

MORTGAGEE'S WAIVER AND CONSENT

Peoples Bank

(Mortgagee)

(Address)

Selma, Alabama

(City & State)

(Date)

Inst # 1994-04350

TO: First Alabama Bank/Leasing Division

LESSOR

Whereas the above lessor has entered into a lease contract with Higginbotham Oil Company, Inc.

Lessee, dated \_\_\_\_\_ for the rental of \_\_\_\_\_

See Attached Equipment Schedule

(Full description of rented items)

hereinafter referred to as the "Equipment" now or to be installed or kept at: \_\_\_\_\_

4640 Highway 25 Montevallo, AL 35115

(Full local address of equipment location, including city & state)

the undersigned mortgagee of the said premises, in consideration of the said contract and the delivery of said "Equipment" to the Lessee by these presents, consents to said installation and does waive and relinquish unto the Lessor and assigns, all right of levy for rent or mortgage payments and all claims and demands of every kind against the said "Equipment" now or to be installed under said contract. The undersigned mortgagee also disclaims any ownership or other interest in subject equipment and in other equipment that may be added from time to time, even though said equipment may become attached to the real property or become a fixture thereof. This waiver is to continue until full compliance by the Lessee with all the terms and conditions of said contract. The undersigned agrees that said "Equipment" shall not become part of the free-hold and may be removed or repossessed by the Lessor and assigns at any time without liability to Lessor.

WITNESS my (our) hand(s) and seal(s) the day and year above written.

Mortgagee: Peoples Bank

By:

Its:

Signed, sealed and delivered in the presence of:

02/08/1994-04350  
11:58 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MJS 11.00

# EQUIPMENT SCHEDULE

1	ES305 EQUIPMENT STAND
2	GZ1520 TABLE DRAWERS
1	CONDIMENT HOLDER
1	FRY DUMP STAND
2	14821 TELESCOPING COVERS
1	MAINSTREET MENU BOARDS
1	156 GRIDDLE 36"
1	ICE DOWN PAN
1	PITCO E12 FRYER
1	RANDELL 4 WELL WARMER
1	12' FAST FOOD COUNTER
1	12'4" X 30" SALES COUNTER WITH 8' WIRE SHELVING
1	5' X 18" CONSOLE COUNTER
1	4' X 30" ICE DOWN COUNTER
1	54" X 18" TOP
1	54" X 46" 8" TOP
1	16" X 16" DRAWER
1	96" X 24" SNEAKY PETE'S COUNTER
1	84" X 51" ANGLED SALES
1	30" X 9" COUNTER
1	30" X 96" COUNTER
1	30" X 98" COUNTER
1	11' X 32" BACK WALL WITH LEDGE TOP
1	52" X 30" COUNTER
1	HAND SINK
1	2 LID HOLDER
1	3 LID HOLDER
1	TRASH DOOR
1	KITCHEN UTENSILS AS PER

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