

Vice Chairman of the Executive Committee of the Board, the Chairman of the Corporate Trust Committee, every Vice President, every Assistant Vice President, the Cashier, every Assistant Cashier, the Secretary, every Assistant Secretary, the Treasurer, every Assistant Treasurer, every Trust Officer, every Assistant Trust Officer, the Controller, every Assistant Controller, and every other officer and assistant officer of the Corporate Trustee customarily performing functions similar to those performed by the persons who at the time shall be any such officers and also means, with respect to a particular corporate trust matter, any other officer to whom such corporate trust matter is referred because of his knowledge and familiarity with a particular subject.

"Restaurant Property" means any parcel or parcels of land, together with the buildings and improvements constructed thereon and all easements, rights and appurtenances thereto, on which is located a restaurant operated by the Company or a Subsidiary.

"Special Record Date" for the payment of any Defaulted Interest means a date fixed by the Corporate Trustee pursuant to Section 2.01 hereof.

"Stated Maturity," when used with respect to any Bond or any instalment of interest thereon, means the date specified in such Bond as the fixed date on which the principal of such Bond or such instalment of interest is due and payable.

"Subsidiary" means any corporation more than 50% of whose shares of stock have general voting power under ordinary circumstances to elect a majority of the board of directors, managers or trustees of such corporation, irrespective of whether or not at the time stock of any other class or classes shall or might have voting power by reason of the happening of any contingency, is owned or controlled directly or indirectly by the Company.

"supplemental indenture" or "indenture supplemental hereto" mean any indenture hereafter duly authorized and entered into in accordance with the provisions of this Indenture.

"Trustees" means the Corporate Trustee and the Individual Trustee. Unless expressly provided otherwise in this Indenture or unless the context otherwise requires, any reference to the Trustees shall refer to either of them. The powers of the Individual Trustee are limited by Section 16.13(D) hereof.

"Trust Estate" means all moneys and other property subject or intended to be subject to the Lien of this Indenture as of any particular time.

"Trust Indenture Act" means the Trust Indenture Act of 1939, as in force at the date of which this instrument was executed.

All accounting terms used in this Indenture shall have the meanings assigned to them in accordance with generally accepted accounting principles and practices employed by the Company at the date of this Indenture.

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