

## TERMINATION OF OPTION AGREEMENT

THIS TERMINATION OF OPTION AGREEMENT is entered into between 119 PROPERTIES, LTD. ("119") and HARBERT CORPORATION ("Harbert"), dated as of this 27<sup>th</sup> day of January, 1997.

WHEREAS, 119 and Harbert entered into an agreement dated June 30, 1995 under which 119 granted an option to Harbert to acquire a strip of property sixty feet (60') in width for the construction of an access road; and

WHEREAS, Harbert has obtained access to its property from another source and no longer needs the strip of property which is the subject matter of the Option Agreement; and

WHEREAS, the parties now desire to terminate the Option Agreement effective immediately.

NOW, THEREFORE, in consideration of the premises and valuable consideration given from each party to the other, the parties agree that the Option Agreement dated June 30, 1996 and the Memorandum of Option Agreement dated the same date and recorded as Instrument No. 1995-17923, are hereby terminated, effective immediately, and shall have no further force or effect. The Memorandum of Option Agreement recorded as Instrument No. 1995-17923, Office of the Judge of Probate of Shelby County, Alabama is hereby released and expunged from the title records of Shelby County, Alabama.

DONE this 27<sup>th</sup> day of January, 1997.

119 PROPERTIES, LTD., an Alabama  
limited partnership

By: Cahaba Valley Properties, Inc.,  
as general partner

By:   
Marc A. Eason, Vice President  
DAVID BUNKIN

HARBERT CORPORATION

By:   
Its: WILLIAM W. BROOKE  
Executive Vice President &  
Chief Operating Officer

01/30/1997 03130  
01:26 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 12.00

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that ~~Marc A. Mason~~ <sup>David Brinkin</sup> whose name as Vice President of CAHABA VALLEY PROPERTIES, INC., an Alabama corporation, in its capacity as the general partner of 119 PROPERTIES, LTD., an Alabama limited partnership, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he, as such officer of CAHABA VALLEY PROPERTIES, INC., an Alabama corporation, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20<sup>th</sup> day of January, 1997.

  
Notary Public

My Commission Expires: 9/16/2000

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that William W. Brooke, whose name as <sup>EXEC V.P.</sup> ~~A COO~~ of HARBERT CORPORATION, a ~~Delaware~~ corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 27<sup>th</sup> day of January, 1997.

  
Notary Public

My Commission Expires: 11/1/97

Inst # 1997-03130