

STATE MS.-DE SOTO CO.
FILED

AUG 20 11 49 AM '01

P BK 91 PG 95

BK 91 PG 95
W.E. BAYNE JR. CLK.

MEMORANDUM OF LEASE

This is a Memorandum of Lease for the Lease executed on the **18th day of June, 1999**, between **Subway Real Estate Corp.** a corporation organized under the laws of the State of Delaware, having it's principle office at 325 Bic Drive, Milford, CT 06460, hereinafter called "the Tenant," and **Joe Poppenheimer**, a Sole Proprietorship organized under the laws of the State of Mississippi having its principal office at: **1018 Goodman Road, Horn Lake, MS 38637**, hereinafter called "the Landlord."

For the purpose of this document and/or the lease, its exhibits/schedules executed by Landlord and Tenant documents, the term "Landlord" and "Lessor" or "Tenant" or "Lessee" as used shall be deemed synonymous.

The Landlord leases to the Tenant the premises as described in the Lease:

- 1. Premises:
 Store Number: **21604**, approximately: **1080 Square Feet**.
 Located at: **568 East Goodman Road, Southaven, MS 38671**
 State of: **MS** County of: **De Soto**
- 2. Term:
 The Lease is for a term of : **5 year(s)** to commence on the **1st day of July, 1999**, and terminate on the **30th day of June, 2004**.
- 3. Renewal (Option) Periods:
 The Tenant shall have the right to renew this lease for: **1 period(s) of 5 year(s) each**.

In Witness Whereof the "Tenant" has hereunto executed this memorandum of lease this 14 day of August, 2001.

Tenant: Subway Real Estate Corp.

[Signature] (SEAL)
John C. Devine, Its: Vice President

8-14-01
Date

[Signature] 8-14-01
Witness Date

[Signature] 8-14-01
Witness Date

[Signature]
Print

[Signature]
Print

State of Connecticut, County of New Haven

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, **John C. Devine**, personally appeared before me and has proved to my satisfaction to be the person(s) described in and who executed the foregoing instrument as Vice President of **Subway Real Estate Corp., a Delaware Corporation**, who acknowledged that he did sign and seal the foregoing instrument for, and on behalf of said Corporation, being thereunto duly authorized by its Board of Directors and that the same is his free act and deed as such officer and the free act of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Millford, Connecticut This 14th day of August, 2001.

[Signature]
Notary Public My Commission Exp. Apr. 30, 2002



In Witness Whereof the "Landlord" has hereunto executed this memorandum of lease this 30th day of July, 2001.

Landlord: [Signature]
Tax ID#: 413-4460200 (SEAL)
Title:

Print: Joe Poppenheimer
7/30/01
Date

[Signature]
Witness Date
Barbara Poppenheimer
Print

[Signature]
Witness Date
Beth Carroll
Print

State of Mississippi, County of De Soto

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Joe Poppenheimer, personally appeared before me and has proved to my satisfaction to be the person(s) described in and who executed the foregoing instrument as owner of Joe Poppenheimer Real Estate Sole Proprietor Corporation, who acknowledged that he/she did sign and seal the foregoing instrument for, and on behalf of said Corporation, being thereunto duly authorized by its Board of Directors and that the same is their free act and deed as such officers and the free act of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Thorn Lake Ms This 30th day of July, 2001.

[Signature]
Notary Public

Beginning at a point 258.7 feet East and 40.0 feet North of the Southwest corner of the Southeast corner of Section 30, Township 1 South, Range 7 West; thence North 5 degrees 30' West 236.38 feet (including 25.0 foot tangent for curve); thence North 84 degrees 30' East 180.9 feet; thence South 5 degrees 30' East 240.8 feet; thence South 85 degrees 54' West 180.9 feet (including 25.0 foot tangent for curve) to the Point of Beginning. Being the same property conveyed to Grantors in Deed Book 215, Page 315, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

LESS AND EXCEPT:

Begin at the point of intersection of the East line of a grantors property with the present Northerly right-of-way line of Mississippi Highway No. 302 as shown on the plans for State project No. 97-0021-01-007-10, said point being 38.7 feet North of and 3,118.6 feet East of the Southwest corner of the Southwest 1/4 of Section 30, Township 1 South, Range 7 West; from said Point of Beginning run thence North 89 degrees 00' West along the North line of said highway, a distance of 155.3 feet; thence run Northwesterly along the circumference of a circle to the right having a radius of 29.6 feet, a distance of 38.4 feet to the east line of Greenbrook Parkway; thence run North 00 degrees 15' West along the East line of said road, a distance of 36.4 feet; thence run South 39 degrees 17' East, a distance of 67.3 feet to a point that is 50 feet Northerly of and perpendicular to the centerline of survey of said project at Station 504 + 00; thence run South 89 degrees 00' East along a line that is 50 feet Northerly of and parallel with the centerline of said project, a distance of 137.9 feet to the East line of grantors property; thence run South along said East property line, a distance of 10.0 feet to the Point of Beginning. Being the same property conveyed to The State of Mississippi by Deed of record in Book 214, Page 540, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

INDEXING INSTRUCTIONS: Located in the SW 1/4 of the SE 1/4 of Section 30, Township 1 South, Range 7 West, DeSoto County, Mississippi.

9 BK 21 PG 37