

906
MEMORANDUM OF LEASE

THIS INDENTURE, made and entered into this 15th day of
October, 1985, by and between Andress Company
Inc., an Alabama corporation
_____ of the City of Birmingham
County of Shelby, State of Alabama,
hereinafter called Lessor, and Shoney's,
Inc., a Tennessee corporation, hereinafter referred to as Lessee.

WITNESSETH:

For and in consideration of One (\$1.00) Dollar and other good
and valuable considerations and covenants herein contained, Lessor
hereby leases unto Lessee, its successors and assigns, the following
described premises with the appurtenances (hereinafter the word "premises"
shall be construed to include both premises and appurtenances) in the City
of Birmingham, County of Shelby, State
of Alabama, to wit:

PARCEL I:

A parcel of land situated in the Northwest quarter of the Southeast quarter of
Section 36, Township 18 South, Range 2 West, being more particularly described as
follows:

Commence at the Northwest corner of the Northwest quarter of the Southeast quarter
of Section 36, Township 18 South, Range 2 West, and run in an Easterly direction
along the Northerly line of said quarter-quarter section a distance of 556.90 feet
to the point of beginning; thence continue along the last stated course a distance
of 112.30 feet to a point; thence 117 degrees 04 minutes to the right in a
Southwesterly direction a distance of 221.98 feet to a point of the Northeasterly
right of way line of U. S. Highway No. 280; thence 89 degrees 59 minutes to the
right in a Northwesterly direction along the Northeasterly right of way line of U.
S. Highway No. 280 a distance of 100.00 feet to a point; thence 90 degrees 01
minutes to the right in a Northeasterly direction a distance of 170.91 feet to the
point of beginning.

Situated in Shelby County, Alabama.

to have and to hold for a term of fifteen years & 46 days (15 yrs & 46 days)
beginning on the 15th day of October, 1985, and
ending on the 30th day of November, 2000.

Clairborne P. Seier
Seier, Johnston & Wallace
2100 Southbridge FW. Suite 376
Birmingham, AL 35202

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Lessee shall have the right to renew this Lease, upon the same terms and conditions, for a further period of five (5) years from the date of the expiration of the primary term hereof, by giving written notice of its intention so to renew not less than 180 days before the expiration of said primary term.

Lessee shall have the right to renew this Lease upon the same terms and conditions, for ^(two) 2 further periods of five (5) years from the date of the expiration of the first option term hereof, by giving written notice of its intention so to renew not less than 180 days before the expiration of said first option term.

This lease is part of and shall be construed in connection with a long form lease executed this day between the parties. All rights and obligations of Lessee and Lessor and any persons claiming by, through or under them shall be subject to all terms and conditions of said long form lease.

IN WITNESS WHEREOF, the parties hereto have executed this Lease in duplicate the day and year first above written.

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WITNESS

Barbara Allen

LESSOR:

Andrews Company, Inc.

Larry R. Andrews
Pres.

LESSEE:

Shoney's Inc

W. J. [Signature]

VICE PRESIDENT

REAL ESTATE - CONSTRUCTION

WITNESS

Patricia J. Wright

Thright E. Bungo

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, Claiborne P. Seier, a Notary Public, in and for said county and said state, hereby certify that Harry R. Andress, whose name as President, of Andress Co., Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, that he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 8th day of April, 1986.

Claiborne P. Seier
Signature of Officer

Title of Officer

STATE OF TENNESSEE
COUNTY OF DAVIDSON

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I, Suzann B. Shearon, a Notary Public, in and for said county and said state, hereby certify that M. S. Tidwell, whose name as Vice President, of Honey, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, that he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 17th day of December, 1985.

Suzann B. Shearon
Signature of Officer

Notary Public
Title of Officer

Rec 750
Pd 100
850

STATE OF ALABAMA
I CERTIFY THAT
INSTRUMENT WAS FILED
1986 APR 14 PM 1:47
JAMES W. ...

My commission expires 11/12/89

