

mail to:  
Mrs. Sandy Emerson  
U-Fill'er-Up, Inc.  
P.O. Box 9718  
Greensboro, NC 27429  
NORTH CAROLINA

108

FORSYTH COUNTY

## MEMORANDUM OF LEASE

U-FILL'ER-UP, INC., LANDLORD, P.O. Box 9718, Greensboro, North Carolina 27429, hereby leases to PACEMAKER LEASING COMPANY, TENANT, 543 Cox Road, Gastonia, North Carolina 28054, for a term beginning the 1st day of January, 1990, and continuing for a maximum period of five and one-half (5 1/2) years, including optional extensions and renewals, the following real property:

Located in Winston Township, Forsyth County, North Carolina, Beginning at an iron in the north right-of-way line of Old Vineyard Road at the southeast corner of Lot 40, Burke Park, the Asa W. Inabinet property and being the southwest corner of Lot 41, hereinafter referred to, thence with Lots 40 and 47 North  $31^{\circ} 08' 15''$  East 253.40 feet to an iron; thence south  $52^{\circ} 44'$  East 122.21 feet to a concrete monument; thence south  $06^{\circ} 12'$  East 75.09 feet to a concrete monument in the right-of-way line of N.C. Highway #158; thence with the right-of-way line of N.C. Highway #158 south  $37^{\circ} 10'$  West 103.80 feet to a concrete monument; thence with the right-of-way line of Old Vineyard Road North  $80^{\circ} 15'$  West 174.31 feet to an iron in the place of BEGINNING; being the greater parts of Lots 41, 42, 43, 44, 45 and 46, Burke Park Development, Plat Book 12, Page 20; as surveyed by John G. Bane in October, 1968.

The provisions set forth in a written agreement between the parties dated the 1st day of January, 1990 are hereby incorporated in this memorandum.

BK1686 P3129

LANDLORD: U-FILL'ER UP, INC.

By: E.E. Gillespie  
Vice President

Attest:

R. Randel Cobb  
Secretary

TENANT: PACEMAKER LEASING COMPANY

By: Larry Bryant  
President

Attest:

Gary Billings  
Assistant Secretary

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

This 2<sup>nd</sup> day of Feb., 1990, personally came before me, E.E. Gillespie, who being by me duly sworn, says that he is Vice President of U-Fill'er up, Inc.; that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation; that said writing was signed and sealed by him on behalf of said corporation by its authority duly given. And the said Secretary acknowledged the said writing to be the act and deed of said corporation.

Witness my hand and notarial seal, this 2<sup>nd</sup> day of Feb., 1990.

William L. Wray  
Notary Public

My Commission expires: Feb. 12, 1990

STATE OF NORTH CAROLINA  
COUNTY OF GASTON

This 8th day of February, 1990, personally came before me, Debra C. Brown, who being by me duly sworn, says that he is President of Pacemaker Leasing Company; that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation; that said writing was signed and sealed by him on behalf of said corporation by its authority duly given. And the said Assistant Secretary acknowledged the said writing to be the act and deed of said corporation.

Witness my hand and notarial seal, this 8th day of February, 1990.

Debra C. Brown  
Notary Public

My Commission expires: 1-29-92

(not passed on)

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate # of William L. Wray, NP, Guilford  
(here give name and official title of the officer signing the certificate, passed upon)

Ce, NC

PRESENTED FOR  
REGISTRATION

is (are) certified to be correct. This the 20 day of February, 1990.

FEB 20 4 57 PM '90

E. Speas, Register of Deeds

L.E. SPEAS By Deborah K. Riddle

Deputy Assistant

REGISTER OF DEEDS  
FORSYTH CTY. N.C.

Probate and Filing Fee \$ 10.00 paid.

DR