

Please return a copy to:

Levy Craig Law Firm
Attn: Jeff Bauer
4520 Main Street, Suite 1600
Kansas City, Missouri 64111

MEMORANDUM OF LEASE

This Memorandum of Lease is made this 31st day of August, 2021, by and between **Westroads Investors, LLC**, a Nebraska limited liability company ("Landlord"), whose address is C/o Drake Development, LLC, Attn: Matthew Pennington, 7200 W. 132nd Street, Suite 150, Overland Park, KS 66213 and **Chipotle Mexican Grill, Inc**, a Delaware corporation ("Tenant"), whose address is 191 W. Nationwide Blvd, Suite 250, Columbus, OH 43215.

1. Leased Premises. Landlord hereby grants, demises and leases to Tenant, and Tenant hereby leases from Landlord, the Premises with improvements and appurtenant easements, if any, containing approximately 2,366 square feet ("Premises"), located in the City of Omaha, County of Douglas, State of Nebraska, which land is described on Exhibit A, attached hereto and made a part of this Memorandum of Lease.

2. Term. The primary term of the Lease is twelve (12) Lease Years and shall commenced on the date which is the earlier of: (a) one hundred twenty (120) days after the Possession Date (as defined in the Lease), or (b) the date upon which Tenant opens for business to the public at the Premises.

3. Option to Extend. Landlord grants to Tenant the option to extend the term of the lease at the expiration of the original term for four (4) successive periods of five (5) years each aggregating twenty (20) years.

4. Exclusive Use. Landlord agrees that, for the term of the Lease, Tenant shall have the exclusive right to sell burritos, wraps, fajitas, and tacos at the Center (the "Exclusive Use") and neither Landlord nor its affiliates or successors or assigns shall permit or suffer any other tenant in the Center to engage in the Exclusive Use; provided, however, that such restriction shall not apply

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to: (i) full-service restaurants (meaning sit-down restaurants with table service by wait staff at all meal times); (ii) Mexican restaurants occupying 3,500 square feet or more in the Center; (iii) the Top Golf Premises (as defined the Declaration of Easements, Covenants, Restrictions, and Conditions, dated February 28, 2019, and recorded by the Douglas County, Nebraska Register of Deeds as Instrument No. 2019014464 (“Declaration”)) during the term of the Top Golf Lease (as defined in the Declaration) and any amendments, renewals, or extensions thereof that do not expand or increase the permitted uses of the Top Golf Premises beyond those set forth in the Top Golf Lease as of the date of October 25, 2019 (iv) the incidental sale of such items by any other tenant in the Center. For purposes of the preceding sentence, "incidental sale" means that the cumulative sale of such items does not exceed twenty percent (20%) of the gross sales of any such other tenant.

5. Successors and Assigns. The conditions and provisions hereof shall inure to the benefit of and shall be binding upon Landlord, Tenant, and their respective personal representatives, executors, successors, heirs and assigns and shall run with the land.

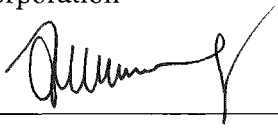
6. Memorandum. The rentals to be paid by Tenant and all of the obligations and rights of Landlord and Tenant are set forth in the Lease dated June 12, 2019, as may have been amended (“Lease”) and executed by the parties. This instrument is merely a memorandum of the Lease and is subject to all of its terms, conditions and provisions. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail.

[Signature Pages to Follow]

IN WITNESS WHEREOF, Landlord and Tenant or their authorized representatives or officers have signed This Memorandum of Lease this 31st day of August, 2021.

TENANT:

Chipotle Mexican Grill, Inc,
a Delaware corporation

By: 

Name: Tabassum Zalotrawala

Title: Chief Development Officer

ACKNOWLEDGMENT

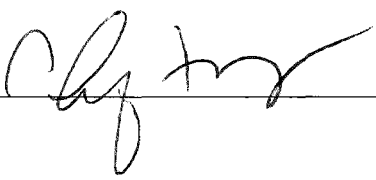
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

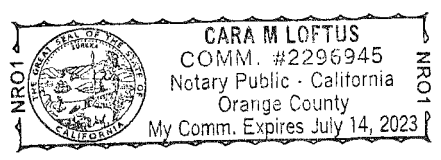
STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

On August 16, 2021 before me, Cara Loftus, Notary Public,
personally appeared Tabassum Zalotrawala, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



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LANDLORD:

WESTROADS INVESTORS, LLC,
a Nebraska limited liability company

By: DRAKE WESTROADS, LLC
a Nebraska limited liability company
Its: Co-Manager

By: OMAHA INVESTORS, LLC
a Kansas limited liability company
Its: Manager

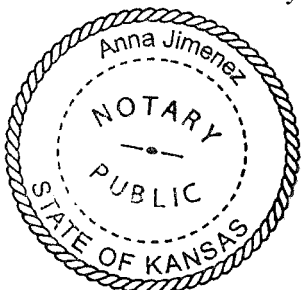

Matt Pennington, Manager

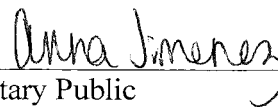
Date: 8/31/21

State of Kansas
County of Johnson

I, Anna Jimenez, a notary public in and for said County, in the aforesaid State, do hereby certify that Matt Pennington, Co-Manager of Westroads Investors, LLC, a Nebraska limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument, pursuant to authority given to him by said entity, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 31 day of August, 2021.





Notary Public

Commission Expires: 4/16/2025

By: WOODSONIA 730-908 N 102nd, LLC
a Nebraska limited liability company
Its: Co-Manager

By: DREW SNYDER REAL ESTATE, LLC
a Kansas limited liability company
Its: Manager



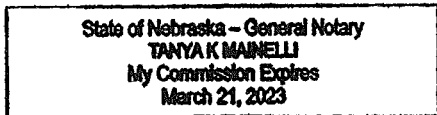
Drew Snyder, Manager

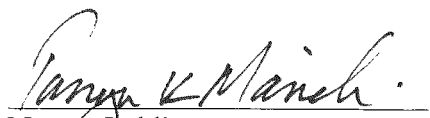
Date: 8-24-2021

State of NEBRASKA)
County of Douglas)

I, Tanya K. Mainelli, a notary public in and for said County, in the aforesaid State, do hereby/certify that Drew Snyder, Co-Manager of Westroads Investors, LLC, a Nebraska limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument, pursuant to authority given to him by said entity, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 24 day of August, 2021.





Notary Public

Commission Expires: March 21, 2023

EXHIBIT A

LEGAL DESCRIPTION

LOT 1, PUTT'N PLACE REPLAT ONE LOTS 1 AND 2, BEING A REPLATTING OF LOTS 2
AND 3, PUTT'N PLACE, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

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