MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 115-2008

MEETING DATE: February 26, 2008

FROM: Municipal Clerk

SUBJECT: 2007/2008 Red Robin Burger & Spirits #4764-Transfer of Location of a Beverage Dispensary Liquor License and application for a Restaurant Designation Permit
Taku/Campbell Community Council

On January 23, 2008 the Municipal Clerk’s Office received from the Alcoholic Beverage Control Board notice for the transfer of a Beverage Dispensary Liquor License and Application for a Restaurant Designation Permit for the following establishment:

Regency Management, Inc.
dba Red Robin Burger & Spirits Emporium #3
401 E Dimond Blvd.
Anchorage, Ak

Any ABC violations and/or incidents that would lead to an ABC violation are attached for the Assembly’s evaluation.

There are no taxes owing.

AMC 21.50.160 requires that any use, whether principal or accessory, involving the retail, sale or dispensing of alcoholic beverage is permitted only by conditional use. There is a conditional use permit at this location.

Alaska Statute 04.11.480 provides that if the Assembly wishes to protest the issuance, renewal, relocation or transfer of a liquor license, it may protest within 60 days following receipt of the application and the protest will be honored unless the Board finds the protest to be arbitrary, capricious and unreasonable. The last day to protest is March 24, 2008. March 18, 2008 is the last scheduled regular Assembly meeting before the end of the protest period.

Approval of this memorandum will APPROVE the transfer of the beverage dispensary liquor license and application for a restaurant designation permit for the establishment named above. The Municipal Clerk is authorized to notify the ABC Board of the Assembly’s action and is authorized to sign on its behalf.

Respectfully submitted,

Barbara E Gruenstein
Municipal Clerk
Transfer Liquor License

This application is for:

☐ Seasonal - Two 6-month periods in each year of the biennial period beginning __________ and ending __________

☒ Full 2-year period

Mo/Day Mo/Day

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.

<table>
<thead>
<tr>
<th>License Year</th>
<th>License Type</th>
<th>Statute Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006/2007</td>
<td>Beverage Dispensary</td>
<td>Sec. 04.11.090</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>License #</th>
<th>Federal EIN or SSN</th>
</tr>
</thead>
<tbody>
<tr>
<td>3685-4164</td>
<td>92-0137736</td>
</tr>
</tbody>
</table>

Local Governing Body: (City, Borough or Unorganized)

Municipality of Anchorage

Community Council Name(s) & Mailing Address:

Taku Community Council

Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership):

Regency Management Inc

Red Robin Burger & Spirits Emporium #3

Mailing Address:

4450 Cordova St. Ste 100

City, State, Zip:

Anchorage, AK 99503

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.

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

Closest school grounds:

Taku Elementary

Distance measured under:

AS 04.11.410 OR Local ordinance No.

☐ Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.

☐ Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.

☐ Not applicable

Premises to be licensed is:

☐ Proposed building

☐ Existing facility

☐ New building

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 alcohol beverage business licensed in Alaska or any other state?

☐ Yes ☐ No

If Yes, complete the following. Attach additional sheets if necessary.

<table>
<thead>
<tr>
<th>Name of Business</th>
<th>Type of License</th>
<th>Business Street Address</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred Rosenberg</td>
<td>Bev Disp #3304</td>
<td>HOLE E. Dimond Blvd. AK</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bev Disp #2267</td>
<td>3401 Penland Pkwy AK</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bev Disp #1946</td>
<td>No premises Matshu AK</td>
<td></td>
</tr>
</tbody>
</table>

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 04.04, or been convicted as a licenser or manager of a licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No

If Yes, attach written explanation

Date Approved

[Signature]

[Stamp]
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):
Fred Robin Alaska, Inc.

Corporate Mailing Address:
4450 Cordova St, Ste 100

City:
Anchorage

State:
AK

Zip Code:
99503

Name, Mailing Address and Telephone Number of Registered Agent:
Fred Rosenberg
4415 Cordova St, Ste 100 Anchorage, AK 99503

Date of Incorporation OR Certification with Dced:
5-28-91

State of Incorporation:
AK

Is the entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes?
Yes □ 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%):

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>%</th>
<th>Home Address &amp; Telephone Number</th>
<th>Work Telephone Number</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred Rosenberg</td>
<td>Pres</td>
<td>100</td>
<td>4700 Golden Spring Circle</td>
<td>907-561-5555</td>
<td>12-22-41</td>
</tr>
</tbody>
</table>

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.):

<table>
<thead>
<tr>
<th>Name:</th>
<th>Address:</th>
<th>Home Phone:</th>
<th>Work Phone:</th>
<th>Date of Birth:</th>
<th>Applicant □</th>
<th>Affiliate □</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
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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 Licensee(s):

Signature

Name & Title (Please Print):
Fred Rosenberg, President

Subscribed and sworn to before me
12th day of December 2007

Notary Public in and for the State of Alaska

Signature of Transferee(s):

Signature

Name & Title (Please Print):
Fred Rosenberg, President

Subscribed and sworn to before me
12th day of December 2007

Notary Public in and for the State of Alaska

Ex-commission expires 7/14/2010

Marie Lewis, Notary Public
The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).
1. Under AS 04.16.010(c) Bona fide restaurant/eating place.
2. Persons between 16 & 21 may dine unaccompanied.
3. Persons under 16 may dine accompanied by a person 21 years or older.
4. Persons between 16 and 19 years may be employed. (See note below).

LICENSEE: Red Robin Alaska, Inc.

D/B/A: Red Robin Burger & Spirits Emporium #3

ADDRESS: 401 E. Dimond Blvd. Anchorage, AK 99515

1. Hours of Operation: 11 AM to 11 PM Telephone # 907-522-4321

2. Have police ever been called to your premises by you or anyone else for any reason? [ ] Yes [x] No
   If yes, date(s) and explanation(s).

3. Duties of employment: [ ] Bussing [ ] Host [ ] Expo [ ] Serving

4. Are video games available to the public on your premises? [x] Yes

5. Do you provide entertainment? [ ] Yes [x] No If yes, describe.

6. How is food served? [x] Table Service [ ] Buffet Service [ ] Counter Service [ ] Other*

7. Is the owner, manager, or assistant manager always present during business hours? [x] Yes [ ] No

*** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

This permit remains in effect until the liquor license is transferred or at the discretion of the Alcoholic Beverage Control Board. (13 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

[Signature]

Applicant(s) signature

Subscribed and sworn to before me this 12th day of December, 2007

[Signature]

Dawn Marie Lewis

Public Notary

My Commission expires 7/14/2010

[Signature]

Dawn Marie Lewis

Public Notary

Application approved (13 AAC 104.725(e))

Governing Body Official

Date:

Director, ABC Board

Date:

NOTE: AS 04.16.049(c) requires that written parental consent to an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

* Describe how food is served on back of form.