STATE OF ALABAMA)

JEFFERSON COUNTY)

19790306000027080 1/3 $.00
Shelby Cnty Judge of Probate, AL

MEMORANDUM OF LEASE AGREEMENT

On April 24, 1978, a lease was entered into between Sim-Lov, Inc., an Alabama corporation, as Landlord, and Hill Enterprises, Inc., an Alabama corporation, as Tenant. This Memorandum of that Lease Agreement is presented for recording:

1. Name of Landlord in Lease Agreement: Sim-Lov, Inc.

2. Name of Tenant therein: Hill Enterprises, Inc.

3. Address set forth in Lease as addresses of Landlord and Tenant:

Landlord: 1010 Frank Nelson Building
Birmingham, Alabama 35203

Tenant: 2520 Sagewood Court
Montgomery, Alabama

4. Date of Lease: April 25, 1978.

5. Description of leased premises as set forth in Lease: Lots 3, 4, 5 and 6, Block 2, according to the Survey of Cedar Grove Estates, as recorded in Map Book 3, Page 53, in the Office of the Judge of Probate of Shelby County, Alabama.

6. The manner of determining the date on which the Lease commences, as set forth in Lease, is as follows: Beginning on the 1st day of thecalendar month next succeeding the date on which Tenant completes construction of its restaurant building on the premises, and/or the date on which Tenant shall open its business on the premises, but in no event later than six months after the date of this Lease.

7. Term of Lease: Twenty-five years after rental becomes payable, as set out in Paragraph 6 hereinabove.

8. Date of Expiration of Final Period for which Lease may be Extended: Tenant shall have the right and option to renew this Lease for two additional periods of five years each, provided that Tenant notifies the Landlord thirty (30) days in

see Misc. Bk. 45 pg. 888 (7/20/82) 31 225

LAW OFFICES OF
GOULOUKOS AND OGLESBY
SUITE 1010-1016
FRANK NELSON BLDG.
BIRMINGHAM, AL
35203

advance of the expiration of the base term of this Lease, and thirty (30) days in advance of the expiration of the renewal period referred to herein.

Executed on this the ___ day of June, 1978.

LANDLORD

ATTEST:

SIM-LOV, INC.

By: _____
Sam D. Simonetti, President

TENANT

ATTEST:

HILL ENTERPRISES, INC.

By: _____
James H. Hill, Jr., President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Sam D. Simonetti, whose name as President of Sim-Lov, Inc., 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 corporation.

Given under my hand and official seal this the 13 day of June, 1978.

Notary Public

19790306000027080 2/3 $.00
Shelby Cnty Judge of Probate, AL
03/06/1979 12:00:00AM FILED/CERT

LAW OFFICES OF
BOULOUKOS AND UGLESBY
SUITE 1015-1016
FRANK NELSON BLDG
BIRMINGHAM, AL
35203

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James H. Hill, Jr., whose name as President of Hill Enterprises, Inc., a 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 11th day of ~~June~~ Oct, 1978.

Notary Public

My commission expires April 13, 1981.

STATE OF ALA. SHELBY CO.
I HEREBY CERTIFY THIS
FILED

79 MAR -6 PM 2:05

JUDGE OF PROBATE

Rec. 244.00
X'ed. 4.50
Ind. 1.00
249.50

19790306000027080 3/3 $.00
Shelby Cnty Judge of Probate,AL
03/06/1979 12:00:00AM FILED/CERT

LAW OFFICES OF
BOULOUKOS AND OGLESBY
SUITE 1010-1016
FRANK NELSON BLDG.
BIRMINGHAM AL
35203