

TERMINATION OF AGREEMENT

This Termination of Agreement is executed this 10th day of October, 1995, by and between **EBSCO Industries, Inc.**, a Delaware corporation ("EBSCO"), and **AmSouth Bank of Alabama**, a state banking association, formerly known, prior to charter conversion, as AmSouth Bank N.A. ("AmSouth").

Recitals

A. EBSCO and AmSouth entered into an agreement dated May 27, 1993 (the "Agreement"), which Agreement was recorded in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument No. 1993-15542. Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Agreement.

B. In the Agreement, EBSCO granted to AmSouth, its successors and assigns, a non-exclusive perpetual easement on, over and across the Roadway located within the Easement Area for purposes of access and vehicular and pedestrian ingress and egress to and from the AmSouth Property.

C. In the Agreement, EBSCO also granted to AmSouth a right of first refusal regarding the purchase of the Adjacent Strip owned by EBSCO.

D. The parties desire to terminate the Agreement and all rights granted therein, by the execution of this Termination.

Agreement

NOW, THEREFORE, in consideration of the Recitals and other good and valuable consideration, EBSCO and AmSouth hereby agree as follows:

1. AmSouth hereby quitclaims to EBSCO all of AmSouth's right, title and interest in and to the Easement Area and the Adjacent Strip.

2. From and after the date hereof, the Agreement is null and void and of no further force or effect and neither party shall have any rights or obligations thereunder.

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08:36 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

IN WITNESS WHEREOF, EBSCO and AmSouth have caused this Termination to be executed by their respective duly authorized representatives as of the date first above written.

EBSCO INDUSTRIES, INC.

By [Signature]
Its V.PRES

AMSOUTH BANK OF ALABAMA

By [Signature]
Its VICE PRESIDENT

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Elton B. Stephens, Jr., whose name as Vice President of EBSCO Industries, Inc., a Delaware corporation, is signed to the foregoing termination and who is known to me, acknowledged before me on this day that, being informed of the contents of said termination, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 10th day of October, 1995.

[Signature]
Notary Public

AFFIX SEAL

My commission expires: 1-4-99

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephanie Walker, whose name as Vice President of AmSouth Bank of Alabama, a state banking association, is signed to the foregoing termination and who is known to me, acknowledged before me on this day that, being informed of the contents of said termination, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 10th day of
October, 1995.

Elizabeth E. Drilgman
Notary Public

AFFIX SEAL

My commission expires: Nov. 5, 1997

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