

2. It is recognized that there have been several changes in the beneficial ownership since the inception of the trust, as follows:

- a) Lowell H. Tankersley's interest transferred to Marilyn Tankersley, said transfer occurring on or about June 2, 1969;
- b) Mahlon Polk, Jr.'s interest transferred to Lowell H. Tankersley, said transfer occurring on or about October 29, 1971;
- c) The transfer by Will of the interest of Dr. Joseph E. Boyter;

3. It is further recognized that the parties hereto entered into an amendment to trust agreement appointing Clarence E. Clay as the Trustee in place of Southern Bank and Trust Company. It is recognized that said amendment, or amendments, are hereby cancelled and are declared a nullity.

4. It is further recognized that the original trust agreement, and specifically item four thereof, provides in pertinent part that the trustee shall distribute the property to the Joint-Venturers in proportion to the interest of each.

5. It is further recognized that the original trust had a termination date seven (7) years from the date of its inception. The trust agreement as originally executed is hereby confirmed and ratified during the period of time from the stated expiration date forward to the date of this agreement.

6. It is understood and agreed that the successor trustees, Evins and Tankersley, shall have the same duties and responsibilities outlined in the trust agreement dated March 21, 1969, and that their duties as trustees shall