



Arizona Department of Liquor Licenses and Control  
800 W Washington 5th Floor  
Phoenix, AZ 85007-2934  
www.azliquor.gov  
(602) 542-5141

IP #18379

**DLIC USE ONLY**

License #	18378
Date Accepted:	04-09-18
CSR:	JB

**Application for Liquor License**  
Type or Print with Black Ink

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE**  
A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

**SECTION 1 Type of License**

- ☒ Interim Permit  
☐ New License  
☒ Person Transfer (series 6, 7 and 9)  
☐ Location Transfer (series 6, 7 and 9)  
☐ Probate/ Will Assignment/ Divorce Decree (No Fees)  
☐ Seasonal

**SECTION 2 Type of Ownership**

- ☐ J.T.W.R.O.S.  
☐ Individual  
☐ Partnership  
☒ Corporation  
☐ Limited Liability Co  
☐ Club  
☐ Government  
☐ Trust  
☐ Tribe  
☐ Other (Explain) \_\_\_\_\_

- SECTION 3 Type of Privilege** ☒ Add Sampling Privilege for Series 9 and 10 only (Complete Sampling Privilege application)  
A.R.S. § 4-206.01 (G), (H), (I) & (L)  
☐ Add Growler privileges (restaurant, series 12, license only. 300-foot restriction applies)  
A.R.S. § 4-207 (A) & (B)

1. Type of License (Series of license): series 9

2. LICENSE # 09070520

**SECTION 4 Applicants**

1. Agent's Name: Gutilla Nicholas Carl  
Last First Middle
2. Individual/Owner Name: Safeway, Inc.  
(Ownership name for type of ownership checked in section 2)
3. Business Name (Doing Business As-DBA): Safeway #991
4. Business Location Address: 8240 W Deer Valley Road Peoria AZ 85382 Maricopa  
(Do not use PO Box) Street City State Zip Code County
5. Mailing Address: c/o Gutilla Murphy Anderson 5415 E High St #200 Phoenix AZ 85054  
(All correspondence will be mailed to this address) Street City State Zip Code
6. Business Phone: (623) 572-5744 Daytime Contact Phone: [REDACTED]
7. Email Address: psines@gamlaw.com
8. Is the Business located within the incorporated limits of the above city or town? ☒ Yes ☐ No  
If you checked no, in what City, Town, County or Tribal/Indian Community is this business located? \_\_\_\_\_
9. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ n/a

Department Use Only			
Fees: <u>100.00</u>	<u>100.00</u>		\$ <u>200.00</u>
Application	Interim Permit	Site Inspection	Total of All Fees

APR 09 2018  
AZ DLIC

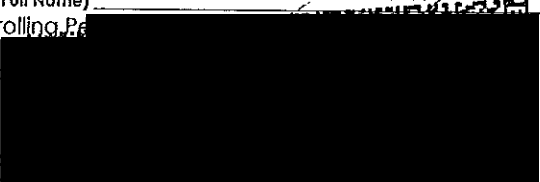

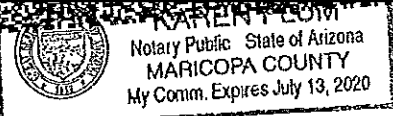
**SECTION 5 Interim Permit**

If you intend to operate business while the application is pending, you will need an interim permit pursuant to A.R.S. §4-203.01. For approval of an interim permit:

- There must be a valid license of the same series issued to the current location you are applying for, OR
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S. §4-203.01(A)

1. Enter license number currently at the location: 09070520

2. Is the license currently in use? ☒ Yes ☐ No If no, how long has it been out of use? \_\_\_\_\_

<b>NOTARY</b>			
I (Print Full Name) <u>Nicholas Carl Guttilla</u> Controlling Person	hereby declare that I am the <u>(Agent)</u> Current Owner, or State of <u>Arizona</u> County of <u>Maricopa</u> The foregoing instrument was acknowledged before me this <u>26</u> Day of <u>March</u> , 2018 Day Month Year		
Signature 			
			

**SECTION 6 Background Check**

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. If the applicant is an entity, and not an individual, answer questions 1a-b.

a) Date Incorporated/Organized: 7/23/86 State where Incorporated/Organized: Delaware

b) AZ Corporation or AZ L.L.C. File No: F00372050 Date authorized to do business in AZ: 11/13/86

2. List any individual or entity that owns a beneficial interest of 10% or more and/or controls the applicant or licensee. If the applicant is owned by another entity, attach an organizational chart showing the ownership structure. Attach additional sheets as needed. Disclose all controlling persons and members, shareholders or general partners who own a beneficial interest of 10% or more of the applicant or licensee.

Last	First	Middle	Title	%Owned	Mailing Address	City	State	Zip
See attached flow chart								

(Attach additional sheet if necessary)

**SECTION 7 Probate, Receiver, Bankruptcy Trustee, Assignment, or Divorce Decree of an existing liquor license A.R.S. §4-204**

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

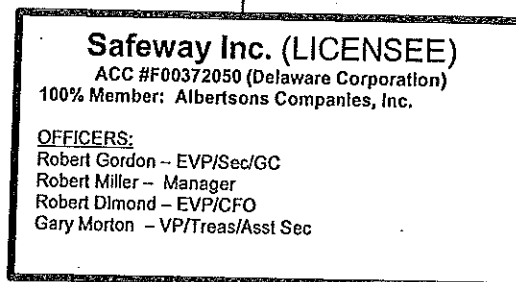
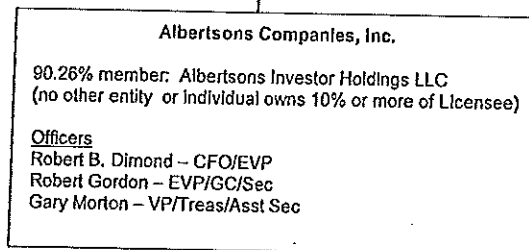
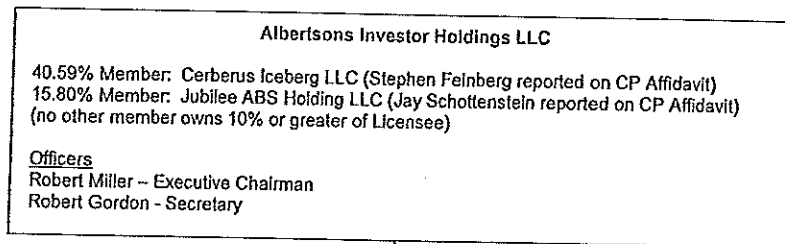
1. Current Licensee's Name: \_\_\_\_\_  
 (Exactly as it appears on the license) Last First Middle

2. Assignee's Name: \_\_\_\_\_  
 Last First Middle

3. License Number: \_\_\_\_\_

**ATTACH A COPY OF THE DOCUMENT THAT SPECIFICALLY ASSIGNS THE LIQUOR LICENSE TO THE ASSIGNEE.**

**Safeway Inc.**  
**(effective 12/3/17)**



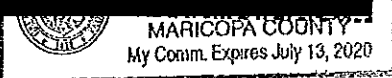
**SECTION 8 Government (for Cities, Towns or Counties only)**

1. Government Entity: \_\_\_\_\_  
2. Person/Designee: \_\_\_\_\_  
Last First Middle Daytime Contact Phone #

**SECTION 9 Person to Person Transfer ARS§4-203(C), (D), (G)  
(Bar and Liquor Stores only – Series 06, 07, and 09)**

1. License #: 09070520  
2. Individual Owner/Agent Name: Guttilla Nicholas Carl  
Last First Middle  
3. Ownership Name: Albertson's LLC  
(Exactly as it appears on the license)  
4. Current Business Name: Albertson's #991  
(Exactly as it appears on the license)  
5. Business Location Address: 8240 W Deer Valley Road Peoria AZ Maricopa 85382  
Street City State County Zip  
6. Current Daytime Phone: [REDACTED] Primary Email Address: psines@gamlaw.com  
7. Does current license have any pending applications? ☐ Yes ☒ No  
8. I, (Signature) [REDACTED] authorize the transfer of this license to the applicant.

**NOTARY**

I (Print Full Name) Nicholas Carl Guttilla hereby declare that I am the Individual (Agent) Owner,  
Or Controlling Person on the state of Arizona Commission No. [REDACTED]  
Signature: [REDACTED] State of Arizona County of Maricopa  
The foregoing instrument was acknowledged before me this  
My 26 Day of March, 2018  
Day Month Year  


**SECTION 10 Location Transfer– Current Licensee Information ARS§4-203(C), (D), (G)  
(Bar and Liquor Stores only – Series 06, 07, and 09)**

1. Current Business: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
(exactly as it appears on license)  
2. New Business: Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**SECTION 11 Proximity to Church or School - Questions to be completed by 6, 7, 9, 10 and 12G applicants.**

A.R.S. §4-207. (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12), or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building.

**The above paragraph DOES NOT apply to:**

- a) Restaurants that do not sell growlers (A.R.S. §4-205.02) Series 12
- b) Hotel/motel license (A.R.S. §4-205.01) Series 11
- c) Microbrewery (A.R.S. §4-205.08) Series 03
- d) Craft Distillery (A.R.S. §4-205.10) Series 18

- e) Government license (A.R.S. §4-205.03) Series 05
- f) Playing area of a golf course (A.R.S. §4-207 (B)(5))
- g) Wholesaler/Distributor Series 04
- h) Farm Winery Series 13
- i) Producer Series 01

1. Distance to nearest School: n/a per ARS 4-207.C1  
(If less than one (1) mile, note footage)

Name of School: \_\_\_\_\_

Address: \_\_\_\_\_

2. Distance to nearest Church: n/a per ARS 4-207.C1  
(If less than one (1) mile, note footage)

Name of Church: \_\_\_\_\_

Address: \_\_\_\_\_

**SECTION 12 Business Financials A.R.S. §4-202(F)**

1. I am the:

- ☐ Tenant: a person who holds the lease of a property; a lessee.
- ☐ Sub-tenant: a person who holds a lease which was given to another person (tenant) for all or part of a property.
- ☐ Owner
- ☐ Purchaser
- ☒ Management Company - (See attached letter)

2. If the premises is leased give lessors: Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

3. What is the penalty if the lease is not fulfilled? \$ n/a or Other: \_\_\_\_\_

4. Total money borrowed for the Business, not including lease? \$ 0

Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

5. Has a license or a transfer license for the premises on this application been denied by the state within the past year?

☐ Yes ☒ No

If yes, attach explanation.

6. Does any spirituous liquor manufacturer, wholesaler, or employee have an interest in your business?

☐ Yes ☒ No

If yes, attach explanation.

### SECTION 13 Diagram of Premises

Check ALL boxes that apply to your business:

☐ Walk-up or drive-through windows

☐ Patio: Contiguous

☐ Patio: Non-Contiguous within 30 feet

1. Is your licensed premises now closed due to construction, renovation or redesign or rebuild?

☐ Yes ☒ No If yes, what is your estimated completion date? \_\_\_\_/\_\_\_\_/\_\_\_\_

2. What type of business will this license be used for? (be Specific) Retail grocery store

3. Please attach a diagram of the premises which clearly shows only the areas where spirituous liquor will be sold, served, consumed, dispensed, possessed or stored. Include entrances, exits, interior walls, bar areas, dining areas, dance floor, stage, game room and kitchen.

## DO NOT INCLUDE

Parking lots, living quarters or areas where business is not conducted under this liquor license. Please identify which orientation is North on the diagram.

4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed areas such as parking lots, living quarters, etc.

# ATTACH DIAGRAM

**IMPORTANT NOTE:** As stated in A.R.S. §4-207.01 (B), it is the licensee's responsibility to notify the Department of Liquor Licenses and Control when there are changes to the service areas or the square footage of the licensed premises, either by increase or decrease.



### RESTAURANTS AND HOTELS/MOTELS ONLY

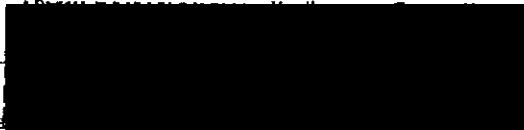
**(IMPORTANT NOTE:** A site inspection must be conducted prior to activation of the license. A \$50.00 fee for the inspection will be due and payable upon submitting this application.)

5a. Provide a detailed drawing of the kitchen and dining areas, including the locations of all kitchen equipment and dining furniture. These are required as part of the diagram. A.R.S. §4-205.02(C)

5b. Provide a restaurant operation plan.

SECTION 14 SIGNATURE BLOCK

<b>NOTARY</b>	
I (Print Full Name) <u>Nicholas Carl Guttilla</u> hereby declare that I am the Individual <u>(Agent)</u> , Owner, Or Controlling Person on the stated license and location.	
Signature 	State of <u>Arizona</u> County of <u>Maricopa</u>
My Comm. Expires <u>July 13, 2020</u>	The foregoing instrument was acknowledged before me this <u>26</u> Day of <u>March</u> , <u>2018</u>
	



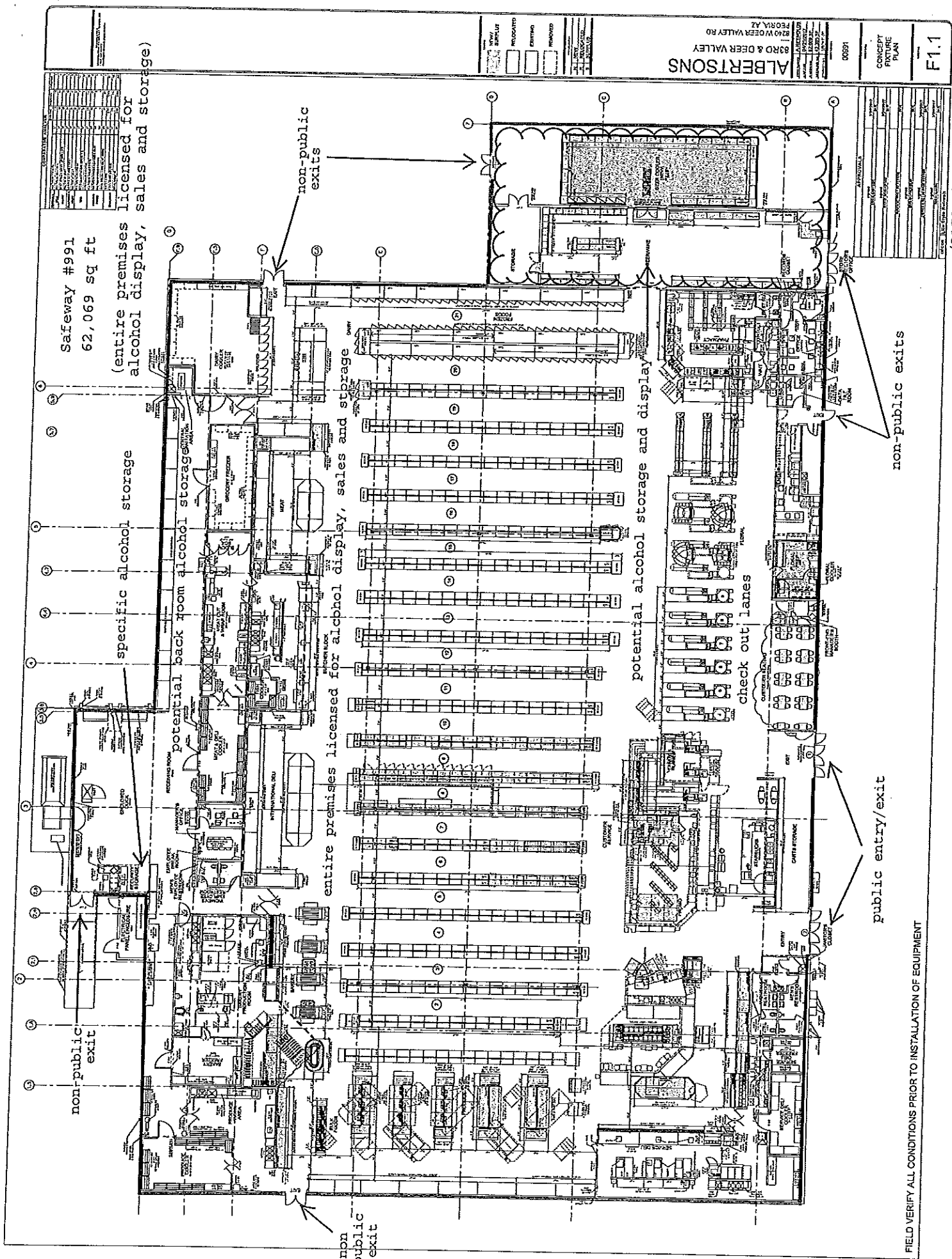
A.R.S. §41-1030. Invalidity of rules not made according to this chapter by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Safeway #991  
62,069 sq ft  
(entire premises  
licensed for  
alcohol display, sales and storage)

specific alcohol storage

potential back room alcohol storage

entire premises licensed for alcohol display, sales and storage

potential alcohol storage and display

check out lanes

public entry/exit

non-public exits

non public exit

FIELD VERIFY ALL CONDITIONS PRIOR TO INSTALLATION OF EQUIPMENT

(317924)



STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSING  
AND CONTROL  
ALCOHOLIC BEVERAGE LICENSE

License 09070520 S

Issue Date: 7/31/2006

Expiration Date: 12/31/2018

Issued To:

NICHOLAS CARL GUTTILLA, Agent  
ALBERTSON'S LLC, Owner

Location:

ALBERTSON'S #991  
8240 W DEER VALLEY RD  
PEORIA, AZ 85382

Mailing Address:

NICHOLAS CARL GUTTILLA  
ALBERTSON'S LLC  
ALBERTSON'S #991  
PO BOX 20  
ATTN TAX DEPT  
BOISE, ID 83726



EXP 12/31/2018

POST THIS LICENSE IN A CONSPICUOUS PLACE

GUTTILLA MURPHY  
ANDERSON

5415 E. HIGH STREET, SUITE 200  
PHOENIX, ARIZONA 85054  
(480) 304-8300  
FAX (480) 304-8301

Our No. 0996-016

March 19, 2018

HAND DELIVERED

Arizona Department of Liquor Licenses and Control  
Attn: Licensing Department  
800 W. Washington, 5th Floor  
Phoenix, AZ 85007

AZ DLIC  
APR 09 2018

Re: Section 12 of transfer applications from Albertson's LLC to Safeway, Inc.

Dear Licensing Department:

I am the Agent for Albertson's LLC and Safeway, Inc. liquor licenses, both having the same parent entity. The Arizona liquor licenses currently issued to Albertson's LLC are being transferred to Safeway, Inc. Safeway, Inc. has entered into a management agreement with Albertson's LLC to manage the liquor licenses in the Albertson's stores in Arizona. Therefore, pursuant to a conversation between ADLLC Licensing Manager Jennifer Benson and my paralegal, Pam Sines, we have checked the "Management Agreement" box in Section 12 of the applications and are supplementing the application with this letter.

Very truly

Nicholas

Agent and Attorney for Applicants

/pjs  
316318