



200708160006  
Skagit County Auditor

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GUARDIAN NORTHWEST TITLE CO.

MEMORANDUM OF LEASE

91953-2

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Reference Number(s) of Documents assigned or released: N/A

\*\*\*\*\*

Grantor(s) (Last Name first, then First Name and initials):

- 1. DENNY'S, INC., a California corporation

\*\*\*\*\*

Grantee(s) (Last Name first, then First Name and initials):

- 1. DWO, LLC., an Alaska limited liability company

\*\*\*\*\*

Legal Description (abbreviated: i.e. lot, block, plat or section, township, range):

Section 18, Township 34, Range 4; Ptn. NE SE

\*\*\*\*\*

Assessor's Property Tax Parcel/Account Number:

8006-000-006-0005 (P26285)

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The Auditor or Recording Officer will rely on the information provided on this form. The staff will not read the document to verify the accuracy of or the completeness of the indexing information provided herein.

MEMORANDUM OF LEASE

THIS MEMORANDUM is made as of the 27 day of June, 2007, by and between:

DENNY'S, INC., a California corporation ( hereinafter referred to as "Landlord"); and

DWO, LLC, an Alaska limited liability company ("Tenant").

WHEREAS, by a certain Sublease—Turnkey Restaurant Agreement dated as of June 27, 2007 (together with all amendments, modifications, and supplements, hereinafter referred to as the "Lease"), Landlord leased to Tenant the premises (hereinafter referred to as the "Premises") described in the Lease and also set forth in item 4 below, subject to the terms, covenants, and conditions set forth in the Lease; and

WHEREAS, Landlord and Tenant have executed this Memorandum for the purpose of submitting it to be recorded with the Clerk of Skagit County, Washington.

NOW, THEREFORE, WITNESSETH, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto state as follows with respect to the Lease:

1. Names of the parties:

Landlord: DENNY'S, INC.

Tenant: DWO, LLC.

2. The addresses of the parties set forth in the Lease:

Landlord's Address: 203 E. Main Street, Spartanburg, SC 29319

Tenant's Address: One Centerpoint Drive, Suite 315, LaPalma, CA 90623

3. Reference to the Lease:

The Lease was executed by and between Landlord and Tenant and was dated as of June \_\_, 2007.

4. Description of the Premises as set forth in the Lease:

See attached Exhibit A.

5. Original Term of the Lease:

Commencement Date: June 27, 2007.

Termination Date: March 31, 2013.

6. Renewal Options: The Lease Term may be extended for two successive periods of five years each, for a total of ten years through and including March 31, 2023.

Notice Procedure: Notice of the Tenant's intention to renew the Lease must be given to Landlord no later than thirty (30) days prior to the date on which Landlord is required to give notice of renewal to the Master Landlord (as defined in the Lease) under the Master Lease (as defined in the Lease).



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IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

LANDLORD:

DENNY'S, INC., a California corporation

By Stephen Dunn  
Its: Stephen Dunn  
Printed Name: Vice President  
Development

State of South Carolina

County of Spartanburg

On this 22nd day of June, 2007, before me personally appeared Stephen Dunn to me known to be the Vice Pres. of DENNY'S, INC., a California corporation, that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first written above.

Elizabeth O. McAbee  
[Signature of Notary]

Elizabeth O. McAbee  
[Print name and include title]

My Commission Expires: 6-25-2011

(Affix seal or stamp)



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IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

TENANT:

DWO, LLC, an Alaska limited liability company

By *Harshad*  
Harshad Dharod  
Manager

State of California )

County of Orange )

On this 24 day of June, 2007, before me personally appeared Harshad Dharod to me known to be the Manager of DWO, LLC, an Alaska limited liability company, that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first written above.

*Van Tran*  
[Signature of Notary]

Van Tran, Notary Public  
[Print name and include title]

My Commission Expires: April 24, 2009

(Affix seal or stamp)



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**EXHIBIT A**

**LEGAL DESCRIPTION:**

LOT 6, BINDING SITE PLAN NO. MV-1-93 ENTITLED SKAGIT VALLEY SQUARE, APPROVED SEPTEMBER 29, 1993, RECORDED SEPTEMBER 30, 1993 IN BOOK 10 OF SHORT PLATS, PAGES 240-246, INCLUSIVE, UNDER AUDITOR'S FILE NO. 9309300143 AND BEING A PORTION OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 18, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.



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