

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2006-37810

2006 NOV -6 A 9:56

*Sharon J. Hawley*  
REGISTER OF DEEDS

COUNTER 40 S.E. AK  
VERIFY AK D.E. P  
PROOF S  
FEES \$ 15.50  
CHECK # 27588  
CHG. \_\_\_\_\_ CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

Restaurant No. 1734  
8017 S. 84th Street  
LaVista, Sarpy County, Nebraska

**RELEASE LEASEHOLD DEED OF TRUST, SECURITY AGREEMENT AND  
ASSIGNMENT OF LEASES AND RENTS**

In consideration of the payment of the debt named therein, I hereby release the Leasehold Deed of Trust, Security Agreement and Assignment of Leases and Rents made by Fazoli's Restaurants, Inc., a Kentucky corporation with its principal place of business at 2470 Palumbo Drive, Lexington, Kentucky 40509 (the "Mortgagor") to BANK OF AMERICA, N.A. (successor by merger to Fleet National Bank, formerly known as BankBoston, N.A.), a national banking association with a place of business at 100 Federal Street, Boston, Massachusetts 02110, as Agent (the "Mortgagee"), on the following described property situate in the County of Sarpy, and State of Nebraska, to wit: 8017 S. 84th Street, LaVista, Nebraska, and more particularly described on Exhibit A attached hereto, which was recorded on the 7th day of April, 1999 as Instrument No. 99-10326 of the mortgage records of Sarpy County, Nebraska, as amended by First Amendment to Leasehold Deed of Trust, Security Agreement and Assignment of Leases and Rents made by Mortgagor to Mortgagee which was recorded on the 24th day of December, 2002 as Instrument No. 2002-53811 of the mortgage records of said county.

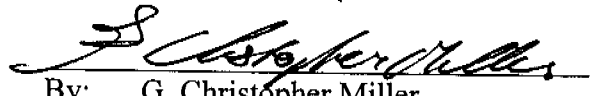
*PHRE*

Susan Regis Gibson, Paralegal  
LandAmerica - National Commercial Services  
4111 Executive Parkway, Suite # 304  
Westerville, OH 43081-3862

A

Witness my hand this 17<sup>th</sup> day of October, 2006.

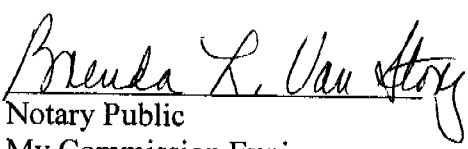
BANK OF AMERICA, N.A., as Agent  
(successor by merger to Fleet National Bank,  
f/k/a BankBoston, N.A.)



By: G. Christopher Miller  
Its: Senior Vice President

Commonwealth of Massachusetts  
County of Suffolk

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of October, 2006, by G. Christopher Miller, Senior Vice President of BANK OF AMERICA, N.A., a national banking association, on behalf of Bank of America, N.A.



Notary Public  
My Commission Expires



BRENDA L. VANSTORY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
November 19, 2006

~~2007-53811 H~~  
2006-37810 B

Lot 2, Wiltham Place Replat I, an Addition to the City of LaVista, as surveyed, platted and recorded, Sarpy County, Nebraska; more particularly described as follows: Beginning at the Southeast corner of said Lot 2; thence along the Southerly line of said Lot 2, N 89°49'57" W, 207.00 feet (206.62 feet record) to the Southwest corner of said Lot 2, said point being on the Easterly right-of-way line of 84th Street, as now established; thence along the Westerly line of said Lot 2 and along said Easterly right-of-way line the following two courses: 1) N 00°11'46" E, 55.45 feet (55.66 feet record); 2) N 05°24'26" E, 128.02 feet (127.88 feet record) to the Northwest corner of said Lot 2; thence along said Northerly line, S 89°51'07" E, 194.78 feet (194.82 feet record) to the Northeast corner of said Lot 2; thence along the Easterly line of said Lot 2, S 00°00'38" W, 183.00 feet to the Point of Beginning.