THIS INSTRUMENT PREPARED BY:
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Shea Stokes, a Law Corporation
3593 Hemphill Street
College Park, Georgia 30337

Davidson County DEEDWARR
Recvd: 01/03/07 13:33 4 pg
Fees:23.00 Taxes:2775.00
20070103-0001167

Address New Owner As Follows:	Name and Address of the Person or Entity Responsible for the payment of Real Property Taxes	Map Parcel Numbers
Wallace P. Mitchell	Same	Map 34-2 Parcel 8.00
2862 Highway 41 South		Field Book Numbers_____
Springfield, TN 37172		

SPECIAL WARRANTY DEED

THIS INDENTURE, made the 21 day of November, 2006, between THE KRYSTAL COMPANY, a Tennessee corporation, with its principle office located at One Union Square, Chattanooga, Tennessee 37402, hereinafter called "Grantor," and Wallace P. Mitchell, an individual, residing at 2862 Highway 41 South, Springfield, Tennessee 37172, hereinafter called "Grantee".

WITNESSETH

Grantor, for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain and sell unto the said Grantee, and Grantee's heirs and assigns forever, certain land situate, lying and being in Davidson County, Tennessee, more particularly described in **Exhibit A**, which is attached hereto and incorporated herein by reference (the "Property").

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anyway appertaining, for the use, benefit and behalf of the said Grantee forever in FEE SIMPLE. This conveyance of Property is subject to real estate and personal property taxes assessed against the Property for the current year, which shall be prorated, and all existing easements, rights-of-way and covenants of record, if any, applicable to the Property.

Further, this conveyance is made by Grantor and accepted by Grantee upon the express condition and subject to the restriction and covenant that no part of the Property shall be used, directly or indirectly, for a White Castle restaurant or any successor entity selling ground beef products, and such use restriction binds and restricts the Property as a covenant and restriction running with the land and is deemed to benefit Grantor as a user of, operator of, or supplier of Grantor branded retail beef products in the county in which the Property is located ("Deed Restriction"). This Deed Restriction will remain in full force and effect for a term of ten (10) years from the date of conveyance whereupon the restrictive covenant will automatically lapse and terminate and be of no further force or effect.

Grantor will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of those persons claiming by, through or under Grantor, but not otherwise. Grantor makes no warranty as to the amount of acreage in the Property.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this Deed, the day and year above written.

THE KRYSTAL COMPANY

By: _____

Its: VP & CFO

STATE OF TENNESSEE

COUNTY OF HAMILTON

I, Angela Mariakis, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that James W. Bear personally known to me to be the CFO, of The Krystal Company, a Tennessee corporation, and personally known to me to be the same person whose names is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such _____, he/she signed and delivered such instrument pursuant to authority given by the Board of Directors of such corporation, as his/her free and voluntary act and deed, and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 30 day of November, 2006.

_____
Notary Public

My Commission Expires:

September 27, 2009

ANGELA C. MARIAKIS
STATE OF TENNESSEE
NOTARY PUBLIC
HAMILTON COUNTY

STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is Seven Hundred Fifty Thousand and NO/100 Dollars ($750,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 30 day of November, 2006.

Notary Public

My Commission Expires: 9-27-09

When Recorded, Return To:
Wallace P. Mitchell
2862 Highway 41 South, Springfield, TN 37172

Mail Subsequent Tax Bills To:
Wallace P. Mitchell
2862 Highway 41 South
Springfield, TN 37172

ANGELA C. MARIAKIS
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY

After recording return to:
First American Title Insurance Co.
Attn: Kimberly Walters
7370 College Parkway, Suite 104
Fort Myers, FL 33907

EXHIBIT "A"

PROPERTY DESCRIPTION

A tract of land in the City of Goodlettsville, the Second, formerly the 10th, Civil District of Davidson County, Tennessee, being Lot No. 80, on the plan of Echo Meadows as recorded in Book 2331, page 64, Register's Office for Davidson County, Tennessee, and being more fully described according to survey by John O. Spry, Surveyor, Tenn. No. 727, December 1, 1980, as follows:

BEGINNING at an iron pin on the westerly margin of Two Mile Parkway at the southerly end of the southwesterly return curve at the intersection of Two Mile Parkway and Blue Bird Drive, thence; with the westerly margin of Two Mile Parkway, South 20. deg. 45 min. 19 sec. East, a distance of 144.50 feet to tack in concrete curb, thence; South 69 deg. 20 min 17 sec. West, a distance of 140.11 feet to the tack in concrete curb, thence; North 41 deg. 09 min. 49 sec. West, a distance of 148.42 feet to an iron pin on the southerly margin of Blue Bird Drive, thence; easterly with said margin and a 476.99 foot radius curve to the right a distance of 170.48 feet to an iron pin, thence; with a 25 foot radius curve to the right a distance of 39.27 feet to a P.K. Nail in sidewalk, to the point of beginning, and containing 27,100 square feet or 0.62 acres.

Being the same property conveyed to Krystal Real Estate Co. II, by deed from The Krystal Company of record in Book 5716, page 41, in the Register's Office of Davidson County, Tennessee, into which Krystal Real Estate Co. II subsequently merged pursuant to Articles of Merger filed September 18, 1985, with the Tennessee Secretary of State.