



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20230119155902322



Type License: 020 - RESTAURANT RETAIL LIQUOR State: County:

Type License: State: County:

Trade Name: EL DIABLO TAQUERIA AND CANTINA Filing Fee:

Applicant: FOLEY SPORTS JV LLC Transfer Fee: \$50.00

Location Address: 104A SOUTH OWA BLVD FOLEY, AL 36535

Mailing Address: PO BOX 917481 LONGWOOD, FL 32791

County: BALDWIN Tobacco sales: NO Tobacco Vending Machines:

Product Type: Type Ownership: LLC

Book, Page, or Document info: 393-102 FLL

Do you sell Draft Beer?:

Date Incorporated: 6/7/2017 State incorporated: AL County Incorporated:

Date of Authority:

Federal Tax ID: 000000 Alabama State Sales Tax ID: R009746724

Name:	Title:	Date and Place of Birth:	Residence Address:
LAURA GROSS	MEMBER		
ANDREW GROSS	MEMBER		

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: ANDREW GROSS

Home Phone:

Business Phone: 321-439-6400

Cell Phone:

Fax:

E-mail: ANDY@SUNSHINE.BZ

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: EL DIABLO TAQUERIA AND CANTINA

License 1: 011538102

Applicant: OWA BURGERS LLC

License 2:



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If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: FOLEY HOLDINGS LLC 321-439-6400

What is lessors primary business? REAL ESTATE

Is lessor involved in any way with the alcoholic beverage business? YES

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES

Is the business used to habitually and principally provide food to the public? YES

Does the establishment have restroom facilities? YES

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 7642 Display Square Footage:

Building seating capacity: 200 Does Licensed premises include a patio area? YES

License Structure: SHOPPING CENTER License covers: PORTION OF

Number of licenses in the vicinity: Nearest:

Nearest school: Nearest church: Nearest residence: 1 blocks

Location is within: CITY LIMITS Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name: Violation & Date: Arresting Agency: Disposition:



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Initial each

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within

the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

XXX

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application Information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *Andrew Gross*

Signature of Applicant: *Andrew Gross*

Notary Name (print): *Rosemarie Moore*

Notary Signature: *Rosemarie Moore*

Commission expires: *11/09/2025*

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



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NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
OWA BURGERS LLC
Address: 104 A SOUTH OWA BLVD
FOLEY, AL 36535
Telephone: 321-439-6400

NEW APPLICANT:
FOLEY SPORTS JV LLC
Address: PO BOX 917481
LONGWOOD, FL 32791
Telephone: 321-439-6400

Current License No: 011538102

LICENSED PREMISES ADDRESS: 104A SOUTH OWA BLVD FOLEY, AL 36535

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED
CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC
BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 31 day of January, 2023.

CURRENT LICENSEE (NAMED ON LICENSE)

sign-

Andrew Gross
Print Name: Andrew Gross
Title: OWA Burgers LLC, mbr

NEW LICENSEE (APPLICANT)

sign-

Andrew Gross
Print Name: Andrew Gross
Title: Foley Sports JV LLC

WITNESS: (By ABC Enforcement)

Revised 9/08

*Notary info here:

Rosemarie Moore
Rosemarie Moore



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Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted? Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: MINORITY MEMBER OF LLC

Application Payment Receipt Confirmation Page

Receipt Confirmation Number: 20230119155902322
Application Payment Confirmation Number: 89505500

Payment Summary	
Payment Item	Fee
Transfer Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

Application Information

Application Type: TRANSFER
License Type 1: 020 - RESTAURANT RETAIL LIQUOR

Technical Support: 866-353-3468 or support@alabamainteractive.org

Version 2.9.0