

This instrument was prepared by
and should be returned to:
Halpin J. Burke, Esq.
Thompson Coburn LLP
One U.S. Bank Plaza
St. Louis, Missouri 63101

TERMINATION OF LEASE

THIS TERMINATION OF LEASE is made as of June 14, 2002 (the "Effective Date"), by and between Spardee's Realty, Inc., an Alabama corporation, successor by merger to Spardee's Realty, Inc., a Delaware corporation, having an address of 505 N. 7th Street, One U.S. Bank Plaza, Suite 3610, St. Louis, MO 63101 (hereinafter referred to as "Landlord") and Flagstar Enterprises, Inc., an Alabama corporation, successor by merger to Flagstar Enterprises, Inc., a Delaware corporation, formerly known as Spardee's Restaurants, Inc., a Delaware corporation, having an address of 505 N. 7th Street, One U.S. Bank Plaza, Suite 3610, St. Louis, MO 63101 (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Tenant entered into a Lease Agreement dated as of November 1, 1990, with Landlord (as amended, hereinafter referred to as the "Lease") for the Premises located at 2162 Valleydale Road, Hoover, Shelby County, Alabama, for which a Memorandum of Lease dated November 1, 1990 is recorded in Real Volume 324, Page 564, Shelby County, Alabama, and being more particularly described on Exhibit A attached hereto and by reference incorporated herein;

WHEREAS, Landlord and Tenant now desire to terminate said Lease with respect to the Premises upon the terms and conditions set forth hereinbelow.

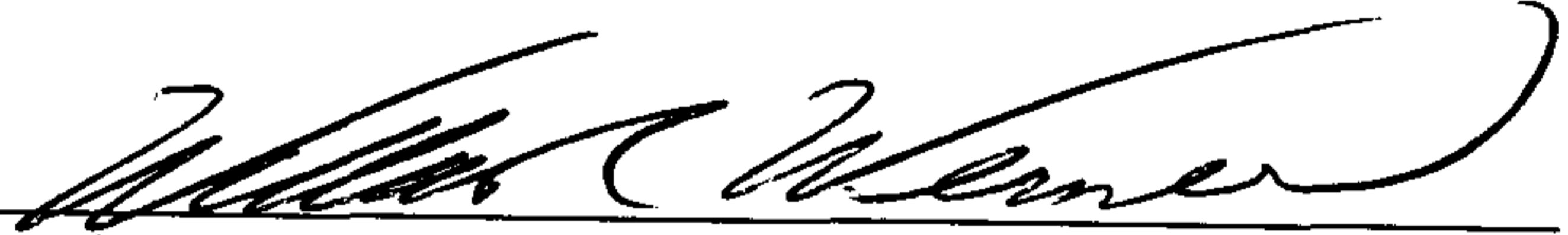
NOW THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Lease, as it relates to the Premises, is hereby terminated effective at 12:01 a.m. (local time at the Premises) on the Effective Date. The Lease and Tenant's responsibilities in respect to the Premises shall terminate on the Effective Date.

[Signatures appear on following page]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day, month and year first above written.

LESSOR

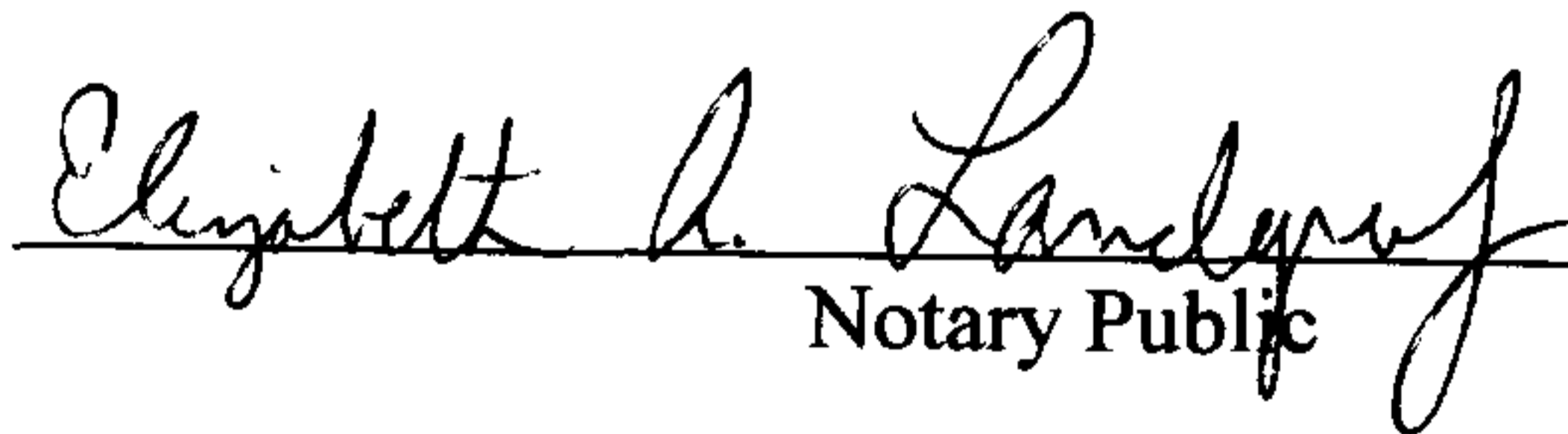
SPARDEE'S REALTY, INC. an Alabama corporation, successor by merger to SPARDEE'S REALTY, INC., a Delaware corporation

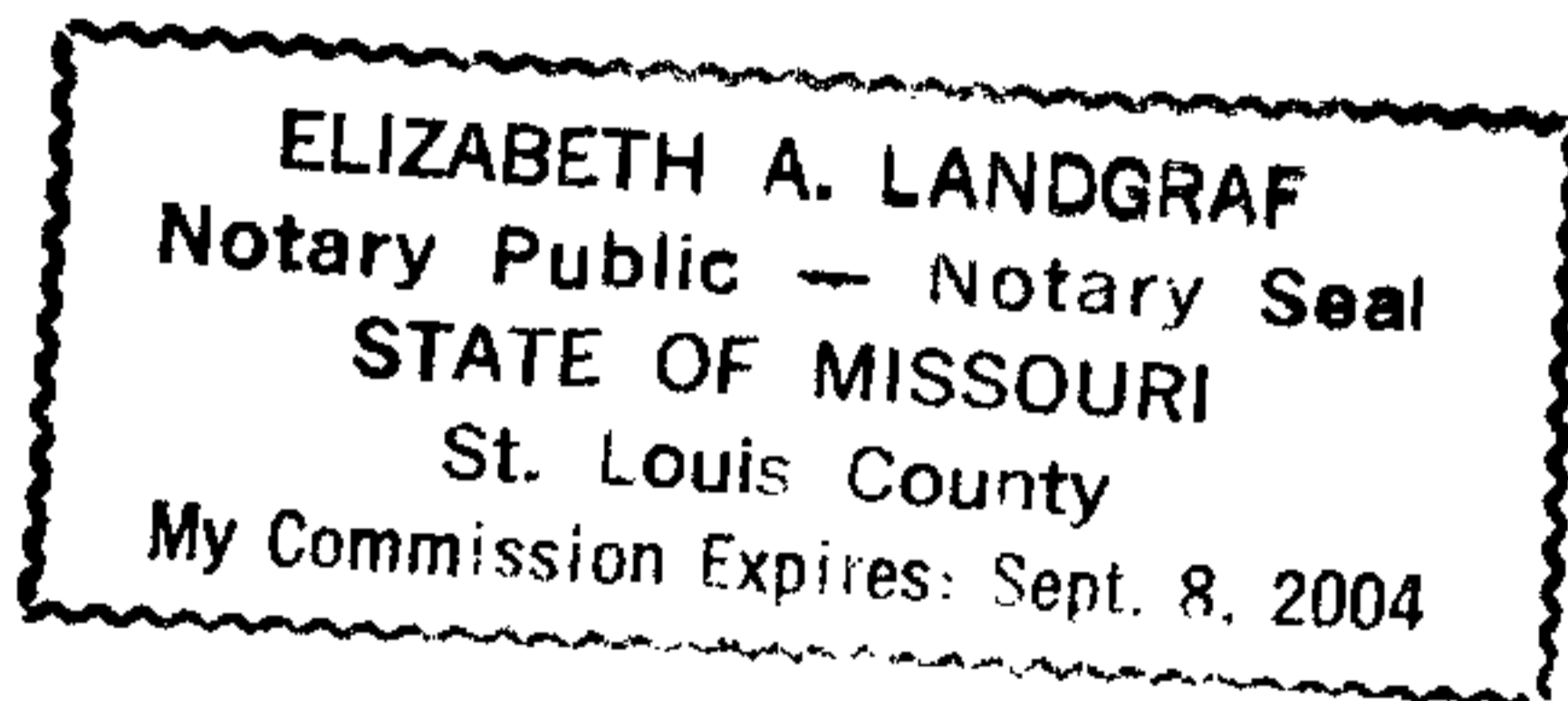
By: 
Printed Name: William R. Werner
Title: Senior Vice President

STATE OF MISSOURI
CITY OF ST. LOUIS

I, the undersigned, a Notary Public in and for said City in said State, hereby certify that William R. Werner, whose name as Senior Vice President of Spardee's Realty, Inc., an Alabama corporation, successor by merger to Spardee's Realty, Inc., a Delaware corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, as such officer and with full authority executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal as of June 13, 2002.


Notary Public



LESSEE:

Flagstar Enterprises, Inc., an Alabama corporation,
successor by merger to Flagstar Enterprises, Inc., a
Delaware corporation, formerly known as Spardee's
Restaurants, Inc., a Delaware corporation

By: 

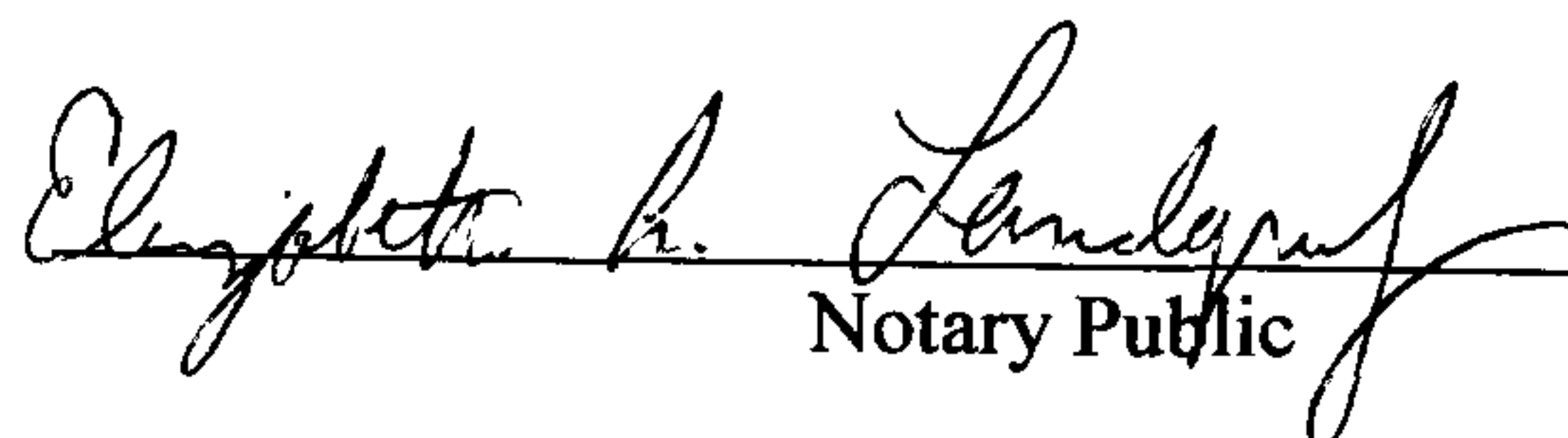
Printed Name: William R. Werner

Title: Senior Vice President

STATE OF MISSOURI
CITY OF ST. LOUIS

I, the undersigned, a Notary Public in and for said City in said State, hereby certify that William R. Werner, whose name as Senior Vice President of Flagstar Enterprises, Inc., an Alabama corporation, successor by merger to Flagstar Enterprises, Inc., a Delaware corporation, formerly known as Spardee's Restaurants, Inc., a Delaware corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, as such officer and with full authority executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal as of June 13, 2002.


Notary Public

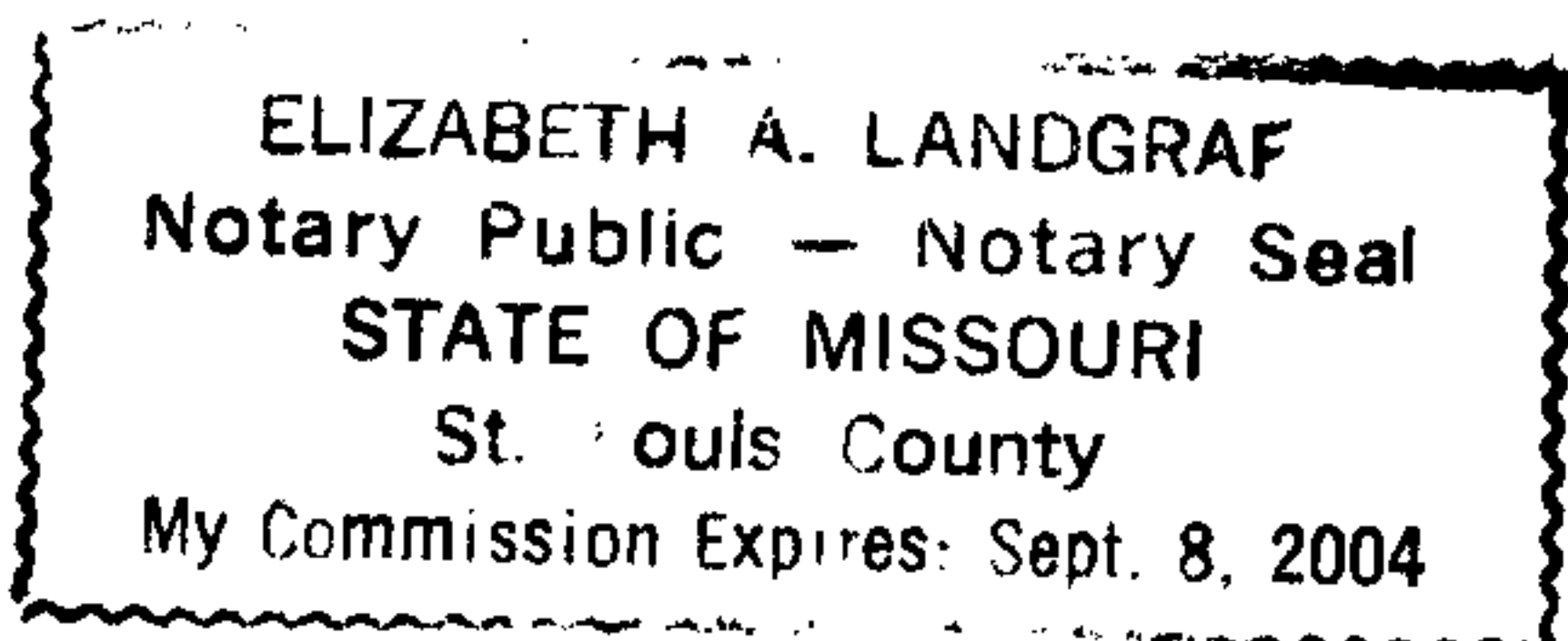


EXHIBIT A

PROPERTY DESCRIPTION

Lot 2, according to the Survey of Village on Valleydale at Southlake, as recorded in Map Book 11, page 84, in the Probate Office of Shelby County, Alabama.