

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 14th day of June, 2011 by and between The Old Naval Hospital Foundation, t/a The Old Naval Hospital Foundation, and Advisory Neighborhood Commission 6B.

WITNESSETH

WHEREAS, Applicant has applied for a new class "C" Multi-Purpose license with a Summer Garden and an Entertainment Endorsement for the premises at 921 Pennsylvania Ave SE, Washington, DC, 20003, which is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC, and,

WHEREAS, the Parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "C" Multi-Purpose Liquor License, with a Summer Garden and an entertainment endorsement, at the subject premises; and

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Official Code § 25-446 for the operation and maintenance of the Establishment in such a manner as to promote the peace, order and quiet of the neighborhood. Both parties recognize the importance of business neighborhoods that are safe, clean, and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.
2. ***Nature of the Business.*** The Applicant will manage and operate a class "C" Multi-Purpose ABC license at the listed address, excluding the area commonly known as the Carriage House and the summer garden adjacent to the north side of the Carriage House. The Applicant will host special events such as weddings and meetings both inside the building and on the grounds surrounding the building. There will be occasional dancing, with a DJ and live music provided by small bands.

3. ***Hours of Operation and Sales.***

The Applicant's Hours of Operation shall be as follows:

Indoors:

Sunday – Thursday 7:00 a.m. – 2:00 a.m.

Friday and Saturday 7:00 a.m. – 3:00 a.m.

Summer Garden:

Sunday thru Saturday 7:00 a.m. – 10:00 p.m.

Hours of Sales, Service and Entertainment:

Indoors:

Sunday-Thursday 7:00 a.m. – 1:00 a.m.

Friday and Saturday 7:00 a.m. – 2:00 a.m.

Hours of Sales and Service

Summer Garden:

Sunday – Thursday 7:00 a.m. – 9:00 p.m.

Friday and Saturday 7:00 a.m. – 10:00 p.m.

Hours of Entertainment

Summer Garden:

Sunday through Thursday 7:00 a.m. – 8:00 p.m.

Friday and Saturday 7:00 a.m. – 9:00 p.m.

In addition, the capacity at Summer Garden events ending after 8:00 p.m. will be limited to no more than 300 patrons. Daytime capacity in the summer garden will be 500 patrons.

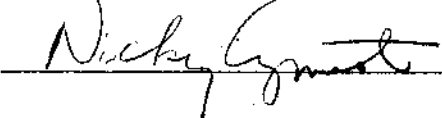
4. ***Noise and Privacy.*** Applicant will strictly comply with D.C. Official Code § 25-725. Applicant will not operate the premises as a nightclub

5. ***Parking.*** Applicant will provide valet parking for a scheduled event that is reasonably expected to bring more than 30 cars. Applicant will monitor the valet service to ensure no cars are parked on public streets.

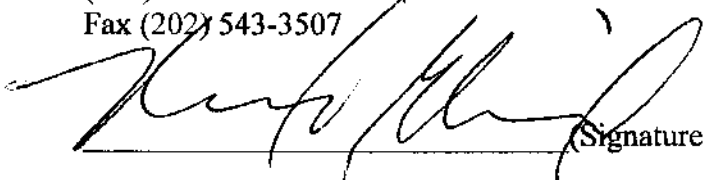
6. **Public Space and Trash.** Applicant shall keep the sidewalk (up to and including the curb), tree box(es), curb, and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant shall ensure that the area around the dumpster is kept clean at all times.
7. **Rats and Vermin Control.** The Applicant shall provide rat and vermin control for its property. Applicant shall provide proof of its rat and vermin control contract upon the request of the Board. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure no garbage and odors are present the following morning.
8. **Security Cooperation in Stemming Illegal Drugs and Public Drinking.** Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

Applicant: The Old Naval Hospital Foundation
Mary (Nicky) E. Cymrot, President
921 Pennsylvania Ave SE
Washington, DC 20003
202-997-5722

 (Signature)

ANC: Advisory Neighborhood Commission
703 D Street, SE
Washington, DC 20003
Neil Glick, Chairperson
(202) 543-3344
Fax (202) 543-3507

 (Signature)