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LAST WILL AND TESTAMENT

OF

KATE D. FITCH

104-15-0
415.00

I, Kate D. Fitch of Nashville, Davidson County, State of Tennessee, being of sound mind and disposing memory and of lawful age, with full knowledge of the disposition which I intend to make of my estate, effective at my death, do hereby make, publish and declare this instrument to be my Last Will and Testament, hereby revoking any other will or testament heretofore previously made by me.

FIRST: I direct that my executor or executors hereinafter designated pay from the proceeds of my estate all debts, charges and expenses lawfully owing by me at the time of my death or which may be incurred in connection with the administration and settlement of my estate, and any taxes including inheritance, estate or succession that may be lawfully assessed or assessable against my property or estate, and I direct that all such taxes be paid without proration against any beneficiary of this my Will.

SECOND: Subject only to the payment of the debts, charges and expenses of my estate, I give, devise and bequeath my estate as follows:

1. I give and devise the real property I own located at 2705 Woodlawn drive, in Nashville, Tennessee, to my two children, Virginia Fitch Barksdale and John E. Fitch, in equal share and interest to each. If either Virginia Fitch Barksdale or John E. Fitch should predecease me, then I give and devise the real property herein mentioned in Item Second (1) to the

survivor of them. Should both Virginia Fitch Barksdale and John E. Fitch be deceased at the time of my death, then I give and devise the property mentioned herein to my son, Jerry W. Fitch.

2. Any items of personal property which I have, such as household pieces and personal effects, which were given to me by specific family members, I give and bequeath said items to the family member who originally gave them to me. Specifically, I give and bequeath to John E. Fitch the kitchen stool, and the big, tall rocking chair in the front bedroom. I give and bequeath to Virginia Barksdale the front bedroom set and the davenport and matching chair. All the rest and remainder of said property shall go to Virginia Fitch Barksdale, Jerry W. Fitch and John E. Fitch in equal share and interest to each.

THIRD: All the rest, residue and remainder of my property, of which I may die seized and possessed, of whatsoever kind and character and wherever situate, I give, devise and bequeath to my children, Virginia Fitch Barksdale, Jerry W. Fitch, and John E. Fitch, and the Reorganized Church of Jesus Christ of Latter Day Saints, of Independence, Missouri, in equal one-fourth share and interest to each. If any of my said children should predecease me, then their share shall pass instead to my remaining children who survive me.

FOURTH: I nominate and appoint my son, John E. Fitch, Executor of this my Will, to act as such without bond which is waived. In the event, however, that John E. Fitch should not be living at the time of my death or for any reason should not be

able to act, then I nominate and appoint Jerry W. Fitch Executor of this my Will, to act and serve without bond which is waived.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and execute this instrument as and for my Last Will and Testament, and to each page hereof, in the presence of the witnesses who subscribe the same below at my request and in my presence, and in the presence of each other, at Paris, Tennessee, this the 9th day of APRIL 1990.

Kate D Fitch
Kate D. Fitch

ATTESTATION CLAUSE AND AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF HENRY

We, the undersigned, being first duly sworn, make oath that Kate D. Fitch, on the day and date above written, declared and signified to us that the foregoing instrument was her last will and testament; that she then signed said instrument in our sight and presence; that we, at her request and in her sight and presence, and in the sight and presence of each other, then subscribed our names hereto as attesting witnesses; that at the time of execution the Testatrix was more than 18 years of age, of sound mind and disposing memory, and did not appear under any undue influence; and that the undersigned, each being more than 18 years of age, make and sign this Affidavit at the request of the Testatrix on the day and date above written.

Subscribed and sworn to before me this 9th day of April, 1990.

Notary Public

My Commission expires: March 19, 1991

CODICIL TO LAST WILL AND TESTAMENT

I, Kate D. Fitch, a resident of the County of Davidson, State of Tennessee, being of sound mind and disposing memory declare that this is the first codicil to my last will and testament, which is dated April 9, 1990.

I revoke Item "Second, paragraph 1." of my last will and testament which reads as follows:

1. I give and devise the real property I own located at 2705 Woodlawn drive, in Nashville, Tennessee, to my two children, Virginia Fitch Barksdale and John E. Fitch, in equal share and interest to each. If either Virginia Fitch Barksdale or John E. Fitch should predecease me, then I give and devise the real property herein mentioned in Item Second (1) to the survivor of them. Should both Virginia Fitch Barksdale and John E. Fitch be deceased at the time of my death, then I give and devise the property mentioned herein to my son, Jerry W. Fitch.

In place of this revoked provision I substitute the following paragraphs:

1. I request that the real property I own located at 2705 Woodlawn Drive, in Nashville, Tennessee, be sold, and the proceeds divided in equal shares to my two children, Virginia Fitch Barksdale and John E. Fitch, in equal share and interest to each. If either Virginia Fitch Barksdale or John E. Fitch should predecease me, then the share that would have gone to the deceased child shall go to the survivor of them. Should both Virginia Fitch Barksdale and John E. Fitch be deceased at the time of my death, then the proceeds from the sale of the real property herein mentioned in this paragraph of my Last Will and Testament shall go to my son, Jerry W. Fitch, as his absolute property.

I hereby vest my Executor or Substitute Executor, as the case may be, who is named in Paragraph Fourth of my Last Will and Testament, with full power and authority to sell, transfer and convey any property, real or personal, which I may own at the time of my death, subject to the terms of my Last Will and Testament, at such time and price, and upon such conditions as he may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

In all other respects, my Last Will and Testament executed on April 9, 1990, shall remain the same.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and execute this instrument as my first codicil to my Last Will and Testament, and to each page hereof, in the presence of the witnesses who subscribe the same below at my request and in my presence, and in the presence of each other, at Nashville Tennessee, this the 13th day of Aug., 1990.

Kate D. Fitch

Kate D. Fitch

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ATTESTATION CLAUSE AND AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF Davidson

We, the undersigned, being first duly sworn, make oath that Kate D. Fitch, on the day and date above written, declared and signified to us that the foregoing instrument was her first codicil to her last will and testament; that she then signed said instrument in our sight and presence; that we, at her request and in her sight and presence, and in the sight and presence of each other, then subscribed our names hereto as attesting witnesses; that at the time of execution the Testatrix was more than 18 years of age, of sound mind and disposing memory, and did not appear under any undue influence; and that the undersigned, each being more than 18 years of age, make and sign this Affidavit at the request of the Testatrix on the day and date above written.

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Connie Clyton

Audrey A. Johnson

Subscribed and sworn to before me this 13th day of August, 1990.

Notary Public

My Commission expires:
11-27-93

7.2 9.5.6

IDENTIFICATION REFERENCE

Dec 30 12 04 PM '91

FEE

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 30 DAY OF Dec, 1991

BILL COVINGTON, CLERK

BY: DEPUTY CLERK