City of Benson
City Council Communication

Regular Meeting **January 26, 2015**

To: Mayor and Council Agenda Item # 3

From: Vicki L. Vivian, CMC, City Clerk

Subject:

Resolution 5-2015 of the Mayor and Council of the City of Benson, Arizona, recommending approval of the issuance of a Series 10 (Beer/Wine Store) Liquor License at Giant, 104 E. 4th Street, Benson, Arizona

Discussion:

Giant, located at 104 E. 4th Street, has applied for a liquor license application. Procedures have been followed according to ARS §4-201, with no written arguments in favor of or opposed to the issuance of the license being received. We are now at the step where the "governing body of the City or Town shall then enter an order recommending approval or disapproval within sixty days after filing of the application".

Once Council makes a recommendation, the City Clerk will forward the proper documents to the Arizona Department of Liquor Licenses & Control.

Staff Recommendation:

Council pleasure

RESOLUTION 5-2015

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, RECOMMENDING APPROVAL OF THE ISSUANCE OF A SERIES 10 (BEER/WINE STORE) LIQUOR LICENSE AT GIANT, 104 E. 4TH STREET, BENSON, ARIZONA

WHEREAS, the owner of Giant has applied for a Series 10 (Beer/Wine Store) liquor license at said business located in the City of Benson; and

WHEREAS, one copy of the application has been filed with the City Clerk; and

WHEREAS, one copy of the application has been posted in a conspicuous place on the front of the applicant's business, along with the notice required by A.R.S. § 4-201; and

WHEREAS, pursuant to A.R.S. §4-201, the Mayor and Council of the City of Benson considered the issuance of a Series 10 (Beer/Wine Store) liquor license, and considered any arguments in favor of or against the same, at the regular City Council Meeting on January 26, 2015; and

WHEREAS, the Mayor and Council of the City of Benson have determined that approval of the requested Series 10 (Beer/Wine Store) liquor license is acceptable and in the best interests of the City and its residents; and

WHEREAS, pursuant to A.R.S. §4-201, the Council is required to enter an order recommending either approval or disapproval of the liquor license application, and to file a certified copy of the order with the Department of Liquor Licenses and Control, and if disapproved, to include specific reasons for that recommendation and a summary of the evidence supporting that recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, that the City of Benson hereby recommends approval of the issuance of a Series 10 (Beer/Wine Store) liquor license at Giant, located in Benson, Arizona.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Benson, Arizona, that the City Clerk is hereby directed to file a certified copy of this Resolution with the director of the Department of Liquor Licenses and Control, and to transmit therewith all petitions submitted to the Council within the twenty-day period for filing protests.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 26th day of January, 2015.

_____
TONEY D. KING, SR., Mayor

ATTEST:

_____
VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

_____
MESCH, CLARK AND ROTHSCHILD, P.C.
By Gary J. Cohen
City's Attorney

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 **This application is for a:**

- ☐ MORE THAN ONE LICENSE
- ☒ INTERIM PERMIT ***Complete Section 5***
- ☒ NEW LICENSE ***Complete Sections 2, 3, 4, 13, 14, 15, 16***
- ☐ PERSON TRANSFER (Bars & Liquor Stores ONLY) ***Complete Sections 2, 3, 4, 11, 13, 15, 16***
- ☐ LOCATION TRANSFER (Bars and Liquor Stores ONLY) ***Complete Sections 2, 3, 4, 12, 13, 15, 16***
- ☐ PROBATE/WILL ASSIGNMENT/DIVORCE DECREE ***Complete Sections 2, 3, 4, 9, 13, 16*** (fee not required)
- ☐ GOVERNMENT ***Complete Sections 2, 3, 4, 10, 13, 15, 16***

SECTION 2 **Type of ownership:**

- ☐ J.T.W.R.O.S. ***Complete Section 6***
- ☐ INDIVIDUAL ***Complete Section 6***
- ☐ PARTNERSHIP ***Complete Section 6***
- ☐ CORPORATION ***Complete Section 7***
- ☒ LIMITED LIABILITY CO. ***Complete Section 7***
- ☐ CLUB ***Complete Section 8***
- ☐ GOVERNMENT ***Complete Section 10***
- ☐ TRUST ***Complete Section 6***
- ☐ OTHER (Explain) _____

SECTION 3 **Type of license and fees** **LICENSE #(s):** 10023148

1. Type of License(s): Series 10 Beer and Wine Store

2. Total fees attached: Department Use Only $ 100.00

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 **Applicant**

1. Owner/Agent's Name: ☒ Mr. ☐ Ms. Burton (Last) Roger (First) Kenneth (Middle) P1058532
(Insert one name ONLY to appear on license)

2. Corp./Partnership/L.L.C.: Western Refining Retail, LLC B1053642
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: Giant Store # 655 B1007504
(Exactly as it appears on the exterior of premises)

4. Principal Street Location 104 E. 4th Street (Do not use PO Box Number) Benson (City) Cochise (County) 85602 (Zip)

5. Business Phone: 520-586-7944 Daytime Phone: 602-286-1922 Email: mariann.mattia@wnr.com

6. Is the business located within the incorporated limits of the above city or town? ☒YES ☐NO

7. Mailing Address: 1250 W. Washington Street # 101, Tempe, AZ 85281 (City, State, Zip)

8. Price paid for license only bar, beer and wine, or liquor store: Type _____ $_____ Type _____ $_____

DEPARTMENT USE ONLY

Fees: 100.00 Application | _____ Interim Permit | _____ Site Inspection | _____ Finger Prints | $ 100.00 TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? ☒ YES ☐ NO

Accepted by: SG Date: 12/15/14 Lic. # 10023148

1/7/2013 ***Disabled individuals requiring special accommodation, please call (602) 542-9027.**

SECTION 5 Interim Permit:

'14 DEC 12 Liq. Lic. 0M1034

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.

2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location._____
4. Is the license currently in use? ☐ YES ☐ NO If no, how long has it been out of use?_____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

'14 DEC 15 Liq. Dept PM 1 59

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

State of _____ County of _____

X_____
(Signature)

The foregoing instrument was acknowledged before me this

My commission expires on: _____

_____day of _____, _____
Day Month Year

_____
(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
☐ ☐						
☐ ☐						
☐ ☐						
☐ ☐						

) Y R A S S E C E N F I T

2. Is any person, other than the above, going to share in the profits/losses of the business? ☐ YES ☐ NO
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

14 DEC 8 Liq. Lic. Br 1 05

#655

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

☐ CORPORATION *Complete questions 1, 2, 3, 5, 6, 7, and 8.*

☒ L.L.C. *Complete 1, 2, 4, 5, 6, 7, and 8.*

AMENDMENT

1. Name of Corporation/L.L.C.: Western Refining Retail, LLC
   (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 9/25/14 State where Incorporated/Organized: Delaware
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: R-1954747-6 Date authorized to do business in AZ 10/2/2014
5. Is Corp./L.L.C. Non-profit? ☐ YES ☒NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last First Middle	Title	Mailing Address City State Zip
Western Refining Southwest, Inc.	Sole Member	1250 W. Washington Street # 101, Tempe, AZ 85281

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last First Middle	% Owned	Mailing Address City State Zip
Western Refining Southwest, Inc.	100	1250 W. Washington Street # 101, Tempe, AZ 85281

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
   (Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? ☐ YES ☐ NO
3. List officer and directors:

Last First Middle	Title	Mailing Address City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

☐ CORPORATION ***Complete questions 1, 2, 3, 5, 6, 7, and 8.***

☒ L.L.C. ***Complete 1, 2, 4, 5, 6, 7, and 8.***

1. Name of Corporation/L.L.C.: Western Refining Retail, LLC
   (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 9/16/2014 State where Incorporated/Organized: Delaware
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: R-1954747-6 Date authorized to do business in AZ: 09/25/2014
5. Is Corp./L.L.C. Non-profit? ☐ YES ☒NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last First Middle	Title	Mailing Address City State Zip
Western Refining Southwest, Inc.	Sole Memb.	1250 W. Washington Street # 101, Tempe, AZ 85281

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last First Middle	% Owned	Mailing Address City State Zip
Western Refining Southwest, Inc.	100	1250 W. Washington Street # 101, Tempe, AZ 85281

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
   (Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? ☐ YES ☐ NO
3. List officer and directors:

Last First Middle	Title	Mailing Address City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

'14 NOV 20 AM 10:50 Liq. Dept
'14 DEC 15 Liq. Dept PM 1:59

'14 NOV 20 Liq. Dept AM1051

'14 DEC 15 Liq. Dept PM 1 59

Western Refining Southwest, Inc.

Sole Member of Western Refining Retail, LLC

The following officers are officers of:
Western Refining Retail, LLC and Western Refining Southwest, Inc.

Robert C. Sprouse, Vice President-Retail
1250 W. Washington St., # 101, Tempe, AZ 85281

Gary R. Dalke, Chief Financial Officer
1250 W. Washington St., # 101, Tempe, AZ 85281

William R. Jewell, Chief Accounting Officer
1250 W. Washington St., # 101, Tempe, AZ 85281

Mark J. Smith, President – Refining and Marketing
1250 W. Washington St., # 101, Tempe, AZ 85281

Giant Industries, Inc.

100% stockholder of Western Refining Southwest, Inc.

Western Refining, Inc. (NYSE: WNR) – Publicly Traded Company

100% stockholder of Giant Industries, Inc.

The following officers are officers of:
Giant Industries, Inc. and Western Refining, Inc.

Gary R. Dalke, Chief Financial Officer
1250 W. Washington St., # 101, Tempe, AZ 85281

William R. Jewell, Chief Accounting Officer
1250 W. Washington St., # 101, Tempe, AZ 85281

Mark J. Smith, President – Refining and Marketing
1250 W. Washington St., # 101, Tempe, AZ 85281

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: _____
(Exactly as it appears on license) Last First Middle

2. Assignee's Name: _____
Last First Middle

3. License Type: _____ License Number: _____ Date of Last Renewal: _____

4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

1. Governmental Entity: _____

2. Person/designee: _____ _____
Last First Middle Contact Phone Number

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)

2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)

3. Current Business Name: _____
(Exactly as it appears on license)

4. Physical Street Location of Business: Street _____
City, State, Zip _____

5. License Type: _____ License Number: _____

6. If more than one license to be transfered: License Type: _____ License Number: _____

7. Current Mailing Address: Street _____
(Other than business)
City, State, Zip _____

8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? ☐ YES ☐ NO

9. Does the applicant intend to operate the business while this application is pending? ☐ YES ☐ NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

10. I, _____, hereby authorize the department to process this application to transfer the
(print full name)
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

_____
(Signature of CURRENT LICENSEE)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

_____ _____
Day Month Year

My commission expires on: _____

_____
(Signature of NOTARY PUBLIC)

'14 NOV 20 Liq. Dept AM10:50

'14 DEC 15 Liq. Dept PM 1:58

'14 DEC 3 DIV. DIC. PM 1:06

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

AMENDMENT

1. Current Business: (Exactly as it appears on license) Name _____ Address _____
2. New Business: (Physical Street Location) Name _____ Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 **Questions for all in-state applicants <u>excluding those applying for government, hotel/motel, and restaurant licenses</u> (series 5, 11, and 12):**

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizonal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 1056 ft. Name of school San Pedro Valley High School
   Address 360 S. Patagonia St .Benson, AZ 85602
   City, State, Zip
2. Distance to nearest church: 168 ft. Name of church Benson Seventh Day Adventist
   Address 101 S. Patagonia St. Benson, AZ 85602
   City, State, Zip
3. I am the: ☒ Lessee ☐ Sublessee ☐ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name ARCP WS Portfolio 1- C/O American Realty Capital Properties, Inc.
   Address 2325 E. Camelback Rd. # 1100. Phoenix, AZ 85016
   City, State, Zip

4a. Monthly rental/lease rate $ 256,718.75 What is the remaining length of the lease 20 yrs. ____ mos.

4b. What is the penalty if the lease is not fulfilled? $_____ or other Lose site
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? $ 0
   Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Gas Station/Convenience Store

'14 DEC 15 Liq. Dept PM 1:59

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

1. Current Business: (Exactly as it appears on license) Name _____
   Address _____
2. New Business: (Physical Street Location) Name _____
   Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizonal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 1056 ft. Name of school San Pedro Valley High School
   Address 360 S. Patagonia St .Benson, AZ
   City, State, Zip
2. Distance to nearest church: 168 ft. Name of church Benson Seventh Day Adventist
   Address 101 S. Patagonia St. Benson, AZ
   City, State, Zip
3. I am the: ☒ Lessee ☐ Sublessee ☐ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name ARCP WS Portfolio 1- C/O American Realty Capital Properties, Inc.
   Address 2325 E. Camelback Rd. # 1100. Phoenix, AZ 85016
   City, State, Zip

4a. Monthly rental/lease rate $256,718.75 What is the remaining length of the lease 20 yrs. ____mos.

4b. What is the penalty if the lease is not fulfilled? $_____ or other Lose site
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? $0
   Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Gas Station/Convenience Store

'14 NOV 20 Liq. Dept AM10:50

'14 DEC 15 Liq. Dept PM 1:59

SECTION 13 - continued

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?
   ☐ YES ☒ NO If yes, attach explanation.
8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? ☐ YES ☒ NO
9. Is the premises currently licensed with a liquor license? ☒ YES ☐ NO If yes, give license number and licensee's name:

License # 10023068 (exactly as it appears on license) Name Rodney Scott Herbert

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SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? ☐ YES ☐ NO
   If yes, give the name of licensee, Agent or a company name:

   _____ and license #: _____
   Last First Middle
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate whileyour application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this ☐ hotel/motel ☐ restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

   _____
   applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

_____
applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check **ALL** boxes that apply to your business:

   ☒ Entrances/Exits ☒ Liquor storage areas Patio: ☐ Contiguous
   ☐ Service windows ☐ Drive-in windows ☐ Non Contiguous
2. Is your licensed premises currently closed due to construction, renovation, or redesign? ☐ YES ☒ NO
   If yes, what is your estimated opening date? _____
   month/day/year
3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.
4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).
5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows,or increase or decrease to the square footage after submitting this initial drawing.

RKB
applicants initials

'14 NOV 20 Liq. Dept M1050

'14 DEC 15 Liq. Dept M1 59

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.

See attached Diagram

'14 NOV 20 Liq. Dept AM10:50

'14 DEC 15 Liq. Dept PM 1:59

SECTION 16 Signature Block

I, Roger Kenneth Burton, hereby declare that I am the OWNER/AGENT filing this
(print full name of applicant)
application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X Roger Kenneth Burton
(signature of applicant listed in Section 4, Question 1)

Mariann Mattia
NOTARY PUBLIC – ARIZONA
MARICOPA COUNTY
My Commission Expires
June 10, 2018

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this 14TH of November, 2014
Day Month Year

Mariann Mattia
signature of NOTARY PUBLIC

My commission expires on : 10 06 2018
Day Month Year

6655 (TRAIN TRACK) close By.

AMENDMENT

'14 DEC 15 Liqr. Dept PM 2 00

6655 (TRAIN TRACK) close By.

'14 NOV 30 Liqr. Dept AM10:50

'14 DEC 15 Liqr. Dept PM 2:00