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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

Heileen S. Bell, Esq.
Burger King Company LLC
5707 Blue Lagoon Drive
Miami, Florida 33126

WAIVER OF RIGHT OF FIRST REFUSAL

THIS WAIVER OF RIGHT OF FIRST REFUSAL is executed this 26 day of April, 2023 by BURGER KING COMPANY LLC, a Florida limited liability company ("BKC").

By Lease Agreement dated as of May 1, 1974, and recorded November 21, 1977 in Instrument No. 440439 (the "Original Lease", and together with all amendments, assignments and other ancillary documents, if any, the "Lease") currently by and between BKC and Indiana Trust Company, as trustee u/t/a dated September 25, 1973 ("Lessor"), Lessor leased to BKC certain real property more particularly described on Exhibit "A" attached hereto made a part hereof (the "Property").

Pursuant to Section 22 of the Lease, BKC has reserved a pre-emptive right of first refusal to purchase the Property (the "Right of First Refusal"). BKC has been requested to waive the Right of First Refusal in connection with Lessor's sale of the Property to The Ahuja Family Trust c/o Sunny Ahuja ("Purchaser") in accordance with the terms of the Purchase and Sale Agreement dated as of February 27, 2023.

BKC has agreed to waive the Right of First Refusal on the terms and conditions set forth herein.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, BKC agrees to and does hereby waive the Right of First Refusal with respect to the sale of the Property from Lessor to Purchaser. BKC's waiver of its Right of First Refusal herein shall not affect BKC's right to exercise such Right of First Refusal on any subsequent occasion.

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

BURGER KING COMPANY, LLC,
a Florida limited liability company

By: 
Heileen S. Bell
Sr. Counsel, Franchising and Real Estate,
US & LAC

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STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 26th day of April, 2023, by Heileen Bell, who is personally known to me, as the Sr. Counsel of BURGER KING COMPANY LLC, a Florida limited liability, on behalf of the company.



Name: *Rail Seane*
My Commission Expires: 02-19-2024

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Exhibit A

LEGAL DESCRIPTION OF THE LAND

Lots 1, 2 and 3, Block 1, Ridge Crest Homes Addition, in the Town of Griffith, as shown in Plat Book 25, page 5, in Lake County, Indiana.

Parcel/tax #
45-07-26-228-001.000-006

Property of Lake County Recorder