

172720

MEMORANDUM OF LEASE

By an instrument dated May 21, 1987, HERMES ASSOCIATES, a Utah general partnership, has leased to OLD SPAGHETTI FACTORY OF UTAH, INC., a Utah corporation, a rectangular parcel of land 99 ft. by 120 ft., together with a building to be constructed thereon, located at 5718 South 1900 West, Salt Lake City, Utah 84123. The parcel of land (and building) being leased is located on a larger rectangular parcel of land (measuring approximately 139 ft. by 259 ft.), which larger parcel is legally described on Exhibit A, attached hereto, and by this reference made a part hereof.

This Memorandum is executed to evidence and confirm the lease referred to above, to which reference is made for its terms and conditions.

The term of the lease commences on the date specified in the first paragraph above and terminates on December 31, 2002, and the lease gives the tenant an option to extend the lease for two five-year periods.

DATED for reference this 21<sup>st</sup> day of May, 1987.

LANDLORD:

HERMES ASSOCIATES

By [Signature]  
General Partner

TENANT:

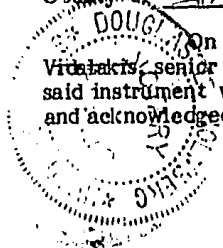
OLD SPAGHETTI FACTORY OF UTAH, INC.

By [Signature]  
President

By [Signature]  
Secretary

STATE OF UTAH )

County of Salt Lake ) ss



On the 21<sup>st</sup> day of May, 1987, personally appeared Nick S. Vitale, J. Rees Jensen  
senior general partner of Hermes Associates, who, being sworn, did say that said instrument was signed by him on behalf of said partnership and with its authority and acknowledged said instrument to be the voluntary act and deed of Hermes Associates.

[Signature]  
Notary Public for Utah  
My commission expires: 1/7/90

STATE OF OREGON )

County of Multnomah ) ss

On the 21<sup>st</sup> day of May, 1987, personally appeared before me the above named Guss Dussin and James J. Dams, who, being sworn, did say that they are the President and Secretary respectively of the Old Spaghetti Factory of Utah, Inc., and that said instrument was signed in behalf of said corporation, and acknowledged said instrument to be its voluntary act and deed.

[Signature]  
Notary Public for Oregon  
My commission expires: 6-12-90

Document Preparer:

James J. Dams  
620 S.W. 5th Avenue, Suite 1010  
Portland, Oregon 97204

After recording return to:

James J. Dams  
620 S.W. 5th Avenue, Suite 1010  
Portland, Oregon 97204



BOOK 5940 PAGE 2677

In the County of Salt Lake, State of Utah:

Beginning at a point North 00°02'55" West 247.5 feet and South 89°56'25" West 1,221.00 feet and North 00°02'55" West 182.50 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence; South 00°02'55" East 139.00 feet; thence South 89°56'25" West 258.80 feet; thence North 00°02'55" West 139.00 feet; thence North 89°56'25" East 258.99 feet to the point of beginning.

**PARCEL 5:**

Together with easements for pedestrian and vehicular access, ingress and egress, parking and utilities, together with the rights to maintain, construct, reconstruct and repair any of such easements for the benefit of the owner, its agents, employees, contractors, tenants, suppliers, guests and invitees as created and reserved in that declaration of covenants, conditions and restrictions and grant of easement recorded June 30, 1981, as Entry No. 3580838, in Book 5265, at Page 1688 and amended by instrument recorded September 25, 1981, as Entry No. 3608494, in Book 5296, at Page 423 of the Official Records and more particularly described as follows:

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14 JULY 87 04:38 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
MCGHIE LAND TITLE  
REC BY: EVELYN FROGGET, DEPUTY

BOOK 5940 PAGE 2578

EXHIBIT A