



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20200701152332236

Type License: 020 - RESTAURANT RETAIL LIQUOR

State: **County:**

Type License:

State: **County:**

Trade Name: TACOS AND MARGARITAS

Filing Fee:

Applicant: FOLEY SPORTS JV LLC

Transfer Fee: \$50.00

Location Address: 104 A SOUTH OWA BOULEVARD FOLEY, AL 36532

Mailing Address: PO BOX 927481 LONGWOOD, FL 32791

County: BALDWIN **Tobacco sales:** NO

Tobacco Vending Machines:

Type Ownership: LLC

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

Date Incorporated: 06/07/2017 **State incorporated:** AL **County Incorporated:**

Date of Authority: 06/07/2017 **Alabama State Sales Tax ID:** R009746724

Federal Tax ID: 82-1762905

Name:	Title:	Date and Place of Birth:	Residence Address:
ANDREW LOUIS GROSS	MEMBER		
FOLEY SPORTS JV LLC	MEMBER		
	Incorporated: 06/01/2017		
LAURA JEANNE 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: 251-999-4628

Cell Phone:

Fax:

E-mail:

PREVIOUS LICENSE INFORMATION:

Trade Name: WAHLBURGERS

Previous License Number(s)

Applicant: OWA BURGERS LLC

License 1: 010932402

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**

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: 7642 Display Square Footage:

Building seating capacity: 300 Does Licensed premises include a patio area? YES

License Structure: ONE STORY License covers: PORTION OF

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

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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.

☐ N/A

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.

☐ N/A

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.

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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.

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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.

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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

Signature of Applicant:

Notary Name (print):

DON N HADLEY

Notary Signature:

[Signature]



Commission expires: 1/27/2024

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 BOULEVARD
FOLEY, AL 36535
Telephone: 850-837-7444

NEW APPLICANT:
FOLEY SPORTS JV LLC
Address: PO BOX 927481
LONGWOOD, FL 32791
Telephone: 251-999-4628

Current License No: 010932402

LICENSED PREMISES ADDRESS: 104 A SOUTH OWA BOULEVARD FOLEY, AL 36532

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 2 day of JULY, 2020.

CURRENT LICENSEE (NAMED ON LICENSE)

NEW LICENSEE (APPLICANT)

Print Name: Carl Williamson
Title: MANAGER OF SOUTHERN

Print Name: ANDREW L. GROSS
Title: PRESIDENT

WITNESS: (By ABC Enforcement)

Revised 9/08

Receipt Confirmation Page

Receipt Confirmation Number: **20200701152332236**
Application Payment Confirmation Number: 61266386

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: LLC

Trade Name: **TACOS AND MARGARITAS**

Applicant Name: **FOLEY SPORTS JV LLC**

Location Address: 104 A SOUTH OWA BOULEVARD
FOLEY , AL 36532

Mailing Address: PO BOX 927481
LONGWOOD, FL 32791

Contact Person: ANDREW GROSS

Contact Home Phone: 321-439-6400

Contact Business Phone: 251-999-4628

Contact Fax:

Contact Cell Phone: 321-439-6400

Contact Email Address:

Contact Web Address:



Alabama Alcoholic Beverage Control Board
Licensing Division

Memorandum of Understanding for Restaurant Retail Liquor License

Restaurant Retail Liquor Licenses shall be issued only to reputable persons for locations which are "**habitually and principally**" used for the purpose of preparing and serving meals for the public to consume on the licensed premises during normal and reasonable dining hours. Only those locations whose customary and primary business is preparing and serving meals to the public will be issued a Restaurant Retail Liquor License.

Restaurant Retail Liquor Licenses applicants shall comply with all pertinent and related requirements of State, County, and where applicable, Municipal health departments prior to licensing and shall remain in compliance thereafter for as long as said license shall remain valid.

All Restaurant Retail Liquor Licensees shall have a fully equipped and operational kitchen on the licensed premises. The Licensee shall maintain and operate said kitchen and shall, upon order of a customer, prepare and serve all food items shown on its menu during normal and reasonable dining hours. Exceptions shall be made where there is a known and provable shortage or temporary unavailable supply of a food item.

Any applicant or Licensee shall, upon request, provide to the ABC Board, any records, books, ledgers, menus, receipts, or other documentation necessary to demonstrate compliance with this regulation.

In addition to the above Rule and Regulation, Title 28-3-1(23) defines a meal as a "diversified selection of food some of which is not susceptible of being consumed in the absence of at least some articles of tableware and which cannot be conveniently consumed while one is standing or walking about".

Additionally, Title 28-3A-13 states that a Restaurant Retail License is "for on premise consumption" and does not allow sales for off-premises consumption with the exception of re-corked wine conforming to 28-3A-20.1.

By signing this memorandum of understanding, the Licensee agrees and understands the requirements of obtaining and maintaining a Restaurant Retail Liquor License. Any deviation from these requirements will prohibit the ABC Board from issuing this type of License. Furthermore, failing to follow these requirements after obtaining a Restaurant Retail Liquor License could result in the protest of the renewal of this type license.

Signature _____

Date

7/2/20

Print Name

Andrew L. Gross

Position Held

President