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THE STATE OF ALABAMA)
SHELBY COUNTY)

MUTUAL RELEASE OF ALL
CLAIMS AND COVENANT NOT TO SUE

This Mutual Release made and entered into on this _____ day of October, 1989, by and among MANUEL L. BABER and wife, SHERRY A. BABER ("Baber"), USX REALTY DEVELOPMENT, a division of USX Corporation ("USX") and EMMETT CLOUD, d/b/a Emmett Cloud Realty Company ("Cloud").

W I T N E S S E T H:

FOR VALUE RECEIVED, the parties hereto do hereby mutually release, remise and discharge each other from any and all obligations and liabilities, claims, actions and causes of action and demands of all kind and character arising out of or resulting from a certain Real Estate Sales Contract dated November 25, 1986, executed by Baber, as purchaser and USX, as seller, covering Lot 69, in Heatherwood, Fourth Sector, a copy of which said Real Estate Sales Contract is attached hereto and expressly incorporated herein by reference and designated Exhibit "A".

For the consideration mentioned hereinabove the parties hereto do hereby covenant and agree not to institute any action, cause of action, suit or claim at law or in equity, in tort or in contract, against any party hereto at any time arising out of or resulting from said Real Estate Sales Contract; and the parties hereto do hereby forever release and discharge each other from any and all claims, demands, actions, causes of action, in tort or in contract, from the beginning of the world to the execution of this Mutual Release of All Claims and Covenant Not to Sue.

For the consideration mentioned hereinabove the parties hereto do hereby acknowledge and agree that the said Real Estate Sales Contract is hereby cancelled, terminated and declared by the parties hereto to be null and void and of no force and effect.

IN WITNESS WHEREOF, the parties hereto have hereby set their hands and seals on the day hereinabove written.

WITNESS:

Emmett Cloud
10-5-89

Dolores A. Rogers
10-5-89

Manuel L. Baber (SEAL)
MANUEL L. BABER

Sherry A. Baber (SEAL)
SHERRY A. BABER

Emmett Cloud
#11 E.C. REALTY CO.

ATTEST:

[Signature]

USX REALTY DEVELOPMENT, a
division of USX Corporation

By: *[Signature]* (SEAL)
Its: Regional Manager-Southeast

WITNESS:

[Signature]

[Signature] (SEAL)
EMMETT CLOUD, d/b/a
Emmett Cloud Realty Company

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

89 NOV 14 AM 10:59

[Signature]
JUDGE OF PROBATE

1. Deed Tax	-----	\$	-----
2. Mtn. Tax	-----	\$	-----
3. Recording Fee	-----	\$	5.00
4. Notary Fee	-----	\$	3.00
5. Copy Fee	-----	\$	-----
6. Copy Fee	-----	\$	1.00
Total	-----	\$	9.00