

"Event of Default": See § 6.01.

"Franchising Programs" shall mean the sub-franchising of Burger King facilities in Illinois and the franchising of Cork 'N Cleaver restaurants.

"Gross Expenses", with respect to any building, shall mean the total amount of expenses of the Company or any Subsidiary incurred or allocated to such building in connection with the operation of such building as a restaurant, including a pro rata share of the general administrative expenses of the Company, all in accordance with sound accounting practice.

"Gross Sales Revenues", with respect to any building, shall mean the total amount charged by the Company or any Subsidiary and by tenants, concessionaires and or licensees, if any, of the Company or any Subsidiary (herein collectively referred to as the "Operator") in connection with any and all sales of merchandise made, service to patrons and customers rendered, and business conducted, on, in, from or through the use of the building, whether or not such amounts shall be received in cash or on credit, in money or other thing of value, including, without in any way limiting the generality of the foregoing, the following specific items:

- (1) proceeds from all automatic vending and other machines and devices other than cigarette vending machines operated in the building (whether owned by the Operator or by others); and
- (2) proceeds from sales and services based on orders solicited, taken or received on, in or from the building for merchandise to be delivered from sources outside the building or services to be rendered outside the building;

deducting from gross sales the following to the extent that the same shall be included in the Operator's computation of gross sales:

- (1) all credits and refunds made to patrons and customers for merchandise returned or exchanged;
- (2) all sales or excise taxes imposed by any governmental body on such sales and services, which taxes are added to the price therefor or collected from the patron or customer and paid by the Operator to such governmental authority; and