

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN, GRAND CAYMAN



Cause No. P 98 of 2021

In the Estate of Harvey Eden Clarke, Deceased

APPLICATION FOR RE-SEALING A FOREIGN GRANT OF PROBATE  
(Succession Act (2021 Revision), Section 23)

We, **Linda Clarke Willcox** and **James Harvey Clarke**, respectively of 2043 Knox Road, Rossville, Tennessee 38066, USA, and of 101 Cotswold Lane, Fairhope, Alabama 36532, USA, **HEREBY APPLY** to this Honourable Court for a certified copy of the **Order of Probate** dated 16<sup>th</sup> October 2009 made by Don Davis, Judge of Probate for Mobile County, Alabama, USA, in favour of us, the said **Linda Clarke Willcox** and **James Harvey Clarke** as Co-Personal Representatives of our deceased father, the late **Harvey Eden Clarke** (also known as **Harvey E. Clarke**), who died on the 29<sup>th</sup> June 2009 in Mobile, Alabama, USA, leaving a will dated 5<sup>th</sup> February 1990 that was duly admitted to probate as his last will, **to be sealed with the seal of the Grand Court** of the Cayman Islands pursuant to Section 23 of Succession Act (2021 Revision).

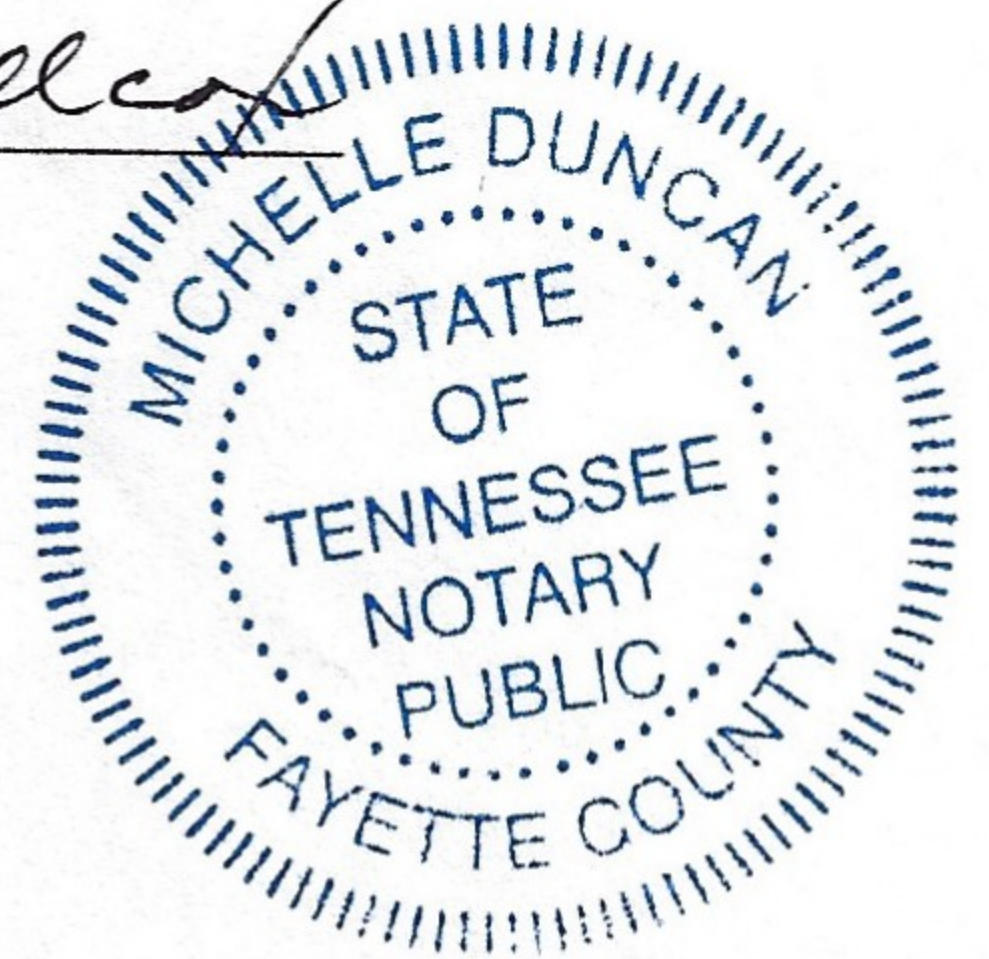
And we annex hereto our joint affidavit in support of our application and certified copies of the following documents respecting the late **Harvey Eden Clarke** (also known as **Harvey E. Clarke**): (1) Certificate of Death; (2) Last Will and Testament; and (3) Order of Probate and Appointing Co-Personal Representatives.

Sworn before me this 7<sup>th</sup> day of June 2021.

Michelle Duncan  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TENNESSEE, USA

Linda Clarke Willcox  
Linda Clarke Willcox

My commission expires: May 4, 2024  
County of Fayette

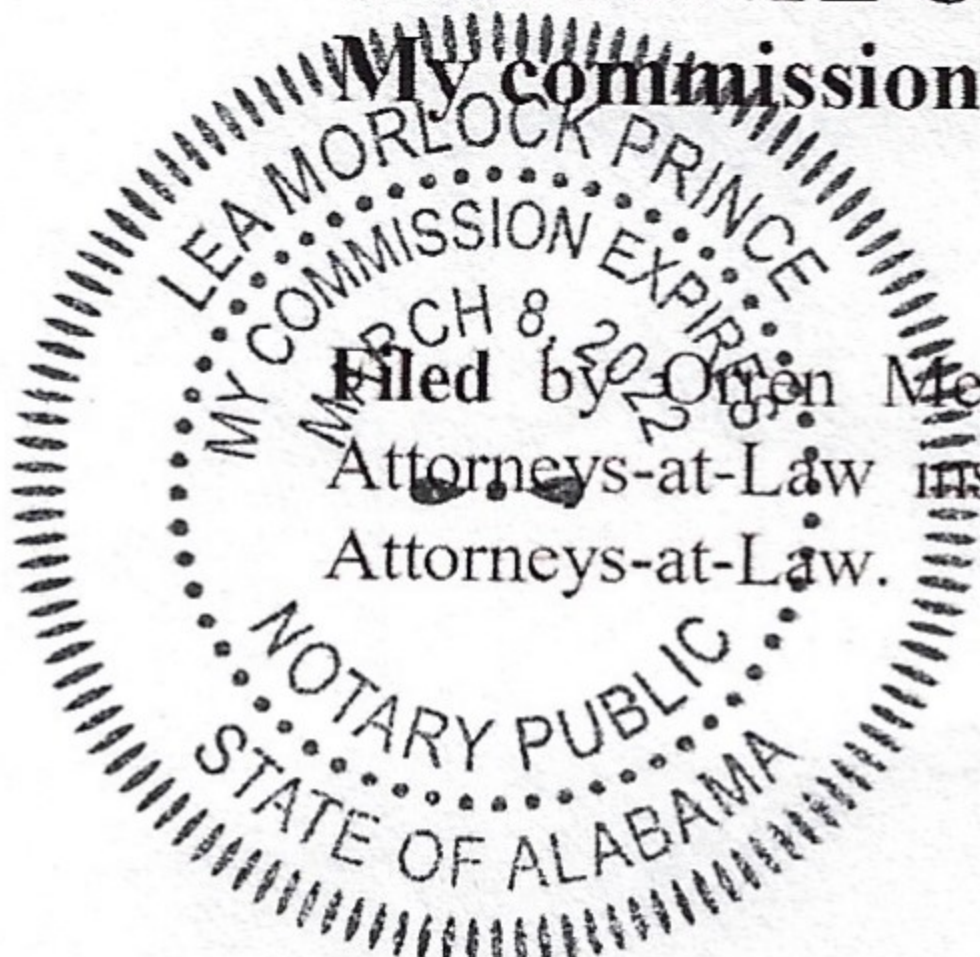


Sworn before me this 8<sup>th</sup> day of June 2021.

Lea Morlock Prince  
NOTARY PUBLIC IN AND FOR  
THE STATE OF ALABAMA, USA

James Harvey Clarke  
James Harvey Clarke

My commission expires: 03.08.2022



Filed by Oran Merren & Company, Attorneys-at-Law, P.O. Box 481, Grand Cayman KY1-1106, Cayman Islands,  
Attorneys-at-Law instructed for and on behalf of the Applicants herein whose address for service is that of their said  
Attorneys-at-Law.

Not Valid Without Attached Page

# ALABAMA

Center for Health Statistics

## ALABAMA

### CERTIFICATE OF DEATH

State File Number **101**

**09-23018**

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

County File Number

JB  
3. 049021  
6. 219  
19. 01  
20. 002888  
26.  
27.  
34. 49417

1. DECEASED—NAME First Middle Last (Type last name as applicable) <b>Harvey E. CLARKE</b>			2. DATE OF DEATH (Month, Day, Year) <b>June 29, 2009</b>		3. COUNTY OF DEATH <b>Mobile</b>		
4. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE <b>Mobile 36693</b>				5. INSIDE CITY LIMITS (Specify Yes or No) <b>Yes</b>		6. PLACE OF DEATH—HOSPITAL OR OTHER INSTITUTION—(If not in either, give street and number) <b>Gordon Oaks Health Care Center</b>	
7. IF HOSPITAL (Specify Inpatient, ER or Outpatient, DCA)			8. OF HISPANIC ORIGIN (Specify Yes or No) If Yes, Specify Cuban, Mexican, Puerto Rican, etc. <b>No</b>		9. RACE—(Specify American Indian, Black, White, etc.) <b>White</b>		10. SEX <b>Male</b>
11. AGE <b>85</b> YRS.		12. UNDER 1 YEAR MOS. DAYS HOURS MINS.		13. DATE OF BIRTH (Month, Day, Year) <b>June 26, 1924</b>		14. DECEASED'S SOCIAL SECURITY NUMBER <b>424-16-8916</b>	
15. EDUCATION (Specify ONLY highest grade completed below) Elementary or High School (0-12) College (1-4 or 5+) 4+			16. MARITAL STATUS (Specify Married, Never Married, Widowed, Divorced) <b>Widowed</b>		17. SURVIVING SPOUSE (If wife, give maiden name)		18. Was Decedent ever in Armed Forces (Specify Yes or No) <b>Yes</b>
19. STATE OF BIRTH (If not in USA, name country) <b>Alabama</b>		20. RESIDENCE—STATE <b>Alabama</b>		21. COUNTY <b>Baldwin</b>		22. CITY, TOWN, OR LOCATION AND ZIP CODE <b>Timber Creek 36527</b>	
23. INSIDE CITY LIMITS (Specify Yes or No) <b>Yes</b>		24. STREET AND NUMBER <b>30555 Middle Creek Cr.</b>		25. INFORMANT—Name and Address <b>Jim Clarke 36527 30555 Middle Creek Cr. Timber Creek AL</b>			
26. USUAL OCCUPATION (Give kind of work done during most of working life even if retired) <b>Electrical Engineer</b>				27. KIND OF BUSINESS OR INDUSTRY <b>Corp of Engineers</b>			
28. FATHER—NAME First Middle Last <b>Fred William Clarke, Sr.</b>			29. MOTHER—NAME First Middle Last <b>Helen Scott</b>				
30. DISPOSITION OF BODY (Specify Burial, Cremation, Medical Donation, Hospital Disposal, Other) <b>Burial</b>		31. DATE OF DISPOSITION (Month, Day, Year) <b>Jul 2, 2009</b>		32. CEMETERY OR CREMATORY—Name <b>Pine Crest Cemetery</b>		33. LOCATION—(City or Town—State) <b>Mobile, AL</b>	
34. FUNERAL HOME—Name and Address <b>1939 Dauphin Island Pkwy, Mobile</b>			35. FUNERAL DIRECTOR—Signature <i>Robert D. Bolif</i>		36. DATE SIGNED BY FUNERAL DIRECTOR <b>July 13, 2009</b>		
37. <input checked="" type="checkbox"/> Certifying Physician (Physician certifying cause of death) "To the best of my knowledge, death occurred at the time and date, and due to the cause(s) and manner stated." <input type="checkbox"/> Medical Examiner <input type="checkbox"/> Coroner "On the basis of examination and/or investigation in my opinion, death occurred at the time, date, place, and due to the cause(s) and manner stated." Signature: <i>David H. MacRae, M.D.</i>						38. DATE SIGNED (Month, Day, Year) <b>7/8/2009</b>	
39. TIME AND DATE OF DEATH <b>6:50 a.m. 06-29-09</b>		40. DATE AND TIME PRONOUNCED DEAD (For Coroner/M.E. use only)		41. NAME AND TITLE OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46) <b>David H. MacRae, M.D.</b>			
42. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46) <b>610 Providence Park East, Ste 102, Mobile, AL 36693</b>				43. CERTIFIER LICENSE NUMBER <b>11594</b>		45. DATE FILED (Month, Day, Year) <b>Jul 14, 2009</b>	
44. REGISTRAR—Signature <i>Garth Pearson</i>				45. DATE FILED (Month, Day, Year) <b>Jul 14, 2009</b>			

SSN: 424 16 8916

NAME OF DECEASED CLARKE, Harvey E.

### MEDICAL CERTIFICATION

46. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. LIST ONLY ONE CAUSE ON EACH LINE.		APPROPRIATE INTERVAL BETWEEN ONSET AND DEATH	
IMMEDIATE CAUSE (Final disease or condition resulting in death) → <b>ALZHEIMER'S DEMENTIA</b>		<b>4 YRS</b>	
Sequitally list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST			
a. DUE TO (OR AS A CONSEQUENCE OF):			
b. DUE TO (OR AS A CONSEQUENCE OF):			
c. DUE TO (OR AS A CONSEQUENCE OF):			
47. PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I. <b>HYPERTENSION</b>		48. WAS THERE A PREGNANCY IN LAST 42 DAYS? (Specify Yes, No, or Unknown)	
49. MANNER OF DEATH (Specify—Accident, Homicide, Suicide, Undetermined Circumstances, Pending Investigation, Natural Cause) <b>NATURAL CAUSE</b>		50. AUTOPSY (Specify Yes or No) <b>NO</b>	
51. HOW INJURY OCCURRED (Enter nature of injury in Item 46, Part I or Item 47, Part II)		52. DATE OF INJURY (Month, Day, Year)	
53. INJURY AT WORK? (Specify Yes or No)		54. HOUR OF INJURY <b>M</b>	
55. PLACE OF INJURY—(Specify at home, farm, street, factory, office building, etc.)		57. LOCATION OF INJURY (Street or R.F.D. No., City or Town, State)	

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

JUL 16 2009

Attachment  
Page

Page 2 of 2

# ALABAMA

Center for Health Statistics

Amendment No. **031783**

## ALABAMA AMENDMENT TO RECORD OF DEATH

This amendment corrects the record identified below.

INFORMATION FROM ORIGINAL RECORD:

Name Harvey E. CLARKE

Certificate No. 2009-23018

County of Death Mobile

Date of Death June 29, 2009

File Date July 14, 2009

<u>ITEM#</u>	<u>ITEM DESCRIPTION</u>	<u>CORRECT INFORMATION</u>
<u>11</u>	<u>Age-Yrs.</u>	<u>84</u>
<u>13</u>	<u>Date of Birth</u>	<u>July 26, 1924</u>

EVIDENCE SUPPORTING CORRECTION:

Decedent's birth certificate, filed in Alabama Vital Records, Year 1924, Page 28754; and a request from Tim Street at Pine Crest Funeral Home.

PERSON REQUESTING CORRECTION:

Name TIM STREET Relationship FUNERAL DIRECTOR

Address 1939 DAUPHIN ISLAND PARKWAY City, State, Zip MOBILE, AL 36605

I certify the foregoing amendment is hereby made a part of the record concerned without determination of its probative value. Done this 3rd day of August, 2009.

By Kimberly Smith  
Recording Clerk

ADPH-F-HS-38/Rev. 4-08

This is an official certified copy of the original record filed in the Center of Health Statistics, Alabama Department of Public Health, Montgomery, Alabama. 2009-333-213-6

August 3, 2009

Catherine M. Donald  
Catherine Molchan Donald  
State Registrar of Vital Statistics


**UNITED STATES OF AMERICA**

**STATE OF ALABAMA  
PROBATE COURT OF MOBILE COUNTY**

I, C. Mark Erwin, Chief Clerk of the Probate Court of Mobile County, Alabama, a court of record in and for said County and State, do hereby certify that the annexed 5 \_\_\_\_\_ page(s) is a true and correct copy of the attached will of Harvey Eden Clarke, Deceased, recorded in Will Book 253 Page 1930 et.seq.

\_\_\_\_\_ as the same appears of record in the said court.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Court, in the City of Mobile, on this the 12th day of May in the year of our Lord two thousand twenty twenty-one, and of the Independence of the United States, the 245th year.

  
\_\_\_\_\_  
Chief Clerk

**STATE OF ALABAMA  
COUNTY OF MOBILE**


I, DON DAVIS, sole Judge of Probate of Mobile County, Alabama, do hereby certify that C. Mark Erwin, is the Chief Clerk of said Court; that the same is a court of record, that the signature of C. Mark Erwin, Chief Clerk, to the foregoing certificate is in proper handwriting of him; the said C. Mark Erwin, Chief Clerk, to his official acts as such, full faith and credit are due and owing; and I do further certify that his attestation is in due form of law.

GIVEN, under my hand and seal of said Court, in the City of Mobile, on this 12th day of May, A.D. 2021.

  
\_\_\_\_\_  
Judge of Probate

I, C. Mark Erwin, Chief Clerk of the Probate Court of Mobile County, Alabama, do hereby certify that DON DAVIS, whose genuine signature appears in the foregoing certificate, is now and was at the time of signing the same, sole Judge of Probate of Mobile County, Alabama, duly elected and commissioned, and qualified as such; and that said attestation is in due form of law.

WITNESS, my hand and seal of said Court, this 12th day of May, A.D. 2021.

  
\_\_\_\_\_  
Chief Clerk

BK0253pg1930

LAST WILL AND TESTAMENT

OF

HARVEY EDEN CLARKE

I, HARVEY EDEN CLARKE, a resident of the State of Alabama, being of sound mind and disposing memory, do make and declare this to be my Last Will and Testament, and I do hereby revoke any and all Wills and Testaments and Codicils thereto, at any time heretofore made by me.

ARTICLE ONE

I will and direct that all my just unsecured debts and funeral expenses be paid as soon after my death as my Executor deems advisable.

ARTICLE TWO

I give and devise all real and personal property of every kind and nature that I may own or be entitled to, or have an interest or equity in, and wheresoever situated or located, including "The Black Place" in Bladon Springs, Alabama, and the properties in the Cayman Islands, British West Indies, to my wife, IVA WILLIAMS CLARKE, absolutely and in fee simple, if she survives me.

ARTICLE THREE

In the event my wife, IVA WILLIAMS CLARKE, does not survive me, I give and devise all real and personal property of every kind and nature that I may own or be entitled to, or have an interest or equity in, and wheresoever situated or located, including "The Black Place" in Bladon Springs, Alabama, and the properties in the Cayman Islands, British West Indies, to my children, LINDA CLARKE WILLCOX and JAMES HARVEY CLARKE, in equal shares as to each child, absolutely and in fee simple. If a child of mine does not survive me and leaves issue, then the issue shall inherit the parent's share by representation. If a child of mine does not survive me and leaves no issue, such deceased child's share shall pass to my issue by representation.

ARTICLE FOUR

Anything in this Will to the contrary notwithstanding, in the event that any devisee under this Will shall be under the age of nineteen years, then as to any such devisee, I give and devise such devisee's share of my Estate to the Trustee hereinafter named, IN TRUST, to hold and manage such devisee's share of my Estate, and to pay over to or apply for the benefit of such devisee so much of the income and principal from such devisee's trust estate, up to the whole thereof, as the Trustee in Trustee's absolute discretion may from time to time deem necessary or advisable for the proper care, maintenance, support and education of such devisee. Upon such devisee attaining the age of nineteen years, the Trustee shall then pay over and distribute to such devisee all of the then balance of such devisee's trust estate.

*Eden*  
*Harvey E. Clarke*

ARTICLE FIVE

Sec. 1. I appoint my wife, IVA WILLIAMS CLARKE, as Executor of my Estate and Trustee of all trusts under this, my Last Will and Testament.

Sec. 2. I hereby direct that my Executor, original or successor, shall be exempt from posting bond, filing any inventory of the property coming into the Executor's possession, and making any report, accounting or final settlement to any court of the administration of my Estate. My Executor, original or successor, shall have full power and authority to manage and control the Estate during the administration thereof and until final settlement, to pay all expenses incident thereto, to operate any business that is a part thereof, to borrow money, to sell at either private or public sale, convey, lease, mortgage or exchange all or any part of my Estate, whether real or personal property, for such consideration and upon such terms and conditions as to the Executor seems advisable, and to execute and deliver all instruments necessary or proper to evidence such sale, lease, mortgage or exchange, and to pay, settle, compromise or adjust any claims on behalf of or against my Estate, and in general to do any and all things with respect to my Estate that I myself could do if living, and which my Executor in the Executor's discretion may deem proper, and to do all of the things specified herein without the prior or subsequent approval of any court, and no person dealing with the Executor shall be required to inquire into the propriety of any of the Executor's actions.

Sec. 3. In administering any trust established under the provisions of this Will, the Trustee, original or successor, shall serve without bond and shall have full power and authority to manage and control the trust estate, to pay all expenses incident thereto, to hold property in the form in which received, to operate any business that is a part thereof, to borrow money, to pay reasonable compensation for services rendered as Trustee, and to sell, exchange, lease (for a term which may extend beyond the termination of the trust), rent, assign, transfer, mortgage, pledge or otherwise dispose of all or any part of the trust estate for such consideration and upon such terms and conditions as the Trustee may in the Trustee's absolute discretion deem proper, and the Trustee may invest and reinvest all or any part of the trust estate in any securities, investments or property which the Trustee may select in the Trustee's absolute discretion without being restricted to forms of investment which trustees may otherwise be permitted by law to make, and the Trustee may do all of the things specified herein without the prior or subsequent approval of any court, and no party dealing with the Trustee shall be required to inquire into the propriety of any of the Trustee's actions.

ARTICLE SIX

Sec. 1. In the event my wife, IVA WILLIAMS CLARKE, does not survive me, or fails for any reason to serve as such Executor and/or Trustee, or, having qualified, should die, resign, or cease to serve as such Executor and/or Trustee for any reason whatsoever before all matters pertaining to my Will and the trusts established hereunder have been completely carried out and settled, then, and in any of such events, I appoint my children, LINDA CLARKE WILLCOX and JAMES HARVEY CLARKE, as Executors of my Estate and Trustees of all trusts under this, my Last Will and Testament. All powers, authorities and discretions herein granted to them as such Executors and Trustees must be exercised by them jointly so long as they both shall serve.

*Eden*  
*Harvey E. Clarke*

Sec. 2. In the further event either of said children does not survive me, or fails for any reason to serve as such Executor and/or Trustee, or having qualified, should die, resign, or cease to serve as such Executor and/or Trustee for any reason whatsoever before all matters pertaining to my Will and the trusts established hereunder have been completely carried out and settled, then, and in any of such events, I appoint the other of them as sole Executor of my Estate and sole Trustee of all trusts under this, my Last Will and Testament.

ARTICLE SEVEN

The following provisions shall govern for all purposes of this Will, wherever they may be applicable:

Sec. 1. All payments of cash or distribution of property to be made by the Executor or Trustee to any minor may be fully satisfied by the Executor or Trustee delivering same to the adult custodian of such minor, without bond, and his or her receipt therefor shall be sufficient to fully discharge the Executor or Trustee of responsibility or liability with respect to same as to such minor.

Sec. 2. Any successor Executor or Trustee shall accept without examination or review the accounts rendered and the property delivered by or for a predecessor Executor or Trustee without incurring any liability or responsibility for so doing.

Sec. 3. Any successor Executor or Trustee shall have the same title, powers, duties, discretion, and exemptions of the Executor or Trustee succeeded without the necessity of any conveyance or transfer.

Sec. 4. Wherever used in any Article of this Last Will and Testament, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Sec. 5. Any adopted person and his or her issue shall be considered to be lineal descendants of the adoptive parents and of the ancestors of such adoptive parents, for all purposes hereunder, whether such adoption occurs before or after the execution of this Will.

IN WITNESS WHEREOF, I, HARVEY EDEN CLARKE, the Testator, sign my name and affix my seal to this instrument, consisting of four (4) pages, this 5 day of February, 1990, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Harvey Eden Clarke (SEAL)  
HARVEY EDEN CLARKE,  
Testator

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that HARVEY EDEN CLARKE, the Testator, signs and executes this instrument as his Last Will and that he signs it willingly, and that each of us, in the presence and hearing of the Testator, hereby signs this Will as witness to the Testator's signing, and that to the best of our knowledge the Testator is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Matthew G. Lott, Jr.  
Witness

Kimberly J. Chandler  
Witness

STATE OF ALABAMA )

COUNTY OF MOBILE )

Subscribed, sworn to and acknowledged before me by HARVEY EDEN CLARKE, the Testator, and subscribed and sworn to before me by the above two witnesses, this 5 day of February, 1990.

[Signature]  
NOTARY PUBLIC

My Commission Expires August 1, 1993

My commission expires: \_\_\_\_\_

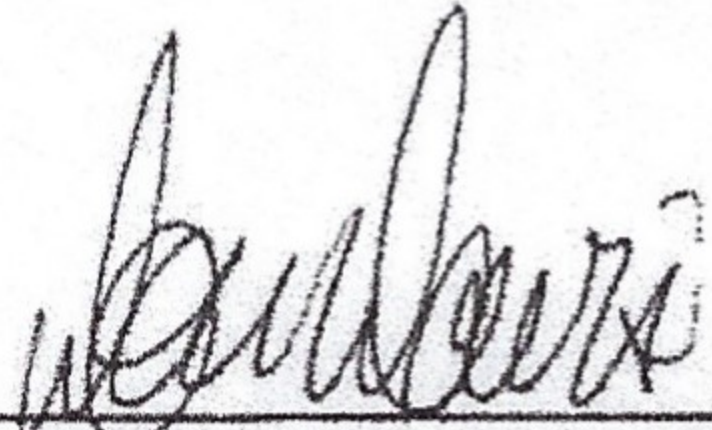
IN WITNESS WHEREOF, I, HARVEY EDEN CLARKE, the Testator, have signed and affixed my seal to this instrument, consisting of four (4) pages, this 5 day of February, 1990, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

[Signature]  
HARVEY EDEN CLARKE  
Testator

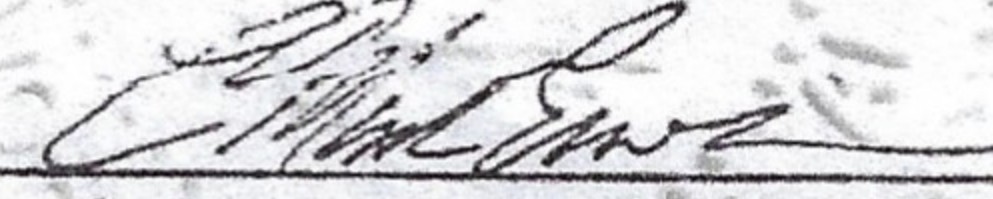
STATE OF ALABAMA ) PROBATE COURT OF SAID COUNTY  
 )  
 ) Case No. 2009-1899  
 MOBILE COUNTY ) CERTIFICATE

I, **Don Davis**, Judge of the Probate Court in and for said County and State do hereby certify that the within instrument of writing, has this day in said Court, and before me as the Judge thereof, been duly proved, pursuant to §43-8-132, *Code of Alabama 1975*, as amended, which Section provides for self-proving wills, to be the genuine last will and testament of **HARVEY EDEN CLARKE**, deceased, and that said will, together with the acknowledgment of the Testator and affidavit of the witnesses thereof, have been recorded in my office in Book of Wills No. 253 and on pages 1930 et seq.

**IN WITNESS** of all which I have hereunto set my hand and the Seal of the said Court, this 16th day of October, 2009.

  
 \_\_\_\_\_  
**DON DAVIS, Judge of Probate**

The foregoing is a  
**CERTIFIED TRUE COPY**  
 Probate Court of Mobile Co., AL  
 Don Davis, Judge

Signature   
 \_\_\_\_\_  
 C. Mark Erwin, Chief Clerk

Date 26 May 2021

THE STATE OF ALABAMA

COURT OF PROBATE

COUNTY OF MOBILE

CASE NO. 2009-1899

RE: ESTATE OF HARVEY EDEN CLARKE, DECEASED

ORDER

Petition to probate last will and testament dated February 5, 1990, of the above named decedent is hereby **GRANTED** this date. Letters are issued as follows:

**LETTERS TESTAMENTARY**

The Will of HARVEY EDEN CLARKE, deceased, having been duly admitted to record in said county, Letters Testamentary are hereby granted to Linda Clarke Willcox and James Harvey Clarke, the Co-Personal Representatives named in said will, who have complied with the requisitions of the laws and are authorized to take upon themselves the execution of such will.

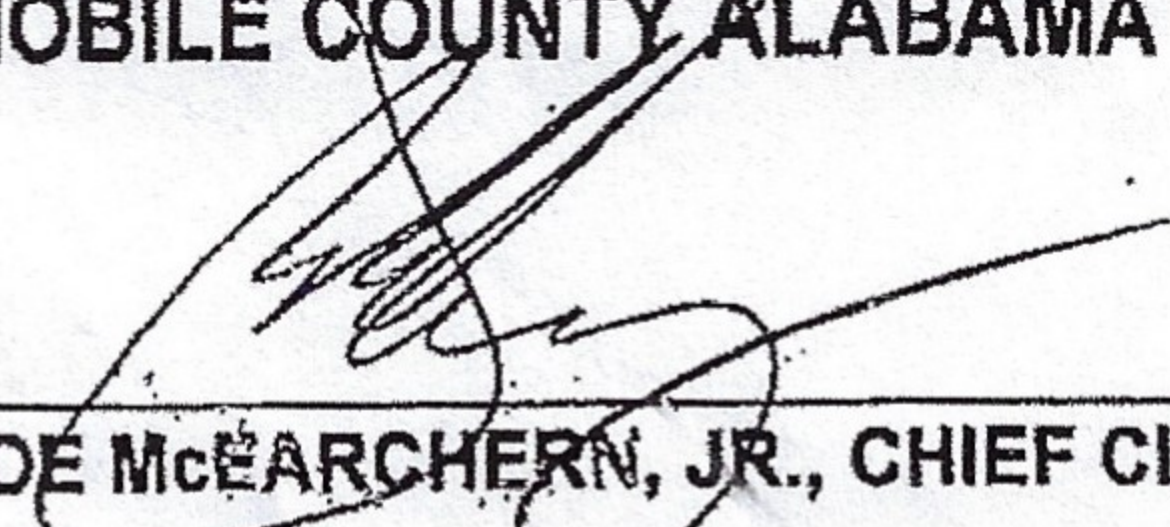
Ordered this 16th day of October, 2009.

/s/ Don Davis

Don Davis, Judge of Probate

**CERTIFIED COPY  
DON DAVIS, JUDGE OF PROBATE  
MOBILE COUNTY ALABAMA**

BY:

  
JOE McEARCHERN, JR., CHIEF CLERK