

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 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 checked="" 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>DUNCAN VII INC</u>	Property Tax Schedule No. : <u>6423408166</u>
Trade Name (DBA): <u>SANDCREEK LIQUORS</u>	Business Telephone: <u>(917) 994-1924</u>
Address of Premises: <u>1447 SE. MURRAY BLVD. #A+B</u>	Alternate Telephone:

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>SANDCREEK LIQUORS</u>	<u>4700730</u>	<u>RETAIL</u>	<u>2/6/17</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 DUNCAN</u>	<u>PRESIDENT</u>	<u>50%</u>
<u>TERESA DUNCAN</u>	<u>SECRETARY / TREASURER</u>	<u>50%</u>

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	<u>\$ 815,000</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>CHASE BANK</u>	<u>SAVINGS/CHECKING</u>	<u>\$ 226,250</u>
<u>HANMI BANK</u>		
	<u>SBA LOAN</u>	<u>\$ 588,750</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>TREASURE ISLAND LIQUORS</u>	<u>MARK DUNCAN</u>	<u>PRESIDENT</u>	<u>1987 - 1989</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
TREASURE ISLAND LIQUORS	1212 SO. PRAIRIE, PUEBLO CO 81005	50% OWNER

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date 11/1/11 End date 10/31/21

Dimensions of premises 60' x 61' Square footage 3660 Seating Capacity N/A

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

Anticipated number of employees? 4

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?		<input checked="" type="checkbox"/>
Had an alcohol beverage license suspended or revoked?		<input checked="" type="checkbox"/>
Had interest in another entity where an alcohol beverage license was suspended or revoked?		<input checked="" type="checkbox"/>
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?		<input checked="" type="checkbox"/>
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 regarding the character of the applicant.

Mark L. Duncan
Signature

Title: PRESIDENT

State of COLORADO
County of ARAPAHOE

Subscribed and sworn to before me this 20 day of MAY, 20 11.

My Commission Expires: 12/1/16

Carl Ream
Notary Public
MY COMMISSION EXPIRES DECEMBER 1, 2016

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 20th day of May, 2016.

Seller: E&J Sidhu Inc.

4700730

Licensee & License Number

Sandcreek Liquors

Trade name

Gurjit Sidhu

Signature

President

Position

Gurjit Sidhu, Presodemt

Print Name

Buyer:

Duncan VII, Inc.

Applicant

Sandcreek Liquors

Trade name

Mark L. Duncan

Signature

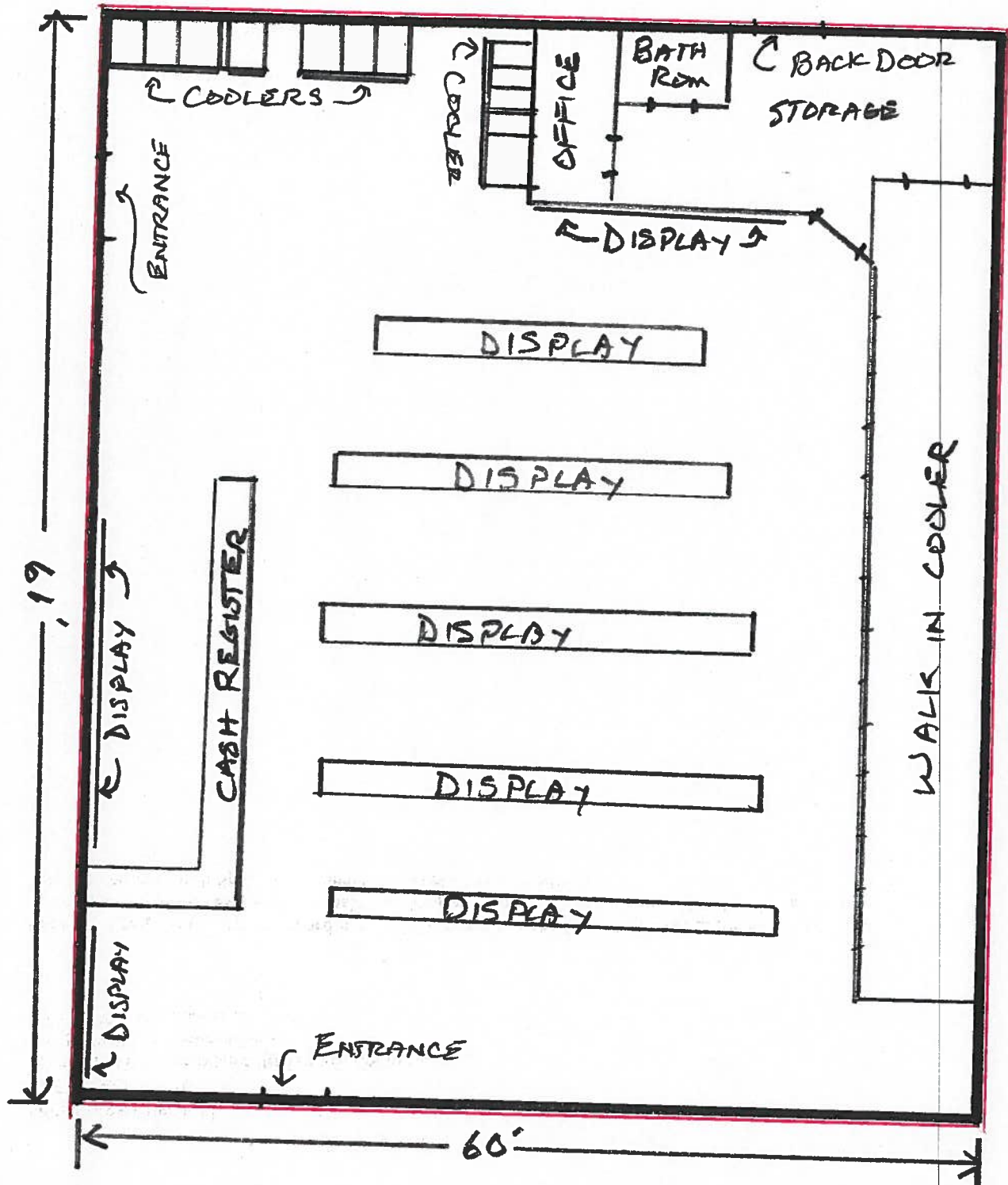
President

Position

Mark Duncan, President

Print Name

SANDCREEK LIQUORS
1447 SO. MURRAY BLVD #A&B
COLORADO SPRINGS, CO 80916



BEFORE THE COLORADO SPRINGS LIQUOR AND
BEER LICENSING BOARD
CITY OF COLORADO SPRINGS, STATE OF COLORADO
Address: 107 North Nevada Avenue
Council Chambers, City Hall
Colorado Springs, CO 80903

CITY CLERK'S OFFICE

2016 JUL 14 A 7:27

IN THE MATTER OF:

Duncan VII, Inc. d/b/a
Sandcreek Liquors
1447 S. Murray Boulevard, #A&B
Colorado Springs, CO 80916
Mailing Address:
1447 S. Murray Boulevard, #A&B
Colorado Springs, CO 80916

▲ BOARD USE ONLY ▲

Application No: T-724507

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, August 5, 2016 at 9:00 A.M.** in the **City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Duncan VII, Inc. d/b/a Sandcreek Liquors ("Applicant") application for a transfer of the Retail Liquor Store License currently issued to E&J Sidhu, Inc. d/b/a Sandcreek Liquor at 1447 S. Murray Boulevard, #A&B, Colorado Springs, CO 80916.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 of the Local Rules of Procedure, and it is the Applicant's burden to provide the necessary evidence to satisfy the Board.

A public notice poster has been prepared for the Applicant to pick up from the City Clerk's Office at 30 S. Nevada Avenue, Suite 101. This notice poster must be posted by the Applicant at the proposed premises in a manner that is visible and conspicuous to the public no later than Tuesday, July 26, 2016. Any applicable needs and desires petitions, remonstrances, and other reports or statements in writing must be filed with the City Clerk's Office by 12:00 P.M. on Tuesday, August 2, 2016.

Pursuant to C.R.S. §12-47-312 and Local Rule No. 7 the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on June 6, 2016, and within a two (2) year period prior to this date, the Local Licensing Authority has not denied an application at the above referenced location for the reason that the reasonable requirements of the neighborhood were satisfied by existing outlets.
- II. Applicant will be entitled to possession of the premises for which the application is made pursuant to a lease, rental agreement, or other arrangement for possession of the premises, or by virtue of ownership thereof as evidenced by the possession documents submitted by Applicant and contained in the administrative file.
- III. The location of the premises to be licensed appears to be in compliance with the Zoning Ordinances of the City of Colorado Springs as evidenced by the Land use review report submitted by the Planning and Development Department of the City of Colorado Springs.
- IV. The location of the premises to be licensed appears to be in compliance with the distance prohibition in regard to any public or parochial school or the principal campus of any college, university or seminary.
- V. The Colorado Springs Police Department has conducted a background investigation into Applicant and there are no objections to Applicant at this time.
- VI. A review of Applicant's finances did not disclose any unlawful financial assistance as prohibited in C.R.S. §12-47-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done July 14, 2016.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

CERTIFICATE OF MAILING

I, Lee McRae, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF HEARING AND INITIAL FINDINGS OF FACT** by United States mail, first class postage paid, on July 14, 2016 to the following address of record:

Duncan VII, Inc.
dba Sandcreek Liquors
1447 S. Murray Boulevard, #A&B
Colorado Springs, CO 80916



Lee McRae
License Enforcement Officer
City Clerk's Office
30 S. Nevada Avenue, Suite 101
Colorado Springs, CO 80903

CC: coloradomark56@gmail.com
Carl Ream <carl_ream@hotmail.com>