
20151218000432600 1/4 \$23.00
Shelby Cnty Judge of Probate, AL
12/18/2015 02:39:18 PM FILED/CERT

This instrument was prepared by
and after recording return to:
Walter W. Hays, Jr.
Fortson, Bentley and Griffin, P.A.
2500 Daniell's Bridge Road
Building 200, Suite 3A
Athens, Georgia 30606
(706) 548-1151

TERMINATION OF OPTION ASSIGNMENT OF LEASE

15th This Termination of Option Assignment of Lease (this "Agreement"), made and entered into this day of December, 2015 by and among **CHICKEN SCRATCH, INC.**, an Alabama corporation ("Licensee"), **ZAXBY'S FRANCHISING, INC.**, a Georgia corporation ("ZFI"), and **FOWL PLAY INVESTMENTS, LLC**, an Alabama limited liability company ("Landlord");

WITNESSETH:

THAT WHEREAS, Licensee, ZFI, and Landlord entered into that certain Option Assignment of Lease dated December 19, 2014 (the "Assignment"), which was recorded as Instrument Number 20150114000014470, in the Office of the Judge of Probate of Shelby County, Alabama, with respect to certain real property located at 3437 Pelham Parkway, Pelham, Shelby County, Alabama and more particularly set forth and described on **EXHIBIT "A"** and by reference made of part hereof (the "Premises");

WHEREAS, the parties are desirous of terminating the Assignment.

NOW, THEREFORE, for and in consideration of the premises and Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which are hereby acknowledged, Licensee, ZFI and Landlord agree that the Assignment is, and shall be, as of the date hereof, terminated and that parties hereto shall have no further rights or obligations thereunder.

This Agreement is governed by and shall be construed in accordance with the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties have hereunto set their hands, affixed their seals and delivered these presents as of the day and year first written above.

Signed, sealed and delivered
in the presence of:

Courtney H. Mason
Witness
Courtney H. Mason
Witness

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Courtney H. Mason, Jr., whose name as President of Chicken Scratch, Inc., an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such President, and with full authority, executed the same voluntarily, as an act of said corporation, acting in his capacity aforesaid.

Given under my hand and official seal, this the 17 day of Oct., 2015.

Susan L. Wilber
Notary Public
My Commission Expires: My commission expires July 8, 2018

Signed, sealed and delivered
in the presence of:

Lauren Nix
Witness
BB
Witness

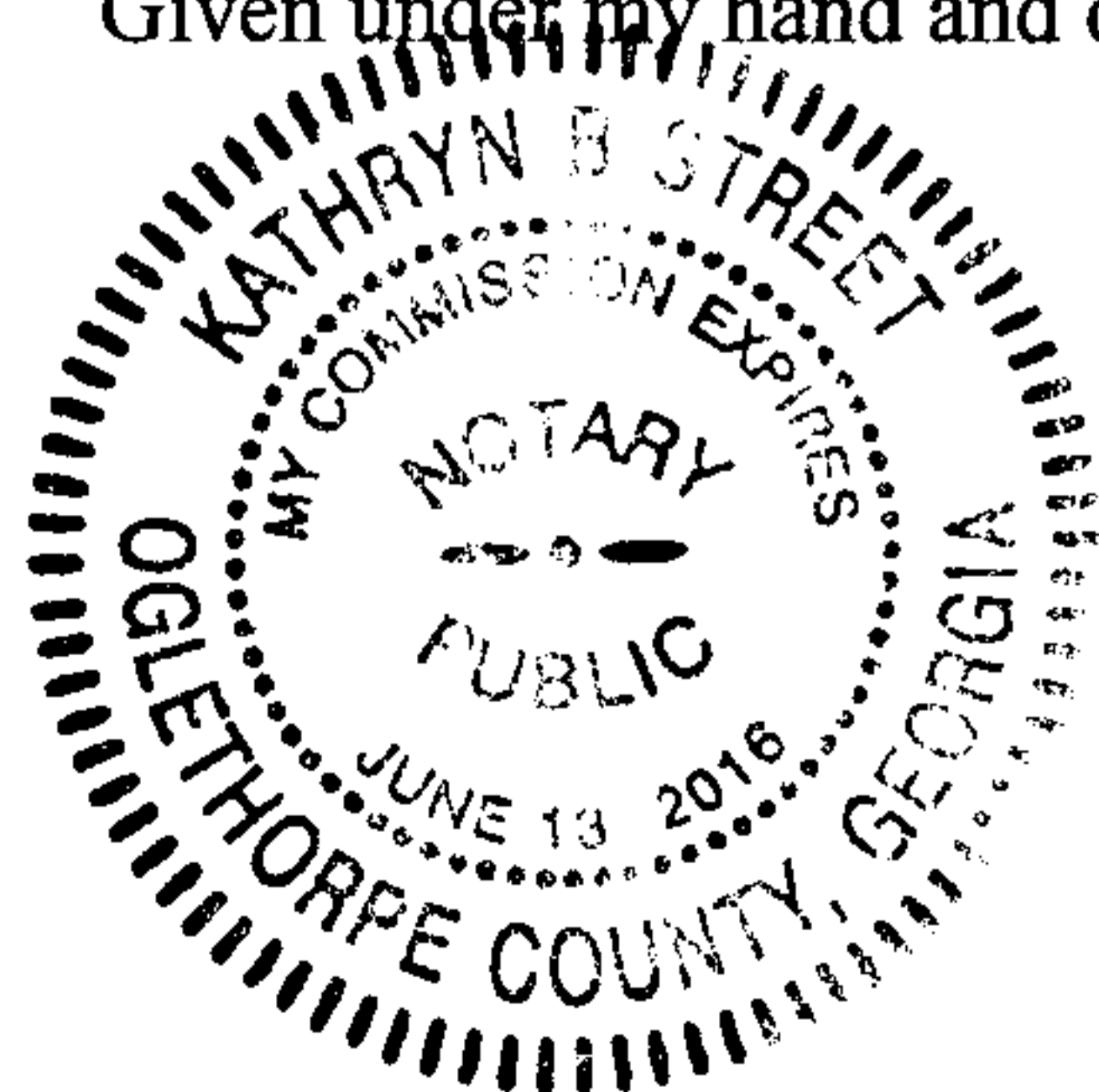
STATE OF Georgia
COUNTY OF Oconee

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Amy C. Pritchett, whose name as Vice President of Franchise Development of Zaxby's Franchising, Inc., a Georgia corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she, as such Vice President of Franchise Development, and with full authority, executed the same voluntarily, as an act of said corporation, acting in her capacity aforesaid.

Given under my hand and official seal, this the 27th day of October, 2015.

Kathryn B. Street
Notary Public
My Commission Expires: 6-13-16

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Signed, sealed and delivered
in the presence of:

Carolyn B. Mason
Witness

Courtney H. Mason, Jr.
Witness

STATE OF Alabama

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Courtney H. Mason, Jr., whose name as Member of Fowl Play Holdings, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Member, and with full authority, executed the same voluntarily, as an act of said company, acting in his capacity aforesaid.

Given under my hand and official seal, this the 17 day of Oct, 2015.

Jessica D. Brown
Notary Public

My commission expires July 8, 2018

Carolyn B. Mason
Witness

Courtney H. Mason, Jr.
Witness

STATE OF Alabama

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Russell H. Pate, whose name as Member of Fowl Play Holdings, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Member, and with full authority, executed the same voluntarily, as an act of said company, acting in his capacity aforesaid.

Given under my hand and official seal, this the 22 day of October, 2015.

Jessica D. Brown
Notary Public

My Commission Expires: My Commission Expires 1/7/2018

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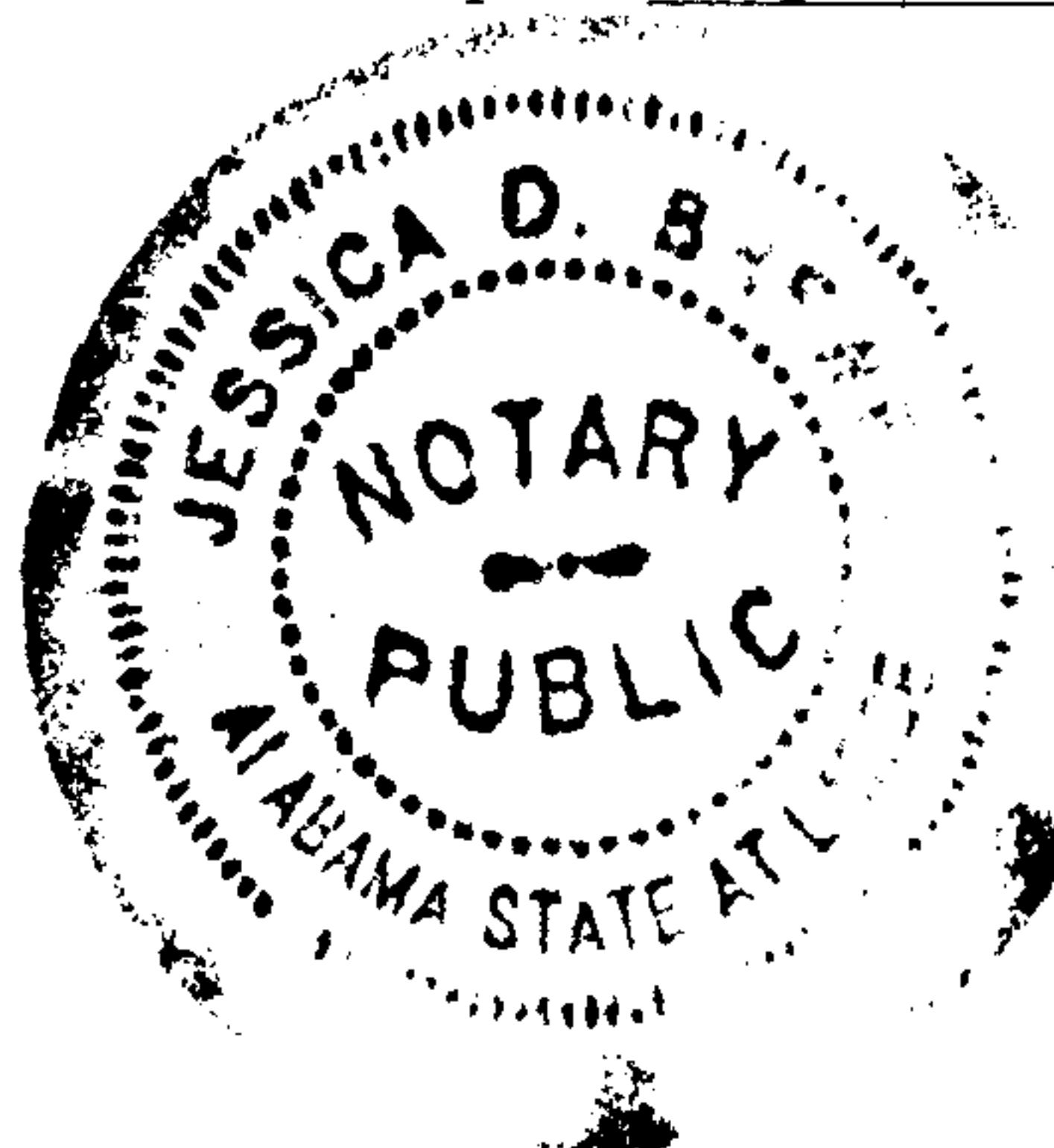



EXHIBIT A
LEGAL DESCRIPTION

Parcel A, Lot 1, according to the Survey of Zaxby's, as recorded in Map Book 39 page 143, in the Probate Office of Shelby County, Alabama.


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