

WHEN RECORDED, RETURN TO:  
ELLIOT G. TUNIS  
P.O. BOX 520783  
GENERAL MAIL FACILITY  
MIAMI, FLORIDA 33152

TIA: 43241

MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS THAT:

**3652246**

HERMES ASSOCIATES whose address is: 543 East 5th South, Suite #7, Salt Lake City, Utah 84102 hereinafter "Lessor", does hereby lease, rent, let and demise unto BURGER KING CORPORATION, a Florida corporation, whose address is 7360 North Kendall Drive, Miami, Florida, 33156, hereinafter "LESSEE", its successors and assigns, and LESSEE takes and hires from LESSOR under a certain unrecorded Lease dated August 18, 1981, the following described premises, lying and being in the County of Salt Lake, State of Utah, more particularly described as follows, to wit:

See Exhibit "A" attached hereto.

This Memorandum of Lease is for recording notice purposes.

Said Lease is now in effect for a term commencing as stated in the Lease and expiring twenty (20) years thereafter with the right and privilege in the LESSEE to extend the Lease for four (4) additional terms of five (5) years each, unless sooner terminated in accordance with the provisions thereof, with respect to termination by default, or for other causes; that said Lease itself contains the contract of leasing and otherwise between the parties, including the amount of rent, times when said rent shall be paid, and other provisions and covenants as regulate and govern the relationship of LESSOR and LESSEE between the parties, and all persons are hereby put on notice of the existence of such Lease and are referred to said Lease itself for its terms and conditions.

This Memorandum of Lease shall serve as an Amendment to and Modification of the Lease Agreement dated August 18, 1981

A-4431L  
ECT:ac  
1/15/82

THURSDAY  
JAN 15 1982  
SALT LAKE CITY  
UTAH

12-50  
12-50

BOOK 5345 PAGE 1393

MM

insofar as it amends and modifies the legal description as contained in said Lease.

IN WITNESS WHEREOF, this Memorandum of Lease has been duly executed, under seal, as of the 2ND day of FEBRUARY, 1982.

WITNESSES:

[Signature]  
\_\_\_\_\_

HERMES ASSOCIATES, a Utah partnership

By: [Signature]  
Sr. Gen. Partner

WITNESSES:

[Signature]  
[Signature]

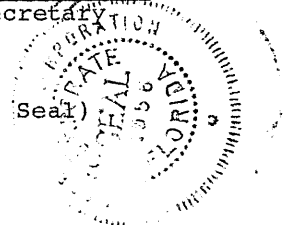
BURGER KING CORPORATION

By: [Signature]  
Vice President

Attest: [Signature]  
Assistant Secretary

Date:

(Corporate Seal)



BOOK 5345 PAGE 1334

STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_  
Charles R. Petty and Michael W. Boyd  
to me well known and known to me to be the individuals described in and who executed the foregoing instrument as Vice President and Assistant Secretary of BURGER KING CORPORATION, a Florida corporation, and severally acknowledged to and before me that they executed such instrument as such Vice President and Assistant Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 19th day of January, 1982.

(SEAL)

Sara Sierra  
Notary Public  
My Commission Expires:

NOTARIAL COMMISSION EXPIRATION  
OCTOBER 19, 1984

STATE OF  
COUNTY OF

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_  
and \_\_\_\_\_  
to me well known and known to me to be the individuals described in and who executed the foregoing instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_  
a \_\_\_\_\_ corporation, and severally acknowledged to and before me that they executed such instrument as such \_\_\_\_\_ President and \_\_\_\_\_ Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public  
My Commission Expires:

STATE OF  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared J. Rees Jensen, Senior General Partner, Hermes Associates, a Utah partnership

to me known and known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

WITNESS my hand and official seal this 2nd day of February, 1982.

(SEAL)  
NOTARY  
PUBLIC

Dolly Gibson  
Notary Public  
My Commission Expires: 08/03/85

BOOK 5345 PAGE 1305

EXHIBIT "A"

COMMENCING AT THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 0°02'55" W 497.29 FEET TO A POINT; THENCE N 89°49'33" W 53.00 FEET TO A POINT IN THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD, WHICH IS THE POINT OF BEGINNING OF THIS SURVEY AND RUNNING THENCE N 0°02'55" W 270.50 FEET ALONG THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD; THENCE S 89°57'05" W 130.00 FEET; THENCE S 0°02'55" E 269.99 FEET; THENCE S 89°49'33" E 130.00 FEET TO THE POINT OF BEGINNING. CONTAINS 35,131.85 SQUARE FEET OR 0.8065 ACRES.

TOGETHER WITH A NONEXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PARKING OVER THE UNCONSTRUCTED PORTIONS OF THE FOLLOWING DESCRIBED PROPERTIES AS MAY EXIST FROM TIME TO TIME:

PARCEL 1

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD SAID POINT BEING N 00°02'55" W 247.294 FEET AND N 89°49'33" W 53.00 FEET AND N 00°02'55" W 1.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 00°02'55" W 249.0 FEET ALONG SAID WEST RIGHT OF WAY LINE; THENCE N 89°49'33" W 130.00 FEET TO THE EAST LINE OF A 50.0 FOOT WIDE RIGHT OF WAY; THENCE S 00°02'55" E 249.00 FEET ALONG THE EAST LINE OF SAID 50.0 FOOT RIGHT OF WAY; THENCE S 89°49'33" E 130.00 FEET TO THE POINT OF BEGINNING. CONTAINS: 32,370 SQ.FT. OR 0.7431 ACRES

PARCEL 2

BEGINNING AT A POINT N 00°02'55" W 247.294 FEET AND N 89°49'33" W 233.00 FEET AND N 00°02'55" W 1.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 00°02'55" W 549.5 FEET; THENCE N 89°49'33" W 90.00 FEET; THENCE N 00°02'55" W 137.00 FEET; THENCE N 89°49'33" W 180.00 FEET; THENCE S 00°02'55" E 137.00 FEET; THENCE N 89°49'33" W 167.50 FEET; THENCE S 00°02'55" E 269.00 FEET; THENCE S 89°49'33" E 22.5 FEET; THENCE S 00°02'55" E 280.50 FEET; THENCE S 89°49'33" E 415.00 FEET TO THE POINT OF BEGINNING. CONTAINS: 258,753 SQ. FT. OR 5.9402 ACRES.

PARCEL 3

BEGINNING AT A POINT N 00°02'55" W 247.294 FEET AND N 89°49'33" W 648.00 FEET AND N 00°02'55" W 1.0 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 00°02'55" W 280.5 FEET; THENCE N 89°49'33" W 22.50 FEET; THENCE N 00°02'55" W 105.00 FEET; THENCE N 89°57'05" W 246.504 FEET; THENCE N 00°02'55" W 51.169 FEET; THENCE S 89°57'05" W 304.00 FEET; THENCE S 00°02'55" E 434.526 FEET; THENCE S 89°49'33" E 573.009 FEET TO THE POINT OF BEGINNING.

ALSO, BEGINNING AT A POINT N 00°02'55" W 247.294 FEET AND N 89°49'33" W 1221.009 FEET AND S 00°02'55" E 4.78 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 89°56'25" E 24.75 FEET; THENCE S 00°02'55" E 141.00 FEET; THENCE S 89°56'25" W 25.00 FEET; THENCE N 00°03'11" E 141.00 FEET TO THE POINT OF BEGINNING. CONTAINS: 237,003 SQ. FT. OR 5.4408 ACRES.

PARCEL 4

BEGINNING AT A POINT N 00°02'55" W 247.294 FEET AND N 89°49'33" W 1221.009 FEET AND N 00°02'55" W 177.72 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°56'25" W 477.25 FEET; THENCE S 00°02'55" E 430.00 FEET TO THE CENTER LINE OF SECTION 15; THENCE N 89°56'25" E 477.00 FEET ALONG SAID CENTER LINE; THENCE N 00°02'55" W 106.50 FEET; THENCE N 00°03'11" E 141.00 FEET; THENCE N 00°02'55" W 182.50 FEET TO THE POINT OF BEGINNING. CONTAINS: 205,173 SQ.FT. OR 4.7101 ACRES

PARCEL 5

BEGINNING AT A POINT N 00°02'55" W 247.294 FEET AND N 89°49'33" W 1221.009 FEET AND N 00°02'55" W 435.526 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 00°02'55" W 80.43 FEET; THENCE N 89°57'05" E 45.00 FEET TO THE EAST RIGHT OF WAY LINE OF 1900 WEST STREET; THENCE N 00°02'55" W 184.57 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE N 89°57'05" E 259.00 FEET; THENCE N 00°02'55" W 47.50 FEET; THENCE N 89°57'05" E 246.504 FEET; THENCE S 00°02'55" E 363.669 FEET; THENCE S 89°57'05" W 246.504 FEET; THENCE N 00°02'55" W 51.169 FEET; THENCE S 89°57'05" W 304.00 FEET; TO THE POINT OF BEGINNING. CONTAINS: 161,900 SQ. FT. OR 3.7167 ACRES

BOOK 5345 PAGE 1306

PARCEL 6

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 5600 SOUTH STREET; SAID POINT BEING N 00°02'55" W 1243.26 FEET AND S 89°55'04" W 939.50 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°55'04" W 236.50 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE OF 1900 WEST STREET; THENCE S 00°02'55" E 290.00 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE N 89°57'05" E 259.00 FEET; THENCE N 00°02'55" W 47.50 FEET; THENCE N 89°57'05" E 246.504 FEET; THENCE S 00°02'55" E 37.669 FEET; THENCE S 89°49'33" E 167.50 FEET; THENCE S 00°02'55" E 25.00 FEET; THENCE S 89°49'33" E 180.00 FEET; THENCE S 00°02'55" E 27.552 FEET; THENCE N 89°57'05" E 195.00 FEET; THENCE S 00°02'55" E 90.50 FEET TO THE NORTH LINE OF A 50.00 FOOT WIDE RIGHT OF WAY; THENCE N 89°57'05" E 75.00 FEET ALONG THE NORTH LINE OF SAID 50 FOOT RIGHT OF WAY TO THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD; THENCE N 00°02'55" W 131.729 FEET ALONG SAID WEST RIGHT OF WAY LINE; THENCE S 89°55'04" W 320.00 FEET; THENCE N 00°02'55" W 47.50 FEET; THENCE S 89°55'04" W 130.00 FEET; THENCE N 00°02'55" W 27.00 FEET; THENCE S 89°55'04" W 185.00 FEET; THENCE N 00°02'55" W 9.0 FEET; THENCE S 89°55'04" W 251.50 FEET; THENCE N 00°02'55" W 210.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 115,106 SQ. FT. OR 2.6425 ACRES

PARCEL 7

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 5600 SOUTH STREET, SAID POINT BEING N 00°02'55" W 1243.26 FEET AND S 89°55'04" W 653.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°55'04" W 286.50 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE S 00°02'55" E 210.00 FEET; THENCE N 89°55'04" E 251.50 FEET; THENCE S 00°02'55" E 9.00 FEET; THENCE N 89°55'04" E 185.00 FEET; THENCE S 00°02'55" E 27.00 FEET; THENCE N 89°55'04" E 130.00 FEET; THENCE S 00°02'55" E 47.50 FEET; THENCE N 89°55'04" E 320.00 FEET TO THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD; THENCE N 00°02'55" W 13.50 FEET ALONG SAID WEST RIGHT OF WAY LINE; THENCE S 89°55'04" W 300.00 FEET; THENCE N 00°02'55" W 88.00 FEET; THENCE S 89°55'04" W 300.00 FEET; THENCE N 00°02'55" W 192.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 77,630 SQ. FT. OR 1.7821 ACRES

PARCEL 8

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 5600 SOUTH STREET, SAID POINT BEING N 00°02'55" W 1243.26 FEET AND S 89°55'04" W 328.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°55'04" W 325.00 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE S 00°02'55" E 192.00 FEET; THENCE N 89°55'04" E 300.00 FEET; THENCE S 00°02'55" E 88.00 FEET; THENCE N 89°55'04" E 300.00 FEET TO THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD; THENCE N 00°02'55" W 35.00 FEET ALONG SAID WEST RIGHT OF WAY LINE; THENCE S 89°55'04" W 275.00 FEET; THENCE N 00°02'55" W 245.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 74,225 SQ. FT. OR 1.704 ACRES

PARCEL 9

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF REDWOOD ROAD AND THE SOUTH RIGHT OF WAY LINE OF 5600 SOUTH STREET SAID POINT BEING N 00°02'55" W 1243.26 FEET AND S 89°55'04" W 53.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°55'04" W 275.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID 5600 SOUTH STREET; THENCE S 00°02'55" E 245.00 FEET; THENCE N 89°55'04" E 275.00 FEET TO THE WEST RIGHT OF WAY LINE OF SAID REDWOOD ROAD; THENCE N 00°02'55" W 245.00 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

CONTAINS: 67,375 SQ. FT. OR 1.5467 ACRES

PARCEL 10

BEGINNING AT A POINT N 00°02'55" W 797.794 FEET AND N 89°49'33" W 503.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 00°02'55" W 162.00 FEET; THENCE N 89°49'33" W 167.50 FEET; THENCE S 00°02'55" E 162.00 FEET; THENCE S 89°49'33" E 167.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 27,135 SQ. FT. OR 0.6229 ACRES

PARCEL 11

BEGINNING AT A POINT ON THE NORTH LINE OF A 50.0 FOOT WIDE RIGHT OF WAY SAID POINT BEING N 00°02'55" W 818.00 FEET AND S 89°57'05" W 128.00 FEET FROM THE CENTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE S 89°57'05" W 105.00 FEET ALONG SAID NORTH LINE; THENCE S 00°02'55" E 19.298 FEET ALONG THE WEST LINE OF SAID 50 FOOT RIGHT OF WAY; THENCE N 89°49'33" W 90.00 FEET; THENCE N 00°02'55" W 109.448 FEET; THENCE N 89°57'05" E 195.00 FEET; THENCE S 00°02'55" E 90.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 19,384 SQ. FT. OR 0.4450 ACRES

800\*5345 PAGE 1307

EAG