

MEMORANDUM OF LEASE
(Whataburger Unit 927, 1101 1st Street South, Alabaster, Alabama)

This Memorandum of Lease certifies that a certain Lease Agreement was executed effective as of September 29, 2014 ("Lease"), by ALABASTER ALABAMA PROPERTIES, LLC, an Oregon limited liability company, referred to therein as "Lessor," and WHATABURGER REAL ESTATE LLC, a Texas limited liability company, referred to therein as "Lessee," under the terms of which Lessor leased to Lessee the Premises, the land for which is described in Exhibit "A" attached hereto and made a part hereof.

The Term of said Lease Agreement expires September 30, 2034, and Lessee has four (4) consecutive options to extend the term of the Lease for four (4) consecutive periods of five (5) years each.

This Memorandum may be executed by counterparts, each of which shall be deemed an original, and together the counterparts, when taken together, shall comprise one instrument.

The Lease contains provisions for rental payments, together with certain other terms, conditions, covenants and restrictions.

*[The remainder of this page left intentionally blank;
signature pages immediately follow.]*


Shelby County, AL 10/03/2014
State of Alabama
Deed Tax: \$1629.50

[Signature Page – Memorandum of Lease (927)]

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the acknowledgement dates set forth below so as to be effective for all purposes as of September 29, 2014.

LESSEE:

WHATABURGER REAL ESTATE LLC,
a Texas limited liability company

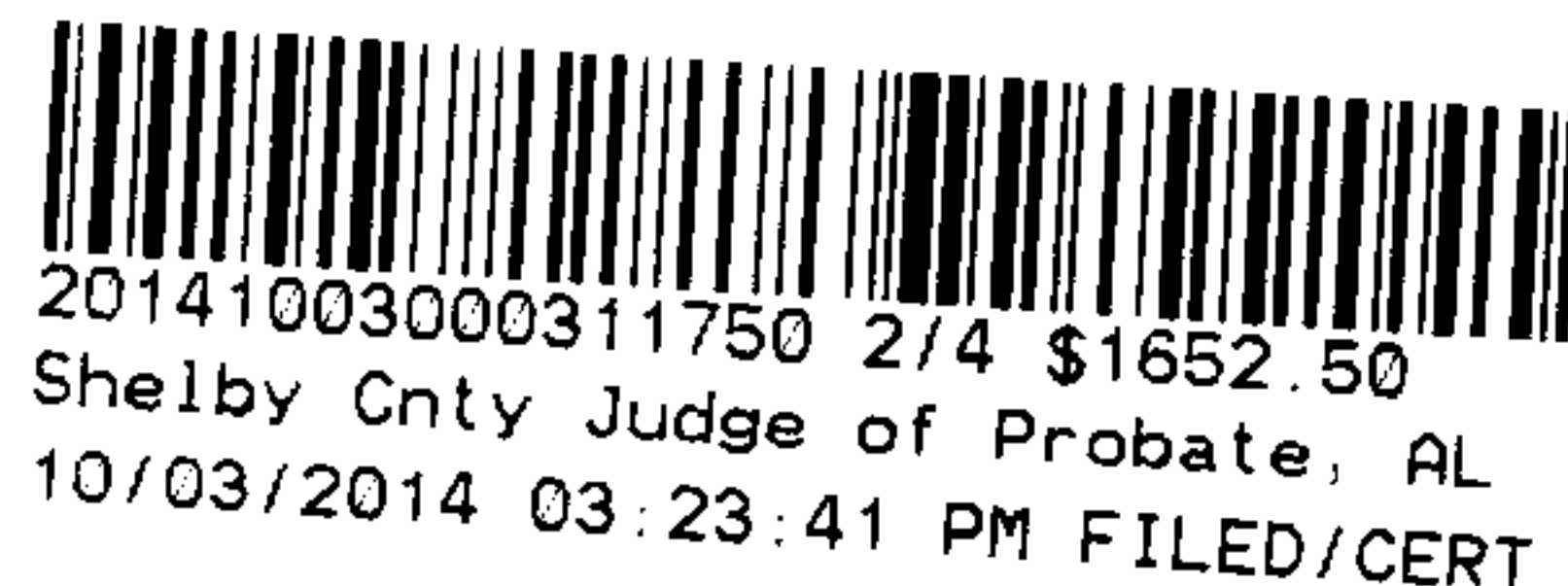
By:  K0
Name: Preston Atkinson
Title: Manager

LESSOR:

ALABASTER ALABAMA PROPERTIES, LLC,
an Oregon limited liability company

By: Katherine Spooner
Katherine Spooner, Manager

[Acknowledgements follow on next page.]

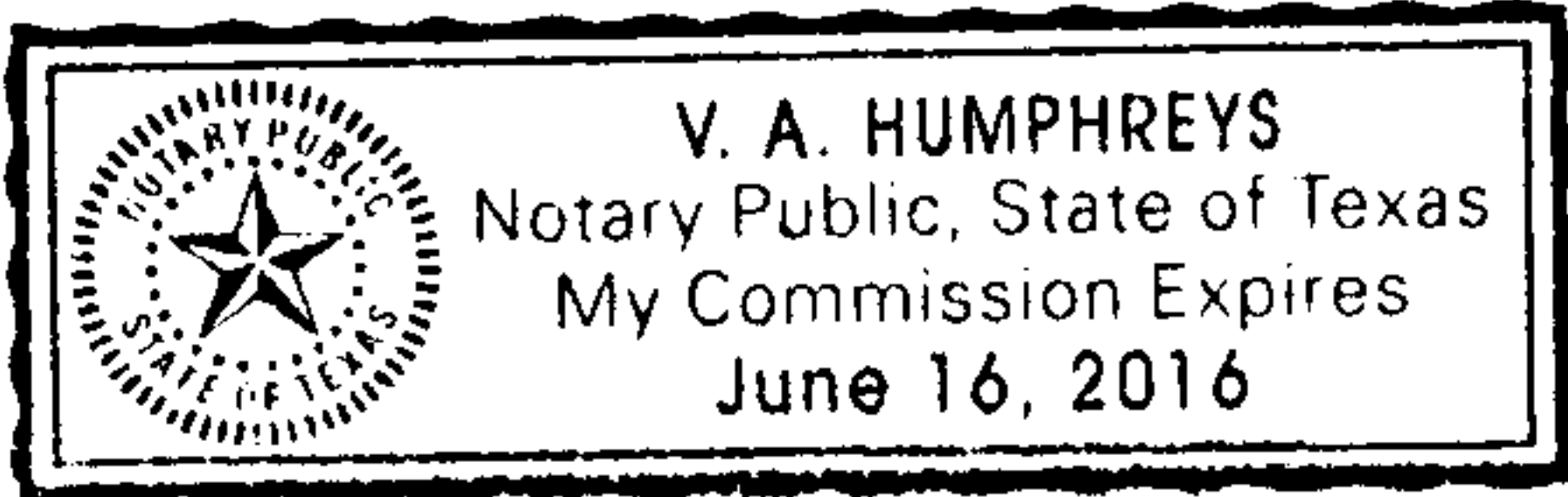


THE STATE OF TEXAS

§
§
§

THE COUNTY OF BEXAR

This instrument was acknowledged before me on September, 26 2014,
Preston Atkinson, Manager of WHATABURGER REAL
ESTATE LLC, a Texas limited liability company, on behalf of said limited liability company.



V. A. Humphreys
NOTARY PUBLIC, STATE OF TEXAS

State of OREGON)

County of Washington)ss.

On this 24 day of September 2014, personally appeared before me Katherine Spooner, who stated that she is the Manager of Alabaster Alabama Properties, LLC, an Oregon limited liability company, and that the instrument was signed on behalf of the said company by authority of its members and acknowledged said instrument to be its voluntary act and deed. Before me:



Sarah Snelling
Notary Public for Oregon
My Commission Expires: 2/23/16

20141003000311750 3/4 \$1652.50
Shelby Cnty Judge of Probate: AL
10/03/2014 03:23:41 PM FILED/CERT

Exhibit "A"
Legal Description of the Premises

Lot 23-A, according to the Survey of Whataburger's Addition to Alabaster a subdivision, as recorded in Map Book 37, page 50, in the Probate Office of Shelby County, Alabama.

Unit 927 – 1101 1st Street South, Alabaster, Alabama 35007



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Shelby Cnty Judge of Probate, AL
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