

whether or not this Note shall be overdue, for the purpose of receiving payment and for all other purposes, and neither the Company nor any such agent shall be affected by notice to the contrary.

This Note shall be governed by the law of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, CHART HOUSE INC. has caused this Note to be signed in its corporate name by its proper officer thereunto duly authorized.

CHART HOUSE INC.

By _____

The sale of this Note was not registered under the Securities Act of 1933 and this Note may be offered or sold only if such offer and sale are registered pursuant to provisions of said Act or if an exemption from such registration is available.

NOW THEREFORE, THIS INDENTURE WITNESSETH:

That to secure the payment of the principal of, and premium, if any, and interest on such Notes as may at any time be issued and outstanding according to their tenor and effect, and the due performance of the covenants, agreements and provisions herein and in the Notes contained, the Company, party of the first part, and Cork 'N Cleaver, party of the second part, in consideration of the premises and of the purchase and acceptance of said Notes by the Mortgagee, and of the sum of Ten Dollars, lawful money of the United States of America to each of such parties duly paid by the Mortgagee at or before the encasing and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, have executed and delivered these presents and have granted, bargained, sold, warranted, aliened, remised, released, conveyed, confirmed, assigned, transferred, mortgaged, pledged and set over unto the Mortgagee, and created a security interest in favor of the Mortgagee in, and by these presents do, with mortgage cove-

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