

STATE OF ALABAMA

SHELBY COUNTY

### LEASE TERMINATION AGREEMENT

Whereas, by a lease agreement dated as of September 1, 1984 and recorded in the office of the Judge of Probate of Shelby County, Alabama in Real Book 2, page 410 ("Lease"), The Industrial Development Board of Shelby County (now Shelby County Economic and Industrial Development Authority), a public corporation under the laws of the State of Alabama ("Authority"), leased to Gordon Morrow, Jr. and Malcolm A. Morrow the following described real estate, which is located in Shelby County, Alabama, all of the rights, title and interest of said Gordon Morrow, Jr. and Malcolm A. Morrow, as lessees in the Lease, including, without limitation, all rights of said lessees to purchase the Project (as defined in the Lease) having been assigned to Morrow Brothers Leasing Company, an Alabama general partnership, ("Morrow Brothers"):

A part of the SW 1/4 of the NE 1/4 and also a part of the SE 1/4 of the NE 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northwest corner of the SW 1/4 of the NE 1/4 of Section 29, Township 18 South, Range 1 West; thence run South along the West line of said 1/4-1/4 Section a distance of 977.37 feet; thence turn left and run North 89 degrees 28' 38" East a distance of 932.64 feet to the point of beginning of the property described herein; thence continue along the last described course a distance of 397.46 feet to the Westerly right North 25 degrees 19' 09" East along said right of way line a distance of 272.81 feet; thence turn left and run North 62 degrees 26' 44" West a distance of 375.00 feet; thence turn left and run South 23 degrees 12' 04" West a distance of 460.00 feet to the point of beginning.

Whereas, by mutual agreement, the Authority and Morrow Brothers have agreed to terminate the Lease.

Now, therefore, in consideration of the mutual agreements of the Authority and Morrow Brothers, in consideration of \$1.00 paid to the Authority by Morrow Brothers and in consideration of the conveyance of the above described real estate by the Authority to Morrow Brothers, the receipt and sufficiency of which considerations are hereby acknowledged by the Authority and Morrow Brothers, the Authority and Morrow Brothers hereby agree as follows:

05/29/2001-21686  
03:22 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 C31 17.00

Inst # 2001-21686

5/29/2001-21686  
PM CERTIFIED  
JUDGE OF PROBATE

1. The Lease is hereby terminated.

2. Neither party shall have any further obligations to the other under the terms of the Lease, except that this lease termination agreement shall not relieve Morrow Brothers from any liability to the Authority which it now has or may hereafter incur arising out of any indemnity agreement contained in the Lease, including, without limitation, Section 4.7 of the Lease.

In witness whereof, Morrow Brothers has caused this instrument to be executed by its duly authorized general partner on the 22 day of May, 2001, and Shelby County Economic and Industrial Development Authority has caused this instrument to be executed by its duly authorized officer on the 17<sup>th</sup> day of May, 2001.

Attest:

Loranna McAfee  
Its Secretary

Shelby County Economic and  
Industrial Development Authority

By D.R. Horsley  
Its Chairman  
of the Board of Directors

Rolanda Saddell  
Witness

Morrow Brothers Leasing Company

By [Signature]  
Its General Partner

STATE OF ALABAMA  
SHELBY COUNTY

I, Frank C. Galloway, Jr., a Notary Public in and for said County in said State, hereby certify that D.R. Horsley, whose name as Chairman of the Board of Directors of Shelby County Economic and Industrial Development Authority, a public corporation under the laws of the State of Alabama, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said public corporation.

Given under my hand and official seal this 17<sup>th</sup> day of May, 2001.

Frank C. Galloway Jr  
Notary Public

My commission expires: October 23, 2002

Affix Seal

STATE OF ALABAMA  
SHELBY COUNTY

I, Nemie L. Calamusa, a Notary Public in and for said County in said State, hereby certify that Gordon Morrow Jr., whose name as General Partner of Morrow Brothers Leasing Company, an Alabama general partnership, 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 said instrument, he, as such General Partner and with full authority, executed the same voluntarily for and as the act of said general partnership.

Given under my hand and official seal this 22 day of May 2001.

Nemie L. Calamusa  
Notary Public

My commission expires: 8-27-01

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.  
MY COMMISSION EXPIRES; Aug. 27, 2001.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Affix Seal

This instrument prepared by:

Frank C. Galloway, Jr.  
900 Park Place Tower  
2001 Park Place North  
Birmingham, Alabama 35203

Inst # 2001-21686

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03:22 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
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