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SPECIAL WARRANTY DEED

106 11499 2003

THIS INDENTURE, made this 24 day of June, 2005, between APPLELAND, L.L.C., an Illinois limited liability company ("Grantor"), whose address is 741 Centre View Boulevard, Suite 100, Crestview Hills, Kentucky 41017, duly authorized to transact business in the State of Illinois, and GE CAPITAL FRANCHISE FINANCE CORPORATION, a Delaware corporation ("Grantee"), whose address is 17207 North Perimeter Drive, Scottsdale, Arizona 85255.

WITNESSETH, that Grantor for and in consideration of the sum of Ten Dollars and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, and pursuant to authority of the board of directors or other applicable body of authority of said limited liability company, by these presents does REMISE, RELEASE, ALIENATE

AND CONVEY unto Grantee and to its heirs and assigns, FOREVER, all the following described real estate on the Exhibit A attached hereto (the "Property").

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of Grantor, either in law or equity, of, in and to the above-described Property, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said Property as above described, with the appurtenances, unto Grantee, its heirs and assigns forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said Property hereby conveyed is, or may be, in any manner encumbered or charged, except as herein recited; and that, subject to all matters set forth on the attached Exhibit B, Grantor WILL WARRANT AND DEFEND the said Property, against all persons lawfully claiming, or to claim the same by, through or under Grantor.

Permanent Real Estate Index Number(s): 29-39-100-052-0000

Address(es) of real estate:

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents the day and year first above written.

APPLELAND, L.L.C., an Illinois limited liability company

By W. Curtis Smith
W. Curtis Smith
Manager and Member

This instrument was prepared by: Kutak Rock LLP, Suite 300, 8601 North Scottsdale Rd, Scottsdale, AZ 85253

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MAIL TO:

GE Capital Franchise Finance Corporation
17207 North Perimeter Drive
Scottsdale, Arizona 85255

SEND SUBSEQUENT TAX BILLS TO:

GE Capital Franchise Finance Corporation
17207 North Perimeter Drive
Scottsdale, Arizona 85255

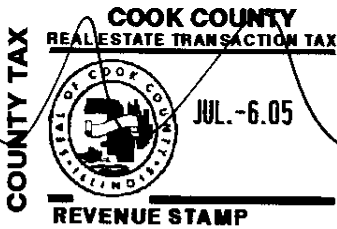
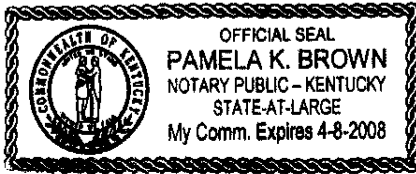
STATE OF KENTUCKY)
) ss.
COUNTY OF KENTON)

I, Pamela K. Brown, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that W. Curtis Smith, personally known to me to be the Manager and Member of APPLELAND, L.L.C., an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Manager and Member he signed and delivered the said instrument pursuant to authority, given by the Board of Directors or other applicable body of authority of said limited liability company, as his/her free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 20 day of June, 2005.

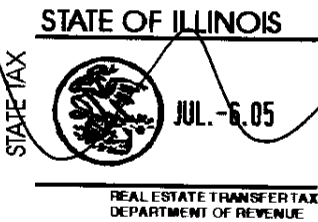
Pamela K Brown
Notary Public

Commission expires _____



REAL ESTATE TRANSFER TAX
0105850
FP326670

When recorded mail to:
LandAmerica Financial Group, Inc.
Attn: Kristin Brown
1850 N. Central Avenue, Suite 300
Phoenix, AZ 85004
Escrow No. 05-44996



REAL ESTATE TRANSFER TAX
0211700
FP326660

Contract No. 27852
Unit No. 251
Homewood, Illinois

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EXHIBIT A

LEGAL DESCRIPTION

Property of Cook County Clerk's Office

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EXHIBIT A

Legal Description:

That part of Lot 4 in Park Place Plaza Resubdivision, being a resubdivision of the Park Place Plaza, being a subdivision of part of the northwest 1/4 of Section 33, Township 36 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded November 28, 1988 as Document Number 88546282, in Cook County, Illinois, said Resubdivision recorded May 19, 1995, as Document Number 95329596, in Cook County, Illinois, bounded and described as follows:

Beginning at the southwest corner of said Lot 4; thence North 00° 00' 00" West on the west line of said Lot 4, a distance of 172.67 feet; thence North 90° 00' 00" East, a distance of 213.00 feet to a point of curve; thence southeasterly on the arc of a curve convex to the northeast having a radius of 22.00 feet, an arc length of 34.56 feet to a point of tangent, said point of tangent being on the east line of said Lot 4, a distance of 150.67 feet to the southeast corner of said Lot 4; thence South 90° 00' 00" West, on the south line of said Lot 4, a distance of 235.00 feet to the point of beginning, in Cook County, Illinois. Containing 40,473 square feet or 0.929 acres, more or less.

Also known as Lot 4A in Plat of Resubdivision of Lot 4 in Park Place Plaza Resubdivision, being a Resubdivision of Park Place Plaza, being a subdivision of the northwest 1/4 of Section 33, Township 36 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded November 28, 1988 as Document Number 88546282, in Cook County, Illinois, according to the plat thereof recorded December 5, 1996, as Document Number 96920709.

TOGETHER WITH non-exclusive access easement for passage, ingress and egress set forth in Commercial Access Easement and Maintenance Agreement dated January 30, 1997, made by and between SKW Real Estate Limited Partnership and Apple South, Inc., recorded February 19, 1997 as Document Number 97114746

PIN: 29-33-100-052-0000.

Address of Premises: 17575 S. Halsted Ave., Homewood, Illinois.

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EXHIBIT B

PERMITTED EXCEPTIONS

Property of Cook County Clerk's Office

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EXHIBIT B

PERMITTED EXCEPTIONS

1. General taxes for the years 2004, 2005, and subsequent years, a lien not yet due and payable.
2. Terms, provisions, covenants and conditions of Ordinance No. M-602 of the Village of Homewood, being entitled "An Ordinance Granting Preliminary Approval for the Washington Park Planned Unit Development and Authorizing the Execution of a Statement of Intent for that Development", said Ordinance recorded February 7, 1980 as Document 25353091, as amended by instrument recorded September 1, 1983 as Document 26759971.
3. Easement for, in, upon, under, over and along the land to install and maintain all equipment for the purpose of serving the land and other property with telephone and electric service, together with right of access to said equipment as created by grant from Commonwealth Edison Company and Illinois Bell Telephone Company, recorded October 26, 1988 as Document 88494368. (Affects the Common Areas except portions occupied by buildings, structures and mechanical equipment.)
4. Declaration of Restrictive Covenants by and between American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated February 1, 1987 and known as Trust No. 10134401, and Taco Bell, a California corporation, recorded March 22, 1989, as Document 89127101.
5. Utility easement as shown on plat of The Park Place Plaza Subdivision, recorded November 28, 1988 as Document 88546282.
6. Homewood Park Place Plaza Redevelopment Agreement by and among the Village of Homewood, Cook County, Illinois, and American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated February 1, 1987, and known as Trust Number 101344-01, and Transmission and Distribution General Partners Number 81, an Illinois general partnership, dated May 23, 1988, and recorded July 6, 1988 as Document 88296558.
7. An Ordinance granting preliminary approval to a portion of the Park Place Plaza Planned Unit Development and Final Approval to the Balance of that Planned Unit Development providing for the Development of an approximately 25 acre parcel of property on the east side of Halsted Street, South of 175th Street in the Washington Park Planned Unit Development in the Village of Homewood, Cook County, Illinois, known as Ordinance M-857, recorded August 29, 1989, as Document 89404867.
8. An Ordinance granting final approval to a portion of the Park Place Plaza Planned Unit Development and Preliminary Approval to the balance of that Planned Unit Development, providing for the Development of an approximately 25 acre parcel of property on the east side of Halsted Street, south of 175th Street in the Washington Park Planned Unit Development, in the Village of Homewood, Cook County, Illinois, known as Ordinance M-900, recorded May 3, 1990, as Document 90203618.
9. Covenants, conditions and restrictions contained in Declaration recorded May 19, 1995 as Document 95329598 relating to: reciprocal easements for parking and access, ingress and egress, utility repair, storm sewer drainage and water line systems, parking tracts and lighting, construction repair and maintenance and common area maintenance.
10. Utility easement as shown on the Plat of Park Place Plaza Resubdivision recorded May 19, 1995 as Document No. 95329596. (Affects the west 54 feet and the south 15 feet.)
11. Utility easement as shown on the Plat of Resubdivision of Lot 4 in Park Place Plaza Resubdivision recorded December 5, 1996, as Document No. 96920709. (Affects the west 54 feet, the south 15 feet of Lot 4A, and the east 10 feet of Lot 4A, and the west 10 feet of the east 46 feet of Lot 4A.)

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12. Reservation of Easement for ingress, egress and utilities over Outlot A as contained in the Plat of Resubdivision of Lot 4 in Park Place Plaza Resubdivision, recorded December 5, 1996 as Document No. 96920709.
13. Terms, conditions and provisions of the document creating the easements described in Schedule A of the LTIC Title Commitment No.10611499 (e.g. Commercial Access Easement and Maintenance Agreement dated January 30, 1997, made by and between SKW Real Estate Limited Partnership and Apple South, Inc., recorded February 19, 1997 as Document No. 97114746), together with the rights of the adjoining owners in and to the concurrent use of said easements.

Property of Cook County Clerk's Office