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2002 065417

2002 JUL 22 10:34

RECORDED
RECORDER

Mail Tax Bills To:
Outback Steakhouse of Florida, Inc.
2282 North West Shore Boulevard, 5th Floor
Tampa, Florida 33607

Part of Tax Key No.
8-15-466-16

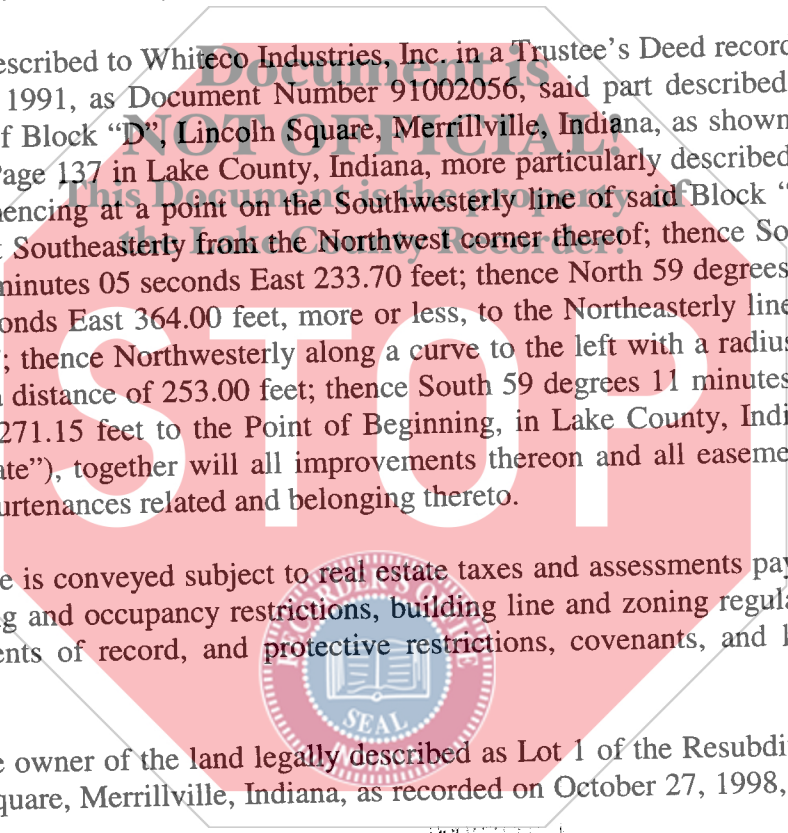
CORPORATE DEED

THIS INDENTURE WITNESSETH, that Whiteco Industries, Inc., a Nebraska corporation, ("Grantor"), a corporation organized and existing under the laws of the State of Indiana, conveys and warrants to Outback Steakhouse of Florida, Inc., ("Grantee") in consideration of ten dollars (\$10.00) and other fair and valuable consideration, the receipt and adequacy of which consideration is hereby acknowledged, the following described real estate in Lake County, in the State of Indiana, to wit:

Part of parcel described to Whiteco Industries, Inc. in a Trustee's Deed recorded on January 14, 1991, as Document Number 91002056, said part described as follows: Part of Block "D", Lincoln Square, Merrillville, Indiana, as shown in Plat Book 43, Page 137 in Lake County, Indiana, more particularly described as follows: Commencing at a point on the Southwesterly line of said Block "D" and 386.09 feet Southeasterly from the Northwest corner thereof; thence South 30 degrees 48 minutes 05 seconds East 233.70 feet; thence North 59 degrees 11 minutes 55 seconds East 364.00 feet, more or less, to the Northeasterly line of said Block "D"; thence Northwesterly along a curve to the left with a radius of 666.2 feet for a distance of 253.00 feet; thence South 59 degrees 11 minutes 55 seconds West 271.15 feet to the Point of Beginning, in Lake County, Indiana (the "Real Estate"), together with all improvements thereon and all easements, rights, and appurtenances related and belonging thereto.

The Real Estate is conveyed subject to real estate taxes and assessments payable in 2002 and thereafter, building and occupancy restrictions, building line and zoning regulations, public highways and easements of record, and protective restrictions, covenants, and limitations of record.

Grantor, as the owner of the land legally described as Lot 1 of the Resubdivision of Part of Lot "D" Lincoln Square, Merrillville, Indiana, as recorded on October 27, 1998, in Book 065,



LAKE COUNTY RECORDER

JUL 22 2002

001431

HOLD FOR FIRST AMERICAN TITLE

06026074

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page 08 of the Public Records of Lake County, Indiana and the adjacent 25 foot parcel to the east of such Lot 1 (collectively the "Burdened Property"), hereby declares and imposes the following perpetual restriction on the Burdened Property, for the benefit of the Real Estate and Grantee, its successors and assigns, it being intended that such restriction shall run with the land, to wit:

No improvement on the Burdened Property shall be utilized for the operation of a "steakhouse" which is hereby defined as a restaurant where the sale of beef is materially specified in the advertising or marketing efforts of such restaurant or the sale of beef constitute twenty five percent (25%) or more of the entire sales of such restaurant, computed on a dollar basis.

The undersigned individual executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution and the bylaws of the Grantor to execute and deliver this deed; that this transaction does not constitute a sale or disposition of all or substantially all of the Grantor's property as contemplated by I.C. 23-1-41-2; that the Grantor is a Nebraska corporation presently in existence and duly authorized to conduct business in the State of Indiana: that the most recent annual report for the Grantor as required by I.C. 23-1-53-3 has been filed with the Secretary of State of the State of Indiana: that the Grantor has full corporate capacity to convey the real estate described in this deed; and that all necessary corporate action for the making of this conveyance has been duly taken.

No Indiana gross income tax is due with respect to this transaction.

Dated this 18th day of July 2002.

Whiteco Industries, Inc.

By:

John M. Peterman, President
and Chief Operating Officer



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me the undersigned, a Notary Public for the above county and state, came Whiteco Industries, Inc. by John M. Peterman, personally known to me to be the President and Chief Operating Officer of the corporation, and acknowledged the execution of the foregoing instrument this 18th day of July 2002.

Sharon Mustafa

Notary Public

Printed Name: Sharon Mustafa

My Commission Expires:
Resident County:

10-18-07
LAKE

This instrument prepared by, and when recorded should be returned to, Carol Ann Bowman, Attorney at Law, 1000 East 80th Place, Suite 700 North, Merrillville, Indiana 46410.

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