

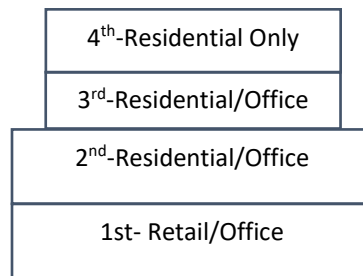
Article IX

Land Use and Building Type

C. Attached Mixed Use Lots Block One. Lots 1, 2, 4, 5, 6, 7, 8 of Block 1 of Whitney Plaza are designated as “attached mixed use lots” which are subject to the following limitations:

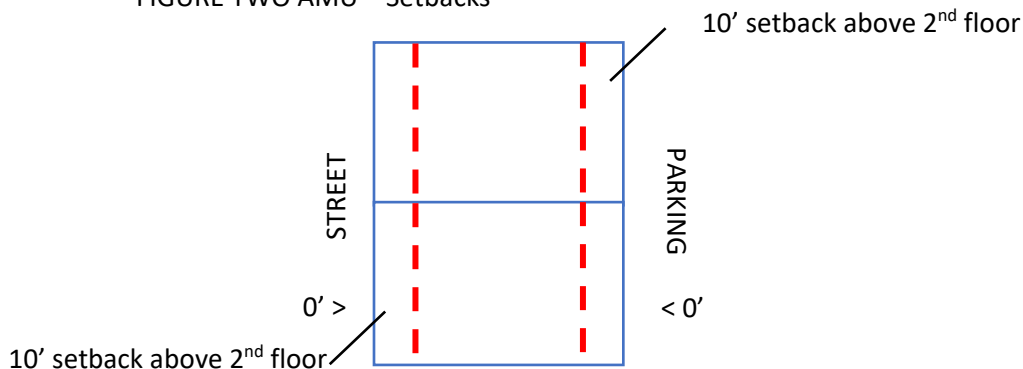
1. Height. No building or structure may exceed four stories in height.
2. Uses. The first story may be used only for retail business and office purposes. The second and third stories may be used only for office or residential purposes. The fourth story may be used only for residential purposes. No retail business shall be conducted on any attached mixed-use lot unless the type and nature of the business is first approved by the ACC.

FIGURE ONE AMU – 4 Story Uses



- a. Lots 7 and 8, Block 1 using Outlot C may have underground parking. The Covenantors retain the right to build underground parking below Lots 7 & 8.
3. Setbacks. No setback is required for the first two stories; provided, however, that portion of the building next to either Connor Street or Grinell Plaza shall be constructed so that not more than 80% of the building is built to the lot line and the balance shall be recessed or modulated. The elevations shall include a minimum setback of 10 feet from the lot line above the second floor on the front and rear elevations of the building.

FIGURE TWO AMU – Setbacks

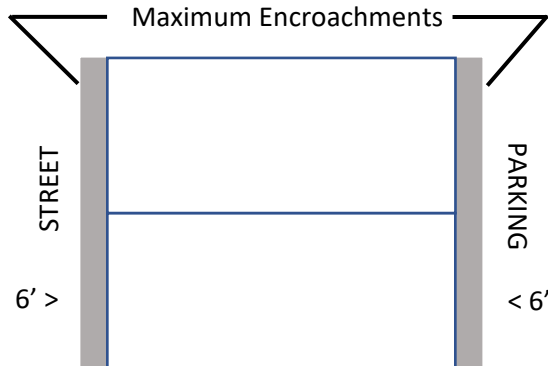


4. Components. No subgrade windows or window wells are allowed. Glazing on all levels shall generally be clear unless otherwise approved by the ACC. Roofs, window extensions, balconies and patio coverings may not encroach into the Right of Way more than 6'.

This is for quick reference only. Refer to full covenants prior to purchase and/or building.

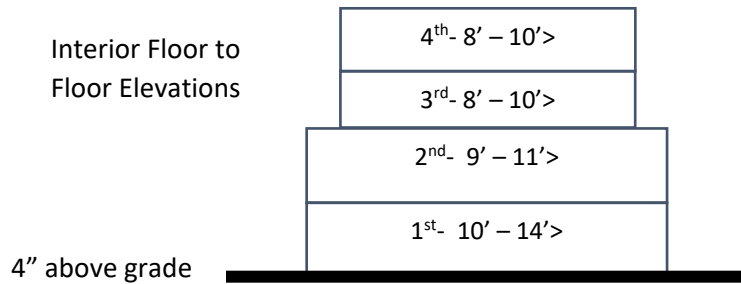
EXCERPT of WHITNEY PLAZA COVENANTS – Article 9 Section C

FIGURE THREE AMU – Components



- Vertical proportions. The floor level of the first story shall be four (4) inches above prevailing grade and flush to all exterior doors. It shall be at least ten (10) feet and not more than fourteen (14) feet from the floor of the first story to the ceiling of the first floor. It shall be at least nine (9) feet and not more than eleven (11) feet from the floor on the second floor to the ceiling on the second floor. It shall be at least eight (8) feet and not more than ten (10) from the floor of the third floor to the ceiling of the third floor. It shall be at least eight (8) feet and not more than ten (10) feet from the floor of the fourth floor to the ceiling of the fourth floor.

FIGURE FOUR AMU Vertical Proportions



- Off street parking. All parking for attached mixed use lots described in Article IX. C shall be as prescribed by the ACC in the Outlets designated to be used for parking by this Declaration. There shall be no parking on an attached mixed-use lot.
- Materials. Structures shall contain elevations consisting of 10% stone plus 60% masonry on the street facing facade for only the first two levels, not including glazing area, subject to adjustment by the ACC.
- General Parameters. The Architectural intent of the ACC is to complement the Sheridan Downtown Style (SOS) and shall be applied to all exposed elevations. Variations are allowed by the ACC for any and all of these urban regulations for this particular use.

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