Prepared by: Burger King Corporation Jill Anderson-Blanco, Esq. 5505 Blue Lagoon Drive Miami, FL 33126

2010 017762



2010 Nat. 29 At. 9: 39



WAIVER AND RELEASE OF PRE-EMPTIVE RIGHT TO PURCHASE &

THIS WAIVER OF PRE-EMPTIVE RIGHT TO PURCHASE (the "Waiver") is executed this $\frac{4\pi}{}$ day of March, 2010, by BURGER KING CORPORATION, a Florida corporation ("BKC") in connection with the sale of the property described in the attached Exhibit "A" (the "Property").

WHEREAS, BKC reserved a pre-emptive right to purchase in that certain Special Warranty Deed dated as of March 6, 2003 and recorded on March 18, 2003 as Document No. 200328194, in the Official Records of Lake County, Indiana (the "Deed").

WHEREAS, GLR, L.L.C., an Indiana limited liability company sold the Property to LINCOLN HIGHWAY, L.L.C., a Indiana limited liability company, in that certain Warranty Deed dated as of December 8, 2005 and recorded January 6, 2006 as Document No. 2006 001368 in the Official Records of Lake County, Indiana.

WHEREAS, BKC has agreed to waive and release the Pre-Emptive Right to Purchase. the Lake County Recorder!

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, BKC hereby waives and releases the Pre-Emptive Right to Purchase recorded as Document No. 200328194, in the Official Records of Lake County, Indiana. BKC's failure to exercise the pre-emptive right on one or more occasions shall not affect BKC's right to exercise it on any subsequent occasions.

IN WITNESS WHEREOF, BKC has caused this Waiver to be executed by its duly authorized representative.

BURGER KING CORPORATION,

a Florida corporation

By: Name:

AMY R. KNIGHTS

Title:

Vice President

H:\ACianciolo\ROFR\BK 540 2nd Waiver of Pre-Emptive Rights.doc

firm, under the penalties for perjury, that I have taken reasonable care to redact each

Social Security number in this document, unless required by law. Andrea A. Plasencia

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)
4th day of March, 2010,	ght of First Refusal was acknowledged before me this by AMY R. KNIGHTS as
corporation, on behalf of the corporation	of Burger King Corporation, a Florida ation.
MARLENE T. FRIEL. MY COMMISSION # DD 857256 EXPIRES: March 16, 2013	Marlese T - Friel Notary Public My Commission Expires: 3-16-2013



H:\ACianciolo\ROFR\BK 540 2nd Waiver of Pre-Emptive Rights.doc

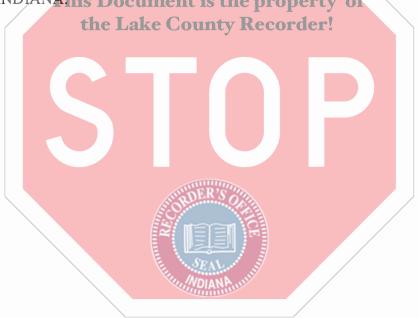
EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OF LAND IN THE SOUTH ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE RUNNING NORTH ALONG SAID EAST LINE OF SAID SECTION 29 A DISTANCE OF 262.36 FEET; THENCE WEST A DISTANCE OF 450 FEET; THENCE SOUTH A DISTANCE OF 262.36 FEET; THENCE EAST A DISTANCE OF 450 FEET TO THE POINT OF BEGINNING, IN THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA.

AND

A TRACT OF LAND IN THE SOUTH ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING 262.36 FEET NORTH OF THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE RUNNING NORTH ALONG SAID EAST LINE OF SECTION 29 A DISTANCE OF .30 FEET; THENCE WEST A DISTANCE OF 450 FEET; THENCE SOUTH A DISTANCE OF .30 FEET; THENCE EAST A DISTANCE OF 450 FEET TO THE POINT OF BEGINNING, IN THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANAL IS DOCUMENT IS THE POPERTY OF



H:\ACianciolo\ROFR\BK 540 2nd Waiver of Pre-Emptive Rights.doc