



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

IP #18370

DLIC USE ONLY

License #	18368
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 # 09070515

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 #1971

4. Business Location Address: 8950 W Bell 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) 876-8103 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

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

Sampling Privilege \$100.00
page 1 of 6

Total of \$300.00
(317197)


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: 09070515

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

NOTARY	
I (Print Full Name) <u>Nicholas Carl Guttilla</u>	hereby declare that I am the <u>(Agent)</u> Current Owner, or
Controlling <u>[REDACTED]</u> and location.	
Signature: <u>[REDACTED]</u>	State of <u>Arizona</u> County of <u>Maricopa</u>
My Comm. <u>[REDACTED]</u>	The foregoing instrument was acknowledged before me this
	Day of <u>March</u> 2018
	<u>[REDACTED]</u>

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.

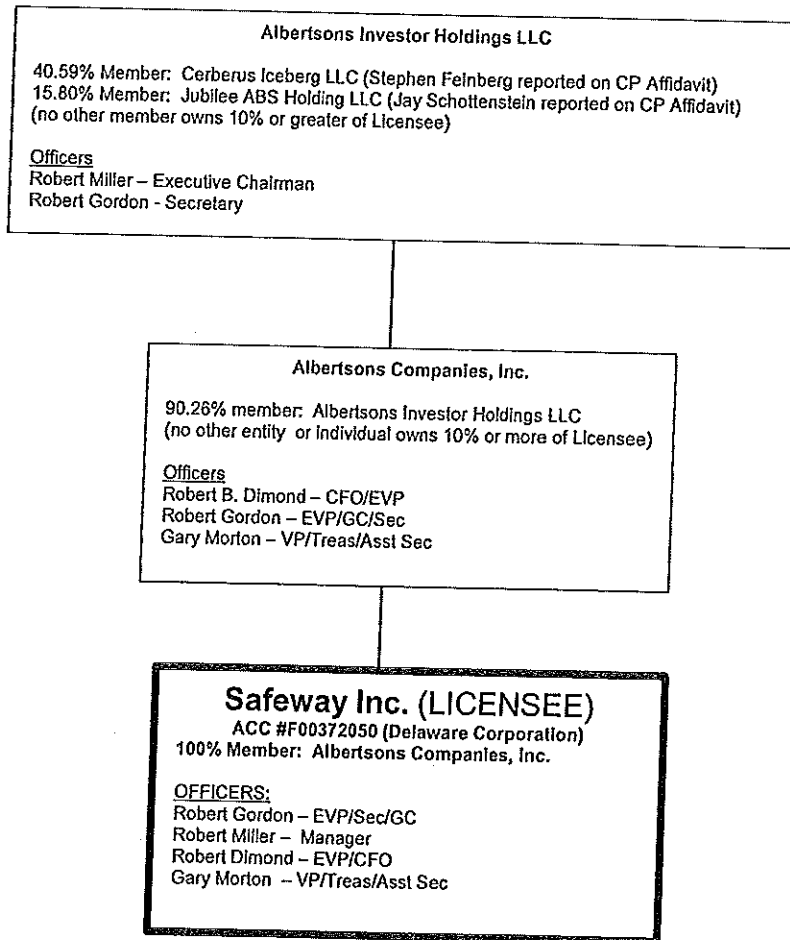
1. Current Licensee's Name: _____
(Exactly as it appears on the license) Last First Middle

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 #: 09070515
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 #1971
(Exactly as it appears on the license)
5. Business Location Address: 8950 W Bell Road Peoria AZ Maricopa 85382
Street City State County Zip
6. Current Daytime Phone: [REDACTED] Primary Email Address: psines@gamlaw.com
7. Does current licensee have a pending application? ☐ 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 stated license and I am duly qualified to act as a Notary Public in and for the State of Arizona County of Maricopa
Signature [REDACTED] The foregoing instrument was acknowledged before me this
My Comm. [REDACTED] 26 Day of March, 2018
Notary Public State of Arizona
MARICOPA COUNTY
My Comm. Expires July 13, 2020

**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

NOTARY	
I (Print Full Name) Or C	Nicholas Carl Guttilla, [REDACTED] by declare that I am the Individual (Agent), Owner,
Signature	Arizona County of Maricopa
My Comm	the foregoing Instrument was acknowledged before me this 26 Day of March, 2018.
 KAREN PLUM Notary Public - State of Arizona MARICOPA COUNTY My Comm. Expires July 13, 2020	

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 #1971
50,368 sq ft

(entire premises licensed for
alcohol display, sales and
storage)

specific liquor storage

potential back room alcohol storage

entire premises licensed for alcohol display, sales and storage

non-public
exit

potential
alcohol storage
and display

non-public exit

public entry/exit

check out lanes

SUPERVALU

ALBERTSONS LLC

PEORIA, AZ

#971

CONCEPT PLAN

F1.1

RELOCATED
EXISTING
REMOVED

DATE	BY	REVISION
11/11/03	XXX	1
11/11/03	XXX	2
11/11/03	XXX	3
11/11/03	XXX	4
11/11/03	XXX	5
11/11/03	XXX	6
11/11/03	XXX	7
11/11/03	XXX	8
11/11/03	XXX	9
11/11/03	XXX	10
11/11/03	XXX	11
11/11/03	XXX	12
11/11/03	XXX	13
11/11/03	XXX	14
11/11/03	XXX	15
11/11/03	XXX	16
11/11/03	XXX	17
11/11/03	XXX	18
11/11/03	XXX	19
11/11/03	XXX	20
11/11/03	XXX	21
11/11/03	XXX	22
11/11/03	XXX	23
11/11/03	XXX	24
11/11/03	XXX	25
11/11/03	XXX	26
11/11/03	XXX	27
11/11/03	XXX	28
11/11/03	XXX	29
11/11/03	XXX	30
11/11/03	XXX	31
11/11/03	XXX	32
11/11/03	XXX	33
11/11/03	XXX	34
11/11/03	XXX	35
11/11/03	XXX	36
11/11/03	XXX	37
11/11/03	XXX	38
11/11/03	XXX	39
11/11/03	XXX	40
11/11/03	XXX	41
11/11/03	XXX	42
11/11/03	XXX	43
11/11/03	XXX	44
11/11/03	XXX	45
11/11/03	XXX	46
11/11/03	XXX	47
11/11/03	XXX	48
11/11/03	XXX	49
11/11/03	XXX	50
11/11/03	XXX	51
11/11/03	XXX	52
11/11/03	XXX	53
11/11/03	XXX	54
11/11/03	XXX	55
11/11/03	XXX	56
11/11/03	XXX	57
11/11/03	XXX	58
11/11/03	XXX	59
11/11/03	XXX	60
11/11/03	XXX	61
11/11/03	XXX	62
11/11/03	XXX	63
11/11/03	XXX	64
11/11/03	XXX	65
11/11/03	XXX	66
11/11/03	XXX	67
11/11/03	XXX	68
11/11/03	XXX	69
11/11/03	XXX	70
11/11/03	XXX	71
11/11/03	XXX	72
11/11/03	XXX	73
11/11/03	XXX	74
11/11/03	XXX	75
11/11/03	XXX	76
11/11/03	XXX	77
11/11/03	XXX	78
11/11/03	XXX	79
11/11/03	XXX	80
11/11/03	XXX	81
11/11/03	XXX	82
11/11/03	XXX	83
11/11/03	XXX	84
11/11/03	XXX	85
11/11/03	XXX	86
11/11/03	XXX	87
11/11/03	XXX	88
11/11/03	XXX	89
11/11/03	XXX	90
11/11/03	XXX	91
11/11/03	XXX	92
11/11/03	XXX	93
11/11/03	XXX	94
11/11/03	XXX	95
11/11/03	XXX	96
11/11/03	XXX	97
11/11/03	XXX	98
11/11/03	XXX	99
11/11/03	XXX	100

(317222)

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 09070515

Issue Date: 7/31/2006

Expiration Date: 12/31/2018

Issued To:

NICHOLAS CARL GUTTILLA, Agent
ALBERTSON'S LLC, Owner

Location:

ALBERTSON'S #1971
8950 W BELL RD
PEORIA, AZ 85382

Mailing Address:

NICHOLAS CARL GUTTILLA
ALBERTSON'S LLC
ALBERTSON'S #1971
PO BOX 20
ATTN TAX DEPT
BOISE, ID 83726



EXP 12/31/2018

POST THIS LICENSE IN A CONSPICUOUS PLACE

AZ DLIC
APR 09 2018

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

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.

V

Ni

Agent and Attorney for Applicant/Licensee

/pjs
316318