



Rebekah Czerwionka
Senior Counsel
McDonald's Corporation
110 N. Carpenter St
(630) 207-6153
Rebekah.Czerwionka@us.mcd.com

VIA FEDERAL EXPRESS

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City of Oakland
Economic & Workforce Development Department
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612
Attn.: Marisa Raya, Senior Economic Analyst, Special Projects

RE: Oakland, CA
7300 Bancroft Avenue
L/C: 004-3396, RE File #40624

Dear Ms. Raya:

Reference is made to that certain Covenant Not to Compete dated July 13, 1999, recorded as Document #99272514 by the Alameda County Recorder (the "Covenant"). McDonald's is the ground lessee of a parcel of land located at the above-referenced address, which benefits from the Covenant.

It has been brought to my attention that the City of Oakland desires to develop certain property located at 73rd and Foothill Boulevard as shown on the attached site plan dated December 19, 2019. As you know, this property is burdened by the Covenant. Despite this Covenant, you have requested McDonald's permission to allow the presence of various food trucks on this site.

The purpose of this letter is to provide formal Notice that McDonald's will not waive or otherwise permit the sale of any food item prohibited by the Covenant. In addition to the specific restaurants prohibited by the Covenant, no property restricted by the Covenant will, during the term of the Lease and any extensions of it, be leased, used or occupied as a "restaurant." The term "restaurant" is defined in the Covenant as "any type of food service establishment which serves any amount of the following products: Hamburgers or any other type of beef products served in sandwich form; or ground meat or meat substitute, or a combination of ground meat and meat substitute, or any other type of meat products, any of which are served in sandwich form; chicken, pizza or pizza bread; eggs or egg substitutes, pancakes, French toast, cereal or waffle products; tacos, burritos, tamales, enchiladas, fajitas or nachos; fish; ice cream; frozen yogurt; cookies."

McDonald's reserves the right to pursue its remedies under the Covenant, at law and in equity should you choose to allow a food truck to sell food items which are prohibited under the Covenant.

Your prompt attention to and cooperation in addressing this matter is appreciated and expected.

McDONALD'S USA, LLC,
a Delaware limited liability company



Senior Counsel
US- Legal, Property Management

cc. Yolanda Matranga by e-mail
Glenda Hollenbeck by e-mail
Katie Slomka by e-mail