

20081020000411640 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
10/20/2008 03:12:44PM FILED/CERT

This instrument prepared by:  
David Lemkemeier  
The Stolar Partnership LLP  
911 Washington Avenue  
St. Louis, Missouri 63101

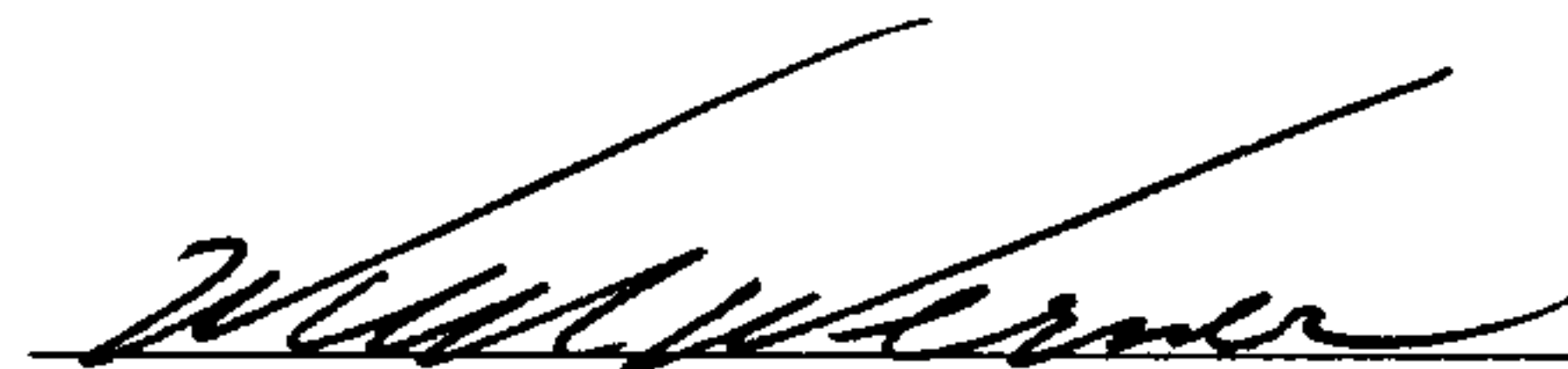
(Space above for Recorder's use)

**RELEASE**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to the undersigned HARDEE'S FOOD SYSTEMS, INC., a North Carolina corporation ("Hardee's"), the receipt of which is acknowledged, Hardee's does hereby waive, terminate and release from the real property described on Exhibit A hereto ("Property") the following: (a) all restrictions on use of the Property for the benefit of Hardee's; (b) Hardee's right of first refusal or option to purchase the Property; and (c) any and all other liens, encumbrances and restrictions affecting the Property for the benefit of Hardee's; all as reserved and established pursuant to a certain deed conveying title to the Property from Hardee's.

IN WITNESS WHEREOF, Hardee's has executed this instrument as of Oct. 7, 2008.

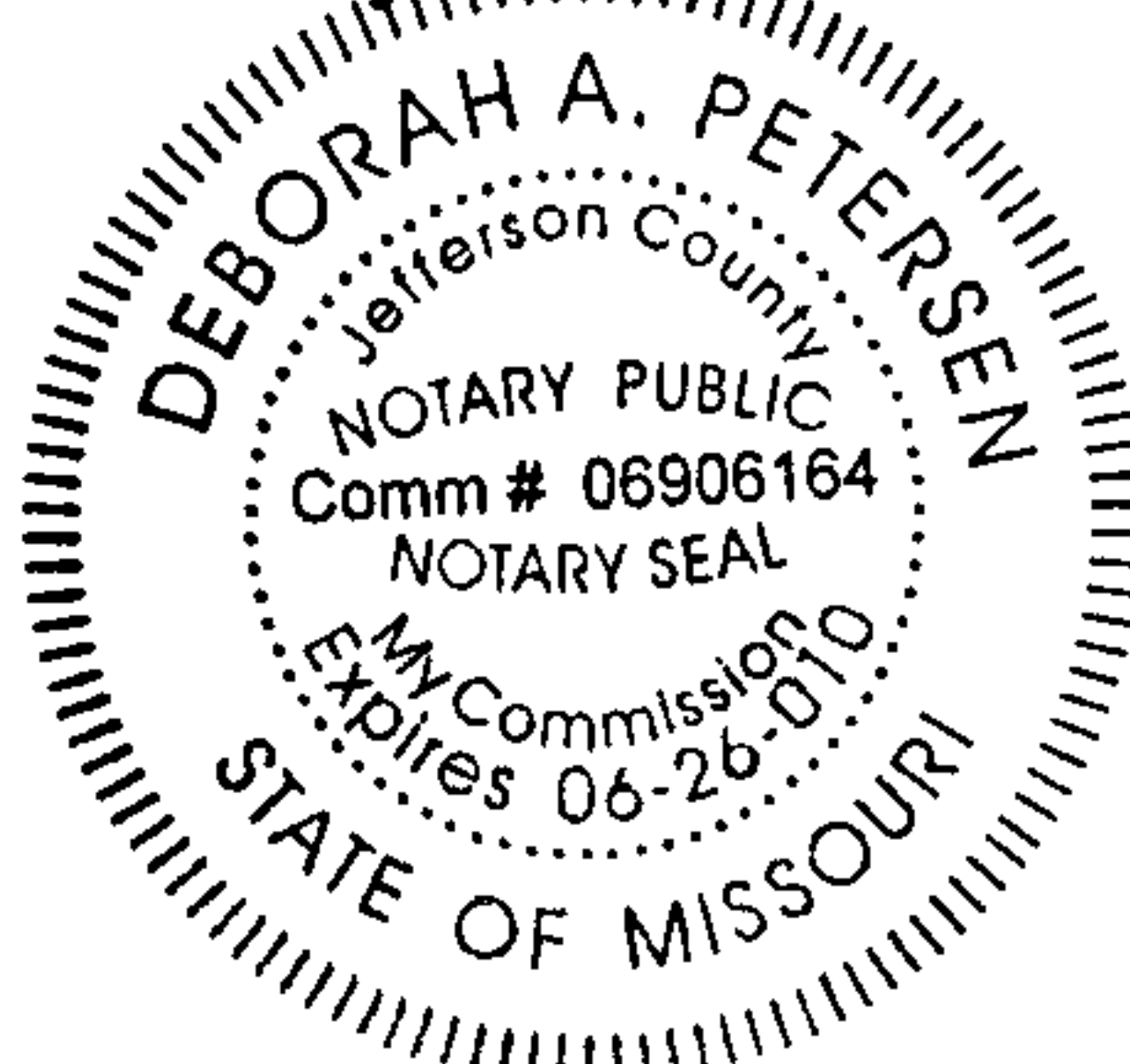
HARDEE'S FOOD SYSTEMS, INC.,  
a North Carolina corporation

  
William R. Werner, Senior Vice President

State of Missouri       )  
                                  ) ss.  
City of St. Louis       )

I, the undersigned, a Notary Public in and for said City in said State, hereby certify that William R. Werner, whose name as Senior Vice President of Hardee's Food Systems, Inc., a North Carolina corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he, as such officer and with full authority executed the same voluntarily and as the act of said corporation on the day the same bears date.

Given under my hand and official seal as of October 7, 2008.



  
Notary Public



EXHIBIT A

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PARCEL I:

Lot numbered Thirteen (13) in the Storrs and Troy allotment or plot of lands and lots, addition to the town of Montevallo, Shelby County, Alabama, according to the survey and plot of N. B. Dare, made January 22nd, 1884, which is duly recorded in the Office of the Probate Judge for Shelby County, Alabama, in Map Book 3 page 3. Said lot being situated in Shelby County, Alabama.

PARCEL II:

Lot 14, according to Storrs and Troy Addition to Town of Montevallo, Alabama, as surveyed by N. B. Dare, as recorded in Map Book 3 on page 3 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. EXCEPT the Southeast 10 feet for widening of Island Street.

PARCEL III:

Lot Number 16, in the Storrs and Troy allotment of lands as the Town of Montevallo, according to survey and plat of N. B. Dare, January 22, 1884, which is recorded in the Probate Court of said County in Map Book 3 page 3.

LESS AND EXCEPT A part of Lot 16 in the Storrs and Troy Allotment of Lands at the Town of Montevallo, according to Survey and Plat of N. B. Dare, January 22, 1884, which is recorded in the Probate Court of said County in Map Book 3 page 3. Said part of Lot 16 being more particularly described as follows: Begin at the Northmost corner of said Lot 16, said point being on the southerly side of Main Street, and run along the easterly side of said Lot 16 towards Island Street for a distance of 100 feet; thence run in a southwesterly direction and parallel with Main Street a distance of 43 feet; thence run in a northwesterly direction and parallel with the easterly side of said Lot 16 a distance of 100 feet to the southerly side of Main Street; thence run in a northeasterly direction along said southerly side of Main Street a distance of 43 feet to the point of beginning.

All being situated in Shelby County, Alabama.

TOGETHER WITH:





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PARCEL IV:

That tract of land situated between the existing Southeasterly right-of-way line of Main Street and the Southeasterly right-of-way line as recorded in Map Book 3, page 3, in the Office of the Judge of Probate of Shelby County, Alabama, which is Northwesterly of and perpendicular to Lot 13, and the Southwesterly 67.0 feet of Lot 16, of said Map Book 3, page 3, in the Storrs and Troy allotment or plot of lands and lots, Addition to the Town of Montevallo, Shelby County, Alabama, according to the survey of N. B. Dare, made January 22, 1884.