

1146 page 545

5. Assignee covenants not to encumber the Ground Lease or the Demised Premises (or the buildings, structures or other improvements thereon or thereto) by act or sufferance in any manner whatsoever except as may be necessary or incidental to the construction of the Burger King restaurant and Improvements on the Demised Premises in accordance with the terms of the Development Agreement entered into between the Assignor and the Assignee.

IN WITNESS WHEREOF, the parties have signed and sealed this Amended Assignment as of the day and year first above written.

WITNESSES:

Shirley S. Breighner

Lisa B. Wilson

BURGER KING CORPORATION

By: Richard H. Lee
Vice President

Attest: Joseph Lee
(Assistant Secretary)

(SEAL)

WITNESSES:

Donna M. Miller

Joan L. Hester

G & T TRADING COMPANY

By: John S. Blay
Vice President

Attest: Joan L. Hester
(Assistant Secretary)

(SEAL)

0545

4328 RV-2