

13-0385



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION

Confirmation Number: 20121220124357091



Type License: 020 - RESTAURANT RETAIL LIQUOR State: County:
 Type License: State: County:
 Trade Name: APPLEBEES NEIGHBORHOOD GRILL AND BAR Filing Fee:
 Applicant: RMH FRANCHISE CORPORATION Transfer Fee: \$50.00
 Location Address: 2409 S MCKENZIE STREET FOLEY, AL 36535
 Mailing Address: 1701 WINDHOEK DR LINCOLN, NE 68512
 County: BALDWIN Tobacco sales: NO Tobacco Vending Machines:
 Sale of Products Containing Ephedrine: NO Type Ownership: CORPORATION
 Book, Page, or Document info: KANSAS CORP Do you sell Draft Beer: Y
 Date Incorporated: 09/10/2012 State incorporated: KS County Incorporated: KANSAS
 Date of Authority: 10/15/2012 Alabama State Sales Tax ID: R008200688

Name: Title: Date and Place of Birth: Residence Address:

DANIEL JINICH J-520-135-014-835 - MD	SECRETARY	10/30/1965 BELLEFONTE, PA	4724 DRUMMOND AVE CHEVY CHASE, MD 20815
JOSEPH MICHAEL LEONE L2608 41074 05532 - NJ	CFO	05/24/1953 BROOKLYN, NY	978 ARAPAHO TRAIL FRANKLIN LAKES, NJ 07414
JEFFREY DAVID NEUMANN N2902 39364 06626 - NJ	PRESIDENT	06/15/1962 LONG BRANCH, NJ	971 HURON ROAD FRANKLIN LAKES, NJ 07417

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 cooperation 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: JEFFREY NEUMANN
 Business Phone: 251-943-6006
 Fax: 402-421-1984

Home Phone: 201-891-1008
 Cell Phone: 201-891-1008
 E-mail: jneumann@codacap.com

PREVIOUS LICENSE INFORMATION:

Trade Name: APPLEBEES NEIGHBORHOOD GRILL AND BAR
 Applicant: CONCORD NEIGHBORHOOD CORPORATION

Previous License Number(s)
 License 1: 020-000474902-000
 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: **WHITE SPUNNER DEVELOPMENT, CUMBERLAND LLC, CMB INVESTMENTS INC 251-471-1000**

What is lessors primary business? **REAL ESTATE**

Is lessor involved in any way with the alcoholic beverage business? **NO**

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: **4814** Display Square Footage:

Building seating capacity: **200** Does Licensed premises include a patio area? **NO**

License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**

Number of licenses in the vicinity: **10** Nearest: **.1**

Nearest school: **.4 miles** Nearest church: **.1 miles** Nearest residence: **.1 miles**

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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NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

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

CURRENT LICENSEE:
CONCORD NEIGHBORHOOD CORPORATION
Address: P O BOX 22579
LINCOLN, NE 68542
Telephone: 251-943-6006

NEW APPLICANT:
RMH FRANCHISE CORPORATION
Address: 1701 WINDHOEK DR
LINCOLN, NE 68512
Telephone: 251-943-6006

Current License No: 020-000474902-000

LICENSED PREMISES ADDRESS: 2409 S MCKENZIE STREET 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 26th day of December, 20 12.

CURRENT LICENSEE (NAMED ON LICENSE)

NEW LICENSEE (APPLICANT)

Karen A. Cheatham
Print Name: KAREN A. CHEATHAM
Title: POA

Karen A. Cheatham
Print Name: KARENA. CHEATHAM
Title: POA

WITNESS: (By ABC Enforcement)

Tyner Warner

Revised 9/08



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD

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Initial each

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Signature page

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.

In reference to Special Retail or Special Events retail license, 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): *KAREN A. CHEATHAM*

Signature of Applicant: *Karen A. Cheatham, POA*

Notary Name (print): *TYRONE WALKER*

Notary Signature: *Tyrone Walker*

Commission expires: *10-1-2016*

Application Taken: *12-26-12* App. Inv. Completed:

Submitted to Local Government: *12-26-12*

Received in District Office:

Reviewed by Supervisor:

Forwarded to District Office:

Received from Local Government:

Forwarded to Central Office:

Receipt Confirmation Page

Receipt Confirmation Number: **20121220124357091**

Application Payment Confirmation Number: **4636264**

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

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR

License Type 2:

License County: BALDWIN

Business Type: CORPORATION

Trade Name: **APPLEBEES NEIGHBORHOOD GRILL AND BAR**

Applicant Name: **RMH FRANCHISE CORPORATION**

Location Address: 2409 S MCKENZIE STREET
FOLEY, AL 36535

Mailing Address: 1701 WINDHOEK DR
LINCOLN, NE 68512

Contact Person: JEFFREY NEUMANN

Contact Home Phone: 201-891-1008

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Contact Email Address:

Contact Web Address: