

WHEN RECORDED, RETURN TO:  
BURGER KING CORPORATION  
P.O. BOX 520783, GENERAL MAIL FACILITY  
MIAMI, FLORIDA 33152  
ATTN. LISA WILSON

STATEMENT OF COMMENCEMENT OF GROUND LEASE TERM

**3696631**

THIS STATEMENT OF COMMENCEMENT OF GROUND LEASE TERM, entered into this 14th day of May, 1982, by and between Hermes Associates (hereinafter "Lessor") whose address is 543 East 5th South, Suite #7, Salt Lake City, Utah 84102, and BKX Limited Partnership, an Iowa Limited Partnership, c/o its General Partner, Lartnec Investment Co., P. O. Box 1555, 611 Fifth Avenue, Des Moines, Iowa 50306.

WITNESSETH:

WHEREAS, the Lessor and Burger King Corporation entered in a Ground Lease dated August 18, 1981, which lease demised the real property, lying, being and situated in Salt Lake City, Utah, and being more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, by Assignment of Ground Lease dated February 10, 1982, recorded on March 1, 1982, in the Official Records of Salt Lake County, Utah, Burger King Corporation assigned its right, title and interest in and to the Ground Lease, as Lessee, to G & T Trading Company, a Minnesota Corporation, and

WHEREAS, by Assignment of Ground Lease and Deed of Improvements dated May 14, 1982, recorded on May 14, 1982, in the Official Records of Salt Lake County, Utah, G & T Trading Company assigned its right, title and interest in and to the Ground Lease, as Lessee by assignment, to BKX Limited Partnership the Lessee herein; and

WHEREAS, in accordance with the terms of said Ground Lease, the Lessor and Lessee desire to ratify the Commencement Date of the term and the date of expiration of the said lease by a written document in recordable form.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, it is mutually agreed as follows:

1. The Commencement Date of the term of the above described Ground Lease was May 26, 1982, and the date of expiration is May 25, 2002 together with four (4) five (5) year options to renew.
2. This instrument in no way alters, changes, modifies or amends the said lease above referred to but merely ratifies the Commencement and Expiration Dates of the term which has heretofore been agreed upon by the parties.

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BKX JTM 1/13/82  
BKX Limited Partnership - 3rd Draft  
#3428 - Salt Lake City, UT  
PAH 5/17/82

*Scott Duckworth*  
TITLE INS. AGENCY  
SEP

JUL 27 12 13 PM '82

KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY  
UTAH

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

HERMES ASSOCIATES

[Signature]

\_\_\_\_\_

As to Lessor

LESSOR

BKX Limited Partnership  
By Its General Partner,  
Lartnec Investment Co.

[Signature]

By: [Signature]  
Keith Gunzenhauser  
President

[Signature]  
As to Lessee

Attest: [Signature]  
Diane M. Davidson  
Assistant Secretary

LESSEE

THIS Statement of Commencement of Ground Lease Term supersedes and cancels the Statement of Commencement of Ground Lease Term recorded June 17, 1982.

[Signature]  
[Signature]

Burger King Corporation

By: [Signature]  
Attest: [Signature]

BKX Limited Partnership  
By Its General Partner,  
Lartnec Investment Co.

[Signature]  
[Signature]

By: [Signature]  
Attest: [Signature]

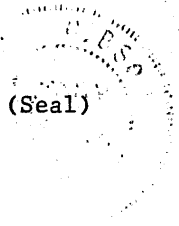
Hermes Associates

By: [Signature]  
Attest: \_\_\_\_\_

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STATE OF UTAH )  
 )  
COUNTY OF Salt Lake ) SS.

On the 31<sup>st</sup> day of July, A.D. 1982, personally appeared before me, J. Ross Jensen, Notary Public, of HERMES ASSOCIATES, a Utah partnership, the signers of the above instrument, who duly acknowledged to me that they executed the same.



J. Ross Jensen  
Notary Public 07/03/82

STATE OF IOWA )  
 ) SS:  
COUNTY OF POLK )

The foregoing instrument was acknowledged before me, this 24 day of June, 1982, by Keith Gunzenhauser, President, and Diane M. Davidson, Assistant Secretary, of Lartnec Investment Co., the General Partner, on behalf of BKX LIMITED PARTNERSHIP, an Iowa Limited Partnership.

(Seal)

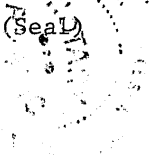
Linda Andreini  
Notary Public



My commission expires:

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF DADE )

On the 29th day of June, A. D. 1982, personally appeared before me, Thomas F. Crummey and Joseph T. Meyer, who, being by me duly sworn, did say, that they are the Vice President and Assistant Secretary, respectively, of Burger King Corporation, and that said instrument was signed on behalf of said corporation by authority of its by-laws, and said Thomas F. Crummey and Joseph T. Meyer acknowledged to me that said corporation executed the same.



Louis B. Wilson  
Notary Public

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES MAR 16 1986  
BONDED THRU GENERAL INS. UNDERWRITERS

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EXHIBIT "A"

LEGAL DESCRIPTION

Commencing at the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 0°02'55" W 497.29 feet to a point; thence N 89°49'33" W 53.00 feet to a point in the West right of way line of Redwood Road, which is the point of beginning of this survey and running thence N 0°02'55" W 270.50 feet along the West right of way line of Redwood Road; thence S 89°57'05" W 130.00 feet; thence S 0°02'55" E 269.99 feet; thence S 89°49'33" E 130.00 feet to the point of beginning. Contains 35,131.85 square feet or 0.8065 acres.

Together with a nonexclusive easement for ingress, egress and parking over the unconstructed portions of the following described properties as may exist from time to time:

PARCEL 1

Beginning at a point on the West right of way line of Redwood Road said point being N 00°02'55" W 247.294 feet and N 89°49'33" W 53.00 feet and N 00°02'55" W 1.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 00°02'55" W 249.0 feet along said West right of way line; thence N 89°49'33" W 130.00 feet to the East line of a 50.0 foot wide right of way; thence S 00°02'55" E 249.00 feet along the East line of said 50.0 foot right of way; thence S 89°49'33" E 130.00 feet to the point of beginning. Contains: 32,370 sq. ft. or 0.7431 acres.

PARCEL 2

Beginning at a point N 00°02'55" W 247.294 feet and N 89°49'33" W 233.00 feet and N 00°02'55" W 1.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 00°02'55" W 549.5 feet; thence N 89°49'33" W 90.00 feet; thence N 00°02'55" W 137.00 feet; thence N 89°49'33" W 180.00 feet; thence S 00°02'55" E 137.00 feet; thence N 89°49'33" W 167.50 feet; thence S 00°02'55" E 269.00 feet; thence S 89°49'33" E 22.5 feet; thence S 00°02'55" E 280.50 feet; thence S 89°49'33" E 415.00 feet to the point of beginning. Contains: 258,753 sq. ft. or 5.9402 acres.

PARCEL 3

Beginning at a point N 00°02'55" W 247.294 feet and N 89°49'33" W 648.00 feet and N 00°02'55" W 1.0 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 00°02'55" W 280.5 feet; thence N 89°49'33" W 22.50 feet; thence N 00°02'55" W 105.00 feet; thence N 89°57' 05" W 246.50 feet; thence N 00°02'55" W 51.169 feet; thence S 89°57'05" W 304.00 feet; thence S 00°02'55" E 434.526 feet; thence S 89°49'33" E 573.009 feet to the point of beginning.

Also, beginning at a point N 00°02'55" W 247.294 feet and N 89°49' 33" W 1221.009 feet and S 00°02'55" E 4.78 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 89°56'25" E 24.75 feet; thence S 00°02'55" E 141.00 feet; thence S 89°56'25" W 25.00 feet; thence N 00°03'11" E 141.00 feet to the point of beginning. Contains: 237,003 sq. ft. or 5.4408 acres.

PARCEL 4

Beginning at a point N 00°02'55" W 247.294 feet and N 89°49'33" W 1221.009 feet and N 00°02'55" W 177.72 feet from the center of

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Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°56'25" W 477.25 feet; thence S 00°02'55" E 430.00 feet to the center line of Section 15; thence N 89°56' E 477.00 feet along said center line; thence N 00°02'55" W 106.50 feet; thence N 00°03'11" E 141.00 feet; thence N 00°02'55" W 182.50 feet to the point of beginning. Contains: 205,173 sq. ft. or 4.7101 acres.

PARCEL 5

Beginning at a point N 00°02'55" W 247.294 feet and N 89°49'33" W 1221.009 feet and N 00°02'55" W 435.526 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 00°02'55" W 80.43 feet; thence N 89°57'05" E 45.00 feet to the East right of way line of 1900 West Street; thence N 00°02'55" W 184.57 feet along said East right of way line; thence N 89°57'05" E 259.00 feet; thence N 00°02'55" W 47.50 feet; thence N 89°57'05" E 246.504 feet; thence S 00°02'55" E 363.669 feet; thence S 89°57'05" W 246.504 feet; thence N 00°02'55" W 51.16 feet; thence S 89°57'05" W 304.00 feet; to the point of beginning. Contains: 161,900 sq. ft. or 3.7167 acres.

PARCEL 6

Beginning at a point on the South right of way line of 5600 South Street; said point being N 00°02'55" W 1243.26 feet and S 89°55'04" W 939.50 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°55'04" W 236.50 feet along said South right of way line to the East right of way line of 1900 West Street; thence S 00°02'55" E 290.00 feet along said East right of way line; thence N 89°57'05" E 259.00 feet; thence N 00°02'55" W 47.50 feet; thence N 89°57'05" E 246.504 feet; thence S 00°02'55" E 37,669 feet; thence S 89°49'33" E 167.50 feet; thence S 00°02'55" E 25.00 feet; thence S 89°49'33" E 180.00 feet; thence S 00°02'55" E 27.552 feet; thence N 89°57'05" E 195.00 feet; thence S 00°02'55" E 90.50 feet to the North line of a 50.00 foot wide right of way; thence N 89°57'05" E 75.00 feet along the North line of said 50 foot right of way to the West right of way line of Redwood Road; thence N 00°02'55" W 131.729 feet along said West right of way line; thence S 89°55'04" W 320.00 feet; thence N 00°02'55" W 47.50 feet; thence S 89°55'04" W 130.00 feet; thence N 00°02'55" W 27.00 feet; thence S 89°55'04" W 185.00 feet; thence N 00°02'55" W 9.0 feet; thence S 89°55'04" W 251.50 feet; thence N 00°02'55" W 210.00 feet to the point of beginning. Contains: 115,106 sq. ft. or 2.6425 acres.

PARCEL 7

Beginning at a point on the South right of way line of 5600 South Street, said point being N 00°02'55" W 1243.26 feet and S 89°55'04" W 653.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°55'04" W 286.50 feet along said South right of way line; thence S 00°02'55" E 210.00 feet; thence N 89°55'04" E 251.50 feet; thence S 00°02'55" E 9.00 feet; thence N 89°55'04" E 185.00 feet; thence S 00°02'55" E 27.00 feet; thence N 89°55'04" E 130.00 feet; thence S 00°02'55" E 47.50 feet; thence N 89°55'04" E 320.00 feet to the West right of way line of Redwood Road, thence N 00°02'55" W 13.50 feet along said West right of way line; thence S 89°55'04" W 300.00 feet; thence N 00°02'55" W 88.00 feet; thence S 89°55'04" W 300.00 feet; thence N 00°02'55" W 192.00 feet to the point of beginning. Contains: 77,630 sq. ft. or 1.7821 acres.

PARCEL 8

Beginning at a point on the South right of way line of 5600 South Street, said point being N 00°02'55" W 1243.26 feet and S 89°55'04" W 328.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°55'04" W 325.00 feet along said South right of way line; thence S 00°02'

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55" E 192.00 feet; thence N 89°55'04" E 300.00 feet; thence S 00°02'55" E 88.00 feet; thence N 89°55'04" E 300.00 feet to the West right of way line of Redwood Road; thence N 00°02'55" W 35.00 feet along said West right of way line; thence S 89°55'04" W 275.00 feet; thence N 00°02'55" W 245.00 feet to the point of beginning. Contains: 74,225 sq. ft. or 1.704 acres.

PARCEL 9

Beginning at a point on the West right of way line of Redwood Road and the South right of way line of 5600 South Street said point being N 00°02'55" W 1243.26 feet and S 89°55'04" W 53.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°55'04" W 275.00 feet along the South right of way line of said 5600 South Street; thence S 00°02'55" E 245.00 feet; thence N 89°55'04" E 275.00 feet to the West right of way line of said Redwood Road; thence N 00°02'55" W 245.00 feet along said West right of way line to the point of beginning. Contains: 67,375 sq. ft. or 1.5467 acres.

PARCEL 10

Beginning at a point N 00°02'55" W 797.794 feet and N 89°49'33" W 503.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence N 00°02'55" W 162.00 feet; thence N 89°49'33" W 167.50 feet; thence S 00°02'55" E 162.00 feet; thence S 89°49'33" E 167.50 feet to the point of beginning. Contains: 27,135 sq. ft. or 0.6229 acres.

PARCEL 11

Beginning at a point on the North line of a 50.0 foot wide right of way said point beginning N 00°02'55" W 818.00 feet and S 89°57'05" W 128.00 feet from the center of Section 15, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence S 89°57'05" W 105.00 feet along said North line; thence S 00°02'55" E 19.298 feet along the West line of said 50 foot right of way; thence N 89°49'33" W 90.00 feet; thence N 00°02'55" W 109.448 feet; thence N 89°57'05" E 195.00 feet; thence S 00°02'55" E 90.50 feet to the point of beginning. Contains: 19,384 sq. ft. or 0.4450 acres.

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