

Return to : Mary Aronov  
Baker Donelson Bearman  
165 Madison Avenue, Suite 2000  
Memphis, TN - 38103

P 10/12/07 8:20:16  
BK 122 PG 315  
DESO TO COUNTY, MS  
W.E. DAVIS, CH CLERK  
pa  
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Indexing instructions:  
SE 1/4 Section 33, Township 1 South,  
Range 6 West, Desoto Co., Ms.  
Relating to document recorded at  
BK 106, Page 312 Chancery Clerk Desoto Co, Ms.

### LEASE TERMINATION AGREEMENT

LEASE TERMINATION AGREEMENT, made this 11 day of October, 2007,  
between THREE PUTT, GP, A TENNESSEE GENERAL PARTNERSHIP ("Landlord") and  
AMERICAN CONTAINER, INC., A TENNESSEE CORPORATION, ("Tenant").

#### WITNESSETH:

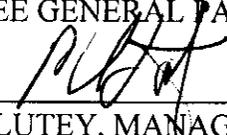
That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, it is mutually agreed as follows:

1. That certain Lease dated as of December 15, 2004, entered into between Landlord and Tenant (the "Lease") for the premises described as 8530 Sandidge, Olive Branch, Mississippi (the "Premises") a memorandum of which is recorded at Book 106 Page 312 in the Chancery Clerk's Office of Desoto County, Mississippi is hereby terminated as of October 11, 2007.
2. Tenant gives possession of the Premises to Landlord, and Landlord accepts possession of the Premises in the condition delivered.
3. It is specifically understood, however, that the execution of this Agreement shall not cancel or release Landlord's claim to any and all rent and other charges which shall accrue pursuant to the Lease until Tenant has vacated and surrendered possession to Landlord of the Premises in broom clean condition.
4. Landlord releases Tenant, and Tenant releases Landlord from the obligation of the Lease except as provided herein.
5. The conditions, covenants, and agreements contained in this instrument shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns.
6. Counterpart Signatures. This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed to be an original, but all such counterparts shall together constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LESSOR:  
THREE PUTT, GP,  
A TENNESSEE GENERAL PARTNERSHIP

LESSEE:  
AMERICAN CONTAINER, INC.  
A TENNESSEE CORPORATION

BY:   
PHIL LUTEY, MANAGING PARTNER

BY: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007, within my jurisdiction, the within named \_\_\_\_\_, who acknowledged to me that he is the \_\_\_\_\_ of American Container, Inc., a Tennessee corporation, and that for and on behalf of said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

\_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this 11 day of October, 2007, within my jurisdiction, the within named Phil Lutey, who acknowledged to me that he is Managing Partner of THREE PUTT, GP, a Tennessee general partnership, and that for and on behalf of said general partnership, and as the act and deed of said general partnership, he executed the above and foregoing instrument, after first having been duly authorized by said general partnership so to do.

  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LESSOR:  
THREE PUTT, GP,  
A TENNESSEE GENERAL PARTNERSHIP

LESSEE:  
AMERICAN CONTAINER, INC.  
A TENNESSEE CORPORATION

BY: \_\_\_\_\_  
PHIL LUTEY, MANAGING PARTNER

BY: Steve M. Harris

Name: Steve M. Harris  
Title: President

STATE OF Tennessee  
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 11 day of October, 2007, within my jurisdiction, the within named Steve M. Harris, who acknowledged to me that he is the President of American Container, Inc., a Tennessee corporation, and that for and on behalf of said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Mary Aronow  
Notary Public

My commission expires:  
6-10-08



STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007, within my jurisdiction, the within named Phil Lutey, who acknowledged to me that he is Managing Partner of THREE PUTT, GP, a Tennessee general partnership, and that for and on behalf of said general partnership, and as the act and deed of said general partnership, he executed the above and foregoing instrument, after first having been duly authorized by said general partnership so to do.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

Prepared by and return to:  
Mary Aronov  
Baker Donelson Bearman Caldwell & Berkowitz  
165 Madison Avenue  
Memphis, Tennessee 38103  
901-577-2223