Macoy, Esq., her attorneys of record; Cynthia Stanfield, who appeared pro se; and Kasey M. Carter, Esq., guardian ad litem appointed by the Court to represent the interests of Olivia Tucker and Sloane Tucker, minor heirs. The case was called and the Court proceeded to consider the evidence properly admitted and the arguments of counsel and parties. Based on the foregoing it is hereby **ORDERED, ADJUDGED** and **DECREED** as follows:

1. Evidence having now been submitted to prove the document previously filed with this Court to be the Last Will and Testament of the decedent, the same is due to be and shall be admitted to probate by separate order.
2. The Last Will and Testament names Cynthia Stanfield (“Ms. Stanfield”) as personal representative.
3. Letters of Administration were issued to Susan Scott Nowak (“Ms. Nowak”) on July 11, 2025. It appears she has undertaken to gather and protect the assets of the estate and has filed an Inventory identifying estate assets. She has not disposed of any estate assets, but has utilized both her own funds and estate funds to administer the estate and to provide for maintenance and upkeep of the Decedent’s real and personal property.
4. Ms. Stanfield expressed her consent to Ms. Nowak continuing to serve as Personal Representative with the Will Annexed, given that she resides out of state and that she and Ms. Nowak have been working together in addressing estate matters.
5. The Court having considered the Petition For Private Sale of Real Property, and being satisfied that the property is being sold for an amount not disproportionate to its fair market value and

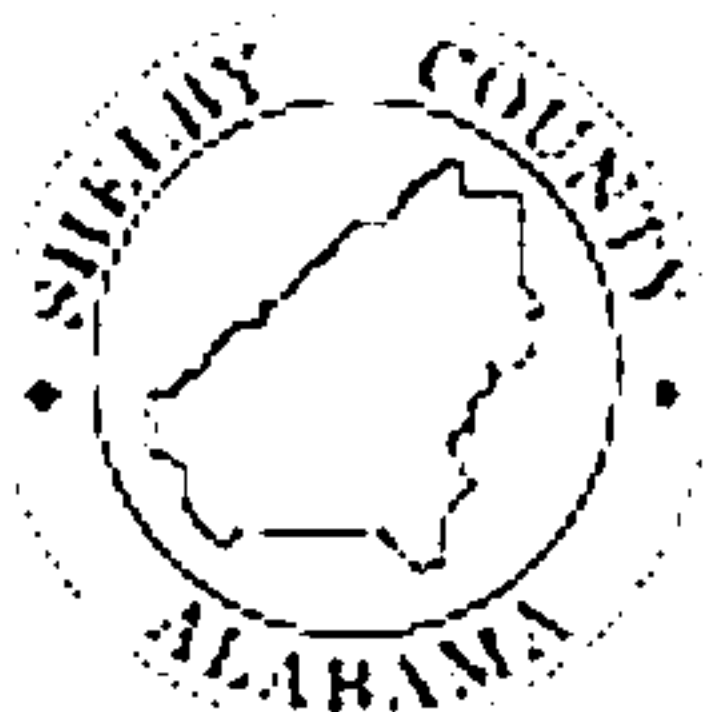
to parties bearing no relation or common interest with the Personal Representative, the Petition for Private Sale is due to be and hereby is **GRANTED**.

6. The Personal Representative is authorized to execute any and all documents necessary for the execution and completion of said sale of decedent's real property located at 2834 Altadena South Way, Birmingham, Alabama 35244; Lot 13 in Block 1, according to Awtrey and Scott Addition to Altadena South as recorded in Map Book 5, page 121, in the Probate Office of Shelby County, Alabama, and amended by Map Book 5, page 123, in said Probate Office being situated in Shelby County, Alabama.
7. The proceeds from said sale of real property shall be paid by the Purchaser and/or Closing Attorney to the Probate Court of Shelby County, Alabama.
8. Any outstanding mortgage, lien or encumbrance against the property is to be satisfied at closing and the funds
9. The Petitioner shall report the completion of said sale within thirty (30) days of the closing.
10. Court costs are taxed against the estate of Mary Kay Kelley.

DONE and ORDERED on this the 28th day of October, 2025.


Allison S. Boyd
Judge of Probate

cc: J. BRITTON FUNDERBURK, ESQ.
MARK W. MACOY, ESQ.
SAMUEL T. SESSIONS, ESQ.
VIRGINIA LUNSFORD STANFIELD
CYNTHIA STANFIELD
JASON EVERETT KERR
REBEKAH DEANN KERR
OLIVIA TUCKER
SLOANE TUCKER
ETHAN KELLER
UNITED METHODIST CHURCH C/O
LIBERTY MUTUAL INSURANCE CO C/O RIA BONDS, INC.
PNC BANK N.A.



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Judge of Probate, Shelby County Alabama, County
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