

PTC-1
2-26-01

This document was prepared by &
should be returned to:

Patrick T. Christiansen, Esquire
AKERMAN, SENTERFITT & EIDSON, P.A.
17th Floor, Citrus Center
255 South Orange Avenue
Post Office Box 231 (32802-0231)
Orlando, Florida 32801

Restaurant No.: 129

Restaurant Location: 2247 Pelham Parkway
Pelham, Alabama 35124

Inst # 2001-11483
03/28/2001-11483
12:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NB 17.00

NOTICE OF LIEN

WHEREAS, on or about December 1, 1998, **CONSENSUS CORP.**, an Alabama Corporation, whose mailing address is 1474-A West 84th Street, Hialeah, Florida 33014-3363 (hereinafter referred to as the "**Franchisee**" or the "**Declarant**") executed that certain Declaration of Restrictions, Notice of Option and Notice of Lien (the "**Declaration**") in connection with the grant to the Franchisee of the right to operate a Sonny's Real Pit Bar-B-Q Restaurant (the "**Sonny's Restaurant**"); and

WHEREAS, the Declaration was filed on June 14, 1999 with the Shelby County Judge of Probate under instrument number 1999-24900; and

WHEREAS, the Declaration and the Sonny's Restaurant related to certain real property (the "**Restaurant Location**"), as described and set forth in **Exhibit "A"** attached hereto; and

WHEREAS, the Declaration provided for, among other matters, the right of the Company in paragraph 4 to have a lien on the Sonny's Restaurant to secure the payment of certain amounts due the Company under the Franchise Agreement or other Franchise Documents, and that said lien may be noticed by the Company by filing a Notice of Lien in the county where the Restaurant Location is located; and

WHEREAS, there is due and owing to the Company from the Franchisee Royalty Fees in the amount of \$11,54,30 and Advertising Fees in the amount of \$3,673.28, together with interest and late charges (the "**Amount Due**").

NOW, THEREFORE, the Company does hereby file this, its Notice of Lien to secure payment of the Amounts Due, with the effect that said Notice of Lien shall relate back to, and take priority from, the date the Declaration is recorded.

IN WITNESS WHEREOF, the Company has executed this Notice of Lien as of the date and year first above written.

SONNY'S FRANCHISE COMPANY

Ginny Chambers
(Signature of Witness)

By: [Signature]
Robert N. Yarmuth,
Chairman and Chief Executive Officer

Ginny Chambers
(Print Name of Witness)

[Signature]
(Signature of Witness)

David A. Perl
(Print Name of Witness)

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 26th day of March, 2001, by Robert N. Yarmuth as the President and Chief Executive Officer of **SONNY'S FRANCHISE COMPANY**, a Florida corporation, on behalf of the corporation.

[Signature]
Signature of Notary Public Nancy L. [Name] Florida
MY COMMISSION # CC 709499
EXPIRES: February 6, 2002
Bonded Thru Notary Public Underwriters

Print, type or stamp commissioned name of Notary
Personally known ✓ OR
Produced Identification _____
Type of Identification Produced: _____

Exhibit "A"

LEGAL DESCRIPTION OF RESTAURANT LOCATION

Lot 1, according to the Survey of Sonny's Bar-B-Q, as recorded in Map Book 23, Page 123, in the Probate Office of Shelby County, Alabama, also described as follows:

A parcel of land located in the North Half of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, more particularly described as follows:

Commence at the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 31, thence in an Easterly direction a distance of 452.73 feet; thence $86^{\circ}31'40''$ right, in a Southerly direction, a distance of 1321.78 feet; thence $47^{\circ}06'$ right in a Southwesterly direction a distance of 250.20 feet to a point, said point being the approximate center line of an existing road; thence $79^{\circ}55'15''$ right in a Northwesterly direction along said approximate center line, a distance of 149.66 feet to the beginning of a curve to the left, having a radius of 113.67 feet and a central angle of $66^{\circ}50'$; thence Southwesterly along said curve and approximate center line, a distance of 132.59 feet to end of said curve; thence in a Southwesterly direction along a line tangent to said curve, a distance of 85.50 feet to a point on the Easterly R/W line of now existing Highway 31 South, said point being on a curve having a radius of 2010.08 feet and subtended by a chord length of 868.19 feet, and from last described course, turn an angle of $67^{\circ}46'46''$ left to said chord; thence in a Southerly direction along said curve and R/W line, a distance of 875.07 feet to the point of Spiral to Curve of said R/W; thence from last described chord, turn $15^{\circ}07'04''$ right to chord of said Spiral; thence in a Southerly direction along said Spiral and R/W line a distance of 257.84 feet to the Point of Beginning; thence continue along the last described course and said road right-of-way for 49.81 feet; thence turn $1^{\circ}31'12''$ right for the chord of said curve and run Southwesterly for 143.58 feet; thence turn $90^{\circ}00'00''$ left and run Southeasterly for 46.10 feet; thence turn $41^{\circ}55'00''$ left and run Northeasterly 345.85 feet; thence $81^{\circ}56'01''$ left and run Northwesterly for 176.47 feet; thence turn $98^{\circ}03'56''$ left and run Southwesterly for 275.74 feet to the Point of Beginning.

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