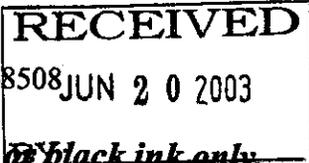


SIDEWALK CAFÉ PERMIT APPLICATION

FEE: \$100.00 Annual Permit Fee plus a 25 cents per sq. ft. Annual Rent of Sidewalk Space

RETURN TO:

City Clerk's Office, 555 S. 10th St., Room 103, Lincoln NE 68508



LMC Chapter 14.50

Fill in Form and Please PRINT using blue ~~to~~ black ink only.

APPLICANT'S INFORMATION					
NAME:	Chipotle Mexican Grill, Inc. - Gordon Gilmore				
HOME ADDRESS:	1543 Wazee Street Denver, CO				
ZIP:	80202	HOME PHONE#:	303.390.0629	FAX#:	303.595.4014
BUSINESS NAME:	Chipotle Mexican Grill				
BUSINESS ADDRESS:	232 North 13th Street Lincoln, NE <i>Suite #4</i>				
ZIP:	68508	BUSINESS PHONE#:	To Be Determined	FAX#:	TBD

MANAGER OF CAFÉ					
NAME:	To Be Determined				
ADDRESS:					
ZIP:		PHONE#:		FAX#:	

RECORD OWNER OF PROPERTY					
NAME:	S.A.M. Properties, Inc. - A.Michael Alesio				
ADDRESS:	P.O. Box 83089 Lincoln, NE				
ZIP:	68501	PHONE#:	402.470.3800	FAX#:	
DOES THE RECORD PROPERTY OWNER AGREE TO SUCH USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
PLEASE ATTACH A NOTARIZED LETTER OF CONSENT BY RECORD PROPERTY OWNER FOR THE USE OF SAID PROPERTY.					

SIDEWALK CAFÉ AREA

PLEASE LIST DAYS AND HOURS OF OPERATION: The restaurant is tentatively scheduled to be open seven days, Sunday-Saturday from 11:00 AM- 10:00 PM. Outdoor dining may be adjusted seasonally.

PLEASE DESCRIBE HOW THE SIDEWALK CAFÉ WILL BE SUPERVISED & MAINTAINED:
The outdoor dining area will be continuously supervised by on-site management with regular cleaning. Any maintenance required to the railing or patio furniture will be performed as needed.

HOW MANY PATRONS WILL BE SERVED IN CAFÉ AREA: 11 seats are planned for the cafe area.

PLEASE DESCRIBE ANY PERMITTED ADVERTISING AND STREET FURNITURE USED (*photos may be attached*): The furniture used by Chipotle is typically outdoor type, silver colored, tables and chairs. Advertising will be contained to the building as permitted separately. Photos attached.

Please attach six copies of a plat or drawing indicating, to scale, the amount of surface public right-of-way you are seeking permission to use and the location of all furniture, equipment, and any other article occupying public space, if any.

FEES

- \$100 Annual Permit Fee must be paid to the City Clerk on the day of Original Permit approval.
- Annual Rent of 25 cents per square foot of sidewalk space used must be paid to the City Clerk on the day of original permit approval.

INSURANCE

Applicant shall *at all times* maintain a policy of liability insurance from a company licensed to do business in the State of Nebraska with a minimum of combined single limit of \$500,000 aggregate for any one occurrence. The insurance **must** name the City of Lincoln as an additional insured & contain a 30 day cancellation notice. **This must be attached to your application *prior* to submission!**

The following items must be attached *prior* to submission of this application:

- Notarized letter of consent by record property owner for the use of said property.
- Six copies of a plat or drawing indicating, to scale, the amount of surface public right-of-way you are seeking permission to use and the location of all furniture, equipment, and any other article occupying public space, if any.
- Certificate of Insurance: policy of liability insurance from a company licensed to do business in the State of Nebraska with a minimum of combined single limit of \$500,000 aggregate for any once occurrence naming the City as an additional insured.

HOLD HARMLESS AGREEMENT

In consideration of being issued a permit for the use of surface space for a sidewalk café the undersigned applicant agrees to hold harmless the City of Lincoln and the officers and employees of the City for any loss or damage arising out of the use, or the discontinuance of any use. The undersigned agrees and understands that the use of the surface space is temporary, on a day to day basis; that the undersigned does not acquire any right, title, or interest in such space; that the undersigned may be required by the City at any time to vacate all or any part of the surface space that the undersigned has been given permission to use; that upon demand to vacate such space, the undersigned agrees to promptly remove any personal property placed thereon by the undersigned and to return the surface space to the same condition that it was in prior to commencement of such use or to reimburse the City for the cost of removing such property and restoring the surface space to its prior condition and that the undersigned has no recourse against either the City or its officers, employees or agents, either for any loss or damage occasioned by his or her being required to vacate all or any part of the surface space which the undersigned has been granted permission to use.

The undersigned further agrees at all times hereafter to comply with all municipal ordinances, rules and regulations of the City of Lincoln, Nebraska.

Dated this 12^R Day of June, 2003.



Signature of Applicant

Gordon W. Gilmore

Printed Name of Applicant



Witness

Applications are available on the City's web site at "www.ci.lincoln.ne.us".

REFERRALS

Please sign or initial "APPROVED" or "DENIED" & date. Referred: 6/24/03

PUBLIC WORKS - SIDEWALK INSPECTOR:

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

POLICE DEPT.:

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

FIRE PREVENTION BUREAU:

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

HEALTH DEPARTMENT:

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

URBAN DEVELOPMENT - JEFF COLE

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

PLANNING & URBAN DESIGN COMMITTEE - ED ZIMMER

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

CITY COUNCIL ACTION:

DATE ON COUNCIL AGENDA: _____
APPROVED: _____ DENIED: _____ RESO. #: _____

MAYOR'S OFFICE: (If appealed from Denial - refer to Mayor's Office)

APPROVED: _____ DENIED: _____ DATE: _____
RECOMMENDATIONS OR COMMENTS: _____

Letter of Consent

To: City of Lincoln, NE
Community Development Dept.
808 P Street, Suite 400
Lincoln, NE 68508

Please accept this letter as formal consent allowing Chipotle Mexican Grill to apply for a Sidewalk Café Permit as required by the City of Lincoln. SAM Properties, Inc., Landlord, authorizes Chipotle Mexican Grill, Inc., Applicant/Tenant, use of the area adjacent to the property at 232 North 13th Street in Lincoln, NE for the purpose of such a patio as stipulated in the terms of the Lease Agreement and in accordance with the statutes of the City of Lincoln and State of Nebraska.

Dated this 12 day of June, 2003.

Signature of property owner: A. Michael Alessio
SAM Properties, Inc.

Printed name: A. Michael Alessio

Title: President

Laura M. Bell
Notary



ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
06/13/03

PRODUCER
1-312-704-0100
Arthur J. Gallagher & Co.
125 S. Wacker Drive
Suite 500
Chicago, IL 60606
Attn: Lesley Waszak

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Chipotle Mexican Grill, Inc.
1543 Wazee Street
Denver, CO 80202

INSURERS AFFORDING COVERAGE	
INSURER A:	Royal Insurance Company of America
INSURER B:	Zurich American Insurance Company
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	GLO929911302	11/01/02	11/01/03	EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> \$500 Comp. Ded. <input checked="" type="checkbox"/> \$500 Coll. Ded.	BAP929911402 (A/O/S) TAP930687300 (TX)	11/01/02 11/01/02	11/01/03 11/01/03	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10,000	PRN016508	11/01/02	11/01/03	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY OTHER	WC929911202	11/01/02	11/01/03	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
Re: Store #26-0349 - Univeristy of Nebraska, 232 N. 13th Street, Lincoln, NE 68508
Sam Properties, Inc. and the City of Lincoln are shown as additional insureds solely with respect to general liability coverage as evidenced herein as required by written contract with respect to the premises shown above.

CERTIFICATE HOLDER	ADDITIONAL INSURED; INSURER LETTER:	CANCELLATION
Store #26-0349 Sam Properties, Inc. P.O. Box 83089 Lincoln, NE 68501	USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Bill Borkost</i>

ACORD 25-S (7/97) michel1
1179427

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EXHIBIT B -

SITE PLAN FOR

CHIPOTLE MEXICAN GRILL, INC.

SIDEWALK CAFÉ PERMIT

On File in the Office of the City Clerk

LETTER OF ACCEPTANCE

TO THE CITY COUNCIL:

I, _____, authorized representative of Chipotle Mexican Grill Inc., 232 N. 13th Street, Lincoln, Nebraska 68508, the applicant under Resolution No. A-_____ adopted by the City Council of the City of Lincoln, Nebraska, on _____, 2003, do hereby certify that I have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.

Chipotle Mexican Grill