


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

  
20200410000140580 1/4 \$31.00  
Shelby Cnty Judge of Probate, AL  
04/10/2020 10:20:01 AM FILED/CERT

#### **TERMINATION OF COLLATERAL ASSIGNMENT OF LEASE**

This Termination of Collateral Assignment of Lease (this "Agreement"), made and entered into this 31 day of March, 2020 by and among **CHICKEN SCRATCH AT CALERA, INC.**, an Alabama corporation ("Licensee"), **ZAXBY'S FRANCHISING LLC**, a Georgia limited liability company ("ZFL"), and **FOWL PLAY HOLDINGS, LLC**, an Alabama limited liability company ("Landlord");

WITNESSETH:

THAT WHEREAS, Licensee, ZFL, and Landlord entered into that certain Collateral Assignment of Lease dated September 18, 2009 (the "Assignment"), which was recorded at Instrument Number 20090923000362760, in the Office of the Judge of Probate of Shelby County, Alabama, with respect to certain real property located at 102 Limestone Parkway, Calera, 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.

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 CALERA, INC.

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

[CORPORATE SEAL]

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 at Calera, 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 company, acting in his capacity aforesaid.

Given under my hand and official seal, this the 23 day of January, 2020.

Kayla Elizabeth Smith  
NOTARY PUBLIC  
Alabama State at Large  
My Commission Expires 7-1-2020

Kayla Elizabeth Smith  
Notary Public  
My Commission Expires: 07/01/2020

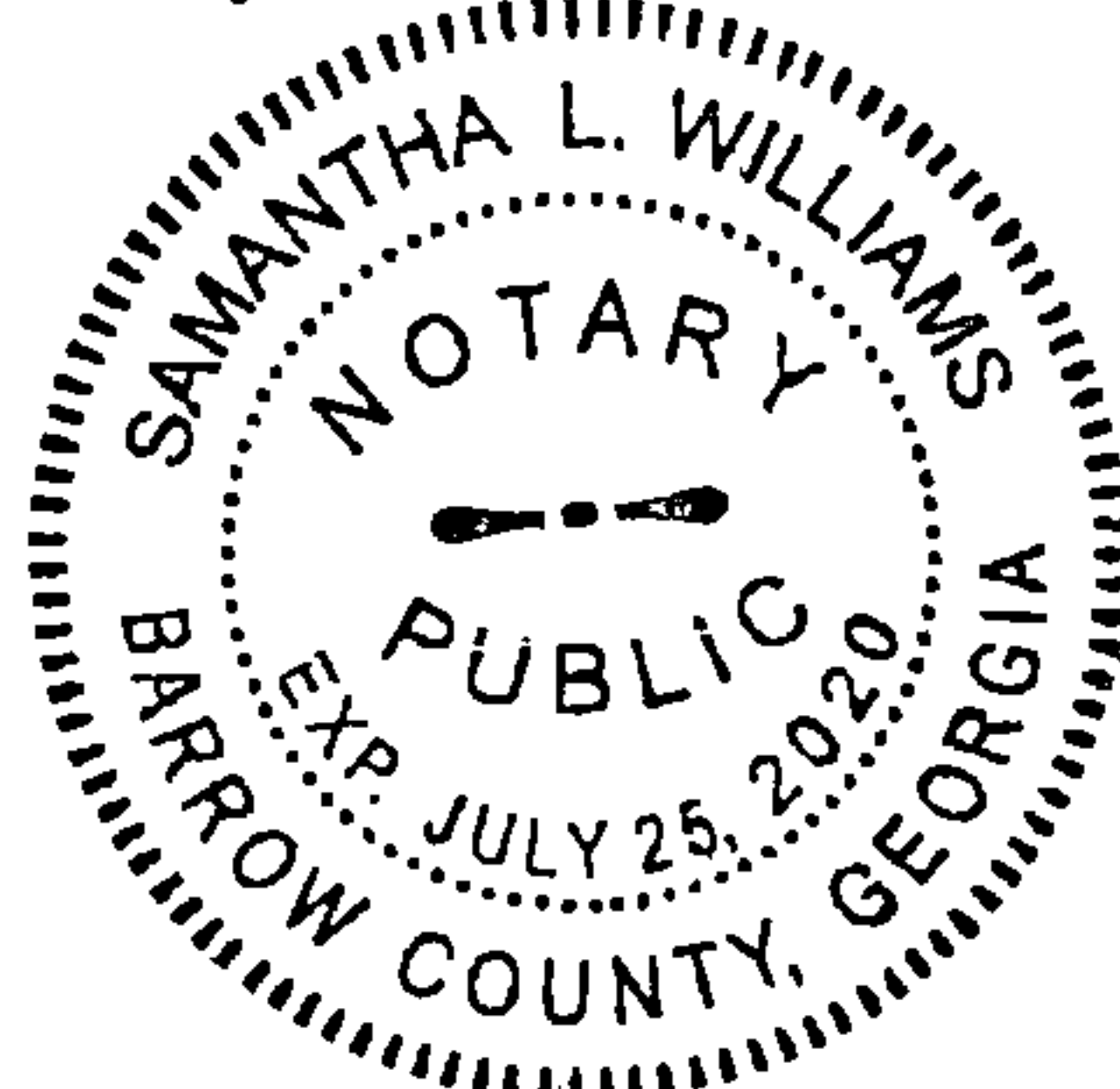
ZFL:  
ZAXBY'S FRANCHISING LLC

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

STATE OF GA  
COUNTY OF Cochise

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 31 day of March, 2020.



[Signature]  
Notary Public  
My Commission Expires: 7/25/20

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LANDLORD:  
FOWL PLAY HOLDINGS, LLC

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

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 23 day of January, 2020.

Kayla Elizabeth Smith  
NOTARY PUBLIC  
Alabama State at Large  
My Commission Expires 7-1-2020

Kayla Elizabeth Smith  
Notary Public  
My Commission Expires: 07/01/2020

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


STATE OF Alabama  
COUNTY OF Shelby

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 23 day of January, 2020.

Kayla Elizabeth Smith  
NOTARY PUBLIC  
Alabama State at Large  
My Commission Expires 7-1-2020

Kayla Elizabeth Smith  
Notary Public  
My Commission Expires: 07/01/2020

  
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**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lot 2-A according to a Resurvey of Lot 2 and Lot 6 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, recorded in Map Book 41, Page 57 in the Office of the Judge of Probate Office of Shelby County, Alabama.



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