

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE dated as of the 9th day of August, 1995 made by and between EQUITY PROPERTIES AND DEVELOPMENT COMPANY LIMITED PARTNERSHIP D/B/A EQUITY PROPERTIES AND DEVELOPMENT (ILLINOIS) LIMITED PARTNERSHIP, an Illinois limited partnership, as Agent for Landlord (herein collectively called "Landlord") and SNOWSTATE RESTAURANT CORPORATION (herein collectively called "Tenant");

WITNESSETH:

Landlord hereby leases to Tenant and Tenant hereby leases from Landlord, the real property described in Exhibit A attached hereto and made a part hereof, together with the appurtenances belonging to or in any way pertaining to said property (all of said property being hereinafter called the "leased property"), for a term of fifteen (15) years commencing on or about January 1, 1996, upon the same terms, provisions and conditions set forth in that certain Standard Shopping Center Lease Agreement dated August 9, 1995 (herein called the "Lease Agreement") between Landlord and Tenant covering the leased property. Reference is here made to the Lease Agreement for all terms, provisions, covenants, agreements and conditions contained therein which are incorporated herein by reference and expressly made a part hereof.


The Lease Agreement provides that at its option, Tenant may extend the Lease for two (2) additional periods of five (5) years each subject to the terms and conditions relating thereto contained in the Lease Agreement.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum of Lease as of the date first above written.

LANDLORD:

EQUITY PROPERTIES AND DEVELOPMENT COMPANY LIMITED PARTNERSHIP D/B/A EQUITY PROPERTIES AND DEVELOPMENT (ILLINOIS) LIMITED PARTNERSHIP, an Illinois Limited Partnership, as Agent for Landlord

By: SC Management, Inc.
an Illinois corporation, its general partner

By: 

Name: Sanford Shkdnik

Title: Chairman

95012815
6171923

TENANT:

SNOWSTATE RESTAURANT CORPORATION, a Texas corporation

By: [Signature]

Name: John W. Titus

Title: President

STATE OF ILLINOIS)
 : ss.
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 8th day of September, 1995, by SANFORD SHKOLNIK, the CHAIRMAN of SC Management, Inc., an Illinois corporation, acting in its capacity as general partner of Equity Properties and Development Company Limited Partnership d/b/a Equity Properties and Development (Illinois) Limited Partnership, an Illinois Limited Partnership.

[Signature: Katherine A. Rivera]
Notary Public

Residing at _____

My Commission Expires:



STATE OF TEXAS)
 : ss.
COUNTY OF DALLAS)

The foregoing instrument was acknowledged before me this 21st day of September, ~~August~~, 1995, by John W. Titus, the President of Snowstate Restaurant Corporation, a Texas corporation.

Mary Margaret Drew
Notary Public

Residing at _____

My Commission Expires:

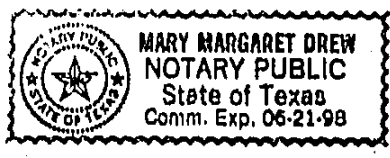


Exhibit A

RECORD LEGAL DESCRIPTION
(Schedule A)

Beginning at a point on the Westerly boundary line of State Street, 1389.65 feet South 00 degrees 54'30" West along the Section line and 58.59 feet South 89 degrees 05'30" East from the Northeast corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00degrees 01'50" East 2599.12 feet along the State Street monument line between the monuments marking the Intersections 10600 South and 10200 South Streets), said Northeast corner of Section 13 being South 89 degrees 53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South and running thence South 00 degrees 01'50" East 229.47 feet along said westerly boundary; thence North 89 degrees 59'00" West 150.00 feet; thence North 00 degrees 01' 50" West 247.45 feet; thence South 89 degrees 59'00" East 126.02 feet to a point of tangency with a 25.00 foot radius curve to the right; thence Southeastery 32.15 feet along the arc of said curve through a central angle of 73 degrees 41'33" to the point of beginning.

Contains 0.8495 acres, more or less.

6171923
09/22/95 11:47 AM 16.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
METRO NATIONAL TITLE
REC BY: R SILVA , DEPUTY - WI

BK7233PG0561