



20160624000218920 1/4 \$23.00
Shelby Cnty Judge of Probate, AL
06/24/2016 09:43:04 AM 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

This Termination of Option Assignment of Lease (this "Agreement"), made and entered into this 2nd day of June, 2016 by and among **CHICKEN SCRATCH AT VALLEYDALE, INC.**, an Alabama corporation ("Licensee"), **ZAXBY'S FRANCHISING LLC**, a Georgia limited liability company ("ZFL"), and **VALLEYDALE LAND CO., LLC**, an Alabama limited liability company ("Landlord");

WITNESSETH:

THAT WHEREAS, Licensee, ZFL, and Landlord entered into that certain Option Assignment of Lease dated May 22, 2008 (the "Assignment"), which was recorded as Instrument Number 20080603000224350, in the Office of the Judge of Probate Court of Shelby County, Alabama, with respect to certain real property located at 2636 Valleydale Road, Hoover, 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, ZFL 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.

20160624000218920 2/4 \$23.00
Shelby Cnty Judge of Probate, AL
06/24/2016 09:43:04 AM FILED/CERT

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.

LICENSEE:
CHICKEN SCRATCH AT VALLEYDALE, INC.

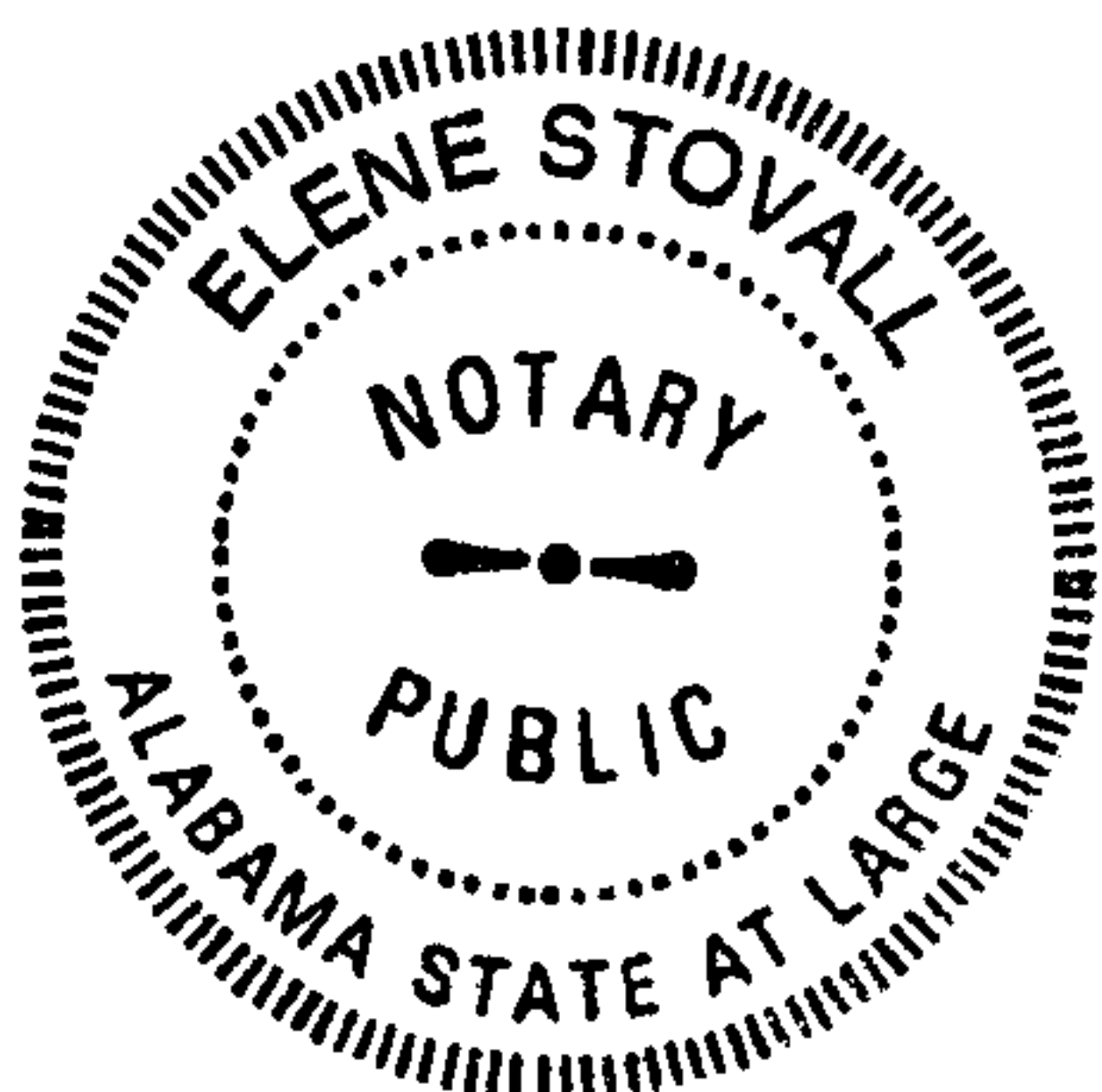
By: 
Name: Courtney H. Mason, Jr.
Title: President

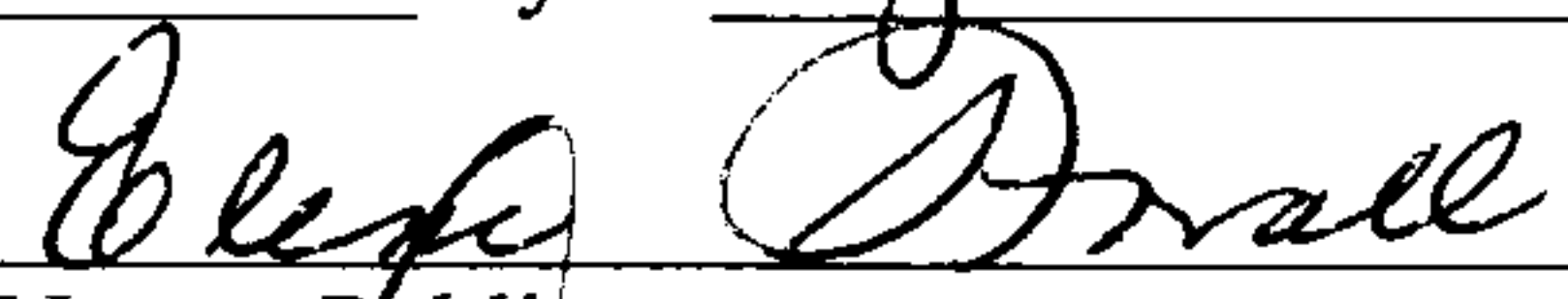
[CORPORATE SEAL]

STATE OF ALABAMA
COUNTY OF JEFFERSON

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 at Valleydale, 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.

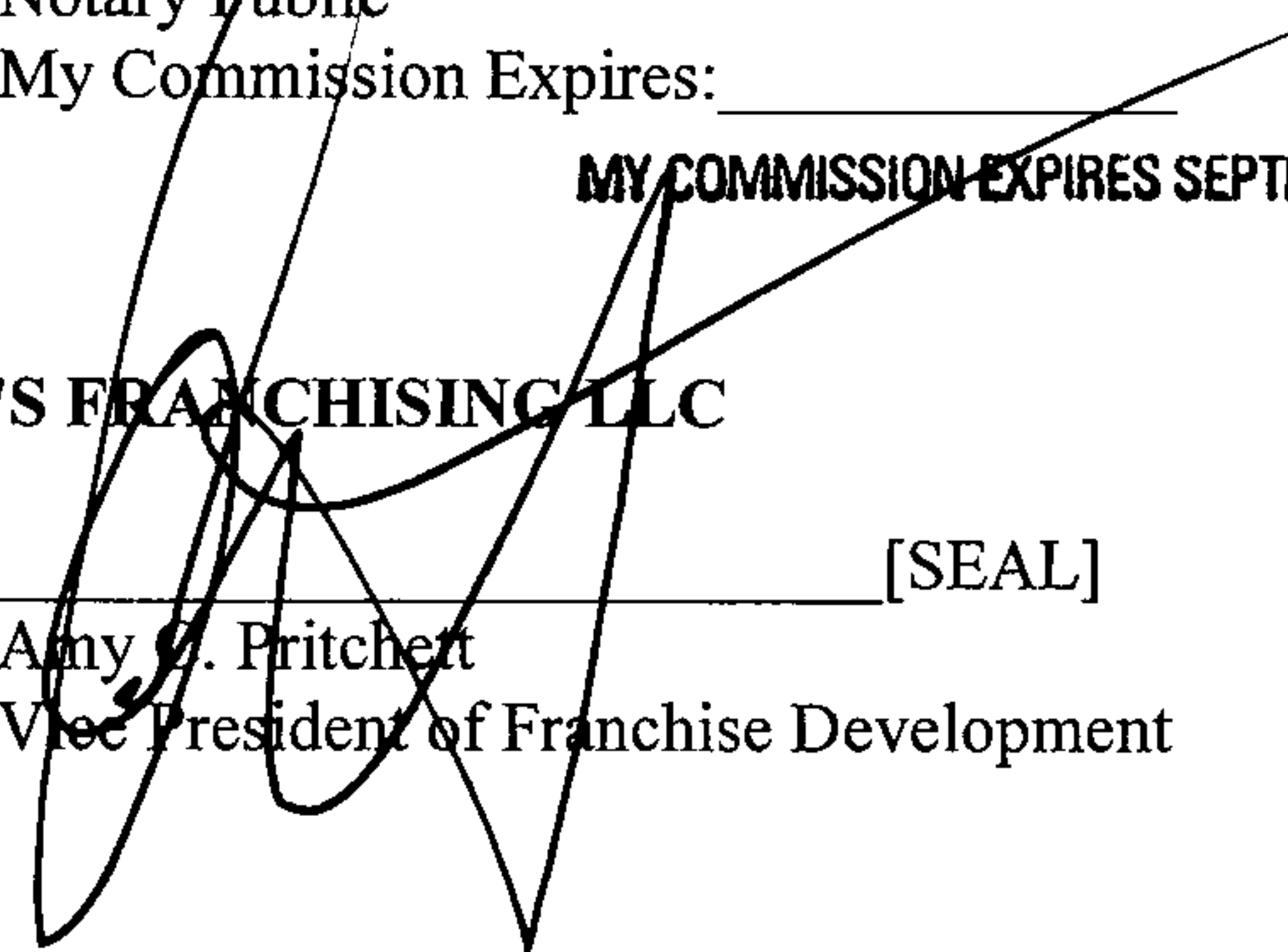
Given under my hand and official seal, this the 2nd day of June, 2016.




Notary Public
My Commission Expires: _____

MY COMMISSION EXPIRES SEPTEMBER 16, 2018

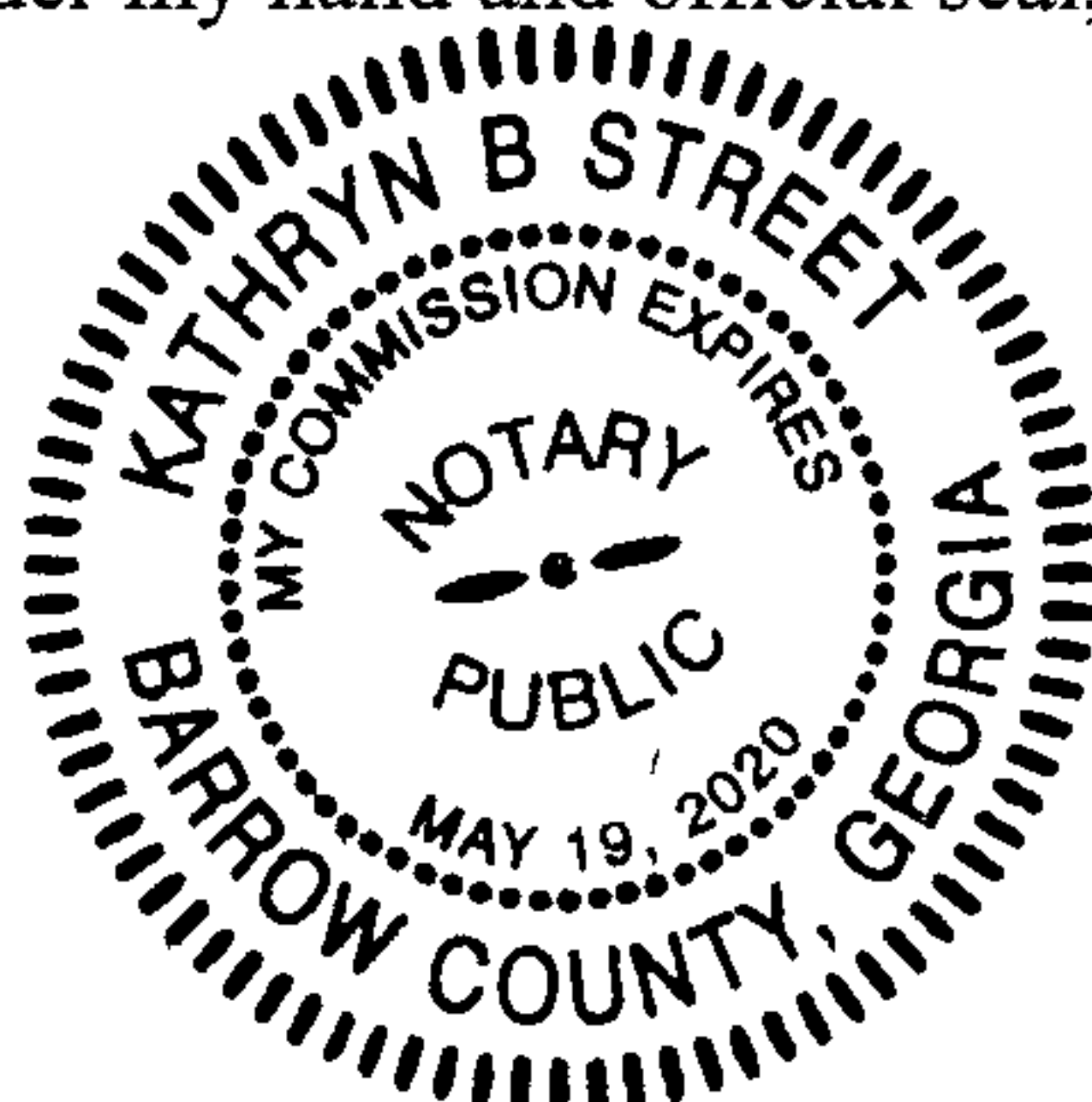
ZFL:
ZAXBY'S FRANCHISING LLC

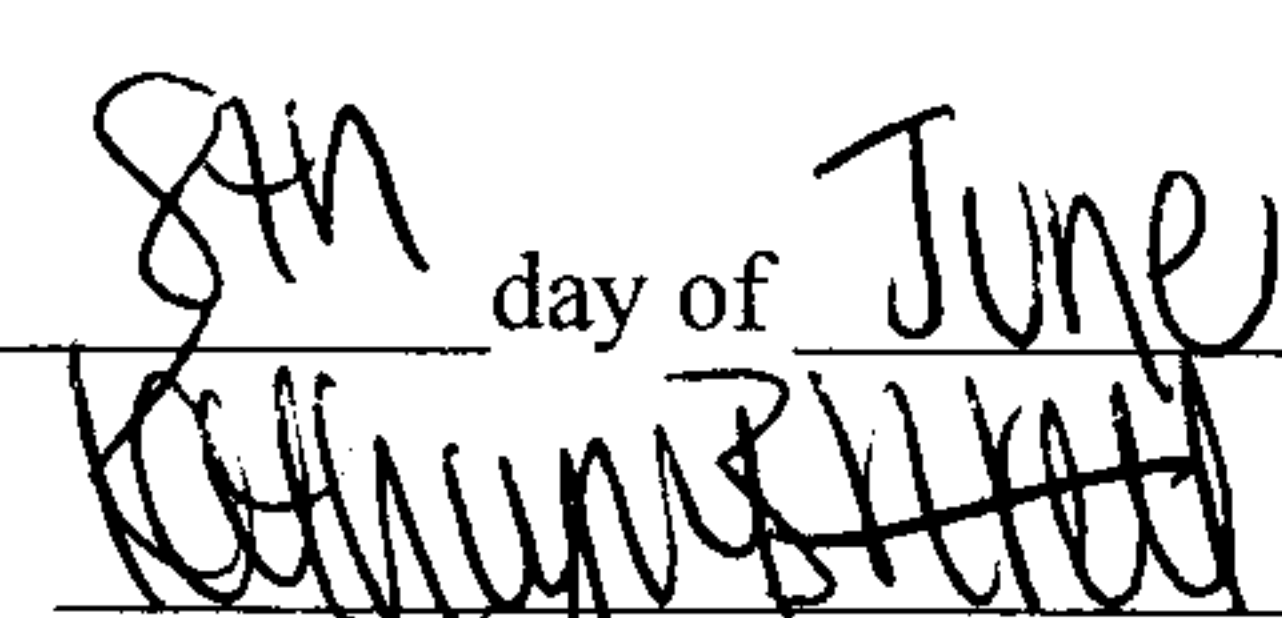
By:  [SEAL]
Name: Amy C. Pritchett
Title: Vice President of Franchise Development

STATE OF Georgia
COUNTY OF DONE

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 LLC, a Georgia 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, she, as such Vice President of Franchise Development, and with full authority, executed the same voluntarily, as an act of said company, acting in her capacity aforesaid.

Given under my hand and official seal, this the 8th day of June, 2016.




Notary Public
My Commission Expires: 5/19/20

20160624000218920 3/4 \$23.00
Shelby Cnty Judge of Probate, AL
06/24/2016 09:43:04 AM FILED/CERT

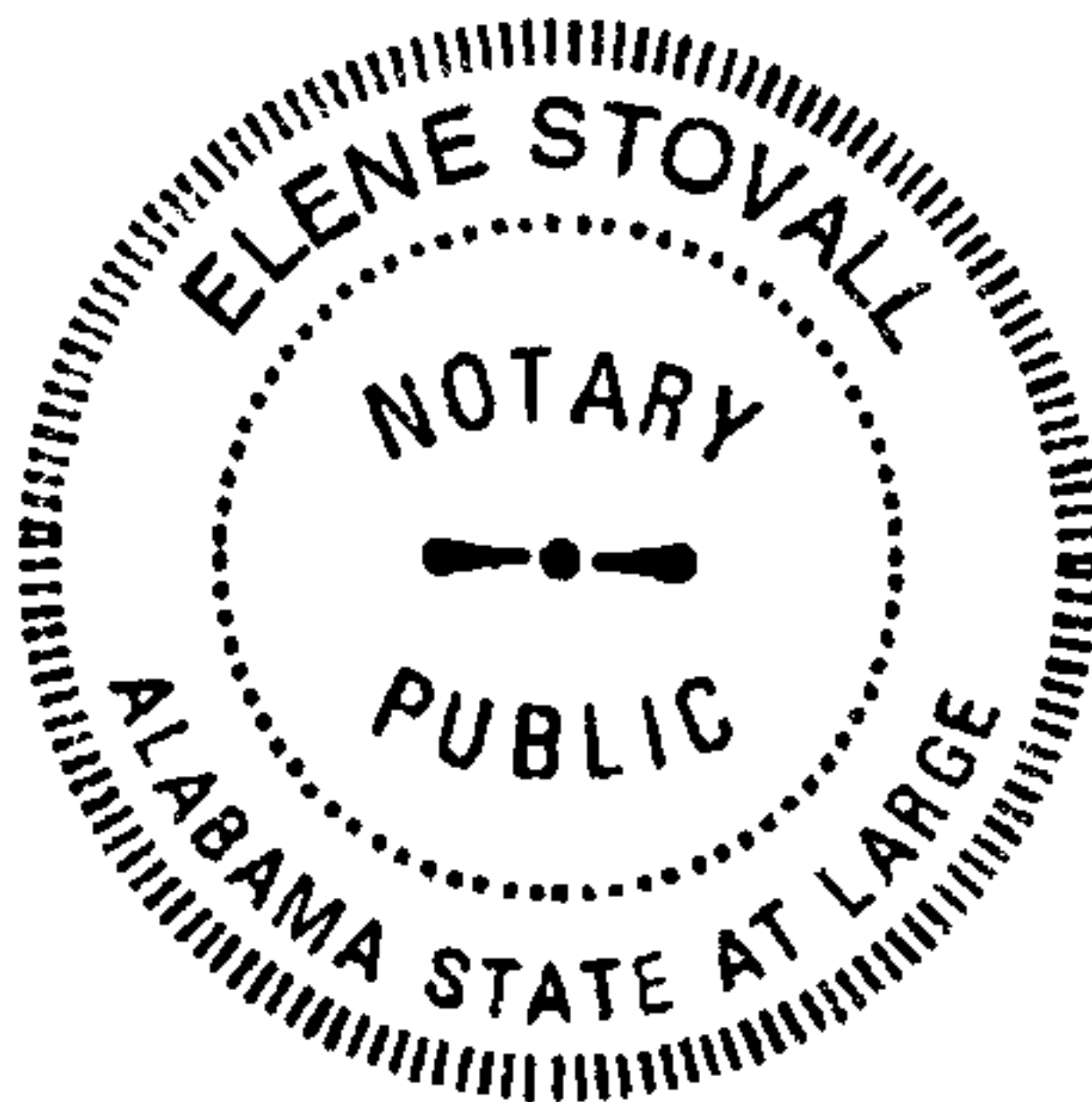
LANDLORD:
VALLEYDALE LAND CO., LLC

By: _____ [SEAL]
Name: Courtney H. Mason, Jr.
Title: Member

STATE OF ALABAMA
COUNTY OF JEFFERSON

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 Valleydale Land Co., 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 2nd day of June, 2016.



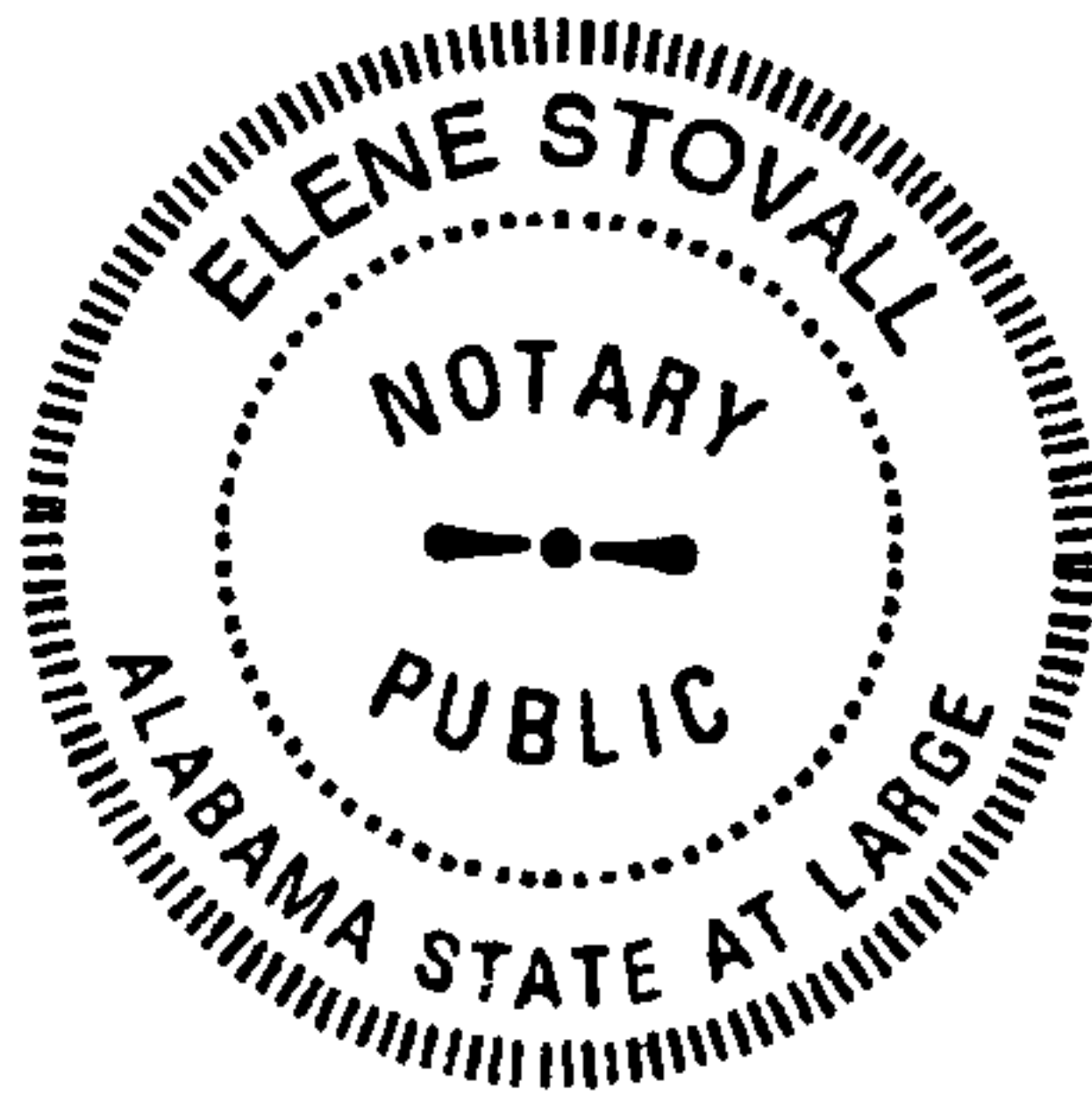
Elene Stovall
Notary Public
My Commission Expires: SEPTEMBER 16, 2018

By: _____ [SEAL]
Name: Russell H. Pate
Title: Member

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 Valleydale Land Co., 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 2nd day of June, 2016.



Elene Stovall
Notary Public
My Commission Expires: SEPTEMBER 16, 2018

EXHIBIT A
LEGAL DESCRIPTION

Lot 1, according to the Survey of Lakeview Commercial Parc, as recorded in Map Book 35, Page 149, in the Probate Office of Shelby County, Alabama.


20160624000218920 4/4 \$23.00
Shelby Cnty Judge of Probate, AL
06/24/2016 09:43:04 AM FILED/CERT