Office of General Counsel

415 DEXTER AVENUE
POST OFFICE BOX 671
MONTGOMERY, AL 36101
P: 334-269-1515
alabar.org

August 31, 2021

Mr. Francis Paul Ripp
22985 High Ridge Rd
Fairhope, AL 36532

Re: CSP 2021-800
Complaint against Thomas Bynum Albritton

Dear Mr. Ripp:

The Disciplinary Commission of the Alabama State Bar has received the complaint that you filed against the above-referenced attorney. A copy of your complaint was forwarded to the attorney and a copy of the attorney's response to your complaint is enclosed.

Two attorneys in the Office of General Counsel of the Alabama State Bar have reviewed your complaint and the attorney's response to the complaint. In view of the nature and content of the complaint and the enclosed response of the attorney, we will take no further action in this matter at this time.

OFFICE OF GENERAL COUNSEL
ALABAMA STATE BAR

Enclosure

c: Mr. Thomas Bynum Albritton

RULE 30. ALABAMA RULES OF DISCIPLINARY PROCEDURE OF THE ALABAMA STATE BAR, ADOPTED BY THE SUPREME COURT OF ALABAMA, PROVIDES THAT ALL DISCIPLINARY PROCEEDINGS SHALL REMAIN CONFIDENTIAL UNTIL A PLEA OF GUILTY OR THE DISCIPLINARY BOARD OR DISCIPLINARY COMMISSION MAKES A FINDING OF GUILT.

August 5, 2021

Ms. Dawynrico McCain
Office of General Counsel
415 Dexter Avenue
Montgomery, AL 36101

RECEIVED
AUG 05 2021
ALABAMA STATE BAR
OFFICE OF GENERAL COUNSEL

Re: CSP 2021-800
Complaint of Mr. Francis Paul Ripp

Dear Ms. McCain:

This letter is being sent in response to the above-referenced Complaint which Mr. Paul Ripp, a blogger from Baldwin County, Alabama, filed against me. I am unsure how to respond to the Complaint as it does not allege any violations of Alabama's Rules of Professional Conduct, and Mr. Ripp is not and has never been a client of mine. He does not claim to be a client of mine. I have never owed him any legal duty. He's not a beneficiary of the trust he complains about. (trust attached hereto). I've never even met Mr. Ripp. He has no standing to raise any of the issues he raises, whatever those issues may be. Finally, the actions he "complains" of occurred 7 years ago and no complaint was ever filed with the Office of General Counsel over any of these issues at any prior time.

Therefore, my first response is that Mr. Ripp has not raised any issue that is reviewable by the Office of General Counsel, and that even if there were an issue, he is not the proper person who could raise it. Finally, any claim of misconduct should have been filed long before the current complaint if there were misconduct, which I strongly deny there was. His claims are without merit.

Mr. Ripp claims that as a trustee of a private charitable trust, of which he is not a beneficiary, I have engaged in prohibited "self-dealing" based on the fact that my children received scholarships from a trust for which I am a trustee, and he wants to use that allegation somehow as leverage to try to force the Ethics Commission to take official action on complaints he has filed against several public officials in Baldwin County, as well as boost the interest in a blog he administers in Baldwin County.[1] First, I did not participate in any decision to award any scholarship to my children; rather, that decision was made by the remaining trustees of the trust based on objective criteria that applied to every applicant, no money was ever received by me or my children directly. All scholarship money was paid directly to their college of choice, the University of Texas at Austin. To the extent anyone could complain about the management of the trust itself, it would have to be by an identifiable beneficiary of the trust, (that is, someone with standing to do so), not a third-party who read about certain conduct in the newspaper which Mr. Ripp's complaint claims is his source of knowledge. Moreover, the complaints he has against the Commission for dismissing his frivolous and meritless complaints are currently pending in a court of competent jurisdiction.

To provide context to his letter, however, these are the relevant facts. For the last 7 years, I have been the Executive Director of the Alabama Ethics Commission and have carried a special license to

[1] Due to grand jury secrecy laws I am prohibited from attaching or disclosing any documents or information related to the cases he filed with the Commission.

practice law during that period of time. Prior to my service for the State, I was in private practice in Andalusia, Alabama. I began practicing there in July of 1992 and actively practiced law until 2015. A long-standing client of ours was a lady from Montgomery named Mabel Amos. She had no children, and owned land in Conecuh County close to Castleberry. In 1993 she drafted a will that in part left her real estate holdings in trust. The trust provided that my former law firm along with Regions Bank would serve as trustees and we were to use income from the trust to fund scholarships for students. The trust left the criteria, the beneficiaries, and the manner of awarding scholarships in the sole discretion of the trustees.

Ms. Amos died in November 1999. Her will was probated and her estate was closed as provided by law, after notice was given to all heirs of the estate. No family member of hers challenged the will or otherwise objected to the creation of the trust or its terms. The trust, itself, gave no priority to any family member of the testator/trustor. The Probate Court of Montgomery County closed the estate, acknowledged the receipt of property by all heirs, and released the personal representatives from all liability related to the estate. Therefore, any objections to the trust itself, its terms, or Ms. Amos's will, were foreclosed after that point.

The trust has historically awarded scholarships to any student who applies for it, regardless of need, as long as the student has an ACT score over a certain cut-off which varies from year to year, but the cutoff has never been higher than a 25. In other words, the trustees have not exercised much discretion in terms of who is awarded scholarships for example by interviewing applicants, etc.. If you apply, you get a scholarship as long as your ACT meets the cut-off. The amount of awards is based on cost of attendance for the student's selected college, as well as the amount of available money to distribute, so the amount of awards varies from student to student and year to year, more for private school or out-of-state attendance that in-state or Junior College. Once a student is awarded a scholarship, it is automatically renewed without any further action by the trustees, as long as the student remains a student.

My daughter graduated from Andalusia High School in 2012 and had a 30 on her ACT and well over a 4.0 GPA. I asked the lawyers at Regions Trust if my daughter was eligible to receive a scholarship even though I was a trustee. Regions Trust legal department (through John Bell who served as a co-trustee along with me and one of my former partners), confirmed that she could receive a scholarship if she qualified, and Mr. Bell told me that he had verified that fact through the Regions Trust department. Therefore, she applied for the scholarship and received one as did all other qualifying applicants that year. That year, however, I stayed out of the decision of how to award any scholarships or the amount of any scholarship, and deferred that decision to the remaining two trustees who voted to award the scholarship to my daughter—without my input--as well as every other applicant who met the basic criteria. Scholarship recipients were formally and publicly announced through their respective schools. My daughter receiving a scholarship did not keep any other qualifying student from receiving any scholarship that or any other year.

In 2015, my son graduated from high school with a 30 on his ACT and a 4.0 GPA. I again confirmed that this child was eligible to receive a scholarship and was again assured by Regions Trust that he could without violating any IRS regulations or state or federal statutes. The same procedure for awarding his scholarship and the amount of it was followed with the two trustees other than me making the decision. That year he received a scholarship as did every other applicant who met the basic criteria. Scholarship recipients were formally and publicly announced that year, as well, through their respective schools. My son receiving a scholarship did not keep any other qualifying student from receiving any scholarship that or any other year.

The trust filed annual Form 990s with the IRS and those forms clearly describe the scholarship awards to my children and designated them as going to the child of a trustee. The trust has never received any correspondence from the IRS about those awards or been taxed or otherwise penalized for any of the scholarship awards.

Again, Mr. Ripp has not raised any issues that are governed by the Alabama Rules of Professional Conduct; if he had, however, he is not the party who could ever raise them. Second, any party who could challenge the creation of the trust lost the ability to make that argument when the will was probated and they failed to object, certainly when the Court closed out the estate. Last, the self-dealing provisions that Mr. Ripp references do not apply to the awarding of scholarships from the trust—under the terms which they were awarded--or at the very least that conduct was approved by the advice and counsel of the trust department at Regions. Regardless, I never made any decision to award any scholarship money to my children, and the other trustees deciding to do so under the circumstances in which they were approved, is not prohibited by the terms of the trust itself or by federal or state law.

Thank you for your consideration of these issues and my request that you dismiss Mr. Ripp's complaint for the reasons stated herein.

Sincerely,



Thomas B. Albritton

THE FRONT OF THIS DOCUMENT IS PINK • THE BACK OF THIS DOCUMENT IS BLUE AND HAS AN ARTIFICIAL WATERMARK • HOLD AT AN ANGLE TO VIEW

TYPE IN PERMANENT BLACK INK. DO NOT USE GREEN, RED, OR BLUE INK.

ALABAMA

CERTIFICATE OF DEATH

County File Number —

State File Number 101

1. DECEASED—NAME (First, Middle, Last (Type last name all capitals))			2. DATE OF DEATH (Month, Day, Year)	3. COUNTY OF DEATH
Mabel	S.	AMOS	November 5, 1999	Montgomery

4. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE	5. INSIDE CITY LIMITS (Specify Yes or No)	6. PLACE OF DEATH—HOSPITAL OR OTHER INSTITUTION—(If not in either, give street and number)
Montgomery 36106	Yes	The Long Term Care Hospital at Jackson

7. IF HOSPITAL (Specify Inpatient, ER or Outpatient, DOA)	8. OF HISPANIC ORIGIN (Specify Yes or No) If Yes, Specify Cuban, Mexican, Puerto Rican, etc.	9. RACE—(Specify American Indian, Black, White, etc.)	10. SEX
Inpatient	No	White	Female

11. AGE	12. UNDER 1 YEAR		UNDER 1 DAY		13. DATE OF BIRTH (Month, Day, Year)	14. DECEASED'S SOCIAL SECURITY NUMBER
99 YRS.	MOS.	DAYS	HOURS	MINS.	June 3, 1900	423-05-0125

15. EDUCATION (Specify Only Highest Grade Completed) Elementary or High School (0-12)	College (1-4 or 5+)	16. MARITAL STATUS (Specify Married, Never Married, Widowed, Divorced)	17. SURVIVING SPOUSE (If wife, give maiden name)	18. Was Decedent ever in Armed Forces (Specify Yes or No)
	4	Widowed		No

19. STATE OF BIRTH (If not in USA, name country)	20. RESIDENCE—STATE	21. COUNTY	22. CITY, TOWN, OR LOCATION AND ZIP CODE
Alabama	Alabama	Montgomery	Montgomery 36116

23. INSIDE CITY LIMITS (Specify Yes or No)	24. STREET AND NUMBER	25. INFORMANT—Name and Address
Yes	3300 Lynchburg Drive	Hal Albritton P. O. Box 880; Andalusia, AL 36420

26. USUAL OCCUPATION (Give kind of work done during most of working life even if retired)	27. KIND OF BUSINESS OR INDUSTRY
Secretary of State	State of Alabama

28. FATHER—NAME	First	Middle	Last	29. MAIDEN NAME OF MOTHER—	First	Middle	Last
	P.		Sanders		Hattie		Bethea

30. DISPOSITION OF BODY (Specify Burial, Cremation, Medical Donation, Hospital (Required), Other)	31. DATE OF DISPOSITION (Month, Day, Year)	32. CEMETERY OR CREMATORY—Name	33. LOCATION—(City or Town—State)
Burial	Nov. 7, 1999	Greenwood Cemetery	Montgomery, Alabama

34. FUNERAL HOME—Name and Address	35. FUNERAL DIRECTOR—Signature	36. DATE SIGNED BY FUNERAL DIRECTOR
Leak-Memory Chapel 945 Lincoln Rd.; Montgomery, AL 36109	Bebe A. Rowe	Jan. 11, 2000

37. ___ Certifying Physician (Physician certifying cause of death) "To the best of my knowledge death occurred at the time and date, and due to the cause(s) and manner stated."
___ Medical Examiner ___ Coroner "On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, place, and due to the cause(s) and manner stated."
Signature: [signature]

38. DATE SIGNED (Month, Day, Year): 1/7/00

39. TIME AND DATE OF DEATH	40. DATE AND TIME PRONOUNCED DEAD (For Coroner/M.E. use only)	41. NAME AND TITLE OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46)
04:00 1/5/99		Patel, Mukeshkumar M.D.

42. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46)	43. CERTIFIER LICENSE NUMBER
303 South Ripley Street Suite#4200 Montgomery, Al 36104	21207

44. REGISTRAR—Signature	45. DATE FILED (Month, Day, Year)
Brenda Davis (For State or County use only)	Jan 13, 2000

MEDICAL CERTIFICATION

40. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. LIST ONLY ONE CAUSE ON EACH LINE.

		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH
IMMEDIATE CAUSE (Final disease or condition resulting in death) →	a. Pneumonia	
	DUE TO (OR AS A CONSEQUENCE OF):	
	b. Sepsis	
Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST	DUE TO (OR AS A CONSEQUENCE OF):	
	c. Cellulitis	
	DUE TO (OR AS A CONSEQUENCE OF):	
	d. Advanced age	

47. PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.

48. WAS THERE A PREGNANCY IN LAST 42 DAYS? (Specify Yes, No, or Unk.)

49. MANNER OF DEATH (Specify—Accident, Homicide, Suicide, Undetermined Circumstances, Pending Investigation, Natural Cause)	50. AUTOPSY (Specify Yes or No)	51. If yes, were findings considered in determining cause of death? (Specify Yes or No)

52. HOW INJURY OCCURRED (Enter nature of injury in Item 46, Part I or Item 47, Part II)	53. DATE OF INJURY (Month, Day, Year)	54. HOUR OF INJURY

55. INJURY AT WORK (Specify Yes or No)	56. PLACE OF INJURY—(Specify at home, farm, street, factory, office building, etc.)	57. LOCATION OF INJURY (Street or R.F.D. No., City or Town, State)

This is a legal record and must be filed within five (5) days after death.

ADPH-HS 2/Rev. 11-

SSN: 423-04-0125

Item #28 Father first name is correct per Bebe at F.H./BD

NAME OF DECEASED Mabel Amos

This is a true and exact copy of the record on file with the Montgomery County Heath Department.

Brenda Davis
Signature of Local or Deputy Registrar

Jan 13, 2000
Date of Issue

MOTION TO PRODUCE WILL

STATE OF ALABAMA
MONTGOMERY COUNTY

PROBATE COURT
NO: _____

PETITION OF LEIGH GULLEY CARMACK, individually and next best friend of James Devon Bellizio, a minor, and as Conservator for Esther S. Gulley, incapacitated, for the Probate of the Will of MABEL S. AMOS, Deceased.

TO THE HONORABLE REESE MCKINNEY, JR., Judge of Probate Court, Montgomery County:

1. Mabel S. Amos departed this life on or about November 5, 1999, leaving a Last Will and Testament, duly signed, witnessed, and published.

2. Your Petitioner, Leigh Gulley Carmack, is the mother of James Devon Bellizio, a minor and grand-nephew of Mabel S. Amos, and the conservator of Esther S. Gulley, incapacitated and sister of Mabel S. Amos, and are believed to be devisees named in said Will, and thus has an interest in said Will and the Estate of Mabel S. Amos.

3. Said Last Will and Testament is currently in the exclusive possession of William Harold Albritton, IV whose address is:

109 Opp Avenue
Andalusia, Alabama 36420

4. The said William Harold Albritton, IV has been asked repeatedly to surrender the said Will, but to date has failed and refused to do so.

5. Your petitioner, Leigh Gulley Carmack, moves and requests this Honorable Court to issue its writ of process, subpoena, or other appropriate order in accordance with Title 43-8-270, et seq. Code of Alabama, to compel William Harold Albritton, IV to surrender unto this Court the original said Last Will and Testament of Mabel S. Amos so that it can be submitted for Probate.

Petitioner:

20th day of March, 2000.

Leigh Gulley Carmack

The State of Alabama
Montgomery County

Leigh Gulley Carmack being duly sworn, deposes and say that the facts averred in the above petition are true, according to the best of my knowledge, information and belief.

Petitioner

Subscribed and sworn to before me,
this the 20th day of March, 2000.

Stonie Reese, Notary Public

Certificate of Service

I hereby certify that I have this day served a copy of the foregoing upon William Harold Albritton, IV this the 20th day of March, 2000.

Leigh Gulley Carmack

COPY

IN THE PROBATE COURT OF MONTGOMERY, ALABAMA

MAR 24 2 50 PM '00

IN THE ESTATE OF MABEL S. AMOS

PROBATE COURT NO: 34500

FILED IN PROBATE COURT
MONTGOMERY COUNTY, AL
REESE MCKINNEY, JR.
JUDGE OF PROBATE

RESPONSE TO MOTION TO PRODUCE WILL

Comes now the undersigned attorney and responds to the motion of Leigh Gulley Carmack as follows:

1. The undersigned is an attorney-at-law, practicing in Andalusia, Alabama. As such, the undersigned and his law firm had the pleasure of representing Mabel S. Amos for approximately 60 years until her death in November of 1999.

2. Following Ms. Amos' death, the undersigned's law firm was retained by the Executor of her estate as named in her Will, Regions Bank, to handle the probate of her Will.

3. At Ms. Amos' funeral, the undersigned personally delivered a copy of Ms. Amos' Will to Petitioner, and has reviewed that Will with her in substantial detail on more than one occasion.

4. Contrary to the sworn statement contained in her petition, Petitioner has at no time ever asked the undersigned to surrender the will to her, and the undersigned has consequently never, on any occasion, refused to surrender the will. Further, although Petitioner has inquired into the status of the probate of this estate on a number of occasions, she has never "demanded" that the will be surrendered.

5. This is a large and complex estate. Petitioner is only one of many heirs. The undersigned's law firm has been diligently attempting to ascertain the whereabouts of each of these heirs so that appropriate notice may be sent to them, and this has delayed the probate of the will. That effort has now been completed, and notice has this day gone out to the heirs. Also, a petition to admit the will to probate has been sent to the Executor for execution, and the Will should be submitted for probate within the next few days.

6. Petitioner's frustration over the pace of this process is understandable, but it is unfortunate that she has seen fit to file this motion, delaying further the administration of this estate and wasting its assets, when there is absolutely no justification for it.

WHEREFORE, the undersigned asks the Court not to take action on Petitioner's request so that the Will may be probated without further controversy. Alternatively, the undersigned requests that the Court set this motion for hearing prior to the issuance of a citation so that the interests of ALL of the heirs of Mabel S. Amos may be protected equally.

W.H. Albritton, IV(ALB007)

Of Counsel
ALBRITTONS, CLIFTON, ALVERSON, & MOODY, P.C.
P.O. BOX 880
ANDALUSIA, AL 36420
334-222-3177

CERTIFICATE OF SERVICE

I hereby certify that I have, on this date, served a copy of the foregoing response on Petitioner, addressed as follows:

Ms. Leigh Gulley Carmack
62 Amburly Ct.
Wetumpka, AL 36093



W.H. Albritton, IV

E. In the event Devon should predecease me, or should die before final distribution of this Trust as set out above, then the balance of this Trust (after the death of my sister, Esther Gulley), shall be paid over to the Trustee of The Mabel Amos Memorial Fund and administered according to Article V below.

ARTICLE V

The remaining two-thirds of my residual estate shall be administered as follows:

A. The Trust shall be known as The Mabel Amos Memorial Fund.

B. The net income from the trust fund after payment of all costs of administration shall be expended to fund or to provide scholarships for deserving young men and women of this State, and to assist them in attending any educational institution.

C. The recipients of these payments will be chosen by a Board consisting of at least three members. The initial Board will be comprised of two individuals selected by the partners of the law firm of Albrittons, Givhan, Clifton & Alverson and one individual selected by the Trust Committee of Union Bank & Trust Company. I have confidence and trust in the law firm of Albrittons, Givhan, Clifton & Alverson and Union Bank and it is my desire that they continue to be represented on this Board as long as it is practical and feasible. In the event any Board member dies, resigns, or is unable or refuses to act, the surviving Board members shall appoint a new Board member in his place. Such new Board member shall in all respects have the same authority and responsibility as though he had been named as one of the initial Board herein. Should the surviving Board members fail to appoint a new member within sixty (60) days after the death, resignation, inability or refusal of any member to act, it shall be the duty of those surviving members to petition the residing Judge of the Circuit Court of Montgomery, Alabama to make such appointment, upon such notice and other conditions as that Court may direct, and such appointment shall have the same effect as if made by the surviving members.

D. In making their choice as to persons to be benefited, the Board members shall be guided by the following criteria:

1. The character of the individual.

2. The intelligence of the individual, which shall be above average.

3. The scholastic record of the individual.

4. The financial need of the individual.

E. No part of this Trust Fund shall inure to the benefit of any private individual (except for compensation for services rendered or expenses incurred in administering the Trust), and no part of the direct or indirect activities of this Trust shall consist of carrying on propaganda, or otherwise attempting to influence legislation, or of participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office. Notwithstanding any other provision, this Trust shall not conduct any activities not permitted by an organization exempt under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may be amended, or by any organization contributions to which are deductible under Section 170(c)(2) of such Code and Regulations as they now exist or as they may be amended.

F. The Trustee at the direction of the Board shall make

distributions at such time and in such manner as not to subject the Trust to tax under Section 4942 of the Code. The Trustee shall not engage in any act of self-dealing, as defined in Section 4941(d), and shall not make any taxable expenditures, as defined in Section 4945(d). The Trustee shall not make any investments that jeopardize the charitable purpose of the Trust, within the meaning of Section 4944 and the Regulations thereunder, or retain any excess business holdings, within the meaning of Section 4943(c).

G. In addition to the powers set forth in Article VI below, the Trustee shall have the power to amend this Trust in any manner required for the sole purpose of insuring that distributions to the Trust qualify and continue to qualify for a charitable deduction for estate purposes at my death.

H. In the event it is determined by the Trustee and Board that it is no longer economically feasible or advisable to continue this Trust, I direct the Trustee to distribute any remaining principal and accrued income thereto to such charitable organizations as they in their discretion shall determine, provided, however, that such organizations shall be described in Section 170(c), 2055(a), and 2522(a) of the Code.

ARTICLE VI

With reference to each Trust set out herein, the Trustee shall have and is hereby expressly given full power and authority to do any or all of the things hereinafter set out, without first obtaining any order of court therefor, or court proceedings, viz.:

1. To retain any certificates of deposit, savings accounts, investment certificates or any other real or personal property constituting the Trust Principal for such time and in such manner, or form, as Trustee may deem advisable.

2. To invest and reinvest in savings accounts, certificates of deposit or investment certificates issued by any bank, or banks, or savings & loan associations, as well as in United States Treasury Securities and to change, alter or renew same at any time or times Trustee deems advisable, all on such terms, at such interest rates and discounts as may be within the sole discretion of Trustee.

3. To invest in corporate stocks and bonds, including state, municipal, or industrial development bonds, or securities, in such amounts as Trustee may deem advisable and to buy, sell, exchange or otherwise dispose of same.

4. To insure, repair, rebuild and maintain any houses or buildings including in the Trust property and to buy, sell, or exchange real estate of any kind or nature.

5. To sell at public or private sale, for cash or on terms; to lease for periods within or beyond the duration of the Trust; to exchange all or any portion of said Trust property for other property, real or personal, at such time, for such consideration and upon such terms and conditions as Trustee may deem advisable and to execute all instruments necessary or proper to effect or evidence such sale, lease or exchange.

6. To borrow from or lend money to third parties for such terms, at such rate of interest and with such security as Trustee may deem satisfactory for loan or investment purposes.

The powers granted above shall be in addition to those granted by law and may be exercised even after termination of the Trust hereunder until actual distribution of all Trust Principal, but not beyond the period permitted by any applicable

IN THE MATTER OF THE	**PROBATE COURT OF**
ESTATE OF	**MONTGOMERY COUNTY, ALABAMA**
MABEL S AMOS	**CASE NO. 34500**
DECEASED.	

CONSENT TO SETTLEMENT

TO THE HONORABLE REESE MCKINNEY, JR., JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA:

The undersigned, constituting one of the legatees and distributees named in the Will of Mabel S. Amos, Deceased, and being over twenty-one (21) years of age, does hereby acknowledge receipt in full of the property bequeathed and devised to me under the Will of said Decedent; does hereby accept service of notice of the filing of the Petition for Final Consent Settlement by Regions Bank, as Executor, and waive all other or further notice thereof, either by publication or otherwise; does enter my appearance in court upon the date for hearing said Petition; and does consent and request that without the filing of any vouchers or further account or report, an order be made and entered discharging it from said fiduciary capacity, and from all other or further liability on account of the administration of said estate.

Leigh Gulley Bellizio Carmack
6209 Hickory Hill Court
Montgomery, AL 36117

STATE OF Alabama)
)
COUNTY OF Montgomery)

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that **Leigh Gulley Bellizio Carmack**, whose name is signed to the forgoing Consent to Settlement, and who is known to me, acknowledged before me on this date that, being informed of the contents thereof, she executed the same voluntary.

GIVEN under my hand and official seal this 17th day of January 2002.

Kristina L. Brock
NOTARY PUBLIC

(S E A L)

My Commission Expires: 5/3/04

STATE OF ALABAMA
MONTGOMERY COUNTY

PROBATE COURT
CASE NO: 34500

MABEL S. AMOS
DECEASED, ESTATE OF

DECREE ON FINAL SETTLEMENT

This cause now coming on for hearing on the written petition of Regions Bank, as Personal Representative of the estate of Mabel S. Amos, deceased, filed which is properly executed and acknowledged for final settlement of said estate; And it appearing to the Court that Regions Bank, as Trustee of the Amos Family Trust and the Mabel Amos Memorial Fund, Albert P. Brewer, James Devon Bellizio, Leigh Gulley Bellizio Carmack, Joy Sanders Sands, Mabel Merritt, Virginia Watson, Joy Ann Sanders Sherwood, Diane Sanders Speer Parsonnet, Jon Bellizio, Bruce G. Sanders, William Gray Sanders, Mildred Bethea, Brooklyn Baptist Church, Esther Gulley and R. B. Logan, who are over the age of nineteen years, of sound mind, have consented to said settlement by written instrument filed in this Court, and waived notice of said petition for final settlement, and consented that said Personal Representative be discharged, and acknowledged receipt of all monies and other property due from said estate;

And it further appearing to the Court that said Personal Representative has given the notice as required by law, publication in the Montgomery Independent, a newspaper of general circulation published in said County and State, stating the name of the decedent, the day on which Letters were granted, and notifying all persons having claims against said estate to present the same within the time allowed by law or the same would be barred; And it further appearing to the Court that proof is made that all legal charges filed against said estate have been paid in full;

And it appearing to the Court that said Personal Representative has transferred all of the estate of said decedent as provided by her will to the heirs, legatees and distributees.

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT that said petition be granted and said settlement be confirmed;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the said property belonging to the said Mabel S. Amos, deceased, be vested in the person entitled thereto as provided by her will, and that the titles to any and all stocks and bonds belonging to said decedent be and the same are hereby vested in said heirs, legatees or distributees and the companies, corporations or United States Treasury or any agency thereof. In which said stocks and bonds are held are hereby directed, empowered and authorized to transfer upon their books and make such other orders as are necessary to transfer stocks and bonds to said heirs, legatees or distributees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that said Regions Bank, as Personal Representative, be discharged from all further liability.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that all proceedings be recorded.

DONE this the 4th day of January, 2010.

Reese McKinney, Jr.
Judge of Probate

cc: James R. Clifton, Esq.