

**RECORDING REQUESTED BY, AND
AFTER RECORDING, RETURN TO:**

Dawn M. Rawls
Rawls Law Firm, PLLC
315 S. Jupiter Rd., Suite 200
Allen, TX 75002

14012703 B: 11370 P: 8894 Total Pages: 6
09/08/2022 09:38 AM By: zjorgensen Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: OLD REPUBLIC NCTS
7201 W LAKE MEAD BLVD STE 270 LAS VEGAS, NV 891288349

APN: 27-13-476-051

MEMORANDUM OF LEASE

This Memorandum of Lease is by and between **MILLER FAMILY REAL ESTATE, L.L.C.**, a Utah limited liability company ("Landlord"), whose address is 9350 S. 150 E., Suite 900, Sandy, Utah 84070, and **RAISING CANE'S RESTAURANTS, L.L.C.**, a Louisiana limited liability company ("Tenant"), whose address is 6800 Bishop Road, Plano, Texas 75024, who hereby declare that Landlord has leased to Tenant, and Tenant has accepted such lease from Landlord, the Property (later defined) upon the following terms pursuant to that certain Ground Lease between Landlord and Tenant (as amended, the "Lease"):

Effective Date of Lease: November 9, 2020.

Description of Property: See Exhibit A attached hereto.

Term: Fifteen (15) Lease Years from the Rent Commencement Date.

Extension(s): Five (5), five (5) year renewal options.

Right of First Offer: The Lease contains a right of first offer in favor of Tenant, pursuant to the terms thereof.

Tenant has the right to mortgage, collaterally assign or otherwise encumber any leasehold interest that Tenant has in the Lease (each a "Leasehold Mortgage") as security for any indebtedness without obtaining the consent of Landlord upon the condition that all rights acquired under each such Leasehold Mortgage shall be subject to each and all of the terms, covenants, conditions and restrictions set forth in the Lease.


Capitalized terms not separately defined herein shall bear the meaning assigned thereto in the Lease.

[SIGNATURES ON FOLLOWING PAGES]

Executed by Landlord on the 23 day of August, 2022.

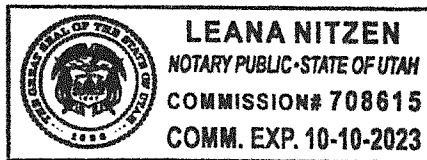
LANDLORD:

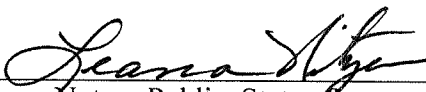
MILLER FAMILY REAL ESTATE, L.L.C.,
a Utah limited liability company

By: 
Brad Holmes
President

STATE OF UTAH §
COUNTY OF SALT LAKE §


BEFORE ME, the undersigned authority, on this 23 day of August, 2022, did personally appear Brad Holmes, President of **MILLER FAMILY REAL ESTATE, L.L.C.**, a Utah limited liability company, who acknowledged this instrument and stated that he executed same on behalf of said limited liability company.


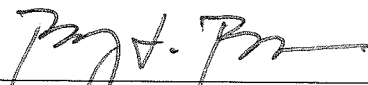



Notary Public, State of UTAH

Executed by Tenant on the 1st day of September, 2022.

TENANT:

 **RAISING CANE'S RESTAURANTS, L.L.C.,**
a Louisiana limited liability company

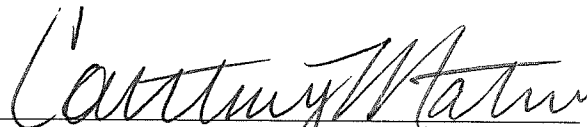
 By: 
Bryan L. Brown
Chief Development Officer

STATE OF TEXAS

§
§
§

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this 1st day of September, 2022, did personally appear Bryan L. Brown, Chief Development Officer of RAISING CANE'S RESTAURANTS, L.L.C., a Louisiana limited liability company, who acknowledged this instrument and stated that he executed same on behalf of said limited liability company.


Notary Public, State of Texas

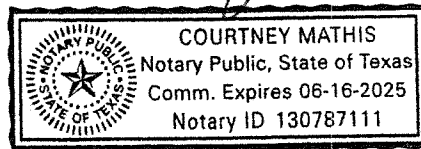


Exhibit A

LEGAL DESCRIPTION OF THE PROPERTY

BEGINNING AT A POINT WHICH IS N89°55'40"W 262.97 FEET ALONG THE SECTION LINE AND NORTH 323.38 FEET FROM THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE EAST 350.29 FEET TO THE WEST LINE OF STATE STREET; THENCE ALONG SAID WEST LINE S00°03'19"E 270.33 FEET TO THE NORTH LINE OF 11000 SOUTH STREET; THENCE ALONG SAID NORTH LINE N89°55'40"W 350.55 FEET; THENCE NORTH 269.88 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N89°55'40"W A DISTANCE OF 152.151 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE N12°33'05"E, A DISTANCE OF 54.795 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF 11000 SOUTH STREET; THENCE N89°55'40"W 67.60 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE N12°33'05"E 168.58 FEET; THENCE N35°42'20"E, 203.68 FEET; THENCE N25°57'56"E, 318.18 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE STREET; THENCE S00°03'19"E, 150.45 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE S25°57'56"W, 188.61 FEET; THENCE S35°42'20"W, 195.79 FEET; THENCE S12°33'05"W, 140.45 FEET TO THE POINT OF BEGINNING; AND BEING THE SAME PROPERTY AS DESCRIBED IN THAT CERTAIN LEASE AGREEMENT RECORDED APRIL 4, 2022, BY AND BETWEEN SALT LAKE CITY CORPORATION, A UTAH MUNICIPAL CORPORATION, AND MILLER FAMILY REAL ESTATE, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AS BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1, WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, IN SANDY CITY, SALT LAKE COUNTY, UTAH, BEGINNING AT A POINT ON THE NORTH LINE OF 11000 SOUTH STREET LOCATED 140.31 FEET NORTH 89°55'40" WEST ALONG THE SECTION LINE; AND 53.50 FEET NORTH 0°04'20" EAST FROM A BRASS CAP MONUMENT FOUND MARKING THE SOUTHEAST CORNER OF SAID SECTION 13; AND RUNNING THENCE NORTH 89°55'40" WEST 67.60 FEET ALONG SAID NORTH LINE; THENCE NORTH 12°33'05" EAST 168.58 FEET; THENCE NORTH 35°42'20" EAST 129.80 FEET; THENCE EAST 81.28 FEET; THENCE SOUTH 35°42'20" WEST 163.72 FEET; THENCE SOUTH 12°33'05" WEST 140.45 FEET TO SAID NORTH LINE OF 11000 SOUTH STREET AND THE POINT OF BEGINNING, AND CONTAINING 19,885 SQ. FT., MORE OR LESS.

ALSO LESS AND EXCEPTING:

A PARCEL OF LAND IN FEE FOR THE WIDENING OF THE EXISTING US-89 (STATE STREET) KNOWN AS PROJECT NO. F-0089(375)364, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE SW1/4 SW1/4 OF SECTION 18, T.3S., R.1E., S.L.B.&M. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED IN THAT CERTAIN WARRANTY DEED WHICH RECORDED DECEMBER 17, 2018 AS ENTRY NO.

12904648 IN BOOK 10739 AT PAGE 2364 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN THE STATE OF UTAH.

MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID ENTIRE TRACT IN THE WESTERLY RIGHT-OF-WAY LINE OF THE EXISTING US-89 (STATE STREET) WHICH CORNER IS 53.36 FEET N00°02'24"E ALONG THE SECTION LINE AND 87.65 FEET S89°57'36"E, FROM THE SOUTHWEST CORNER OF SAID SECTION 18, SAID CORNER IS ALSO APPROXIMATELY 48.96 FEET RADially DISTANT WESTERLY FROM THE US-89 (STATE STREET) CONTROL LINE OPPOSITE APPROXIMATE ENGINEER STATION 42+76.81; AND RUNNING THENCE N89°52'47"W, 43.96 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A POINT 92.92 FEET RADially DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE APPROXIMATE ENGINEER STATION 42+76.34; THENCE N53°24'49"E, 40.70 FEET TO THE BEGINNING OF A 6539.50-FOOT RADIUS CURVE TO THE LEFT (NOTE: CENTER BEARS N89°29'04"W) SAID CURVE BEING PARALLEL WITH AND 60.50 FEET RADially DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 43+01.24; THENCE NORTHERLY 59.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A DELTA OF 00°31'29" (NOTE: CHORD TO SAID CURVE BEARS N00°15'12"E FOR A DISTANCE OF 59.90) TO A LINE PARALLEL WITH AND 60.50 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 43+61.70; THENCE N00°00'33"W 143.30 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 45+05.00; THENCE N40°22'25"W 13.12 FEET TO A LINE PARALLEL WITH AND 69.00 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 45+15.00; THENCE N00°00'33"W 60.00 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 45+75.00; THENCE N40°21'20"E 13.12 FEET TO A LINE PARALLEL WITH AND 60.50 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 45+85.00; THENCE N0°00'33"W 68.00 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 46+53.00; THENCE N06°55'06"E 91.20 FEET TO A POINT IN SAID WESTERLY RIGHT-OF-WAY LINE WHICH POINT IS 49.50 FEET PERPENDICULARLY DISTANT WESTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 47+43.53; THENCE S00°00'33"E 466.09 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 5,634 SQUARE FEET OR 0.129 ACRE IN AREA, MORE OR LESS.

(NOTE: ROTATE ALL BEARINGS IN THE ABOVE DESCRIPTION 00°11'53" CLOCKWISE TO OBTAIN HIGHWAY BEARINGS.)