

Farmington, Utah
NEC Station Parkway & Grand Ave.
LC 043-0293
F-838650
TAX ID No. 08-486-0103

Prepared by: Lorraine V. Fortelka
After recording, return to: Ana Maria Guedea
McDONALD'S CORPORATION
One McDonald's Plaza
Oak Brook, Illinois 60523

COVENANT NOT TO COMPETE

Under the Ground Lease dated September 26, 2012, ("**Lease**"), **FARMINGTON SQUARE, LLC**, a Utah limited liability company ("**Landlord**") whose address is Farmington Square, LLC, 1200 West Red Barn Lane, Farmington, Utah 84025, Attention Scott Harwood and Richard Haws, leased to **McDONALD'S USA, LLC**, a Delaware limited liability company ("**Tenant**") whose address is One McDonald's Plaza, Oak Brook, Illinois 60523, a parcel of land described on Exhibit A attached ("**Leased Space**").

One of the terms of the Lease states that the Landlord will record certain restrictions against Landlord's remaining lands located adjacent or contiguous to or within the Park Lane Commons Subdivision, as hereinafter defined.

Therefore, Landlord covenants and agrees:

No property within Parcel A or B of the Park Lane Commons Subdivision (other than the Leased Space) now or hereafter owned, leased or controlled, directly or indirectly, by Landlord, its members, shareholders, or partners (or, if Landlord is a corporation, any subsidiary or parent of Landlord), as shown on Exhibit B, attached, (the "Restricted Property") (whether or not such other property is subsequently voluntarily conveyed by Landlord) shall, during the term of the Lease and any extensions, be leased, used or occupied as a hamburger restaurant or food service establishment. The term "hamburger restaurant or food service establishment" as used in this covenant shall apply to any type of restaurant or food service establishment which sells any amount of hamburgers. Notwithstanding the foregoing, a restaurant or food service establishment which offers hamburgers only as an incidental item to their primary menu items shall not be prohibited.

Any food service establishment which offers as the primary method of service, for all meal times, food and drink orders taken by and served by a waiter or waitress at the customer's table is excluded from the term "hamburger restaurant or food service establishment."

In addition, and not by way of example, the following restaurants operating under the listed trade names, or operating under any successor trade names, are prohibited within the areas, and for the time period specified in this Covenant:

Apollo Burgers
Atlanta Burgers
Artic Circle
Burger Street
Checkers
Crown Burgers
Dairy Queen

Arby's
A & W
Burger Chef
Carl's Jr.
Cheeburger, Cheeburger
Crystal Burgers

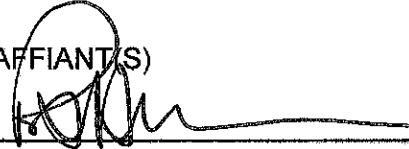
Astro Burgers
Backyard Burgers
Burger King
IceBerg Drive-In
Olympic Burgers
Rally's
Roy Rogers

AFFIDAVIT OF OWNERSHIP BY LANDLORD

RICHARD A. HAWES being first duly sworn on oath deposes and states that he/she/they is/are the Landlord or Landlord's duly authorized officers and that the Landlord has title to all of the property described on Exhibit B attached.

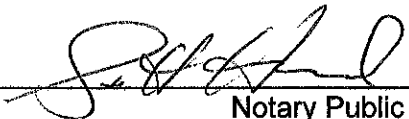
IN WITNESS WHEREOF, the Affiant has set his/her/their hand(s) this 1 day of JUNE, 2015.

AFFIANT(S)



Manager

Subscribed and sworn to before me this 1 day of JUNE, 2015.



Notary Public

My commission expires 5/29/17

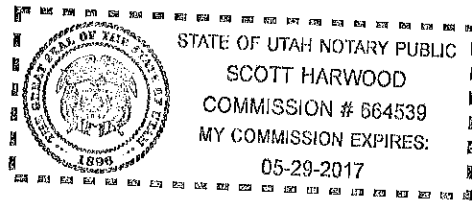


Exhibit A (Legal Description of the Leased Space)
Exhibit B (Legal Description of Landlord's Other Property)

EXHIBIT A

Lease Parcel

A part of Parcel B, Park Lane Commons, a subdivision of Farmington City, on file in the Office of the Davis County Recorder and located in the Southwest Quarter of Section 13 and in the Southeast Quarter of Section 14, Township 3 North, Range 1 West, Salt Lake Base and Meridian, described as follows:

BEGINNING at a point on the east right-of-way line of Station Parkway, said point being North 00°00'21" West 286.96 feet along the west line of Section 13, Township 3 North, Range 1 West, Salt Lake Base and Meridian and East 22.98 feet from the Southwest Corner of said Section 13, and thence along said line North 48°13'43" West 204.77 feet to a point of tangency of a 16.00 foot radius curve to the right; thence Northerly 25.14 feet along said curve through a central angle of 90°01'25" and a long chord of North 03°13'01" West 22.63 feet; thence North 41°47'42" East 82.37 feet; thence North 55°43'43" East 8.29 feet; thence North 84°15'21" East 31.43 feet to a point on the arc of a 40.00 foot radius non-tangent curve to the left, the center of which bears North 77°44'15" East; thence Southeasterly 26.20 feet along said curve through a central angle of 37°32'04" and a long chord of South 31°01'46" East 25.74 feet to a point of compound curvature of a 5.00 foot radius curve to the left; thence Easterly 7.74 feet along said curve through a central angle of 88°40'12" and a long chord of North 85°52'05" East 6.99 feet; thence North 41°31'59" East 12.99 feet; thence South 48°28'36" East 168.00 feet; thence South 41°43'36" West 140.73 feet to the POINT OF BEGINNING. Said parcel contains 29,893 square feet or 0.69 acres, more or less.

Trash Enclosure

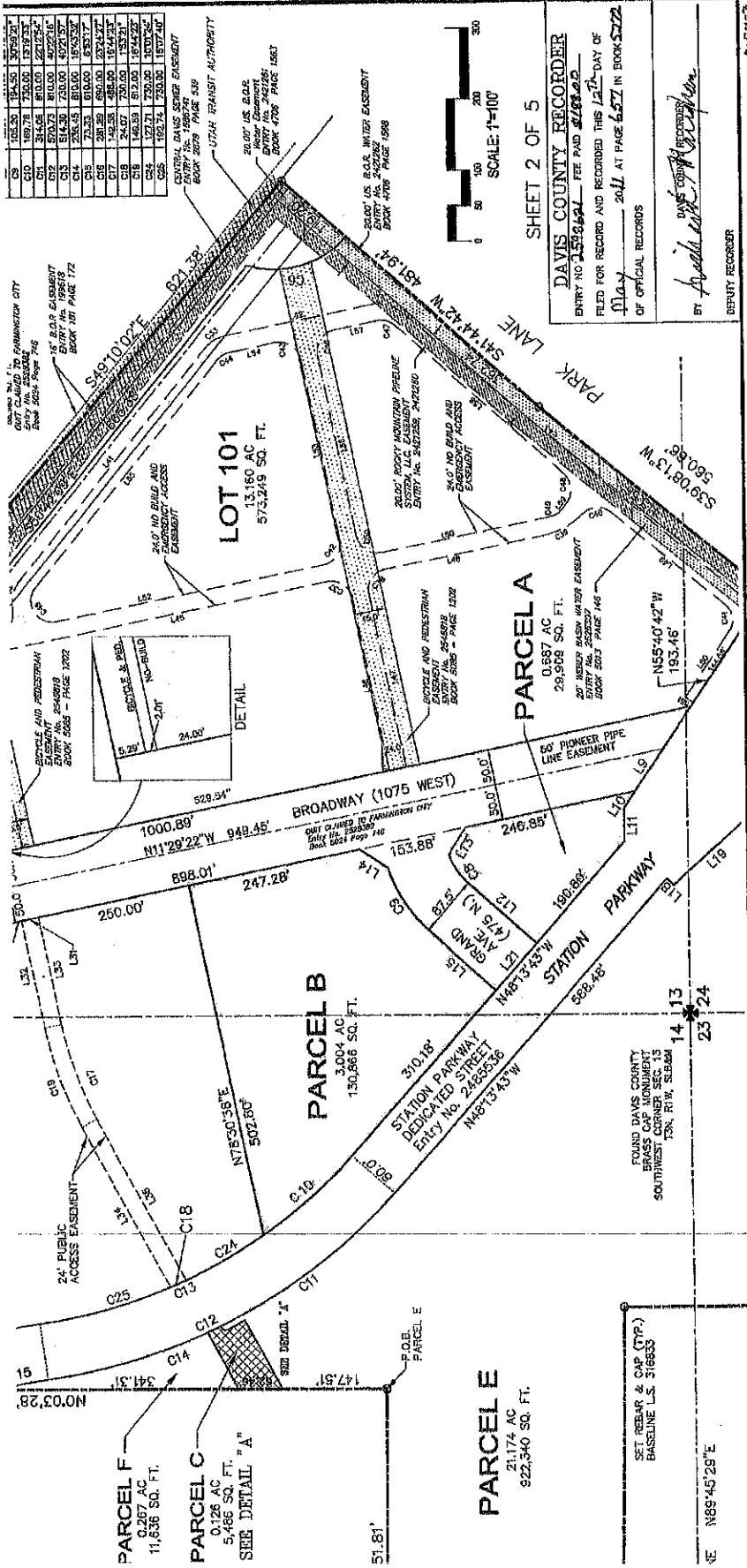
A part of Parcel B, Park Lane Commons, a subdivision of Farmington City, on file in the Office of the Davis County Recorder and located in the Southeast Quarter of Section 14, Township 3 North, Range 1 West, Salt Lake Base and Meridian, described as follows:

BEGINNING at a point North 00°00'21" West 528.13 feet along the east line of Section 14, Township 3 North, Range 1 West, Salt Lake Base and Meridian and West 107.20 feet from the Southeast Corner of said Section 14, and thence North 48°13'48" West 15.20 feet; thence North 41°46'12" East 26.00 feet; thence South 48°13'43" East 15.20 feet; thence South 41°46'12" West 26.00 feet to the POINT OF BEGINNING. Said parcel contains 395 square feet or 0.01 acres, more or less.

EXHIBIT B -- Page 1 of 2

Legal description of Landlord's restricted property

All of Parcels A&B, Park Lane Commons, according to the Official Plat thereof, recorded in the Office of the County Recorder of DAVIS County, State of Utah.



SHEET 2 OF 5

DAVIS COUNTY RECORDER
ENTRY NO. 25-5872 - FEE PAID 2168.00
FILED FOR RECORD AND RECORDED THIS 12TH DAY OF
MAY 2011 AT PAGE 657 IN BOOK 5272
OF OFFICIAL RECORDS

BY *Heidi M. [Signature]*
DEPUTY RECORDER

[Handwritten Signature]