

MEMORANDUM OF AMENDED TRUST

KNOW THAT, Richard W. Ritz and Rose Marie Ritz, husband and wife, having an address of 191 Dallas Lane, Montevallo, AL 35115, as Grantors, created a revocable trust, known as the Richard W. Ritz and Rose Marie Ritz Revocable Living Trust, by executing a Living Trust dated August 9, 2005 and by executing an Amendment to the Trust on September 16, 2020, naming Richard W. Ritz and Rose Marie Ritz, having an address as aforesaid, as trustees (collectively referred to as the "Trustee"), and Denise Regina Holsomback, having an address of 202 Heather Ridge Circle, Pelham, AL 35124 and Richard W. Ritz, Jr., having an address of P.O. Box 247, Dittmer, MO 63023, as successor trustees (each being referred to as a "Successor Trustee").

This Memorandum of Amended Trust is executed as evidence of the existence of the foregoing Living Trust, as recorded on August 10, 2005, instrument # 20050810000409940 in the Probate Court of Shelby County, Alabama. Any person may rely upon this Memorandum of Trust as evidence of the existence of said Living Trust and the Amendment thereto, and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee thereunder is consistent with the terms and conditions of said Living Trust.

The Living Trust, the Amendment, and the trust created thereunder may be referred to by the name: "Richard W. Ritz and Rose Marie Ritz Revocable Living Trust". Any transfers to the Living Trust, Amendment or any trust thereunder may refer to the aforesaid name or to "Richard W. Ritz and Rose Marie Ritz as Trustees under Richard W. Ritz and Rose Marie Ritz Revocable Living Trust dated August 9, 2005" with or without specifying any change in Trustee or any amendment to the Living Trust.

IN WITNESS WHEREOF, the Grantors have executed this Memorandum of Amended Trust on this the 16th day of September, 2020.

Richard W. Ritz

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared **Richard W. Ritz**, who being by me first duly sworn, deposes and says, under oath, that he has knowledge of the facts stated herein and they are true and correct.

Sworn to and subscribed before me on this the 16th day of September, 2020.

Notary Public

My Commission Expires: $\frac{3}{10}$

Rose Marie Ritz

STATE OF ALABAMA) COUNTY OF SHELBY)

Before me, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared **Rose Marie Ritz**, who being by me first duly sworn, deposes and says, under oath, that she has knowledge of the facts stated herein and they are true and correct.

Sworn to and subscribed before me on this the 16th day of September, 2020.

Notary Public

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AMENDMENT TO RICHARD W. RITZ and ROSE MARIE RITZ REVOCABLE LIVING TRUST DATED AUGUST 9, 2005

DATE OF AMENDMENT: SEPTEMBER 16, 2020

BY RICHARD W. RITZ and ROSE MARIE RITZ,

GRANTORS / TRUSTEES

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AMENDMENT TO RICHARD W. RITZ and ROSE MARIE RITZ REVOCABLE LIVING TRUST

Richard W. Ritz and Rose Marie Ritz entered into a contract, "RICHARD W. RITZ and ROSE MARIE RITZ REVOCABLE LIVING TRUST" (hereinafter referred to as "The Trust") on August 9, 2005.

Pursuant to the Grantors' Right to Revoke or Amend The Trust, as set out in the "Richard W. Ritz and Rose Marie Ritz Revocable Living Trust", Grantors may amend the Trust by written notice signed by both Grantors and delivered to the Trustee.

Grantors/Trustees, Richard W. Ritz and Rose Marie Ritz, hereby desire to amend "The Trust" dated August 9, 2005 on the terms and conditions set out herein.

IN CONSIDERATION of the Parties agreeing to amend their obligations in the existing Trust, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfill the promises, conditions and agreements below:

"THE TRUST" IS HEREBY AMENDED AS FOLLOWS:

- 1. RICHARD W. RITZ, JR. shall be appointed as Trustee for ALL portions of The Trust being paid and/or distributed to my son, David M. Ritz, including all monies, securities and other assets.
- 2. As Trustee, Richard W. Ritz, Jr., as he deems necessary, may draw from The Trust any amounts necessary to provide for the medical care, education, support and maintenance, or other expenses he deems necessary for our son, David M. Ritz, taking into consideration to the extent the Trustee deems advisable and any other income or resources known to the Trustee. Any income not paid or applied shall be accumulated and added to principal.
- 3. Whenever Trustee determines it appropriate to pay any money for the benefit of David M. Ritz, for whom this trust is created hereunder, then the amounts shall be paid out by Trustee as he deems best. Trustee shall have with respect to each share or property so retained all the powers and discretions conferred upon him as Trustee.
- 4. The trustee shall hold, manage, invest and reinvest all assets/monies set aside for our son, David M. Ritz, and shall pay so much or all of the net income from each such trust to or for our son, David M. Ritz' benefit, Trustee shall have the absolute discretion to distribute any portion of The Trust being distributed to our son, David M. Ritz. All distributions from The Trust being paid out to David M. Ritz shall be distributed and/or paid to Richard W. Ritz, Jr. as Trustee of David M. Ritz.

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Except as otherwise expressly provided in this Agreement, NO OTHER CHANGE: all of the terms and conditions of The Trust remain unchanged and in full force and effect.

GOVERNING LAW: Subject to the terms of The Trust, it is the intention of the parties that this Amendment, and all suits and special proceedings under this Amendment, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Alabama, without regard to the jurisdiction in which any action or special proceeding may be instituted.

IN WITNESS WHEREOF, the Grantors/Trustees have executed this Amendment to the "Richard W. Ritz and Rose Marie Ritz Revocable Living Trust" dated August 9, 2005 on this the 16th day of September, 2020.

Richard W. Ritz

STATE OF ALABAMA) COUNTY OF SHELBY)

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Before me, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared Richard W. Ritz, who being by me first duly sworn, deposes and says, under oath, that he has knowledge of the facts stated herein and they are true and correct.

Sworn to and subscribed before me on this the 16th day of September, 2020.

Notary Public

My Commission Expires: 3/12/22

STATE OF ALABAMA) COUNTY OF SHELBY)

Before me, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared Rose Marie Ritz, who being by me first duly sworn, deposes and says, under oath, that she has knowledge of the facts stated herein and they are true and correct.

Sworn to and subscribed before me on this the 16th day of September, 2020.

Described before me on this the 16th day of September, 2020.

Notary Public

My Commission Expires: 3/)