

# 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: <u>Strike Back Bowling LLC</u>	Property Tax Schedule No. : <u>6326307244</u>
Trade Name (DBA): <u>Harmony Bowl</u>	Business Telephone: <u>719-591-1000</u>
Address of Premises: <u>3845 N. Academy Blvd.</u>	Alternate Telephone: <u>719-963-9652</u>

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
<u>HARMONY BOWL</u>	<u>416228000</u>	<u>Hotel + Restaurant</u>	<u>10-31-16</u>

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
<u>Mark W. Nielsen Jr.</u>	<u>President</u>	<u>50</u>
<u>Tara J. Ross</u>	<u>Vice President</u>	<u>50</u>

## FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ <u>2,600,000</u>	
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
<u>David Jackson</u>	<u>loan</u>	<u>2,600,000</u>
<u>PO Box 2385</u>		
<u>Pueblo Co 81004</u>		

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.			
Business Name & Address	Applicant's Name	Experience/Position	Dates
<u>Harmony Bowl Inc</u> <u>3845 N. Academy</u> <u>Co Spg Co 810917</u>	<u>Mark W. Nielsen</u>	<u>18 months /</u> <u>Gen. Mgr.</u>	<u>2/26/14 -</u> <u>9/1/15</u>

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
Harmony Bowl Inc.	3845 N. Academy Blvd	Manager

### PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date  End date

Dimensions of premises 229' x 169' Square footage 38,701 Seating Capacity           

Is there a patio area? ☐ yes ☒ no -- If yes, provide dimensions           

Anticipated number of employees? 40

Will training be offered or required? ☒ yes ☐ no -- If yes, through what agency? TIPS

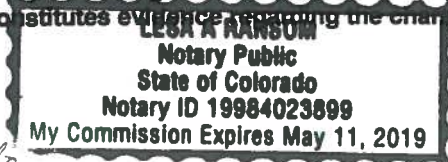
Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		X
Had an alcohol beverage license 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).		

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):

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 tending to impeach the character of the applicant.



State of Colorado  
County of El Paso

Subscribed and sworn to before me this 20 day of Aug, 2015.

My Commission Expires: 5/11/2015

Signature [Signature]  
Title: PRESIDENT

[Signature]  
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 27<sup>th</sup> day of August, 2005.

**Seller:**

Harmony Bowl Inc. 416 2128000  
Licensee & License Number

Harmony Bowl, Inc.  
Trade name

[Signature]  
Signature

President  
Position

David M. Jackson  
Print Name

**Buyer:**

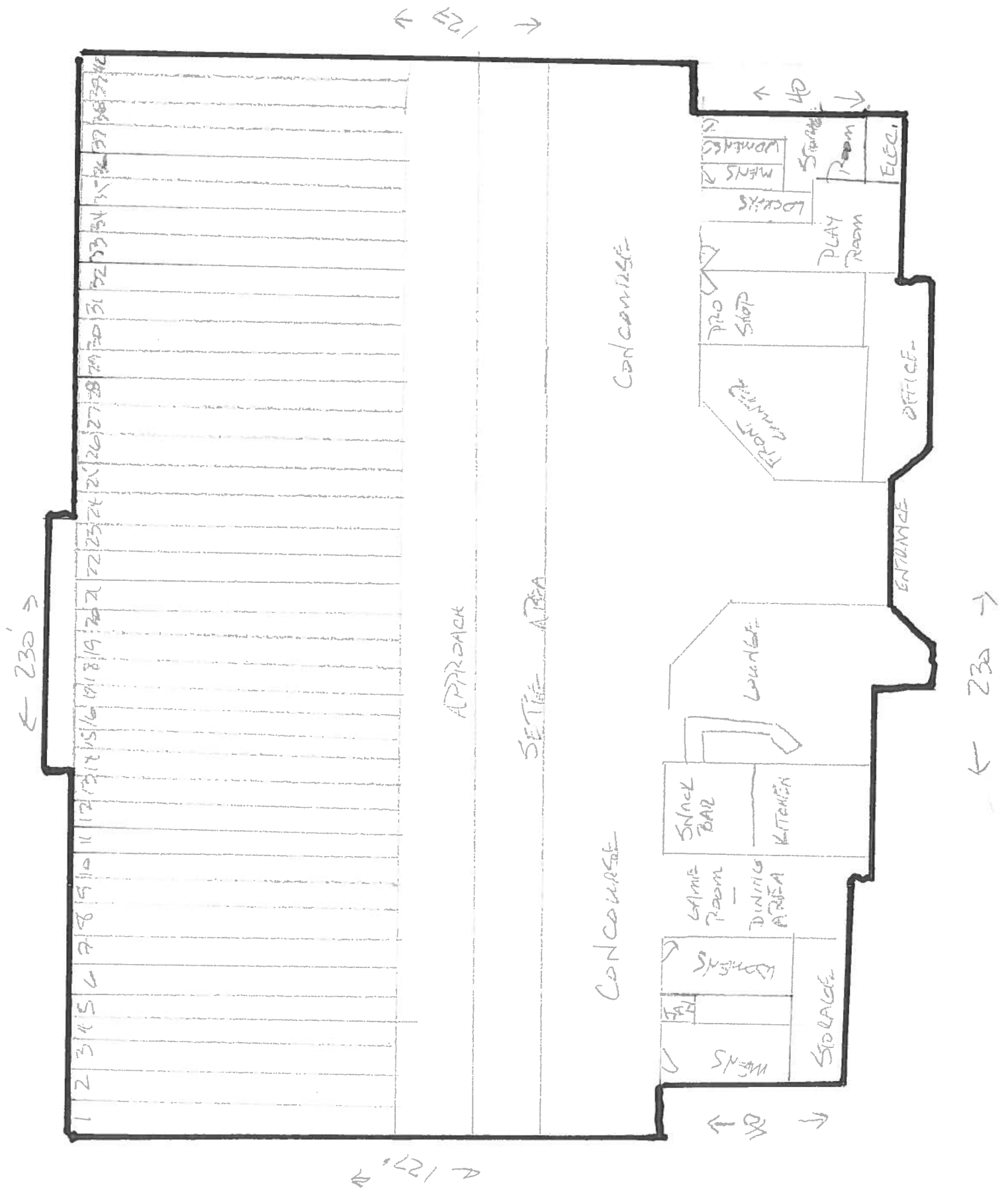
STRIKE BACK BOWLING LLC  
Applicant

Harmony Bowl  
Trade name

[Signature]  
Signature

PRESIDENT  
Position

MARK W. NIELSEN JR.  
Print Name





OFFICE OF THE CITY CLERK

November 12, 2015

**NOTICE OF HEARING**

Strike Back Bowling, LLC  
dba Harmony Bowl  
3845 N. Academy Boulevard  
Colorado Springs, CO 80917

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 Strike Back Bowling, LLC dba Harmony Bowl, 3845 N. Academy Boulevard, Colorado Springs, Colorado. Your application was filed on September 3, 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., December 4, 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, November 24, 2015.

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

Sincerely,

Sarah B. Johnson  
City Clerk

## CERTIFICATE OF MAILING

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I, Lee McRae, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF HEARING** by United States mail, first class postage paid, this 12<sup>th</sup> day of November, 2015 to the following address of record:

Strike Back Bowling, LLC  
dba Harmony Bowl  
Attn: Mark Nielsen  
3845 N. Academy Boulevard  
Colorado Springs, CO 80917



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Lee McRae  
License Enforcement Officer  
City Clerk's Office  
30 S. Nevada Avenue  
Colorado Springs, CO 80903