
LETTERS TESTAMENTARY

IN THE MATTER OF THE ESTATE OF: **IN THE PROBATE COURT OF**
JEFFERSON COUNTY, ALABAMA

PHYLLIS BROOKS SEALE,
Deceased

CASE NO. 25BHM02484

LETTERS TESTAMENTARY

The Will of the above-named deceased having been duly admitted to record in said county, **Letters Testamentary** are hereby granted to **JOHN LAWRENCE SEALE** 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 19TH day of November, 2025.

(SEAL)


YASHIBA BLANCHARD

Judge of Probate

I, Yashiba Blanchard, 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, 19th day of November, 2025.

Judge of Probate

IN THE MATTER OF THE ESTATE OF) IN THE PROBATE COURT
PHYLLIS BROOKS SEALE,) OF JEFFERSON COUNTY, ALABAMA
DECEASED.) CASE NO. 25BHM02484

**PETITION FOR LETTERS TESTAMENTARY
WITHOUT BOND**

Comes the petitioner, John Lawrence Seale, and shows this Court the following facts:

1. In the last will and testament of Phyllis Brooks Seale, deceased (the "decedent"), which will has been or shall be duly probated and admitted to record in this Court, the petitioner is named as personal representative thereof.

2. The petitioner is an inhabitant of the State of Alabama, above the age of nineteen (19) years, and is not disqualified under the law from serving as such personal representative. Under the terms of the decedent's will, her personal representative is exempted from giving bond as such personal representative.

3. The decedent died seized and possessed of certain personal property, the value of which is estimated, in the aggregate, to be approximately \$20,000.00. The decedent owned real property.

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 petitioner prays that the Probate Judge of this Court will grant letters testamentary to the petitioner without entering into bond, as is provided by the terms of said Will and authorized by Ala. Code §43-2-81. This Petition does not require verification under the applicable statutes.

John Seale
Signature of Petitioner

John Seale
(Name of Petitioner)

Jennifer Tombrello Cohn
Jennifer Tombrello Cohn
TOMBRELLO LAW FIRM
2169 Clearbrook Road
Hoover, AL 35226
(205) 968-1991
Jennifertombrello@hotmail.com

FILED IN OFFICE THIS 19th DAY OF
Nov, 2025, PRAYER
GRANTED AND PETITION ORDERED RECORDED
John R. ...
JUDGE OF PROBATE

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LAST WILL AND TESTAMENT
OF
PHYLLIS B. SEALE

FILED IN OFFICE THIS THE
19 DAY OF NOV, 2025
FOR PROBATE AND RECORD.

[Signature]
JUDGE OF PROBATE

I, **PHYLLIS B. SEALE**, a resident of Jefferson County, State of Alabama, being of sound mind and disposing memory, do make, publish and declare this instrument as and for my Last Will and Testament, hereby revoking any and all other wills and codicils heretofore made by me.

ARTICLE I
MEMBERS OF MY FAMILY

At the time of execution of this Will, I am unmarried, my beloved husband, **BEDFORD FORREST SEALE, JR.**, having died in 2010. Provisions regarding children of mine refer to my son, **JOHN LAWRENCE SEALE**, and my stepsons, **WILLIAM BRADFORD SEALE, BEDFORD GRANTLAND SEALE** and **MARSHALL LANCING SEALE**. My stepsons shall hereafter also be referred to as my sons. Any adopted person and his or her descendants shall be considered descendants of the adoptive parents and of the ancestors of such adoptive parents, for all purposes hereunder, regardless of whether such adoption occurs before or after the execution of this Will, provided that such adoption occurs prior to the adopted person attaining twenty-one years of age.

ARTICLE II
EXECUTOR AND TRUSTEE

I appoint **JOHN LAWRENCE SEALE** as Executor hereunder. If he should resign or for any reason fail or cease to serve as Executor, then I appoint **MARSHALL LANCING SEALE** as successor Executor. My Executor may sometimes be referred to as my Personal Representative.

I appoint **JOHN LAWRENCE SEALE, BEDFORD GRANTLAND SEALE**, and **MARSHALL LANCING SEALE** as Co-Trustees hereunder. If any

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of them should resign or for any reason fail or cease to serve as Co-Trustee, then I appoint those remaining as successor Co-Trustees or sole successor Trustee.

Pursuant to Alabama Code Section 19-3B-703, at any time that all three of them are serving as Co-Trustees, any action taken by them shall be taken by two of them if all three of them cannot agree. At any time only two are serving as Co-Trustee, any action taken by them shall be taken by them unanimously.

**ARTICLE III
PAYMENT OF DEBTS**

I direct that my debts, including the expenses of my last illness, my funeral and a suitable marker, shall first be paid out of my estate as soon as practicable after my death.

**ARTICLE IV
PERSONAL EFFECTS**

I give the Brooks family cut glass collection and my jewelry to my son, JOHN LAWRENCE SEALE. I give the rest of my personal effects, including wearing apparel, books, pictures, art objects, hobby equipment, collections, automobiles, and all other objects of my personal use, including household furnishings, together with any insurance thereon, all club memberships and stadium certificates, to my four sons in equal shares, keeping in mind their personal preferences and any applicable restrictions related to resources for persons receiving needs-based benefits. I may leave a memorandum containing suggestions for distribution of certain items bequeathed under this Article, but such memorandum shall not affect the absolute nature of this bequest. My Executor shall have full power and authority to determine what items are included in the foregoing descriptions. The costs of safeguarding, insuring, packing and storing any of my tangible personal property until its delivery to the residence of my beneficiaries shall be administration expenses of my estate.

**ARTICLE V
SPECIFIC BEQUESTS RELATED TO EQUALIZATION**

In the past I have assisted my sons with purchasing their homes by loaning funds to them and in some cases, holding the mortgage. Some of these amounts have been repaid. To the extent such loans are not repaid as of my death, I instruct my

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Executor to cancel each respective debt and consider it as an advancement of that son's share of the residue. It is my intent that all four sons be treated equally in terms of what they ultimately receive from me, and therefore, such amounts are to be considered as advancements, or early distributions, which will reduce their respective portions at my death. Accordingly, my Executor is directed as follows:

(a) *Apportionment.* My Executor shall

(1) compare the total value of loans made to each son;

(2) subtract from the largest loan amount in subparagraph(1) above, the amounts received by my other sons, and the difference shall be each respective son's amount;

(b) *Outcome.* Accordingly, based on status as of the date of this Will, the following amounts are now owed to me:

John Lawrence Seale	\$175,000.00
Marshall Lancing Seale	\$127,000.00
Bedford Grantland Seale	\$ 82,700.00

If I should make no additional loans after execution of this Will, then my Executor is directed to make the following specific gifts:

John Lawrence Seale	0
Marshall Lancing Seale	\$ 48,000.00
Bedford Grantland Seale	\$ 82,500.00
Testamentary Trust for Brad	\$175,000.00

(c) *Gift for Deceased Child.* If a son of mine who would otherwise receive a gift under this Article predeceases me, leaving descendants, then I give the amount to which the deceased child would have been entitled, to his descendants, per stirpes, pursuant to the provisions of Article VIII, which pertains to Contingent Trusts for Persons Under Twenty-One Years of Age.

(d) *Intention.* For purposes of this Article, I intend for any gift of \$1500.00 or more to a son of mine (excluding birthdays, Christmas and assistance with medical expenses) to be treated as an advancement in anticipation of the respective child's share. I also intend for my Executor to take into account additional payments made to me by any of my sons, which would change the calculations in Paragraphs (b) and (c) and affect the distributions to be made.

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**ARTICLE VI
DIVISION OF RESIDUARY ESTATE**

The rest of my property, of whatever kind and character and wherever situated, (the "residue") shall be divided into so many equal shares that there will be one share for each son then living, and one share for each deceased son with descendants then living. The share for each deceased child shall be further divided into parts for his then living descendants, *per stirpes*.

**ARTICLE VII
GIFT OF SHARES**

I give the foregoing shares as follows:

(a) *Brad's Share.* I give any share allocated for my son, **WILLIAM BRADFORD SEALE**, to the Trustee of the Seale Testamentary Trust, to be administered for his benefit pursuant to the provisions of Article VIII hereunder.

(b) *Lance's Share.* I give any share allocated for my son, **MARSHALL LANCING SEALE**, to him outright and free of trust.

(c) *Grant's Share.* I give any share allocated for my son, **BEDFORD GRANTLAND SEALE**, to him outright and free of trust.

(d) *John's Share.* I give any share allocated for my son, **JOHN LAWRENCE SEALE**, to him outright and free of trust.

(e) *Shares for Other Descendants.* I give any share allocated for a descendant of a deceased child to such descendant, subject to the provisions of Article IX, which concerns Contingent Trusts for Persons Under Twenty-One Years of Age.

**ARTICLE VIII
SEALE TESTAMENTARY TRUST**

My son, Brad, has a health condition that is expected to continue indefinitely. He may qualify for public benefits because of his condition, if he has not already qualified by the time of my death. I desire that property allocated to the Trust

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described herein be used to provide for Brad's special needs which are not, in the Trustee's sole and absolute discretion, being provided sufficiently by any public agency, office or department of the State of Alabama, or of any other state, or of the United States or by any private agency or any insurance carrier with insurance policies covering Brad. For purposes of determining Brad's eligibility for any such public benefits, no part of the principal or income of the Trust shall be considered available to Brad. The purpose of this Trust is to supplement, not replace, any benefits for which Brad might be eligible.

(a) *Discretionary Distribution.* The Trustee shall hold the property allocated for Brad, in trust, for his benefit during his lifetime. During the continuance of the Trust, the Trustee in the Trustee's sole and absolute discretion shall use for the benefit of Brad as much of the net income as the Trustee deems appropriate to meet his special needs. Any income not so distributed shall be added to principal. If, in the Trustee's sole and absolute discretion, the income is insufficient, the Trustee shall also pay for the benefit of Brad as much of the principal as the Trustee considers appropriate to meet Brad's special needs. The Trustee may make payments directly to any organization or person supplying goods or services for Brad. The Trustee may also use trust assets to purchase a prepaid funeral and burial for Brad. Brad has no authority to demand any distribution from this Trust.

(b) *"Special Needs"*. As used herein "special needs" refers to the requirements for Brad's well being, comfort and happiness which are not being provided by any local, state or federal public agency, office or department or by any private agency. "Special needs" may include but is not limited to the following: private health insurance premiums; payments for surety bonds as required by court; vision and audiological care; prosthetic and orthotic devices; mobility aids; dental expenses; medication and needed supplies such as skin care products and extra diapers not otherwise provided; medical procedures that are desirable in the Trustee's opinion as appropriate care even though such procedures are not life saving procedures; transportation (including vehicle purchase, insurance and maintenance); customized furniture and furnishings; professional therapy to aid Brad's development including occupational, speech, language and communication, physical, psychological, audiological, recreational, emotional and the related cost of training care givers to maximize benefits to Brad; appropriate technological equipment to enhance his quality of life or assist in physical or mental development, including computers, radios, video games, television, audio and video recording equipment and augmented communication devices; cable and telephone service; generators and batteries to assure continued operation of medical equipment in the event of power outages; admission to athletic events, movies, concerts and similar entertainment,

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vacations and other outings; payments for a companion; programs that provide training, education, treatment and rehabilitation, activities outside of Brad's residence to assist in his development with reasonable expenses for attendant(s) to accompany him; supplemental nursing care as required, including nurses, nurse aides and sitters, reasonable compensation to care givers needed for additional assistance; supplemental payment for private rooms in institutional settings; and the like, to enhance Brad's situation.

(c) **Other Sources Considered.** In making any distribution on behalf of Brad, the Trustee may make expenditures so that Brad's standard of living will be comfortable and enjoyable. When determining whether to make discretionary distributions from the Trust, the Trustee shall take into consideration the applicable resource and income limitations of any public assistance programs for which Brad is eligible. The Trustee shall consider any other income or resources known to the Trustee and reasonably available to Brad. The Trustee may purchase as Trust assets real or personal properties that qualify as exempt resources under applicable government programs. Moreover, the Trustee may make distributions for Brad's needs for food, clothing, shelter or health care even if such distributions may result in impairment or diminution of Brad's eligibility for government benefits but only if the Trustee determines that (i) Brad's needs will be better met if such distribution is made and (ii) it is in his best interest to suffer the consequent effect, if any, on his eligibility for government benefits. The Trustee shall not be obligated or compelled to make such payments, and provided that all such actions taken by the Trustee are taken in good faith, the Trustee shall not be liable for any loss of benefits incurred by Brad.

(d) **No Commingling.** No public assistance benefits for Brad shall be added to this Trust.

(e) **Forced Termination.** In the event that any government body or agency shall try to seize trust assets for reimbursement of services or shall try to have any assets of the Trust released for payment of items or services which would otherwise be provided by such agency, the Trustee is authorized in the Trustee's discretion to oppose or deny such actions and to (1) take whatever administrative or judicial steps may be necessary to continue Brad's eligibility for such benefits, including obtaining instructions from a court of competent jurisdiction ruling that the Trust is not available to Brad for eligibility purposes, and any expenses of the Trustee in this regard, including reasonable attorneys' fees, and advisory fees from experts on persons with special needs, shall be a proper charge to the trust estate; (2) terminate the Trust and distribute the Trust assets as if Brad had died, pursuant to paragraph (i) of this Article.

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(f) **Changes in Law.** The Trustee in the Trustee's discretion is authorized to terminate the Trust on account of any changes in law which would give any government body or agency the right to Trust assets. Upon such termination, the Trustee shall distribute Trust assets as if Brad had died, pursuant to paragraph (i) of this Article.

(g) **Irrevocability.** This Trust is irrevocable. Brad may not revoke or amend this Trust. However, the Trustee shall have the power, acting alone, to amend the Trust in any manner required in order for the Trust to comply with Federal or state laws related to eligibility for Medicaid, SSI or other public benefits.

(h) **Income Taxes.** The Trustee shall pay any income tax liability of Brad which is the result of income received by the Trust but properly reported on Brad's income tax returns. The funds used to pay such income tax liability shall be paid directly to the appropriate tax authority and shall not be available to Brad. Brad shall have no right to or interest in such funds paid by the Trustee because such funds are not a resource of Brad and should not be treated as a distribution of income for purposes of Medicaid or SSI qualification.

(i) **Termination.** The Trustee's authorization to terminate this Trust pursuant to Ala. Code Section 19-3B-414, as amended, shall not apply to this Trust. Upon the death of Brad, the Trust shall terminate, unless it has already been depleted, and the Trustee may pay the expenses of Brad's last illness and his burial arrangements, if in the sole discretion of the Trustee other satisfactory provisions have not been made for the payment of such expenses. The Trustee shall divide any remaining corpus and income into so many equal shares that there shall be one share for each child of mine who is then living and one share for each child of mine who is not then living but has descendants who survived him. Any share with respect to a deceased child shall be divided into shares for that child's descendants, per stirpes.

(j) **Lance's Share.** The Trustee shall distribute any share for my son, **MARSHALL LANCING SEALE**, to him outright and free of trust.

(k) **Grant's Share.** The Trustee shall distribute any share for my son, **BEDFORD GRANTLAND SEALE**, to him outright and free of trust.

(l) **John's Share.** The Trustee shall distribute any share for my son, **JOHN LAWRENCE SEALE**, to him outright and free of trust.

(m) **Shares for Other Descendants.** The Trustee shall distribute any share

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for a descendant of a deceased child to such descendant, subject to the provisions of Article IX, which concerns Contingent Trusts for Persons Under Twenty-One Years of Age.

**ARTICLE IX
CONTINGENT TRUSTS FOR PERSONS
UNDER TWENTY-ONE YEARS OF AGE**

If any share of my estate, or of any trust hereunder upon the termination of such trust, becomes distributable by the terms hereof to any person who is under the age of twenty-one years, then though his or her share shall be vested in him or her, the Trustee shall hold or continue to hold the same in trust with all of the powers and authority given to the Trustee with respect to other trust property held hereunder, until he or she attains the age of twenty-one, using and applying for his or her health, maintenance, support and education such part of the income and principal of such share as the Trustee shall deem necessary or desirable for said purposes, accumulating and adding to principal any income not so used. When such person attains the age of twenty-one, the Trustee shall pay said share to him or her free of trust. If such person shall die prior to attaining the age of twenty-one, the Trustee shall pay the share to his or her executor or administrator, and if there is none, to his or her heirs at law.

**ARTICLE X
CONTINGENT DISTRIBUTION**

If, at the time of my death or at the time for distribution of the remainder of any trust created hereunder, any of my property is not otherwise disposed of by the terms of this Will, I give said property to such persons as would be entitled to inherit said property and in such proportions as they would be entitled to inherit the same from me under the laws of Alabama then in force had I died at said time a resident of Alabama, intestate, and owned said property.

**ARTICLE XI
ADDITIONS TO TRUSTS**

Except as provided with respect to the Seale Testamentary Trust in Article VIII(d), additional property of any kind may be added to any trust hereunder, with the consent of the Trustee, by any person or fiduciary, by Will or otherwise, and such property so received by my Trustee shall be merged with and become a part of the

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property held in such trust hereunder, and thereafter shall be administered and disposed of in accordance with the terms of such trust. As a prerequisite to accepting such property, the Trustee may require that the donating party provide satisfactory evidence that (i) the property is not contaminated by any hazardous or toxic substances; and (ii) the property is not being used and has never been used for any activities directly or indirectly involving the generation, use, treatment, storage, disposal, release or discharge of any hazardous or toxic materials or substances.

ARTICLE XII AUTHORITY TO TERMINATE TRUSTS

Except as provided with respect to the Seale Testamentary Trust in Article VIII(i), if at any time during the continuation of any trust hereunder, or if upon the creation of any trust hereunder, the Trustee determines that the creation or continuation of such trust would be economically unsound and termination of the trust would better provide for the support and maintenance of the beneficiaries thereof, then the Trustee is authorized and directed to terminate or fail to establish such trust, as the case may be. I intend to give the Trustee broad discretion to consider factors the Trustee deems appropriate including, but not limited to, the size of the trust and changes in law. The Trustee shall pay the principal thereof to or for the benefit of the beneficiaries who are then or would have been entitled to receive income from such trust, and in the same proportions as they are or would have been entitled to receive such income. The Trustee may make such transfers to the beneficiaries outright and free from trust, to custodians designated by the Trustee for said beneficiaries under a Uniform Transfers to Minors Act or any similar applicable law, or to the trustee of any other trust which contains substantially the same provisions for said beneficiaries as does the terminated trust. No Trustee shall have the power to terminate or fail to establish a trust so long as such Trustee or the person who appointed such Trustee is a beneficiary of such trust. It is my intent that no power granted the Trustee hereunder be a general power of appointment for federal estate tax purposes with regard to any beneficiary or trustee. Any decision by the Trustee to terminate or not to terminate or to fail to establish a trust, or to elect the form of payment, shall be made in the sole and absolute discretion of the Trustee, and the Trustee shall be relieved of all liability therefor.

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ARTICLE XIII
GENERAL PROVISIONS

(a) *Form of Distributions.* Distributions from my estate and the trusts created hereunder and the division of my estate or any such trust into separate shares or trusts shall be made in the sole discretion of my Executor or Trustee, as the case may be, in cash, in kind, or partly in cash and partly in kind, on a pro rata basis or on a non-pro rata basis, including undivided interests in property, without regard to the basis for income tax purposes of any property so distributed or divided in kind. It is my intention that my Executor or Trustee may choose which assets shall be used to fund such distribution or such separate shares or trusts, without being required to fund a distribution, share or trust with a pro rata portion of each asset. Such distributions and divisions and the values therefor established by my Executor or Trustee shall be final and binding on all persons.

(b) *Accrual of Income.* The income of the trusts created at my death shall accrue from the date of my death, and until the trusts are established, I authorize my Executor, in my Executor's absolute discretion, to pay to the respective income beneficiary from my general estate, as advance payments of income, such sum or sums as, in my Executor's sole judgment, are not in excess of the income which such income beneficiaries probably would have been entitled to receive from the trusts had they been established. If any such sum is paid from the principal of my general estate, it shall be a temporary advance to be restored to the principal from income otherwise payable to the beneficiary to whom the advance is made.

(c) *Facility of Payment.* Any payment of income or discretionary payment of principal from any trust to or for any beneficiary may, in the discretion of the Trustee, be made to any person or organization (including the beneficiary, the conservator of the beneficiary, the guardian of the beneficiary, or anyone having custody and care of the beneficiary, or who provides goods or services for him or her), who shall apply such payment for the use and benefit of the beneficiary as provided for hereunder. Such distributions may also be made to a custodian selected by the Trustee for the beneficiary under a Uniform Transfers to Minors Act or similar applicable law.

(d) *Executor's and Trustee's Discretion.* No beneficiary shall have the right to require that any discretionary payment of income or principal be made to the beneficiary, the decision of the Executor or Trustee being final and binding on all persons.

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(e) *Discharge of Liability.* Upon making any payment or transfer hereunder, the Executor and Trustee shall be discharged as to such payment or transfer without liability for the subsequent application thereof, and when the final payment or transfer is made from the principal of any trust, such trust shall terminate and the Trustee shall be fully discharged as to such trust.

ARTICLE XIV PERPETUITIES SAVINGS PROVISION

If the happening of any future event may cause the ultimate vesting of any trust or of any share therein to be extended under the provisions hereof to a time beyond that within which the same is required by law to become vested, then in such event the trust or share therein shall continue only for as long a period of time as is allowed by law, at the end of which period the trust or share shall be vested in and distributed to those persons enjoying the use and benefit of said trust or share therein at the expiration of such period, in the proportion in which they are so enjoying the same, irrespective of their attained ages.

ARTICLE XV SPENDTHRIFT PROTECTION

As to the net income or principal which by any of the provisions hereof may be payable to any beneficiary, such beneficiary shall have no power, either directly or indirectly, to anticipate, charge, mortgage, encumber, assign, pledge, hypothecate, sell or otherwise dispose of same, or of any part thereof, until the same actually shall have been paid in hand to him or her by the Trustee. Nor shall such income or principal of said trust estate, nor any part of, or interest in either of them be liable for or to any extent subject to any debts, claims or obligations of any kind or nature whatsoever, or to any legal process in aid thereof, contracted or incurred by or for any such beneficiary before or after my death.

ARTICLE XVI POWERS OF TRUSTEE

(a) *General Powers.* The Trustee shall hold and manage the said trust or trusts and all shares thereof, with all of the powers and authority the Trustee would have if the Trustee were the absolute owner thereof, including but not limited to the following powers:

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- (1) To collect the income therefrom.
- (2) To compromise, adjust and settle in the Trustee's discretion any claim in favor of or against the trust.
- (3) To hold any property or securities originally received by the Trustee as a part of the trust or to which the Trustee may become entitled by virtue of incorporation, liquidation, reorganization, merger, consolidation or change of charter or name, including any stock or interest in any family corporation, partnership or enterprise, so long as the Trustee shall consider the retention for the best interests of the trust.
- (4) To sell, auction, convey, exchange, lease or rent for a period beyond the possible termination of the trust (or for a shorter period) for improvement or otherwise, or to grant options for or in connection with such purposes, or otherwise dispose of, all or any portion of the trust, in such manner and upon such terms and conditions as the Trustee may approve.
- (5) To invest and reinvest the trust and the proceeds of sale or disposal of any portion thereof, in such loans, bonds, stocks, mortgages, common trust funds, securities, shares of regulated investment companies or trusts, or other property, real or personal, or to purchase options for such purposes, or to exercise options, rights, or warrants, to purchase securities or other property, as to the Trustee may seem suitable.
- (6) To hold, retain or acquire property or securities which in the Trustee's opinion is for the best interests of the trust, without regard to any statutory or constitutional limitation applicable to the investment of trust funds.
- (7) To vote any corporate stock held hereunder in person, or by special, limited or general proxy, with or without power of substitution, or to refrain from voting the same, and to waive notice of any meeting and to give any consent for or with respect thereto.
- (8) To continue or dispose of any business enterprise without liability therefor, whether such enterprise be in the form of a

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sole proprietorship, partnership, corporation or otherwise, and to develop, add capital to, expand or alter the business of such enterprise, to liquidate, incorporate, reorganize, manage or consolidate the same, or change its charter or name, to enter into, continue or extend any voting trust for the duration of or beyond the term of the trust, to appoint directors and employ officers, managers, employees or agents (including any trustee or directors, officers or employees thereof) and to compensate and offer stock options and other employee or fringe benefits to them, and in exercising the powers in relation to such business enterprise, to receive extra or extraordinary compensation therefor.

(9) To subdivide or otherwise develop, and to change the use or purpose of, any real estate constituting a part of the trust into residential, recreational, commercial, cemetery, or other usage, to construct, alter, remodel, repair or raze any building or other improvement located thereon, to release, partition, vacate, abandon, dedicate or adjust the boundaries as to any such property.

(10) To borrow money for such time and upon such terms as the Trustee shall see fit, without security or on mortgage of any real estate or upon pledge of any personal property held hereunder, and to execute mortgages or collateral agreements therefor as necessary.

(11) To advance money to any trust created hereunder for any purpose of the trust, and to repay the money so advanced with reasonable interest thereon from the trust or from any funds belonging thereto.

(12) To hold money in the Trustee's custody while awaiting distribution or investment under the terms hereof, even though such money be commingled with the Trustee's funds (in which case the Trustee shall keep a separate account of the same), and the Trustee shall not be required to pay interest thereon.

(13) To appoint, employ, remove and compensate such attorneys, agents and representatives, individual or corporate, as the Trustee may deem necessary or desirable for the administration of the trust, and to treat as an expense of the trust any compensation so paid.

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(14) To hold property or securities in bearer form, in the name of the Trustee, or in the name of the Trustee's nominee, without disclosing any fiduciary relation.

(15) To keep any property constituting a part of said trust properly insured against hazards, to pay all taxes or assessments, mortgages or other liens now or hereafter resting upon said property, and to create reserves for depreciation, depletion or such other purposes as the Trustee may deem necessary or desirable.

(16) To determine whether any money or property coming into the Trustee's hands shall be treated as a part of the principal of the trust or a part of the income therefrom, and to apportion between principal and income any loss or expenditure in connection with the trust, in keeping with applicable state principal and income laws, and if none apply, then as the Trustee may deem just and equitable.

(17) To (i) conduct environmental assessments to determine compliance with any environmental law or regulation thereunder; (ii) take all appropriate remedial action to contain, clean up or remove any environmental hazard including a spill, release, discharge or contamination; (iii) institute legal proceedings concerning environmental hazards or contest or settle legal proceedings brought by any local, state or federal agency concerned with environmental compliance, or by a private litigant; (iv) comply with any local, state or federal agency order or court order directing an assessment, abatement or cleanup of any environmental hazards; and (v) employ agents, consultants and legal counsel to assist or perform the above undertakings or actions.

(18) To divide any trust hereunder into two or more separate trusts, and to divide any devise, bequest or transfer to any trust hereunder into devises, bequests or transfers to the two or more separate trusts in order that the federal generation skipping transfer tax inclusion ratio for each such trust shall be either zero or one, or in order to avoid or minimize said generation skipping transfer tax, and if such division is made, to select the trust or trusts from which any part or all of any payment of income or principal to any beneficiary thereof shall be made, and to recombine said trusts back into a single trust at any time.

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(19) To hold, as a matter of administrative convenience, any two or more trusts for the same beneficiary or beneficiaries, as a single trust, without physically dividing the same until actual division becomes necessary in order to make distribution, making division thereof only upon books of account by proper entries and allocating to each trust its proportionate part of receipts and expenditures, but such failure to make division shall not change the beneficial interest of any person nor defer the vesting of any estate which would otherwise vest.

(20) To pay any expenses reasonably necessary for the administration of the trust.

(21) To exercise any power hereunder, either acting alone or jointly with others.

(22) To pay the funeral and burial expenses of any beneficiary from the principal of the trust from which income has been payable to such beneficiary.

(23) Without obtaining court approval, to create a trust under the Alabama Family Trust for Brad in lieu of the Seale Testamentary Trust or in addition to the Seale Testamentary Trust, if having a pooled trust would help to meet his needs, in the Trustee's opinion.

(b) *Special Powers Regarding Closely Held Business.* A principal concern of mine is the preservation and continued operation of certain closely held business interests for the long term benefit of my children. Therefore, in addition to the foregoing powers, the Trustee shall have the power, exercisable in the Trustee's discretion and without court order, to purchase or retain any business interest, including, but not limited to shares of stock, partnership interests, or other interests in or indebtedness of any business of which I am or become an owner, even though it may constitute all or a large portion of my estate or any trust thereunder; to comply with the provisions of any agreement restricting transfer of the interest; to participate in the conduct of the related business or rely upon others to do so, and to take or delegate to others discretionary power to take any action with respect to the Trustee's management and affairs which an individual could take as outright owner of the business or business interest, including the voting of stock and the determination of all questions of policy. The Trustee, without regard to duties with respect to diversification of trust assets, even if the same shall constitute my entire

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estate, shall incur no liability for any loss to the trust arising therefrom. This authorization is not intended to be a limitation on any other powers of the Trustee.

ARTICLE XVII
PROVISIONS CONCERNING EXECUTOR AND TRUSTEE

(a) *Bond and Inventory.* I direct that my Executor and Trustee shall not be required to give bond or to file an inventory or appraisal of my estate or of any trust or share thereof in any court, though they shall make out and keep an inventory and shall exhibit the same to any party in interest at any reasonable time, and I direct that they shall be free from the control and supervision of any court. I hereby vest in my Executor the same full powers of management, control and disposition of my estate as are given to the Trustee with respect to the trust or trusts hereunder.

(b) *Ancillary Administration.* If it becomes necessary to have administration of my estate or of any trust or share thereof in any state in which my Executor or Trustee is not qualified to serve, my Executor or Trustee may nominate and appoint any person or organization as ancillary administrator thereof, and may compensate such administrator for said services. Such administrator shall complete the administration and make such disposition of the property so administered as my Executor or Trustee may require, and in doing so shall have the same rights, powers, duties and discretion herein conferred upon my Executor or Trustee.

(c) *Designation of Successor Trustees.* I intend for the persons currently serving as Trustees to be able to determine who will succeed them as Trustees. Accordingly, John, Lance and Grant, at any time while they are serving as a Trustee, may terminate the appointment of the Trustees who are to succeed them and designate other Trustees to succeed them. The successor Trustees may, at any time while serving in such capacity, thereafter terminate the appointment of the Trustees who are to succeed them, and may designate other Trustees to succeed them. If more than one person is serving as Trustee, the Trustees shall take such action by unanimous consent. If only one person is serving as Trustee, the Trustee shall take such action alone. The termination of the appointment of a Trustee and the designation of a successor Trustee shall be in writing, such writing to be executed with all of the formalities of a deed and duly recorded in the probate court or such similar place for recording deeds in the jurisdiction which has primary jurisdiction over administration of my estate. A designation of successor Trustees may be revoked in like manner, and subsequent designations may thereafter be made. While serving, each successor Trustee shall have the power to designate his or her successor Trustees by a writing executed and recorded as hereinabove described.

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(d) *Resignation of Trustees.* Any Trustee may resign as Trustee of any trust hereunder in the manner provided by law or by obtaining the written consent of a majority in number of the beneficiaries to whom the current trust income of such trust may or must then be distributed. If any person so entitled to act is then under legal disability, the instrument of approval may be signed by the lawful guardian or conservator of such person on his or her behalf.

(e) *Rights and Duties of Successor Trustees.* Any successor Trustee shall have and may exercise all the title, rights, powers, duties and discretion conferred or granted to the original Trustee without court order or act of transfer. No successor Trustee shall be personally liable for any predecessor Trustee's act or failure to act. A successor Trustee may accept the account furnished, if any, and the property delivered by or for a predecessor Trustee without liability for so doing.

(f) *Compensation.* No individual named shall receive compensation for his or her services in any fiduciary capacity hereunder, unless he or she elects to do so within a reasonable period of time after commencing to render such services.

(g) *Gender and Number.* Whenever the word "Trustee" or "Co-Trustee", or "Executor" or "Personal Representative" is used, it shall be construed either as singular or plural, and masculine, feminine or neuter, whichever is proper in accordance with the context.

ARTICLE XVIII QUALIFIED TRUSTS FOR SUBCHAPTER S STOCK

If any trust under my Will is entitled to acquire stock in an S-Corporation (within the meaning of Section 1361(a)(1) of the Internal Revenue Code), said stock shall be set aside as a separate and independent share for the beneficiary of the trust to whom current distributions of income may be made. This provision shall apply irrespective of the manner of acquiring such stock, including but not limited to, acquisition through allocation of the stock to the trust, the purchase of the stock by the trust, or the election to become an S-Corporation by a corporation whose stock is already held by the trust. The Trustee shall pay the entire net income from said separate and independent share to or for benefit of the beneficiary in installments convenient to the beneficiary, but at least annually during the continuation of the trust. All other provisions of the trust shall apply to said separate and independent share. It is my overriding intent that my Trustee adopt, agree to or acquiesce in, such construction of my Will as is necessary for such separate and independent share to

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be eligible for treatment as a Qualified Subchapter S Trust within the meaning of Section 1361(d)(3) of the Internal Revenue Code.

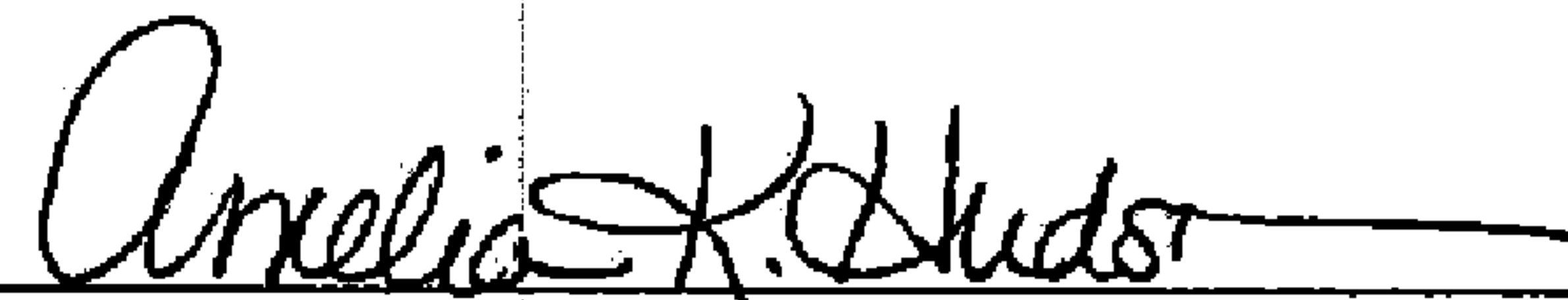
IN WITNESS WHEREOF, I, PHYLLIS B. SEALE, the Testatrix, sign my name to this instrument this 19 day of Sept, 2013, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.


PHYLLIS B. SEALE

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix, hereby signs this Will as witness to the Testatrix's signing, and that to the best of our knowledge the Testatrix is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.



Address: 1130 22nd Street, South
Birmingham, AL 35205

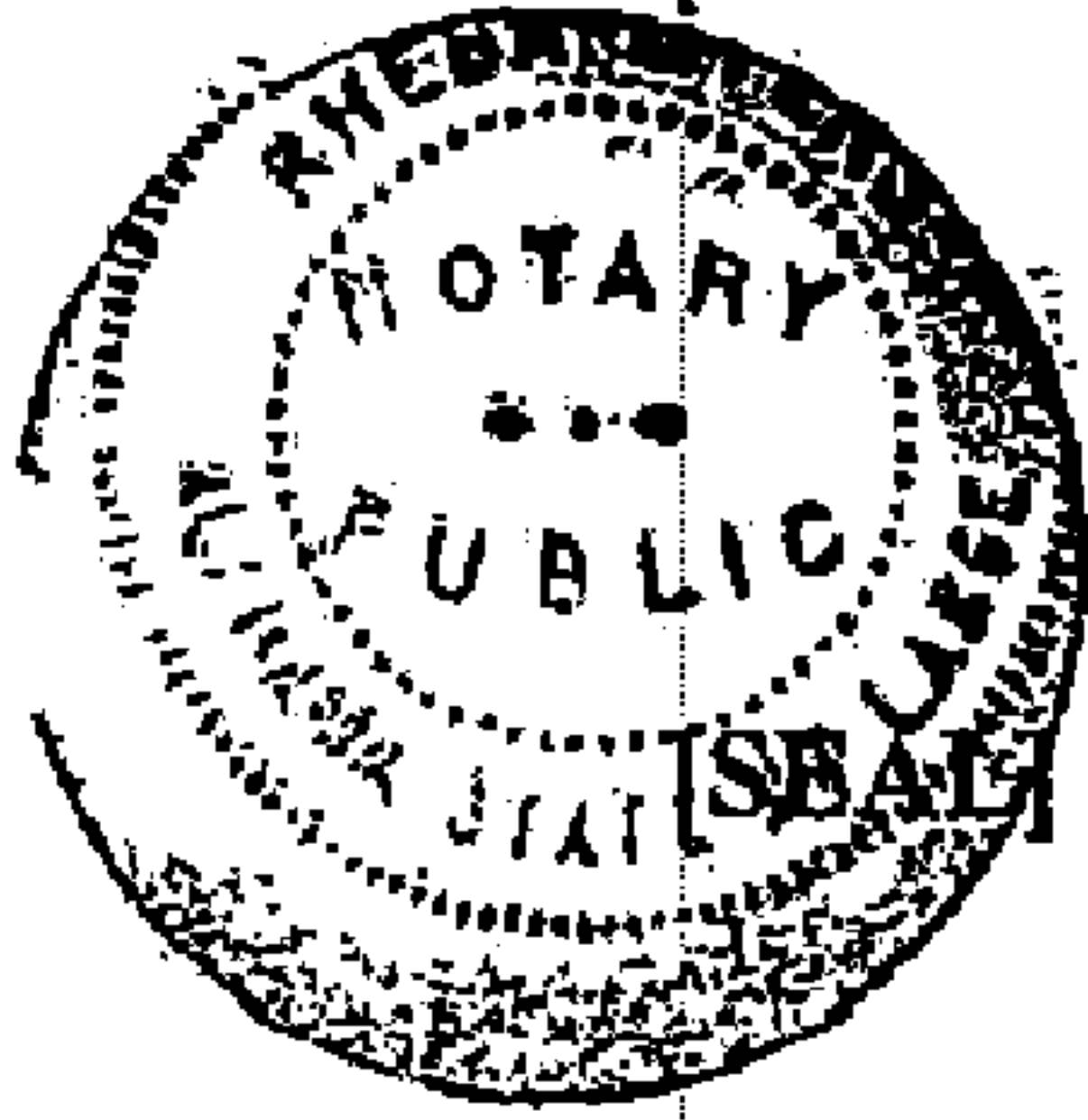


Address: 1130 22nd Street, South
Birmingham, AL 35205

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STATE OF ALABAMA)
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by PHYLLIS B. SEALE,
the Testatrix, and subscribed and sworn to before me by
Judy B. Sheppard and Amelia K. Hudson,
witnesses this 19 day of September 2013.



[Signature]
Notary Public

My Commission Expires:
MY COMMISSION EXPIRES MAY 19, 2015

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John Seale
Signature of Petitioner

John Seale
(Name of Petitioner)

400 Southledge Rd

Birmingham, AL 35242
(Address of Petitioner)

Jennifer Tombrello Cohn

Jennifer Tombrello Cohn
TOMBRELLO LAW FIRM
2169 Clearbrook Road
Hoover, AL 35226
(205) 968-1991
Jennifertombrello@hotmail.com

FILED IN OFFICE THIS 19th DAY OF
Nov, 20 25, PRAYER
GRANTED AND PETITION ORDERED RECORDED
John H. [Signature]
JUDGE OF PROBATE



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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Allie S. Bayl