

LEHI, UT
NWC 2100 N 3600
L/C: 043-0326

Prepared by: Jennifer Cohn
After recording, return to: Jeanine Jenig
McDONALD'S CORPORATION
110 N Carpenter St
Chicago IL 60607-2101
FILE NO. 156916-CAF
TAX ID NO. 68-013-9104 **RESTRICTIVE COVENANT**

Under a Real Estate Contract ("Contract") dated June 9, 2022, **BOYER HOLBROOK COMMERCIAL, L.C.**, a Utah limited liability company ("Grantor") agreed to convey to the nominee of McDonald's USA, LLC, a Delaware limited liability company, which nominee is **McDONALD'S REAL ESTATE COMPANY**, a Delaware corporation ("Grantee") a parcel of real estate described on Exhibit A attached hereto (referred to herein as the "McDonald's Property").

One of the terms of that Contract required Grantor to record a Restrictive Covenant affecting the use of Grantor's other property.

THEREFORE, in consideration of the terms and conditions contained in that Contract, Grantor promises and declares that the property described on Exhibit B attached (referred to herein as the "Adjacent Property") will not be leased, used, or occupied as a food service establishment, with a drive-thru, and any walk-up eating/drinking facility (including without limitation, a kiosk, stand, booth, or area located inside another business facility) that sells any amount of hamburgers (defined as meat or plant based), (provided that any food service establishment which offers as the primary method of service for all meal times food and drink orders taken by a waiter or waitress at the customer's table will not be prohibited) for a period expiring the earlier of: (a) 20 years from the date McDonald's closes on the acquisition of the McDonald's Property or (b) September 30, 2043.

This restriction runs with the McDonald's Property described on Exhibit A and with the Adjacent Property described on Exhibit B and shall inure to the benefit of Grantee and be binding upon Grantor and Grantor's successors and assigns as the owner of the Adjacent Property.

[The remainder of this page is intentionally left blank. Signature page to follow.]

This Restrictive Covenant is effective this 9th day of June, 2022.

GRANTOR:

BOYER HOLBROOK COMMERCIAL, L.C.,
a Utah limited liability company

By: The Boyer Company, L.C.,
a Utah limited liability company,
its manager



By: _____
Name: Brian Gottman
Its: Manager

ACKNOWLEDGMENT – CORPORATE
[Attestation required]

STATE OF UTAH)
) SS:
COUNTY OF SALT LAKE)

I, Avry Byington, a Notary Public in and for the county and state set forth above, CERTIFY that Brian Crochour, as Manager of The Boyer Company, L.C., a Utah limited liability company, as manager of BOYER HOLBROOK COMMERCIAL, L.C., a Utah limited liability company, who are personally known to me to be the persons whose names are subscribed to the foregoing instrument as such authorized parties, appeared before me this day in person and acknowledged that they signed, sealed and delivered this instrument as their free and voluntary act as such authorized parties and as the free and voluntary act of the company/corporation for the uses and purposes described in this instrument.

Given under my hand and notarial seal, this 9 day of June, 2022.

Avry Byington
Notary Public

My commission expires 8/28/2022.

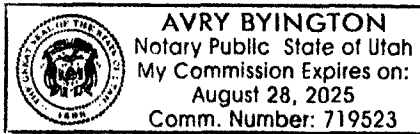


EXHIBIT A

LEGAL DESCRIPTION OF MCDONALD'S PROPERTY

Lot 9103, HOLBROOK FARMS PLAT I, according to the official plat thereof on file in the office of the Utah County Recorder, recorded June 14, 2021 as Entry No. 108301:2021.

Tax Parcel Id: Tax Parcel Id No. 68-013-9103

EXHIBIT B

LEGAL DESCRIPTION OF ADJACENT PROPERTY

Lot 9104, HOLBROOK FARMS PLAT I, according to the official plat thereof on file in the office of the Utah County Recorder, recorded June 14, 2021 as Entry No. 108301:2021.

Tax Parcel Id No. 68-013-9104