

Hardee's, Alabama

CORPORATE CANCELLATION AND
RELEASE OF MORTGAGE
AND OTHER COLLATERAL DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS, that the Mortgage and Security Agreement(s), made and executed by SPARDEE'S REALTY, INC. to SECURED RESTAURANTS TRUST, recorded in the Book(s) and Page(s) shown on Exhibit A incorporated herein by reference, in the Records in the Office of the Judge of Probate of the county shown on Exhibit A in Alabama (collectively, the "Mortgage"), which Mortgage(s) is/are additionally secured by certain other collateral documents described on the attached Exhibit A, by and among Spardee's Realty, Inc., Secured Restaurants Trust and/or THE BANK OF NEW YORK (the successor collateral agent thereunder), and any and all additional documents related thereto (collectively referred to as the "Other Collateral Documents") is hereby released, discharged and canceled.

The undersigned agree to file or cause to be filed, such other documents, including specifically UCC termination statements, as may be necessary to cancel and release the same of record.

[SIGNATURES ON FOLLOWING PAGE]

Prepared by and when
recorded return to:

Frans J. von Kaenel
Thompson Coburn LLP
One Firststar Plaza
St. Louis, Missouri 63101

Inst # 2001-01908

01/18/2001-01908
09:45 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 HMB 29.00

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed and their corporate seal to be impressed as of, but not necessarily on this 20th day of September, 2000.

SECURED RESTAURANTS TRUST, (SEAL)
a Delaware statutory business trust existing pursuant
to an Amended and Restated Agreement dated as of
October 15, 1990, between Spartan Holdings, Inc. and
Wilmington Trust Company

ATTEST:

By: Wilmington Trust Company, a Delaware banking
corporation, not in its individual capacity but solely as
Issuer Trustee under the Trust Agreement

By: Mary Kay Orpello
Title: Senior Financial Services Officer
[CORPORATE SEAL]

By: [Signature]
Title: Assistant Vice President

ACKNOWLEDGMENT

STATE OF DELAWARE)
)
COUNTY OF NEW CASTLE)

I **Christine L. Miglio** (name), a Notary Public, in and for said State at large,
hereby certify Mary St. Amand whose name as Assistant Vice President of WILMINGTON TRUST
COMPANY, a Delaware banking corporation, as Issuer Trustee of Secured Restaurants Trust, a
Delaware statutory business trust existing pursuant to an Amended and Restated Agreement dated as
of October 15, 1990 between Spartan Holdings, Inc. and Wilmington Trust Company, is signed to the
foregoing instrument, and who is known to me, acknowledged before me on this day that, being
informed of the contents of said instrument, he/she, as such officer and with full authority, executed
the same voluntarily for and as the act of said corporation, in its capacity as Issuer Trustee of the
Trust as of the date of this acknowledgment.

Given under my hand this 10th day of October, 2000.

Christine L. Miglio
Notary Public


My Commission Expires:

CHRISTINE L. MIGLIOCCO
NOTARY PUBLIC
My Commission Expires Jan. 13, 2004

ATTEST:

THE BANK OF NEW YORK, a state chartered bank,
a New York corporation, as Collateral Agent

By: 
Its: Agent

By: 
Its: Agent

[CORPORATE SEAL]

ACKNOWLEDGMENT

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

I, Deborah T. Daly, a Notary Public, in and for said county and state, hereby certify that Derek Kettel whose name as Agent of THE BANK OF NEW YORK, a state chartered bank, a New York corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 26th day of September, 2000.


Notary Public

My Commission Expires:

DEBORAH T. DALY
Notary Public, State of Florida
My comm. exp. Dec. 3, 2002
Comm. No. CC794662

Exhibit A
to
Release
Shelby County, AL

<u>Unit #</u>	<u>Unit Name</u>	<u>Document</u>	<u>Book(s)</u>	<u>Page(s)</u>	<u>Filing No. for UCC</u>
428	HOOVER	Deed of Trust or Mortgage	324	533	
		Assignment of Rents	324	550	
		Collateral Assignment	324	558	
		UCC Financing Statement			027229

Exhibit A
to
Release
Shelby County, AL

<u>Unit #</u>	<u>Unit Name</u>	<u>Document</u>	<u>Book(s)</u>	<u>Page(s)</u>	<u>Filing No. for UCC</u>
383	COLUMBIANA	Deed of Trust or Mortgage	324	490	
		Assignment of Rents	324	507	
		Collateral Assignment	324	515	
		UCC Financing Statement			27228

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Shelby County, AL

<u>Unit #</u>	<u>Unit Name</u>	<u>Document</u>	<u>Book(s)</u>	<u>Page(s)</u>	<u>Filing No. for UCC</u>
194	ALABASTER	Deed of Trust or Mortgage	324	576	
		Assignment of Rents	324	593	
		Collateral Assignment	324	601	
		UCC Financing Statement			27230

Exhibit A
to
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Shelby County, AL

<u>Unit #</u>	<u>Unit Name</u>	<u>Document</u>	<u>Book(s)</u>	<u>Page(s)</u>	<u>Filing No. for UCC</u>
339	MONTEVALLO	Deed of Trust or Mortgage	324	454	
		Assignment of Rents	324	472	
		Collateral Assignment	324	481	
		UCC Financing Statement			027227

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SHELBY COUNTY JUDGE OF PROBATE
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