

APR 21
9841

AGREEMENT

Made this 7th day of October, 2003 by and between Ilija's International Gourmet Shoppe, Inc. at 5441 MacArthur Boulevard NW (hereinafter "Ilija's") and District of Columbia Advisory Neighborhood Commission 3D (hereinafter "ANC3D").

WHEREAS, Ilija's has filed with the District of Columbia Alcoholic Beverage Regulation Administration (hereinafter "ABRA") an application for a Retailer's License Class C (the "license") authorizing sale of liquor, wine and beer only for on-premises consumption; and

WHEREAS, the parties desire to enter into a voluntary Agreement, pursuant to 23 D.C.M.R. Section 1513, memorializing the conditions mutually agreed with regard to such license;

NOW, THEREFORE, the parties agree that:

1. The hours of sale and service of alcoholic beverages under the license shall be:
 - (a) from 11:00 a.m. to 11:00 p.m. on Sunday through Thursday;
 - (b) from 11:00 a.m. to 12:00 midnight on Friday and Saturday;
 - (c) extended to normal legal hours as such hours are then defined under ARBA regulations, for any annual or declared legal holiday recognized by the United States or District of Columbia governments, provided the licensee elects to operate on such holiday in that respective year.

No customer shall be served alcoholic beverages before or after the respective hours of operation specified or referenced in this Paragraph 1.

2. In the event Ilija's shall subsequently sell or seek to sell the license, it is understood that the terms of this voluntary Agreement, having by law become part of ARBA's Order issuing said license, shall travel with the license and apply to the new owner until such time as the new owner may apply for and be granted a new license

subject to prior review by ANC3D. In such circumstances, ANC3D shall look to ARBA and not to Ilija's for enforcement of any new owner's obligations hereunder.

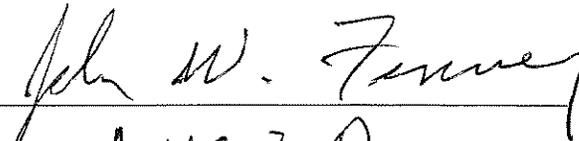
3. Ilija's obligations under this Agreement shall terminate upon the sale of the license.

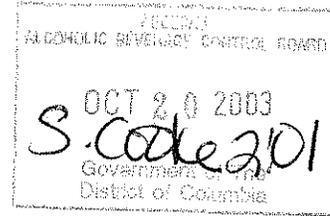
IN WITNESS WHEREOF, the parties have executed this Agreement on the year and day first written above.

Ilija's International Gourmet Shoppe, Inc.

By: 

Advisory Neighborhood Commission 3D

By: 
ANC3D



October 9, 2003

Re: Application No. 9841

Alcoholic Beverage Regulation Administration
941 North Capitol St. NE, 7th Floor
Washington, DC 20002

Handwritten initials and signature:
O.K.
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Dear Friends:

ANC3D, with a quorum present, voted at its October 1 meeting to support the issuance of a "C" license to Ilija's International Gourmet Shoppe (T/A Ilija's International) at 5441 MacArthur Boulevard, subject to a restriction on the hours it would be permitted to serve alcoholic beverages. The permissible hours would be from 11a to 11p.m. on Sunday through Thursday and from 11a.m. until midnight on Friday and Saturday evenings. The restrictions reflected a view within the commission that while it favored the introduction of new restaurants on MacArthur Boulevard, it was fearful that the authorization of establishments serving liquor into the early morning hours would begin to change the quiet, residential nature of the Palisades neighborhood.

The restricted hours of service were agreed to in a "voluntary agreement," signed by the owner of the Ilija's Restaurant Restaurant and the chair of ANC3D. In addition to the hours specified above, the agreement specifies that in event Ilija's sells the liquor license, the restrictions on the hours of service of alcohol "shall travel with the license and apply to the new owner until such time as the new owner may apply for and be granted a new license subject to prior review by ANC3D."

A copy of the "voluntary agreement, signed by both parties, is enclosed for your consideration and for your records.

We hope that the views of ANC3D in this case will be accorded the "great weight" specified under D.C. law (1-309.10).

Sincerely yours,

Handwritten signature of John W. Finney

John W. Finney
Chair, ANC3D