

Recording Fee TUTAL

28.00

STATE OF ALABAMA

JEFFERSON COUNTY

PML 1991 167
Recorded In Above Book and Page 05/16/2006 11:00:34 AM
Rick Allison
Judge of Probate
Walker County, Alabama

## TERMINATION OF OPTION AGREEMENT

This Termination Option Agreement ("this Termination Agreement") is made effective the day of May, 2006, by and between GREENSPRINGS ASSOCIATES, INC., an Alabama corporation (hereinafter referred to as "Optionor") and SHOP-A-SNAK FOOD MART, INC., a Delaware corporation (hereinafter referred to as "Optionee").

## WITNESSETH:

WHEREAS, Optionor and Optionee entered into that certain Option Agreement dated August 27, 2001, which was recorded as Instrument #200111/3463 in the Probate Office of Jefferson County, Alabama, Birmingham Division, Instrument #200162/6695 in the Probate Office of Jefferson County, Alabama, Bessemer Division, Instrument #2001-40602 in the Probate Office of Shelby County, Alabama, DML Book 1737, page 552 in the Probate Office of Walker County, Alabama, and RLPY Book 616, page 440 in the Probate Office of Autauga County, Alabama, as amended by that certain First Amendment to Option Agreement dated March 3, 2005, which was recorded as Instrument #200503/9360 in the Probate Office of Jefferson County, Alabama, Birmingham Division, Instrument #200560/7316 in the Probate Office of Jefferson County, Alabama, Bessemer Division, Instrument #20050322000128740in the Probate Office of Shelby County, Alabama, DML Book 1942, page 740in the Probate Office of Walker County, Alabama, and Instrument ID 166433, RLPY Book 2005, page 3145 in the Probate Office of Autauga County, Alabama (collectively, the "Option Agreement"); and

WHEREAS, Optionor has determined to sell the Option Property (as defined in the Option Agreement) with the exception of the New Corporate Property-Inverness (Shelby County) (as defined in the Option Agreement); and

WHEREAS, Optionee has elected not to purchase said property pursuant to the exclusive right and option to purchase granted by Optionor to Optionee in the Option Agreement; and

WHEREAS, Optionor and Optionee are desirous of terminating all rights and interests in and to the Option Agreement;

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements set forth in this Termination Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Optionor and Optionee hereby acknowledge and agree that the Option Agreement is hereby terminated and canceled, is deemed null and void, and shall be of no further force or effect. Optionee does hereby quitclaim, remise and release unto Optionor any and all right, title and interest, if any, which Optionee may have in and to the Option Property including, but not limited to, the New Corporate Property-Inverness (Shelby County) property. Optionee does hereby further waive any right to notice pursuant to the Option Agreement and any right to purchase any Additional Option Property, as defined in the Option Agreement.

This Termination Agreement may be executed in counterparts, all of which together shall constitute one document binding on the parties hereto, notwithstanding that all parties are not signatories

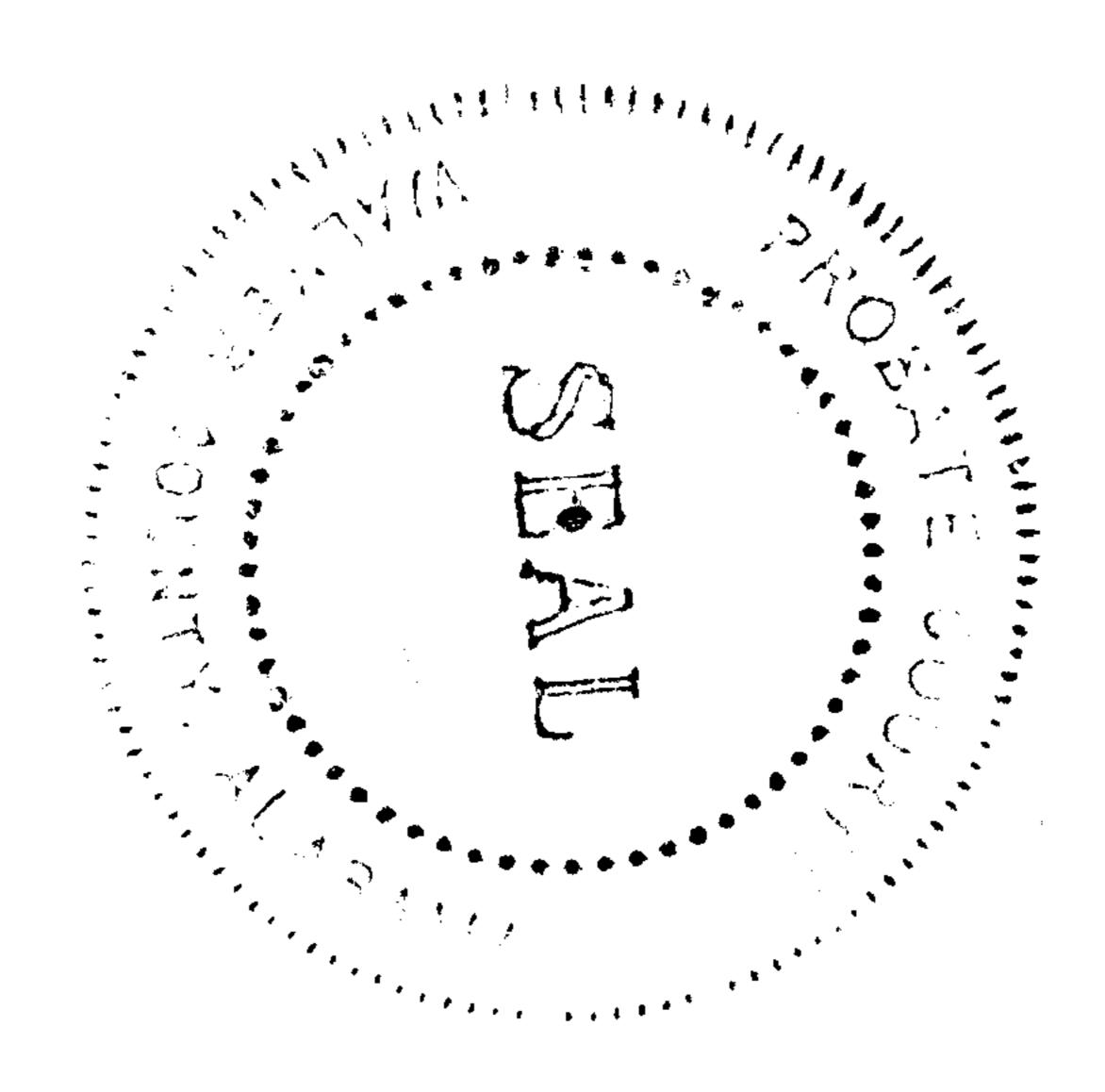
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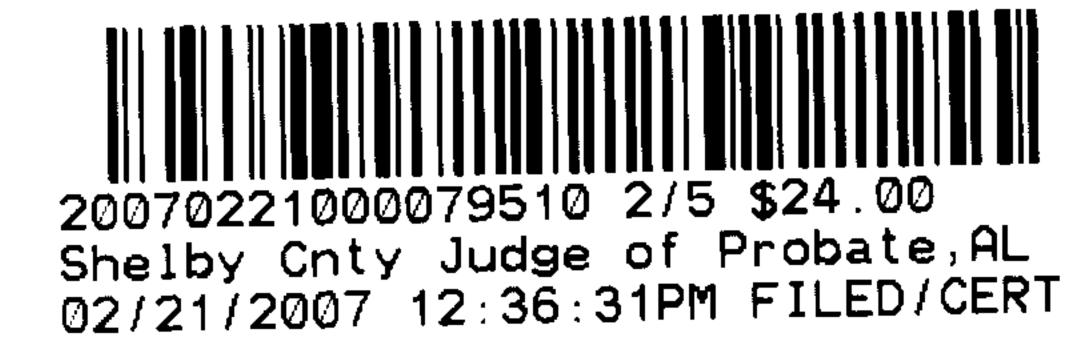
STATE OF ALABAMA Walker County

I. Rick Allison, Judge of Probate do hereby certify the foregoing to be

a true copy.

Judge of Probate





to the original or to the same counterpart. Original signature pages may be removed from any counterpart and attached to an identical counterpart for the purpose of assembling fully executed originals of this document. Signatures by facsimile shall be acceptable and binding upon the parties.

IN WITNESS WHEREOF, Optionor and Optionee have executed this Termination Agreement as of the day and year first above written.

GREENSPRINGS ASSOCIATES, INC.

By

Its Vice President

SHOP-A-SNAK FOOD MART, INC.

By

Its President

CONFIRMED AND ACKNOWLEDGED BY THE SHAREHOLDERS OF GREENSPRINGS ASSOCIATES, INC.:

E. J. Marino, Jr.

Anthony P. Marino

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Judge of Probate Walker County, Alabama

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20070221000079510 3/5 \$24.00 Shelby Cnty Judge of Probate, AL 02/21/2007 12:36:31PM FILED/CERT

STATE OF NORTH CAROLINA	
COUNTY OF WAKE	; )
Marino, Jr., whose name as Vice President signed to the foregoing instrument, and	blic in and for said county in said state, hereby certify that E. dent of Greensprings Associates, Inc., an Alabama corporation, if who is known to me, acknowledged before me on this day that is nearly he, as such officer and with full authority, executed the id corporation.
Given under my hand and offici	al seal this 11th day of May, 2006.
	Kathy L. Bardin
[NOTARIAL SEAL]	Notary Public  My commission expires: 4/4/1/
KATHY L. BARDEN NOTARY PUBLIC WAKE COUNTY, NC	
STATE OF NORTH CAROLINA	
COUNTY OF WAKE	· )
Marino, Jr., whose name as President of to the foregoing instrument, and who is informed of the contents of said instrum- voluntarily for and as the act of said corp	
Given under my hand and officia	al seal this 11th day of May, 2006.

[NOTARIAL SEAL]

My commission expires: 4/4/11 KATHY L. BARDEN NOTARY PUBLIC WAKE COUNTY, NC

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STATE OF ALABAMA )	
JEFFERSON COUNTY )	
Edward J. Marino, whose name is sign acknowledged before me on this day that, the same voluntarily on the day the same be	
Given under my hand and official	seal this 10 <sup>th</sup> day of May, 2006.
INOTARIAL SEAL	Levis Anneise Sacherry Notary Public  My commission expires: August 31, 2009
STATE OF NORTH CAROLINA )	
COUNTY OF WAKE	
Marino, Jr. whose name is signed to the function before me on this day that, being information voluntarily on the day the same bears date.	c in and for said county in said state, hereby certify that E. J. Foregoing instrument, and who is known to me, acknowledged sed of the contents of said instrument, he executed the same seal this day of May, 2006.
[NOTARIAL SEAL]	Kathy L. Bardin Notary Public  My commission expires: 4/4/11
KATHY L. BARDEN NOTARY PUBLIC WAKE COUNTY, NC	

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Walker County, Alabama

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STATE OF ALABAMA	)
	:
IEFFERSON COUNTY	)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Anthony P. Marino, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this //h day of May, 2006.

[NOTARIAL SEAL]

Notary Rublic

My commission expires: 4-9-2007

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