

STATE OF ALABAMA)

COUNTY OF SHELBY)

Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
Suite 1700
Birmingham, Alabama 35203
Attention: Charles J. Kelley, Jr., Esq.

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (this "Memorandum") is entered into as of February 19, 2021 (the "Effective Date"), by and between **DANIEL J. DICARLO, TRUSTEE OF THE SALVADOR S. SANCHEZ 2008 TRUST** ("Landlord"), and **RSC BIRMINGHAM, LLC**, a Delaware limited liability company ("Tenant").

Recitals

Landlord and Tenant have entered into that certain Lease Agreement dated Feb. 19, 2021 (the "Lease"), pursuant to which Landlord leases, demises and lets to Tenant that certain real property located at 5243 US Highway 280 Birmingham, AL 35242 and the building situated thereon comprised of approximately 4,320 square feet of rentable area (the "Premises") as more particularly described and depicted on Exhibit A attached hereto and made a part hereof. Landlord and Tenant are recording this Memorandum in lieu of recording the Lease pursuant to the authority of Section 35-4-51.1, CODE OF ALABAMA 1975, as amended.

Agreement

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration in hand paid to Landlord and Tenant, the receipt and sufficiency of which is hereby acknowledged by each of them, Landlord and Tenant hereby agree as follows:

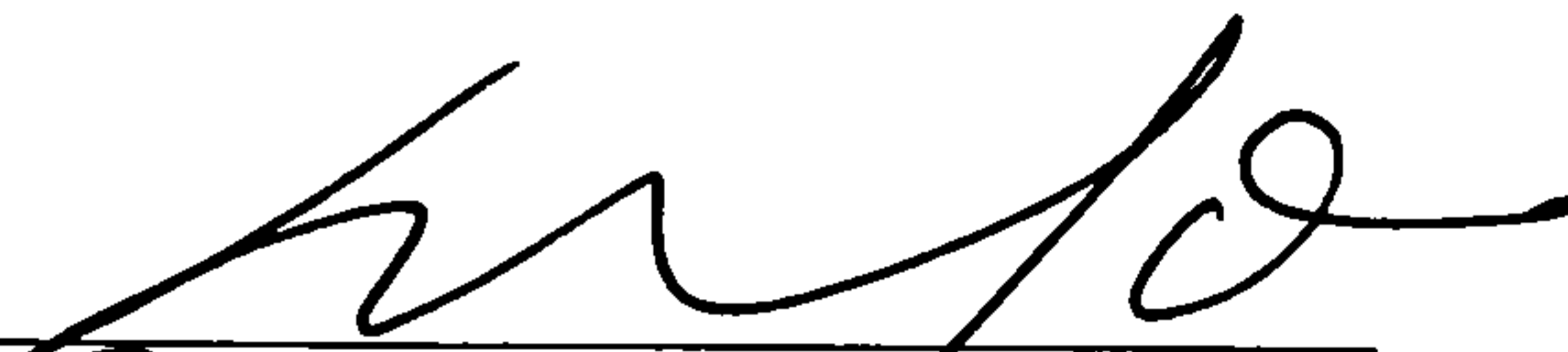
1. Names of Landlord and Tenant. The name of the landlord/lessor under the Lease is Daniel J. DiCarlo, Trustee of the Salvador S. Sanchez 2008 Trust. The name of the tenant/lessee under the Lease is RSC Birmingham, LLC.
2. Term of the Lease. The Lease Term (as defined in the Lease) of the Lease shall commence on the Commencement Date (as defined in the Lease) and end ten (10) years thereafter. Tenant shall have the right to extend the Lease Term for three (3) additional periods of five (5) years each.
3. Premises. The Premises are that certain real property located at 5243 US Highway 280 Birmingham, AL 35242 and the building situated thereon comprised of approximately 4,320 square feet of rentable area as more particularly described and depicted on Exhibit A attached hereto and made a part hereof.
4. Use. Tenant may use the Premises for the operation of a Ruby Slipper Café restaurant, including the sales of alcoholic beverages and other retail items.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Landlord and Tenant have each caused this Memorandum to be executed by their duly authorized representatives as of the date first set forth above and to be recorded in the office of the Judge of Probate of the county in which the Premises are situated.

LANDLORD:

DANIEL J. DICARLO, TRUSTEE OF THE
SALVADOR S. SANCHEZ 2008 TRUST

By: 
Name: Daniel J. DiCarlo,
Its: Trustee, Salvador S. Sanchez 2008 Trust

STATE OF California)
COUNTY OF Riverside)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of Daniel J. DiCarlo, Trustee of the Salvador S. Sanchez 2008 Trust, 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, s/he, as such _____ and with full authority, executed the same voluntarily for and as the act of said trust.

GIVEN under my hand and official seal, this the _____ day of _____, 2021.

[SEAL]

NOTARY PUBLIC
My Commission Expires: _____

***Please see attached**

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of RIVERSIDE)

On March 2, 2021 before me, VERONICA M. CAMARILLO
(insert name and title of the officer)

personally appeared Daniel J. Dicarlo
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~(s)~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

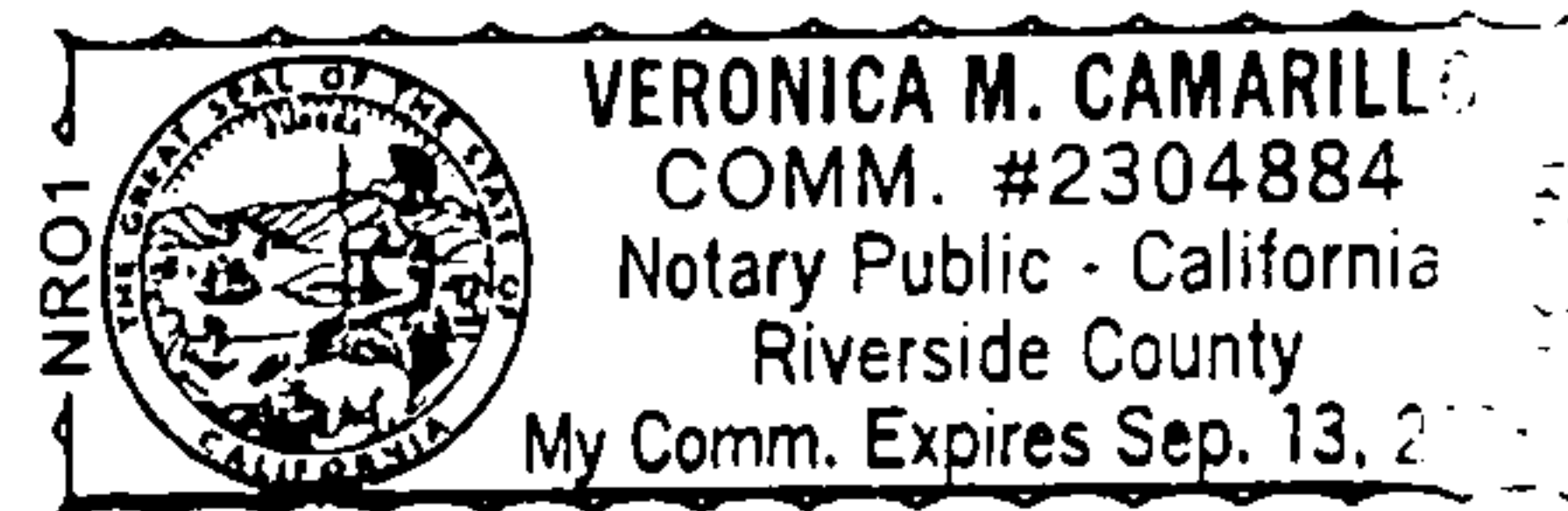
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Veronica M. Camarillo

(Seal)



TENANT:

RSC BIRMINGHAM, LLC,
a Delaware limited liability company

By: Peter Gaudreau
Name: PETER GAUDREAU
Its: CEO

STATE OF LOUISIANA)

COUNTY OF Orleans)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Peter Gaudreau, whose name as CEO of RSC Birmingham, 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, s/he, as such CEO and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal, this 18th day of June, 2021.

Amanda Jeanne Butler
Notary Public

[AFFIX SEAL]

My Commission Expires: 15 Feb Life

AMANDA JEANNE BUTLER
NOTARY PUBLIC
Bar Roll No. 31644
State of Louisiana
My Commission is for Life

EXHIBIT A

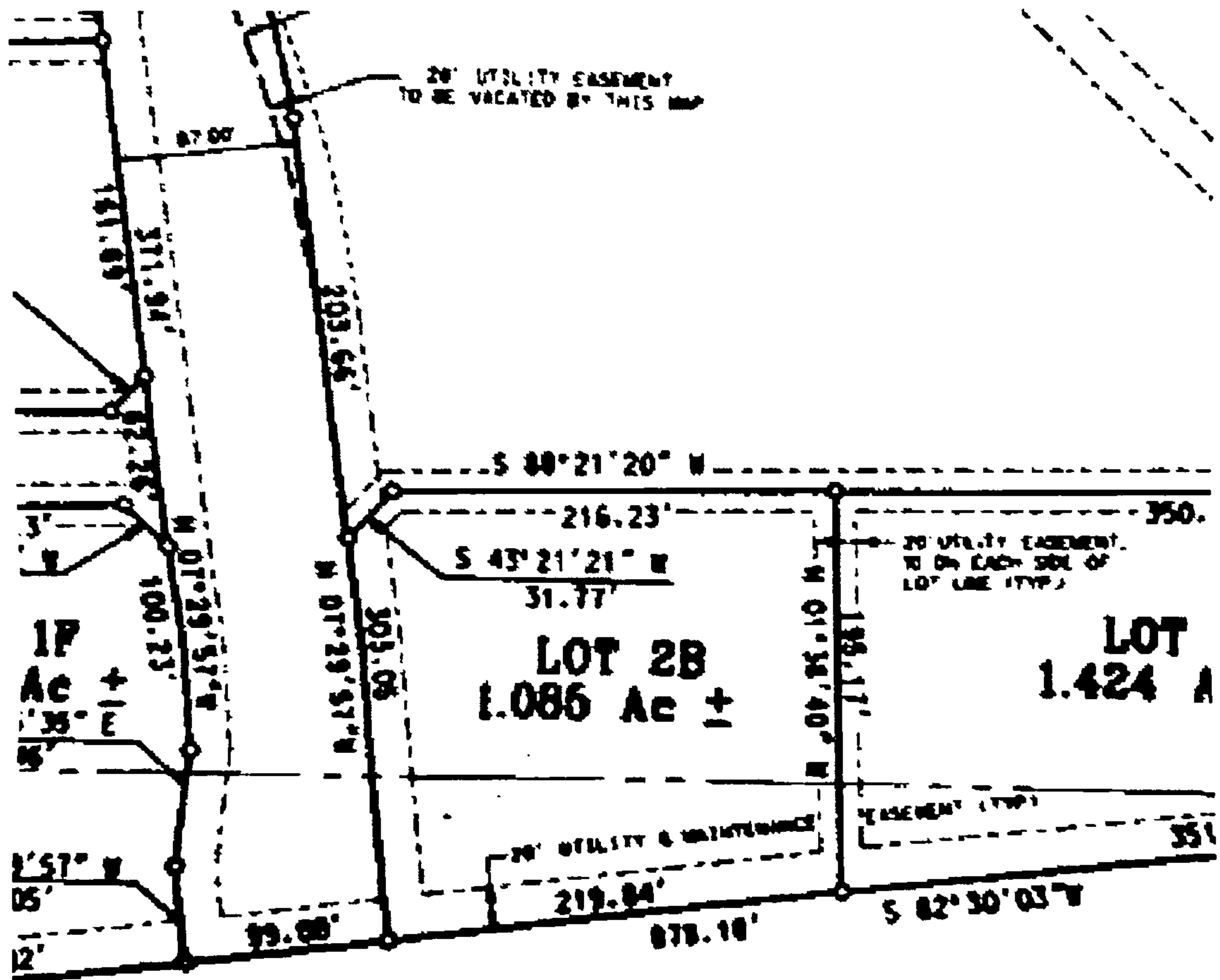
Description and Depiction of Premises

Description

That certain real property situated and being in the City of Birmingham, County of Shelby, State of Alabama, described as follows:

Lot 2B, according to the Map and Survey of Brook Highland Plaza Resurvey, recorded in Map Book 18, Page 99, in the Office of the Judge of Probate of Shelby County, Alabama.

Depiction



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
07/19/2021 02:28:19 PM
\$768.50 CHERRY
20210719000349600

Allen S. Beyer