

**REAL PROPERTY WAIVER**

THIS AGREEMENT, Made as of the eleventh day of June, 1990, by and between the hereinafter designated Lessor and the undersigned.

WHEREAS, the undersigned has an interest in the premises more specifically described on the attached schedule, as Mortgage; and

WHEREAS, said premises are now occupied in whole or in part by INTERSTATE BRANDS CORPORATION (hereinafter the "Lessee"), and Lessee desires to lease from MNC LEASING, A DIVISION OF MNC CREDIT CORP. (hereinafter the "Lessor") certain equipment which is already on the above-mentioned premises or hereafter may be delivered to or installed thereon, all of said equipment being more fully described on the schedule attached hereto (hereinafter collectively the "Equipment"), all of which Equipment is now or hereafter may become subject to an Equipment Lease Agreement (hereinafter the "Lease") from Lessor to Lessee, to be used in connection with the business of Lessee as now or hereafter conducted; and

WHEREAS, Lessor is willing to lease the Equipment to Lessee, provided that the undersigned recognizes Lessor's title and prior interest in and to the Equipment.

NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars (\$5.00) in hand paid, the receipt of which is hereby acknowledged, the undersigned hereby consents and agrees as follows:

1. Title to the Equipment to be leased to Lessee by Lessor is and shall remain in Lessor.
2. All such Equipment may be kept, installed, maintained, used and operated in the above-mentioned premises; and shall remain personal property notwithstanding the manner or mode of the attachment of such Equipment to the realty and shall not become fixtures.
3. Lessor's title and interest in and to the Equipment as ratified and provided in the Lease and any claim that Lessor may now have or hereafter may acquire against the Equipment by virtue of the Lease is superior to any lien, claim or interest which the undersigned may now have or hereafter may acquire against or in the Equipment by virtue of the undersigned's interest in the real property, or otherwise.
4. In the event of default by Lessee in the performance of any of its obligations pursuant to the Lease, or any extension or renewal of said Lease, Lessor may remove the Equipment from the above-mentioned premises in accordance with the terms and conditions of said Lease and the undersigned agrees that it will make no claim whatsoever to the Equipment.
5. Lessor may, without affecting the validity of this Waiver, extend the time of the payment of any rental, or the performance of any of the other terms and conditions of the Lease, without the consent of, and without giving notice thereof to the undersigned.
6. This Waiver shall inure to the benefit of the successors and assigns of Lessor and shall be binding upon the heirs, personal representatives, successors and assigns of the undersigned.

IN WITNESS WHEREOF, the undersigned has caused this Waiver to be duly executed under seal, as of the day and year first above written.

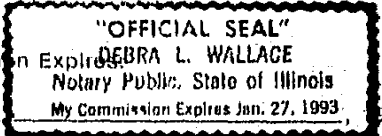
ATTEST:  
[Signature]  
STATE OF Illinois  
COUNTY OF Cook } ss:

The Toronto-Dominion Bank Trust Co., As Agent  
By: [Signature] (SEAL)  
Patrick J. Connelly  
Assistant General Manager

90503372

The undersigned, a Notary Public within and for said County, in the State aforesaid, duly commissioned and acting, hereby certifies that on this 11th day of April, 1990, personally appeared before me Patrick J. Connelly, to me personally known and known to be the person who signed the foregoing Waiver, who, being by me duly sworn and being informed of the contents of said Waiver, stated and acknowledged on oath that he signed, sealed and delivered same with authority as his free and voluntary act and deed, for the uses, purposes and considerations therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this 11th day of April, 1990, in this certificate above written.



[Signature]  
Notary Public

PREPARED BY: OBER, KALER, GRIMES AND SHRIVER  
SUITE 1800  
10 LIGHT STREET  
BALTIMORE, MARYLAND 21202

DEBRA L. WALLACE  
NOTARY PUBLIC  
#108 #14 \*90-503372

[Signature]

90503372

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**SCHEDULE OF EQUIPMENT**

Lessee: Interstate Brands Corporation

Approved by [Signature]  
(Lessee to initial each page)

Page No. 1 of 6 total pages

Attached to Bill of Sale dated 19  
and/or  
Equipment Schedule No. 1

Equipment located at:  
40 E. Garfield Boulevard  
Street No.  
Chicago Cook IL 60615  
City County State Zip

Description	Invoice Cost
<p>1 - 1983 Automatic Bread Line and associated equipment comprised of the following:</p>	
<p>1 bulk flour handling system, including                      1 pneumatic feed system                      17 - 50,000# cap. welded steel V bottom flour storage bins, with Readco belt feeders to cross screw conveyor                      6 - 50,000# cap. flour storage bins, with Pfening rotary-air feed system,                      2 - 15 hp vacuum transfer blowers, and                      1 - 10 hp vacuum blower                      8 welded steel holding bins                      1 Pfening pressure sifter                      3 mixer feed hoppers                      1 Gould Modicon #484 controls</p>	
<p>1 sponge and dough slurry system, including                      1 - 500-gal. jacketed stainless steel agitated mixing tank #T1                      1 - 1,000-gal. jacketed stainless steel dough slurry holding tank #T2                      1 - 1,000-gal. jacketed stainless steel variety dough slurry holding tank #T3                      1 - 1,000-gal. jacketed stainless steel dough slurry holding tank #T4                      1 stainless steel load-cell suspended batch tank #T9 for bun line                      2 stainless steel single load-cell suspended batch tanks #T10 and T11 for bread line                      1 - 500-gal. jacketed stainless steel agitated sponge slurry mixing tank #T5                      1 - 500-gal. jacketed stainless steel sponge holding tank #T6                      1 - 500-gal. jacketed stainless steel variety sponge slurry holding tank #T7                      1 - 500-gal. stainless steel load-cell suspended sponge mix batch holding tank #T8                      1 Universal Transduction Inc. 3-lane Tro-Mover system                      1 plate type heat exchanger                      1 - 500-gal. stainless steel horizontal clean-in-place tank                      2 stainless steel centrifugal pumps                      pneumatic valves and piping                      1 Gould Modicon #386 controls                      1 - WEM bread line control panel for sponge and dough slurry system and mixers, with ADDS Regent 20 - CRT and DEC printer                      1 Computer Power Inc. emergency power supply</p>	

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INVESTIGATION REPORT

INVESTIGATION NO. 123456

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**SCHEDULE OF EQUIPMENT**

Lessee: Interstate Brands Corporation

✓ Approved by [Signature]  
(Lessee to initial each page)

Page No. 2 of 6 total pages

Attached to Bill of Sale dated  
19  
and/or  
Equipment Schedule No. 1

Equipment located at:  
40 E. Garfield Boulevard  
Street No. Chicago Cook IL 60615  
City County State Zip

Description	Invoice Cost
1 Charles Neuhum 25' x 15' x 9' - 2-door insulated galvanized panel construction yeast box, including 2 package type refrigeration units	
1 Crepaco chill water system, including Schrage reciprocating freon compressor, with 50 hp motor freon plate cooler and chill water reservoir	
1 cooling tower for chill water system, including 1 - BAC - 200-ton cooling tower 1 holding tank 2 - 20 hp centrifugal type circulation pumps 1 centrifugal booster pump associated piping	
1 liquid sugar and soya oil system extension, including pumps, piping, and valves	
Mixing room equipment, including 2 Baker Perkins model 25 dough mixers, Ser. #59661A0930, 59660A0928, with 2-speed agitator motor 1 Schrage #F502 - 60 hp freon compressor 1 trough hoist	
Load Cells serving #3, 4, and 5 mixers	
4 2,000# cap. stainless steel inclined bottom portable dough troughs	
30 12' x 8' x 30" - 2,000# cap. mild steel construction portable sponge troughs	
1 fermentation system, including 1 insulated aluminum panel enclosure food handling systems 1 heat, cool, and humidifying system 2 air handlers steam injection, ductwork, and return air system	

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**SCHEDULE OF EQUIPMENT**

Lessee: Interstate Brands Corporation

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(Lessee to initial each page)

Attached to Bill of Sale dated \_\_\_\_\_, 19\_\_\_\_  
and/or  
Equipment Schedule No. 1

Equipment located at:  
40 E. Garfield Boulevard  
Street No.  
Chicago Cook IL 60615  
City County State Zip

Description	Invoice Cost
<p>1 Fairbanks Tro-Mover floor scale</p> <p>Make-up equipment, including 2 dough hoppers 2 Oshikiri model DKM dividers, Ser. #20027N, 20026N 2 Oshikiri model RK Gemini rounders, Ser. #20231N, 20232N 1 Oshikiri model PKL overhead proofer, Ser. #20061N 210 loaves per minute cap. related make-up equipment</p>	
<p>1 Stewart Systems pan handling system, Ser. #B00207, including model 42A/D0136 pan stacker pan unstacker 6" to 7 1/2" double-strand flex-top ceiling suspended conveyor, with 3 diverters 56 motors, with clutch and brake Modicon #484 control system pan feed trucks for infeed conveyors</p>	
<p>1 Dan-Dee Pneumatics flour dusting system, including cone feed hopper, piping to 12 hoppers, and 2 blower units</p>	
<p>4 Stickelber 14" molder panners, Ser. #11939A, 11939B, 11939C, 11939D, including 4 sheeters 4 Tendr-Kurl conveyors Sellers Products Inc. dusting flour lifters</p>	
<p>1 Fedco model W55 splitter-sprayer, Ser. #138</p>	
<p>1 Baker-Perkins proofer, oven, depanner, and conveying system, including pan conveying system cascade, oven feed, and discharge aluminum frame steel and Delrin table-top conveyor model 970 - 63-tray gas-fired oven, Ser. #59650 (contd next page)</p>	

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8/22/2000



**SCHEDULE OF EQUIPMENT**

Lessee: Interstate Brands Corporation

Approved by [Signature]  
(Lessee to initial each page)

Page No. 4 of 6 total pages

Attached to Bill of Sale dated \_\_\_\_\_, 19\_\_\_\_  
and/or  
Equipment Schedule No. 1

Equipment located at:  
40 E. Garfield Boulevard  
Street No.  
Chicago Cook IL 60615  
City County State Zip

Description	Invoice Cost
<p>Proofer, Oven, Depanner, and Conveying System Contd</p> <p>stainless steel exterior Modicon control system Templex model 933 - 12'3" wide rock proofer, Ser. #59652, with model B7 proofer air conditioning unit, Ser. #59653 model ND-5 depanner, Ser. #59653</p>	
<p>1 Velten Pulver lid system, including belt conveyor to lid stacker/unstacker, Ser. #26751 and pan lid applicator</p>	
<p>1 Steward Systems 22" wide x 3,300" long twin-strand ceiling suspended grid belt stainless steel wire conveyORIZED cooler, including spiral, Select-A-Flow divider, and washer</p>	
<p>1 Prater Industries recycle dusting flour collection system, including bag house dust collector, 20 hp collection fan, sifter, and rotary air lock</p>	
<p>1 Food Handling System 2B-rack 7-door x 4-rack stainless steel exterior proof box</p>	
<p>1 Steward Systems 22" wide x 2,900' long grid belt stainless steel wire conveyORIZED cooler, Ser. #02925, with washer</p>	
<p>1 Alvey double-track pass-through stainless steel exterior tray washer</p>	
<p>1 slicing and bagging system, including 6 Bettendorf model 75 slicers, Ser. #35552R, #35076R, #35603R, #35503R, #37190R, #36940R 6 - AMF Mark 50 baggers, Ser. #547, 7, 639, 1051, 801, 1050, with double-bag table 3 Burford model 67 bag tyers, Ser. #6850, 6828, 6849 3 Burford model 66 bag tyers, Ser. #6827, 6815, 6798 6 Norwood #50N hot foil imprinters.</p>	

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**SCHEDULE OF EQUIPMENT**

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✓ Approved by [Signature]  
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Page No. 5 of 6 total pages

Attached to Bill of Sale dated \_\_\_\_\_, 19\_\_\_\_  
and/or  
Equipment Schedule No. 1

Equipment located at: 40 E. Garfield Boulevard  
Street No.  
Chicago Cook IL 60619  
City County State Zip

Description	Invoice Cost
<p>1 Baker-Perkins bread handling system, including                      3 model C0142 pattern makers, Ser. #59713, 59712, 59714                      3 model C0135 pattern makers, Ser. #59709, 59708, 59710                      1 tray unstacker                      1 tray diverter                      2 model 3925-029 product loaders, Ser. #53715, 53716                      2 tuckers                      product conveying                      1 Ex-Cell-O Corp. #LPST-78 twin 15-stack hydraulically powered basket stacker, Ser. #2012</p>	
<p>Fans and lids</p>	
<p>1 Ray Burner Co. gas burner for existing boiler</p>	
<p>Distribution conveyors, full pallet and empty pallet conveying</p>	
<p>2 Gardner-Denver reciprocating type air compressors, including 50 hp motor, air dryer, and air receiver</p>	
<p>Electrical equipment and power feed wiring, including                      1 Square D type CT - 4,000-amp main switchgear, with 4,000-amp bus, 2,000-amp switches, and 2 - 1,200-amp switches                      1 Square D type CT - 4,000-amp main switchgear, with 2 - 1,200-amp switches, 2 - 600-amp switches, and 1 - 400-amp switch                      safety switches, motor control centers, conduit, fittings, and wiring</p>	
<p>Refrigeration equipment, including spray coolers, air handlers, exhaust fans, and ductwork</p>	

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Page No. 6 of 6 total pages

Attached to Bill of Sale dated \_\_\_\_\_ 19\_\_\_\_  
and/or  
Equipment Schedule No. 1

Equipment located at:  
40 E. Garfield Boulevard  
Street No.  
Chicago Cook IL 60615  
City County State Zip

Description	Invoice Cost
<p>1 bagged half-rye splitter, including Foremost model 8862-4 splitter, Ser. #LT-101 Foremost model 8861-4 splitter, Ser. #LT-102 tie-in to AME wrappers  Hartman slicer frames  Dough scale, ingredient scales, and two dough chutes</p>	
	Subtotal
	Sales Tax
	<b>SCHEDULE TOTAL</b>

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All that real property situate in the City of Chicago, County of Cook, State of Illinois, described as follows:

Lot 7 in ASSESSOR'S DIVISION of North 5 acres of South 10 acres of the West 1/3 of the Southwest 1/4 of Section 10, Township 38 North, Range 14, East of the 3rd p.m.

Also, Lots 15 to 26, both inclusive, and the East 161.19 feet of Lot 39 in John N. Wheeler's Subdivision of 5 acres in the Southwest corner of Section 10, Township 38 North, Range 14, East of the 3rd p.m. AKA 40 E. Garfield Blvd., Chicago, IL 60615.

Subject to easements, restrictions and reservations of record, if any.

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Exhibit A

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STREETS

STREETS

STREETS