

3441 E Owens Avenue

USE RESTRICTIONS

5.1 Pharmacy Restrictions. No part of Parcels 2 and 3 shall be used or occupied as a retail drug store, nor (ii) used for the sale of any of the off-premises consumption, except sale of beer and wine shall be permitted as incidental to the operation of a grocery/food store in the shopping center; (2) any ethical pharmaceutical products requiring the services of a registered pharmacist; (3) health and beauty aids and or vitamins, except as incidental (not exceeding 5% of the ground floor area) to a retail use; (4) greeting cards or party goods, except as incidental (not exceeding 5% of the ground floor area) to a retail use; and (5) photography processing, cameras, photographic film or other photography supplies.

5.2 Special Use Restrictions. No part of the Shopping Center shall be used as a bar (except for one and only sports bar not to exceed 5,000 Square feet either on Pad C or on the west Five thousand (5,000) square feet of retail B with all public access located on the most westerly fifty (50) feet of Retail B. but not in both locations), Tavern, cocktail lounge, adult book or adult ideas store, automotive maintenance or repair facility, warehouse, car wash (except that a gas station, convenience store and/or car wash may be located on Pad A, entertainment or recreational facility or training or education facility; for the renting, leasing, or selling of, or displaying for the purposes of renting, leasing or selling of any boat, motor vehicle or trailer; or for industrial purposes. For the purpose of this Section 5.2, the phrase entertainment or recreational facility' shall include, without limitation, a theater, bowling alley, skating rink, gym, health spa or studio, dance hall, billiard or pool hall, massage parlor, game parlor or video arcade (which shall be defined as any store containing more than four (4) electronic games or five percent (5)) of the store's floor area, whichever is greater),. The phrase "training or educational facility" shall include, without limitation, a beauty school, barber college, reading room, place of instruction or any other operation catering primarily to students or trainees as opposed to customers.

Notwithstanding the foregoing on automotive oil changing, lubrication and flued check service station shall be permitted on Pad C, Pad B or the west five thousand (5,000) square feet of Retail B with all vehicle bays on the most westerly side of said building consistent with similar express lube type operations found in first class shopping centers in the Las Vegas metropolitan area and provided further, any such operation shall not include any repairing of motor vehicles other than lubrication, filter changes, emission testing, tune-ups and minor parts replacement which are typically done while the customer waits, and

under no circumstances shall any operation allow the parking or storage of vehicles in the Shopping center other than while customers are present at the Shopping Center and waiting for the completion of such services. Nothing in this paragraph shall be deemed to permit the operation of a brake repair shop, tire shop, line repair facility or any other type of automotive repair or service facility other than as expressly provided for herein.

No restaurants (other than Quick Service Food Shops) shall be permitted in the Shopping Center except as expressly permitted herein. Restaurants shall be permitted on Pad B, Pad C, or retail B, provided the total square footage of all restaurants in the Shopping Center (including Quick Service Foods Shops) shall not exceed twelve thousand (12,000) ground floor square feet. The total floor area of all medical, dental, professional and business offices located in the Shopping Center shall not exceed Three Thousand (3,000) square feet (except as incidental to a permitted retail or commercial use). As used herein, "Quick Service Food Shops" shall mean restaurants shops that sell primarily bagels, donuts, croissants, sandwiches and similar items such as bagel, donut, French bakery or sandwich style shop of less than 2,500 square feet each, and for the purposes of this paragraph, shall not be considered a restaurant"