

4901

THE BALDWIN TIMES

JIMMY FAULKNER
PUBLISHER

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Estate of Oct H. Ertzinger

COST STATEMENT

110 WORDS @ 5 cents \$ 5.50
I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette, Jr.
Editor.

was published in said newspaper for 3 consecutive weeks in the following issues:

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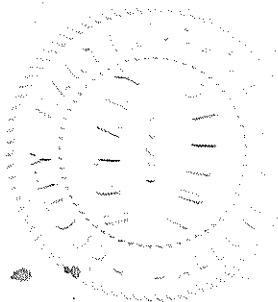
Date of 3rd publication Nov 5, 1959 Vol. 71 No. 43

Date of 4th publication _____, 195____ Vol. _____ No. _____

Subscribed and sworn before the undersigned this 5 day of Nov, 1959.

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.



ESTATE OF
ORT H. ERTZINGER,
DECEASED

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE AUTHORIZING EXECUTRIX TO TRANSFER STOCKS

This cause coming on to be heard on this date is submitted on the sworn petition of Ottilla Mae Ertzinger, executrix of the estate of the said decedent, and who is the sole devisee and legatee named in the Last Will and Testament of the said decedent, which petition was filed on February 22, 1960, for authority to transfer certain stocks owned by the decedent at the time of his death and included in the assets of this said estate to the said Ottilla Mae Ertzinger, in which petition Eloise Lindsey, daughter of the said decedent and the only other person interested in this said estate, joined with the said executrix for the purpose of consenting that the relief prayed for therein be granted; upon the decree of this court setting the petition for hearing at 11:00 o'clock on February 23, 1960; and upon the testimony of petitioner and Walter M. Lindsey, which was taken in open court as provided by Equity Rule Number 56, as amended; and it appearing to the court that this said estate is fully solvent and able to pay all of its debts and obligations and all of the fees and charges of administration and any estate taxes which may be due from other assets of the said estate, upon consideration of all of which it is, therefore, ORDERED, ADJUDGED AND DECREED by the court as follows:


1. Ottilla Mae Ertzinger, as executrix of the Estate of Ort H. Ertzinger, Deceased, and the companies named below shall be and they are hereby fully and completely authorized to transfer to Ottilla Mae Ertzinger the following described stocks included in the assets of the said estate;

<u>Certificate Number</u>	<u>Stock</u>	<u>Number of Shares</u>
NYO35144, CO32928	Ferro Corporation	26
G334692	National Biscuit Company	100
CO21458, NC/0193574, NC/0181012, CO9318, NC/0154367, NC/0147680, CO136615	Colgate-Palmolive Company	75

<u>Certificate Number</u>	<u>Stock</u>	<u>Number of Shares</u>
0441506	Continental Oil Company	40
NB01006	Hudson's Bay Oil and Gas Company Limited	3
NO37935, NO8059	Rexall Drug Company	11
NY/0371197	The Timken Roller Bearing Company	4
2H222460, F967946, MF262913, MF356038	Standard Oil Company of New Jersey	144
0680885, K77597	Kennecott Copper Company	30
NY/0378704	The Proctor & Gamble Company	3
KO465644	United Fruit Company	30
089878, NC20643	Sunray Mid-Continent Oil Company	105
NY/H65042, NY/H65041, NYE459762, NYE506331	General Electric Company	300
NB13901, NB18037, D8182, NB60765, NB64459, NB34661	Duquesne Light Company	14
L228-144, G462-015, G869-147	General Motors Corporation	33
1209, 2171	American National Bank & Trust Company	26

2. Jurisdiction of this cause is reserved for the purpose of making such other and further orders or decrees as may become necessary and proper in the premises.

ORDERED, ADJUDGED AND DECREED on this the 23rd day of February, 1960.


 Judge

DECREE AUTHORIZING EXECUTRIX TO
TRANSFER STOCKS.

ESTATE OF

ORT H. ERTZINGER, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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... and the said executrix is authorized to execute and deliver to the said trustee a deed conveying to the said trustee the premises described in the foregoing schedule and to execute and deliver to the said trustee a deed conveying to the said trustee the premises described in the foregoing schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Baldwin County, Alabama, this 22nd day of August, 1957.

[Signature]
 Clerk of the Court

18 cert copies decree 22.57

ESTATE OF
ORT H. ERTZINGER,
DECEASED

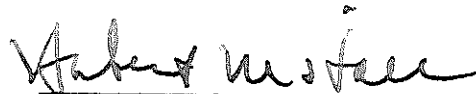
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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on to be heard on this date is submitted for a decree fixing the time for hearing the petition that has been filed in this cause on this date by Ottilla Mae Ertzinger, executrix and sole devisee and legatee under the Last Will and Testament of Ort H. Ertzinger, Deceased, from which it appears that petitioner and her daughter, Eloise Lindsey, both of whom are over twenty-one years of age and of sound mind, have joined in the said petition and have agreed that it be set for hearing at any time; upon consideration of all of which, it is, therefore, ORDERED, ADJUDGED AND DECREED by the court that the said petition be and it is hereby set for hearing at 4:00 o'clock A. M. on the 23 day of February, 1960.

ORDERED, ADJUDGED AND DECREED on this the 22nd day of February, 1960.



Judge

ORDER SETTING DATE FOR HEARING
PETITION.

ESTATE OF

ORT H. ERTZINGER, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED

FEB 22 1960

ALICE S. DICK, CLERK
RECEIVED

2.50

FILED

FEB 24 1960

ALICE J. DUCK, CLERK REGISTER

ESTATE OF

ORT H. ERTZINGER,

Deceased.

IN THE

CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA. IN EQUITY.

NO.

February 23, 1960.

MRS. OTILLA ERTZINGER, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Blackburn.

Q. You are Mrs. Otilia Ertzinger?

A. That is right.

Q. I will ask you if you are not the sole legatee and devisee under the Last Will and Testament of your late husband, Mr. Ort Ertzinger?

A. I am.

Q. After the will was admitted to Probate in the Probate Court, the Estate was moved to this Court, was it not?

A. That is right.

Q. You and Mr. Ertzinger had only one child?

A. That is right.

Q. And that is Eloise Lindsey?

A. Yes sir.

Q. She is over the age of 21 years and of sound mind?

A. That is right.

Q. You have read over and signed the petition I have here relative to transferring these shares of stock?

A. I have.

Q. I will ask you if the condition of the Ort H. Ertzinger Estate is such that it has ample assets and property, not including the shares of stock that are described in this petition, to pay all of its just debts and obligations and any estate taxes that might be due, and fees and charges of

C E R T I F I C A T E:

I hereby certify that the foregoing, is a true and correct transcript of the testimony as taken by me in the above styled cause, in open Court, before Hon. Hubert M. Hall, Judge of said Court on this day.

This 23rd day of February, 1960.

Louise Dussan
Court Reporter

ESTATE OF)
 *
 ORT H. ERTZINGER, DECEASED)
 *
)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your petitioner, Ottilla Mae Ertzinger, who is over
 twenty-one years of age and a resident of Baldwin County, Alabama,
 respectfully represents unto the court and your Honor as follows:

1. Ort H. Ertzinger, a resident of Baldwin County,
 Alabama, died on October 10, 1959, leaving a Last Will and Test-
 ament dated October 25, 1943, which was admitted to probate and
 record in and by the Probate Court of Baldwin County, Alabama, on
 October 16, 1959, in which will petitioner was named as sole
 devisee and legatee and as executrix without bond.

2. After the said will was admitted to probate and
 record in and by the Probate Court of Baldwin County, Alabama,
 and on, to-wit, December 29, 1959, the administration of this said
 estate was removed from the Probate Court of Baldwin County, Ala-
 bama, to this court where it is now pending.

3. Included in the assets of the said estate are the
 following stocks:

<u>Certificate Number</u>	<u>Stock</u>	<u>Number of Shares</u>
NY035144, CO32928	Ferro Corporation	26
G334692	National Biscuit Company	100
CO21458, NC/0193574, NC/0181012, CO9318, NC/0154367, NC/0147680, CO136615	Colgate-Palmolive Company	75
O441506	Continental Oil Company	40
NB01006	Hudson's Bay Oil and Gas Company Limited	3
NO37935, NO8059	Rexall Drug Company	11
NY/0371197	The Timken Roller Bearing Company	4

<u>Certificate Number</u>	<u>Stock</u>	<u>Number of Shares</u>
2H222460, F967946, MF262913, MF356038	Standard Oil Company of New Jersey	144
0680885, K77597	Kennecott Copper Company	30
NY/0378704	The Proctor & Gamble Company	3
K0465644	United Fruit Company	30
089878, NC20643	Sunray Mid-Continent Oil Company	105
NY/H65042, NY/H65041, NYE459762, NYE506331	General Electric Company	300
NB13901, NB18037, D8182, NB60765, NB64459, NB34661	Duquesne Light Company	14
L228-144, G462-015, G869-147	General Motors Corporation	33
1209, 2171	American National Bank & Trust Company	26

4. Petitioner desires that the above described stocks, as evidenced by the said certificates, be transferred to her name at this time. This said estate is fully solvent and is able to pay all of its debts and obligations and all of the fees and charges of administration and any estate taxes which may be due from other assets of the said estate.

5. The only ^{other} person interested, directly or indirectly, in this said estate or its affairs is Eloise Lindsey, daughter of the said decedent, who is over twenty-one years of age and of sound mind, and who has joined in this petition for the purpose of consenting that the relief prayed for herein be granted.

WHEREFORE, petitioner prays that the court will take jurisdiction of this petition, appoint and set a day to hear it, and will render a decree authorizing petitioner, as executrix as

aforesaid, to have all of the said stocks transferred to her name at this time. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Ottilla Mae Ertzinger
Ottilla Mae Ertzinger

Ottilla Mae Ertzinger
Ottilla Mae Ertzinger,
As Executrix of and under the Last Will
and Testament of Ort H. Ertzinger, De-
ceased

Eloise E. Lindsey
Eloise Lindsey

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared Ottilla Mae Ertzinger, who, after being by me first duly and legally sworn, deposes and says: That she has read over the above and foregoing petition, and that the facts contained therein are true.

Ottilla Mae Ertzinger
Ottilla Mae Ertzinger

Sworn to and subscribed before me on
this the 11th day of February, 1960.

Mary Lou Blackburn
Notary Public, Baldwin County, Alabama

ESTATE OF
ORT H. ERTZINGER, DECEASED

)
)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE REMOVING ADMINISTRATION OF ESTATE
FROM PROBATE COURT TO EQUITY COURT.

This cause coming on to be heard on this date is submitted on the petition of Ottilla Mae Ertzinger for a decree removing the administration of the said estate from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity; from which it appears that because of the broader powers of the said Equity Court, the said estate can be better administered in the said Equity Court than in the said Probate Court, upon consideration of all of which it is, therefore, ORDERED ADJUDGED AND DECREED by the court as follows:

1. The administration of the Estate of Ort H. Ertzinger, Deceased, shall be and it is hereby removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity.

2. The Register of this court shall forthwith deliver a copy of this decree to the Probate Court of Baldwin County, Alabama; upon receipt of such copy it shall deliver all papers on file in the said estate to the Register of the Circuit Court of Baldwin County, Alabama, in Equity.

ORDERED, ADJUDGED AND DECREED on this the 29 day of December, 1959.

Hubert M. Hall
Judge

FILED

DEC 29 1959

ALICE I. DUCK, CLERK
REGISTER

DECREE REMOVING ADMINISTRATION
OF ESTATE FROM PROBATE COURT TO
EQUITY COURT.

ESTATE OF

ORT H. ERTZINGER, DECEASED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

ESTATE OF)	IN THE CIRCUIT COURT OF
	*	
ORT H. ERTZINGER, DECEASED)	BALDWIN COUNTY, ALABAMA
	*	
)	IN EQUITY

PETITION TO REMOVE ADMINISTRATION

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your petitioner, Ottilla Mae Ertzinger, as Executrix of the Estate of Ort H. Ertzinger, Deceased, respectfully represents unto the court and your Honor as follows:

1. Petitioner is over twenty-one years of age and a resident of Baldwin County, Alabama, and was heretofore appointed by and qualified in the Probate Court of Baldwin County, Alabama, as Executrix of the Estate of Ort H. Ertzinger, Deceased, the administration of which estate is now pending in the Probate Court of Baldwin County, Alabama.

2. Because of the broader powers of the Equity Court, this estate can be better administered in the Equity Court of Baldwin County, Alabama, than in the Probate Court of Baldwin County, Alabama.

WHEREFORE, petitioner prays that the administration of the said estate be removed from the Probate Court of Baldwin County, Alabama, to the Circuit Court of Baldwin County, Alabama, in Equity. Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

Ottilla Mae Ertzinger
Petitioner

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared Ottilla Mae Ertzinger, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing petition, and that the facts contained therein are true.

Ottilla Mae Ertzinger

Sworn to and subscribed before me on
this the 14th day of December, 1959.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama

FILED

DEC 29 1959

ALICE L. DUCK, CLERK
REGISTER

PETITION TO REMOVE ADMINISTRATION

ESTATE OF

ORT H. ERTZINGER, DECEASED

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

LETTERS TESTAMENTARY

(Box 500-3)

MARSHALL & BRUCE-NASHVILLE

THE STATE OF ALABAMA,
Baldwin COUNTY. } Court of Probate.

THE WILL OF Ort H. Ertzinger

having been duly admitted to record, in said County, LETTERS TESTAMENTARY are hereby granted to.....

Ottila Mae Ertzinger

the Executrix named in said Will, who has complied with the requisitions of the law, and is authorized to take upon herself the execution of such Will.

Witness my hand and dated this 16th day of October, 1959.

W. B. Street
..... Judge of Probate.

Code 1940, Title 61, Sec. 70.

By *Nancy M. DeLine*
..... Chief Clerk

READ CAREFULLY

The law requires Administrators and Executors to file an inventory within two months from appointment and to make annual settlements. Failure to do either subjects you to a penalty. (Code 1940, Title 61, Sec. 194 and 206).

THE STATE OF ALABAMA, COUNTY.

I,, Judge of the Probate Court in and for County, Alabama, hereby certify that the foregoing is a true and correct copy of the Letters Testamentary heretofore issued out of the Probate Court of County, Alabama, on the LAST WILL AND TESTAMENT of the said, deceased, to as the Execut. thereof, as the same appears on file and of record in this office and are still in full force and effect. Given under my hand and seal of said Court, this the day of, 19

..... Judge of the Probate Court.

The State of Alabama

..... County.

PROBATE COURT

ESTATE OF

..... Deceased.

..... Execut.....

LETTERS TESTAMENTARY

Issued day of

19

ESTATE OF)
) * IN THE PROBATE COURT OF
 ORT H. ERTZINGER, DECEASED) BALDWIN COUNTY, ALABAMA

ORDER ADMITTING WILL TO PROBATE

On this date Ottilla Mae Ertzinger filed in this court her petition in writing, duly verified by oath, praying the court to admit to probate and record as and for the Last Will and Testament of Ort H. Ertzinger, Deceased, an instrument in writing that purports to be his Last Will and Testament and which was filed in this court with the petition in this cause, to which petition is attached the written waiver of notice of the filing of the said petition and of the date set for hearing same, signed by Ottilla Mae Ertzinger, widow of the said decedent, and Eloise Lindsey, daughter of the said decedent, the said parties being all of his heirs, in which they consent that the said instrument be admitted to probate and record as and for the Last Will and Testament of the said Ort H. Ertzinger.

It appearing to the satisfaction of the court that all of the heirs of the said decedent are over twenty-one years of age; that they have waived notice of the filing of the petition to probate the said will and have consented that it be probated; and it further appearing to the satisfaction of the court by the testimony of Ella M. Chancellor, a witness examined in open court on this date, that on the 25th day of October, 1943, in the presence of E. L. Price and Ella M. Chancellor, the said decedent did sign his name in writing to the instrument in writing that purports to be his Last Will and Testament and which was filed in this court on this date and propounded for probate and record in this court, and that at the time of the signing of the said will the said Ort H. Ertzinger was over the age of twenty-one years and of sound mind, and that he signed the said instrument as and for his Last Will and Testament, and that at the time and place of signing said E. L. Price and Ella M. Chancellor did sign their names to said instrument in writing as attesting witnesses thereto at the request of the said Ort H. Ertzinger and in the presence of each

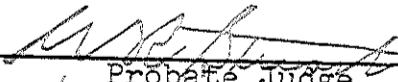
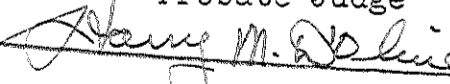
other and in his presence; that the said Ort H. Ertzinger died on the 10th day of October, 1959, and that he was an inhabitant of Baldwin County, Alabama, at the time of his death; it further appears to the court that Ottilla Mae Ertzinger was named as executrix of the said will, which provides that no bond be required of her as such executrix:

It is, therefore, ORDERED, ADJUDGED AND DECREED by the court that the petition in this cause be and the same is hereby granted and that the instrument in writing, which was propounded for probate and record on this date, which purports to be the Last Will and Testament of the said Ort H. Ertzinger, Deceased, which is dated the 25th day of October, 1943, and signed by the said Ort H. Ertzinger and attested by the said E. L. Price and Ella M. Chancellor as witnesses, be and the same is hereby declared to be the Last Will and Testament of the said Ort H. Ertzinger, Deceased, and that it be and it is hereby admitted to probate and record in this court as and for the Last Will and Testament of the said Ort H. Ertzinger, Deceased.

It is further Ordered that the said Last Will and Testament of the said Ort H. Ertzinger, Deceased, with the proof thereof, be recorded in the Will Records of said county.

It is further Ordered that Letters Testamentary without bond be issued to Ottilla Mae Ertzinger, the executrix named in the said will.

ORDERED, ADJUDGED AND DECREED on this the 16th day of October, 1959.


Probate Judge
By:  Chief Clerk

ORDER ADMITTING WILL TO PROBATE
ESTATE OF
ORT H. ERTZINGER, DECEASED

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA

THE STATE OF ALABAMA, BALDWIN COUNTY

PROBATE COURT

October 16th, 19 59

In the Matter of the Estate of ORT H. ERTZINGER, Deceased.

Present, Hon. W. R. Stuart, Judge of Probate.

Before me, W. R. Stuart, Judge of Probate, in and for said

County, personally appeared in open Court Ella M. Chancellor

who, having been by me first duly sworn and examined, did depose and say on oath, that he is a subscribing witness to the instrument of writing now shown to him and which purports to be the last will and testament of Ort H. Ertzinger, deceased, late an inhabitant of this County, that said Ort H. Ertzinger signed and executed said instrument on the day the same bears date, and declared the same to be his last will and testament, and that affiant set his signature thereto on the day the same bears date as a subscribing witness to the same in the presence of said Ort H. Ertzinger and E. L. Price and that such other witness subscribed his name as a witness in his presence and in the presence of said Ort H. Ertzinger

That said Ort H. Ertzinger was of sound mind and disposing memory, and in the opinion of the deponent fully capable of making his will at the time the same was so made as aforesaid. Affiant further states that said Ort H. Ertzinger was on the day of the said date of said will of the full age of twenty-one years and upwards.

Ella M. Chancellor (L. S.)

(L. S.)

(L. S.)

Sworn to and subscribed before me this October 16th, 19 59

W. R. Stuart Judge of Probate By: Harry M. Collins

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

PROBATE COURT

Estate of

ORT H. ERTZINGER

Deceased

PROOF OF WILL

Filed _____, 19____

Judge of Probate

Made _____, 19____

Judge of Probate

Recorded in _____ Record

Vol. _____, Page _____

Judge of Probate

PETITION TO PROBATE
WILL

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND TO
THE HONORABLE W. R. STUART, JUDGE OF SAID COURT:

Your petitioner, Ottilla Mae Ertzinger, who is over twenty-one years of age and a resident of Baldwin County, Alabama, respectfully represents unto the court and your Honor as follows:

1. Ort H. Ertzinger, a resident of Baldwin County, Alabama, died in Kosciusko County, Indiana, on October 10, 1959, leaving a Last Will and Testament dated October 25, 1943, witnessed by E. L. Price and Ella M. Chancellor, in which will petitioner was named as sole devisee and legatee and as executrix without bond, which will is filed herewith and propounded for probate and record in this court.

2. The heirs of the said decedent are your petitioner, the widow, and Eloise Lindsey, a daughter, both of whom are over twenty-one years of age and residents of Baldwin County, Alabama, who have, by written instrument hereto attached, waived notice of the filing of this petition and of the date set for hearing same and have consented and agreed that the above described will be admitted to probate and record as and for the Last Will and Testament of the said decedent.

WHEREFORE, petitioner prays that the court will take jurisdiction of this petition and make and enter a proper order or decree admitting it to probate as and for the Last Will and Testament of the said decedent.

Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises and that Letters Testamentary without bond be issued to her.

Respectfully submitted,

Ottilla Mae Ertzinger
Petitioner

J. B. Blackburn
Attorney for petitioner

STATE OF ALABAMA, BALDWIN COUNTY

Filed Oct 16, 1959 M

Recorded Pro + mem book 20 page 506-8

W. R. Stuart
Judge of Probate MS

STATE OF ALABAMA)
*
BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared Ottilla Mae Ertzinger, who, after being by me first duly and legally sworn, deposes and says: That she has read over the foregoing petition, and that the facts stated therein are true.

Ottilla Mae Ertzinger

Sworn to and subscribed before me on this the 15th day of October, 1959.

Mary Lee Blackburn
Notary Public, Baldwin County, Alabama

STATE OF ALABAMA)
*
BALDWIN COUNTY)

We, the undersigned Ottilla Mae Ertzinger and Eloise Lindsey, do each hereby waive notice of the filing of the foregoing petition and of the date set for hearing same, and do each consent and agree that the will described in the said petition be admitted to probate and record as and for the Last Will and Testament of the said decedent without further notice to us, all of which is hereby expressly waived.

Dated this 15th day of October, 1959.

Ottilla Mae Ertzinger
Ottilla Mae Ertzinger

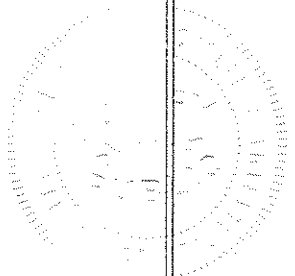
Eloise B. Lindsey
Eloise Lindsey

STATE OF ALABAMA)
*
BALDWIN COUNTY)

I, Mary Lou Blackburn, a Notary Public, within and for said County in said State, hereby certify that Ottilla Mae Ertzinger and Eloise Lindsey, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 15th day of October, 1959.

Mary Lou Blackburn
Notary Public, Baldwin County, Alabama

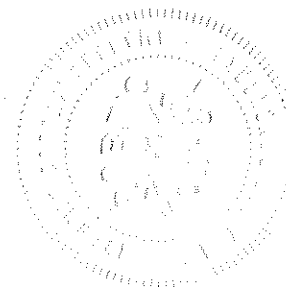


PETITION TO PROBATE WILL

ESTATE OF

ORT H. ERTZINGER, DECEASED

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA



State of Alabama,

Baldwin County.

I, Ort H. Ertzinger, being of sound mind and memory, do hereby make, declare and publish this, my last will and testament, hereby cancelling and annulling all prior wills made by me.

First; I desire my debts and funeral expenses paid.

Second; I hereby will and bequeath all of my property, of every kind and nature, wheresoever situated, to my beloved wife Ottilla Mae Ertzinger, to be hers absolutely; it being the intention of this paragraph to give her everything I own or have at the time of my death, or anything in which I had any interest, together with right to operate my business.

Third; in the event my wife does not survive me, then I direct that my daughter Eloise Lindsey be the devisee under this will with the same provisions as in paragraph second above.

Fourth; I hereby appoint Ottilla Mae Ertzinger executrix, without bond and ask that she not be required to make any settlement of the estate. In case she does not survive me, then I name my daughter Eloise Lindsey as the executrix with the same provision of no bond or settlement required.

Fifth; I desire this will proven in the proper court and properly filed for record. I desire my executrix to pay the necessary costs promptly.

Witness my hand this the 25th day of October, 1943.

Witnesses

E. L. Price

Ella M Chancellor

Ottilla Mae Ertzinger

STATE OF ALABAMA, BALDWIN COUNTY

Filed Oct. 16, 1959 M

Recorded Will book 44 page 315-6

W. R. Stewart
Judge of Probate

CERTIFICATE

STATE OF ALABAMA
BALDWIN COUNTY

BOOK 004 PAGE 316

I, W. R. Stuart, Judge of the Probate Court in and for said County and State, do hereby certify that the within instrument of writing has this day in said Court, and before me as the Judge thereof, been duly proven to be the genuine Last Will and Testament of Ort H. Ertzinger, Deceased, and that the said Will together with the proof thereof, has been recorded in my office in Book of Wills Number 4, at Page 315.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the said Court this 16th day of October, 1959.

W. R. Stuart
Judge of Probate.
By: Henry M. O'Leary Chief Clerk

Will of Ort H. Ertzinger

1984