

GRANTING CLAUSE SECOND
PROPERTIES HEREAFTER SPECIFICALLY MORTGAGED

Any and all Deposited Cash, Restaurant Properties and other property which may from time to time, by delivery to the Trustees or by Mortgage or any other instrument, be subjected to the Lien of this Indenture by the Company or any Consolidated Subsidiary, or otherwise with the consent of the Company, or which may come into the possession or become subject to the control of the Trustees and to be subject to the Lien of the Indenture as contemplated in this Indenture, including without limitation any and all right, title and interest, under leases or otherwise, in and to any Restaurant Properties, any improvements, repairs and replacements thereto, and any related leases or other instruments, at any time hereafter mortgaged hereunder pursuant to Articles 6 and 10 hereof; and the Trustees are hereby authorized to receive any and all such property as and for additional security for the payment of the Bonds and all other sums secured or intended to be secured hereby.

GRANTING CLAUSE THIRD
RENTS, ISSUES, PROFITS AND OTHER INCOME

Any and all rents, issues, profits and other income from all property now or hereafter subject to the Lien of this Indenture, or intended so to be.

EXCEPTIONS AND RESERVATIONS

Notwithstanding the Third Granting Clause, unless and until an Event of Default shall have occurred and be continuing, it is not intended to subject to the Lien of this Indenture, and such Grant shall not be deemed to apply to any rents, issues, profits or other income from the Mortgaged and Pledged Property; but, upon the happening and during the continuance of any Event of Default, all such rents, issues, profits and other income shall immediately become subject to the Lien of this Indenture to the extent permitted by law and the Trustees shall be entitled to receive and collect all sums payable thereunder and to apply the net moneys so received as in Article 12 hereof provided.

TO HAVE AND TO HOLD all and singular the Trust Estate, whether now owned or held or hereafter acquired, unto the Trustees, their successors in the trusts hereunder and assigns, forever;