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STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the LAST WILL AND TESTAMENT heretofore filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 01 day of JULY, 2010, in Docket Number 10P854, IN RE: FITZGERALD, REX V. ET.AL, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 28 day of APRIL in the year 2015 and in the 238 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

[SEAL]

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FILED
JUL 1 2010
RICHARD R. ROOKER, Clerk
By _____ Deputy

LAST WILL AND TESTAMENT

OF

REX V. FITZGERALD

I, Rex V. Fitzgerald, of Antioch, Davidson, County, Tennessee, being of sound mind and disposing memory, do hereby make, publish, and declare this to be my Last Will and Testament in the manner and form following, hereby revoking any and all Wills or Codicils heretofore made by me.

ARTICLE I: DEBTS, ADMINISTRATION, AND TAXES

All my lawful debts, except debts secured by a mortgage or other security instrument, which may be paid or retained in the discretion of my Personal Representative, and if so paid, shall be without right of contribution from my beneficiaries, my funeral expenses and expenses of administration of my estate shall be paid by the Personal Representative as soon as practicable after my death, whether in respect of property passing under this Will or otherwise, as an expense of administration, without apportionment. The Personal Representative and Trustee may utilize any proceeds of life insurance payable to the Personal Representative, to the Trustee, or to my estate for the payment of debts, taxes, and expenses.

I authorize and empower my Personal Representative or anyone appointed to administer this, my Last Will and Testament, to sell and convert to cash any and all of my real or personal property if required under this subsection to pay taxes or debts of administration and to do so without court order and to convey any such real estate by deed without the necessity of a court order authorizing such conveyance or approving such deed.

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I exonerate my beneficiaries under this Will of any liability with respect to the payment of any costs of taxation arising out of the disposition of my property under this Will. These charges shall be paid out of my estate in the following fashion: if there are insufficient funds in the residuary estate, then the debts or administrative expenses shall be satisfied first from any insurance or stock option proceeds passing to my estate as beneficiary; next, from the sale of clothing, personal goods, royalties, or other personal property of which I stand possessed at my death, and finally from any interest in real estate which I stand possessed at my death and which has not specifically been bequeathed to another party.

ARTICLE II: APPOINTMENT OF FIDUCIARIES

I name and nominate Pamela L. Capers to be my Personal Representative under this my Last Will and Testament. In the event that Pamela L. Capers predeceases me, I then name and nominate Tonya Lynn Ladd to be my Personal Representative under this my Last Will and Testament. I direct any Executor or successor appointed hereunder be permitted to serve and qualify without giving bond or any other security in this or any other jurisdiction and that she shall act with all the powers and authority granted in any Article of this, my Last Will and Testament in addition to any authority granted by the laws in existence at the time of my death.

ARTICLE III: PERSONAL REPRESENTATIVE AND TRUSTEE EXONERATED

My Personal Representative shall be responsible only for due diligence in the administration and disbursement of my estate created hereunder and shall not be responsible for any loss or be subject to any liability except by reason of its own negligence or willful default proved by affirmative evidence; and every election, determination or other exercise by my Personal Representative of any discretion granted to it, expressly or by implication under this

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Will or by law in good faith, shall fully protect it and shall be conclusive and binding upon all persons interested in this Will.

ARTICLE IV: GIFTS, BEQUESTS, AND DEVISES

I give, devise, and bequeath all my estate, being all property, whether real, personal, or mixed, wherever situated, including but not limited to my interest in the real property located at 1304 High Meadow Court, Antioch, Tennessee, 37013 and all household furnishings and personal effects contained therein, in which I may have an interest at the time of my death, to my friend, Pamela L. Capers, if she survives me as set forth below in Article IX, unless otherwise set out in this section.

In the event my friend, Pamela L. Capers, fails to survive me as defined in Article IX of this Will, or if she and I should die at the same time or in a common disaster, then I give, devise, and bequeath all of my property, both real, personal, and mixed, to be split equally among the daughters of Pamela L. Capers, namely to wit: Tabitha Lynn Grieb, Tonya Lynn Ladd and Trisha Lynn Sylvester, per stirpes. In this event, the share of my estate bequeathed to Trisha Lynn Sylvester shall be split equally between Trisha Lynn Sylvester and her daughters, Karissa Sylvester and Josie Brown, but only if they have yet to reach the age of 25, so that each person receives the following portion of my estate:

Tabitha Lynn Grieb	(1/3 of estate)
Tonya Lynn Ladd	(1/3 of estate)
Trisha Lynn Sylvester	(1/9 of estate)
Karissa Sylvester	(1/9 of estate)
Josie Brown	(1/9 of estate)

I give, devise, and bequeath the funds in my Bank of America Savings Account to be split equally among Pamela L. Capers, Rex Tracy Fitzgerald and Chanin Cunningham, per stirpes, so that each receives 1/3 of said funds. Should any beneficiary under this paragraph

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predecease me, the funds from the Bank of America savings account shall be split equally between the surviving beneficiaries.

I give, devise, and bequeath any and all vehicles titled in my name at the time of my death to Pamela L. Capers. In the event that Pamela L. Capers fails to survive me, then title in said vehicles shall vest in my son, Rex Tracy Fitzgerald. I further give, devise, and bequeath my motorcycle to my son, Rex Tracy Fitzgerald.

ARTICLE V: POWERS OF EXECUTOR AND TRUSTEE

I authorize my Personal Representative, including any substitutes or successors thereof, in the exercise of reasonable discretion with respect to all property, real personal, or mixed, at any time forming a part of my estate, to exercise any or all of the powers set forth in Section 3 of Chapter 110 of the Tennessee General Assembly of 1963, Tennessee Code Annotated Section 35-618 or as amended hereafter, to the extent applicable, all of which provisions and powers are incorporated herein by reference as if fully copied herein verbatim.

ARTICLE VI: DISPOSITION OF RESIDUE

All the rest, residue and remainder of my property, real and personal, and wheresoever situated, including all lapsed devises, I hereby give, devise, and bequeath to my friend, Pamela L. Capers.

ARTICLE VII: POWERS OF PERSONAL REPRESENTATIVE

I direct that my Personal Representative, with respect to my estate, be authorized to exercise, in their discretion, all of the fiduciary powers contained in the introduction paragraph and in subparagraphs numbered 1 through 32, inclusive, of Section 35-618, Tennessee Code Annotated (Public Acts of 1963, 12 Chapter 110, Section 3), and I hereby incorporate by reference said Code section in its entirety as completely as if copied herein verbatim. I further

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direct that in the event the legislature of the State of Tennessee amends or repeals all or any part of said statutes, the fiduciary powers in effect at the date of execution of this Will, hereinabove specified, shall remain without diminution or restriction as the authorized powers of my Personal Representative, or their successors.

ARTICLE VIII: LAPSED DEVISES

Where a devise is conditioned upon the beneficiary surviving me or being in existence on the date of my death and such beneficiary does not survive me or is not in existence on the date of my death or disclaims said interest, the devise to such beneficiary shall lapse and shall become a part of my residuary estate, unless otherwise indicated in this Will.

ARTICLE IX: DEFINITION OF SURVIVAL OF A BENEFICIARY

For purposes of this Will, a beneficiary shall be deemed to have survived me and to be capable of receiving any gift, bequest, or devise under this Will only if that person lives for a period of more than 60 days after the date of my death. The intent of this provision is to avoid the duplicative costs of double administration of my estate and the estate of a beneficiary and to effectuate the true intent of my giving. In this manner, any beneficiary who dies at the same time as I do or in a common disaster or in any way which does not allow a clear determination of the order of our deaths, then they shall be deemed not to have survived me unless they live 60 days or more as set forth above.

ARTICLE X: RULES OF INTERPRETATION

A. Unless otherwise clearly indicated, words in the singular or plural shall include the plural and singular respectively, where they would so apply. Words in the masculine or neuter gender shall include the feminine, masculine, or neuter gender where applicable.

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B. The term "devise," when used in this Will as a verb, means to dispose of real or personal property, and includes the terms give and bequeath. The term "devise" when used in this Will as a noun, means a disposition of real or personal property. The term "devisee" in this Will means any person designated to receive a devise. In case of a devise to a trust or trustee described in this Will, the trust or trustee is the devisee, and the beneficiaries are not the devisees.

C. All references in this Will to my "Personal Representative" shall have the same meaning as that give to the word "executor" or "executrix," in the singular or plural.

ARTICLE XI: RENUNCIATIONS

I authorize any beneficiary under this Will to renounce and disclaim, in whole or in part, any devise to or for the benefit of such beneficiary. Any such renunciation and disclaimer shall be made in accordance with federal and state law. In the event of such renunciation and disclaimer, the devise (or portion thereof) so renounced and disclaimed shall be disposed of in accordance with the terms of this Will as if the beneficiary renouncing and disclaiming had predeceased me; provided, however, that any beneficiary who shall so renounce and disclaim a devise under one provision of this Will shall not (unless such beneficiary so specifies in the instrument delivered to my Personal Representative) thereby be deemed to have predeceased me for the purposes of construing and applying any other provision of this Will.

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IN TESTIMONY WHEREOF, I have hereunto subscribed my name to this my Last Will and Testament consisting of this and the 6 preceding typewritten pages, and for the purposes of identification, I have signed each page, all in the presence of the persons witnessing it at my request on this, the 2 day of February, 2009, at Nashville, Tennessee.

Rex V. Fitzgerald

REX V. FITZGERALD

THIS IS PAGE 7 OF MY LAST WILL AND TESTAMENT Rex V. Fitzgerald

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SIGNED AND PUBLISHED BY REX V. FITZGERALD as and for his Last Will and Testament, his signing and publishing same in our presence and we, signing as attesting witnesses at her request and in her presence and in the presence of each other, this 2 day of February, 2009.

WITNESS

555 Church St. Apt 807
Nashville, TN 37219
ADDRESS

WITNESS

5000 Hillsboro Pke C4
Nashville Tn. 37215
ADDRESS

THIS IS PAGE 8 OF MY LAST WILL AND TESTAMENT Rex V. Fitzgerald

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AFFIDAVIT PROVING WILL

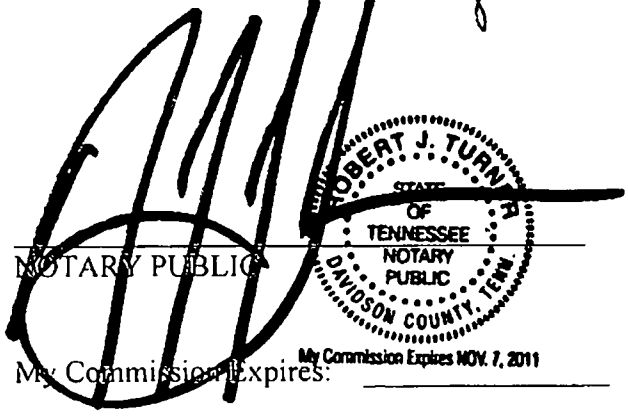
STATE OF TENNESSEE)
) ss
COUNTY OF DAVIDSON)

Before me, the undersigned officer authorized to administer oaths, on this day personally appeared REX V. FITZGERALD, Jeff Vanderbeam, and Christine Tomasi, known to me to be the testatrix and the witnesses respectively, whose names are subscribed to the foregoing instrument in their respective capacities, and all of said persons being by me duly sworn, and the said **REX V. FITZGERALD**, testatrix, 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 oath, stated to me, in the presence and hearing of the said testatrix, that the said testatrix had declared to them that said instrument is his Last Will and Testament, and that he executed same as such in their sight and presence and requested each of them to sign it as a witness; and upon their oaths, each witness stated further that each of them did sign the same as a witness in the sight and presence of the said testatrix and in the presence of each other; that the testator was at least eighteen (18) years of age at the time and was of sound mind and disposing memory and was in all particulars fully capable of making a Will and was under no constraint, compulsion, or undue influence; and the testatrix and each of the witnesses stated that each of the witnesses was at least eighteen (18) years of age and was competent to act as an attesting witness to a Will.

THIS IS PAGE 9 OF MY LAST WILL AND TESTAMENT Rex V. Fitzgerald

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Subscribed, sworn to, and acknowledged before me by the said REX V. FITZGERALD, testatrix, and subscribed and sworn to before me by the said, Jeff Vanderburg, and Christine Turner, witnesses, this 2 day of February, 2009.



NOTARY PUBLIC

My Commission Expires: _____

THIS IS PAGE 10 OF MY LAST WILL AND TESTAMENT Rex V. Fitzgerald