

LAST WILL AND TESTAMENT

#2008-1072-B

OF

DONNIE DALE VARCOE

<p>FILED THIS DATE OCT 13 2008 ARTHUR JOHNSTON, CHANCERY CLERK BY <i>Stacey [Signature]</i> D.C.</p>

I, **DONNIE DALE VARCOE**, also known as Donnie Lee Dale Varcoe, of the City of Madison, Madison County, Mississippi, which I declare to be my domicile, do hereby make, publish and declare this to be my true Last Will and Testament, hereby revoking all other wills and codicils at any time heretofore made by me.

ARTICLE I

I am a single person at the time I write this will. I was first married to Joseph C Stennett, who has preceded me in death. I was then married to Frederick Turner Varcoe who has preceded me in death. I am the mother of Joseph C. Stennett, Jr. and Melinda Dale Stennett Lewis (each referred to herein as my "child" and collectively as my "children"). All references to my children mean Joseph C. Stennett, Jr. and Melinda Dale Stennett Lewis. The children of Joseph C. Stennett, Jr., are Joseph C Stennett, III and James Thomas Stennett

(Jimmie). The children of Melinda Dale Stennett Lewis are Hubert Brooks Lewis and Mary Lee Lewis Kam.

ARTICLE II

I hereby nominate my son, Joseph C Stennett, Jr , as Executor of this will and my estate to serve without bond, formal statutory inventory, formal statutory appraisal, and without making an accounting to any person or for any court during the administration of my estate, all of such bond, inventory, appraisal and accounting being hereby expressly waived. If my son, Joseph C. Stennett, Jr , should be unable to serve as Executor, or having once served and then being unable to continue to serve, or in the event he has predeceased me, or for any reason is unable to continue to serve as Executor or fails to qualify, then I nominate and appoint my daughter, Melinda Dale Stennett Lewis, to serve as Executrix upon the same terms and conditions and with the same powers, duties and responsibilities, as well as privileges, as my son, Joseph C. Stennett, Jr. Neither of my children should be required to make any appraisal of my property, return any formal inventory of my property, make or post any bond, or make any accounting to any court for their actions as Executor or Executrix during the administration of my estate, all of such bond, inventory, appraisal and accounting being hereby expressly waived. In the event that Joseph C Stennett, Jr. and Melinda Dale Stennett Lewis are both unable to serve, then I name, nominate and

appoint my son-in-law, Larry O Lewis of Marks, MS, and my daughter-in-law, Jeanne B Stennett of Oxford, MS, to serve as Co-Executors, with the same powers and discretions without bond, inventory, appraisal and accounting. Any Executor, Executrix or Co-Executors of my estate shall have, in addition to powers granted to Executors by law, all powers with respect to the property that I own as of the date of my death as are granted to Trustees under the Mississippi "Uniform Trustees Powers Law", Section 91-9-101 through 91-9-119 of the Mississippi Code of 1972, annotated, including, but not limited to, the power to dispose of any of the real or personal property in my estate at public or private sale, for cash or on credit, or to mortgage it, pledge it, lease it or exchange it, all to be exercised without court order. I specifically grant to my Executor or Executrix or Co-Executors, as the case may be, the power and authority to settle any disputed claims for or against my estate, without the approval and ratification of the Court.

ARTICLE III

Any Executor, Executrix or personal representative shall have full power and authority to pay all funeral expenses, costs of administration of my estate, including the cost of a suitable monument for my grave, and any taxes or debts owing by me or my estate as soon after my death as can be conveniently done, as well as accounting fees, attorneys fees or other costs incident to the probate of my estate, regardless of whether such claims are probated and registered against my

estate or not. Nothing in this will shall ever be construed to create a trust for the benefit of creditors, or to enlarge upon my statutory duty to creditors. Nothing in this will shall be construed to extend any statute of limitations. I hereby specially grant to my Executor, Executrix or Co-Executors as alternates, the power, without the consent of any beneficiary, to make distributions, including the satisfaction of any pecuniary bequest, in cash or in specific property, real or personal, or in undivided interest therein, or partly in cash and partly in such property, and to do so without regard to the income tax basis of specific property allocated to any beneficiary and without making prorata distributions of specific assets. All such powers granted to my Executors, Executrix or Co-Executors herein shall be in addition to and not in lieu of all powers granted to Executors by the laws and statutes of the State of Mississippi. My Executor, Executrix or Co-Executors may claim administrative expenses of my estate either as income tax deductions or as estate tax deductions in his, her or their sole discretion, without regard to whether such expenses are payable from income or principal and without the necessity of making adjustments or reimbursements. My Executor, Executrix or Co-Executors may file my final personal income tax return and any necessary tax returns of any type, federal or state, for any period prior to my death, or such estate tax returns as may be required by law to pay such taxes from the funds available in my estate.

I direct my Executor to pay out of my residuary estate all federal and state estate, inheritance, succession and other death taxes which are assessed against my estate or against any beneficiary, if any, including estate or inheritance taxes assessed on account of any property which shall be included in my estate for the purpose of such taxes, whether or not included in my estate for probate purposes.

ARTICLE IV

I hereby will, give and bequeath unto my four grandchildren the following sums of money

- A. To my grandson, Joseph C. Stennett, III, the sum of \$10,000.00.
- B. To my grandson, James Thomas Stennett, known to us as Jimmie Stennett, the sum of \$10,000.00.
- C. To my grandson, Hubert Brooks Lewis, the sum of \$10,000.00.
- D. To my granddaughter, Mary Lee Lewis Kam, the sum of \$10,000.00.

If any one of my grandchildren named in this Article should predecease me, then such share is given and bequeathed to the children of such deceased grandchild, per stirpes

ARTICLE V

After payment of my debts, administrative expenses, taxes, the specific bequests provided for herein, I will, devise and bequeath all the rest, residue and remainder of my property and estate, real, personal and mixed, of whatsoever kind

and character and wheresoever situated (my "residuary estate") to my children, Joseph C Stennett, Jr. and Melinda Dale Stennett Lewis, in equal shares, share and share alike, per stirpes. If either of my children shall predecease me, then the children of such deceased child or children shall inherit their deceased parent's share, per stirpes. Specifically, if my son, Joseph C Stennett, Jr. has predeceased me, then his children, Joseph C. Stennett, III, and James Thomas Stennett (Jimmie Stennett) shall inherit any share to which their Father, my son, was entitled. Specifically, if my daughter, Melinda Dale Stennett Lewis has predeceased me, then her children, Hubert Brooks Lewis and Mary Lee Lewis Kam shall inherit their deceased Mother's share, per stirpes

ARTICLE VI

All of my insurance policies which provide indemnity for loss of or damage to any of my personal or real property by fire, windstorm or other similar casualty (including any claims for loss of or damage to any such property which I may have at the time of my death against my insurance company), I hereby give and bequeath respectively to that person or persons who shall or would have become the owner of such property by reason of my death, whether such ownership is required under the provisions of this will, by survivorship or by any other means.

ARTICLE VII

For the record, it is recited that my full name is Donnie Lee Dale Varcoe, and was formerly Donnie Lee Dale Stennett.

Page 6 D. D. U.

ARTICLE VIII

It is my intent that my entire residual estate, after payment of specific bequests, cost of administration of my estate, funeral expenses, taxes and other incidental expenses of administration, is hereby given, devised and bequeathed unto my children, Joseph C. Stennett, Jr. and Melinda Dale Stennett Lewis, in equal shares, share and share alike, per stirpes.

ARTICLE IX

I authorize and empower my Executor, with respect to my estate, and any successor or successors as Executrix or Co-Executors, in his, her or their sole and absolute discretion to do the following:

1. To exercise all powers, rights and discretions granted by virtue of the "Uniform Trustees' Powers Law," being Sections 91-9-101 through 91-9-119, inclusive, of the Mississippi Code of 1972, annotated, as now enacted, or as hereinafter amended, which "Uniform Trustees' Powers Law" is hereby incorporated by reference as though fully and completely copied herein. Should the said "Uniform Trustee's Powers Law" be repealed, then my Executor herein named, shall continue to have all the powers, rights and discretions granted by the said "Uniform Trustees' Powers Law", the same as if it were still in effect.

2. To purchase or otherwise acquire and to retain, whether originally a part of the estate or subsequent acquire, any and all stocks, bonds, notes, or

other securities or shares or interest in investment trusts and common trust funds, or any other property, real, personal or mixed as he may deem advisable, whether or not such investments or property be of character permissible by fiduciaries, without being liable to an person for such retention or investment

3. To pay all necessary expenses of administering my estate, including taxes, fees for the services of accountants, agents and attorneys, and to reimburse said parties for expenses incurred on behalf of my estate, as soon as may be conveniently done and without permission of the Court

4. To determine what is principal and what is income, to establish and maintain reserves for depreciation, maintenance, taxes, insurance premiums, and other purposes deemed necessary and proper by my Executor or any successor, and to partite and distribute property of the estate in kind or in undivided interest and to determine the value of such property

5. To compromise, settle, or adjust any claim or demand by or against my estate, including, without limitation, any claims relating to estate or income taxes, and to agree to any recision or modification of any contract or agreement and to participate in any plan of reorganization, consolidation, dissolution, redemption or similar proceedings involving assets comprising my estate and to deposit or withdraw securities under any such proceedings

6. To borrow money source or sources upon such terms and conditions

as my Executor shall determine and to give security therefor as my Executor may determine.

7. To lease, mortgage, sell, exchange, assign, transfer and convey any security or property, real or personal, held in my estate, at public or private sale, at such time and price and upon such terms and conditions as my Executrix may deem advisable and for the best interest of my estate. I hereby waive any requirement of issuing summons, giving notice of any hearing, conducting or holding any such hearing, filing bond, or other security, or in any way obtaining Court authority or approval for such sell, exchange, assignment, transfer or conveyance of any real or personal property.

8. To make distributions, including the satisfaction of any pecuniary bequest in cash or in specific property, real or personal, or in an undivided interest therein, or partly in cash and partly in other property, and to do so with or without regard to the income tax basis of specific property allocated to any beneficiary and without making prorata distributions of specific assets.

9. To make any elections and to take any actions necessary in connection therewith which are available under the Internal Revenue code of 1986, as amended, including, but not limited to, all such sections.

10. To disclaim any property which my estate created hereunder may otherwise be entitled to receive and to take any and all necessary or proper actions

to make or fully effectuate a qualified disclaimer or disclaimers under the Internal Revenue Code Section 2518 or any similar provision which has been or may subsequently be enacted and under any disclaimer statute or law which may at any time be in effect under Mississippi Law.

ARTICLE X

All authorities and powers hereinabove granted unto my Executor shall be exercised from time to time in his or her sole and absolute discretion, and without prior authority or approval of any Court and I intend that such powers be construed in the broadest possible manner. Any Executor or other successor Co-Executors herein named shall have the same rights, power, duties, discretions and obligations conferred upon my original Executor hereinabove named. Throughout this will the masculine gender shall be deemed to include the feminine as well as the neuter, and vice versa, as to each of them, the singular shall be deemed to include the plural and vice versa.

IN WITNESS WHEREOF, I have hereunto affixed my signature in the presence of the attesting and subscribing witnesses whom I have requested to act as subscribing witnesses hereto on this the 1st day of Aug. D.D.V. 2006.

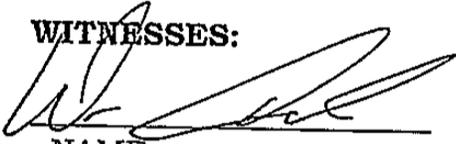
Donnie Dale Varcoe
DONNIE DALE VARCOE

We, each of the subscribing witnesses to the foregoing Last Will and Testament of Donnie Dale Varcoe, do hereby declare that we have acted as

subscribing witnesses hereto at the request of the said Donnie Dale Varcoe; that she declared this instrument to be her Last Will and Testament to us; that she affixed her signature hereto in the presence of each of us; and that we have affixed our signatures hereto in her presence and in the presence of each other all on the day and year above written; and that on this occasion the said Donnie Dale Varcoe was of sound and disposing mind and memory.

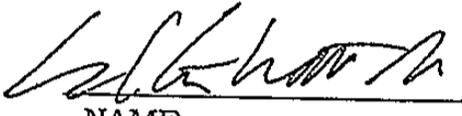
WITNESS our signatures this, the 1st day of ^{August}~~July~~, 2006. *one. WDW*

WITNESSES:


NAME

107 South Branch

Madison MS 39110
ADDRESS


NAME

726 Brookwood Rd.

Jackson, MS 39206
ADDRESS

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

ESTATE OF DONNIE DALE VARCOE

CAUSE NO.

AFFIDAVIT OF SUBSCRIBING WITNESS

STATE OF MISSISSIPPI

COUNTY OF Madison

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Warner Cannade and Kanton Watt, credible and competent subscribing witnesses to the foregoing instrument of writing dated the 1st day of August, 2006, purporting to be the Last Will and Testament of Donnie Dale Varcoe, each of whom having been first duly sworn, stated on oath that the said Donnie Dale Varcoe signed, made, published and declared said instrument as her Last Will and Testament on the 1st day of August, 2006, the date of said instrument, in the presence of these Affiants; that the said Donnie Dale Varcoe was then of sound and disposing mind and memory, and above the age of twenty-one (21) years; that the said Donnie Dale Varcoe was acting voluntarily, without undue influence, fraud or restraint; that the Affiants subscribed and attested said instrument as witnesses to the signature and publication thereof at the special instance and in the presence of Donnie Dale Varcoe, and in the presence of each other; that Donnie Dale Varcoe was, at the time of the attestation mentally capable of recognizing and actually conscious of said act and attestation, that the subscribing witnesses were, at the time of said attestation, competent witnesses

under the laws of the State of Mississippi; that at the time of said attestation, the testatrix, indicated to the Affiants that she was a resident of and had a fixed place of residence in Madison County, State of Mississippi; and that this Proof of Will is attached to the original of that certain foregoing written instrument signed, made, published and declared by the said Donnie Dale Varcoe, testatrix, as her Last Will and Testament on this the 1st day of August, 2006.

[Handwritten signature]

107 South Branch

Madison MS 39110
ADDRESS

[Handwritten signature]

726 Brookwood Rd.

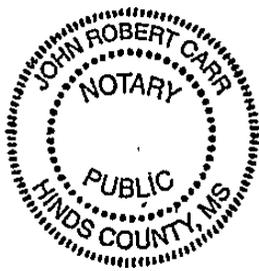
Jackson, MS 39206
ADDRESS

SWORN TO AND SUBSCRIBED before me on this, 1st day of AUGUST, 2006

[Handwritten signature: John R. Carr]
NOTARY PUBLIC

(SEAL)
My Commission Expires:
12/18/07

CT\B1\Wills\Varcoe d



Notary Public State of Mississippi
At Large
My Commission Expires
December 18, 2007
BONDED THRU
HEIDEN, BROOKS & GARLAND, INC

MADISON COUNTY MS This instrument was
filed for record October 13th 2008.
Book 43 Page 400
ARTHUR JOHNSTON, C. C.
BY: *[Handwritten signature]* D.C.

THE STATE OF TEXAS
COUNTY OF NUECES

I, PATSY PEREZ, the duly elected, qualified and acting District Clerk, in
and for Nueces County, State of Texas, do hereby certify that the within and
foregoing contains true and exact copies of the within instruments as filed in

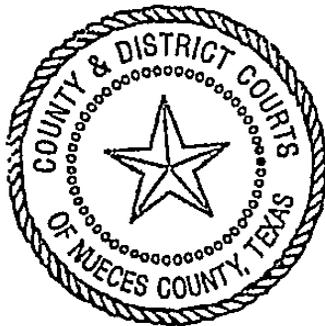
PROBATE CAUSE NO 26693-2

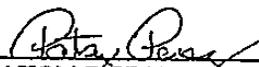
STYLED: In re Estate of RANDAL GRANT STIVERS, Deceased

In the County Court at Law of Nueces County, Texas, to wit

1. Application for Probate of Will
2. Order Probating Will and for Letters Testamentary
3. Last Will and Testament
4. Inventory, Appraisement and List of Claims
5. Order Approving Inventory
6. Affidavit
7. Oath

WITNESS my hand and official seal of said Court at office in Corpus
Christi, Texas, this the 11th day of June, A D., 2007




PATSY PEREZ, DISTRICT CLERK
COUNTY COURTS, NUECES COUNTY, TEXAS

THE STATE OF TEXAS &

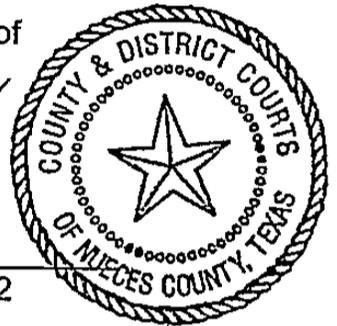
COUNTY OF NUECES &

I, Lisa Gonzales, the duly elected, qualified and acting Judge, County Court at Law No 2 in and for the said County and State, do hereby certify that PATSY PEREZ, is the duly qualified and acting District Clerk, in and for said County and State, and that the signature to the foregoing certificate is the genuine signature of the said PATSY PEREZ

Given under my hand and official seal of office this the 11 day of

June, A D., 2007

[Signature]
JUDGE, COUNTY COURT AT LAW NO.2



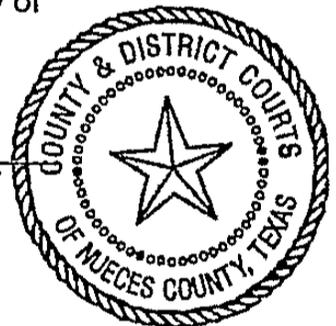
THE STATE OF TEXAS &

COUNTY OF NUECES &

I, PATSY PEREZ, duly elected, qualified and acting District Clerk in and for Nueces County, State of Texas, do hereby certify that the signature of Lisa Gonzales above is his/her genuine signature, of said Judge of County Court at Law No.2, Nueces County, Texas and that seal above attached is the genuine seal of the County Court at Law, Nueces County, Texas.

Given under my hand and official seal of office this the 11th day of June, A D., 2007.

[Signature]
DISTRICT CLERK, NUECES COUNTY



Decedent's will named GAYLE ROBERTS STIVERS, whose residence address is 1013 Nile, Corpus Christi, Nueces County, Texas, to serve without bond or other security as independent executor, and named applicant, JOE ROBERTS STIVERS and RANDAL GRANT STIVERS, JR. as successor co-executors. Attached is an Affidavit by GAYLE ROBERTS STIVERS stating that she is physically incapable of serving as Executor of the Estate of RANDAL GRANT STIVERS and declares that she refuses to serve in such capacity. Said Affidavit further states that it is GAYLE ROBERTS STIVER'S desire that the will of RANDAL GRANT STIVERS be followed and that JOE ROBERTS STIVERS be appointed Independent Executor. RANDAL GRANT STIVERS, JR., is unable to serve as co-executor due to the fact that he is deceased.

The subscribing witnesses to the will were DANA J. BLAIR, COLLEEN B. CURRIER and DAVID Z. CONOLY, all of whom are residents of Corpus Christi, Nueces County, Texas.

No child was born to or adopted by decedent after the making of the will.

Applicant is not disqualified by law from accepting letters.

Decedent was married to GAYLE ROBERTS STIVERS at the time of his death and was never divorced.

This will provides that no action be had or taken by the Probate Court other than probating the will and filing an inventory and appraisalment of the estate and a list of claims.

The will was made self-proved in the manner prescribed by law.



**STATE OF TEXAS
COUNTY OF NUECES**

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS.

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

WHEREFORE, applicant requests that citation be issued to all persons interested in this estate as required by law, that the will be admitted to probate, that letters testamentary be issued to the applicant, and that such other and further orders be made as the court may deem proper.

Respectfully submitted,

Joe Roberts Stivers
JOE ROBERTS STIVERS
775 Estes
San Antonio, Texas 78209
512/826-2261

Attorneys for the Estate of
RANDAL GRANT STIVERS
WALLACE & WALLACE
1006 Guaranty Plaza
Corpus Christi, Texas 78475
512/884-8817

FILED

NOV 14 1984

MARION UHRLINGER
County Clerk, Nueces County, Texas
Laurel J. ... Deputy

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STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

IN THE COUNTY COURT
OF LAW # 2
NUECES COUNTY, TEXAS

ESTATE OF RANDAL GRANT STIVERS,
DECEASED
NO. 26693-2

ORDER PROBATING WILL AND FOR
LETTERS TESTAMENTARY

On this date came on to be heard the written application of ^{JOSEPH} ~~JOSE~~ ROBERTS STIVERS, resident of Nueces County, Texas, for the probate of those certain instruments in writing dated April 22, 1983, supporting and alleging to be the Last Will and Testament of RANDAL GRANT STIVERS, Deceased, which application is also for Letters Testamentary, and due proof being taken in the manner required by law, and it appearing to the satisfaction of the Court that this Court has jurisdiction and venue over the estate, proceeding and subject matter and that every citation and notice required by law has been duly issued, served and returned in the manner and for the length of time required by law; and it being proved to the satisfaction of the Court that the Testator, RANDAL GRANT STIVERS, at the time of the execution of the Will was at least 19 years of age, was of sound mind, and died on the 9th day of November 1984, in Corpus Christi, Nueces County, Texas; that such Testator executed such Will with all the formalities and solemnities under circumstances required by law to make a valid Will; that the same have not been revoked by such Testator and that they are entitled to probate; and it further appearing that GAYLE ROBERTS STIVERS was named in the said Will as Independent Executrix, however, she has refused to serve in such capacity as evidence by a written Affidavit filed of record with this Court, and that RANDAL GRANT STIVERS, JR., was named Successor Co-Executor but is deceased therefore unable to serve in such capacity and that the applicant, ^{JOSEPH} ~~JOSE~~ ROBERTS STIVERS, was named in the said Will as Successor Executor and he is entitled to Letters Testamentary, he is willing to accept the trust and to qualify according to law, and that he is not disqualified from accepting Letters Testamentary; that four years

STATE OF TEXAS
COUNTY OF NUECES



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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

have not elapsed since the death of RANDAL GRANT STIVERS; that said Will provides that no other action shall be had in the County Court in relation to the settlement of such estate other than the probating and recording of such Will and to return an Inventory, Appraisement and List of Claims; It is therefore ORDERED, ADJUDGED AND DECREED that the said Will on file herein be and the same are admitted to probate and recorded as the Last Will and Testament of RANDAL GRANT STIVERS, Deceased and such Will together with the application of probate thereto and all of the testimony given in the proceeding shall be recorded in minutes of this Court, and it is further ORDERED, ADJUDGED AND DECREED that the said ^{JOSEPH}~~JOE~~ ROBERTS STIVERS, applicant herein, receive Letters Testamentary, to serve without bond, upon taking the Oath required by law; that when the said ^{JOSEPH}~~JOE~~ ROBERTS STIVERS has qualified according to law, the Clerk of this Court shall issue Letters in accordance with this Judgment and the law.

Dated DEC 3 1984

Lector de Peña
Judge Presiding in Probate

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**STATE OF TEXAS
COUNTY OF NUECES**

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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

Last Will and Testament

THE STATE OF TEXAS
COUNTY OF NUECES

§
§
§

KNOW ALL MEN BY THESE PRESENTS.

I, RANDAL GRANT STIVERS, a resident of Nueces County, Texas, over eighteen (18) years of age and of sound and disposing mind and memory, hereby revoke all my former wills and codicils and declare this to be my Last Will and Testament.

PART ONE

1.1 Disposition of Entire Estate. It is my intention to dispose by this Will of all my property of every nature and description, separate and community, real, personal and mixed, and wherever situated, and whether acquired before or after the execution of this Will (herein referred to as "my Estate" or "my property"); provided that, if my spouse, GAYLE ROBERTS STIVERS (herein referred to as "my spouse"), survives me, I do not intend to dispose of her interest in the community property.

1.2 Immediate Family. At present my children are RANDAL GRANT STIVERS, JR. and JOSEPH ROBERTS STIVERS. The terms "a child of mine" or "children of mine" or like terms shall refer collectively or severally, as the case may be, to the above and any other children who may hereafter be born to or adopted by my spouse and me.

1.3 Descendants. In the event my spouse fails to survive me, all of my property shall pass and be distributed as part of my remaining residuary estate and shall be distributed to my children then living, share and share alike, per stirpes, or if deceased, to their respective descendants, per stirpes.

1.4 Contingent Trusts for Descendants of a Child of Mine. Should a descendant of a child of mine be entitled to receive outright all or any portion of the properties of my estate, of the Residuary Trust, or of a trust created for the benefit of a child of mine and such descendant has not attained the age of twenty-one (21) years, then the properties of my estate or of such trust otherwise distributable to such descendant shall not be distributed to him or her but such properties shall be distributed to and retained by the designated or natural guardian of such child in trust for the benefit of such descendant under the terms and conditions set forth in this Paragraph. Each trust created under this Paragraph shall be established and maintained under the following terms and conditions

(A) Duration of Trust. Each trust created under this Paragraph for the benefit of a descendant of a child of mine shall continue in the case of a child under the age of twenty-one (21) years, until upon attaining the age of twenty-one (21) years, the trust for the benefit of such child shall be distributed to the child in accordance with the provisions of Paragraph 2.2 in this Will.

(B) Distributions During Existence of Trusts. The Trustee shall distribute to or for the benefit of the Beneficiary of each trust created under this Paragraph all or

Aso Nat. Short

RSB

STATE OF TEXAS
COUNTY OF NUECES

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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW



so much of the income or principal of such trust as the Trustee may determine to be necessary for his or her health, education, maintenance and support

1.5 No Descendants If my spouse, but none of my descendants survive me, I devise and bequeath the rest, residue and remainder of my estate to my spouse, outright and free of trust

PART TWO

2.1 Bequests to Spouse If my spouse and one or more of my descendants survive me

(A) Personal Property I give to my spouse all of my interest in our automobiles, boats, club memberships, household goods and furnishings, clothing, chinaware, jewelry, silver, pictures, works of art, books, personal effects, and any other tangible personal property used as decoration or ornament, together with all insurance policies in connection with the above described items. Further, I give to my spouse any life insurance policies owned by me (or my interest therein) insuring the life of my spouse. Whether any item or property falls into the foregoing categories shall be in the sole judgment of my Executor.

(B) Disposition of Remainder After satisfaction of the previous provision of this Will, I give, devise and bequeath unto my spouse, GAYLE ROBERTS STIVERS, all of my remaining estate, of every kind and character, real, personal and mixed, which shall be subject to my spouse's power to disclaim as set forth in Subparagraph (C) hereinbelow

(C) Disclaimer for Unified Credit Provided, however, if my spouse makes a qualified disclaimer (as defined in Section 2518 of the Internal Revenue Code, as amended) with respect to all or any portion of the interest in property given to my spouse under the bequest created in this Subparagraph 2.1(B), then that property so disclaimed shall be administered and distributed as part of the Residuary Trust created under Subparagraph 2.2 herein. It is my intention that the Residuary Trust only be funded by this disclaimer, if made, and shall be for the purposes of taking advantage, either in full or in part, of the maximum unified credit allowed to estates under Section 2010 of the Internal Revenue Code of 1954, as amended (or any similar provision of a subsequently adopted revenue code) as well as to incur estate tax liability, if the unified credit is exceeded in the disclaimer, for the purpose of reducing the estate tax liability imposed on the death of my surviving spouse

2.2 Residuary Trust If, in accordance with 2.1(C), my spouse does elect to disclaim within the specified time and in the specified manner, I devise and bequeath the property so disclaimed to the trustee hereinafter named to be held in trust under the following terms and conditions

(A) Name and Duration of Trust This trust is referred to as the "Residuary Trust". This trust shall terminate on my spouse's death, and the trust properties then remaining shall be distributed to my children then living, share and share alike, or if one or more is deceased, to their respective descendants, per stirpes (subject to the provisions of Paragraph 1.4). I specifically provide, however, that this trust shall earlier terminate if all of my children and their descendants die during my spouse's lifetime, and the properties of this trust remaining on the death of the last of

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STATE OF TEXAS
COUNTY OF NUECES

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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

my children and their descendants to die will thereupon be distributed to my spouse, outright or in trust as he or she may so elect, if he or she is then living, or should my spouse also be deceased, such properties shall be distributed to the person or persons designated in the Section of this Will entitled "Final Disposition".

(B) Beneficiaries My spouse shall be the primary beneficiary of this trust. However, my children and the descendants of any child of mine who is deceased, during the period this trust is in existence shall also be beneficiaries of this trust

(C) Distribution Among Beneficiaries. My Trustee(s), (which shall consist of a minimum of two (2) persons, one of which shall be a child of mine or, if none are surviving, then a party with an adverse interest (as that term is defined for tax purposes) to my spouse, and one of which may be my spouse, acting jointly) shall pay to or for the benefit of my spouse, any one or more of my children, and any descendant or descendants of a child of mine who is at the time of such distribution deceased, all or so much of the income and principal of the trust as my Trustee may deem necessary or advisable to provide for the health, education, and maintenance of the beneficiaries, taking into consideration the age, education and station of life of each such distributee, and in order to provide for the support of my spouse and children in their accustomed manner of living as of the date of my death. It is my desire that, in determining which trust beneficiaries shall receive distribution, the Trustee shall give preference to the needs of the beneficiaries in the following order: my spouse (primary beneficiary), my children, the descendants of my deceased children. Distributions may be made to or for the benefit of one (1) beneficiary to the exclusion of other beneficiaries and to the exclusion of the primary beneficiary, so long as, at the time of making such distribution, the needs of the primary beneficiary have been satisfied and the Trustee has determined that the trust assets together with any other resources available to the primary beneficiary are adequate to meet the future needs of the primary beneficiary.

(D) Additional Discretionary Distributions of Income If, during the existence of this trust, the Trustee(s) determine that the designated needs of the beneficiaries (their health, education and maintenance) have been and in all likelihood will continue to be satisfied, the Trustee may, nevertheless, make such additional distributions of income and principal of this trust to or for the benefit of the beneficiaries, or any one or more of them, as the Trustee, in its sole discretion, may deem appropriate, but no such distribution or distributions is required; and provided further, no such discretionary distribution shall be made to my spouse or his or her creditors out of principal.

2 3 Convenience Trust In the event my surviving spouse elects to transfer all or any part of the remaining estate to a trust for the convenience, maintenance and comfort of my spouse, then pursuant to the desire and election of my surviving spouse, I give all or any part (however much is elected) of the remaining estate (which shall include all of my estate not a part of the Residuary Trust, and all of my surviving spouse's estate, without regard to community interest) to the Trustee appointed herein, in trust, to be administered in accordance with the terms and conditions set forth in this Paragraph. Any trust created under this Paragraph shall be for said spouse's benefit and called by such spouse's name. This

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disposition of my spouse's interest in our community property shall not be effective without said spouse's acquiescence and shall not diminish the benefits otherwise provided for such spouse under this Will

(A) My Trustee shall distribute the net income of any trust created by this Paragraph to my spouse at least quarterly During the existence of the Trust, the Trustee shall distribute to my spouse such amounts of trust principal as such spouse may from time to time request in writing In addition, the Trustee may distribute such amounts of trust principal to my spouse as the Trustee, in its sole, absolute and uncontrolled discretion, deems desirable from time to time, including, but not limited to, distributions to provide for my spouse's support and maintenance, and also such principal which may be requested by my spouse to make gifts to any one or more of the descendants of said spouse even up to the complete termination of the trust My spouse shall have the power to require that any unproductive property in this trust be converted into productive property within a reasonable time

(B) My spouse shall have a general power, alone and in all events, to appoint (outright, in trust or otherwise) all or any part of the principal of any trust created by this Paragraph to said spouse, said spouse's estate or any other person or persons such spouse may designate. This power shall be exercisable by my spouse by acknowledged instruments delivered to my Trustee during my spouse's lifetime or by specific reference in said spouse's Will.

(C) Upon the death of my spouse, the unappointed principal of any trust created by this Paragraph shall be distributed to my spouse's executors or administrators for administration and distribution as a part of the estate of such spouse.

2 4 Powers and Duties of Fiduciaries

(A) General Powers In addition to the powers granted fiduciaries by law, my Executor(s) and my Trustee(s) shall have all powers granted to Trustees under the Texas Trust Act, as it presently exists and may hereafter be amended. In addition, my Executor and my Trustee shall have full and complete authority

(1) To manage, control and dispose of the assets of my estate and of each trust created or provided for under this Will and to distribute such assets in cash or in kind, or partly in each

(2) To retain the assets of my estate or of any trust or to trade, sell, convey, lease or encumber such assets upon such terms and conditions and for such price in cash, property or credit, as my Executor or my Trustee may deem proper, not only for the purpose of paying debts of my estate or of a trust estate, but for any purpose deemed proper by my Executor or my Trustee

(3) To invest and reinvest the assets of my estate or of a trust estate in such properties as the fiduciary shall deem appropriate, including properties not otherwise authorized for investment of trust properties according to the laws applicable to my estate or the trust estate, specifically authorizing, without limitation, the fiduciaries to invest in corporate obligations of every kind, stocks (preferred or common), investment

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trusts; mutual funds; common trust funds, oil, gas or other mineral leases, royalties, overriding royalties and other mineral interests; real estate and interests therein, real estate investment trusts; partnership interests; insurance policies; and closely held business interests, whether owned outright, in partnership, or through stock ownership; it being specifically provided that any such investment may be made regardless of whether productive of income and without requirement as to diversification; and with respect to any such investment, and specifically with respect to investments in closely held businesses and similar investments, to enter agreements with the other owners of such business interests or similar business interests on such terms and conditions as the fiduciary may deem appropriate, and to secure, by pledge, encumbrance, or guarantee (individually or on a joint or several basis), the liabilities of such business or business interests and the owners thereof and to provide for the potential sale or purchase of such business interests.

(4) To borrow money from any person or entity, including from any individual or corporate fiduciary, to renew or extend any existing loan or debt and to mortgage (by act of mortgage, deed of trust or otherwise), pledge, hypothecate or in any other manner encumber assets of my estate or any of the trust estates, for the purpose of raising funds with which to pay debts or liabilities of my estate or of a trust estate, or as may be necessary in the judgment of my Executors or my Trustees for the advantageous administration of my estate or of any trust estate, or for any reason deemed advantageous to my estate or a trust estate in the opinion of my Executors or Trustees. A corporate or individual trustee shall have the power to loan money to my estate or the estate of any beneficiary of this trust and to purchase assets from such estate or estates.

(5) To vote any stock and to exercise any option, right or privilege to purchase or convert bonds, notes, stocks or other property.

(6) To continue any business which I may own or in which I may financially be interested for such time as my Executor or my Trustee deems to be in the best interest of my estate or of a trust estate, regardless of whether such business may constitute a disproportionate part of my estate or of a trust created under this Will.

(7) My Executor and my Trustee are specifically authorized to retain any real property which I own on the date of my death, regardless of whether such property constitutes a disproportionate part of my estate or of a trust created under this Will.

(B) Discretionary Termination. Any trust created under this Will may be terminated by the Trustee of that trust whenever in the opinion of such Trustee the trust properties are insufficient to justify its continuance. On termination of a trust under this Subparagraph, the Trustee shall distribute the remaining trust properties to the beneficiary of the trust being terminated. Such distribution shall be made outright to any adult competent beneficiary and to the guardian of any incompetent beneficiary, or if no guardian is then living or so serving, to the person having first right of priority to serve as guardian of the person of such beneficiary (as designated by

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the statutes of the state of domicile of such beneficiary) No such distribution shall be made to my spouse under this Paragraph, and for purposes of this Paragraph, my spouse will be deemed to have predeceased me. Such distribution or distributions shall relieve the Trustee from any liability for improper expenditures by the recipient of such properties

(C) Distribution of Estate I direct my Executor to distribute my estate as soon as possible after my death. My Executor is authorized to distribute my estate subject to any and all indebtedness

(D) Freedom from Court Supervision No proceedings shall be had in any court of any jurisdiction with respect to my estate other than the probating of this Will and the filing of an inventory, appraisement and list of claims of my estate

(E) Waiver of Bond No bond or other security shall be required in any jurisdiction of any person named in this Will as Executor or Trustee, except that this paragraph shall not apply to a corporate Trustee

(F) Limit of Liability No Executor or Trustee appointed under this Will shall at any time be held liable for any action or default of such Executor or Trustee if done in good faith and without gross negligence

(G) Compensation of Fiduciaries I direct that my Executor and the Trustee of each trust created under this Will, including any successor, shall receive, unless waived, fair and reasonable compensation for serving as fiduciaries under this Will. The compensation of any corporate fiduciary shall be measured by the fee schedule maintained by such fiduciary. The compensation of any individual fiduciary shall be measured by the prevailing fee schedules in Nueces County, Texas, at the time the services of the fiduciary are rendered. All fiduciaries shall be reimbursed for reasonable expenses incurred in connection with their fiduciary duties

Nothing shall prevent a fiduciary from retaining attorneys, accountants, investment advisors, insurance agents and brokers, and other agents and advisors and paying such individuals or firm reasonable compensation for services rendered.

(H) Removal and Resignation of Trustee. During my spouse's lifetime, (s)he will have the right to remove any Trustee, original or successor(s), of any of the trust(s) created in the Will. In such event, however, such spouse must appoint a substitute corporate trustee with respect to which such spouse's holdings are not significant (as used in Section 675(4) I R C) from the viewpoint of voting control. Any notice of removal of a Trustee shall be given in writing to the Trustee being removed. If during the existence of such trust(s) my spouse becomes incapacitated, or is not living, the oldest beneficiary of such trust will have the right to remove any Trustee, original or successor of the trust created for such beneficiary's benefit, and if such beneficiary is a minor or incompetent, the guardian of the person of such beneficiary may act for him or her in removing a Trustee, or if there is no guardian of such beneficiary serving, the person having first right of priority to serve as guardian of the person of such beneficiary (according to the laws of the domicile of such beneficiary) will have the right to act for such beneficiary in removing a Trustee, and without any requirement that such individual actually qualify as guardian of the beneficiary in a court-supervised guardianship proceeding

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Any Trustee of a trust created in the Will shall have the right to resign as Trustee by giving at least thirty (30) days written notice to my spouse. If my spouse is then incapacitated or is not living, such notice shall be given to the oldest beneficiary of such trust, or if such beneficiary is a minor or incompetent, by giving notice to the guardian of the person of such beneficiary. If no guardian of the beneficiary is serving, such notice shall be given to the person having first right of priority to serve as guardian of such beneficiary (according to the laws of the domicile of such beneficiary and without requiring such person to so qualify in a court-supervised guardianship proceeding). If notice is given by a Trustee of its intention to resign, unless this Will provides for a continuing Trustee or a successor, the designated recipient of such notice will have the right to appoint any person or entity other than the beneficiary of such trust or the person making such appointment, or the spouse of either of the foregoing as successor Trustee.

(I) Removal and Resignation of Executor. During my spouse's lifetime, (s)he will have the right (with proper judicial approval where appropriate) to remove any Executor appointed hereunder. If affairs of the estate are pending (the estate has not been judicially concluded) and my spouse becomes incapacitated, or is not living, my oldest child shall have the right to remove any Executor appointed hereunder.

Any Executor appointed in the Will shall have the right to resign as Executor by giving at least thirty (30) days written notice to my spouse. If my spouse is then incapacitated or is not living, then such notice shall be given to my oldest child. If notice is given by the Executor of his or its intention to resign, unless the Will provides for a continuing or successor Executor, the designated recipient of such notice will have the right to appoint any person or entity other than a beneficiary of such Will or the person making such appointment, or the spouse of either of the foregoing as successor Executor.

PART THREE

3.1 Appointment of Fiduciaries. I appoint my spouse, GAYLE ROBERTS STIVERS, as Independent Executrix of this Will and of my Estate. Should my spouse fail, refuse or otherwise cease to serve, I appoint RANDAL GRANT STIVERS, JR and JOSEPH ROBERTS STIVERS as Independent Co-Executors of this Will and my Estate. The Executors or Executrices appointed above shall be referred to herein as "Executor".

I appoint my spouse, GAYLE ROBERTS STIVERS and RANDAL GRANT STIVERS, JR. and JOSEPH ROBERTS STIVERS, as Co-Trustees (herein collectively referred to as "Trustee") of all trusts created under this Will. Should my spouse fail, refuse or otherwise cease to serve as Co-Trustee of such trusts, then the oldest Beneficiary of such trusts shall serve in her place.

3.2 Payment of Funeral Expenses and Taxes. I direct that my funeral expenses be paid from my residuary estate. All estate and inheritance taxes and other like taxes assessed by reason of my death, whether with regard to property passing under this Will or otherwise, shall be paid from my residuary estate. I also provide that any taxes assessed as a result of a deemed transfer as to which I am a deemed transferor under Chapter 13 of the Internal Revenue Code of 1954, as amended, or the like provision of any subsequently adopted Revenue Code shall be borne by the trust as to which I was deemed a deemed transferor

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3.3 Provision for Ultimate Termination of Trusts Notwithstanding any other provision of this Will, unless sooner terminated in accordance with such provisions, each trust created or provided for in this Will shall cease and terminate within twenty-one (21) years (plus any required period of gestation) after the death of the last survivor of the following persons (i) myself, (ii) my spouse, (iii) my descendants in being at the date of my death. If on the day preceding the expiration of such period any property is still held in trust hereunder, such property shall immediately vest in and be distributed to the income beneficiary of such trust, in fee simple and free of trust.

3.4 Spendthrift Provision No interest of any beneficiary of any trust created under this Will shall be transferable or assignable, or be subject to the claims of any beneficiary's creditors.

3.5 Survivorship For the purposes of this Will, no person named or designated herein shall be regarded as surviving me unless such person survives me by sixty (60) days or more, exclusive of the date of my death. Should my spouse and I die in a common disaster or under circumstances of which there is not sufficient evidence as to which of us survived the other, my spouse shall be deemed to have predeceased me.

3.6 Will not Contractual This Will is not the product of any contract or agreement, and may be revoked at any time.

3.7 Trusts Deemed Texas Trusts The trusts created herein shall be deemed Texas trusts and shall, in all respects, be governed by the laws of the State of Texas.

3.8 Terms Used in This Will Pronouns, nouns and terms as used in this Will shall include the masculine, feminine, neuter, singular and plural form thereof wherever appropriate to the context. Whenever used in this Will:

(1) The term "descendants" means the immediate and remote lawful, lineal descendants by blood or adoption of the persons referred to who are living at the time they must be ascertained in order to give effect to the reference to them.

(2) The term "Executor" shall refer to the then acting Independent Executor or Executors, whether original or successor, serving individually or with another, and regardless of gender.

(3) The term "Trustee" shall refer to the then acting Trustee or Trustees of the trust or trusts referred to, whether original or successor, individual or corporate, serving individually or with another and regardless of gender.

3.9 Final Disposition If neither my spouse nor any of my children or descendants survives me, I give all of my property and estate as follows:

(1) All property which constitutes my separate property and estate during our marriage, and which has still maintained its identity as of the date of my death, I give to my heirs at law.

(2) All property which constitutes my spouse's separate property and estate during our marriage, and which is still identifiable as such, I give to my spouse's heirs at law.

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(3) All property which constitutes the community property and estate of my spouse and I, I give one-half (1/2) to my heirs at law and one-half (1/2) to my spouse's heirs at law.

Should any of the devises or bequests hereunder fail for lack of a beneficiary, I give, devise and bequeath such property to my heirs at laws. My heirs at law and my spouse's heirs at law should be determined by the statutes of descent and distribution respecting separate personal property of the State of Texas, as determined sixty-one (61) days from the date of my death, as though my spouse and I had died on such date intestate, unmarried and without descendants.

If properties of a trust are distributable under this paragraph, such properties will be distributed according to the preceding provisions, but according to the persons living on the date of termination of such trust, rather than the sixty-one (61) days from the date of my death

IN TESTIMONY WHEREOF, I hereunto sign my name to this LAST WILL AND TESTAMENT consisting of this and the preceding pages (each of which I am initialing for the purpose of identification) all in the presence of the undersigned witnesses who witness the same at my request, in my presence and in the presence of each other this 22nd day of April, 1983.

Randal Grant Stivers
RANDAL GRANT STIVERS,
Testator

WE, the undersigned persons, of lawful age, have on this day at the request of Testator witnessed his signature to the foregoing Last Will and Testament in the presence of each of us, and we have, at the same time and in his presence and in the presence of each other, subscribed our names hereto as attesting witnesses.

Dana J. Blair
Witness- DANA J. BLAIR

929 Hallmark Pl.
Corpus Christi, Texas 78408

Colleen B. Currier
Witness- COLLEEN B. CURRIER

512 1/2 Ohio
Corpus Christi, Texas 78404

David Z. Conoly
Witness- DAVID Z. CONOLY

438 Southern
Corpus Christi, Texas 78404



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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

THE STATE OF TEXAS §
COUNTY OF NUECES §

BEFORE ME, the undersigned authority, on this day personally appeared RANDAL GRANT STIVERS, and Dana J. Blair, Colleen B. Currier, and David Z. Conoly, known to me to be the Testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and all of said persons being by me first duly sworn, the said RANDAL GRANT STIVERS, Testator, declared to me and to the said witnesses in my presence that said instrument is his LAST WILL AND TESTAMENT, and that he executed it as his free act and deed for the purposes therein expressed, and the said witnesses, each on his or her oath stated to me, in the presence and hearing of the said Testator that the said Testator had declared to them that said instrument is his LAST WILL AND TESTAMENT, and that he executed same as such and wanted each of them to sign it as a witness, and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said Testator and at his request, and that said Testator was at that time eighteen (18) years of age or over and was of sound mind, and that each of said witnesses was then at least eighteen (18) years of age

Randal Grant Stivers
RANDAL GRANT STIVERS,
Testator

Dana J. Blair
Witness DANA J. BLAIR

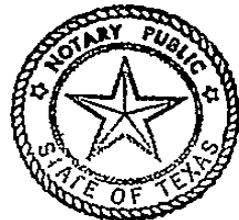
Colleen B. Currier
Witness COLLEEN B. CURRIER

David Z. Conoly
Witness DAVID Z. CONOLY

SUBSCRIBED AND ACKNOWLEDGED before me by the said RANDAL GRANT STIVERS, Testator, and subscribed and sworn to before me by Dana J. Blair, Colleen B. Currier, and David Z. Conoly, witnesses, this 22nd day of April, 1983.

Lori A. Zacher
Notary Public in and for
THE STATE OF TEXAS

MY COMMISSION EXPIRES:
LORI A. ZACHER
MY COMMISSION EXPIRES:
2/02/87



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NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

THE ESTATE OF { IN THE COUNTY COURT AT LAW #2
 RANDALL GRANT STIVERS { NUECES COUNTY, TEXAS

INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

This is the Inventory and Appraisement of all real property the Estate of Randal Grant Stivers situated in the State of Texas, and of all personal property of this estate and a full and complete List of Claims due and owing to the estate, as required to be submitted by the Independent Executor, as of November 9, 1984.

A. Real Property

- | | | |
|----|---|-------------|
| 1. | Big Heart Pipeline Corp. Royalty interest, .0078125 in Hughes County, Oklahoma. Total 1984 production \$711, as described on Exhibit A-1. | \$ 2,900.00 |
| 2. | Jan. Dal Oil & Gas, Inc: Royalty interest of .003906 in Hughes County, Oklahoma. Total 1984 production \$212, as described on Exhibit A-2. | 900.00 |
| 3. | Oklahoma Oil & Gas Co. Royalty interest of .0019533 in Hughes County, Oklahoma. Total 1984 production \$173, as described on Exhibit A-3. | 700.00 |
| 4. | Various non-productions royalties interest in 11 tracts in Pottawatomie, Pontotoc, Okfuskee, McIntosh, Hughes, Creek and Coal Counties, Oklahoma all dated prior to 1937 which have never produced, as described on Exhibit A-4 (1)-(11). | 500.00 |
| 5. | Ergon Oil Co. Lease #85-9959, royalty interest of .00429 in Montgomery County, Mississippi. Total 1984 production \$4,400, as described on Exhibit A-5. | 17,600.00 |
| 6. | Crystal Oil Co. Lease #3001 royalty interest of .0038027 in Montgomery County, Mississippi. Total 1984 production was \$65, as described on Exhibit A-6. | 250.00 |
| 7. | Various nonproducing royalty interests in mineral rights in 23 tracts Montgomery, Madison and Warren Counties, Mississippi all dated prior to 1941 all of which have never produced, as described on Exhibit A-7 (1)-(23). | 500.00 |
| 8. | Non-producing royalty interest in 4 tracts in Tascaloosa County, Alabama dated prior to 1941, all of which have not produced, as described on Exhibit A-8 (1)-(4). | 100.00 |

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9	Arco Oil and Gas Co. Lease #052-900-3695-1800 and 65286825641800 royalty interest of .015625 in Hardin County, Texas. Total 1984 production was \$7,181, as described on Exhibit A-9 (1)-(3).	28,700.00
10.	Mesa Pipeline, Lease #650661 royalty interest of .020833 in Scurry County, Texas. Total 1984 production was \$249, as described on Exhibit A-10.	1,000.00
11.	Coffield Pipeline Co., Lease #164, 165, 181, 454, 466 royalty interests of .0195313 and 0585938 and overriding royalty interest of .03125 in lease #164 and #466 .020834 in lease #165 and #454 Total 1984 production was \$20,696, as described on Exhibit A-11.	82,500.00
12.	Koch Oil Co., Lease #51037, royalty interest of .0013393 in the #1B Kirkendall lease. Total 1984 production was \$2,689, as described on Exhibit A-12.	10,700.00
13.	Fina Oil & Chemical Co. Lease #77762 royalty interest of .0078125 in Hardin County, Texas. Total 1984 production was \$1,667, as described on Exhibit A-13.	6,500.00
14.	Exxon Corp. Lease #43211 royalty interest of .0078125 in Hardin County, Texas. Total 1984 production was \$8,324, as described on Exhibit A-14.	33,300.00
15.	Phillips Petroleum Co. Lease #844156 royalty interest of .0585938 and .0195312 and overriding royalty of .0208334 in Cauldwell County, Texas. Total 1984 production was \$1,485, as described on Exhibit A-15	5,900.00
16.	Gruy Petroleum Management Co. Lease #16109 in royalty interest of .0026786 in gas lease. Total 1984 production was \$5,583, as described on Exhibit A-16.	22,300.00
17.	Shar-Alan Oil Co. Lease #1 royalty interest of .0156250. Total 1984 production was \$746, as described on Exhibit A-17.	2,900 00
18.	Kerr McGee Refinery Corporation Lease #20908 royalty interest of .005859 Total 1984 production was \$76, as described on Exhibit A-18.	300.00
19.	TXO Production Co. Lease #91474 royalty interest of .0194435. Total 1984 production was \$5,233, as described on Exhibit A-19.	20,900.00
20.	Various non-producing royalty and overriding royalty interest in Texas. All interest were acquired prior to 1942 and none have had any production, as described on Exhibit A-20 (1)-(17).	-0-

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B. Stocks and Bonds

1.	400 shares American Smelting & Refining (ASARCO)	9,800.00
2.	100 shs Amerace Esna Corp. 2.60 pfd.	6,400.00
3.	100 shs ARMCO Steel 2.10 pfd.	2,175.00
4.	100 shs Carolina Power & Light Common	2,625.00
5.	200 shs Detroit Edison Common	3,075.00
6.	400 shs Federal Mogul Common	13,500.00
7.	200 shs FMC Corporation Convertible	14,300.00
8.	400 shs Pacific Gas & Electric 6 $\frac{1}{2}$ pfd.	4,650.00
9.	100 shs General Motors \$5 pfd.	4,787.50
10.	175 shs Central Power & Light 4 $\frac{1}{2}$ pfd.	5,862.50
11.	18 U.S. Savings Bonds Series HH at \$5,000 face. Deferred income with respect of decedent \$68,636.	90,000.00

C. Mortgages, Notes and Cash

1.	Texas Commerce Bank, Corpus Christi Checking account - \$	15,368.00
2.	American Bank, Corpus Christi	27,738.00
3.	First State Bank of Corpus Christi, Tx.	20,328.00

D. Miscellaneous Properties

1.	Personal Effects, Jewelry, Furniture, Fixtures, Household Effects, etc.	-0-
2.	Automobiles	-0-

E. Liabilities

-0-

F. Insurance

1.	Aetna Life Insurance Co. Policy #05231647	2,500.00
2.	Aetna Life Insurance Co. Policy #05231646	2,500.00
3.	Travelers Life Insurance Co. Policy #1647484	5,000.00
4.	Travelers Life Insurance Co. Policy #1652060	5,000.00
5.	Travelers Life Insurance Co. Policy #874969	25,000.00

The Independent Executor of this estate prays that this Inventory, Appraisement and List of Claims be approved and ordered entered of record.

Joe Stivers

 Joe Stivers

STATE OF TEXAS
 COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS

PATSY PEREZ

NUECES COUNTY DISTRICT CLERK

CLERK OF THE DISTRICT & COUNTY COURTS AT LAW



BOOK 043 PAGE 433

IN THE COUNTY COURT OF NUECES COUNTY, TEXAS § ESTATE OF RANDAL GRANT STIVERS § NO.

I, Joe Stivers, solemnly swear that the Inventory, Appraisal and List of Claims has been made by me the Independent Executor of such estate and the same is true, correct, full and complete and represents no more than the fair market value of the properties of the estate that have come to my knowledge.

Joe Stivers (signature) Joe Stivers

THE STATE OF TEXAS § COUNTY OF §

Sworn to and subscribed before me by the said Joe Stivers on this 16th day of Oct, 1986, to certify which witness my hand and seal of office.



Roland A. Jesty (signature) Notary Public in and for the State of Texas

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STATE OF TEXAS COUNTY OF NUECES

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EXHIBIT A

1. .0078125 Royalty Interest acquired from Earl A. Davis by Deed dated 12/17/36 in the West 8.02 acres of the West 28.02 acres of Lot 1, Section 8; TWP 8N; Range 8E; Wewoka District; Hughes County, Oklahoma.
2. .003906 Royalty Interest acquired from J. W. Hundley by Deed dated 11/21/35 in the 120 acre tract being the South 1/2 Southwest 1/4 and the Northeast 1/4 Southwest 1/4; Section 11; TWP 4N; Range 9E; Citra District; Map No. O-3; Hughes County, Oklahoma.
3. .0019533 Royalty Interest acquired from Henry T. Brady et ux by Deed dated 02/25/36 in the 120 acre tract being the NW 1/4 NE 1/4 and NE 1/4 NW 1/4 and W 1/2 SE 1/4 NW 1/4 and W 1/2 NE 1/4 SW 1/4; Section 12; TWP 5N, Range 9E; Allen District; Map No. O-2; Hughes County, Oklahoma.
4. (1) 1/16th Royalty Interest acquired from Anna Zoeller, widow by Deed dated 11/28/36 in the 40 acre tract being the NE 1/4 SW 1/4 of Section 5; TWP 6N; Range 5E; Asher District; Pottawatomie County, Oklahoma.
 (2) 1/320th Royalty Interest acquired from Harvey A. Heller by Deed dated 11/13/36 in the 320 acre tract being the W 1/2 of Section 35; TWP 7N; Range 4E; St. Louis District; Map No. listed in file; Pottawatomie County, Oklahoma.
 (3) 1/160th Royalty Interest acquired from Clement Davis by Deed dated 11/05/36 in the 80 acre tract being the N 1/2 NW 1/4 of Section 28; TWP 7N, Range 4E; St. Louis District; Pottawatomie County, Oklahoma.
 (4) 1/4th Royalty Interest acquired from M. Adams et vir by Deed dated 11/16/35 in the 40 acre tract being the E 1/2 SE 1/4 SE 1/4 Section 25 and E 1/2 NE 1/4 NE 1/4 Section 36 of Sections 25 and 36, TWP 3N; Range 8E; Lula District; Map. No. O-5; Pontotoc County, Oklahoma.
 (5) 1/16th Royalty Interest acquired from John C. Chatman by Deed dated 1922 in the 40 acre tract being the NW 1/4 SW 1/4 of Section 19; TWP 11N; Range 11E; Clearview District; Map. No. listed in file, Okfuskee County, Oklahoma.
 (6) 1/32nd Royalty Interest acquired from J. W. Stivers Estate by Deed in the 80 acre tract being N 1/2 SW 1/4 of Section 36; TWP 12N; Range 9E; Okemah District; Map No. listed in file; Okfuskee County, Oklahoma.
 (7) 1/64th and 1/40th Royalty Interest acquired from E. H. Sloan and C. A. Coakley by Deed dated 12/05/35 and 12/06/35 in the 80 acre tract being S 1/2 NW 1/4 of Section 9; TWP 9N; Range 14E; Raiford District; Map No. O-4; McIntosh County, Oklahoma.
 (8) 1/4th Royalty Interest acquired from Peerless Oil and Gas Company by Deed dated 12/04/30 in the 80 acre tract being E 1/2 NW 1/4 of Section 20; TWP 16N; Range 8E; Map No. listed in file; Creek County, Oklahoma.
 (9) 1/4th Royalty Interest acquired from Southern Oil Company by Deed dated 11/15/35 in the 128.20 acre tract being the N 1/2 SW 1/4 and N 1/2 SW 1/4 SW 1/4 and SE 1/4 SW 1/4 SW 1/4 and W 1/2 SE 1/4 SW 1/4 and SE 1/4 SE 1/4 SW 1/4 of Section 31; TWP 3N; Range 9E; Lula District; Map No. O-1; Coal County, Oklahoma.
 (10) 1/8th Royalty Interest acquired from Jess L. Cooper by Deed dated 11/23/35 in the 40 acre tract being the SE 1/4 NE 1/4 of Section 30; TWP 3N; Range 9E, Lula District; Map No. O-1; Coal



STATE OF TEXAS
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NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

County, Oklahoma.

(11) 1/7th Royalty Interest acquired from N. V. Leonard by Deed dated 11/25/35 in the 70 acre tract being W 1/2 W 1/2 SW 1/4 and N 1/2 NE 1/4 SW 1/4 and NE 1/4 NW 1/4 SW 1/4 of Section 29, TWP 3N; Range 9E; Lula District; Map No. O-1, Coal County, Oklahoma.

5. .00429 Royalty Interest acquired from Alex Eiland and wife Jinnie by Deed dated 12/05/39 in the 240 acre tract being SE 1/4 of SW 1/4 and SW 1/4 of NE 1/4 and W 1/2 of SE 1/4 Section 20; and SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 21 of Sections 20 and 21; TWP 19N; Range 7E; Kilmichael District, Montgomery County, Mississippi.

6. .0038027 Royalty Interest acquired from Winslow Harvey et ux by Deed dated 12/13/39 in the 130 acre tract being Part of W 1/2 NW 1/4 NW 1/4, 20 acres east of Kilmichael and Loda road, Section 25, AND SW 1/4 NE 1/4 less 10 acres on East side, AND N 1/2 NE 1/4 Section 26 of Sections 25 and 26; TWP 19N, Range 7E, Kilmichael District, Map No. M-3, Montgomery County, Mississippi.

7. (1) 1/8th Royalty Interest acquired from W. B. Marshall et al by Deed dated 12/01/39 in the 271.5 acre tract being NW 1/4 NW 1/4 Section 22, and E 1/2 E 1/2 and NW 1/4 of NE 1/4 and N 1/2 SW 1/4 NE 1/4 and 11.5 acres E 1/2 NW 1/4 description as follows. beginning 17 chns. and 25 ft. N. of center post of Section 21-19N-7E; thence N. 56 deg. W. 1 chn. and 34 ft.; thence N. 30 deg. W. 14 chns and 22 ft., thence N. 30 deg. E. 9 chns. and 37 ft.; thence N. 52 deg. 1 chn, and 61 ft.; thence E. 1 chn. 47 ft. to 1/4 sec. corner between Sections 16 and 21-19N-7E; thence S. 22 chns. and 41 ft., the place of beginning and all in Section 21-19N-7E of Sections 21 and 22, TWP 19N; Range 7E, Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(2) 1/8th Royalty Interest acquired from Lee (L. A) Leonard et ux by Deed dated 12/09/39 in the 207 acre tract being the SW 1/4 SW 1/4 Sec. 26, T. 19N, R. 7E, ALSO part of SW 1/4 SE 1/4 7 A. East of Creek, Sec. 27, T. 19N, R. 7E, ALSO SE 1/4, SE 1/4 Sec. 27, T. 19N, R. 7E, ALSO NW 1/4 NW 1/4 Sec. 35, T. 19N, R. 7E, ALSO N 1/2 NE 1/4 Sec. 34, T. 19N, R. 7E, being in all 207 acres, more or less of Sections 26, 27, 34 and 35, TWP 19N, Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(3) 1/8th Royalty Interest acquired from Anderson Gregory et ux by Deed dated 12/16/39 in the 156.50 acre tract being the NW 1/4 S. 24, T.19, R. 6E., less 3 1/2 acres in NW corner lying west of neighborhood road, heretofore deeded to Henry Hammond, containing 156 1/2 acres and is the same land deeded to E. B. Cox by Emily N. McLughlin, said deed being of record in Book 39, Page 380, records of Chancery Clerk, Montgomery County, Mississippi of Section 24, TWP 19N, Range 6E, Kilmichael District, Map No. M-3, Montgomery County, Mississippi.

(4) 1/8th Royalty Interest acquired from Miles T. Shelton et ux by Deed dated 12/01/39 in the 182.5 acre tract being the SW 1/4 SW 1/4 and S 1/2 SE 1/4 SW 1/4 and W 1/2 SW 1/4 SE 1/4 Sec 7, TWP 19, Range 7E and NW 1/4 NW 1/4 and N 1/2 SW 1/4 NW 1/4 and NW 1/4 NE 1/4 NW 1/4 Sec. 18, T.19, Range 7E AND 12 acres in SE 1/4 SE 1/4 Sec. 12, T 19, Range 6 AND 1/2 acre in NE corner of NE 1/4 NE 1/4 Sec. 13, T.19, Range 6 AND N 1/2 SE 1/4 SW 1/4 Sec. 7, T.19, Range 7E, containing 182 1/2 acres more or less of Sections 7 and 18; TWP 19N; Range 7E and 6E, Kilmichael District; Map No. M-3; Montgomery County, Mississippi

(5) 1/16th Royalty Interest acquired from Pleasie Seals et ux by Deed dated 12/16/39 in the 140 acre tract being the NE 1/4 less 20 acres off South side of Sec. 28 of Section 28, TWP 19N; Range 7E, Kilmichael District, Map No. M-3; Montgomery County,

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STATE OF TEXAS
COUNTY OF NUECES

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PATSY PEREZ

NUECES COUNTY DISTRICT CLERK

CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

(6) 1/8th Royalty Interest acquired from J. O. Ray et ux by Deed dated 12/16/39 in the 82 acre tract being SW 1/4 SW 1/4 and S 1/2 NE 1/4 SW 1/4 and N 1/2 SE 1/4 SW 1/4 and part of SW 1/4 SE 1/4, 2 acres in NW corner, Sec. 23 of Section 23; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(7) 1/16th Royalty Interest acquired from Dob Seals, widower by Deed dated 12/16/39 in the 100 acre tract being the W 1/2 SE 1/4 AND S 1/2 SW 1/4 NE 1/4 of Section 21; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(8) 1/4th Royalty Interest acquired from Mrs. Edith Malone et vir by Deed dated 01/22/40 in the 200 acre tract being the N 1/2 of SW 1/4 and S 1/2 of NW 1/4 and NW 1/4 of NW 1/4 of Section 20; TWP 19N; Range 7E; Kilmichael District; Montgomery County, Mississippi.

(9) 1/8th Royalty Interest acquired from Frank Bains et ux by Deed dated 01/17/40 in the 120 acre tract being the W 1/2 SW 1/4 Sec. 22 AND NW 1/4 NW 1/4 Sec. 27 of Sections 22 and 27; TWP 19N, Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(10) 1/72nd Royalty Interest acquired from Frank Bains et ux by Deed dated 01/17/40 in the 280 acre tract being the E 1/2 SW 1/4 and W 1/2 SE 1/4 Sec. 33; AND SW 1/4 NW 1/4 and W 1/2 NE 1/4 Sec. 27 of Sections 33 and 27; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(11) 1/8th Royalty Interest acquired from Jobe N. Curtis by Deed dated 1940 in the 120 acre tract being the S 1/2 NW 1/4 Sec. 17 AND SE 1/4 NE 1/4 Sec. 18 of Sections 17 and 18; TWP 19N; Range 7E; Kilmichael District; Map No. M-3, Montgomery County, Mississippi.

(12) 1/8th Royalty Interest acquired from F. W. Burns et ux by Deed dated 02/06/40 in the 166 acre tract being the NE 1/4 NE 1/4 and part of NW 1/4 NE 1/4, 6 acres, and SW 1/4 NE 1/4 Sec. 30; also N 1/2 NW 1/4 Sec. 29 of Sections 29 and 30; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(13) 1/8th Royalty Interest acquired from W. A. Ward by Deed dated 02/20/40 in the 79 acre tract being the N 1/2 NW 1/4 less 5 acres NW corner Sec. 5-18N-7E also 4 acres in SW 1/4 Sec. 32-19N-7E of Sections 5 and 32; TWP 18N and 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(14) 7/48th Royalty Interest acquired from Henry Purnell et ux to W. D. Davis by Deed dated 01/22/40 in the 345-5/8 acre tract being the NW 1/4 NW 1/4 Sec. 13; S 1/2 NW 1/4 and N 1/2 SW 1/4 and NW 1/4 SE 1/4 and part of NW 1/4 NW 1/4 (1 ac. in NW cor. west of creek) Sec. 14; S 1/2 NE 1/4 and N 1/2 N 1/2 less 1 ac. in NW cor. Sec. 14; AND E 1/2 NW 1/4 less 15 ac. West of road AND part of NE 1/4 SW 1/4, 15 ac. north of road, and part of N 1/2 SE 1/4, 70 ac. north of road, AND NE 1/4 Sec. 15 of Sections 13, 14 and 15; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.

(15) 1/4th Mineral Interest acquired from W. D. Davis by Deed dated 01/26/40 in the 200 acre tract being the NW 1/4 and SW 1/4 of NE 1/4 of Section 30; TWP 20N; Range 7E; Winona District; Montgomery County, Mississippi.

(16) .24609 Mineral Interest acquired from Mrs. Alma Kelso by Deed dated 01/20/40 in the 120 acre tract being the SW 1/4 of

STATE OF TEXAS
COUNTY OF NUECES

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NUECES COUNTY DISTRICT CLERK

CLERK OF THE DISTRICT & COUNTY COURTS AT LAW



SE 1/4 of NE 1/4 of SW 1/4 and SE 1/4 of NW 1/4 of Section 25; TWP 20N, Range 6E; Winona District, Montgomery County, Mississippi.

(17) 1/6th Royalty Interest acquired from D V. Partridge by Deed dated 05/07/40 in the 120 acre tract being the E 1/2 NE 1/4 Sec. 22 and SW 1/4 NW 1/4 Sec. 23 of Sections 22 and 23; TWP 20N; Range 7E; Montgomery County, Mississippi.

(18) 1/12th Royalty Interest acquired from Ethel Anderson et al by Deed in the 355 acre tract being the E 1/2 SE 1/4 Sec. 3; 30 acres off E. side NE 1/4 and 5 acres off NE corner of Sec. 10; S 1/2 NW 1/4 and SW 1/4 Sec. 11 of Sections 2, 10 and 11; TWP 11N; Range 3E, Pickens District; Map No. M-1, Madison County, Mississippi.

(19) 1/72nd Royalty Interest acquired from W. J. Lutz by Deed dated 04/06/40 in the 240 acre tract being the W 1/2 NW 1/4 Sec. 31 and SW 1/4 SW 1/4 Sec. 30, T. 11N, R. 4E, and E 1/2 NE 1/4 Sec. 36 and SE 1/4 SE 1/4 Sec. 25, T. 11N, R. 3E of Sections 30, 31, 25 and 36; TWP 11N; Range 4E and 5E, Loring District; Map No. M-1; Madison County, Mississippi.

(20) 1/72nd Royalty Interest acquired from W. J. Lutz by Deed dated 04/06/40 in the 240 acre tract being the SW 1/4 and W 1/2 SE 1/4 of Section 32; TWP 11N, Range 4E; Loring District; Map No. M-2, Madison County, Mississippi.

(21) 15/118th Royalty Interest acquired from S. L. Brown et ux by Deed dated 09/60/40 in the 295 acre tract being the E 1/2 E 1/2 and W 1/2 SE 1/4 less 25 acres off West side thereof, all in Sec. 23, and W 1/2 NW 1/4 of Sec. 24 of Sections 23 and 24, TWP 11N, Range 3E; Pickens District, Map No. M-1, Madison County, Mississippi.

(22) 1/6th Royalty Interest acquired from Frank Groome et ux by Deed dated 05/06/40 in the 155 acre tract being the SE 1/4 Sec. 8, less and except a strip of land off the East side thereof sufficient in width to contain 10 acres of Section 8; TWP 17N; Range 4E, Redwood District; Map No. M-4, Warren County, Mississippi.

(23) 19/492nd Royalty Interest acquired from Jeanett Hopkins by Deed dated 11/25/39 in the 164 acre tract being the W 1/2 NE 1/4 and E 1/2 NW 1/4 Sec. 12-17N-E, also 6 acres in SW corner of SE 1/4 of Sec. 9-16N-4E and being same property purchased from Dexter Mann and Rachel Mann by Deed February 9, 1926, being recorded in Deed Book 164, page 406 of Section 12 and 9; TWP 17N and 16N, Range 4E; Redwood District, Map No. M-4, Warren County, Mississippi.

8. (1) 3/16th Royalty Interest acquired from W. R. Brown et ux by Deed dated 04/26/40 in the 40 acre tract being the SW 1/4 NW 1/4 of Section 1; TWP 18S; Range 10W; Tuscaloosa County, Alabama.

(2) 1/8th Royalty Interest acquired from G. T. Riley et ux by Deed dated 05/14/40 in the 40 acre tract being the SE 1/4 SW 1/4 of Section 35; TWP 17S; Range 10W; Tuscaloosa County, Alabama.

(3) 3/8th Royalty Interest acquired from Sallie Boone et viv by Deed dated 05/25/40 in the 80 acre tract being the N 1/2 NE 1/4 of Section 22; TWP 17S, Range 10W; Tuscaloosa County, Alabama.

(4) 1/2 Royalty Interest acquired from Maudie Bently et al by Deed dated 05/14/40 in the 80 acre tract being the NE 1/4 SE 1/4 Sec. 26 AND NW 1/4 SW 1/4 Sec. 25 of Sections 25 and 26, TWP 17S; Range 10W, Tuscaloosa County, Alabama.

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STATE OF TEXAS
COUNTY OF NUECES

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CLERK OF THE DISTRICT & COUNTY COURTS AT LAW



9. (1) ROTH GORE LAND acquired from Wilks Patterson by Deed dated 10/05/35 in the 85 acre tract being the West 85 acres of that certain 293.7 acre tract in Joseph Ellery League, Abstract No. 17, said 293.7 acres being same land conveyed by E. L. Nall to J. W. Terral and wife Ruth Terral, by Warranty Deed dated March 6, 1929, recorded in Vol. 113, Page 335, Deed Records of Hardin County; Silsbee District; Map No. T-4; Hardin County, Texas.

(2) JAMES B. EASON LAND acquired from Wilks Patterson by Deed dated 10/05/35 in the 23.31 acre tract being all that certain tract of land in SW part of O. C. Nelson League containing 25.34 acre save and except 2.03 acre sold off W side of said tract for highway purposes by James B. Eason et ux in 1934. 25.34 acres more particularly described in Oil and Gas Lease from Eason et ux to Carl O. Keels dated March 28, 1934 and recorded in Vol. 128, Page 188, Deed Records of Hardin County, Texas, Silsbee District; Map No. T-4; Hardin County, Texas.

(3) J. C. CARAWAY LAND acquired from Wilks Patterson by Deed dated 10/05/35 in the 40 acre tract being the 40 acres more or less situated in G. W. Brooks League, Abstract No. 4 and being same land conveyed by Warranty Deed dated September 2, 1920 from Carrie A. Little, independently and as executrix of estate of J. L. Little, deceased, to J. C. Caraway and recorded in Vol. 85, Page 584, Deed Records of Hardin County; Silsbee District; Map No. T-4; Hardin County, Texas.

10. .020833 Royalty Interest acquired from First National Bank by Deed dated 01/22/37 in the 10 acre tract being the S 1/2 of E. 20 acres of NW 1/4 of Sec. 129 (and other land) of Section 129, Block 97; H&TC Survey; Sharon Ridge District; Map No. T-9; Scurry County, Texas.

11. .0585938 Royalty Interest acquired from A. E. Streeter by Deed dated 01/06/41 in the 124.21 acre tract being all of Lots or Tracts 4 and 5 of Block or Section 11 of the Burton and Danforth Subdivision of the Parrita Pasture of Lots 4 and 5; Block 11; B&D Subdivision; Palfurrias District; Map No. T-1; Brooks County, Texas.

12. .0013393 Royalty Interest acquired from Wilks Patterson by Deed in the 40 acre tract being 40 acres in O. C. Nelson and G. W. Brooks Leagues, a part of the B. F. Kirkendoll 160 acre survey and being in one body of land and bounded as follows: On E by public road from Silsbee to Spurger; on N. by J. H. McKinney 37 acre tract; on W. By S.S.&D Co. and on S. by Scott McDonald 35 acre tract and Cary Caraway tract; Kirkendoll Survey; Silsbee District; Map No. T-4; Hardin County, Texas.

13. .0078125 Royalty Interest acquired from Robert C. Scott by Deed dated 08/06/26 in the 80 acre tract being the N 1/2 SE 1/4 of Section 86; Block 29; W&NW RR Survey; Chalk District; Howard County, Texas.

14. .0078125 Royalty Interest acquired from A. S. Johnson by Deed dated 10/05/35 in the 200 acre tract being the 200 acres in G. W. Brooks League Abstract No. 4 and in Joseph Ellery League Abstract No. 17, said land being described by metes and bounds in Oil and Gas Lease dated January 18, 1934 from Mattie Lee Kirby to J. W. Parr, Recorded in Vol. 130, Pages 90-93, Deed Records of Hardin County; Silsbee District; Map. No. T-4; Hardin County, Texas.

15. .15625 Royalty Interest together with a .0625 and a .041667 overriding Royalty Interest acquired from John E. Davis by Deed dated 07/15/36 in the 133 acre tract being the 133 acres, part of John R. Miller Survey, being the same land conveyed to John E. Davis by Northfield Savings Bank of Northfield, Vermont by deed dated March 11, 1936 and the same land conveyed to said



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NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

Bank by Sheriff's Deed dated February 19, 1936, of record in Vol. 170. Page 338. Deed Records of Caldwell County, Texas, J. R. Miller Survey, Branyon District, Map No. T-1; Caldwell County, Texas.

16. .0026786 Royalty Interest acquired from Wilks Patterson by Deed dated 10/05/35 in the 58 acre tract being the 58 acres situated in G. W. Brooks League Abstract No. 4 and in the Joseph Ellery League Abstract No. 17, being same land conveyed by R. A. Bryant to Mrs. Bertha Pyle by warranty deed dated June 10, 1931 and recorded in Vol. 122, Page 609, Deed Records of Hardin County, Silsbee District, Map No. T-4; Hardin County, Texas.

17. .0156250 Royalty Interest acquired from Mrs. Cora Work by Deed dated 03/18/36 in the 130 acre tract being the 130 acres out of the John R. Curry Survey, Abstract No. 150, being fully described in Mineral Deed from Cora Work, a widow, to R. G. Stivers, dated March 18, 1936 and recorded in Vol. 137 at page 333 of the Deed Records of Hardin County, J. R. Curry Survey; Kountze District; Map No. T-4; Hardin County, Texas.

18. .005859 Royalty Interest acquired from Anton Elserloh, Lynden by Deed dated 10/15/35 in the 585.6 acre tract being all of Share D out of original Share No. 5, of the Partition of the Las Mestenas Grant, containing 585.6 acres and being fully described in metes and bounds in deed to R. G. Stivers, Section Share D; San Salvador District, Hidalgo County, Texas.

19. .0194435 Royalty Interest in the 58 acre tract located in the G. W. Brooks League Abstract No. 4 and in the Joseph Ellery League Abstract No. 17 being the same land conveyed by R. A. Bryant to Mrs. Bertha Pyle by Warranty Deed, June 10, 1931 recorded in Volume 122, Page 609, Deed Records, Hardin County, Texas.

20. (1) 1/4th Royalty Interest acquired from Clara Bischoff et vir by Deed dated 05/18/39 in the 20 acre tract being a part of Block 4, Orange Hill Subdivision and being same land conveyed by Henry Rasche et ux to their daughter Clara Bischoff by deed dated Oct. 15, 1917 and recorded in Vol. 52, at Page 565, Deed Records of Austin County, Block 4; Orange Hill District, Map No. T-3; Austin County, Texas.

(2) 1/2 Royalty Interest acquired from Alma E. Connor by Deed dated 09/15/64 in the 10 acre tract being all of Block 44 of Orange Hill Subdivision being same land deeded Alma E. Connor in deed dated 03/10/19, Vol. 55, Page 60, Block 44, Orange Hill District, Map No. T-3; Austin County, Texas.

(3) 1/12th Royalty Interest acquired from R. D. Franke by Deed dated 04/07/39 in the 102 acre tract being 102 acres out of W. F. Dunlevy Grant, Post Oak Area, being same land described in deed executed by Willie Elolf et ux and Herman Dudensing to R. D. Franke dated April 13, 1936 and recorded in Vol. III, Pages 378-379, Deed Records for Austin County, Post Oak District, Map No. T-7; Austin County, Texas.

(4) 1/2 Royalty Interest acquired from Henry Rasche by Deed dated 05/31/39 in the 5.4 acre tract being the 5.4 acres out of Block 19, Orange Hill Subdivision and Town Block No. 5 (Lots 1 to 20); Block 19; Orange Hill Subdivision, Map No. T-3; Austin County, Texas.

(5) 1/2 Royalty Interest acquired from N. Ray Hall et ux by Deed dated 02/07/39 in the 10 acre tract being Lot 2 Allison-Richey Gulf Coast Home Company's Suburban Garden Subdivision of Sec. 82, H.T.B.R.R. Survey, Abstract No. 565 and all land owned by N. Ray Hall et ux in said survey; Sec. 82; Abstract No. 565, H.T.B.R.R. Survey, Arcola District; Map No. T-5; Brazoria County, Texas.

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**STATE OF TEXAS
COUNTY OF NUECES**

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PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

(6) 1/48th Royalty Interest acquired from W. M. Wallace by Deed dated 09/18/39 in the 90 acre tract being part of the James Cummings League on the Colorado River about 1/4 mile NW of the City of Columbus and being same land conveyed by Andreas Braden to Frank Braden dated 01/01/06 and recorded in Vol. 31, Pages 340-341, Deed Records of Colorado County; Columbus District; Map No. T-6; Colorado County, Texas.

(7) 1/48th Royalty Interest acquired from Wm. Wallace by Deed dated 09/14/39 in the 537-4/5 acre tract being the 117.4 acres, part of Wm. David Survey; 100 acres part of the William David Survey; 50 acres part of the R. J. Focken Survey; 220 acres, part of the J. W. Bunton Survey and 50 acres, part of R. J. Focken Survey being same 5 tracts described in Quitclaim Deed from Farmers Royalty Holding Co. to Walter Hennecke et al, dated 08/19/39 and recorded in Vol. 105, Page 356-358, Deed Records, Columbus, Texas; Columbus District; Map No. T-6; Colorado County, Texas.

(8) 1/6th Royalty Interest acquired from F. W. Bunge by Deed dated 1939 in the 24.83 acre tract being the 24.83 acres out of County Farm Tract in J. Hayden League; Cecil Noble District; Map No. T-6; Colorado County, Texas.

(9) 1/12th Royalty Interest acquired from Duval County Ranch Co. lease dated 11/03/36 in the 1/12 acre tracts 2 and 3 being the 102.4 acres in three tracts out of 2620 acre lease as follows: Tract #1. 40 acres in form of square being N 1/4 of E 1/4 Survey 52; Tract #2. 20 acres out of E 1/4 of Survey 53; Tract #3. 42.14 acres in most westerly corner of Sec. 52; Block No. 52 and 53; GB and CNG Survey; Map No. listed in file; Duval County, Texas.

(10) 1/2 Royalty Interest acquired from Mrs. M. Z. Weaver by Deed dated 09/26/29 in the 640 acre tract being Abstract No. 2088, Certificate 1/255 Survey 86 G.W.T. and P. Ry. Co., Grantee; Block 3 GWT & P Ry.; Survey No. 86; Rock Springs District; Map No. listed in file; Edwards County, Texas.

(11) 1/4th Royalty Interest acquired from L. W. Bassett by Deed dated 01/29/31 in the 108 acre tract being a part of Stephen L. Davis Survey; patented #145, Vol. 39, dated September 25, 1871, filed April 15, 1905, Vol. V, Page 618, Deed Records of Gregg County, Texas. Metes and bounds description in file; S. L. Davis District; Gladewater District; Map No. listed in file; Gregg County, Texas.

(12) 1/16th Royalty Interest acquired from Wilks Patterson by Deed dated 10-5-35 in the 40.87 acre tract being the 40.994 acre tract, being N 1/2 of Jas. Gore 173 acre survey out of O. C. Nelson League, Abstract No. 40; being same land conveyed by Ann E. Gore to C. B. Gore by deed recorded in Vol. X, Page 452, Hardin County Deed Records except 27.68 acres which was conveyed by C. B. Gore to N. A. Cravens by deed recorded in Vol. 90, Page 396 of Hardin County Deed Records, N. Silsbee District; Map No. T-4; Hardin County, Texas.

(13) 7/64th Royalty Interest in the 1217 acre tract being Tract #1. Part of Chas. Clark Survey; Abstract No. 75; 80 acres; Tract #2. Part of Chas. Clark Survey; Abstract No. 75; 657 acres; Tract #3. Samuel L. Good Labor, Abstract No. 131; 177 acres; Tract #4. Jos. S. Cochran Labor; Abstract No. 59; 177 acres; Tract #5. Part of S. P. Gray Preemption (2 tracts); 126 acres; Bleakwood District, Map No. T-10; Newton County, Texas.

(14) 2 1/2 of 110th Royalty Interest acquired from C. J. Dornes by Deed dated 02/13/37 in the 110 acre tract being a part of the M. B. Tatum Survey; Abstract No. 740, described as follows: Beginning at N. E. B. line of M. B. Tatum Survey 475 varas N. 43 W. from E. corner thereof; thence N. 43 W. 475 varas

STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW



to N. corner of W. C Harvey 220 acre tract, thence S. 47 W. 1309 varas to W. corner of said Harvey tract; thence S. 43 E. 475 varas; thence 47 E. 1309 varas to place of beginning, M. B. Tatum Survey; Forrestburg District; Montague County, Texas.

(15) 2 1/2 of 141th Royalty Interest acquired from C. J Dornes by Deed dated 02/13/37 in the 141 acre tract being all of the T. J. Cook Survey, Abstract No. 165, T. J. Cook Survey; Forrestburg District; Montague County, Texas.

(16) 1/2 Royalty Interest acquired from W. Lee Dowlen et al by Deed dated 10/01/26 in the 120 acre tract being the North 80 acres of subdivision No. 7 and Northwest 40 acres of subdivision No. 8 in Will Stiths Subdivision of Sections 2, 3, 10, 11, 14, 15, 22 and 23 of Texas and Pacific Co. Survey; Block 27 (N 1/2 of 7 is N 1/2 SW 1/4 Sec. 11) (NW 40 acre of Subdivision 8 is NW 1/4 SE 1/4 Sec. 11) of Sec. 11; Block 27; T&PRR Co. Survey, Cedar Bend District, Map No. T-9; Mitchell County, Texas.

(17) 1/4th Royalty Interest acquired from Wm. Van Hoogenhuyze by Deed dated 11/01/39 in the 232.65 acre tract being Lots 3, 4, 5 and 6 of Block 10 of the Burton and Danforth Subdivision of Parrita Ranch. Recorded in Vol. 19, Pages 615-616 in the Oil and Gas Records, Jim Wells County; Falfurrias District; Jim Wells County and Kleber County, Texas.

Filed For Record
At 4:50 o'clock P M

DEC 9 1986

MARION UEHLINGER
CLERK/COUNTY COURT AT LAW No. 2
NUECES COUNTY, TEXAS
By *Phyllis A. [Signature]* Deputy

VOL 742 PAGE 733



STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS.

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

NO. 26693-2

THE ESTATE OF
RANDALL GRANT STIVERS

{ IN THE COUNTY COURT AT LAW #2
{ NUECES COUNTY, TEXAS

ORDER APPROVING INVENTORY

On this date came on to be considered the Inventory, Appraisalment and List of Claims in the Estate of Randal G. Stivers, Deceased, made by the Independent Executor, which the Court has examined and is satisfied that it should be approved IT IS THEREFORE ORDERED that the Inventory, Appraisalment and List of Claims be and the same is hereby in all respects approved and entered of record.

Date: DEC 15 1986

Jedro de Peña
JUDGE PRESIDING IN PROBATE



STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS.

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

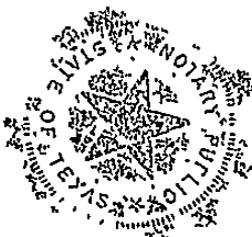
THE STATE OF TEXAS §
COUNTY OF NUECES §

Before me, the undersigned authority, on this day personally appeared GAYLE ROBERTS STIVERS, who after being duly sworn stated as follows:

"I am the same GAYLE ROBERTS STIVERS that was appointed Independent Executrix of the Estate of my deceased husband, RANDAL GRANT STIVERS, under his Last Will and Testament dated April 22, 1983. I am physically incapable of serving as Independent Executrix of my deceased husband's Estate. Therefore I hereby refuse to serve in such capacity and state that it is my desire that the Court with jurisdiction over my husband's Estate follow the directions of his Last Will and Testament and appoint JOE ROBERTS STIVERS the Independent Executor of the Estate of RANDAL GRANT STIVERS."

Gayle Roberts Stivers
GAYLE ROBERTS STIVERS

Sworn to and subscribed, by GAYLE ROBERTS STIVERS, this the 14th day of November, 1984



Nilda Garcia Aguilar
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES 11-29-86
Nilda Garcia Aguilar

FILED

NOV 14 1984

MARION DALLINGER
County Clerk, Nueces County, Texas
Marion Dallinger Deputy

AX2adm



STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

IN THE COUNTY COURT
OF LAW # 2
NUECES COUNTY, TEXAS

ESTATE OF RANDAL GRANT STIVERS,
DECEASED
NO. 26693-2

OATH

I do solemnly swear that the writings which have been offered for probate is the Last Will and Testament of RANDAL GRANT STIVERS, so far as I know or believe, and that I will well and truly perform all of the duties of Executor of said Will of the Estate of RANDAL GRANT STIVERS, Deceased.

Joseph Roberts Stivers
~~JOSEPH~~ ROBERTS STIVERS
JOSEPH

Sworn to and subscribed by the said ^{JOSEPH} ROBERTS STIVERS before me this the 3rd day of December, 1984, to certify which witness my hand and seal of office.



Marion Uehlinger
Deputy County Clerk
NUECES COUNTY, Texas

By Janice Bevan
Deputy

Filed For Record
At 952 G. J. A. B.
DEC 3 1984

MARION UEHLINGER
CLERK/COUNTY COURT AT LAW No. 2
NUECES COUNTY, TEXAS
By [Signature] Deputy



STATE OF TEXAS
COUNTY OF NUECES

THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY AS THE SAME APPEARS ON FILE/OR RECORDED IN THE APPROPRIATE RECORDS OF NUECES COUNTY, TEXAS

PATSY PEREZ
NUECES COUNTY DISTRICT CLERK
CLERK OF THE DISTRICT & COUNTY COURTS AT LAW

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE
WILL AND ESTATE OF
RANDAL GRANT STIVERS, DECEASED

NO. _____

PETITION FOR PROBATE OF
WILL AS MUNIMENT OF TITLE ONLY

COME NOW petitioners, Thomas O. Evans, as Independent Executor of the Estate of Joseph Roberts Stivers, Katherine Pamela Marion and Randal Grant Stivers, III, and respectfully show to the Court the following:

1. Randal Grant Stivers, the decedent, was a nonresident of the State of Mississippi, being a resident of Nueces County, Texas, at the time of his death. He died on November 9, 1984, owning at the time of his death certain real property in Madison County, Montgomery County and Warren County, Mississippi, more particularly described on the attached Exhibit "A" (the "Mississippi mineral interests").

2. Randal Grant Stivers left as his Last Will and Testament an instrument dated April 22, 1983, subscribed by the Testator and witnessed by Dana J Blair, Colleen B Currier and David Z Conoly. The instrument was probated as the Last Will and Testament of Randal Grant Stivers by Order Probating Will and for Letters Testamentary of the County Court of Law #2 Nueces County, Texas, dated December 3, 1984 in docket number No 26693-2. The decedent's son, Joseph Robert Stivers, was appointed executor of the decedent's estate.

3. An authenticated copy of the Last Will and Testament is submitted for probate as the true Last Will and Testament of Randal Grant Stivers, together with authenticated copies of Application for Probate of Will Produced in Court and for Issuance of Letters Testamentary, Order

Probating Will and for Letters Testamentary, Inventory, Appraisement and List of Claims, Order Approving Inventory, Affidavit, and Oath, and a copy of each of the foregoing documents is attached hereto as Exhibit "B"

4 Under his Last Will and Testament, the decedent devised and bequeathed the residue of his estate, including the Mississippi mineral interests, to his wife, Gayle Roberts Stivers, who died on January 5, 1991.

5. Joseph Roberts Stivers, was appointed Independent Executor of the estate of Gayle Roberts Stivers. Under the Last Will and Testament of Gayle Roberts Stivers, the Mississippi mineral interests passed to Joseph Roberts Stivers, who died on October 5, 2006.

6. Thomas O Evans was appointed Independent Executor of the estate of Joseph Roberts Stivers deceased Under the Last Will and Testament of Joseph Roberts Stivers, the Mississippi mineral interests pass to his niece, Katherine Pamela Marion, and his nephew, Randal Grant Stivers, III.

7 The value of the decedent's personal probate estate in the State of Mississippi at the time of his death, exclusive of any interest in real property, did not exceed the sum of Ten Thousand Dollars (\$10,000.00), exclusive of exempt property.

8 The decedent's estate was of an insufficient size to require the filing of a federal estate tax return

9. All known debts of the decedent have been paid.

WHEREFORE, PREMISES CONSIDERED, Petitioners pray that the Last Will and Testament of Randal Grant Stivers dated April 22, 1983, an authenticated copy of which has been presented to this court, and a copy of which is attached as Exhibit "B", may be established and

declared as the true Last Will and Testament of Randal Grant Stivers, and that it be recorded and admitted to probate as a muniment of title pursuant to Miss Code Ann Section 91-5-35, without the necessity of administration or appointment of an executor or administrator with the will annexed or the posting of bond, and that pursuant to the Last Will and Testament of Randal Grant Stivers, all real property interests owned by the decedent in Mississippi, including the Mississippi mineral interests situated in Madison County, Montgomery County and Warren County, Mississippi, shall pass to and vest in the decedent's wife, Gayle Roberts Stivers

Petitioners request such other and more general relief as the Court deems proper

Respectfully submitted,

Katherine Pamela Marion

Randal Grant Stivers, III

Thomas O Evans, as Independent Executor of
the Estate of Joseph Roberts Stivers

OF COUNSEL

LYNNE K GREEN
MS. STATE BAR NO. 4994
BRUNNI, GRANTHAM, GROWER & HEWES, PLLC
248 E. Capitol Street, Suite 1400
Post Office Drawer 119
Jackson, Mississippi 39205
Telephone (601) 948-3101

STATE OF _____
COUNTY OF _____

Personally came and appeared before me, the undersigned authority in and for the county and state aforesaid, the within named Katherine Pamela Marion, who, being by me first duly sworn, stated on oath that all of the matters and things set forth in the foregoing Petition are true and correct as therein stated

Katherine Pamela Marion

Sworn to and subscribed before me, this ____ day of _____, 2007.

NOTARY PUBLIC

My commission expires

STATE OF _____

COUNTY OF _____

Personally came and appeared before me, the undersigned authority in and for the county and state aforesaid, the within named Randal Grant Stivers, III, who, being by me first duly sworn, stated on oath that all of the matters and things set forth in the foregoing Petition are true and correct as therein stated

Randal Grant Stivers, III

Sworn to and subscribed before me, this ____ day of _____, 2007.

NOTARY PUBLIC

My commission expires.

STATE OF _____

COUNTY OF _____

Personally came and appeared before me, the undersigned authority in and for the county and state aforesaid, the within named Thomas O. Evans, as Independent Executor of the Estate of Joseph Roberts Stivers, who, being by me first duly sworn, stated on oath that all of the matters and things set forth in the foregoing Petition are true and correct as therein stated.

Thomas O. Evans, as Independent Executor of
the Estate of Joseph Roberts Stivers

Sworn to and subscribed before me, this ____ day of _____, 2007.

NOTARY PUBLIC

My commission expires

5. .00429 Royalty Interest acquired from Alex Eiland and wife Jinnie by Deed dated 12/05/39 in the 240 acre tract being SE 1/4 of SW 1/4 and SW 1/4 of NE 1/4 and W 1/2 of SE 1/4 Section 20; and SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 21 of Sections 20 and 21; TWP 19N; Range 7E; Kilmichael District; Montgomery County, Mississippi.
6. .0038027 Royalty Interest acquired from Winslow Harvey et ux by Deed dated 12/13/39 in the 130 acre tract being Part of W 1/2 NW 1/4 NW 1/4, 20 acres east of Kilmichael and Lodi road, Section 25; AND SW 1/4 NE 1/4 less 10 acres on East side; AND N 1/2 NE 1/4 Section 26 of Sections 25 and 26; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
7. (1) 1/8th Royalty Interest acquired from W. B. Marshall et al by Deed dated 12/01/39 in the 271.5 acre tract being NW 1/4 NW 1/4 Section 22; and E 1/2 E 1/2 and NW 1/4 of NE 1/4 and N 1/2 SW 1/4 NE 1/4 and 11.5 acres E 1/2 NW 1/4 description as follows: beginning 17 chns. and 25 ft. N. of center post of Section 21-19N-7E; thence N. 56 deg. W. 1 chn. and 34 ft.; thence N. 30 deg. W. 14 chns. and 22 ft.; thence N. 30 deg. E. 9 chns. and 37 ft.; thence N. 52 deg. 1 chn. and 61 ft.; thence E. 1 chn. 47 ft. to 1/4 sec. corner between Sections 16 and 21-19N-7E; thence S. 22 chns. and 41 ft., the place of beginning and all in Section 21-19N-7E of Sections 21 and 22; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (2) 1/8th Royalty Interest acquired from Lee (L. A.) Leonard et ux by Deed dated 12/09/39 in the 207 acre tract being the SW 1/4 SW 1/4 Sec. 26, T. 19N, R. 7E, ALSO part of SW 1/4 SE 1/4 7 A. East of Creek, Sec. 27, T. 19N, R. 7E, ALSO SE 1/4, SE 1/4 Sec. 27, T. 19N, R. 7E, ALSO NW 1/4 NW 1/4 Sec. 35, T. 19N, R. 7E, ALSO N 1/2 NE 1/4 Sec. 34, T. 19N, R. 7E, being in all 207 acres, more or less of Sections 26, 27, 34 and 35; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (3) 1/8th Royalty Interest acquired from Anderson Gregory et ux by Deed dated 12/16/39 in the 156.50 acre tract being the NW 1/4 S. 24, T. 19, R. 6E., less 3 1/2 acres in NW corner lying west of neighborhood road, heretofore deeded to Henry Hammond, containing 156 1/2 acres and is the same land deeded to E. B. Cox by Emily N. McLughlin, said deed being of record in Book 39, Page 380, records of Chancery Clerk, Montgomery County, Mississippi of Section 24; TWP 19N; Range 6E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (4) 1/8th Royalty Interest acquired from Miles T. Shelton et ux by Deed dated 12/01/39 in the 182.5 acre tract being the SW 1/4 SW 1/4 and S 1/2 SE 1/4 SW 1/4 and W 1/2 SW 1/4 SE 1/4 Sec. 7, TWP 19, Range 7E and NW 1/4 NW 1/4 and N 1/2 SW 1/4 NW 1/4 and NW 1/4 NE 1/4 NW 1/4 Sec. 18, T. 19, Range 7E AND 12 acres in SE 1/4 SE 1/4 Sec. 12, T. 19, Range 6 AND 1/2 acre in NE corner of SE 1/4 NE 1/4 Sec. 13, T. 19, Range 6 AND N 1/2 SE 1/4 SW 1/4 Sec. 7, T. 19, Range 7E, containing 182 1/2 acres more or less of Sections 7 and 18; TWP 19N; Range 7E and 6E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (5) 1/16th Royalty Interest acquired from Pleasie Seals et ux by Deed dated 12/16/39 in the 140 acre tract being the NE 1/4 less 20 acres off South side of Sec. 28 of Section 28; TWP 19N; Range 7E, Kilmichael District; Map No. M-3; Montgomery County,

EXHIBIT "A"

Mississippi.

- (6) 1/8th Royalty Interest acquired from J. O. Ray et ux by Deed dated 12/16/39 in the 82 acre tract being SW 1/4 SW 1/4 and S 1/2 NE 1/4 SW 1/4 and N 1/2 SE 1/4 SW 1/4 and part of SW 1/4 SE 1/4, 2 acres in NW corner, Sec. 23 of Section 23; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (7) 1/16th Royalty Interest acquired from Dob Seals, widower by Deed dated 12/16/39 in the 100 acre tract being the W 1/2 SE 1/4 AND S 1/2 SW 1/4 NE 1/4 of Section 21; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (8) 1/4th Royalty Interest acquired from Mrs. Edith Malone et vir by Deed dated 01/22/40 in the 200 acre tract being the N 1/2 of SW 1/4 and S 1/2 of NW 1/4 and NW 1/4 of NW 1/4 of Section 20; TWP 19N; Range 7E; Kilmichael District; Montgomery County, Mississippi.
- (9) 1/8th Royalty Interest acquired from Frank Bains et ux by Deed dated 01/17/40 in the 120 acre tract being the W 1/2 SW 1/4 Sec. 22 AND NW 1/4 NW 1/4 Sec. 27 of Sections 22 and 27, TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (10) 1/72nd Royalty Interest acquired from Frank Bains et ux by Deed dated 01/17/40 in the 280 acre tract being the E 1/2 SW 1/4 and W 1/2 SE 1/4 Sec. 33; AND SW 1/4 NW 1/4 and W 1/2 NE 1/4 Sec. 27 of Sections 33 and 27; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (11) 1/8th Royalty Interest acquired from Jobe N. Curtis by Deed dated 1940 in the 120 acre tract being the S 1/2 NW 1/4 Sec. 17 AND SE 1/4 NE 1/4 Sec. 18 of Sections 17 and 18; TWP 19N, Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (12) 1/8th Royalty Interest acquired from F. W. Burns et ux by Deed dated 02/06/40 in the 166 acre tract being the NE 1/4 NE 1/4 and part of NW 1/4 NE 1/4, 5 acres, and SW 1/4 NE 1/4 Sec. 30; also N 1/2 NW 1/4 Sec. 29 of Sections 29 and 30, TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (13) 1/8th Royalty Interest acquired from W. A. Ward by Deed dated 02/20/40 in the 79 acre tract being the N 1/2 NW 1/4 less 5 acres NW corner Sec. 5-18N-7E also 4 acres in SW 1/4 Sec. 32-19N-7E of Sections 5 and 32; TWP 18N and 19N, Range 7E, Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (14) 7/48th Royalty Interest acquired from Henry Purnell et ux to W. D. Davis by Deed dated 01/22/40 in the 345-5/8 acre tract being the NW 1/4 NW 1/4 Sec. 13; S 1/2 NW 1/4 and N 1/2 SW 1/4 and NW 1/4 SE 1/4 and part of NW 1/4 NW 1/4 (1 ac. in NW cor. west of creek) Sec. 14; S 1/2 NE 1/4 and N 1/2 N 1/2 less 1 ac. in NW cor. Sec. 14; AND E 1/2 NW 1/4 less 15 ac. West of road AND part of NE 1/4 SW 1/4, 15 ac. north of road, and part of N 1/2 SE 1/4, 70 ac. north of road, AND NE 1/4 Sec. 15 of Sections 13, 14 and 15; TWP 19N; Range 7E; Kilmichael District; Map No. M-3; Montgomery County, Mississippi.
- (15) 1/4th Mineral Interest acquired from W. D. Davis by Deed dated 01/26/40 in the 200 acre tract being the NW 1/4 and SW 1/4 of NE 1/4 of Section 30; TWP 20N; Range 7E; Winona District; Montgomery County, Mississippi.
- (16) .24609 Mineral Interest acquired from Mrs. Alma Kelso by Deed dated 01/20/40 in the 120 acre tract being the SW 1/4 of

SE 1/4 of NE 1/4 of SW 1/4 and SE 1/4 of NW 1/4 of Section 25; TWP 20N; Range 6E; Winona District; Montgomery County, Mississippi.

(17) 1/6th Royalty Interest acquired from D. V. Partridge by Deed dated 05/07/40 in the 120 acre tract being the E 1/2 NE 1/4 Sec. 22 and SW 1/4 NW 1/4 Sec. 23 of Sections 22 and 23; TWP 20N; Range 7E; Montgomery County, Mississippi.

(18) 1/12th Royalty Interest acquired from Ethel Anderson et al by Deed in the 355 acre tract being the E 1/2 SE 1/4 Sec. 3; 30 acres off E. side NE 1/4 and 5 acres off NE corner of Sec. 10; S 1/2 NW 1/4 and SW 1/4 Sec. 11 of Sections 2, 10 and 11; TWP 11N; Range 3E; Pickens District; Map No. M-1; Madison County, Mississippi.

(19) 1/72nd Royalty Interest acquired from W. J. Lutz by Deed dated 04/06/40 in the 240 acre tract being the W 1/2 NW 1/4 Sec. 31 and SW 1/4 SW 1/4 Sec. 30, T. 11N, R. 4E; and E 1/2 NE 1/4 Sec. 36 and SE 1/4 SE 1/4 Sec. 25, T. 11N, R. 3E of Sections 30, 31, 25 and 36; TWP 11N; Range 4E and 5E; Loring District; Map No. M-1; Madison County, Mississippi.

(20) 1/72nd Royalty Interest acquired from W. J. Lutz by Deed dated 04/06/40 in the 240 acre tract being the SW 1/4 and W 1/2 SE 1/4 of Section 32; TWP 11N; Range 4E; Loring District; Map No. M-2; Madison County, Mississippi.

(21) 15/118th Royalty Interest acquired from S. L. Brown et ux by Deed dated 09/60/40 in the 295 acre tract being the E 1/2 E 1/2 and W 1/2 SE 1/4 less 25 acres off West side thereof, all in Sec. 23; and W 1/2 NW 1/4 of Sec. 24 of Sections 23 and 24; TWP 11N; Range 3E; Pickens District; Map No. M-1; Madison County, Mississippi.

(22) 1/6th Royalty Interest acquired from Frank Groome et ux by Deed dated 05/06/40 in the 155 acre tract being the SE 1/4 Sec. 8, less and except a strip of land off the East side thereof sufficient in width to contain 10 acres of Section 8; TWP 17N; Range 4E; Redwood District; Map No. M-4; Warren County, Mississippi.

(23) 19/492nd Royalty Interest acquired from Jeanett Hopkins by Deed dated 11/25/39 in the 164 acre tract being the W 1/2 NE 1/4 and E 1/2 NW 1/4 Sec. 12-17N-E; also 6 acres in SW corner of SE 1/4 of Sec. 9-16N-4E and being same property purchased from Dexter Mann and Rachel Mann by Deed February 9, 1925, being recorded in Deed Book 164, page 406 of Section 12 and 9; TWP 17N and 16N; Range 4E; Redwood District; Map No. M-4; Warren County, Mississippi.

8. (1) 3/16th Royalty Interest acquired from W. R. Brown et ux by Deed dated 04/26/40 in the 40 acre tract being the SW 1/4 NW 1/4 of Section 1; TWP 18S; Range 10W; Tuscaloosa County, Alabama.

(2) 1/8th Royalty Interest acquired from G. T. Riley et ux by Deed dated 05/14/40 in the 40 acre tract being the SE 1/4 SW 1/4 of Section 35; TWP 17S; Range 10W; Tuscaloosa County, Alabama.

(3) 3/8th Royalty Interest acquired from Sallie Boone et viv by Deed dated 05/25/40 in the 80 acre tract being the N 1/2 NE 1/4 of Section 22; TWP 17S; Range 10W; Tuscaloosa County, Alabama.

(4) 1/2 Royalty Interest acquired from Maudie Bently et al by Deed dated 05/14/40 in the 80 acre tract being the NE 1/4 SE 1/4 Sec. 26 AND NW 1/4 SW 1/4 Sec. 25 of Sections 25 and 26; TWP 17S; Range 10W; Tuscaloosa County, Alabama.

MADISON COUNTY MS This instrument was filed for record Oct. 17, 2008.

Book 43 Page 413

ARTHUR JOHNSTON, C. C.

BY: *[Signature]* D.C.



ESTATE OF
 GAYLE ROBERTS STIVERS,
 DECEASED

PROBATE COURT
 NO. 2
 BEXAR COUNTY, TEXAS

ORDER ADMITTING WILL TO PROBATE AND
 AUTHORIZING LETTERS TESTAMENTARY

On this day the Court heard the Application For Probate of Will and Issuance of Letters Testamentary filed by JOSEPH ROBERTS STIVERS ("Applicant") in the Estate of GAYLE ROBERTS STIVERS, Deceased ("Decedent").

The Court having heard the evidence and having reviewed the Will and other documents filed herein, finds that the allegations contained in the Application are true; that notice and citation have been given in the manner and for the length of time required by law; that Decedent is dead and that four years have not elapsed since the date of Decedent's death; that this Court has jurisdiction and venue of the Decedent's estate; that Decedent left a Will dated March 26, 1987, executed with the formalities and solemnities and under the circumstances required by law to make it a valid Will ("the Will"); that on such date Decedent had attained the age of 18 years and was of sound mind; that the Will was not revoked by Decedent; that no objection to or contest of the probate of the Will has been filed; that all of the necessary proof required for the probate of the Will has been made; that the Will is entitled to probate; that in the Will, Decedent named JOSEPH ROBERTS STIVERS as Independent Executor, to serve without

VOL 9101 P 66755

AB

CERTIFICATE
 The page to which this certificate is
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 confidential personal information
 but is otherwise a full, true and correct
 copy of the original on file and record
 in my office. ATTESTED 6-27-07
 GERARD RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
 BY: 

bond, who is duly qualified and not disqualified by law to act as such and to receive Letters Testamentary; that a necessity exists for the administration of this estate; and that no interested person has applied for the appointment of appraisers and none are deemed necessary by the Court.

It is therefore, ORDERED, ADJUDGED and DECREED that such Will is admitted to probate, and the Clerk of this Court is ORDERED to record the Will, together with the Application in the Minutes of this Court.

It is further ORDERED, ADJUDGED and DECREED that no bond or other security is required and that upon the taking and filing of the Oath required by law, Letters Testamentary shall issue to Applicant, who is appointed as Independent Executor of Decedent's Will and Estate, and no other action shall be had in this Court other than the return of an Inventory, Appraisement, and List of Claims as required by law.

SIGNED this 25 day of January, 1991.

[Handwritten signature]

Kurt Burns
Judge Presiding

IN MATTER OF

1991 JAN 25 AM 10:15

ROBERT T. LEECH
CLERK OF COURTS
BEXAR COUNTY, TEXAS
[Signature]
Deputy

88978

2

VOL 9101 PG 756

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office. ATTESTED 02-27-01
GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *[Signature]*



CMC

UNMAILED

NO. 91-PC-0100

1991 FEB -1 AM 10 20

ESTATE OF
GAYLE ROBERTS STIVERS,
DECEASED

PROBATE COURT

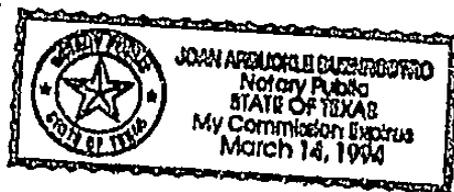
PROBATE COURT
NO. 2
BEJAR COUNTY, TEXAS
BY: *Valerie Buep*

OATH OF INDEPENDENT EXECUTOR

I, JOSEPH ROBERTS STIVERS, do solemnly swear that the writing which has been offered for probate as the Last Will and Testament of GAYLE ROBERTS STIVERS, in the above-entitled and numbered proceeding, is the Last Will and Testament of said GAYLE ROBERTS STIVERS so far as I know or believe, and that I will well and truly perform all the duties of Independent Executor of the Will and of the Estate of GAYLE ROBERTS STIVERS, Deceased.

Joseph Roberts Stivers
JOSEPH ROBERTS STIVERS

SUBSCRIBED AND SWORN TO BEFORE ME by JOSEPH ROBERTS STIVERS this 28th day of January, 1991, to certify which, witness my hand and seal of office.



Joan Arbuckle Buenrostro
Notary Public, State of Texas

Joan Arbuckle Buenrostro
Printed or Stamped Name of Notary

My Commission Expires: 3/14/94

8895B

VOL 9101 PG 9579

PS

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office. ATTESTED *6-27-91*
GERARD RICKHOFF
COUNTY CLERK
BEJAR COUNTY, TEXAS
BY: *GR*



FEE PAID

NO. 91-PC-0100

ESTATE OF
GAYLE ROBERTS STIVERS,
DECEASED

20250308

PROBATE COURT
NO. 2
BEXAR COUNTY TEXAS
APR 25 11:19 AM '91

INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

SND

Date of Death: January 5, 1991

The following is a full, true and complete Inventory and Appraisalment of all personal property and of all real property situated in the State of Texas, together with a List of Claims due and owing to this Estate as of the date of death, which have come to the possession or knowledge of the undersigned.

INVENTORY AND APPRAISEMENT

Real Property (See Schedule A)	\$ 44,200
Stocks and Bonds (See Schedule B)	70,000
Mortgages, Notes and Cash (See Schedule C)	101,965
Insurance Payable to Estate (Schedule D)	-0-
Jointly Owned Property (See Schedule E)	-0-
Miscellaneous Property (See Schedule F)	500
TOTAL	<u>\$216,665</u>

LIST OF CLAIMS

There are no claims due or owing to the Estate other than those shown on the foregoing Inventory and Appraisalment.

The foregoing Inventory, Appraisalment and List of Claims should be approved and ordered entered of record.

Respectfully submitted,

COX & SMITH INCORPORATED
112 E. Pecan St., Suite 2000
San Antonio, Texas 78205
(512) 554-5260

By: Charles M. Hornberger
Charles M. Hornberger
State Bar No. 10002700

Y.T

VOL 9105 P 66540

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED 6-27-91

GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR



CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, GERARD RICKHOFF, Clerk of the Probate Court of Bexar County, Texas, do hereby certify that the foregoing is a true and correct copy of

APPLICATION FOR PROBATE OF WILL AND ISSUANCE OF LETTERS TESTAMENTARY

LAST WILL AND TESTAMENT OF GAYLE ROBERTS STIVERS

PROOF OF DEATH AND OTHER FACTS

ORDER ADMITTING WILL TO PROBATE AND AUTHORIZING LETTERS TESTAMENTARY

OATH OF INDEPENDENT EXECUTOR

INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

ORDER APPROVING INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

In Case No 1991PC0100

In the matter of the

Estate of GAYLE ROBERTS STIVERS, DECEASED

As the same appears of record in the Probate Minutes of Bexar County, Texas Witness my hand and seal of said Court at my office in San Antonio, Texas this the 27th day of JUNE, 20 07

GERARD RICKHOFF
Clerk of Probate and County Courts
Bexar County, Texas
Gerard Rickhoff

CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, NELSON W. WOLFF, Judge of the County Court of Bexar County, Texas, do hereby certify that said Court is a Court of Record and that GERARD RICKHOFF is the Clerk thereof, and that the foregoing is his genuine signature and the Attestation is in due and legal form and is entitled to all due credit as such.

In testimony whereof, witness my hand and seal of said Court, given at my office in the City of San Antonio, Texas, this the 26th day of June, A.D., 20 07.

Nelson W. Wolff
NELSON W. WOLFF, COUNTY JUDGE
Bexar County, Texas

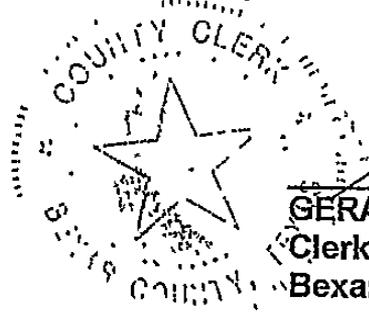
CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, GERARD RICKHOFF, Clerk of the Probate and County Courts of Bexar County, Texas, do hereby certify that said Court is a Court of Record and that NELSON W. WOLFF is the Judge thereof, and that the above is his genuine signature and the Attestation is in due and legal form and is entitled to all due credit as such.

In testimony whereof, witness my hand and official seal of office, given at my office in the City of San Antonio, Texas this the 27th day of June, A.D., 20 07.



Gerard Rickhoff
GERARD RICKHOFF, COUNTY CLERK and
Clerk of Probate and County Courts
Bexar County, Texas

ESTATE OF
GAYLE ROBERTS STIVERS,
DECEASED

SECTION 107

1991 JAN 10 AM 10:55
PROBATE COURT
NO. *107*
BEXAR COUNTY, TEXAS

APPLICATION FOR PROBATE OF WILL AND
ISSUANCE OF LETTERS TESTAMENTARY

POST NOTICE

TO THE HONORABLE JUDGE OF SAID COURT:

JOSEPH ROBERTS STIVERS ("Applicant") furnishes the following information to the Court for the probate of the written Will of GAYLE ROBERTS STIVERS ("Decedent") and for issuance of Letters Testamentary to Applicants:

1. Applicant is an individual interested in this Estate, domiciled in and residing at 775 Estes, San Antonio, Bexar County, Texas. Applicant is acting herein by and through his duly authorized representative.
2. Decedent died on January 5, 1991, at the age of 87 years.
3. This Court has jurisdiction and venue because Decedent was domiciled and had a fixed place of residence in this county on the date of death.
4. Decedent owned both real and personal property described generally as real estate, cash, securities, personal effects, etc. of a probable value in excess of \$50,000.00.
5. Decedent left a valid written Will ("Will") dated March 26, 1987 which was never revoked and is filed herewith.
6. The subscribing witnesses to the Will are BOBBE JACK COLLINS and MARGIE M. GRAY, whose addresses are: 1932 Nacogdoches Road, San Antonio, Texas 78209, and 1406 Wyoming, San Antonio, Texas 78203, respectively. The Will was made self proved in the manner prescribed by law.

VOL 9101 PG 1288

512

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office ATTESTED. *[Signature]*

GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *[Signature]*



7. No child or children were born to or adopted by Decedent after the date of the Will.

8. Decedent was never divorced.

9. A necessity exists for the administration of this estate.

10. Decedent's Will named JOSEPH ROBERTS STIVERS, who is the Applicant herein, to serve without bond or other security as Independent Executor, and Applicant would not be disqualified by law from serving as such or from accepting Letters Testamentary, and Applicant would be entitled to such Letters.

11. Decedent's social security number is 459-84-1011. Applicant's social security number is 458-40-3509.

12. Decedent's Will did not name the State of Texas, a governmental agency of the State of Texas, or a charitable organization as a devisee.

Applicant prays that citation issue as required by law to all persons interested in this Estate; that the Will be admitted to probate; that Letters Testamentary be issued to Applicant; and that all other orders be entered as the Court may deem proper.

Respectfully submitted,

COX & SMITH INCORPORATED
Attorneys for Applicant

By: *Charles M. Hornberger*

Charles M. Hornberger
State Bar No.: 10002700
2000 N.B.C. Bank Plaza
112 E. Pecan Street
San Antonio, Texas 78205
512/554-5260

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED. 10/27/10



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY GK

FILED
IN MATTERS PROBATE

BOOK 043 PAGE 462

1931 JAN 10 AM 10:55 T

LAST WILL AND TESTAMENT

OF

GAYLE ROBERTS STIVERS

ROBERT L. GERTON
CLERK OF PROBATE
BEXAR COUNTY, TEXAS
Robert L. Gerton
DEPUTY

STATE OF TEXAS
COUNTY OF BEXAR

§
§ KNOW ALL MEN BY THESE PRESENTS:
§

THAT I, GAYLE ROBERTS STIVERS, a resident of Bexar County, Texas, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils heretofore made by me.

For the guidance of my Executor, I establish the following definitions. Wherever in this Will the terms "my child" is used, it shall refer to my child, JOSEPH ROBERTS STIVERS. Wherever in this Will the terms "my grandchild" or "my grandchildren" are used, they shall refer to my grandchildren, RANDALL GRANT STIVERS, III, and KATHRYN PAMELA STIVERS.

SECTION 1

PAYMENT OF DEBTS AND DEATH TAXES

I direct that my Executor shall, at such time as my Executor shall determine, pay all of my debts and taxes, including Federal Estate, State Inheritance and Estate Taxes and other death taxes, and including any interest or penalties thereon, owing as a result of my death, out of my residuary estate without apportionment, except as otherwise provided herein. Proceeds of insurance on my life payable to named beneficiaries shall not be liable for any of the foregoing expenses, unless and until all of the assets of my estate have been exhausted. Any of the foregoing obligations may be extended and renewed by my Executor.

SECTION 2

RESIDUARY ESTATE

I give, devise and bequeath to my child, JOSEPH ROBERTS STIVERS, all of the rest, residue and remainder of my estate, of whatever nature and wherever located. If my child, JOSEPH

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SYL

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *GR*

ROBERTS STIVERS, shall not survive me, I give, devise and bequeath all of the rest, residue and remainder of my estate, of whatever nature and wherever located, in Trust, to be held, managed and distributed in accordance with the terms and conditions as follows:

2 1 My Trustee shall distribute annually the net income from such Trust as follows:

2.1(a) One-half (1/2) of the net income from such Trust shall be distributed to TILFORD P COLLINS during his lifetime. Upon the death of TILFORD P COLLINS, or upon my death if TILFORD P. COLLINS shall not survive me, such one-half (1/2) of the net income shall be divided equally between RANDALL GRANT STIVERS, III, and KATHRYN PAMELA STIVERS, and their descendants per stirpes; provided however, if any of said individuals have not attained the age of eighteen (18) years at the time they become entitled to a distribution hereunder, then the share of such beneficiary shall pass to my Trustee, in trust, as the principal of a single Trust, to be held and distributed in accordance with Paragraphs 4 through 6 of this Section 2.

2 1(b) One-quarter (1/4) of the net income from such Trust shall be distributed to RANDALL GRANT STIVERS, III. Upon the death of RANDALL GRANT STIVERS, III, or upon my death, if RANDALL GRANT STIVERS, III does not survive me, such one-quarter (1/4) of the net income shall be distributed to RANDALL GRANT STIVERS, III's descendants, per stirpes, provided however, if any of said individuals have not attained the age of eighteen (18) years at the time they become entitled to a distribution hereunder, then the share of such beneficiary shall pass to my Trustee, in trust, as the principal of a single Trust, to be held and distributed in accordance with Paragraphs 4 through 6 of this Section 2.

2.1(c) One-quarter (1/4) of the net income from such Trust shall be distributed to KATHRYN PAMELA STIVERS. Upon the death of KATHRYN PAMELA STIVERS, or upon my death, if KATHRYN PAMELA STIVERS does not survive me, such one-quarter (1/4) of the

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY GR

net income shall be distributed to KATHRYN PAMELA STIVERS' descendants, per stirpes; provided however, if any of said individuals have not attained the age of eighteen (18) years at the time they become entitled to a distribution hereunder, then the share of such beneficiary shall pass to my Trustee, in trust, as the principal of a single Trust, to be held and distributed in accordance with Paragraphs 4 through 6 of this Section 2.

2.1(d) Upon the later of (1) the death of RANDALL GRANT STIVERS, III and (11) the death of KATHRYN PAMELA STIVERS, the Trust shall terminate, at which time I direct my Trustee to divide the Trust Estate into equal shares so as to provide one share for each grandchild of mine then living and one share for each deceased grandchild of mine who shall leave descendants surviving, such deceased grandchild's share to be divided among his then living descendants, per stirpes. The share of each such beneficiary shall be distributed outright; provided, however, if any of said individuals have not attained the age of eighteen (18) years at the time they become entitled to a distribution hereunder, then the share of such beneficiary shall pass to my Trustee, in trust, as the principal of a single Trust, to be held and distributed in accordance with Paragraphs 4 through 6 of this Section 2

2.2 My Trustee is not authorized to distribute all or any portion of the principal of the Trust Estate during the lifetimes of RANDALL GRANT STIVERS, III, and KATHRYN PAMELA STIVERS.

2.3 Notwithstanding any other provision of this Last Will and Testament, including Section 3, the Trustee shall not have authority to sell all or any part of the mineral or royalty interests in the Trust Estate until the later of (i) the death of RANDALL GRANT STIVERS, III and (11) the death of KATHRYN PAMELA STIVERS.

2.4 My Trustee shall apply so much of the net income from such Trust for the health, education, support or maintenance of any one or all of my children, as the Trustee may determine in its sole discretion, and shall accumulate, invest and reinvest

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CERTIFICATE
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 GERARD RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
 BY: *GR*

the balance of the income which shall be added to the principal of the Trust Estate and become an integral part thereof until such beneficiary shall attain the age of eighteen (18) years, at which time I direct my Trustee to distribute the Trust Estate to such beneficiary.

2.5 In addition to the foregoing distributions of income and principal, my Trustee is expressly authorized to pay over and distribute from time to time such portions of the principal of the Trust Estate as my Trustee, in its sole discretion, deems necessary for the health, education, support or maintenance of any one or all of the beneficiaries hereunder.

2.6 If any beneficiary should die before complete distribution of this Trust Estate, then any balance remaining in his Trust Estate shall pass to and vest free and clear of trust in his heirs at law determined as of the date of his death in accordance with the laws of descent and distribution of the State of Texas covering the disposition of personal property. Provided, however, that if any person otherwise entitled to distribution at such time shall be under the age of eighteen (18) years, his Trust Estate shall be vested in him, but distribution shall be postponed in accordance with the delayed distribution provisions of Section 3.11.

SECTION 3

INVESTMENT AND MANAGEMENT

With regard to my estate and all Trusts created herein, I hereby grant to my Executor and Trustee, including any substitute or successor personal representative or Trustee (hereinafter referred to as Executor and Trustee), the following continuing specific powers and authority in addition to the rights, privileges and powers elsewhere herein vested in them, and those now or hereafter conferred by law, all of which shall be exercised solely in a fiduciary capacity.

3.1 1) the power to retain any property of my estate or any Trust Estate without liability for any depreciation or loss occasioned by such retention and

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VOL 9101 PG 1293

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY *(Signature)*



evaluate any property, which evaluation shall be binding upon all beneficiaries;

10) the power to institute, join in, maintain, defend, compromise, submit to arbitration, or settle any claim or controversy by or against my estate or any Trust, regardless of the manner in which such matter has arisen, all in the name of my Executor or Trustee and without the joinder or consent of any beneficiaries,

11) the power to release any fiduciary power herein granted to the Executor or Trustee, at any time, in whole or in part, temporarily or permanently, whenever deemed advisable by the Executor and Trustee, in their sole discretion, by an instrument in writing signed by the Executor and Trustee;

12) except as limited herein, all of the rights, privileges and powers now or hereafter granted Trustees in the Texas Trust Code, regardless of whether such Code may hereafter be repealed or amended, as fully as though its provisions were written into this instrument, provided that the Executor and Trustee at their option, may exercise any additional powers conferred on Trustees of such Trusts by any subsequent amendment of such Code; that the provisions of this instrument shall govern whenever in conflict with provisions of such Code; that any lease or other act of my Executor or Trustee may affect the estate or Trust properties for any length of time regardless of the duration of my estate or any Trust; that no bond shall be required of any Executor or Trustee in any jurisdiction; that this instrument shall always be construed in favor of the validity of any act or omission by or of the Executor or Trustee, and the Executor or Trustee shall not be liable for any act or omission except in the case of gross negligence, bad faith or fraud; and that all of the rights, privileges and powers of my Executor or Trustee may be exercised free of any court or judicial authority, and no person dealing with my Executor or Trustee shall be required to inquire into the propriety of any of their actions.

13) The power to make oil, gas and mineral leases covering any lands or mineral interests forming a part of any property held, the power to pool and/or unitize any or all of the lands, mineral leaseholds, or mineral interests of the property held with lands, mineral leaseholds, or mineral interests of other persons, corporations or trusts for the purpose of developing and producing oil, gas and/or other minerals therefrom, and to make leases or assignments granting the right to pool and/or unitize; the power to enter into contracts and agreements for or in respect of the installation and/or operation or absorption, repressuring and other processing plants; the power to drill or contract the drilling of wells for oil, gas or other minerals; the power to make "dry hole" or "bottom hole" contributions, and the power to contract or arrange for any other act or thing, whether or not the same be now or hereafter recognized or contemplated as common or proper prospecting for, developing, producing, processing, transporting and/or marketing any such minerals which may be deemed by my fiduciaries to be advantageous.

3.2 Except as specifically authorized in this Section 3.2, neither the income nor the principal of my estate

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VOL 9101 PG 1295

CERTIFICATE

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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *GR*

or any Trust created herein shall be alienable by any beneficiary either by assignment or by any other method, and the same shall not be taken by his or her creditors or by any process whatsoever, provided, however, that each devisee shall have all rights of disclaimer and renunciation to the full extent as provided by law, and provided further, that at any time any beneficiary may release all or any part of his interest in any one or more of the Trusts, and any such release shall be treated for all purposes with respect to the Trust as the equivalent of the death of the beneficiary releasing his interest

3.3 If at any time there are additional Trusts created for the benefit of the same person or persons who are beneficiaries hereunder on substantially the same terms and conditions as those set forth herein, then the Trustee is expressly authorized and empowered, if in its discretion, it deems such action desirable, to transfer and merge all the assets held hereunder to and with such other Trust and thereupon to terminate this Trust as a separate entity. The Trustee is further expressly authorized and empowered to accept, add to, retain and administer as a part of the Trust Estate created hereunder on the terms and conditions set forth herein the assets of any other Trusts which may at any time hereafter be transferred to the Trustee hereunder by the Trustee of such other Trust, pursuant to the powers and authorities given the Trustee of such other Trust instrument

3.4 Irrespective of other provisions of this Will the Trustee may at any time terminate any Trust or any share thereof, if the Trustee is not a beneficiary thereof, if, in its sole judgment, the continued management of the Trust or any share thereof is no longer economical because of the small size of the Trust or share and such action shall be deemed to be for the best interests of the beneficiary or beneficiaries. In case of such termination, the Trustee shall distribute the share of the Trust Estate so terminated to the income beneficiaries thereof, or to a custodian named for a beneficiary under a Uniform Gifts to Minors Act, or to their legal representatives in proportion to their respective interests in the Trust or share at the time of such termination. Upon such distribution and delivery, the said Trust or share shall terminate and the Trustee shall not be liable or responsible to any person or persons whomsoever for his action. The Trustee shall not be liable for failing or refusing at any time to terminate the Trust or a share thereof as authorized by this Section.

3.5 Expenditures by the Executor and Trustee for the benefit of a minor beneficiary may be made, in their discretion, either to the parent or to the guardian of the minor, or to a custodian for the minor under a Uniform Gifts to Minors Act, or directly to the minor, or otherwise expended for the minor's benefit as the Executor may see fit and payments in any of such ways shall relieve the Executor and Trustee of any further responsibility therefor. The Executor and Trustee shall have similar power and discretion in the expenditures of any amounts payable to or for the benefit of any adult beneficiary who, because of age, illness or infirmity is not, in the opinion of the Executor and Trustee, able to care for himself or to look after his affairs

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VOL 9101 PG 129b

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED *10-27-01*



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY *GR*

3.6 All of the net income and principal, whether distributed or retained, of each Trust created herein is hereby devised to the respective Trust beneficiary as his sole and separate property. Income of all Trusts created herein shall accrue from the date of my death. Prior to the final distribution of my estate (which shall be in the discretion of the Executor), partial distributions may be made in the discretion of the Executor, therefore, the Executorship and any Trusts created herein may exist contemporaneously. Any distribution may be made subject to any indebtedness or liabilities of my estate.

3.7 My Executor shall have full power and authority to decide whether my estate shall be valued under the optional provisions of the Federal Estate Tax Law and as to what Income, Gift, and/or Estate Tax elections shall be exercised, and his decision shall be conclusive and binding on all parties at interest.

3.8 Any obligation undertaken by my Executor or Trustee shall be binding only on the property of my estate or of the particular Trust Estate involved, but not upon my Executor, Trustee or the beneficiary of such Trust.

3.9 Any beneficiary of legal capacity shall have authority to approve in writing from time to time the Trustee's administration of such beneficiary's Trust and to give the Trustee a release and such release shall be binding upon all future beneficiaries as to that Trust Estate or part thereof.

3.10 Pronouns, nouns, and other descriptive terms shall include the masculine, feminine, and neuter, and the singular and plural, wherever appropriate to the context. "Code" means the Internal Revenue Code of 1954, as amended, or any similar successor statute. "Trust Estate" means all properties, however and whenever acquired, and any income therefrom, including any accumulated income, which may belong to a Trust hereunder. "Descendants" or "Issue" means the children of the person designated and the descendants of said children, and such children and descendants include those who have been legally adopted prior to attaining the age of fourteen (14) years. For all purposes herein, a posthumous child shall be considered as living at the death of his or her parents.

3.11 Anything in this Will to the contrary notwithstanding, no Trust created hereunder shall continue beyond twenty-one (21) years after the death of the last to die of those beneficiaries, contingent or otherwise, who were living at the time of my death; and upon the expiration of such period, all Trusts shall terminate and the assets thereof shall be distributed outright to such persons as are then entitled to the income therefrom and in the same proportions; but if no person is then entitled to a specific portion of income, then to the then living income beneficiaries, per stirpes; provided, however, that if any person otherwise entitled to distribution at such time shall be under the age of twenty-one (21) years, his Trust shall be vested in him, but distribution shall be postponed until he shall attain such age, or if such person should die before attaining such age or complete distribution hereunder, all of such property vested in him shall be paid to his estate. In the meantime, the Trustee shall pay to or

-8-

VOL 9101 PG 1297

CERTIFICATE

The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office. ATTESTED *[Signature]*



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *[Signature]*

for the benefit of such person as much, or all, of the net income and principal of the retained Trust as the Trustee considers necessary for the health, education, support or maintenance of such beneficiary, and may add to principal any income not so expended.

3.12 My Executor and Trustee or their successors (1) shall be responsible only for property actually received, (2) shall not be obligated to require an accounting from any predecessor fiduciary and (3) shall incur no liability for any act or omission to act of any predecessor fiduciary.

3.13 My Executor and Trustee and their successors, shall be entitled to receive as compensation for their services such amounts as are being charged by corporate executors and trustees for similar services at the time such services are performed.

3.14 If my Trustee considers any distribution or termination of an interest or power hereunder as a distribution or termination subject to a generation-skipping tax, the Trustee is authorized in its sole discretion.

1) To augment any taxable distribution (except those made pursuant to a power of appointment) by an amount which the Trustee estimates to be sufficient to pay such tax and charge the same to the particular trust or share to which the tax relates without adjustment of the relative interests of the beneficiaries;

2) To pay such tax, in the case of a taxable termination, from the particular trust or share to which the tax relates without adjustment of the relative interests of the beneficiaries. If said tax is imposed in part by reason of the trust property hereunder and in part by reason of other property, the Trustee shall pay only the portion of such tax attributable to the taxable termination hereunder taking into consideration deductions, exemptions, credits and other factors which the Trustee deems advisable; and

3) To postpone final termination of any particular trust and to withhold all or any portion of the trust property until the Trustee is satisfied it no longer has any liability to pay any generation-skipping tax with reference to such trust or its termination.

3.15 In the event any Trust created pursuant to this Will shall be designated as the beneficiary or recipient of any proceeds paid or payable under any trust or plan exempt from Federal Estate Taxation under the Code, the Trustee shall have the right to negotiate and receive such proceeds in any manner it deems prudent and consistent with the tax (both estate and income) and other objectives of this Trust and its beneficiaries. Provided, however, if such proceeds would be otherwise exempt from Federal Estate Taxes in whole or in part, the Trustee shall not elect to receive such otherwise exempt proceeds in such a manner as will subject them to Federal Estate Taxation in my estate without the written consent of the personal representative of my estate.

3.16 If at any time any Trust Estate or my estate shall consist in whole or in part of assets located in

VOL 9101 PG 1298

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS

BY: *GR*

a jurisdiction in which the Executor or Trustee then acting hereunder is not authorized to act the Executor or Trustee then acting hereunder may appoint an ancillary executor or trustee in the jurisdiction in which it is not authorized to act and may confer upon such ancillary executor or trustee power to act solely with reference to such assets as the Executor or Trustee may deem necessary or expedient and such ancillary executor or trustee shall remit to the Executor or Trustee then acting hereunder that part of all income from and proceeds of sale of such assets which is not required for the payment of any and all obligations of my estate or the Trust Estate in such jurisdiction for which such ancillary executor or trustee is personally liable. The Executor or Trustee then acting hereunder may pay unto such ancillary executor or trustee reasonable compensation for its services and may absolve it from any requirement that it furnish bond or other security.

3.17 This Will and all Trusts hereunder are created under the laws of the State of Texas, and their validity, construction and administration shall be determined by the laws of that State; provided, however, the Trustee shall have the power to remove at any time the situs of any Trust from one state to another in the Trustee's sole discretion.

SECTION 4

EXECUTORS AND TRUSTEES

4.1 Executors and Trustees. I appoint my child, JOSEPH ROBERTS STIVERS, to be Independent Executor of my estate and Trustee of all Trusts created hereunder. In the event that JOSEPH ROBERTS STIVERS should predecease me or for any reason should fail to qualify as Trustee, or having qualified should cease to act further from any cause, then I appoint my friend, TILFORD P COLLINS, to be Independent Executor of my estate and Trustee of all Trusts created hereunder. In the event that my friend, TILFORD P COLLINS, should predecease me or for any reason should fail to qualify as Trustee, or having qualified should cease to act further from any cause, then I appoint my grandchild, RANDALL GRANT STIVERS, III, to be Independent Executor of my estate and Trustee of all Trusts created hereunder. In the event that my grandchild, RANDALL GRANT STIVERS, III, should predecease me or for any reason should fail to qualify as Trustee, or having qualified should cease to act further from any cause, then I appoint BROADWAY NATIONAL BANK OF

-10-

VOL 9101 PG 1299

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR

SAN ANTONIO, San Antonio, Texas, as Independent Executor of my estate and Trustee of all Trusts created hereunder

4.2 Independent Administration I direct that no bond shall be required of my Executor and Trustee, or any successors, and that no action shall be had in any court in relation to the settlement of my estate other than the probating and recording of this, my Will. My Executor and Trustee, or any successors, shall have any and all powers that may be necessary or proper in adequately handling, managing and disposing of any property or funds forming a part of my estate or any trust created herein, and this without regard to necessity of any such sale for the purpose of paying debts or taxes, and including the power to borrow money at any time and in any amount, and this Will shall be construed in such a way as to vest in them full and absolute power and authority

SECTION 5

CODICILS AND HEADINGS

All references herein to this Will shall be construed as referring to this Will and any Codicils hereto. Headings are included in this Will only for convenient reference, and are not intended to be a part of, or affect the meaning, interpretation or construction of any provisions of this Will.

SECTION 6

SURVIVAL

No person who is a beneficiary under this Will shall be deemed to have survived me for purposes of this Will unless he or she survives for a period of thirty (30) days after my death.

SECTION 7

SPECIAL EXCEPTIONS

If any person named or otherwise designated in this my Last Will and Testament shall directly or indirectly, institute or become an acting party to any proceedings to set aside, interfere with, or make null any provision of this Will, or to offer any

VOL 9101 PG 1300

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *GR*

objection's to the probate thereof, or shall in any manner, directly or indirectly, contest the probate thereof, then, in that event, I revoke all of the provisions of this my Will in his or her favor, and such act or proceedings shall operate and be effective as a release on the part of any such legatee, devisee or beneficiary to any part of my property or estate, whether an outright gift or a gift in trust for his or her benefit, and any provision of my Will in favor of such party I do hereby abrogate, annul and make void, and I direct that any person so acting, proceeding or contesting such receive no part or portion whatsoever of my estate under this Will, or otherwise, including any beneficial interest, and such property that would have gone to him or her or into a trust for his or her benefit shall be instead distributed to those (one or more) who are entitled to take my residuary estate, except any person or persons entitled to take my residuary estate who participate in the forbidden conduct set forth above.

This Will contains Fourteen (14) Pages of which this is Page Twelve (12).

IN TESTIMONY WHEREOF, I have hereunto set my hand on this 26th day of March, 1987.

Gayle R Stivers

GAYLE ROBERTS STIVERS

VOL 9101 PG 1301

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office, ATTESTED *Gerard Rickhoff*
GERARD RICKHOFF
COUNTY CLERK
DEXAR COUNTY, TEXAS
BY *GR*



We, the undersigned, do hereby certify that on the date above written, the foregoing instrument was signed, published and declared by GAYLE ROBERTS STIVERS, to be her Last Will and Testament, in our presence, and we, at her request and in her presence and in the presence of each other, have signed our names as witnesses.

<u>Name</u>	<u>Address</u>
<u>Bobbe Jack Collins</u>	<u>San Antonio, Texas</u>
<u>Margie M. Gray</u>	<u>San Antonio, Texas</u>

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared GAYLE ROBERTS STIVERS, BOBBE JACK COLLINS and MARGIE M. GRAY, known to me to be the Testatrix and witnesses respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, the said GAYLE ROBERTS STIVERS, Testatrix, declared to me and to the said witnesses in my presence that said instrument is her Last Will and Testament and that she had willingly made and executed it as her free act and deed for the purposes therein expressed, and the said witnesses, each on his oath, stated to me, in the presence and hearing of said Testatrix that the said Testatrix had declared to them that she executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of said Testatrix and at her request, that she was at that time eighteen (18) years of age or over and was of sound mind, and that each of said witnesses was then at least fourteen (14) years of age.

Gayle R. Stivers
GAYLE ROBERTS STIVERS
Testatrix

Bobbe Jack Collins
Witness

Margie M. Gray
Witness

VOL 9101 PG 1302

CERTIFICATE
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 GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME by the said GAYLE ROBERTS STIVERS, and SUBSCRIBED AND SWORN TO BEFORE ME by the said BOBBE JACK COLLINS and MARGIE M. GRAY witnesses, this 26th day of March, 1987.



Jane N. Slaughter
Notary Public, State of Texas

JANE N. Slaughter

Printed or Stamped Name of Notary

My Commission Expires: 10/9/89

WILL11/05

-14-

VOL 9101 PG 1303

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office. ATTESTED 10/21/01

GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR



FILED
This 25th day of Dec AD. 1971

ROBERT B. GREEN
Clerk, Probate Court No. 2
Bexar County, Texas

PROBATE COURT
NO. 2
BEXAR COUNTY, TEXAS

ESTATE OF
GAYLE ROBERTS STIVERS,
DECEASED

PROOF OF DEATH AND OTHER FACTS

On this day, ROBERT W. NELSON ("Affiant") personally appeared in Open Court, and after being duly sworn, stated the following:

1. GAYLE ROBERTS STIVERS ("Decedent") died on January 5, 1991 in San Antonio, Bexar County, Texas, at the age of 87 years and four years have not elapsed since the date of Decedent's death.
2. Decedent was domiciled and had a fixed place of residence in this County at the date of death.
3. The document dated March 26, 1987 now shown to me and which purports to be Decedent's Will was never revoked so far as I know.
4. A necessity exists for the administration of this Estate.
5. No child or children were born to or adopted by Decedent after the date of the Will.
6. Decedent was never divorced.
7. The Independent Executor named in the Will is JOSEPH ROBERTS STIVERS. JOSEPH ROBERTS STIVERS is not disqualified by law from accepting Letters Testamentary or from serving as such and are entitled to such Letters.

AB

VOL 9101 PG 6753

CERTIFICATE
 The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office, ATTESTED 10-27-01
 GERARD RICKHOFF
 COUNTY CLERK
 BEXAR COUNTY, TEXAS
 BY: GR



SIGNED this 25th day of Jan, 1991.

Robert W. Nelson
ROBERT W. NELSON

SUBSCRIBED AND SWORN TO BEFORE ME by ROBERT W. NELSON
this 25th day of January, 1991, to certify which witness my
hand and seal of office.

ROBERT D. GREEN,
Probate Court No. 2
Bexar County, Texas

Robert D. Green
Deputy

Clerk of the Probate Court of
Bexar County, Texas

By: _____
Deputy

88068

2

VOL 9101 PG 6754

MADISON COUNTY MS This instrument was
filed for record Oct. 17, 2008

Book 43 Page 453

ARTHUR JOHNSTON, C C

BY: Robert D. Green DC



CERTIFICATE

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confidential personal information
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copy of the original on file and of record
in my office. ATTESTED 10-27-07



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR

2006 PC 3162

BOOK 043 PAGE 478

FILED IN MATTERS PROBATE

2006 OCT -9 P 2:04

ESTATE OF §
JOSEPH ROBERTS STIVERS, §
DECEASED §

PROBATE COURT, CLERK OF COURTS, BEAR OFFICE, CITY OF TEXAS
NO. 2
BY [Signature]
BEXAR COUNTY, TEXAS

POST NOTICE

APPLICATION FOR PROBATE OF WILL AND ISSUANCE OF LETTERS TESTAMENTARY

TO THE HONORABLE JUDGE OF SAID COURT

THOMAS O. EVANS ("Applicant") furnishes the following information to the Court for the probate of the written Will of JOSEPH ROBERTS STIVERS ("Decedent"), and for issuance of Letters Testamentary to Applicant.

1. Applicant is an individual interested in this Estate, domiciled and residing in San Antonio, Bexar County, Texas. Applicant is acting herein by and through his duly authorized representative.

2. Decedent died in Bexar County, Texas, on October 5, 2006, at the age of eighty (80) years.

3. Decedent was domiciled in San Antonio, Bexar County, Texas. This Court has jurisdiction and venue because Decedent was domiciled and had a fixed place of residence in this county on the date of death.

4. Decedent owned both real and personal property described generally as real estate, cash, securities, personal effects, etc of a probable value in excess of \$50,000

5. Decedent left a valid written Will ("Will") dated January 12, 2001, which was never revoked and is filed herewith.

6. The subscribing witnesses to the Will are ANNE CORDOVA and CONNOR SHEEHAN, whose addresses are 700 N. St Mary's, Suite 600, San Antonio, Texas 78205. The Will was made self proved in the manner prescribed by law

7. No child or children were born to or adopted by Decedent after the date of the Will

8. Decedent was never divorced

9. A necessity exists for the administration of this estate

10. Decedent's Will named THOMAS O EVANS, who is the Applicant herein, to serve without bond or other security as Independent Executor of Decedent's Estate. Applicant is not disqualified by law from serving as such or from accepting Letters Testamentary, and Applicant would be entitled to such Letters.

VOL 0618 PG 2939

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY [Signature]

11 Decedent's Will did not name the State of Texas, a governmental agency of the State of Texas, or a charitable organization as a devisee.

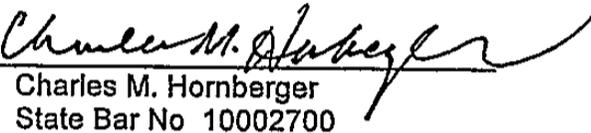
12 Applicant is attempting to obtain adequate information as to the nature, extent and value of the assets of the Decedent's estate but will not be able to conclude the preparation of the Inventory, Appraisal and List of Claims within the time prescribed by law. Since this information will be required for the preparation of Decedent's death tax returns, Applicant requests an extension of time until July 5, 2007 (nine (9) months from Decedent's death) for the filing of the Inventory, Appraisal and List of Claims. This additional time is not requested by reason of any lack of diligence

Applicant prays that citation issue as required by law to all persons interested in this Estate, that the Will be admitted to probate; that Letters Testamentary be issued to Applicant; that the time to return the Inventory, Appraisal and List of Claims be extended until July 5, 2007; and that all other orders be entered as the Court may deem proper.

Respectfully submitted,

HORNBERGER SHEEHAN FULLER
& BEITER INCORPORATED
Attorneys for Applicant
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209
(210) 271-1700

By:



Charles M. Hornberger
State Bar No 10002700

Christopher J. Tarrillion
State Bar No. 24003698

-2-

Y010618 PG 2940

T:\clstivers\Appl_Prob_JRS doc

CERTIFICATE

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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS

BY: GR

LAST WILL AND TESTAMENT

OF

JOSEPH ROBERTS STIVERS

FILED
IN MATTERS PROBATE

2006 OCT -9 P 2 04

CLERK OF COURTS
BEXAR COUNTY TEXAS
BY *Gerard Rickhoff*

THE STATE OF TEXAS
COUNTY OF BEXAR

§
§
§

KNOW ALL MEN BY THESE PRESENTS.

THAT I, JOSEPH ROBERTS STIVERS, a resident of Bexar County, Texas, do make, publish and declare this to be my Last Will and Testament, hereby revoking all former wills and codicils I am single and do not have any children When used in this will the term "my executor" shall mean the individual or individuals, male or female, or corporation, or combination thereof, at any time qualified and serving as "personal representative" of my estate, as that term is defined in the Texas Probate Code, irrespective of the manner of appointment

ARTICLE 1

PAYMENT OF DEBTS AND TAXES

Except as otherwise provided herein, my executors shall, at such time as they shall in their sole discretion determine, pay, extend or renew all of my enforceable debts, administration expenses and all estate, inheritance, succession, transfer and other death taxes (exclusive of any tax imposed as a result of Section 2032A, Section 2044 or Chapter 13 of the Code), including any interest or penalties thereon, owing as a result of my death, whether in respect of property passing under this will or otherwise, out of either the principal or income of my residuary estate without apportionment. If my residuary estate is insufficient to satisfy my debts, expenses, and taxes, then the gift in Section 2 2 shall bear such debts, expenses and taxes All expenses incurred in the packing, storing, shipping and insuring of any article of tangible personal property given hereunder shall constitute an expense of my estate. Unless otherwise specified, devisees of property subject to any indebtedness shall not be entitled to have the obligation secured thereby paid out of my estate.

ARTICLE 2

SPECIFIC GIFTS

2.1 Minerals I give all of my interest in Minerals, of whatever nature and wherever located, to my beloved nephew and niece, RANDALL GRANT STIVERS, III and KATHERINE PAMELA MARION, in equal shares If KATHERINE PAMELA MARION fails to survive me, then all of my interest in Minerals shall pass to RANDALL GRANT STIVERS, III, or in default thereof, to RANDALL GRANT STIVERS, III's then living descendants, per stirpes. If RANDALL GRANT STIVERS, III fails to survive me, then all of my interest in Minerals shall pass as follows 50% to RANDALL GRANT STIVERS, III's then living descendants, per stirpes, and 50% to KATHERINE PAMELA MARION, or if KATHERINE PAMELA MARION fails to survive me, then all of my interest

T:\CISTIVERS115-17 JRS wpd



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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR

in Minerals shall pass to RANDALL GRANT STIVERS, III's then living descendants, per stirpes. If RANDALL GRANT STIVERS, III and all of his descendants fail to survive me, then all of my interest in Minerals shall pass to KATHERINE PAMELA MARION, or in default thereof, to KATHERINE PAMELA MARION's then living descendants, per stirpes.

The term "Minerals" shall mean all oil, gas, hydrocarbon substances, and all other minerals of any kind whether solid, gaseous, or liquid (including any near surface minerals, mineralized waters, or brines), whether or not presently vested in possession or otherwise, including but not limited to leasehold estates, working interests, royalty interests, production payments, net profits interests, overriding royalty interests, mineral fee interests and contract rights under farmout and other such agreements, together with any and all appurtenances, personal property, equipment, easements and other rights and privileges pertaining thereto.

Notwithstanding any other provision herein to the contrary, I direct that all income from Minerals shall be paid to THOMAS O EVANS until the earlier to occur of (i) the termination of the administration of my estate, and (ii) two (2) years after the date of my death. Thereafter, all income from Minerals shall inure to the benefit of the beneficiaries set forth in this Section 2 1.

2.2 Residence I give to THOMAS O. EVANS, if he survives me, all of my interest in my home located at 775 Estes, San Antonio, Texas, as well as all of my interest in all furniture, fixtures, furnishings, and art objects located in the home. If THOMAS O EVANS fails to survive me, then this gift shall lapse, and the subject property shall pass as a part of my residuary estate. I hereby direct that THOMAS O EVANS, if he survives me, shall have the immediate right to occupy my home after my death. I also direct that this bequest be distributed to THOMAS O. EVANS as soon as practical after my death.

ARTICLE 3

RESIDUARY ESTATE

All of my residuary estate, of whatever nature and wherever located, including all void or lapsed gifts (but excluding all property over which I have a power of appointment), I dispose of as hereinafter provided. I give all said property to THOMAS O. EVANS if THOMAS O. EVANS shall survive me. If THOMAS O. EVANS shall not survive me, then all said property shall be divided into equal shares so as to provide one share for each Beneficiary then living and one share for each deceased Beneficiary who shall leave descendants surviving, such deceased Beneficiary's share to be divided among such deceased Beneficiary's then living descendants. The term "Beneficiary" shall mean RANDALL GRANT STIVERS, III and KATHERINE PAMELA MARION.

ARTICLE 4

EXECUTORS

My executors shall be governed by the following provisions.

4 1 Executors. I appoint THOMAS O. EVANS as independent executor of my estate. If THOMAS O EVANS shall fail to qualify as independent executor, or having qualified should cease to act further from any cause, then I appoint my friend, DOUGLAS EDWARDS, of San Antonio, Texas, as independent executor of my estate. If DOUGLAS EDWARDS shall fail to

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copy of the original on file and of record
in my office. ATTESTED *10/27/01*



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *GR*

qualify as independent executor, or having qualified should cease to act further from any cause, then I appoint my nephew, RANDALL GRANT STIVERS, III, as independent executor of my estate. Nothing herein shall preclude an executor from serving in any other capacity and receiving reasonable compensation for such services

4.2 No Bond Each executor acting hereunder shall be exempt from giving any bond or other security in any jurisdiction

4.3 Resignation of Executors My executors may at any time resign by filing an executed and acknowledged instrument in the court wherein this will is probated, provided, however, no such resignation shall become effective until a successor executor has duly qualified

4.4 Independent Administration Other than the probating and recording of this my will and the return of an inventory, appraisal and list of claims of my estate, my executors shall exercise their rights, privileges and powers free of any court or judicial authority. Except as limited herein, my executors shall have all of the rights, privileges and powers now or hereafter granted trustees in the Texas Trust Code as the same exists at the time of this instrument, regardless of whether such Trust Code may hereafter be repealed or amended, as fully as though its provisions were written into this instrument, and shall have any and all additional powers conferred on trustees by any subsequent amendment of such Trust Code or that may be necessary or proper in adequately handling, managing and disposing of any property or funds coming into their possession, including, but not limited to, the power of sale without regard to the necessity of such sale for the purpose of paying debts or taxes, the power to execute oil, gas and mineral leases, with or without pooling provisions; the power to borrow money at any time and in any amount, the power to partition and make distribution of all or any part of any estate created hereunder in cash or in kind, or both, subject to any indebtedness or liabilities of my estate, or in any manner whatsoever (including composing shares differently or paying and receiving such monies or properties as may be necessary to equalize differences), the power to exercise, or refrain from exercising, all elections and options available under the Code, with or without making equitable adjustments with respect to any interests in property passing hereunder by reason of any such election or option; and the power to evaluate any property, which evaluation shall be binding upon all beneficiaries. The provisions of this will shall govern whenever in conflict with such Trust Code

4.5 Compensation. My individual executors shall be entitled to no fee for their services, but shall receive reimbursement for all expenses incurred by them. Provided, however, that if DOUGLAS EDWARDS serves as independent executor, I direct that the sum of One Thousand Dollars (\$1,000) per month (up to a maximum of Twenty Thousand Dollars (\$20,000)) be paid to him for serving as independent executor. After DOUGLAS EDWARDS has received the sum of \$20,000, he shall be entitled to receive no additional compensation for serving as my Executor. My corporate executors shall be entitled to receive such amounts as are being charged by them for similar services at the time the services are performed

4.6 Liability of Executors Unless the executors are acting in bad faith or are grossly negligent in exercising the discretion given them hereunder, they shall not be subject to any liability for (1) distributing or failing to distribute income or principal, or (2) exercising or refraining from exercising any elections or options. The executors shall perform all the duties required of them by the Texas Trust Code, except to the extent relieved thereof herein, but shall be fully protected as to any act or omission taken or suffered by them in good faith and in reliance on the opinion of legal, investment or other professional counsel. A release of liability by any beneficiary pursuant

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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY GR

to Section 114 005 of the Texas Trust Code shall be binding upon all future beneficiaries having substantially identical interests.

ARTICLE 5

NO CONTEST PROVISION

If any devisee, legatee or beneficiary under this Will or any legal heir of mine, or person claiming under any of them, shall contest, directly or indirectly, this Will, or any term or provision of this Will, or attack or seek to impair or invalidate any of its provisions, or file a lawsuit or threaten to file a lawsuit against THOMAS O. EVANS, in any capacity, or any other executor acting hereunder, for any reason relating to the preparation, execution, or terms of this Will, or any events leading up to the preparation or execution of this Will, or conspire with or voluntarily assist anyone attempting to do any of the aforementioned actions, in that event I specifically disinherit each such person and all of such person's descendants, and all legacies, bequests, devises and interests given under this Will to that person, or such person's descendants, shall lapse.

ARTICLE 6

MISCELLANEOUS

6.1 Incapacity of Beneficiaries. If my estate terminates, and any person entitled to a distribution at such time shall be incapacitated (a minor and any adult beneficiary who, because of age, illness or infirmity is not, in the opinion of my executors, able to care for himself or to look after his affairs), the property distributable shall be vested in such person, but distribution shall be postponed until he or she shall gain or regain capacity. If such beneficiary should die before attaining such capacity or complete distribution hereunder, all of such property vested in such person shall be distributed to his or her estate. In the meantime, my executors shall hold such property in trust without bond, continue to exercise all the rights, privileges and powers granted them hereunder, and shall distribute to or for the benefit of such beneficiary as much, or all, of the net income and principal of the retained property as they consider necessary for health, education, maintenance and support of such beneficiary, and shall add to principal any income not so expended

6.2 Definitions. Nouns, pronouns and other descriptive terms shall include the masculine, feminine and neuter, and the singular and plural, wherever appropriate to the context. "Code" means the Internal Revenue Code of 1986, as amended through the date of a determination hereunder, or any similar successor statute. A person's "descendants" means such person's children, grandchildren, great-grandchildren, and more remote progeny, and such person's "descendants" include only those children who have been born to a lawful marriage of such person and those children, grandchildren, great-grandchildren, and more remote progeny that have been legally adopted prior to attaining the age of fourteen (14) years. When a distribution is directed to be made to any person's then living descendants, "per stirpes", the division into stirpes shall begin at such person's children. For all purposes herein, a posthumous child shall be considered as living at the death of his or her parents. Unless otherwise specified, a beneficiary shall not be deemed to have survived a designated survival date unless he shall have survived it by 30 days. I intend by this Will to dispose of all property owned by me including, if I am married, one-half of the community property owned by my spouse and me, and all separate property that I may own at the time of my death

VOL 0618 PG 2944

CERTIFICATE
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GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR

6.3 Texas Law. The validity, construction and administration of all provisions hereunder shall be determined by the laws of the State of Texas, provided, however, my executors shall have the power to remove at any time the situs of any property or entity created hereunder from one state to another in their sole discretion

6.4 Codicils and Headings. All references herein to this will shall be construed as referring to this will and any codicils hereto. Headings are included in this will only for convenient reference, and are not intended to be a part of, or affect the meaning, interpretation or construction of any provisions of this will

This Will and self-proving affidavit contain 6 pages of which this is page 5

IN TESTIMONY WHEREOF, I have hereunto set my hand on this 12th day of January, 2001.

Joseph Roberts Stivers
JOSEPH ROBERTS STIVERS, Testator

We, the undersigned, do hereby certify that on the date above written, the foregoing instrument was signed, published and declared by JOSEPH ROBERTS STIVERS to be his Last Will and Testament, in our presence, and we, at his request and in his presence and in the presence of each other, have signed our names as witnesses

Name

Address

Aime Cardona

700 N St Mary's, Suite 600
San Antonio, Texas 78205

Conor Sheb

700 N St Mary's, Suite 600
San Antonio, Texas 78205

VAL0618 PG 2945

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED. 02-27-01
GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY *GR*



THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared JOSEPH ROBERTS STIVERS, ANNE CORDOVA and CONNOR SHEEHAN, known to me to be the Testator and witnesses respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me duly sworn, the said JOSEPH ROBERTS STIVERS, Testator, declared to me and to the said witnesses in my presence that said instrument is his Last Will and Testament and that he had willingly made and executed it as his free act and deed for the purposes therein expressed; and the said witnesses, each on his oath, stated to me, in the presence and hearing of said Testator that the said Testator had declared to them that said instrument is his Last Will and Testament and that he executed the same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of said Testator and at his request, that he was at that time eighteen (18) years of age or over and was of sound mind, and that each of said witnesses was then at least fourteen (14) years of age.

Joseph Roberts Stivers

JOSEPH ROBERTS STIVERS, Testator

Anne Cordova

Witness

Connor Sheehan

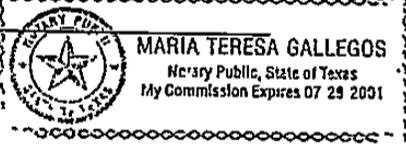
Witness

Subscribed and sworn to before me by the said JOSEPH ROBERTS STIVERS, Testator, and by the said ANNE CORDOVA and CONNOR SHEEHAN, witnesses, this 12th day of January, 2001

Maria Teresa Gallegos

Notary Public, State of Texas

[Printed or Stamped Name of Notary]

My Commission Expires

MARIA TERESA GALLEGOS
Notary Public, State of Texas
My Commission Expires 07 29 2001

YOC 0618 PG 2946

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and record in my office. ATTESTED. *6-27-01*

GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: *GR*

FILED

ESTATE OF
JOSEPH ROBERTS STIVERS,
DECEASED

§
§
§
§

PROBATE COURT
NO 2
BEXAR COUNTY, TEXAS

OCT 23 2006
GERARD RICKHOFF
CLERK PROBATE COURT NO. 2
BEXAR COUNTY, TEXAS
BY: [Signature] DEPUTY

PROOF OF DEATH AND OTHER FACTS

On this day, CHRISTOPHER J TARRILLION ("Affiant") personally appeared in Open Court, and after being duly sworn, stated the following:

1. JOSEPH ROBERTS STIVERS ("Decedent"), died on October 5, 2006, in San Antonio, Bexar County, Texas, at the age of eighty (80) years, and four years have not elapsed since the date of Decedent's death.
2. Decedent was domiciled and had a fixed place of residence in this County at the date of death.
3. Notice and citation have been given in the manner and for the length of time required by law.
4. The document dated July 12, 2001 now shown to me and which purports to be Decedent's Will was never revoked so far as I know
5. A necessity exists for the administration of this Estate
6. No child or children were born to or adopted by Decedent after the date of the Will
7. Decedent was never married
8. Decedent's Will did not name the State of Texas, a governmental agency of the State of Texas, or a charitable organization as a devisee.
9. The Independent Executor named in the Will is THOMAS O EVANS THOMAS O EVANS is not disqualified by law from accepting Letters Testamentary or from serving as such and is entitled to such Letters.

SIGNED this 23rd day of October, 2006

[Signature]
CHRISTOPHER J TARRILLION, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME by CHRISTOPHER J TARRILLION this 23rd day of October, 2006, to certify which witness my hand and seal of office

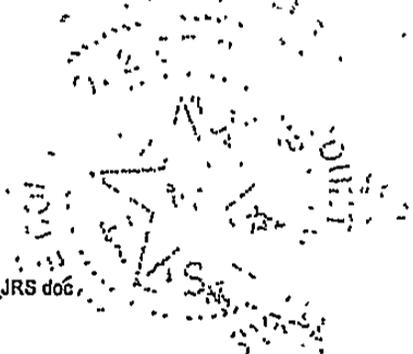
Clerk of the Probate Court of
Bexar County, Texas

By: [Signature]

Deputy

VOL 0618 PG 9750

CP



10/23/06

T:\csl\stivers\PROOF_JRS doc

CERTIFICATE

The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED 10-27-06



GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: [Signature]

NO 2006-PC-3162

ESTATE OF

§
§
§
§
§

PROBATE COURT

JOSEPH ROBERTS STIVERS,

NO. 2

DECEASED

BEXAR COUNTY, TEXAS

**ORDER ADMITTING WILL TO PROBATE AND
AUTHORIZING LETTERS TESTAMENTARY**

On this day the Court heard the Application For Probate of Will and Issuance of Letters Testamentary filed by THOMAS O. EVANS ("Applicant"), in the Estate of JOSEPH ROBERTS STIVERS, Deceased ("Decedent").

The Court having heard the evidence and having reviewed the Will and other documents filed herein, finds that the allegations contained in the Application are true; that notice and citation have been given in the manner and for the length of time required by law, that Decedent is dead and that four years have not elapsed since the date of Decedent's death; that this Court has jurisdiction and venue of the Decedent's estate; that Decedent left a Will dated January 12, 2001, executed with the formalities and solemnities and under the circumstances required by law to make it a valid will (the "Will"); that on such date Decedent had attained the age of 18 years and was of sound mind; that the Will was not revoked by Decedent; that no objection to or contest of the probate of the Will has been filed; that all of the necessary proof required for the probate of the Will has been made; that the Will is entitled to probate; that in the Will, Decedent named THOMAS O. EVANS, as Independent Executor, to serve without bond, who is duly qualified and not disqualified by law to act as such and to receive Letters Testamentary; that a necessity exists for the administration of this estate, and that no interested person has applied for the appointment of appraisers and none are deemed necessary by the Court.

[Handwritten mark]

PB

VOL 0618 PG 9751

CP

CERTIFICATE
The page to which this certificate is affixed may have been altered to redact confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED 10-27-07
GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY: GR



It is therefore, ORDERED, ADJUDGED and DECREED that the Will is admitted to probate, and the Clerk of this Court is ORDERED to record the Will, together with the Application in the Minutes of this Court

It is further ORDERED, ADJUDGED and DECREED that no bond or other security is required and that upon the taking and filing of the Oath required by law, Letters Testamentary shall issue to THOMAS O EVANS, Applicant, who is appointed as Independent Executor of Decedent's Will and Estate, and no other action shall be had in this Court other than the return of an Inventory, Appraisement, and List of Claims as required by law.

It is further ORDERED, ADJUDGED and DECREED that the time to return the Inventory, Appraisement and List of Claims be extended until July 5, 2007 (nine (9) months after Decedent's date of death).

SIGNED this 23rd day of October, 2006

Judge Presiding

OK
HJ

FILED
IN MATTERS PROBATE
2006 OCT 24 AM 10:41
CLERK OF DISTRICT COURTS
BEXAR COUNTY TEXAS
BY *Mary McCreath*

10-27-06

CERTIFICATE
The page to which this certificate is affixed may have been altered to reflect confidential personal information but is otherwise a full, true and correct copy of the original on file and is located in my office. ATTESTED 10-27-06
GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY *GR*



NO. 2006-PC-3162

ESTATE OF
JOSEPH ROBERTS STIVERS,
DECEASED

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§
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§
§

PROBATE COURT
NO 2

FILED

OCT 28 2006

BEXAR COUNTY CLERK PROBATE COURT NO. 2
BEXAR COUNTY, TEXAS

BY Gerry Rickhoff DEPUTY

OATH OF INDEPENDENT EXECUTOR

I, THOMAS O. EVANS, do solemnly swear that the writing which has been offered for probate as the Last Will and Testament of JOSEPH ROBERTS STIVERS, in the above-entitled and numbered proceeding, is the Last Will and Testament of said JOSEPH ROBERTS STIVERS so far as I know or believe, and that I will well and truly perform all the duties of Independent Executor of the Will and of the Estate of JOSEPH ROBERTS STIVERS, Deceased.

Thomas O. Evans
THOMAS O. EVANS

SUBSCRIBED AND SWORN TO BEFORE ME by THOMAS O. EVANS this 27th day of October, 2006, to certify which witness my hand and seal of office.



Terrie Gallegos
Notary Public, State of Texas
Printed or Stamped Name of Notary
My Commission Expires: _____

T:\CISTIVERS\Oath_JRS.doc

VOL 0618 PG 9753

PB

CP

CERTIFICATE
The page to which this certificate is affixed may have been altered to reflect confidential personal information but is otherwise a full, true and correct copy of the original on file and of record in my office. ATTESTED. 10-27-06
GERARD RICKHOFF
COUNTY CLERK
BEXAR COUNTY, TEXAS
BY GR

CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, GERARD RICKHOFF, Clerk of the Probate Court of Bexar County, Texas, do hereby certify that the foregoing is a true and correct copy of

APPLICATION FOR PROBATE OF WILL AND ISSUANCE OF LETTERS TESTAMENTARY

LAST WILL AND TESTAMENT OF GAYLE ROBERTS STIVERS

PROOF OF DEATH AND OTHER FACTS

ORDER ADMITTING WILL TO PROBATE AND AUTHORIZING LETTERS TESTAMENTARY

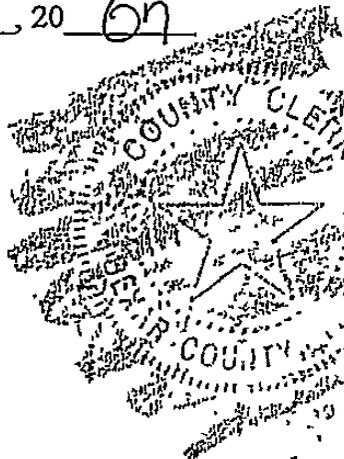
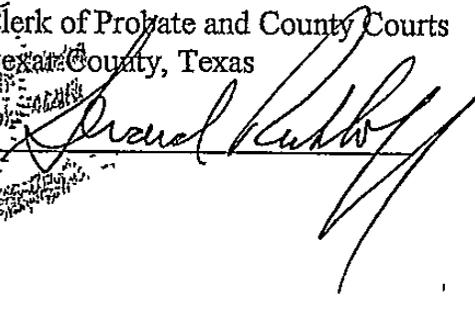
OATH OF INDEPENDENT EXECUTOR

In Case No. 2006PC3162

In the matter of the

Estate of. JOSEPH ROBERTS STIVERS, DECEASED

As the same appears of record in the Probate Minutes of Bexar County, Texas Witness my hand and seal of said Court at my office in San Antonio, Texas this the 27th day of June, 20 07


 GERARD RICKHOFF
 Clerk of Probate and County Courts
 Bexar County, Texas


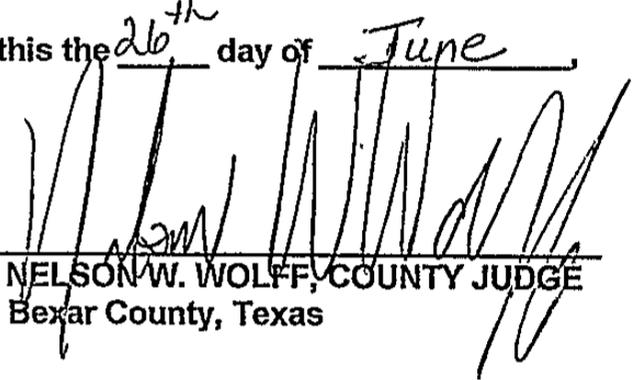
CERTIFICATE

THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, NELSON W. WOLFF, Judge of the County Court of Bexar County, Texas, do hereby certify that said Court is a Court of Record and that GERARD RICKHOFF is the Clerk thereof, and that the foregoing is his genuine signature and the Attestation is in due and legal form and is entitled to all due credit as such.

In testimony whereof, witness my hand and seal of said Court, given at my office in the City of San Antonio, Texas, this the 26th day of June, A.D., 20 07


NELSON W. WOLFF, COUNTY JUDGE
Bexar County, Texas



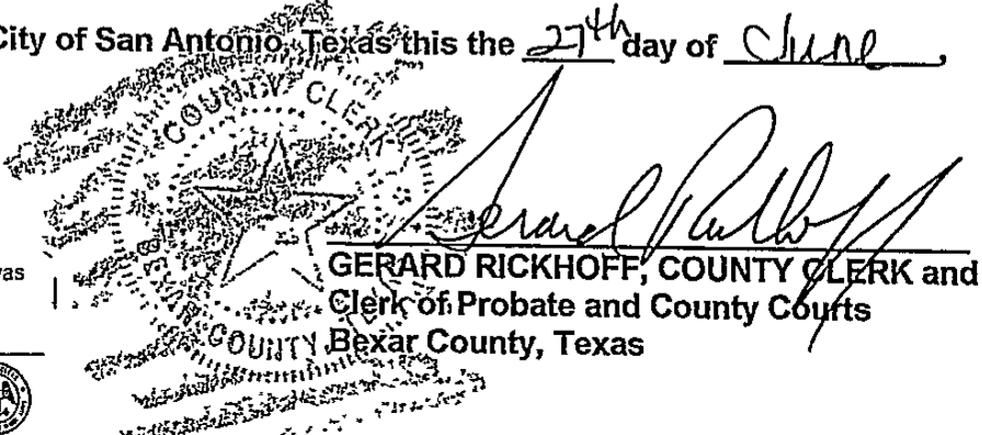
CERTIFICATE

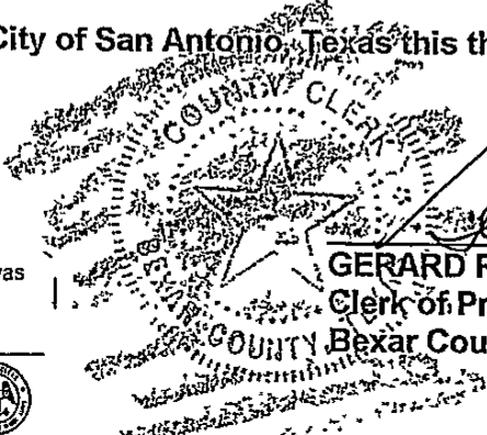
THE STATE OF TEXAS §

COUNTY OF BEXAR §

I, GERARD RICKHOFF, Clerk of the Probate and County Courts of Bexar County, Texas, do hereby certify that said Court is a Court of Record and that NELSON W. WOLFF is the Judge thereof, and that the above is his genuine signature and the Attestation is in due and legal form and is entitled to all due credit as such.

In testimony whereof, witness my hand and official seal of office, given at my office in the City of San Antonio, Texas this the 27th day of June, A.D., 20 07.


GERARD RICKHOFF, COUNTY CLERK and
Clerk of Probate and County Courts
Bexar County, Texas



LAST WILL AND TESTAMENT

2008-1064

I, H. E. McKay, Sr., being of sound and disposing mind and memory and more than twenty-one years of age, do hereby make, publish and declare this as and for my last will and testament, especially revoking all prior testamentary documents.

FIRST: I nominate and appoint my wife, Bessie (Mary Elizabeth) McKay as executrix of this my last will and testament and excuse her from entering into bond or making a report to the courts.

SECOND: I will, devise and bequeath all of my property, real, personal, mixed, of whatever nature and wheresoever situated unto my wife, Bessie McKay, subject to paragraph THIRD.

THIRD: If my wife and I should die within thirty days of each other, then I will, devise and bequeath all of my property unto my two children, Henry Earl McKay, Jr. and Mary Elizabeth McKay Bryant, share and share alike, and in such case I appoint my son, Henry Earl McKay, Jr., as executor without bond.

This the 15th day of February, 1968.

H. E. McKay, Sr.
H. E. McKay, Sr.

Signed, published and declared by H. E. McKay, Sr. as and for his last will and testament, in the presence of us, who in his presence and at his request and in the presence of one another have hereto subscribed our names as witnesses.

This the 15th day of February, 1968.

Nelson R. ...
Lucille ...

CODICIL

Paragraph THIRD above is amended to provide that Mary Elizabeth McKay Bryant and Henry Earl McKay, Jr. shall both act as executors without bond. 11/17/69.

Witness: Nelson R. ...
Lucille ...

H. E. McKay, Sr.
H. E. McKay, Sr.

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE
LAST WILL AND TESTAMENT
OF H. E. MCKAY, SR., DECEASED

CIVIL ACTION NO: 2008-1064PROOF OF WILL

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, on the date hereinafter set forth, the within named Robert M. Heath, who, having been by me first duly sworn, stated and deposed the following upon his solemn oath, to-wit:

1 My name is Robert M. Heath. I am an adult, resident and citizen of Hinds County, Mississippi, and my address is 1055 Manship Street, Jackson, Mississippi 39202.

2. I am the son of Louise Heath, who was employed for many years as the legal secretary of Nelson Cauthen, Attorney at Law, who practiced law in Canton, Mississippi. My said mother is now deceased

3. I corresponded with my said mother and witnessed her sign hiername on countless occasions.

4. I am very familiar with the handwriting and signature of my said mother, and I was and continue to be able to recognize and identify her handwriting and signature.

5. I have personally examined the original of that certain one page instrument of writing purporting to be the last will and testament of H. E McKay, Sr., dated February 15, 1968, and also purporting to contain a codicil, dated November 17, 1969, to said will, and which written instrument purports to have been witnessed by my mother and her employer,

Nelson Cauthen.

6. Beyond any shadow of a doubt, I hereby recognize and identify the two witness signatures on said last will and testament and said codicil, that purport to be the signatures of my mother, Louise Heath, to be in fact the true and original signatures of my mother, Louise Heath.

7. Further, Affiant sayeth not.

Witness my signature, this the 16 day of October, 2008

Robert M. Heath
ROBERT M. HEATH

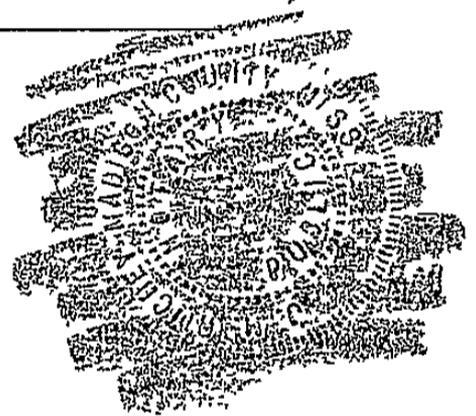
Sworn to and subscribed before me, this the 16 day of October,

2008.

[Signature]
NOTARY PUBLIC

My Commission Expires:

4-23-2009



Aff4 pow

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE
LAST WILL AND TESTAMENT
OF H. E. MCKAY, SR., DECEASED

CIVIL ACTION NO: 2008-1064PROOF OF WILL

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, on the date hereinafter set forth, the within named W. E. Harreld, Jr., who, having been by me first duly sworn, stated and deposed the following upon his solemn oath, to-wit:

1. My name is W. E. Harreld, Jr. I am an adult resident and citizen of Madison County, Mississippi, and my address is 630 Sunnydale Drive, Canton, Mississippi 39046.

2. For many years, H. E. McKay, Sr., and I were business partners in automobile dealerships in Canton and Jackson, Mississippi, and, in addition to our business relationships, I was personally well acquainted socially with H. E. McKay, Sr.

3. By virtue of our business relationships, I often witnessed and became familiar with the handwriting and signature of H. E. McKay, Sr., and I was and continue to be able to recognize and identify his handwriting and signature.

4. I have personally examined the original of that certain one page instrument of writing purporting to be the last will and testament of H. E. McKay, Sr., dated February 15, 1968, and also purporting to contain a codicil, dated November 17, 1969, to said will.

5. Beyond any shadow of a doubt, I hereby recognize and identify the two signatures on said last will and testament and said codicil, that purport to be the signatures of H. E.

McKay, Sr., to be in fact the true and original signatures of H. E McKay, Sr

6. Further, Affiant sayeth not.

Witness my signature, this the 22 day of SEPTEMBER, 2008.

W. E. Harreld, Jr.
W. E. HARRELD, JR.

Sworn to and subscribed before me, this the 22ND day of SEPTEMBER, 2008.

2008.



Mary Ann Chaney
NOTARY PUBLIC

My Commission Expires

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE
LAST WILL AND TESTAMENT
OF H. E. MCKAY, SR., DECEASED

CIVIL ACTION NO: 2008-1064PROOF OF WILL

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, on the date hereinafter set forth, the within named F. W. (Bill) McKay, Jr., who, having been by me first duly sworn, stated and deposed the following upon his solemn oath, to-wit:

1. My name is F. W. (Bill) McKay, Jr. I am an adult resident and citizen of Madison County, Mississippi, and my address is 144 Lakeview Drive, Canton, Mississippi 39046.

2. H. E. McKay, Sr., and my father were first cousins and close friends. For as far back as I can remember, I was personally well acquainted with and saw H. E. McKay, Sr. on a regular basis.

3. By virtue of our relationship and kinship, I became familiar with the handwriting and signature of H. E. McKay, Sr., and I was and continue to be able to recognize and identify his handwriting and signature

4 I have personally examined the original of that certain one page instrument of writing purporting to be the last will and testament of H. E. McKay, Sr., dated February 15, 1968, and also purporting to contain a codicil, dated November 17, 1969, to said will.

5. Beyond any shadow of a doubt, I hereby recognize and identify the two signatures

on said last will and testament and said codicil, that purport to be the signatures of H. E. McKay, Sr., to be in fact the true and original signatures of H. E. McKay, Sr.

7. Further, Affiant sayeth not.

Witness my signature, this the 29 day of September, 2008.

F. W. "Bill" McKay
F. W. (BILL) MCKAY, JR.

Sworn to and subscribed before me, this the 29th day of SEPTEMBER, 2008.

Mary Ann Chaney
NOTARY PUBLIC

My Commission Expires:



AFF1 pow

IN THE CHANCERY COURT OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE
LAST WILL AND TESTAMENT
OF H. E. MCKAY, SR., DECEASED

CIVIL ACTION NO: 2008-1064PROOF OF WILL

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforesaid, within my jurisdiction, on the date hereinafter set forth, the within named Nelson R. Cauthen, Jr., who, having been by me first duly sworn, stated and deposed the following upon his solemn oath, to-wit:

1. My name is Nelson R. Cauthen, Jr. I am an adult, resident and citizen of Madison County, Mississippi, and my address is 441 East Center Street, Canton, Mississippi 39046.

2. I am the son of Nelson Cauthen, Attorney at Law, who practiced law in Canton, Mississippi, for many years and is now deceased.

3. I corresponded with my said father and witnessed him sign his name on countless occasions

4. I am very familiar with the handwriting and signature of my said father, and I was and continue to be able to recognize and identify his handwriting and signature.

5. I have personally examined the original of that certain one page instrument of writing purporting to be the last will and testament of H. E. McKay, Sr., dated February 15, 1968, and also purporting to contain a codicil, dated November 17, 1969, to said will, and which written instrument purports to have been witnessed by my father and his secretary, Louise

6. Beyond any shadow of a doubt, I hereby recognize and identify the two witness signatures on said last will and testament and said codicil, that purport to be the signatures of my father, Nelson Cauthen, to be in fact the true and original signatures of my father, Nelson Cauthen.

7. Further, Affiant sayeth not.

Witness my signature, this the 2nd day of October, 2008.

Nelson R. Cauthen, Jr.
NELSON R. CAUTHEN, JR

Sworn to and subscribed before me, this the 2nd day of October, 2008.

[Signature]
NOTARY PUBLIC



My Commission Expires:

June 23, 2007

AFF3 POW

MADISON COUNTY MS This instrument was
filed for record Oct. 20, 2008
Book 43 Page 492
2 ARTHUR JOHNSTON, C.S.
BY [Signature] C.S.

