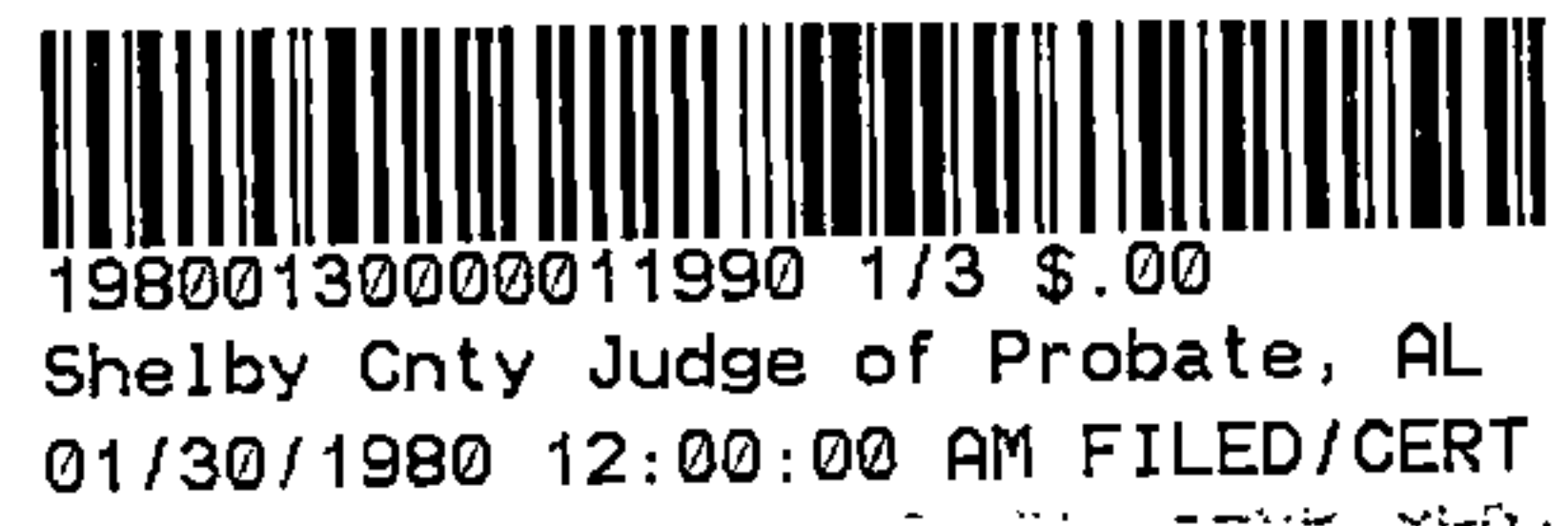




LANDLORD'S WAIVER AND CONSENT

1022 Jack and Mildred Talyor (Landlord)
3631 Haven View Circle

Address

Birmingham, Alabama

City & State

June 23, 1976

Date

RE: Lease dated March 23, 1976

TO: FIRST ALABAMA LEASING, INC. (Lessor)

Whereas the above lessor has entered into a lease contract with Jack's Food Systems, Inc.

Lessee, for the rental of Restaurant equipment per attached listing
(Full description of rented items)

hereinafter referred to as the "Equipment" now or to be installed or kept at: - Unit #34
Leeds Shopping Center
U. S. Highway 78
Leeds, Alabama
(Full local address of equipment location, including city & state)

the undersigned landlord 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. This waiver is to continue until full compliance by the Lessee with all the terms and conditions of said contract. The undersigned landlord 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. The undersigned agrees that said "Equipment" shall not become part of the free-hold and may be removed and repossessed by the Lessor and assigns at any time without any liability to Lessor.

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

Jack Talyor (L. S.)
Mildred Talyor Landlord

Signed, sealed and delivered in the presence of:

Incorporated into this document and made a part hereof is the Jack's Food Systems, Inc. letter of June 29, 1976, to which all parties give their consent.

First Alabama
Leasing, Inc.
Post Office Box 1203
Montgomery, Alabama 36102

FIRST ALABAMA BANCSHARES LEASING CORPORATION

EXHIBIT A

Page 1 of 2

For Use With Snap-Out Lease Form When Additional Space Required. See Instructions Below

LEGAL NAME, AND ADDRESS OF LESSEE

SUPPLIER OF EQUIPMENT (COMPLETE ADDRESS)

Jack's Food Systems, Inc.
165 West Valley Avenue
Birmingham, Alabama

LESDS

QUANTITY	SERIAL NO.	EQUIPMENT (MANUFACTURER, MAKE, MODEL NO., DESCRIPTION)	UNIT COST	TOTAL COST
3	1206714) 1204169) 1126327)	NCR Electronic Cash Registers, Model #210-1121	\$1,195.00	\$ 3,585.00
3		NCR Customer Displays Model #792-210	125.00	375.00
1	F67L12727	7'8" x 9'7" x 8'6" High Freezer		
1	F675L15414	5'9" x 7'8" x 8'6" Walk-in Cooler		6,396.00
1		Grill Equipment Package		13,884.40
1	75935	Coffee Machine	342.00	342.00
1	59142	Jet Spray	508.00	508.00
1	6619	Pie Merchandizer	292.00	292.00
1	2370	Fat Filter Machine	461.00	461.00
1	J70105	Time Clock	362.00	362.00
1	No. S/N	Tomato Tamer	93.15	93.15
1	No. S/N	Tartar Gun	41.85	41.85
1	No. S/N	Hot Water Booster	125.00	125.00
1	6061181	Taylor Freezer Model S #452		2,726.49
1	10462	Fire Extinguishing System		1,040.00
3	No. S/N	Bermuda Yellow Umbrellas	94.75	284.25
8	No. S/N	PA-336 - 18 x 36 Postmaster Shelves	19.70	157.60
4	No. S/N	PA-360 - 18 x 60 Postmaster Shelves	27.48	109.92
4	No. S/N	PA-372 - 18 x 72 Postmaster Shelves	32.64	130.56
4	No. S/N	PA-536 - 24 x 36 Postmaster Shelves	23.90	95.60
4	No. S/N	PA-548 - 24 x 48 Postmaster Shelves	28.92	115.68
12	No. S/N	PA-560 - 24 x 60 Postmaster Shelves	33.74	404.88
TOTAL COST (BEFORE TAX, TRANSPORTATION, ETC.)				

LESSEE MUST DATE AND SIGN THIS PAGE. NAME AND ADDRESS MUST ALSO BE SHOWN ABOVE. LESSEE SHOULD RETAIN LAST PAGE; ATTACH BALANCE TO LEASE FORM.

DATE:

NAME OF LESSEE: Jack's Food Systems, Inc.

(FULL LEGAL NAME)

BY: Charles D. Jones

SIGNATURE

TITLE

BY:

SIGNATURE

TITLE



19800130000011990 2/3 \$.00
Shelby Cnty Judge of Probate, AL
01/30/1980 12:00:00 AM FILED/CERT

FIRST ALABAMA BANCSHARES LEASING CORPORATION

EXHIBIT A

Page 2 of 2

For Use With Snap-Out Lease Form When Additional Space Required. See Instructions Below

LEGAL NAME, AND ADDRESS OF LESSEE:

Jack's Food Systems, Inc.
165 West Valley Avenue
Birmingham, Alabama

SUPPLIER OF EQUIPMENT (COMPLETE ADDRESS)

QUANTITY	SERIAL NO.	EQUIPMENT (MANUFACTURER, MAKE, MODEL NO., DESCRIPTION)	UNIT COST	TOTAL COST
40	No. S/N	PCB-1 Postmaster Shelf Hood	.38	\$ 15.20
26	No. S/N	PB-072 - 72 inch Post	5.90	153.40
3	No. S/N	PC-342 - 18 x 42 x 13 Postmaster Platform	34.86	104.58
1	No. S/N	10' Diameter Pylon Sign & (1) 6' Dia. Single Face Wall Logo on brackets		3,516.00
3	No. S/N	Concrete Patio Table and 3 benches	125.00	375.00
2	CA1783 & 4	Sunbeam Ice Flakers, Model B600W Dunhill Chassis		
1	04996-C6	K-Way Drink System, Model 2500, W/2KWTS4 Heads		4,775.33
1	No. S/N	(Volts 240 K.W. 22 76G6491ES - 76G492ES) Electric Fryer with stainless steel sides		2,019.28
4	No. S/N	Emperial, two-seat tables with Western Seats	312.00	2,808.00
4	No. S/N	Emperial, four-seat tables with Western seats	520.00	2,080.00
12	No. S/N	Donut Counter Stools, with grout-in-bases	60.00	720.00
4	No. S/N	Royale, 42' single booths with fiberglass seats with/ vinyl backs)	384.00	1,536.00
6	No. S/N	Royale, 24" x 42" tops with grout-in-bases	540.00	2,160.00
4	No. S/N	Royale, 42" double booths with fiberglass seats with/ vinyl backs)	58.00	348.00
1	No. S/N	Custom Counter top, self-edged with steel structure	620.00	620.00
39	No. S/N	Escutcheons	4.00	156.00
1	No. S/N	Waste Receptacle, double	630.00	630.00
1	No. S/N	Waste Receptacle, double, with single access	520.00	520.00
34	No. S/N	Woodgrain Seat Bottoms	4.00	136.00
1	No. S/N	Standard Decor Package		2,497.00
1	1378	HEG-72 Griddle mounted on stainless steel stand		1,450.00
		Discounts		-6,733.45
		Freight		1,946.24
TOTAL COST (EXPENSE TAX EXEMPTION)				\$53,362.96

LESSEE MUST DATE AND SIGN THIS PAGE. NAME AND ADDRESS MUST ALSO BE SHOWN ABOVE. LESSEE SHOULD RETAIN LAST PAGE; ATTACH BALANCE TO LEASE FORM.

DATE: 1980 JAN 30 AM 8:15
NAME OF LESSEE: Thomas A. Shawhan, Jr.
BY: JUDGE OF PROBATE
SIGNATURE TITLE
BY: SIGNATURE TITLE

19800130000011990 3/3 \$.00
Shelby Cnty Judge of Probate, AL
01/30/1980 12:00:00 AM FILED/CERT