

CITY OF COLORADO SPRINGS LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION

NEW LICENSE TRANSFER OF OWNERSHIP

Type of License applying for (Check One)

- | | | | | |
|--|---|---|--|-----------------------------------|
| <input checked="" type="checkbox"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input type="checkbox"/> Tavern | <input type="checkbox"/> Beer & Wine | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Retail Liquor Store | <input type="checkbox"/> 3.2% Beer On Premises | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 3.2% Beer On and Off Premises | |
| <input type="checkbox"/> Drugstore | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Optional Premises | <input type="checkbox"/> Club | <input type="checkbox"/> Vinters |

APPLICANT INFORMATION

Name of Applicant: Mount View LLC	Property Tax Schedule No.: 74242-00-001.7424201006
Trade Name (DBA): Acme Bar & Grill	Business Telephone: 719-634-2263
Address of Premises: 925 S. 8th Street	Alternate Telephone: 719-238-4972

IF THIS IS A TRANSFER OF AN EXISTING LICENSE - THE FOLLOWING MUST BE ANSWERED:

Present trade name of establishment (dba)	Present State License No.	Present Class of License	Present Expiration Date
Estela's Mexican Rest.	42746050000	Hotel / Rest	Nov. 9, 2015

If the applicant is: a Corporation, Limited Liability Company, Partnership or Association, list all officers, directors, general partners and managing members, position held and percentage owned.

NAME	POSITION HELD	% OWNED
Ashley Deroche	member / manager	100

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory) **\$ 20,000.00**

Source(s) of funds invested (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other).

THE FOLLOWING INFORMATION MUST REFLECT THE SOLE SOURCE OF FUNDS INVESTED. NO OTHER PERSON OR PARTIES MAY HAVE A FINANCIAL INTEREST IN THE BUSINESS FOR WHICH THIS AFFIDAVIT IS SUBMITTED.

NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)	FUNDING SOURCE (checking/savings/ loan/ note/ gift)	AMOUNT
Ashley Deroche	Northwestern Mutual	\$20000.00

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.

Business Name & Address	Applicant's Name	Experience/Position	Dates
Oscar's Tejon Street 333 S. Tejon	Ashley Deroche	Server	2003 - present
Mackenzie's Chophouse Tejon St.	Ashley Deroche	server	1999 - 2003
New South Wales Corporate Center Dr.	Ashley Deroche	server	1997 - 1999

Has the applicant previously been issued a liquor or beer license (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? yes no

If yes, identify the business and any current or former financial interest in said business including any loans to or from a licensee.

Name of Business	Address	Type/amt. of Interest
Oscar's Tejon Street	333 S. Tejon St. Colorado Springs, Colo.	CO-Owner with Spouse

PREMISES/ESTABLISHMENT

Terms of legal possession of the premises for which the application is made? own lease

If leased provide terms: Start date 1-1-15 End date 1-31-17

Dimensions of premises 94 x 43 Square footage 4000 Seating Capacity 98

Is there a patio area? yes no --- If yes, provide dimensions 10 x 12

Anticipated number of employees? 15

Will training be offered or required? yes no --- If yes, through what agency? Liquor Lic. Pro's

Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		X
Had an alcohol beverage license suspended or revoked?		X
Had interest in another entity where an alcohol beverage license was suspended or revoked?	X	
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?	X	
If yes, provide explanation, date(s) and location(s): <u>Ashley Deroche 7-31-99 DWAI Colorado Springs, completed Alcohol Awareness classes and performed Community Service</u> <u>Ashley Deroche is co-owner of Oscar's whose liquor license was suspended for 7 days with 30 days hold in abeyance for one year 2008</u>		

Has the applicant ever received a violation notice, suspension, or revocation for any liquor law violation, have charges pending; or has the applicant applied for and been denied a liquor or beer license anywhere in the United States?

Yes No

If yes, provide explanation, date(s) and location(s):
Ashley Deroche is co-owner of Oscar's Tejon St. whose liquor license was suspended in 2008 for 37 days, 7 Active & 30 held in abeyance for one year.

I declare under the penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I understand that any falsehood or omission will jeopardize the application as such falsehood or omission constitutes evidence regarding the character of the applicant.

Ashley Deroche
Signature

Title: member/manager

State of Colorado
County of El Paso

Subscribed and sworn to before me this 31 day of January, 2015.

My Commission Expires: August 25, 2015

Gary F. Hawley
Notary Public

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: Licensee Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 19 day of Jan, 2015.

Seller:

Mormar Inc.
A2746050000
Licensee & License Number

Estela's Mexican Restaurant
Trade name

Susan P. Mares
Signature

President
Position

Susan D. Mares
Print Name

Buyer:

Ashley Deroche
Applicant

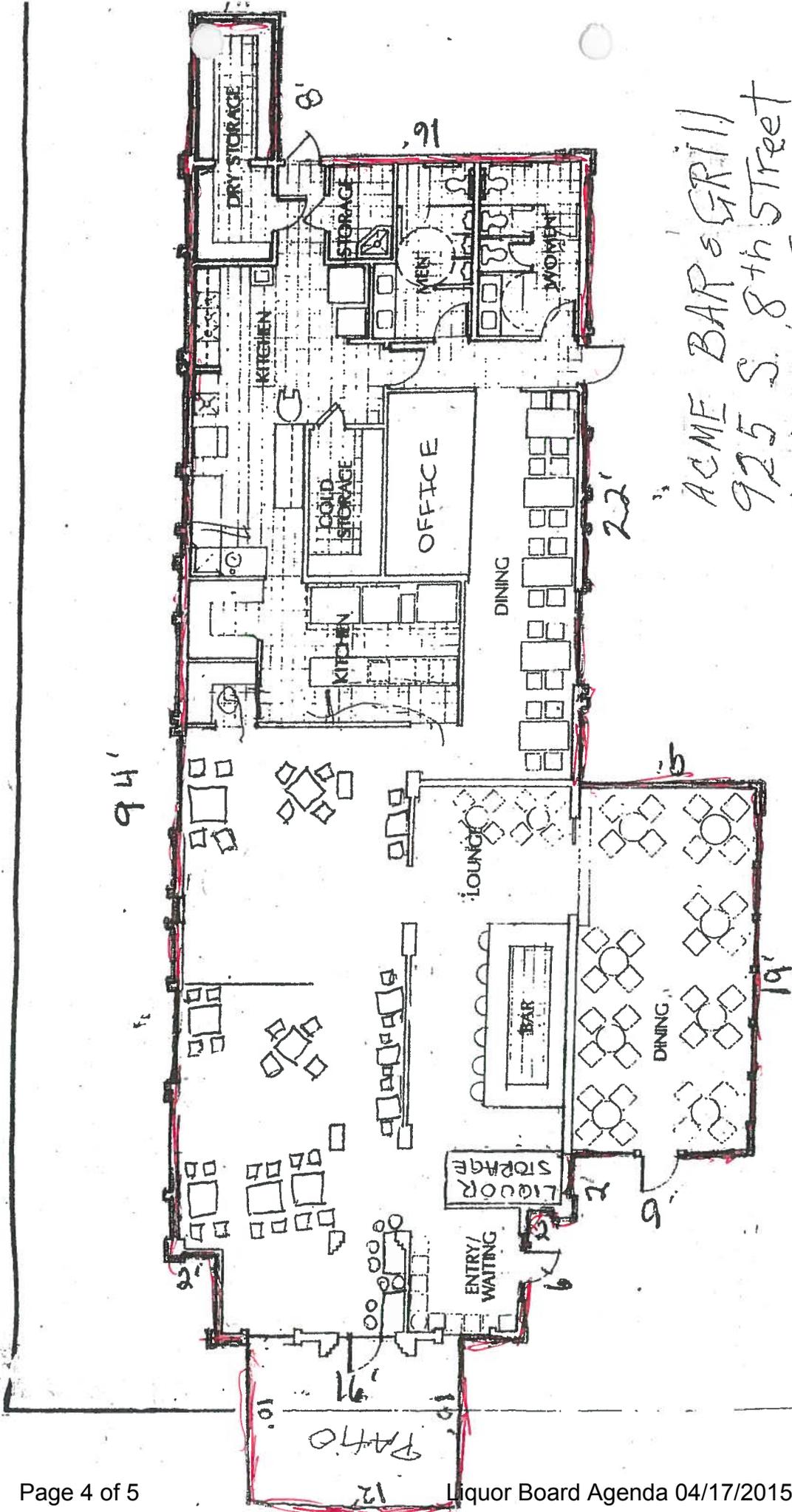
Acme Grill & Bar
Trade name

Ashley Deroche
Signature

member/manager
Position

Ashley Deroche
Print Name

W
S
E
N



ACME BAR & GRILL
925 S. 8th STREET
Colorado Springs



March 3, 2015

Certified Mail # 7011 1150 0000 0281 9750

Mount View, LLC
dba Acme Bar & Grill
741 Capeplen Road
Colorado Springs, CO 80906

Dear Applicant:

Pursuant to 12-47-312 of the Colorado Revised Statutes and Rule No. 7 of the Local Rules of Procedure, I have the following report to make concerning the results of my investigation of the application you have filed for a transfer of the Hotel and Restaurant Liquor License, at Mount View, LLC dba Acme Bar & Grill, 925 S. 8th Street, Colorado Springs, Colorado. Your application was filed on February 9, 2015.

It appears that you will be entitled to possession of the premises for which the application is made.

At this time, the premises you desire to license does not appear to be in violation of any Zoning Ordinances of the City of Colorado Springs, Colorado.

There are no schools within the limits as prohibited by law.

To date, the Police Department has not reported any objections to this application.

The public hearing will be held on your application at the meeting of the Liquor and Beer Licensing Board, commencing at 9:00 a.m., March 20, 2015 in the Council Chambers, City Hall, 107 North Nevada Avenue, and you must be present at that meeting. At this meeting the Board will consider the factors outlined in Rule No 9.08 of the Local Rules of Procedure and it is your burden to provide the necessary evidence to satisfy the Board.

A public notice poster has been prepared for you to pick up from the City Clerk's Office. This notice poster must be posted by you at the proposed premises in a manner that is visible and conspicuous to the public no later than Tuesday, March 10, 2015.

If you have any questions please contact Lee McRae at (719) 385-5106.

Sincerely,

Sarah B. Johnson
City Clerk