

STATE OF INDIANA  
LAKE COUNTY  
FILED IN RECORD

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**RELEASE OF DEED OF TRUST**

THIS CERTIFIES That a certain Assignment of Lease, Rents and Real Estate (Deed of Trust) executed by U.S. RESTAURANT PROPERTIES OPERATING L.P. to COMERICA BANK-TEXAS, for itself and as agent recorded on November 12, 1996 as Document No. 96075097, Lake County, State of Indiana, has been fully paid and satisfied and the same is hereby released, together with all liens and encumbrances held by the undersigned against the real property described in such deed of trust, including the Assignment of Leases, Rents and Real Estate.

Witness my hand, at office, this 26<sup>th</sup> day of July, 1999.

This Document is the property of  
the Lake County Recorder's Office

COMERICA BANK-TEXAS, for itself and as agent

By: [Signature]  
Name: Kathy L. Chamberlain  
Title: Assistant Vice President

STATE OF TEXAS

COUNTY OF DALLAS

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§  
§

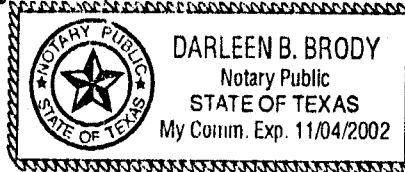


Personally appeared before me, Kathy L. Chamberlain, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the Assistant Vice President of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

Witness my hand, at office, this 26 day of July, 1999.

When recorded return to:  
U.S. Restaurant Properties  
Attention: Diane Pinkert  
12240 Inwood Rd., Ste 200  
Dallas, Texas 75244

[Signature]  
Notary Public, State of Texas



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05622

## EXHIBIT B

Parcel I:

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, AND PART OF THE SOUTHEAST QUARTER OF SECTION 32, ALL IN TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1994 AS DOCUMENT NO. 94063408, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1 THENCE NORTH 89 DEGREES 27 MINUTES 34 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 1 1148.11 FEET; THENCE NORTH 00 DEGREES 11 MINUTES 11 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1 0.09 FEET; THENCE NORTH 34 DEGREES 46 MINUTES 25 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1 17.72 FEET; THENCE NORTH 01 DEGREES 55 MINUTES 20 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 248.52 FEET; THENCE NORTH 02 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 374.45 FEET; THENCE NORTH 44 DEGREES 51 MINUTES 46 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 40.57 FEET; THENCE NORTH 02 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 60.00 FEET; THENCE NORTH 41 DEGREES 03 MINUTES 43 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1 39.55 FEET; THENCE NORTH 02 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 125.89 FEET; THENCE NORTH 01 DEGREES 08 MINUTES 49 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1 87.11 FEET; TO THE POINT OF BEGINNING; THENCE CONTINUING ON THE LAST DESCRIBED COURSE NORTH 01 DEGREES 08 MINUTES 49 SECONDS EAST, 97.61 FEET; THENCE SOUTH 88 DEGREES 51 MINUTES 11 SECONDS EAST, 10.00 FEET; THENCE NORTH 01 DEGREES 08 MINUTES 49 SECONDS EAST, ALONG A WESTERLY LINE OF LOT 1 14.14 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 12 SECONDS EAST, ALONG A LINE AT RIGHT ANGLES TO THE EAST LINE OF SAID LOT 1 270.64; THENCE SOUTHERLY ON A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 44100 FEET, AN ARC DISTANCE OF 107.35 FEET AND A CHORD BEARING SOUTH 06 DEGREES 48 MINUTES 38 SECONDS WEST TO A POINT 847.24 FEET WEST OF THE EAST LINE OF SAID LOT 1 (AS MEASURED AT RIGHT ANGLES THEREOF); THENCE SOUTH 00 DEGREES 09 MINUTES 48 SECONDS EAST, ALONG A LINE PARALLEL TO SAID EAST LINE OF LOT 1 5.20 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST, ALONG A LINE AT RIGHT ANGLES TO SAID EAST LINE OF LOT 1, 270.19 FEET, TO THE POINT OF BEGINNING, IN THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA.

Parcel II: Non Exclusive Easement for Ingress and Egress as shown in the easement for Ingress and Egress and Cross Easement Agreement recorded May 7, 1996 in Instrument No. 96030241.

AND

Parcel III:

A Non-Exclusive Easement for the passage and parking of passenger, service and delivery vehicles, as reserved and granted in Operation and Easement Agreement, recorded September 26, 1994 as Instrument No. 94066757; and amended by the First Amendment recorded April 6, 1995 as Instrument No. 95019082; and Second Amendment recorded July 6, 1995 as Instrument No. 95037841. (Note: Assignment of Agreements recorded April 6, 1995 as Instrument No. 95019081.)

# 9597

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