



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

April 26, 2018

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

TO: Board of Supervisors
Agenda Date: May 15, 2018

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director 

SUBJECT: Make determination of whether the ability to sell off sale liquor at the Sierra Energy Gas Station, Westwood CA (301 Third Street, Westwood CA 96137, APN: 125-153-07) would serve a public convenience or necessity for purposes of an application for licensure before the department of Alcoholic Beverage Control.

ACTION REQUESTED:

1. Adopt resolution; and/or
2. Provide direction to staff

SUMMARY:

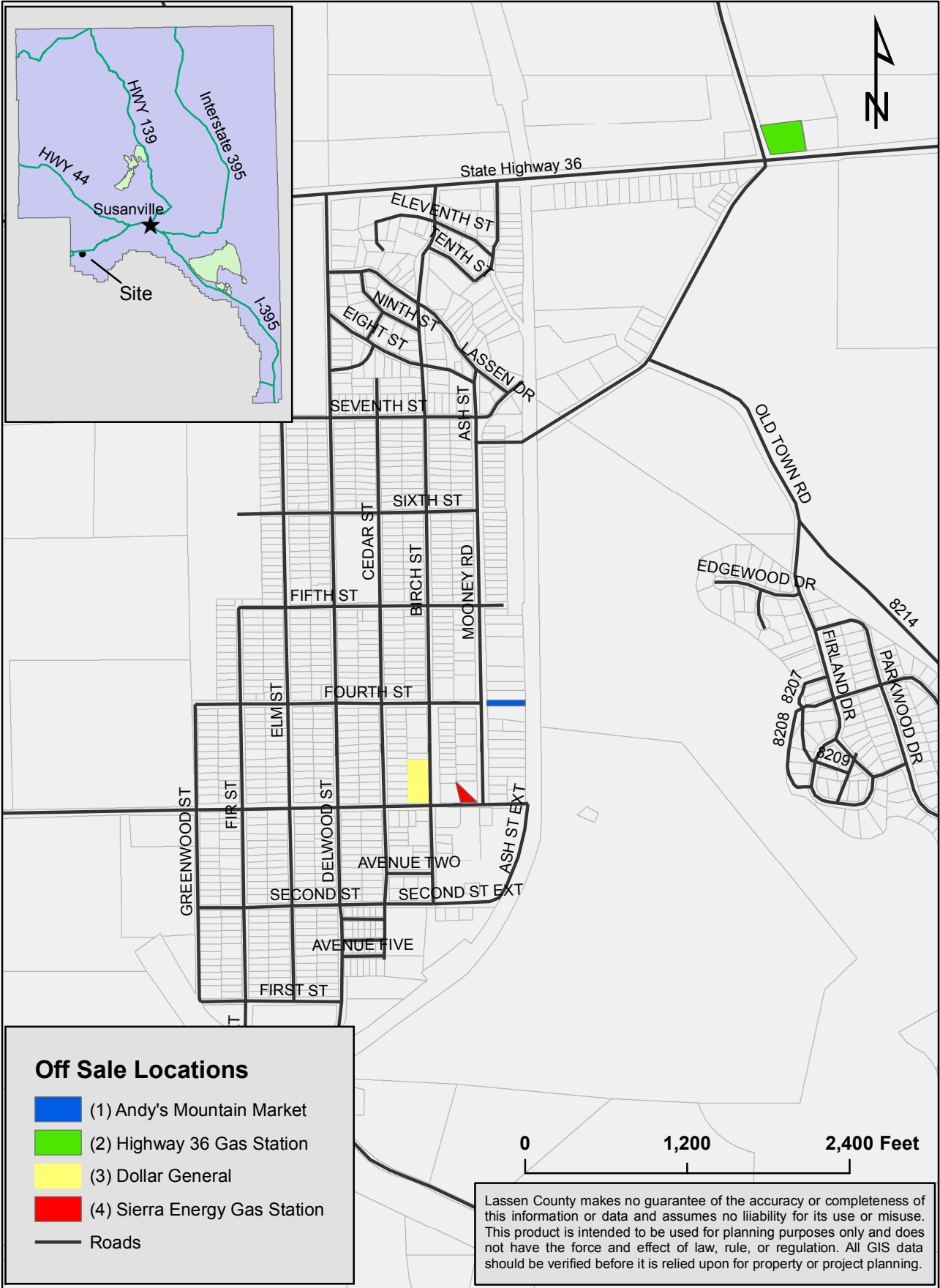
The intent of this Board letter and attached resolution is to allow the Board of Supervisors to determine if the "public convenience or necessity" would be served by the sale of liquor at the Sierra Energy Gas Station (301 Third Street, Westwood CA 96137). An application has been submitted to the California Department of Alcoholic Beverages Control (ABC) for a license to sell liquor at this location. Before said license can be issued by the ABC, the Board must determine that "public convenience or necessity is served" by the issuance of the license. Beer and wine is already sold at this location.

Tom's Sierra Company, Inc. is proposing to transfer the liquor license currently being used at the Eagle Lake RV Park (687-125 Palmetto Way, Spaulding).

A potential finding that public convenience would be served by this application is that Young's Market, which sold liquor, recently closed. Currently, Andy's Mountain Market is the only establishment that sells liquor in Westwood (beer and wine are sold at other locations as shown on the attached graphic).

 MLA:km
Attachment

Toms Sierra Company, Inc., Westwood Vicinity Map



RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, APPROVING ABC APPLICATION FOR SIERRA ENERGY GAS STATION LOCATED AT 301 THIRD STREET, WESTWOOD CALIFORNIA (ASSESSOR'S PARCEL NUMBER 125-153-07-11)

WHEREAS, sale of liquor at convenience stores throughout California is a highly regulated affair administered by the California Department of Alcoholic Beverage Control (ABC); and

WHEREAS, prior to being legally able to sell liquor at a convenience store one must apply to and be approved for licensure by the ABC; and

WHEREAS, there are limitations imposed by law on how many licenses may be issued by the ABC dependent on population, crime statistics, ect; and

WHEREAS, application has been made for the transfer of an "off-sale" liquor license to the Sierra Energy Gas Station in Westwood (301 Third Street, Westwood CA 96137). (Assessor's Parcel Number 125-153-07); and

WHEREAS, the parcel on which the Sierra Energy Gas Station in Westwood is located is zoned C-1 (Retail Business District), would allow the proposed use; and

WHEREAS, ABC has notified the applicant that licensure may not be granted unless the applicant complies with Business and Professions Code section 23817.7(a); and

WHEREAS, Young's Market was previously located on the adjacent block as the proposed sales site but recently closed, resulting in the removal of one nearby location which sold beer, wine, and liquor; and

WHEREAS, Business and Professions Code 23817.7(a)(3) states that no such license may be granted unless "the local governing body of the area in which the applicant premises are located...determines that public convenience or necessity would be served by the issuance."

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the Lassen County Board of Supervisors has considered the application of Sierra Energy Gas Station and hereby determines that public convenience would be served by the sale of, among other things, liquor at the Sierra Energy Gas Station and makes the finding required by 23817.7(a)(3) of the Business and Professions Code

Resolution _____

The foregoing resolution was adopted at a regular meeting of the Lassen County Board of Supervisors of the County of Lassen, State of California, held on the ____th day of _____ 20____ by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors
County of Lassen, State of California

ATTEST:
JULIE BUSTAMANTE, Clerk of the Board

BY _____
MICHELE J. YDERRAGA, Deputy Clerk of the Board

RESOLUTION NO. _____

I, MICHELE J. YDERRAGA, Deputy Clerk of the Board, of The Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the _____ day of _____, 20____.

Deputy Clerk of the County of Lassen
Board of Supervisors

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, DISSAPPROVING ABC APPLICATION FOR SIERRA
ENERGY GAS STATION LOCATED AT 301 THIRD STREET, WESTWOOD
CALIFORNIA (ASSESSOR'S PARCEL NUMBER 125-153-07)

WHEREAS, sale of liquor at convenience stores throughout California is a highly regulated affair administered by the California Department of Alcoholic Beverage Control (ABC); and

WHEREAS, prior to being legally able to sell liquor at a convenience store one must apply to and be approved for licensure by the ABC; and

WHEREAS, there are limitations imposed by law on how many licenses may be issued by the ABC dependent on population, crime statistics, ect; and

WHEREAS, application has been made for the transfer of an "off-sale" liquor license to the Sierra Energy Gas Station in Westwood (301 Third Street, Westwood CA 96137). (Assessor's Parcel Number 125-153-07); and

WHEREAS, the parcel on which the Sierra Energy Gas Station in Westwood is located is zoned C-1 (Retail Business District); and

WHEREAS, ABC has notified the applicant that licensure may not be granted unless the applicant complies with Business and Professions Code section 23817.7(a); and

WHEREAS, Business and Professions Code 23817.7(a)(3) requires that no such license may be granted unless "the local governing body of the area in which the applicant premises are located...determines that public convenience or necessity would be served by the issuance."

NOW, THEREFORE IT BE RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Board of Supervisors further finds that:
 - a. The applicant has not adequately demonstrated that public convenience or necessity are served through issuance of this permit.
 - b. Other suitable sites to purchase liquor exist within an appropriate distance from the site. Captain Andy's Mountain Market sells "off sale" liquor and

Resolution _____

is approximately 500 feet north west and is located at 324 Ash St,
Westwood, CA 96137.

3. The Lassen County Board of Supervisors has considered the application of Sierra Energy Gas Station and hereby determines that public convenience and necessity would not be served by the sale of, among other things, liquor at the Sierra Energy Gas Station.

The foregoing resolution was adopted at a regular meeting of the Lassen County Board of Supervisors of the County of Lassen, State of California, held on the _____th day of _____ 20____ by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors
County of Lassen, State of California

ATTEST:
JULIE BUSTAMANTE, Clerk of the Board

BY _____
MICHELE J. YDERRAGA, Deputy Clerk of the Board

RESOLUTION NO. _____

I, MICHELE J. YDERRAGA, Deputy Clerk of the Board, of The Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the _____ day of _____, 20____.

Deputy Clerk of the County of Lassen
Board of Supervisors



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.)*

CHAPTER 6. Issuance and Transfer of Licenses [23950 - 24082] (*Chapter 6 added by Stats. 1953, Ch. 152.)*

ARTICLE 1. Applications for Licenses [23950 - 23962] (*Article 1 added by Stats. 1953, Ch. 152.)*

23958. Upon receipt of an application for a license or for a transfer of a license and the applicable fee, the department shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied qualify for a license and whether the provisions of this division have been complied with, and shall investigate all matters connected therewith which may affect the public welfare and morals. The department shall deny an application for a license or for a transfer of a license if either the applicant or the premises for which a license is applied do not qualify for a license under this division.

The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4.

(Amended by Stats. 1994, Ch. 630, Sec. 1. Effective January 1, 1995.)



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 6. Issuance and Transfer of Licenses [23950 - 24082] (*Chapter 6 added by Stats. 1953, Ch. 152.*)

ARTICLE 1. Applications for Licenses [23950 - 23962] (*Article 1 added by Stats. 1953, Ch. 152.*)

23958.4. (a) For purposes of Section 23958, “undue concentration” means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:

(1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes, as defined in subdivision (c), than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

(2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located.

(3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer’s license, or a winegrower’s license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

If the local governing body, or its designated subordinate officer or body, does not make a determination within the 90-day period, then the department may issue a license if the applicant shows the department that public convenience or necessity would be served by the issuance. In making its determination, the department shall not attribute any weight to the failure of the local governing body, or its designated subordinate officer or body, to make a determination regarding public convenience or necessity within the 90-day period.

(c) For purposes of this section, the following definitions shall apply:

- (1) "Reporting districts" means geographical areas within the boundaries of a single governmental entity (city or the unincorporated area of a county) that are identified by the local law enforcement agency in the compilation and maintenance of statistical information on reported crimes and arrests.
- (2) "Reported crimes" means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.
- (3) "Population within the census tract or census division" means the population as determined by the most recent United States decennial or special census. The population determination shall not operate to prevent an applicant from establishing that an increase of resident population has occurred within the census tract or census division.
- (4) "Population in the county" shall be determined by the annual population estimate for California counties published by the Population Research Unit of the Department of Finance.
- (5) "Retail licenses" shall include the following:
- (A) Off-sale retail licenses: Type 20 (off-sale beer and wine) and Type 21 (off-sale general).
- (B) On-sale retail licenses: All retail on-sale licenses, except Type 43 (on-sale beer and wine for train), Type 44 (on-sale beer and wine for fishing party boat), Type 45 (on-sale beer and wine for boat), Type 46 (on-sale beer and wine for airplane), Type 53 (on-sale general for train and sleeping car), Type 54 (on-sale general for boat), Type 55 (on-sale general for airplane), Type 56 (on-sale general for vessels of more than 1,000 tons burden), and Type 62 (on-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement).
- (6) A "premises-to-premises transfer" refers to each license being separate and distinct, and transferable upon approval of the department.
- (d) For purposes of this section, the number of retail licenses in the county shall be established by the department on an annual basis.
- (e) The enactment of this section shall not affect any existing rights of any holder of a retail license issued before April 29, 1992, whose premises were destroyed or rendered unusable as a result of the civil disturbances occurring in Los Angeles from April 29 to May 2, 1992, to reopen and operate those licensed premises.
- (f) This section shall not apply if the premises have been licensed and operated with the same type license within 90 days of the application.

(Amended by Stats. 2013, Ch. 76, Sec. 6. (AB 383) Effective January 1, 2014.)



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.)*

CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827] (*Chapter 5 added by Stats. 1953, Ch. 152.)*

ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827] (*Article 2 added by Stats. 1953, Ch. 152.)*

The Legislature finds and declares that the public welfare and morals require that there be a limitation on the number of premises licensed for the off sale of beer and wine.

23817.4. (*Added by Stats. 1997, Ch. 564, Sec. 1. Effective January 1, 1998.*)



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827] (*Chapter 5 added by Stats. 1953, Ch. 152.*)

ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827] (*Article 2 added by Stats. 1953, Ch. 152.*)

23817.5. (a) (1) The number of premises for which an off-sale beer and wine license is issued shall be limited to one for each 2,500, or fraction thereof, inhabitants of the city or county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city or county where the number of premises for which all off-sale beer and wine licenses are issued is more than one for each 2,500, or fraction thereof, inhabitants of the city or county.

(2) The number of premises for which an off-sale beer and wine license is issued in a city and county, in combination with the number of premises for which an off-sale general license is issued in a city and county, shall be limited to one for each 1,250, or fraction thereof, inhabitants of the city and county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city and county where the number of premises for which all off-sale beer and wine licenses in combination with off-sale general licenses are issued is more than one for each 1,250, or fraction thereof, inhabitants of the city and county.

(b) (1) Notwithstanding subdivision (a), a retail off-sale beer and wine replacement license may be issued at a premises that was operated under an existing off-sale beer and wine license no less than 90 days prior to the date of application for the replacement license, provided that the existing licensee is subject to a bankruptcy proceeding and the existing licensee has no right to operate at the premises, or has abandoned the premises of that license.

(2) A replacement license shall not be issued if the existing license has been, or is in the process of being, transferred, or if the existing license has been canceled by the licensee or surrendered by the licensee pursuant to department rule.

(3) An application for a replacement license shall be accompanied by a fee of one hundred dollars (\$100) and all conditions imposed upon the existing off-sale beer and wine license at the premises shall be imposed upon the replacement license.

(4) Upon issuance of the replacement license, the off-sale beer and wine license existing at the premises shall be canceled by operation of law. A replacement license shall not be transferred to another premises.

(*Amended by Stats. 2012, Ch. 327, Sec. 8. (SB 937) Effective January 1, 2013.*)



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827] (*Chapter 5 added by Stats. 1953, Ch. 152.*)

ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827] (*Article 2 added by Stats. 1953, Ch. 152.*)

23817.7. (a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

(1) The applicant premises are located in a crime reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4. In considering an application, the department may take into account adjacent crime reporting districts, if the applicant premises are located within 100 feet of the boundaries of any adjacent district. The department shall use an average of reported crimes in the crime reporting district in which the premises are located and reported crimes in any adjacent crime reporting district, if the total of crimes reported in the adjacent district or districts is greater than the crime reporting district in which the premises are located.

(2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.

(3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines that public convenience or necessity would be served by the issuance.

(b) The department may impose reasonable conditions on a licensee as may be needed in the interest of the public health, safety, and welfare regarding signing, training for responsible beverage sales and hours, and mode of sale.

(Amended by Stats. 2001, Ch. 931, Sec. 3. Effective January 1, 2002.)

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
1900 CHURN CREEK RD
STE 215
REDDING, CA 96002
(530) 224-4830

File Number: 592650
Receipt Number: 2491539
Geographical Code: 1800
Copies Mailed Date: April 4, 2018
Issued Date:

RECEIVED

APR 09 2018

Lassen County Department of
Planning and Building ServicesDISTRICT SERVING LOCATION: REDDING

First Owner: TOMS SIERRA COMPANY INC
Name of Business: SIERRA ENERGY

Location of Business: 301 THIRD ST
WESTWOOD, CA 96137

County: LASSEN

Is Premise inside city limits? No

Census Tract 0402.00

Mailing Address: 1020 WINDING CREEK RD
(If different from STE 100
premises address) ROSEVILLE, CA 95678-7016

Type of license(s): 21

Transferor's license/name: 453496 / MICHAEL WAYNE ARNOLD Dropping Partner: Yes___ No X
AND KATHERINE DIANE ARNOLD RE

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
21 - Off-Sale General	ANNUAL FEE	NA	Y	0	04/04/18	\$646.00
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER	NA	Y	0	04/04/18	\$100.00
21 - Off-Sale General	PERSON-TO-PERSON TRANSFER	NA	Y	0	04/04/18	\$1,250.00
Total						\$1,996.00

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of LASSEN

Date: April 4, 2018

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

TOMS SIERRA COMPANY INC

See 211 Signature Page

NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES

ABC-207-E (9/05)

To the Resident or Owner of Real Property Within a 500' Radius:

The applicant(s) for an alcoholic beverage license must mail this notice to every resident of real property within a 500 foot radius of the premises (Section 23985.5 of the Business and Professions Code). The applicant must mail this notice within 15 days of posting the premises. Any protest against the issuance of the license(s) must be received at any office of the Department of Alcoholic Beverage Control (ABC) or Departmental Headquarters within 30 days of the date the premises are posted, or within 30 days of the mailing of this notification, whichever is later. To obtain a copy of the protest form, ABC-510-A, please contact your local ABC office or go online to www.abc.ca.gov.

Date of Mailing: 4/13/18 Date Premises Posted: 4/10/18

The below-named applicant(s) has applied for a license to sell alcoholic beverages at:

301 3rd StWestwood, CA 96137

Type of license(s) applied for:

Off Sale General

The name(s) of the applicant(s)-is/are:

Toms Sierra Company

The dba (doing business as) is (if known):

Sierra Energy

Further information regarding this application or filing a protest may be obtained at:

Department of Alcoholic Beverage Control

1900 Chum Creek Rd.

Suite 215

Redding, CA 96002

530-224-4830

RECEIVED

APR 17 2018

Lassen County Department of
Planning and Building Services

Los residentes o dueños que no hablen inglés por favor vean al reverso para mayor información.

非英語語系的居民或所有人，請參見背面資訊。

영어 구사 불가능 주민/소유주는 내용 확인을 위해 뒤면을 참조하십시오.

Cư dân/sở hữu chủ nào không nói tiếng Anh, xin xem mặt sau để biết chi tiết.

المقيمين/المالكين الذين لا يتكلمون اللغة الإنكليزية، رجاء مراجعة الصفحة الخلفية للحصول على المعلومات.



March 14, 2018

Lassen County
Planning and Building Services
707 Nevada Street, Suite 5
Susanville, CA 96130

Attn: Kelly Mumper

Re: 301 3rd St, Westwood, CA – Liquor License
Upgrade Approval Request

Kelly:

Thank you very much for the time on the telephone this afternoon. Please find attached a copy of the forms that Toms Sierra Company, Inc. is in the process of completing and filing with the ABC regarding the upgrade of its Type 20 license in use at 301 3rd Street, Westwood, CA to a Type 21 license. The Type 21 license being acquired is currently in use at the Eagle Lake RV Park, located at 687-125 Palmetto Way (Spaulding Tract), Susanville, CA. The Notice of Intended Transfer (ABC-227) was sent to Chicago Title on March 12, 2018, for filing with the County Recorder after the seller countersigns the form.

Toms Sierra Company, Inc. understands that this matter is subject to the approval of the Lassen County Board of Supervisors, and respectfully requests that this matter be placed for Board approval at its/your earliest convenience.

Toms Sierra Company, Inc. believes that this transfer will be beneficial to the community, and the transfer is very important to the continued operation of the Toms Sierra Company location in Westwood.

Thank you for your time and cooperation. Please feel free to contact me at (916) 218-1609 or by email (mgeorge@sierraenergy.net) with any questions or concerns.

RECEIVED

MAR 19 2018

Lassen County Department of
Planning and Building Services

Sincerely,

Michael George, Esq.

Enclosures

LICENSE ACTION REQUEST*Read instructions on reverse before completing.***SECTION 1**

1. LICENSEE'S NAME Toms Sierra Company, Inc.	2. LICENSE NUMBER 20-270860
3. DOING BUSINESS AS (DBA) Sierra Energy	4. DISTRICT OFFICE Redding
5. PREMISES ADDRESS 301 3rd Street, Westwood, CA 96137	6. LICENSE ATTACHED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. MAILING ADDRESS 1020 Winding Creek Rd., #100, Roseville, CA 95678	

SECTION 2**CANCELLATION**

I voluntarily cancel my license because I am no longer in business. I understand my license cannot be reactivated or reinstated.

8. CANCELLATION EFFECTIVE <input type="checkbox"/> Immediately <input type="checkbox"/> Upon issuance of _____ <input type="checkbox"/> Other: _____			
9. LICENSEE'S SIGNATURE	10. HOME PHONE NUMBER ()	11. DATE BUSINESS CLOSED	12. DATE SIGNED

SECTION 3**SURRENDER - Rule 65**

I voluntarily surrender my license for a period of not more than one year. I intend to ☒ Transfer ☐ Reactivate the license. I understand that (a) the license must be renewed at the time renewal fees are due or the license will be automatically canceled; (b) the Department will proceed to cancel my license after one year if not transferred or reactivated; and (c) I must report any change in my mailing address to the Department.

13. SURRENDER EFFECTIVE <input type="checkbox"/> Immediately <input checked="" type="checkbox"/> Upon issuance of Type 21 <input type="checkbox"/> Surrender by Department <input type="checkbox"/> Premises abandoned			
14. LICENSEE'S SIGNATURE	15. HOME PHONE NUMBER (916) 218-1600	16. DATE BUSINESS CLOSED	17. DATE SIGNED

SECTION 4**SURRENDER OF PRIVILEGES FOR A SPECIAL EVENT**

18. SPECIFIC ROOM OR AREA WHERE PRIVILEGES ARE TO BE SURRENDERED		
19. DATE TO BE SURRENDERED	20. PERIOD OF SURRENDER (State starting and ending times) (type as X:XX xm) to	
21. LICENSEE'S SIGNATURE	22. HOME PHONE NUMBER ()	23. DATE SIGNED

SECTION 5**REQUEST FOR RETURN OF SURRENDERED LICENSE**

I request the return of the surrendered license described above.

I declare under penalty of perjury that there has been no change in ownership of the licensed business, and the premises possess the same qualifications required for the original issuance of the license.

24. LICENSEE'S SIGNATURE	25. HOME PHONE NUMBER ()	26. DATE LICENSE NEEDED	27. DATE SIGNED
--------------------------	------------------------------	-------------------------	-----------------

ABC USE ONLY

<input type="checkbox"/> Letter attached requesting surrender, cancellation or return	DATE LICENSE MAILED BY HEADQUARTERS OR RETURNED BY DISTRICT OFFICE
<input type="checkbox"/> Accusation pending (Send copy of ABC-231 for cancellations to HQ H&L if accusation pending.)	

Distribution:

Section 2: Original to HQ Lic; copy to District file
Section 4: Original to District file

Section 3: Original to HQ Lic; copy to District file; copy to suspense file
Section 5: Original + 1 copy to HQ Lic; copy to District file

Department of Alcoholic Beverage Control
APPLICATION QUESTIONNAIRE

State of California
Edmund G. Brown Jr., Governor

Please read instructions, which includes Privacy Notice, before completing form.

1. APPLICANT'S NAME(S) (If an individual, first name, middle name, last name. Name of entity if corporation, limited partnership or limited liability company.)

Toms Sierra Company, Inc.

P-12 LICENSEE

☒ Yes ☐ No
(If yes, complete form ABC-811)

2. LICENSE TYPE(S) (Check appropriate items)

☐ 20 Off-Sale Beer & Wine
☒ 21 Off-Sale General
☐ 40 On-Sale Beer
☐ 41 On-Sale Beer & Wine Eating Place
☐ 42 On-Sale Beer & Wine Public Premises
☐ 47 On-Sale General Eating Place
☐ 48 On-Sale General Public Premises
☐ Other

3. TRANSACTION TYPE (Check appropriate item)

☐ Original (New)
☒ Person-to-Person Transfer (check appropriate section):
☒ Section 24071 (Surviving spouse, corporations, fiduciaries, etc.)
☐ Section 24071.1 (Corporate Stock/Limited Partnership)
☐ Section 24071.2 (Limited Liability Company)
☒ Premises-to-Premises Transfer
☐ Exchange
☐ Other

4. TEMPORARY PERMIT REQUESTED (Person-to-Person transfers only)

☒ Yes ☐ No

5. PREMISES ADDRESS (Where license to be issued) (Street number and name, city, zip code)

301 3rd Street, Westwood, CA 96137

County

Lassen

6. PREMISES TELEPHONE NUMBER

(530) 256-3217

7. PREMISES ARE INSIDE CITY LIMITS

☐ Yes ☒ No

8. BUSINESS NAME (DBA) YOU WILL USE

Sierra Energy

9. BUSINESS MAILING ADDRESS (Street number and name, city, state, zip code)

1020 Winding Creek Rd., #100, Roseville, CA 95678

10. MAILING ADDRESS

☒ Permanent ☐ Temporary

11. ABC LICENSE COST (Item #33a on reverse)

\$55,000.00

12. SUBTOTAL (Item #33f on reverse)

\$55,000.00

13. HAS THE APPLICANT(S) EVER BEEN CONVICTED OF A FELONY?

☐ Yes ☒ No

14. HAS THE APPLICANT(S) EVER VIOLATED ANY OF THE PROVISIONS OF THE ALCOHOLIC BEVERAGE CONTROL ACT OR REGULATIONS OF THE DEPARTMENT PERTAINING TO THE ACT?

☒ Yes ☐ No

15. IF YES TO ITEM 13 OR 14, PLEASE EXPLAIN

Fines paid in full

16. TRANSFEROR'S NAME (If an individual, last, first, middle. Name of entity if corporation, limited partnership or limited liability company.)

Michael Wayne Arnold and Katherine Diane Arnold Revocable Trust Dates March 8, 2002

17. ABC LICENSE NUMBER

21-453496

18. TRANSFEROR'S PREMISES ADDRESS (Where license is now issued) (Street number and name, city, zip code)

687-125 Palmetto Way (Spaulding Tract), Susanville, CA 96130

19. PREMISES UNDER CONSTRUCTION

☐ Yes ☒ No

IF YES, LIST ESTIMATED COMPLETION DATE

20. FRANCHISE

☐ Yes ☒ No

21. NAME OF PERSON WE MAY CONTACT (For the applicant)

John Diebold

22. TITLE OF CONTACT PERSON

Corporate Secretary/Controller

23. CONTACT TELEPHONE NUMBER

(916) 218-1606

24. CONTACT E-MAIL ADDRESS

jdiebold@sierraenergy.net

25. PREMISES IS CURRENTLY LICENSED

☒ Yes ☐ No

IF YES, TYPE OF LICENSE

Type 20

26. CURRENT LICENSE IS OPERATING

☒ Yes ☐ No

IF NO, DATE CLOSED

FINANCIAL INFORMATION

27. ESCROW COMPANY'S NAME

Chicago Title

ESCROW COMPANY'S ADDRESS

2940 Riverside Drive, Suite B, Susanville, CA 96130

TELEPHONE NUMBER

(530) 257-4161

28. BOOKKEEPER/ACCOUNTANT'S NAME

John Diebold

BOOKKEEPER/ACCOUNTANT'S ADDRESS

1020 Winding Creek Rd., #100, Roseville, CA 95678

TELEPHONE NUMBER

(916) 218-1606

29. LANDLORD'S NAME

N/A (own)

LANDLORD'S ADDRESS

TELEPHONE NUMBER

()

30. MONTHLY RENT

31. LEASE EXPIRATION DATE

32. INDICATE WHETHER LEASE OR RENTAL AGREEMENT INCLUDES FURNITURE OR FIXTURES

☐ All ☐ Some ☐ None

33. INVESTMENT INFORMATION	COST
a. ABC License	\$ 55,000.00
b. Furniture/fixtures	\$
c. Inventory	\$
d. Goodwill/non-compete covenant	\$
e. Leasehold and/or Improvements	\$
f. SUBTOTAL (Usually should equal the recorded notice)	\$ 55,000.00
g. Fees for other licenses, permits, and deposits (approximate). Include Federal, State, County or City license fees or permits; lease and utility deposits	\$
h. Working capital (approximate)	\$
i. Realty or interest therein	\$
j. TOTAL INVESTMENT (Items f through i) (will equal total of amounts listed in item #33)	\$ 55,000.00

34. Source of Funds for Total Investment (item #33j) - identify amount(s), type(s) and explain source(s) and/or terms of Repayment

Amount	Type	Source and/or Terms of Repayment
Examples \$1,000	Gift	John Doe, Brother
\$15,000	Promissory Note	to seller, payable @ \$1,000 per month for 15 months
\$10,000	Loan	from ABC Bank, @ 8.5% over 5 yrs; monthly payment = \$2,052

35. LIST ALL BANK ACCOUNTS FOR THIS BUSINESS OPERATION

BANK NAME	BANK ADDRESS	ACCOUNT NUMBER
a. Umpqua Bank	P.O. Box 1820, Roseburg, OR	991499310
b. Tri Counties Bank	63 Constitution Drive, Chico, CA	

c. NAMES OF ALL PERSONS AUTHORIZED TO SIGN ON BANK ACCOUNT(S) (Print)

I understand that falsification of the information on this form may constitute grounds for denial or revocation of the license(s). For a period of 90 days from this date, I/we hereby authorize the Department of Alcoholic Beverage Control, or any of its officers, to examine and secure copies of financial records consisting of signature cards, checking and savings accounts, notes and loan documents, deposit and withdrawal records, and escrow documents of my/our financial institution(s) or any financial records established in connection with this business. This authorization to examine records at any financial institution may be revoked at any time. I/we also authorize the Department of Alcoholic Beverage Control, or any of its officers, to examine and secure copies of any business records or documents established in connection with this business including, but not limited to those on file with my/our bookkeeper. I/we also read all of the above and declare under penalty of perjury that each and every statement is true and correct.

36. APPLICANT SIGNATURE (Only one signature needed)	PRINTED NAME	DATE SIGNED

ATTEST (ABC Employee or Notary Public)

APPLICATION SIGNATURE SHEET ("SIGN ON")

- This form is to be used as the signature page for applications not signed in the District Office.
- **Read instructions on reverse before completing.**
- **All signatures must be notarized in accordance with laws of the State where signed.**

1. OWNERSHIP TYPE (Check one)

- ☐ Sole Owner ☐ Partnership-Ltd
☐ Partnership ☐ Corporation
☐ Married Couple ☐ Limited Liability Company
☐ Domestic Partner ☐ Other _____

2. FILE NUMBER (If any)

21-453496

3. LICENSE TYPE

Type 21

4. TRANSACTION TYPE

- ☐ Original ☒ Person to Person Transfer
☐ Exchange ☒ Premise to Premise Transfer
☐ Other _____

5. APPLICANT(S) NAME (Last, first, middle)

Toms Sierra Company, Inc.

6. APPLICANT'S MAILING ADDRESS (Street address/P.O. box, city, state, zip code)

1020 Winding Creek Rd., #100, Roseville, CA 95678

7. PREMISES ADDRESS (Street address, city, zip code)

301 3rd Street, Westwood, CA 96137

APPLICANT'S CERTIFICATION

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He/She is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he/she has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed

transfer is not made to (a) satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department, (b) to gain or establish a preference to or for any creditor or transferor, or (c) to defraud or injure any creditor or transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

I understand that if I fail to qualify for the license or withdraw this application there will be a service charge of one-fourth of the license fee paid, up to \$100.

SOLE OWNER**8. PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED**PARTNERSHIP/LIMITED PARTNERSHIP (Signatures of general partners only)****9. PARTNER'S PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED**PARTNER'S PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED**PARTNER'S PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED**CORPORATION****10. PRINTED NAME (Last, first, middle)**

Barnett, Brad, Keith

SIGNATURE

X

DATE SIGNED**TITLE**
☒ President ☐ Vice President ☐ Chairman of the Board
PRINTED NAME (Last, first, middle)

Diebold, John, Charles

SIGNATURE

X

DATE SIGNED**TITLE**
☒ Secretary ☐ Asst. Secretary ☐ Chief Financial Officer ☐ Asst. Treasurer
LIMITED LIABILITY COMPANY**11. The limited liability company is member-run**☐ Yes☐ No

(If no, complete Item #12 below)

12. NAME OF DESIGNATED MANAGER, MANAGING MEMBER OR DESIGNATED OFFICER (Last, first, middle)**13. MEMBER'S PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED**MEMBER'S PRINTED NAME (Last, first, middle)****SIGNATURE**

X

DATE SIGNED

APPLICATION SIGNATURE SHEET (continued)**APPLICANT'S CERTIFICATION**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He/She is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he/she has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed

transfer is not made to (a) satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department, (b) to gain or establish a preference to or for any creditor or transferor, or (c) to defraud or injure any creditor or transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

I understand that if I fail to qualify for the license or withdraw this application there will be a service charge of one-fourth of the license fee paid, up to \$100.

ADDITIONAL SIGNATURES

14. PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED

INSTRUCTIONS AND GENERAL INFORMATION

- Type or print clearly in black or blue ink (do not use red).
- If you need more space for signatures, use Item #14.

Ownership Type (Item #1) - Check the box for the type of ownership for the business.

File Number (Item #2) - If this is an application for a transfer or exchange, enter the number assigned to the specific license being transferred or exchanged.

License Type (Item #3) - Enter the numeric designation for the license (e.g., Type 21) or description (e.g., Off-Sale General).

Transaction Type (Item #4) - Check the box for the type of transaction.

Applicant(s) Name (Item #5) - Enter the name of the applicant. For a general partnership, the names of the individual partners. For a limited partnership, limited liability company, or a corporation, the name of the entity.

Applicant's Mailing Address (Item #6) - Enter the address where you wish to receive mail. May be different from the premises address. Business and mailing addresses are public information and are available to the public. Please consider this, especially when listing a mailing address.

Premises Address (Item #7) - Enter the location of the premises for which the license is applied.

Partnerships (Item #9) - The application must be signed by each of the partners (e.g., general partnerships, husband and wife, etc.) **Limited Partnerships** - The application must be signed by each of the general partners. Limited partners do not need to sign.

Corporations (Item #10) - The application must be signed by two officers of the corporation, one from each of the following categories: (a) The chairperson of the board, the president, or a vice president; and (b) the secretary, assistant secretary, chief financial officer, or assistant treasurer.

Limited Liability Companies (Item #13) - For a limited liability company that is managed by its members, the application must be signed by each member or by an officer authorized by the articles of organization or the operating agreement to bind the company. For a limited liability company that is managed by a manager or managers, the application must be signed by the manager or managers or by an officer authorized by the articles of organization or the operating agreement to bind the company.

ZONING AFFIDAVIT*Instructions to the Applicant: Complete Items 1 - 14. Sign and date the form and submit it to ABC.*

1. APPLICANT(S) NAME (Last, first, middle)

Toms Sierra Company, Inc.

2. PREMISES ADDRESS (Street number and name, city, zip code)

301 3rd Street, Westwood, CA 96137

3. PARCEL NUMBER OF PROPERTY (Obtain from
County Assessor's Office)

125-153-07-11; 125-153-24-11

4. TYPE OF LICENSE APPLIED FOR

Type 21

5. UPGRADE OF LICENSED PRIVILEGES

☒ Yes☐ No

6. CURRENT LICENSE TYPE AT THIS LOCATION, IF ANY

Type 20

7. TYPE OF BUSINESS (i.e., restaurant, mini-mart, gas station, etc.)

mini-mart; gas station

8. ARE THE PREMISES INSIDE THE CITY LIMITS?

☐ Yes☒ No*For answers to Questions 8 - 14, contact your local city OR county planning department (if inside the city limits, contact city planning; if outside, contact county planning.*

9. HOW ARE APPLICANT PREMISES ZONED? STATE TYPE (i.e., "C" commercial, "R" residential, etc.)

C-1

10. DOES ZONING PERMIT INTENDED USE?

☒ Yes☐ No

11. IS A CONDITIONAL USE PERMIT (C.U.P.) NEEDED?

(If yes, please attach copy of receipt or C.U.P.)

☐ Yes☒ No

12. IF YES, DATE YOU FILED APPLICATION FOR C.U.P.

13. NAME OF PLANNER CONTACTED AT PLANNING DEPARTMENT

Kelly Mumper

14. PLANNER'S PHONE NUMBER

(530) 251-8269

Under the penalty of perjury, I declare the information in this affidavit is true to the best of my knowledge.

15. APPLICANT'S SIGNATURE (One signature will suffice)

16. DATE SIGNED

FOR DEPARTMENT USE ONLY☐ C.U.P. Approved

IF APPROVED, EFFECTIVE DATE

FILE NUMBER

☐ C.U.P. Denied

DATE DENIED

GENERAL INFORMATION

*Section 23790 of the Business and Professions Code says that ABC may not issue a retail license contrary to a valid zoning ordinance. This form will help us determine whether your proposed business is properly zoned for alcoholic beverage sales.

*A conditional use permit (CUP) (Item 11) is a special zoning permit granted after an individual review of proposed land-use has been made. CUP's are used in situations where the proposed use may create hardships or hazards to neighbors and other community members who are likely to be affected by the proposed use. The ABC district office will not make a final recommendation on your license application until after the local CUP review process has been completed. If the local government denies the CUP, ABC must deny your license application.

23790. Zoning ordinances. No retail license shall be issued for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city.

Premises which had been used in the exercise of those rights and privileges at a time prior to the effective date of the zoning ordinance may continue operation under the following conditions:

(a) The premises retain the same type of retail liquor license within a license classification.

(b) The licensed premises are operated continuously without substantial change in mode or character of operation.

For purposes of this subdivision, a break in continuous operation does not include:

(1) A closure for not more than 30 days for purposes of repair, if that repair does not change the nature of the licensed premises and does not increase the square footage of the business used for the sale of alcoholic beverages.

(2) The closure for restoration of premises rendered totally or partially inaccessible by an act of God or a toxic accident, if the restoration does not increase the square footage of the business used for the sale of alcoholic beverages.

STATEMENT RE: RESIDENCES
(Rule 61.4)

Applicant: Please complete left side of form, then sign. List addresses of all residences within 100 feet of your proposed premises. If there are none, write "None." Measure all distances by direct line from the closest edge of the residential structure to the closest edge of your structure or parking lot, whichever is closer. Your "parking lot" includes any area that is maintained for the benefit of your patrons or operated in conjunction with your premises. Continue on reverse if needed.

1. APPLICANT NAME				
Toms Sierra Company, Inc.				
2. PREMISES ADDRESS (Street number and name, city, zip code)				
301 3rd Street, Westwood, CA 96137				
3. RESIDENCES WITHIN 100'		DEPARTMENT USE ONLY		
1.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
2.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
3.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
4.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
5.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
6.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
7.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
8.	LTR <input type="checkbox"/>	PERS <input type="checkbox"/>	DATE	DISTANCE ft.
		SEPARATION FACTORS		
NAME				
NON-INTERFERENCE (For Department Use Only)				

I acknowledge that any false, misleading or omitted information required in this statement may constitute grounds for denial of application for the license, or if the license is issued in reliance upon information in this statement which is offered, false or misleading, then such misinformation or omission will constitute grounds for revocation of the license so issued.

4. APPLICANT SIGNATURE	DATE SIGNED
------------------------	-------------

INFORMATION AND INSTRUCTIONS

Rule 61.4, Chapter 1, Title 4, California Code of Regulations states:

No original issuance of a retail license or premises-to-premises transfer of a retail license shall be approved for premises at which either of the following conditions exist:

- (a) The premises are located within 100 feet of a residence.
- (b) The parking lot or parking area which is maintained for the benefit of patrons of the premises, or operated in conjunction with the premises, is located within 100 feet of a residence. Where the parking lot is maintained for the benefit of patrons of multiple businesses in the vicinity of the premises, the parking area considered for the purpose of this rule shall be determined by the area necessary to comply with the off-street parking requirements as mandated by the local ordinance, or if there are no local requirements for off-street parking, then the area which would reasonably be necessary to accommodate the anticipated parking needs of the premises, taking into consideration the type business and operation contemplated.

Distances provided for in this rule shall be measured by airline from the closest edge of any residential structure to the closest edge of the premises or the closest edge of the parking lot or parking area, as defined herein above, whichever distance is shorter.

This rule does not apply where the premises have been licensed and operated with the same type license within 90 days of the application.

Notwithstanding the provisions of this rule, the department may issue an original retail license or transfer a retail license premises-to-premises where the applicant establishes the operation of the business would not interfere with the quiet enjoyment of the property by residents.

A residence is defined as a place where people actually live, such as a single family home, condo, residential hotel or motel, or mobile home.

A determination must be made as to whether or not your proposed premises is located in an area as described above. In order to make such determination, it will be necessary for you to complete the front of this form, to be submitted at the time you file a formal application.

If you can establish that your business will not disturb the residents, your license may be issued subject to appropriate conditions.

STATEMENT RE: CONSIDERATION POINTS

Applicant: Please complete left side of form, then sign. List the names and addresses of all schools, churches, hospitals, public playgrounds, and youth facilities located within 600 feet of your proposed premises. Measure all distances by direct line from the closest edge of the facility structure to the closest edge of your structure. Continue on reverse if needed.

1. APPLICANT NAME

Toms Sierra Company, Inc.

2. PREMISES ADDRESS (Street number and name, city, zip code)

301 3rd Street, Westwood, CA 96137

3. FACILITY NAME/ADDRESS	DEPARTMENT USE ONLY			
	LTR	PERS	DATE	DISTANCE FT.
1.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
2.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
3.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
4.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
5.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
6.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
7.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
8.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			
9.	<input type="checkbox"/>	<input type="checkbox"/>		
	NAME			

I acknowledge that any false, misleading or omitted information required in this statement may constitute grounds for denial of the application for the license, or, if the license is issued in reliance upon information in this statement which is omitted, false or misleading, then such misinformation or omission will constitute grounds for revocation of the license so issued.

4. APPLICANT SIGNATURE

DATE SIGNED

Department of Alcoholic Beverage Control
PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT NAME(S) Toms Sierra Company, Inc.	2. LICENSE TYPE(S) Type 21
3. PREMISES ADDRESS (Street number and name, city, zip code) 301 3rd Street, Westwood, CA 96137	4. NEAREST CROSS STREET Ash Street

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cafeteria/Hofbrau	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room	

<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Variety/Drug Store	<input type="checkbox"/> Gift Shop/Florist	<input checked="" type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe: _____			

6. PATRON CAPACITY	7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____	8. PREMISES IS LOCATED IN <input checked="" type="checkbox"/> Free Standing Building <input type="checkbox"/> Shopping Center (Name): _____ <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> 10 Units or Less <input type="checkbox"/> More than 10 Units </div>
--------------------	--	--

9. FOOD SERVICE <input type="checkbox"/> None <input checked="" type="checkbox"/> Minimal <input type="checkbox"/> Full Meals	10. PARKING LOT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11. PATIO? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---	---	---	---

14. MEAL TYPE <input type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input checked="" type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: _____ <input type="checkbox"/> Pizza/Pasta	15. TYPE OF FOOD <input checked="" type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other: _____	16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: 5:00 am To: 10:00 am LUNCH HOURS From: 10:00 am To: 4:00 pm DINNER HOURS From: 4:00 pm To: 10:00 pm
---	---	---

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	5:00 am	5:00 am	5:00 am	5:00 am	5:00 am	5:00 am	5:00 am
Closing Time	10:00 pm	10:00 pm	10:00 pm	10:00 pm	10:00 pm	10:00 pm	10:00 pm

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterick (*) below)

<input checked="" type="checkbox"/> None	<input type="checkbox"/> *Amplified Music	<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Card Room
<input type="checkbox"/> Recorded Music	<input type="checkbox"/> *Live Entertainment	<input type="checkbox"/> Bikini/Topless/Exotic	<input type="checkbox"/> Movies
<input type="checkbox"/> Juke Box	<input type="checkbox"/> *Floor/Stage Shows	<input type="checkbox"/> Pool/Billiard Tables	<input type="checkbox"/> "Hot Spot"/Lottery
<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games

*Description: _____

19. PREMISES IS LOCATED ON <input checked="" type="checkbox"/> Major Thoroughfare <input type="checkbox"/> Secondary Street <input type="checkbox"/> Other	20. TYPE OF STRUCTURE <input checked="" type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input type="checkbox"/> Multi-Story - Number of stories: _____
--	---

21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	22. FIXED BARS? <input type="checkbox"/> Yes - how many: _____ <input checked="" type="checkbox"/> No	23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 1,500%
---	--	--

FOR ABC USE ONLY	
24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)	25. DATE ENTERED INTO CABIN

SUPPLEMENTAL DIAGRAM**Instructions to Applicant:**

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle)

Toms Sierra Company, Inc.

2. LICENSE TYPE

Type 21

3. PREMISES ADDRESS (Street number and name, city, zip code)

301 3rd Street, Westwood, CA 96137

4. NEAREST CROSS STREET

Ash Street

DIAGRAM

I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE

DATE SIGNED

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

CERTIFICATION RE CHAPTER 15 TIED-HOUSE RESTRICTIONS

Instructions

- Type or print clearly in black or blue ink (do not use red).
- This form is to be completed by all applicants, retail and non-retail.
- This form is used to ensure compliance with tied-house laws, which generally prohibit or restrict vertical integration. These laws prohibit vertical integration of the three levels of the alcoholic beverage industry (manufacturer, wholesaler, and retailer). (Section 25500, et seq., Business & Professions Code.)

License Applicant Name (Item 1) – Enter the name of the license applicant. For a limited partnership, limited liability company, or a corporation, the name of the entity.

License Type (Item 2) – Enter the numeric designation for the applied-for license (e.g., Type 21) or a description (e.g., Off-Sale General).

Premises Address (Item 3) – Enter the location of the proposed business.

Applicant Entity (Item 4) – Check the box for the type of business ownership.

Certification (Items 5 & 6) – Check the boxes that apply and explain ownerships, interests, gifts or loans.

Signature (Item 7) – Any one signature for the certifying entity is sufficient (e.g., one general partner; one corporate officer; an LLC member, if member-run; the LLC manager, if manager-run; or LLC officer, if designated).

1. LICENSE APPLICANT NAME

Toms Sierra Company, Inc.

2. LICENSE TYPE

Type 21

3. PREMISES ADDRESS (Street number and name, city, zip code)

301 3rd Street, Westwood, CA 96137

4. APPLICANT ENTITY

☐ SOLE PROPRIETOR ☐ PARTNERSHIP ☐ LIMITED LIABILITY COMPANY ☒ CORPORATION

5. CERTIFICATION

Retail License Applicant

- ☐ The above applicant, and/or any entity or person holding any direct or indirect ownership, management, or other interest in the applicant, and/or any entity or person in which the applicant holds any direct or indirect ownership, management, or other interest (including loans, loan guarantees and other indebtedness):
- ☐ does ☒ does not hold any ownership or interest, directly or indirectly, in the business, property, license, or management of any alcoholic beverage producer, rectifier, importer, or wholesaler, in California or elsewhere.

Non-Retail License Applicant

- ☐ The above applicant, and/or any entity or person holding any direct or indirect ownership, management, or other interest in the applicant, and/or any entity or person in which the applicant holds any direct or indirect ownership, management, or other interest (including loans, loan guarantees and other indebtedness):
- ☐ does ☐ does not hold any ownership, directly or indirectly, in any retail license, or in the premises upon which such retail license is located, or in the furniture, fixtures or equipment in such business.
- ☐ is ☐ is not an agent or employee of a retail licensee.
- ☐ has ☐ has not furnished, given or loaned any money or other thing of value, directly or indirectly, to a retail licensee, or guaranteed the repayment of any loan or obligation owed by such retail licensee.
- ☐ does ☐ does not have an interest in the manufacture, importation, or distribution of distilled spirits products in California or elsewhere.

6. EXPLAIN DETAILS IF YOU CHECKED "IS", "DOES" OR "HAS" IN ITEM 5.

I have read all of the above information and certifications and declare under penalty of perjury they are true, correct, and complete.

7. PRINTED NAME OF PERSON SIGNING FORM

TITLE

SIGNATURE

DATE SIGNED

X