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RECORDED AT REQUEST OF  
US Title  
1985 APR -1 PM 2:04  
CAROL DEAN PAGE  
DAVIS COUNTY RECORDER  
DEPUTY [Signature] FEE 6.00

AFTER RECORDING, RETURN TO:

William Blanco  
Real Estate Legal  
McDonald's Corporation  
One McDonald's Plaza  
Oak Brook, Illinois 60521

DECLARATION OF RESTRICTIVE COVENANT

\*D-1103

NW 7-2N-1E

WHEREAS, under contract dated the 1st day of July, 1984, HARRISON R. COOPER (hereinafter referred to as "Seller") agreed to convey to McDONALD'S Corporation, a (n) Delaware corporation, (hereinafter referred to as "Purchaser") a parcel of real estate described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, one of the terms of said contract states that Seller shall record a Restrictive Covenant affecting Seller's property;

NOW THEREFORE, Seller hereby covenants and agrees, in consideration of the terms and conditions recited in said contract, that the property described on Exhibit B, attached hereto, will not be used for a restaurant or food service establishment of any type deriving 25% or more of its gross annual sales from the sale of hamburgers, ground beef products and french fries, including, but not limited to, Burger King, Wendy's, Jack-in-the Box, Burger Chef and Hardee's, for a period of twenty (20) years from the date this document is recorded.

This covenant shall run with the land described in Exhibits A and B and shall inure to the benefit of and shall be binding upon the Purchaser and Seller, their heirs, administrators, grantees, assigns and successors.

IN WITNESS WHEREOF, Seller has executed this DECLARATION OF RESTRICTIVE COVENANT, this 28<sup>th</sup> day of March, 1985.

SELLER:

Harrison R. Cooper

WITNESS:

[Signature]

STATE OF:

COUNTY OF:

AFFIDAVIT OF OWNERSHIP  
(Individual)

HARRISON R. COOPER, being first duly sworn on oath, depose(s) and state(s) that he (she) (they) is (are) the owner(s) of the property described on Exhibit B attached and that he (she) (they) own(s) no other property within a two (2) mile radius of the property described on Exhibit A attached.

IN WITNESS WHEREOF, affiant(s) has (have) set his (her) (their) hand(s) this 28<sup>th</sup> day of March, 1985.

Harrison R. Cooper

Subscribed and sworn to before me this 28<sup>th</sup> day of March, 1985.

[Signature]  
NOTARY PUBLIC

My Commission expires 5/10/85

(PLEASE ATTACH PROPER ACKNOWLEDGEMENT FOR STATE WHERE DOCUMENT IS TO BE RECORDED)

McD-DRC-I-09/81

pt 02-024-0020

BEGINNING AT A POINT ON THE UTAH STATE ROAD COMMISSION HIGHWAY RIGHT OF WAY WHICH POINT IS S 0°05'33" E 1812.25 FEET AND N 89°54'27" E 347.34 FEET FROM THE NORTHWEST CORNER OF SECTION 7, T. 2 N., R. 1 E., S.L.B. & M. AND RUNNING THENCE N 7°20'36" W 15.00 FEET ALONG SAID RIGHT OF WAY; THENCE N 85°47'16" E 52.44 FEET TO THE WEST R.O.W. LINE OF A FRONTAGE ROAD, SAID POINT IS ON A 858.511 FOOT RADIUS CURVE TO THE LEFT: THENCE ALONG THE ARC OF SAID CURVE 73.92 FEET TO THE POINT OF TANGENCY (LONG CHORD BEARS S 30°11'47" E 73.90 FEET); THENCE ALONG SAID R.O.W. LINE S 32°39'47" E 224.00 FEET; THENCE S 88°47'06" W 154.81 FEET TO A POINT ON STATE ROAD COMMISSION RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY N 12°45'28" W 243.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.603 ACRES.