

TICOR Title Insurance  
2584 Oakstone Dr.  
Columbus Ohio 43231

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DEPT. OF REVENUE

APR 14 9 107

MEMORANDUM OF LEASE

**9304140009**

This MEMORANDUM OF LEASE, entered into this 5th day of April 1993, by and between WENDY'S INTERNATIONAL, INC., an Ohio corporation ("Lessor"), and MANNA NORTHWEST, INC., a Washington corporation and KIRK MITCHELL BALIN (collectively the "Lessee").

WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Lease Agreement, dated as of April 5, 1993 ("Lease") whereby Lessor demised and leased to Lessor for the term set forth below (and at a rental and upon such other terms and conditions as are stated in the Lease) the land, buildings, improvements, and equipment located at 1560 South Burlington Blvd. in the City of Burlington, County of Skagit, State of Washington, and more particularly described on the attached Exhibit A ("Premises").

WHEREAS, Lessor and Lessee wish to place notice of the Lease on record.

NOW, THEREFORE, Lessor and Lessee hereby execute this Memorandum of Lease for the purpose of evidencing Lessee's interest in the Premises, TO HAVE AND TO HOLD the Premises unto Lessee upon the terms, covenants and conditions contained in the Lease, for a term of twenty (20) years, commencing on April 5, 1993 and expiring December 31, 2012. Lessee has the option to extend the initial term of the Lease for two (2) successive periods of five (5) years and an option to purchase the real estate and improvements, both options being on and subject to the applicable provisions of the Lease.

This Memorandum of Lease is made and executed and is to be recorded in the official records of Skagit County, Washington, for the purpose of giving notice of the Lease and the rights of the parties thereunder.

This Memorandum of Lease is subject in each and every respect to the rental and other terms, covenants and conditions contained in the Lease and is executed by Lessor and Lessee with the understanding and agreement that nothing contained herein shall in any manner alter, modify or vary the rental or any other term, covenant or condition of the Lease.

**9304140009**

SKAGIT COUNTY WASHINGTON  
Real Estate-Excise Tax  
PAID

APR 12 1993

Amount Paid \$  
Skagit County Treasurer  
By: Deputy

*W*

TICOR # 1038-06421-48 ACC.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Memorandum of Lease on the day, month and year first above written.

LESSOR:

WENDY'S INTERNATIONAL, INC.  
an Ohio corporation

By: 

GEORGE CONDOS  
EXECUTIVE VICE PRESIDENT

Title:

Attest: 

LAWRENCE E. SCHAU  
Secretary

LESSEE:


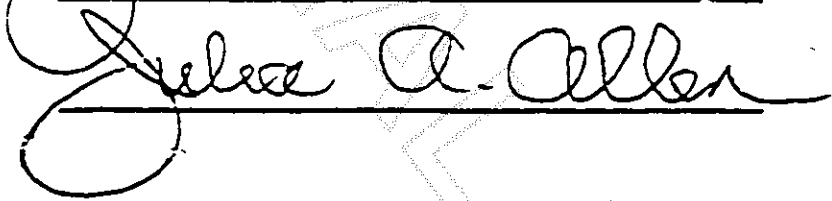
MANNA NORTHWEST, INC.  
a Washington corporation

By: 

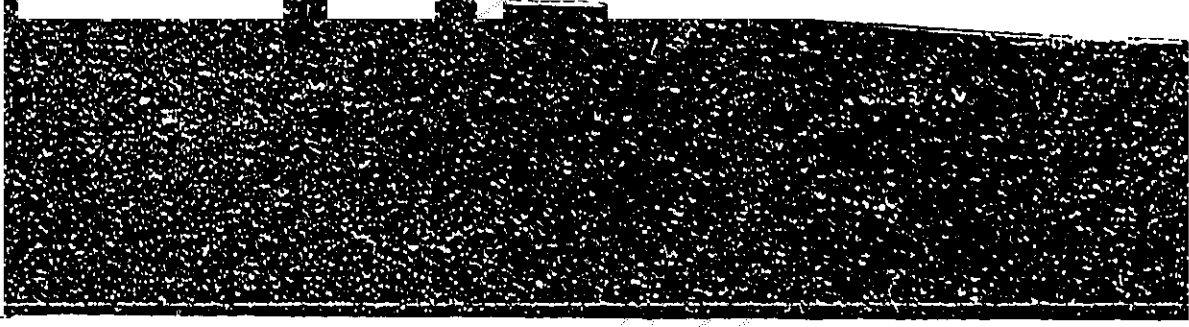
Title: PRESIDENT

Attest:  Secretary

Witness:

  
KIRK MITCHELL BALIN



STATE OF OHIO  
COUNTY OF FRANKLIN, SS:

Personally came before me this 2<sup>nd</sup> day of April, 1993, the above-named  
GEORGE CONDOS  
EXECUTIVE VICE PRESIDENT, to me known to be the  
of  
WENDY'S INTERNATIONAL, INC., an Ohio corporation, the person who executed  
the foregoing instrument on behalf of said corporation and acknowledged the same.

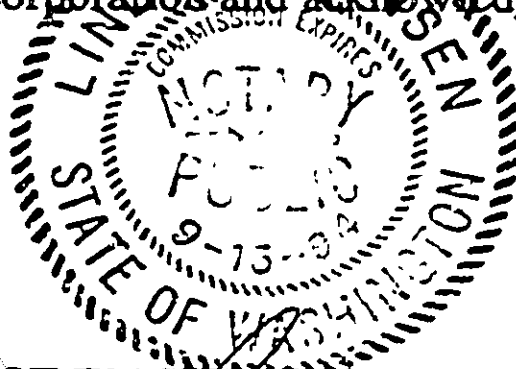


CAROLYN A. LOEFFLER  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES OCT. 14, 1996

Carolyn A. Loeffler  
Notary Public, State of Ohio

STATE OF WASHINGTON  
COUNTY OF Spokane, SS:

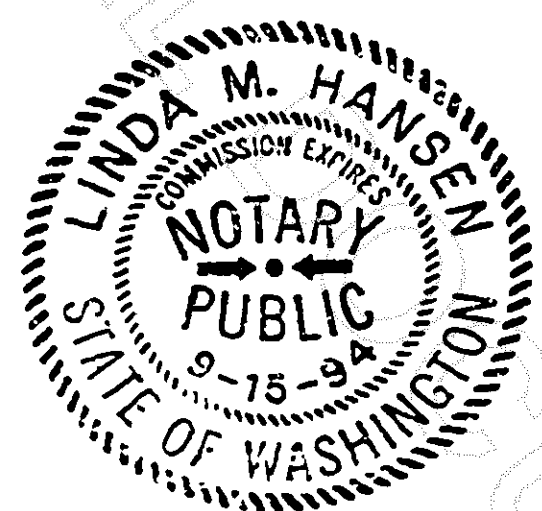
Personally came before me this 1<sup>st</sup> day of April, 1993, the above-named Kirk  
Mitchell Balin, to me known to be the President of Manna Northwest, Inc., a  
Washington corporation, the person who executed the foregoing instrument on behalf  
of said corporation and acknowledged the same.



Linda M. Hansen  
Notary Public, State of Washington

STATE OF WASHINGTON  
COUNTY OF Spokane, SS:

Personally came before me this 1<sup>st</sup> day of April, 1993, the above-named Kirk  
Mitchell Balin, individually, to me known to be the person who executed the foregoing  
instrument and acknowledged the same.



Linda M. Hansen  
Notary Public, State of Washington

930414009

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_, SS:

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 1993, the above-named \_\_\_\_\_, individually, to me known to be the person executed the foregoing instrument acknowledged the same.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

This Instrument Drafted By ~~and Should~~  
~~Be Returned To:~~

Raymond W. Baker, Esq.  
Wendy's International, Inc.  
4288 W. Dublin-Granville Road  
Dublin, Ohio 43017

RETURN TO:

TICOR TITLE INSURANCE COMPANY  
2584 Oakstone Drive  
Columbus, Ohio 43017

9304140009

**EXHIBIT A**

**Order No. 31600  
Commitment No. 31600**

The land referred to in this commitment is situated in the County of SKAGIT, State of Washington, and is described as follows:

Tract "C" "Plat Of K-Mart Commercial Park" as per plat recorded in Volume 14 of plats, pages 126 and 127, records of Skagit County, Washington.

**9304140009**

**BK 118 | PG 0117**