

MEMORANDUM OF LEASE

This Memorandum of Lease is made as of the _____ day of December, 1991, between BOURNE & SENEFF INVESTMENTS, a Florida general partnership, herein "Landlord", and TPI RESTAURANTS, INC., a Tennessee corporation, herein "Tenant".

WITNESSETH:

Landlord has leased to Tenant under a commercial lease (the "Lease") dated as of the _____ day of December, 1991, a tract of land located at 613 Cahaba Valley Road, in the City of Pelham, County of Shelby, State of Alabama and all improvements now or hereafter situate thereon (the "Premises"), which tract of land is described on Exhibit "A" attached hereto and made a part hereof.

The aforesaid "Lease" includes the following provisions:

1. The term of the Lease begins on December __, 1991, and shall expire on a date fifteen (15) years thereafter, unless previously terminated, renewed or extended as set forth therein.
2. The Lease may be renewed or extended, upon proper notice, at the option of Tenant for three (3) additional periods of five (5) years each upon the terms, covenants, conditions and rental as set forth in the Lease.
3. Tenant has the first right of refusal to purchase and an option to purchase the Premises upon the terms and conditions set forth in the Lease.
4. Tenant shall not be entitled to subject the Premises to a mechanic's lien by reason of any construction of or repairs on the improvements now or hereafter located on the Premises.
5. This Memorandum of Lease may be executed in one or more counterparts, each of which shall be deemed an original.

IN WITNESS WHEREOF the parties have caused this Memorandum of Lease to be executed as of the day and year first above written.

WITNESSES:

Michelle B. Joran
Holly A. Jensen

LANDLORD:

BOURNE & SENEFF INVESTMENTS,
a Florida general partnership

By: Robert A. Bourne
Robert A. Bourne, General Partner

TENANT:

TPI RESTAURANTS, INC.,
a Tennessee corporation

By: _____

Title: _____

Cahaba Title

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STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 4th day of December, 1991 by ROBERT A. BOURNE, a General Partner of BOURNE & SENEFF INVESTMENTS, a Florida general partnership, on behalf of the general partnership.

Susan M. Schnabel
Notary Public
My Commission Expires:



STATE OF TENNESSEE
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of December, 1991 by _____, as _____ of TPI RESTAURANTS, INC., a Tennessee corporation, on behalf of the corporation.

Notary Public
My Commission Expires:

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Exhibits Attached

Exhibit "A" - Legal Description

Prepared by and return to:

James A. Hartman, Esq.
P.O. Box 2031
Orlando, Florida 32802
Att: Sue Schnabel

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EXHIBIT "A"

LEGAL DESCRIPTION

Lot C-1, according to the Survey of Cahaba Valley Park North, as recorded in Map Book 13, Page 140, in Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

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1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	7.50
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	11.50

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

91 DEC -9 AM 10:26

[Signature]
JUDGE OF PROBATE