

***This Instrument Prepared By, And
After Recording Return To:***

Elizabeth J. Jennings
Tacala, LLC.
3750 Corporate Woods Drive
Birmingham, Alabama 35242

OLD RE-USE TITLE
STILL IN CLOSING
3750 CORPORATE WOODS DRIVE
SUITE 100
BIRMINGHAM, AL 35242
01-17078751

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE entered into as of the 12th day of December, 2017 (the "Execution Date") by and between **CGP MONTEVALLO TB, LLC**, a Delaware limited liability company, whose address is 361 Summit Boulevard, Suite 110, Birmingham, Alabama 35243, ("Landlord"), and **Tacala, LLC**, a Delaware limited liability company ("Tenant") whose address is 3750 Corporate Woods Drive, Birmingham, Alabama 35242.

WITNESSETH:

WHEREAS, Landlord and Tenant are parties to that certain Lease dated the 12th day of December, 2017 (as heretofore or hereafter extended, amended, modified or renewed, the "Lease"); and,

WHEREAS, Landlord and Tenant desire to execute this Memorandum of Lease in order to publish record notice of the existence of the Lease and the rights created thereby;

NOW, THEREFORE, Landlord and Tenant do hereby acknowledge and agree that the Lease contains the following terms:

1. **Landlord:** The name of the Landlord is **CGP Montevallo TB, LLC**, a Delaware limited liability company
2. **Tenant:** The name of the Tenant is **Tacala, LLC**, a Delaware corporation
3. **Term:** The primary term of the Lease will commence on December 12, 2017 (the "Commencement Date") and terminate on October 31, 2042. @ 106,250 / yr
Plus 1% after 1st year
4. **Renewal Options:** The Lease contains six (6) successive renewal options, each of which is for a term of five (5) years.
5. **Description of Leased Premises:** The leased premises are described in Exhibit A attached hereto and made a part hereof.
6. **Notice of Rights of Taco Bell Franchisor, LLC:** Landlord and Tenant have granted Taco Bell Franchisor, LLC, a California limited liability company, and its affiliates certain conditional rights, including possession, in and to the Premises, pursuant to that certain Addendum to Lease dated of even date herewith between Landlord and Tenant.
7. **Miscellaneous:** This Memorandum of Lease is for informational purposes only and

nothing contained herein shall be deemed in any way to modify or otherwise affect any of the terms and conditions of the Lease, all of which are incorporated herein by this reference. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail. The rights and obligations set forth herein shall be binding upon and shall inure to the benefit of the parties hereto in their respective successors and assigns.

[Signatures commence on next page.]

IN WITNESS WHEREOF, Landlord and Tenant have caused this Memorandum of Lease to be properly executed and delivered as of the date set forth above.

LANDLORD:

CGP MONTEVALLO TB, LLC, a Delaware limited liability company

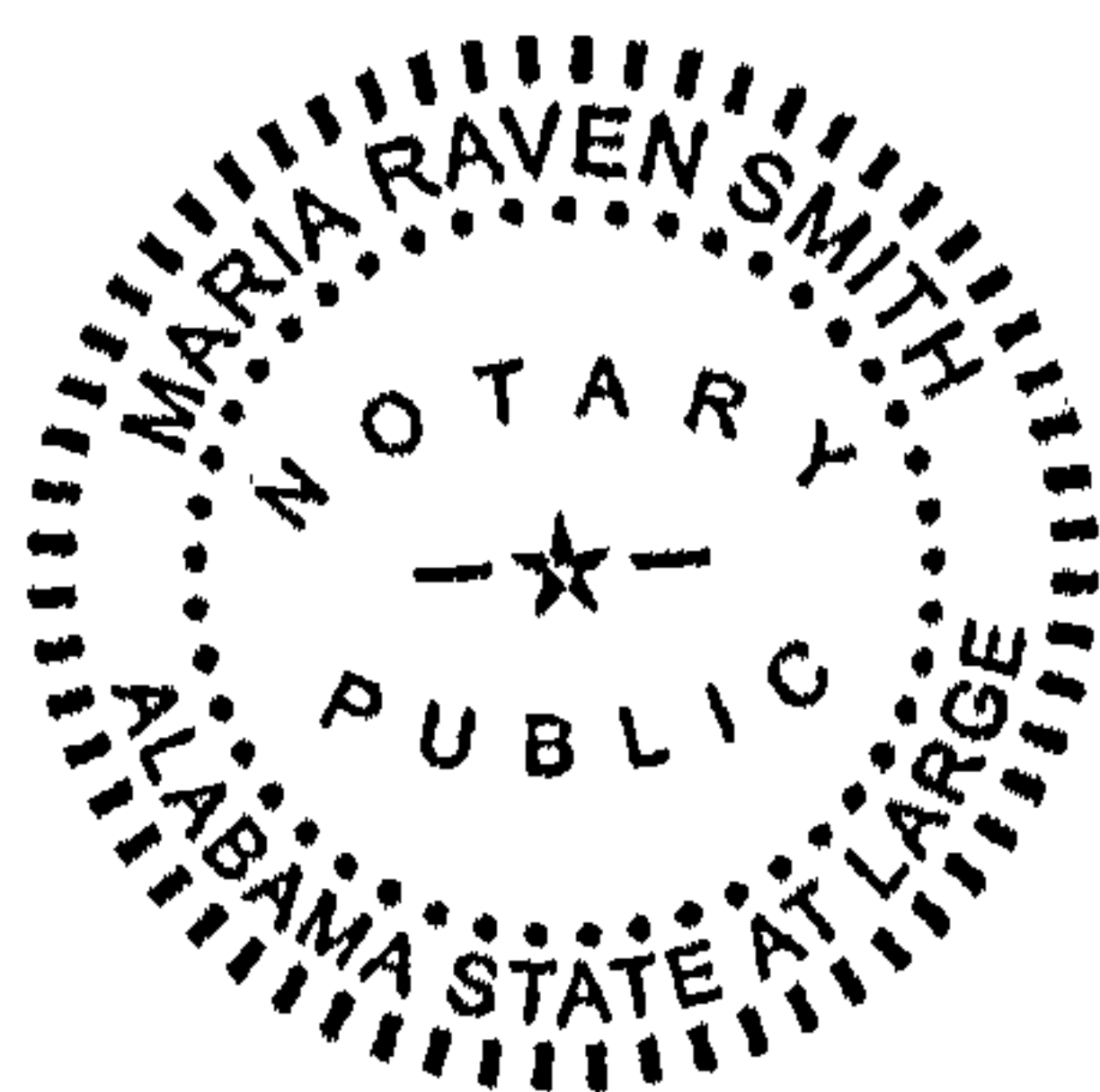
By: Chad J. Post
Name: Chad J. Post
Title: Authorized Agent

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Chad J. Post whose name as Authorized Agent of **CGP MONTEVALLO TB, LLC**, a Delaware 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/she, in his/her capacity as such Authorized Agent and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this the 6th day of December, 2017.

[SEAL]



Maria Raven Smith
Notary Public

My Commission Expires: 10/21/2019

[Landlord's signature page to Memorandum of Lease.]

TENANT:

TACALA, LLC, a Delaware corporation

By: [Signature]
Name: Michael Border
Title: VP of Development

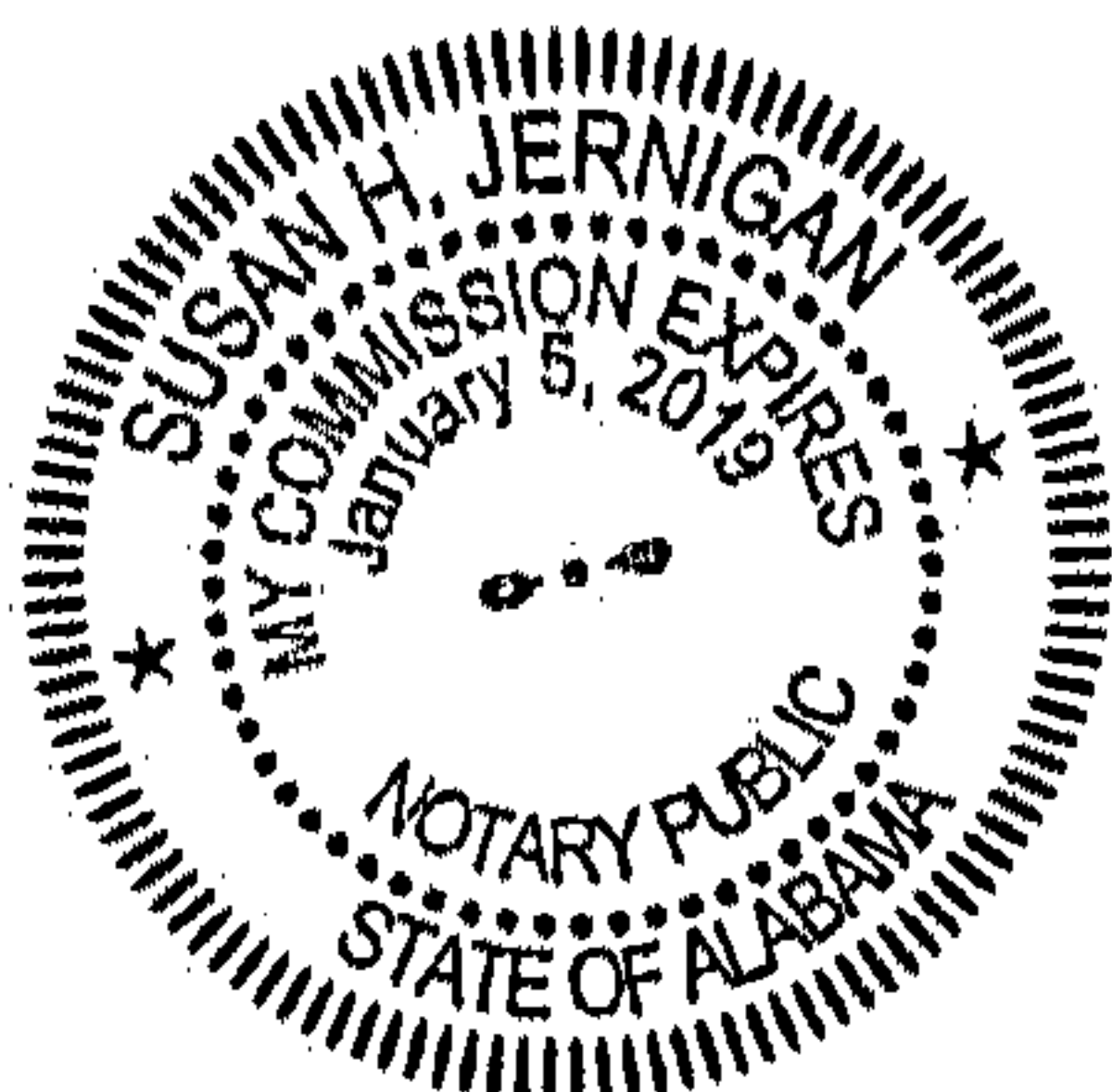
STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Michael Border whose name as Vice President of TACALA, LLC, a Delaware 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/she, in his/her capacity as such Vice President and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this the 6th day of December, 2017.

[SEAL]



[Signature]
Notary Public Susan H. Jernigan
My Commission Expires: 1/5/2019

[Tenant's signature page to Memorandum of Lease.]

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EXHIBIT A

Legal Description of the Leased Premises

LOT 1 IN TACALA ADDITION TO MONTEVALLO RECORDED ON 04/17/2017 IN
MAP BOOK 47, PAGE 73 OF THE SHELBY COUNTY RECORDS.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
12/20/2017 09:31:55 AM
\$1526.00 CHERRY
20171220000452730

A handwritten signature in dark ink, appearing to be "J. Fuhrmeister", is written over the printed name of the County Clerk.