

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2016 APR 18 12:16:54
BK:7910 PG:831-835
MEMORANDUM
FEE:\$26.00
INSTRUMENT # 2016011444

SMMARSH



2016011444

#3446

WHEN RECORDED MAIL TO:

MDC COAST 4, LLC
11995 El Camino Real
San Diego, CA 92130
Attn: Legal Department

* Return to: Wyatt Early Harris Wheeler, LLP (David N. Woods) PO Drawer 2086, High Point, NC 27261

SPACE ABOVE THIS LINE FOR
RECORDER'S USE

MEMORANDUM OF LEASE

This is a Memorandum of Lease by and between MDC Coast 4, LLC, a Delaware limited liability company, hereinafter called Landlord and Outback Steakhouse of Florida, LLC, a Florida limited liability company, hereinafter called Tenant.

Effective Date of Lease: March 30, 2016

Description of Premises: That property which is described on **Exhibit "A"** containing approximately 1.37 acres, together with all easements in appurtenance thereto granted in the Lease or of record.

Commencement Date: The Initial Term of the Lease shall commence on the Effective Date of the Lease.

Initial Term: two hundred forty (240) months.

Renewal Option(s): three (3) sixty (60) month Renewal Terms.


The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY
(SIGNATURES ON FOLLOWING PAGE)

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum of Lease effective as of the Effective Date of Lease.

WITNESSES:

MDC Coast 4, LLC, a Delaware limited liability company

By: 
Name: Michael R. Pfeiffer
Title: Executive Vice President, General Counsel

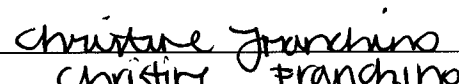
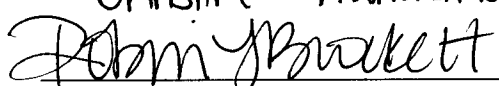
Date: 3-28-16

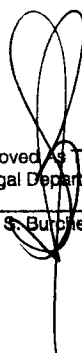
"Landlord"

Outback Steakhouse of Florida, LLC,
a Florida limited liability company

By: _____
Name: Ronda L. Stoker
Title: Authorized Agent – Real Estate
Date: _____

"Tenant"


CHRISTINE FRANCHINO

ROBIN L. BROCKETT


Approved As To Form
Legal Department
S. Burdett

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 SAN DIEGO

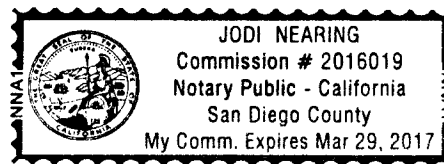
On March 28, 2016 before me, Jodi Nearing, Notary Public, personally appeared Michael R. Pfeiffer, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

[Handwritten Signature]

Signature of Notary Public



(Notary Seal)

DESCRIPTION OF THE ATTACHED DOCUMENT
Memorandum of Lease

(Title or description of attached document)
Outback Steakhouse

(Additional information)

Outback Steakhouse of Florida, LLC,
a Florida limited liability company

#1 Teresa Schaat
Print Name: Teresa Schaat

By: Ronda L. Stoker
Ronda L. Stoker, its Authorized Agent –
Real Estate

#2 TERRI DUNCAN
Print Name: TERRI DUNCAN

Date: 3/30/16

"Tenant"

STATE OF FLORIDA:
COUNTY OF HILLSBOROUGH, SS:

Before me, a Notary Public in and for said State and County, on the 30th day of March, 2016, personally appeared **Ronda L. Stoker**, as Authorized Agent – Real Estate, of **Outback Steakhouse of Florida, LLC**, a Florida limited liability company, on behalf of the company, who acknowledged the signing of the foregoing instrument to be his/her free act and deed for the uses and purposes set forth herein.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the 30th day of March, 2016.

[Insert Notary Stamp]

Kathryn A. Davis
Notary Public

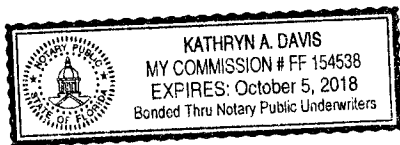


EXHIBIT "A"

Site 3446

Lying and being in Durham County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pipe located in the southern right-of-way of US Highway 15-501, said iron pipe being a Control Corner having NC Grid Coordinates of N=801,559.951 and E=2,001,558.859; thence along a curve to the right having a radius of 19.30 feet and a chord bearing North 82-55-53 East, an arc distance of 14.06 feet to an existing iron pipe located in the western right-of-way of Mt. Moriah Road thence running with the western right-of-way of Mt. Moriah Road South 00-03-23 East 328.56 feet to an existing iron pipe; thence South 00-11-56 East 2.01 feet to an existing iron pipe; thence with a curve to the right having a radius of 25 feet and a chord bearing of South 44-48-04 West, an arc distance of 39.27 feet to an existing iron pipe in the northern right-of-way of Ladle Drive; thence continuing with the right-of-way of Ladle Drive South 89-48-04 West 16.87 feet to an existing iron pipe; thence along a curve to the right having a radius of 100 feet and chord bearing of North 59-31-53 West, an arc distance of 107.05 feet to an existing iron pipe; thence North 28-51-49 West 183.86 feet to an existing iron pipe; thence along a curve to the right having a radius of 25 feet and a chord bearing of North 16-08-01 East, an arc distance of 39.27 feet to an existing iron pipe located in the southern right-of-way of US Highway 15-501; thence with the southern right-of-way of US Highway 15-501 North 61-07-52 East 222.28 feet to the POINT AND PLACE OF BEGINNING, and being all of Tract A, containing 1.371 acres, as shown on plat entitled "Final Plat for P&S Properties, Ltd. Partnership," prepared by Triangle Surveyors, dated May 10, 1993, recorded in Book of Maps 129, page 175, Durham County Registry.

TOGETHER WITH all rights, title and interest in the easements created pursuant to the certain Dedication of Easement dated May 27, 1993 and recorded in Book 1852, Page 404, Durham County Registry.