

Submitted by: ASSEMBLY CHAIR TRAINI,
VICE CHAIR FLYNN, AND ASSEMBLY
PUBLIC SAFETY COMMITTEE CHAIR
HONEMAN

Prepared by: Municipal Clerk
For reading: April 19, 2011

CLERK'S OFFICE
APPROVED

Date: 4-19-11

**ANCHORAGE, ALASKA
AR NO. 2011-108**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING A TRANSFER OF OWNERSHIP FOR A BEVERAGE
DISPENSARY/TOURISM LIQUOR LICENSE #10 FOR ISB CORPORATION dba AL'S
ALASKAN INN LOCATED AT 7830 OLD SEWARD HWY, AND AUTHORIZING THE
MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, ISB Corporation has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Transfer of Ownership for a Beverage Dispensary/Tourism Liquor License #10, to be used for Al's Alaskan Inn, located at 7830 Old Seward Hwy, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on February 23, 2011 and has determined that the last day for the Assembly to file a protest is April 25, 2011; and

WHEREAS, the Assembly Meeting on April 19, 2011 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. Any ABC Board violations and/or incidents are on file that would lead to an ABC Board violation are attached;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$57,588.74.**

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for a Transfer of Ownership for a Beverage Dispensary/Tourism Liquor License #10 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of **\$57,588.74** are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Beverage Dispensary/Tourism Liquor License #10 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 19th day of April, 2011.

Debbie Ossander
Chair

ATTEST:

Barbara S. Gumbert
Municipal Clerk



State of Alaska
 Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
 Joseph A Masters, Commissioner

February 23, 2011

Municipality of Anchorage
 Barbara Gruenstein
 P.O. Box 196650
 Anchorage, Alaska 99519

Re: Al's Alaskan Inn -- License #10

- Transfer of Ownership Name Change Restaurant Designation Permit
 Transfer of Location Old License # (if changed): _____

We have received the enclosed liquor license application within the Municipality of Anchorage. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62.630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

rj

POSTED ON PREMISES AT
 AL'S ALASKAN INN FROM 1/30/2010
 TO 11/2/2011. *Comm. 11/2/11*

Alcoholic Beverage Control Board
 5848 E Tudor Rd
 Anchorage, AK 99507

Transfer Liquor License

PAGE 1 OF 2
 (907) 269-0350
 Fax: (907) 272-9412
 www.dps.state.ak.us/abc

This application is for:

- Seasonal - Two 6-month periods in each year of the biennial period beginning _____ and ending _____
 Mo/Day Mo/Day
- Full 2-year period

#7491

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications			FEE'S
License Year: 2010-2011	License Type: BEVERAGE DISPENSARY - TOURISM LIQUOR LICENSE	Statute Reference Sec. 04.11.400(d)	License Fee: \$
License #: 0010			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: TAKU CAMPBELL 8170 WOODGREEN CIRCLE ANCHORAGE, ALASKA 99518		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): ISB CORPORATION 2231 BELMONT DRIVE ANCHORAGE, ALASKA 99517	Doing Business As (Business Name): AL'S ALASKAN INN	Business Telephone Number: (907) 344-6223	Total Submitted: \$
Mailing Address: 2231 BELMONT DRIVE	Street Address or Location of Premise: 7830 OLD SEWARD HWY	Email Address: INSOCK-BRIVE@HOTMAIL.COM	Fax Number: (907) 502-6786
City, State, Zip: ANCHORAGE, ALASKA 99517	ANCHORAGE, ALASKA 99518		

SECTION B - TRANSFER INFORMATION.

Regular Transfer

Transfer with security interest. Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents.

Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.

Name and Mailing Address of CURRENT Licensee:
ALLEN HENRY CHOY, LLC.

Business Name (dba) BEFORE transfer:
AL'S ALASKAN INN

Street Address or Location BEFORE transfer:
7830 OLD SEWARD HIGHWAY

SECTION C - PREMISES TO BE LICENSED. Must be completed for RELOCATION applications.

Closest school grounds: N/A	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR N/A <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Not applicable
Closest church: N/A	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR N/A <input type="checkbox"/> Local ordinance No.	

Premises to be licensed is:
 Proposed building
 Existing facility
 New building

Plans submitted to Fire Marshall (required for new & proposed buildings)
 Diagram of premises attached

Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
N/A				

Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.

Date Approved _____ Director's Signature _____

Liquor License

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): ISB CORPORATION		Telephone Number: (907) 244-8703	Fax Number: (907) 502-6786
Corporate Mailing Address: 2231 BELMONT DRIVE	City: ANCHORAGE	State: ALASKA	Zip Code: 99517
Name, Mailing Address and Telephone Number of Registered Agent: HAN M. CHPE, CPA 555 WEST NORTHERN LIGHTS, SUITE 216 ANCHORAGE, ALASKA 99503		Date of Incorporation OR Certification with DCED: 12/28/2010	State of Incorporation: ALASKA
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
INSOOK BAIK	PRESIDENT	100%	2231 BELMONT DRIVE (907) 244-8703	(907) 244-8703	12/11/1951
	SECRETARY/TREAS.				

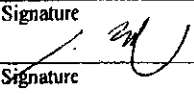
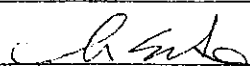
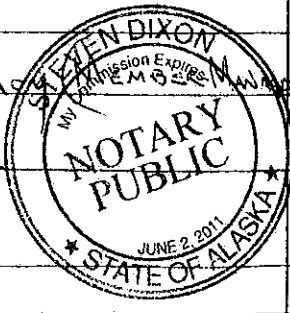
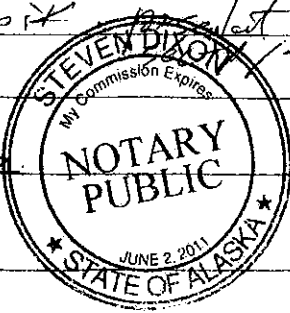
NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
None		None	
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
None		None	

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature 	Signature of Transferee(s) Signature 
Name & Title (Please Print) Allen Henry Cindrich	Name & Title (Please Print) INSOOK Baik
Subscribed and sworn to before me this 30th day of December , 2010	Subscribed and sworn to before me this 30th day of December , 2010
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska 
My commission expires: 06-02-2011	My commission expires: 06-02-2011

Transfer App 3/09

Content ID: 010111**Type:** AR_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF OWNERSHIP FOR A BEVERAGE DISPENSARY/TOURISM LIQUOR LICENSE #10 FOR ISB CORPORATION dba

Title: AL'S ALASKAN INN LOCATED AT 7830 OLD SEWARD HWY, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.
 Assembly Chair Traini, Vice Chair Flynn and Assembly Public Safety Committee Chair Honeman.

Author: moserak**Initiating Dept:** Muni_Clk**Date Prepared:** 4/8/11 11:51 AM**Assembly Meeting Date:** 4/19/11

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	4/8/11 12:12 PM	Exit	Amanda Moser	Public	010111
AllOtherARWorkflow	4/8/11 12:12 PM	Checkin	Amanda Moser	Public	010111