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Madison County, Alabama

Last Will and Testament

OF

ANN STOKES TUBBS

Karen Johnson Davidson County
Batch # 1302734 WILL
07/28/2025 08:38:16 AM 6 pgs
Fees: $32.00 Taxes: $0.00
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STATE OF ALABAMA
COUNTY OF MADISON

I, Ann Stokes Tubbs, being a resident of Huntsville, Madison County, Alabama and being of sound and disposing mind and memory, do hereby make, publish, and declare this instrument as and for my Last Will and Testament herein disposing of all property which I may own or be entitled to possess at the time of my death or have a right to dispose of by Will, including real, personal, and mixed property, tangible and intangible, and of whatever nature and wheresoever situated; and I hereby expressly revoke any and all other Wills and Codicils thereto by me at any time heretofore made.

ITEM ONE

I hereby direct my personal representative, hereinafter named, to (as soon as possible after my death) pay all of my just debts and funeral expenses, provided, however, that my personal representative shall not be required to pay any mortgage or other installment indebtedness in full until such shall become due and payable according to the terms and conditions of such debt instrument, paying only such sums as are legally due, as and when same become due and payable according to the terms and conditions thereof.

ITEM TWO

I hereby bequeath and devise the real property located at 3 Carnousite Lane, Huntsville, Madison County, Alabama, which was purchased from the proceeds of my inheritance from my beloved mother, Helen G. Brush, together with all other real property interests that I presently own or may own in the state of Alabama, in the state of Tennessee or elsewhere, to my children, Whitworth Stokes Jones and Gina Payne Jones, to be theirs absolutely in fee simple, forever.

ITEM THREE

I specifically bequeath unto my children, Whitworth Stokes Jones and Gina Payne Jones, all items listed in any handwritten, signed and dated list which may be found with the original of this will, or a duplicate thereof, the properties contained therein as special bequests. I direct my personal representative named hereinafter to distribute those properties in the manner and form directed by me before any properties are transferred to any other beneficiary according to the terms of this last will and testament.

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ITEM FOUR

If my husband, Lawrence Allen Tubbs, survives me, I hereby give, devise, and bequeath all that portion of my estate acquired by the joint efforts of my husband and I, following the date of our marriage, November 26, 1976, to my husband, Lawrence Allen Tubbs, to be his absolutely in fee simple. Consistent with the prenuptial agreement which my husband and I executed on November 19, 1976, the property hereby bequeathed and devised to my husband shall not include monies or property, real or personal, held in the state of Tennessee or in the state of Alabama, inherited by me from my beloved mother, Helen G. Brush, of Nashville, Tennessee, or any proceeds from the sale of any inherited property, but shall be limited, specifically, to property acquired by my husband and me during our marriage.

All other property not specifically divided pursuant to the provisions of this Item and the provisions of Items Two and Three hereinabove, shall become a part of my residuary estate for distribution as provided herein.

ITEM FIVE

I give devise and bequeath the rest, residue and remainder of my estate, whether real, personal or mixed, tangible or intangible, of whatever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this, my last will, to my beloved children, Whitworth Stokes Jones and Gina Payne Jones, share and share alike, per stirpes.

ITEM SIX

I hereby nominate, constitute, and appoint my daughter, Gina Payne Jones, to serve as personal representative of this, my Last Will and Testament. In the event that my daughter does not survive me or for any reason is unable or unwilling to serve as personal representative hereunder, then, in that event, I nominate and appoint my son, Whitworth Stokes Jones, to serve as my alternate personal representative.

I hereby direct that my personal representative appointed hereunder shall serve as such whether in the State of Alabama or elsewhere without being required to post bond or other security for the faithful performance of their duties as such. I further direct that no personal representative herein appointed shall be required to file an inventory of my estate nor answer to the Court of Law or any Court of Equity for any of their actions hereunder as my personal representative.

I hereby further, expressly vest in my personal representative full power and authority to sell, transfer, and convey any property (real, personal, or mixed) which I may own at the time of my death at such time, at such price, and upon such terms and conditions (including credit with or without security) as my personal representative may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

I hereby grant unto my personal representative the continuing, absolute, discretionary power to deal with any property (real, personal, or mixed) held in my estate as freely as I might

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(including the right to sell, mortgage, lease, or otherwise dispose of real property) in the handling of my own affairs. Such power may be exercised independently and without the prior or subsequent approval of any court or other judicial authority; and no person dealing with the personal representative shall be required to inquire into the propriety of any of their actions.

I further grant unto my personal representative the authority to exercise all powers granted unto them by *Code of Alabama, 1975*, §43-3-20 *et seq.*, to administer and settle my estate in addition to the foregoing powers granted specifically herein. My personal representative's discretionary judgment shall, in all cases, be absolute and final.

ITEM SEVEN

To the extent permitted by law, no beneficiary under this, my Last Will and Testament, shall have any power to dispose of or to change by way of anticipation any interest given to such beneficiary; and all sums payable to any beneficiary shall be free and clear of such beneficiary's debts, contracts, distributions, and anticipations and shall not be taken or reached by any legal or equitable process in satisfaction.

ITEM EIGHT

In the event my husband, Lawrence Allen Tubbs, and I shall die in a common disaster or under such circumstances that there is not sufficient evidence to determine the order of our deaths, then I direct that it be presumed that I shall have survived him.

ITEM NINE

If any provisions of this, my Last Will and Testament, shall for any reason whatever be determined to be unenforceable, the remaining provisions hereof shall, nevertheless, be carried into full force and effect.

Ann Stokes Tubbs

I, Ann Stokes Tubbs, the testatrix, sign my name to this instrument this 19 day of September, 2005, 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 therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

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We, Susan P. Forte and Kandace Butler, the 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 (or directs another to sign for her), and that each of us, in the presence of 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 nineteen years of age or older, of sound mind and under no constraint or undue influence.

Susan P. Forte residing in Huntsville, Alabama.

Kandace Butler residing in Huntsville, Alabama.

STATE OF ALABAMA
MADISON COUNTY

Subscribed, sworn to and acknowledged before me by Ann Stokes Tubbs, the testatrix and subscribed and sworn to before me by Susan P. Forte and Kandace Butler, witnesses, this the 19 day of September, 2005.

Notary Public
My Commission Expires: July 1, 2008

JAMES GABRIEL FORTE
NOTARY PUBLIC
STATE AT LARGE

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STATE OF ALABAMA
COUNTY OF MADISON

IN THE PROBATE COURT
CASE NO 81351

I, Frank Barger, Judge of Probate in and for the County and State aforesaid, do hereby certify that the within instrument in writing has been duly proven to be the genuine Last Will & Testament of Ann Tubbs a/k/a Ann Stokes Tubbs, deceased in my office in Will Book No. 2024 of Wills at Page No. 5271.

In witness, whereof, I have here unto set my hand and affixed the seal of said Probate Court, on this 31st day of October, 2024.

Frank Barger
Judge of Probate

STATE OF ALABAMA

MADISON COUNTY

I, Frank Barger Judge of Probate Court in and for the County and State aforesaid, hereby certify that the within and foregoing is a true, correct and complete copy of Last Will and Testament , in the Probate Case of Ann Stokes Tubbs, Case # 81351.

Given under my hand and seal of office this the 23rd day of June 2025.

Frank Barger
Judge of Probate

PROBATE COURT OFFICIAL SEAL MADISON COUNTY ALABAMA