

Recording Requested By
WELLS FARGO LEASING CORPORATION

597

When Recorded Mail To
Wells Fargo Leasing Corporation
425 California Street
San Francisco, California 94104



19800317000032440 1/3 \$.00
Shelby Cnty Judge of Probate, AL
03/17/1980 12:00:00 AM FILED/CERT

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WAIVER AND CONSENT

Reference is made to that Equipment Lease Agreement ("Lease"), dated August 30, 19 79, between WELLS FARGO LEASING CORPORATION ("Lessor") and Shoney's South, Inc. ("Lessee").
The execution of this Waiver and Consent is to insure that the following equipment, more particularly described in the Lease, is personal property owned by Lessor and will not be deemed real estate or security for repayment of any loan secured by a lien on or mortgage or trust deed affecting real property:

See Exhibit A attached hereto.

The undersigned owner or lienholder of the real property herein described agrees as follows:

1. The equipment listed above and described in the Lease or any exhibit or schedule related thereto may be installed on or affixed to real property in which the undersigned has an interest as owner or lienholder or otherwise. Said property and additions thereto shall remain Lessor's personal property and shall not become realty or a part of the real property upon which it is located or affixed.
2. The undersigned hereby expressly waives all right, title and interest in and to said personal property and additions thereto and agrees that Wells Fargo Leasing Corporation may, at any reasonable time, enter upon the premises for the purpose of detaching, removing and repossessing said personal property, regardless of the method by which it may be attached to the realty, and may remove and retake said personal property.
3. The undersigned further waives each and every right now or hereafter possessed under the laws of the state in which the real property is located and under the provisions of the Lease, and further waives the right to levy on or distrain the equipment for rent.

The real property herein referred to is located at 2698 Highway 31 South
in the City of Pelham, County of Shelby
State of Alabama, and is more fully described as follows:

To Be Used For Corporate Acknowledgment

STATE OF Tennessee ss.
COUNTY OF Shelby
On this 24 day of January, 19 80,
before me, the undersigned, a Notary Public in and for said County, personally appeared James H. Prentiss
known to me to be the President, and
Dennis A. Reeve
known to me to be the Treasurer Secretary of Shoney's South, Inc.
the Corporation that executed the within and foregoing instrument, and known to me to be the persons who executed the within instrument on behalf of the Corporation therein named and acknowledged to me that such Corporation executed the same pursuant to its By-laws or a resolution of its Board of Directors.
My Commission Expires August 29, 1983
WITNESS my hand and official seal.

Signature Patricia A. LaRochelle

To Be Used For Partnership Acknowledgment

STATE OF _____ ss.
COUNTY OF _____
On this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for said State, personally appeared _____,
known to me to be one of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.
WITNESS my hand and official seal.

Signature _____


James H. Prentiss President
Signature Title
JAMES H. PRENTISS
Name (Typed or Printed)
Dennis A. Reeve Treasurer
Signature Title
DENNIS A. REEVE
Name (Typed or Printed)

To Be Used For Individual Acknowledgment

STATE OF _____ ss.
COUNTY OF _____
On this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for said County, personally appeared _____
and known to me to be the person (s) whose name(s) (is) (are) subscribed to the within instrument and acknowledged that (he) (they) executed the same.
WITNESS my hand and official seal.

Signature _____

<u>Company Name</u>	<u>Items</u>	<u>Total Amount</u>
American Permenent Ware	Curb trays	\$ 52.80
Allen Blind & Awning	Woven Blinds	981.00
ABC Manufacturing	Safety Signs	12.30
Barnett Supply Company	Ice Machines	3,643.00
B & G Distributing	Lettuce Cutter	234.45
Bloomfield Distributing	Pans,Cutters,Covers, & Utensils	564.06
Boury, Inc.	Panels, Inside Signs	200.00
Bunn-O-Matic	Coffee Makers	793.40
Cambro, Inc.	Red Booster Seats	37.52
Coldelite Corp.	Whip Cream Machine	1,900.80
Continental Mfg.	Receptacles,squeegee, Sand Urn, wringer	205.21
Coca Cola USA	Coke Dispenser	2,516.00
Crescent Metal Products	Heated Cabinet	1,358.00
Wilbur Curtis	Tea Urns	119.00
Dykes Restaurant Supply	Crocks,molds,tongs, ladles,pans,pots,utensils	1,380.28
Edelman Jankow	Booths,benches,table tops	14,527.80
Gemini Guild	Table Tops	825.00
General Electric	Griddle,fryers,oven, hot plate,broilers	7,820.00
Groen	Steam Kettle	1,285.00
Hatco	Toaster	354.25
Hobart	Mixer, Slicer	2,339.77
Jet Spray	Juice Dispenser	435.00
Kolpak Industries	Walk-in-cooler	10,646.17
Leyse Aluminum	Pans,Pitchers,trays	286.60


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<u>Company Name</u>	<u>Items</u>	<u>Total Amount</u>
Low Temp. Mfg.	Fabricated Stainless Steel Equipment, Work Table, Cooking Lines, Dishtables	\$ 45,853.61
Maxum Equipment	Rangehood Filters	147.30
Toastmaster	Toaster	207.00
J. H. McKie	Syrup Dispenser	35.00
Franklin Products	Heat Lamps	364.50
Metropolitan Wire	Racks	555.90
Howard Miller Clock	Clock	70.50
Monroe Calculator	Calculator	231.00
New Metal Crafts	Decorative Light Fixtures	7,805.00
Peterson Baby Products	High Chairs	145.50
Prawnto Shrimp Machine	Shrimp Deveiner	276.50
Rubbermaid	Pitchers, Scoops, Cutting Boards, Pans, Containers, Food Boxes, Max Rack	1,078.20
Savory Equipment	Bread & Bun Toaster	940.68
Stephens Brothers	Batter Pan Holder	35.00
Sweda	Cash Register	1,195.00
Traulsen	Reach-in-Refrigerator	1,543.00
Vollrath	Tray Racks	225.90
Gary Safe Co.	Safe	1,412.00
Edwin Weigand	Heat Lamps	141.40
Davis Sign Company	Street Sign, Letters, Storage Cell, Extension Arm, Building Sign	5,399.55
Shoney's South, Inc.	Paintings & Ships	1,103.00
Hobart	Dishwasher	7,520.80
Hatco	Water Heater	646.75
Creative Display	Big Boy Statue	1,050.00
Server Products	Fudge Warmer	69.78
Victory Metal Mfg.	Refrigerators	2,800.00
Metro Equipment	Scales	75.60
Metropolitan Wire	Glass Racks, Plate Racks, Silver Racks	555.90
Total		\$ 134,001.78

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

1980 MAR 17 PM 2:26

Thomas A. Brantley, Jr.
JUDGE OF PROBATE

Rec. 4-58
Ind. 1.00
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EXHIBIT A