

| STATE OF ALABAMA | ) |
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| COUNTY OF SHELBY | ) |

## ACKNOWLEDGEMENT OF TERMINATION OF LEASE AND REPURCHASE OPTION

THIS ACKNOWLEDGEMENT OF TERMINATION OF LEASE AND REPURCHASE OPTION (this "Acknowledgement") is made and entered into as of the // day of \_\_\_\_\_\_\_, 2006 by BRUNO'S MEMORIAL CLASSIC FOUNDATION, INC., an Alabama nonprofit corporation ("Tenant").

## RECITALS:

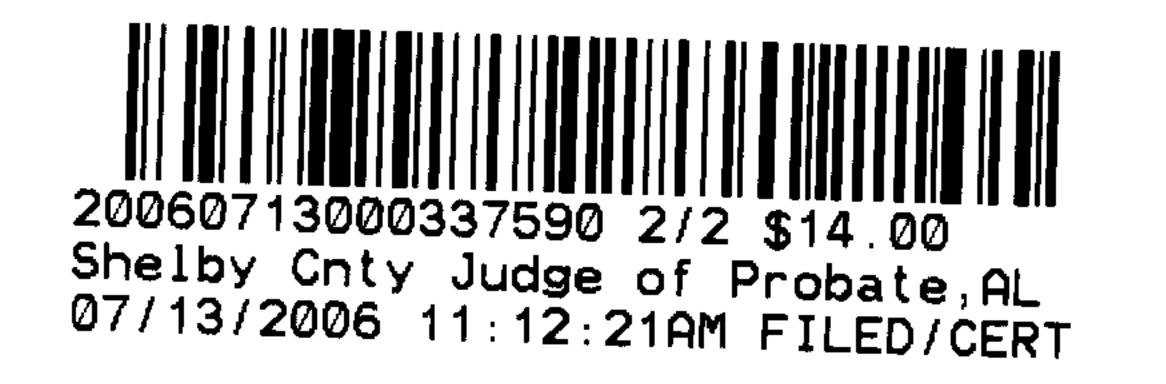
Pursuant to Lease Agreement dated July 20, 2004 (the "Lease Agreement") between R.C.J. Homebuilding, Inc., an Alabama corporation ("Landlord"), and Tenant and recorded as Instrument #20040802000426450 in the Office of the Judge of Probate of Shelby County, Alabama, Landlord leased to Tenant certain real property situated in Shelby County, Alabama which is more particularly described in the Lease Agreement. Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Lease Agreement.

The Term of the Lease Agreement has expired and the Lease is of no further force and effect.

Tenant desires to acknowledge and agree that the Repurchase Option set forth in Paragraph 15 of the Lease is null and void and is of no further force or effect.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, Tenant does hereby acknowledge and agree that:

- 1. The Term of the Lease Agreement has expired and the Lease Agreement is of no further force or effect.
- 2. The Repurchase Option and all of the terms and provisions of Paragraph 15 of the Lease are null and void, of no further force and effect and shall not be binding on any portion of the Premises described in the Lease Agreement. Tenant hereby irrevocably and unconditionally waives and releases the Repurchase Option set forth in Paragraph 15 of the Lease Agreement.



IN WITNESS WHEREOF, Tenant has caused this Acknowledgement to be executed as of the day and year first above written.

|  | BRUNO'S MEMORIAL CLASSIC FOUNDATION, INC., an Alabama nonprofit corporation  |
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|  | By:  |
|  |  |
| STATE OF ALABAMA   |  |
| SHELBY COUNTY  | ·<br>)   |
| John Marovich of Bruno's Memorial Class foregoing instrument, and with the contents of | Notary Public in and for said county, in said state, hereby certify that , whose name as   |
| Given under my han   | and official seal this the $\frac{11}{4}$ day of $\frac{1}{4}$ , 2006.   |
|  | St. D. Ell.  |
|  | Notary Public  |
| [NOTARIAL SEAL]  | My Commission Expires:  NOTARY PUBLIC STATE OF ALABAMA AT LARGE MY COMMISSION EXPIRES: Mar 30, 2010 BONDED THRU NOTARY PUBLIC UNDERWRITERS |

This instrument prepared by and upon recording should be returned to:

Stephen R. Monk, Esq.
Bradley Arant Rose & White LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203