

7A: Uptown Cathay

AGREEMENT

Made this 23 day of November 1992, by and between

ZYD, INC., (the Applicant) and Advisory Neighborhood Commission
3F, North Cleveland Park and Forest Hills (the ANC).

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC is Applicant's application for a Class "CR" license for premises 5016-18 Connecticut Avenue, N.W., ABC Application # 10171; and

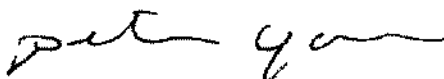
WHEREAS, the parties desire to enter into an agreement commemorating certain understandings regarding Applicant's operating plans;

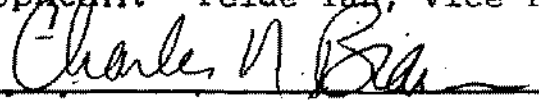
NOW, THEREFORE, in consideration of premises above recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall operate a bona fide restaurant on its premises.
2. The restaurant shall have a maximum of 82 seats for the exclusive use of dining patrons. Alcoholic beverages will be served primarily in conjunction with full meal service. Sidewalk cafe of 32 seats.
3. The bar/lounge will have a maximum of None seats for the primary use of patrons waiting for dining service.
4. The hours of operation will be 8:00 A.M. to 10:30 P.M. Monday through Thursday; 8:00 A.M. to 11:00 P.M. Friday and Saturday; and 8:00 A.M. to 10:30 P.M. Sunday.
5. Applicant shall admit no patrons to its premises after the hour of 10:30 P.M. Monday through Thursday; 11:00 P.M. Friday; and 11:00 P.M. Saturday; and 10:30 P.M. Sunday.
6. The Applicant shall present no form of live entertainment and no form of recorded music other than soft background music for dining.
7. Applicant shall permit no form of dancing.
8. Applicant shall not install or utilize: any equipment for the showing of videos; juke boxes; or video games.

9. Applicant shall comply with all aspects of the Civil Infractions Act and the Litter Control Administration Act. Any alleged violations left uncorrected may be referred by the ANC to the appropriate agency.
10. An ABC licensed manager conversant with all aspects of this agreement shall be on-site at Applicant's premises during all hours of operation.
11. Any ~~and all contemplated~~ ^{substantial} changes to Applicant's operation, as set forth herein or otherwise will be brought to the attention of the ANC prior to implementation only after ANC and, when required by rules and regulations, ABC Board approval.
12. In consideration of, and in reliance upon, the commitments reflected in paragraphs I through II above, the ANC will recommend to the ABC Board non-objection to Applicant's pending license application.
13. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 DCMR 1513.5, to gain the Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the years and day first above-written.

BY: 
Applicant Peide Yan, Vice President

BY: 

BY: _____

ANC 3F, Chair