Last Will and Testament

OF

CARL KURT GLAUS

Instr:200002220016948 Page: 1 OF 7
REC'D FOR REC 02/22/2000 10:46:10AM
RECORD FEE: $30.00
M. TAX: $0.00 T. TAX: $0.00

I, Carl Kurt Glaus, domiciled in Nashville, Davidson, County, Tennessee, do make publish and declare this to be my last will and testament, hereby revoking all wills and codicils heretofore made by me.

ARTICLE I

DEBTS

I direct that all of my just debts, my funeral expenses (including the cost of a suitable monument at my grave), unpaid charitable pledges (whether or not the same are enforceable obligation of my estate) and the costs of administration of my estate be paid as soon as practicable after my death. My Co-Executors, in their sole discretion, may pay from my domiciliary estate all or any portion of the cost of ancillary administration and similar proceedings in other jurisdictions.

In the event that any property or interest in property passing under this will, by operation of law, or otherwise by reason of my death (other than as a part of my residuary estate), shall be encumbered by mortgage or lien, or shall be pledged to secure any obligation (whether the property or interest in property so encumbered or pledged shall be owned by me jointly or individually), it is my intention that such indebtedness shall not be charged to or paid from my estate, but that the devisee legatee, joint owner taking by survivorship, or beneficiary

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receiving such property or interest in property shall take it subject to all encumbrances existing at the time of my death.

ARTICLE II

PROPERTY INSURANCE

All of my insurance policies which provide indemnity for the loss of or damage to any of my personal or real property by fire, windstorm or other similar casualty (including any claim for the loss of or damage to any such property which I might have at the time of my death against any insurance company), I give and bequeath, respectively, to those persons or corporations, as the case may be, who shall or would have become the owners of such properties by reason of my death, whether such ownership be acquired under the provisions of this will, by survivorship or by other means.

ARTICLE III

PERSONAL EFFECTS

I bequeath to Bart White Stokes, in fee, all clothing, jewelry, household goods, personal effects, automobiles and all other tangible personal property not otherwise specifically bequeathed, except cash on hand or on deposit, owned by me at the time of my death. I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administrative expense thereto. If said Bart White Stokes shall not survive me, I bequeath all of the aforesaid property to Mary Lucretia (Tisha) Stokes, per stirpes.

ARTICLE IV

CO-EXECUTORS

I appoint Bart White Stokes and Robert J. Notestine, III, of Nashville, Davidson County, Tennessee, to be Co-Executors of this

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my last will and testament. I direct that no bond be required of my said Co-Executors for the faithful performance of their duties. If either of my Co-Executors, Bart White Stokes or Robert J. Notestine, III, shall predecease me or for any reason shall fail to qualify as Executor hereunder (or having qualified, shall die or resign) then in such event, I appoint the survivor Executor of my estate to serve without bond and in such capacity shall possess and exercise all powers and authority herein conferred on the Co-Executors. I vest my Co-Executors, Bart White Stokes and Robert J. Notestine, III 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 at such time and price and upon such terms and conditions (including credit) as they may determine and to do every other act and thing necessary or appropriate for the complete administration of my estate.

ARTICLE V

POWERS OF CO-EXECUTORS

I authorize my Co-Executors (including any substitute or successor personal representative) in the exercise of a reasonable discretion with respect to all property, real and personal, at any time forming part of my estate or any trust, to exercise any or all the powers set fourth in Section 3 of Chapter 110 of the Tennessee General Assembly 1963, TCA 35-50-110, to the extent applicable, all of which provisions and power are incorporated herein by reference as fully as if copied herein verbatim. These powers (as set out in said statute on the date of the execution of this will) are granted, notwithstanding that

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said statue may be amended hereafter or repealed at the time of my death.

ARTICLE VI

DISPOSITION OF THE RESIDUARY

All the rest, residue and remainder of the property which I may own at the time of my death, real, personal, and mixed tangible and intangible, of whatsoever nature and wheresoever situated, including all property which I may acquire or become entitled to after the execution of this will, including all lapsed legacies and devises and all life insurance payable to my estate, I bequeath and devise in fee to Bart White Stokes. If said Bart White Stokes, shall not survive me, then I bequeath and devise the paid property in fee to Mary Lucretia (Tisha) Stokes, per stirpes.

TESTIMONIUM

IN TESTIMONY WHEREOF, I have here unto subscribed my name to this my last will and testament, consisting of this and three (3) preceding typewritten pages, and for the purpose of identification I have initialed each page, all in the presence of the persons witnessing it at my request on this 17th day of November, 1989, at Nashville, Tennessee.

Carl Kurt Glaus

CARL KURT GLAUS

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ATTESTATION

The foregoing, instrument, consisting of this and four (4) preceding type written pages, was signed, sealed, published and declared by Carl Kurt Glaus, the Testator, 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 hereunto subscribed our names as witnesses, this 17th day of November, 1989, at Nashville, Tennessee.

Witness Mary Gregory residing at 304 Town Park Dr. Nashville, TN 37217

Witness [signature] residing at 104 Woodmont Blvd. Nashville, TN 37205

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AFFIDAVIT OF WITNESS TO PROVE WILL

Mary Gregory AND Vicky Kavanaugh after being duly sworn according to law, depose and say:

1. That they are adult citizens of Nashville, Davidson County, Tennessee.

2. That they witnessed the execution of the Last Will and Testament of Carl Kurt Glaus dated November 17, 1989, to which this affidavit is attached, and that this affidavit is being made at the request of the Testator and in accordance with Tennessee Code Annotated 32-2-211.

3. That their signatures are affixed to said last will and testament, they signed or affixed their name at the instance and at the request of the Testator and in his presence, and in the presence of each other, at the place and on the date recited in said last will and testament.

4. That the Testator signed said paper writing as and for her last will and testament in their sight and presence.

5. That at the time they witnessed said will, the Testator was, in their opinion, of sound mind.

Mary Gregory

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Subscribed and Sworn to before me this 17th day of November, 1989.

NOTARY PUBLIC

My commission expires: 11-21-92 Davidson County, Tennessee.

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STATE OF TENNESSEE, DAVIDSON COUNTY

I, Richard R. Rooker, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy, of the original on file in my office. Will Book 233 Page 305
Given under my hand and official seal, at office in Nashville, this 8th of February 2000.

RICHARD R. ROOKER, CLERK

By Norma Brown
Deputy Clerk