

Prepared By and Return to: Terry M. Taylor, Attorney at Law

NORTH CAROLINA

CANCELLATION OF MEMORANDUM OF LEASE

WAKE COUNTY

THIS CANCELLATION OF MEMORANDUM OF LEASE, made and entered into this 2nd day of January, 2024, by **BACKYARD BISTRO PROPERTIES, LLC, a North Carolina limited liability company**, formerly **HURRICANE ALLEY 1235, LLC, a North Carolina limited liability company (the "Landlord")** and **BACKYARD BISTRO, LLC, a North Carolina limited liability company ("Tenant")**, is for the purpose of removing from the public record the Memorandum of Lease, under the following terms and conditions:

WITNESSETH:

1. Landlord recorded a Memorandum of Lease with Tenant recorded on February 5, 2014 in Book 15574, Page 2093, Wake County Registry.
2. The Lease was assigned by Assignment of Lease Agreement to Backyard Bistro Properties, LLC as Landlord in Book 15681, Page 346, Wake County Registry.
3. This Lease is terminated and is of no further effect.
4. It has been deemed to be in the best interest of all parties to remove the above identified Memorandum of Lease from the public record for purposes of clearing title and the record.

NOW, THEREFORE, Landlord and Tenant do hereby relinquish any and all right or claim pursuant to the Memorandum of Lease recorded in Book 15574, Page 2093, Wake County Registry and assigned by Assignment of Lease Agreement recorded in Book 15681, Page 346, Wake County Registry. This Lease has expired, and the Tenant presently occupies different premises.

287848.1

IN WITNESS WHEREOF, the undersigned has hereunto set their hands and seals, this the day and year first above written.

LANDLORD:

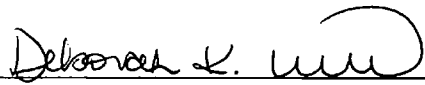
BACKYARD BISTRO PROPERTIES, LLC

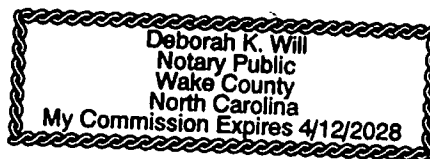
By: 
Lance Wheeler, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Deborah K. Will, a Notary Public for Wake County, North Carolina, do hereby certify that **Lance Wheeler, Member/Manager of Backyard Bistro Properties, LLC, a North Carolina limited liability company**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument in the capacity indicated on behalf of the Company.

WITNESS my hand and notarial seal this 21st day of December, 2023.

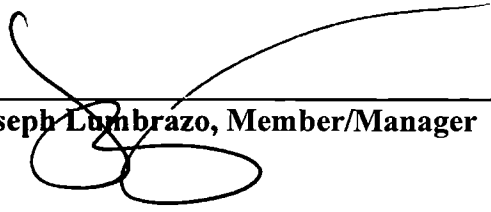

 Notary Public
 My Commission Expires: 4-12-28
 ☞ NOTARY SEAL



IN WITNESS WHEREOF, the undersigned has hereunto set their hands and seals, this the day and year first above written.

LANDLORD:

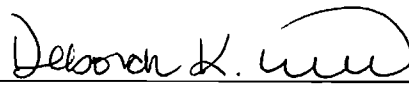
BACKYARD BISTRO PROPERTIES, LLC

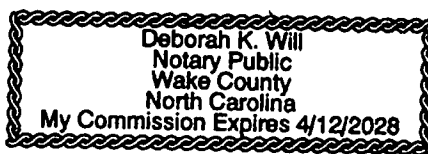
By: 
Joseph Lumbrazo, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Deborah K. Will, a Notary Public for Wake County, North Carolina, do hereby certify that **Joseph Lumbrazo, Member/Manager of Backyard Bistro Properties, LLC, a North Carolina limited liability company**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument in the capacity indicated on behalf of the Company.

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 Notary Public
 My Commission Expires: 4-12-28
 NOTARY SEAL



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TENANT:

BACKYARD BISTRO, LLC

By: _____

Lance Wheeler, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

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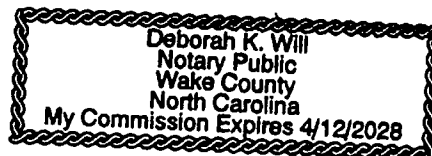
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Deborah K. Will

Notary Public

My Commission Expires: 4-12-28

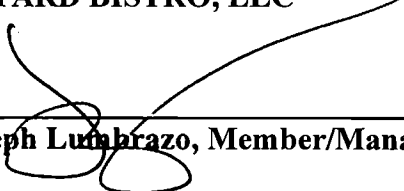
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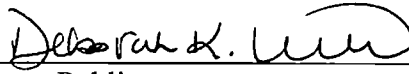
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Joseph Lumbrazo, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

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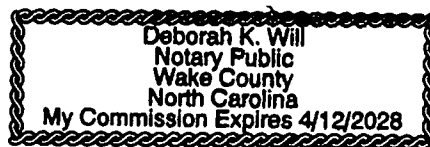


Exhibit A

Property Description

Being all of Tract 1, consisting of 2.34 acres, more or less, as shown on a plat entitled, "Greenway Correction Map, Trinity Road Center," as surveyed by Aiken & Yelle Associates, P.A., dated May 8, 2000, recorded in Book of Maps 2000, Page 1546, Wake County Registry, to which plat reference is hereby made for a more particular description of same.