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STATE OF SOUTH CAROLINA)
) MEMORANDUM OF FIRST AGREEMENT
COUNTY OF GREENVILLE)

KNOW ALL MEN BY THESE PRESENTS that a "Lease Agreement" covering the below-described property becomes effective on January 17, 1978, by and between MABLEE ASSOCIATES, a General Partnership (herein referred to as "lessor"), and WENDY'S OF SOUTH CAROLINA, INC., a corporation organized and existing under the laws of the State of South Carolina (hereinafter referred to as "lessee").

That subject to the terms, covenants and conditions more fully set forth in said "Lease Agreement" between lessor and lessee, reference to which is hereby craved and the terms of which are incorporated by reference, and in consideration thereof and for ever valuable consideration, the receipt whereof is hereby acknowledged, lessor does demise and lease to lessee and lessee does hereby lease from lessor for a period of twenty (20) years, commencing January 17, 1978, and ending January 17, 1998, the following described property, with all improvements and buildings thereon, located in the City of Mauldin, County of Greenville, State of South Carolina, to wit:

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, City of Mauldin as shown on plat by Enright Associates, Inc., dated September 2, 1976, and revised October 26, 1977, said plat recorded in Plat Book 6-1, page 99, and being designated thereon as Parcel "A" (0.53 acres, more or less), and Parcel "B" (0.12 acres, more or less) said lots having the following metes and bounds, to wit:

PARCEL "A":BEGINNING at an iron pin in the right-of-way of U. S. Highway 276 (Laurens Road), the joint front corner of property herein described and property now or formerly of Sobanco Properties, Inc. as shown on Enright plat, and running thence up the joint line of property herein described and property now or formerly of Sobanco Properties, Inc., S. 64-17 W., 200 feet to an iron pin at the joint rear corner of property herein described and other property of C.K.I., a partnership; thence along the joint line of Parcel "A" herein described and Parcel "E", S. 19-56 E., 117.26 feet to an iron pin, the joint rear corner of property herein described and property designated on said plat as "Private Road" thence along said "Private Road, N. 63-44 E., 200.15 feet to an iron pin in the southeasterly right-of-way of U. S. Highway 276 (Laurens Road); thence along said right-of-way, N. 19-54 W., 115.32 feet to an iron pin, the point of beginning.

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