

EXHIBIT A

EXHIBIT "B"

RESTRICTIONS AND CONDITIONS ON VARIANCE

A variance to the alcohol distance requirements prescribed by Section 6-31 of the North Richland Hills Code of Ordinances for Convergence Capital, LLC, for Property located on the north side of Mid-Cities Boulevard and north of Birdville High School, a public school, is granted, subject to the following conditions:

1. The Property is authorized to be permitted for the sale of alcoholic beverages for on-premise consumption within three hundred (300) feet of a church, public or private school, or public hospital.
2. The variance to the alcohol distance requirements is valid only for the following permit types issued by the Texas Alcoholic Beverage Commission for on-premise consumption:
 - a. Food and Beverage Certificate (FB)
 - b. Mixed Beverage Permit (MB)
 - c. Mixed Beverage Restaurant Permit with FB (RM)
3. The variance to the alcohol distance requirements specifically excludes Mixed Beverage Late Hours Permit (LB) and Wine and Beer Retailer's Permit (BQ) and may not be sold between the hours of midnight and 7:00 a.m.
4. The sale of alcohol for on-premise consumption must not exceed thirty percent (30%) of total sales. Such proportion may be audited annually as provided by Section 6-3, Reporting Requirement. Alcohol sales in excess of thirty percent (30%) of total sales may result in suspension or revocation of permits.
5. The variance to the alcohol distance requirements is valid for subsequent renewals of alcohol permits on the Property.
6. The variance to the alcohol distance requirements shall not be transferred to another location, assigned or otherwise transferred to another entity that will have majority ownership interest in the Property without the prior approval of the City Council, which approval may be withheld in the City's sole discretion. In the event a lessee is under a current and valid lease for a location included on the Property at the time of any such transfer of majority ownership interest in the Property, the variance to the distance requirements shall apply for that lessee through the end of the lessee's lease term (including any renewal terms).