

Submitted by: Chairman Traini
Prepared by: Department of Assembly
For reading: June 8, 2004

CLERK'S OFFICE

APPROVED

ANCHORAGE, ALASKA

Date: 6-8-04 AR NO. 2004-158

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY CONFIRMING ITS PRIOR NON-PROTEST OF THE TRANSFER OF OWNERSHIP OF THE BEVERAGE DISPENSARY LIQUOR LICENSE FOR TONY ROMA'S ALSO APPLIED TO THE CONCURRENT TRANSFER OF THE DUPLICATE LIQUOR LICENSE PREVIOUSLY APPROVED BY THE ASSEMBLY

WHEREAS, BVG Incorporated, currently owns Tony Roma's restaurant located at Tudor and the New Seward Highway; and

WHEREAS, as part of that sale, BVG Incorporated is transferring ownership (not location) of the beverage dispensary liquor license, number 2344, and the duplicate liquor license to Eagle River Bowl, LLC; and

WHEREAS, on March 2, 2004, the Anchorage Assembly approved the transfer of ownership of the Beverage Dispensary Liquor License, from BVG Incorporated, d/b/a Tony Roma's to Eagle River Bowl, LLC, at the existing location; and

WHEREAS, in May, 2003, the Anchorage Assembly approved the issuance of a duplicate beverage dispensary liquor license for a new fixed bar at Tony Roma's; and

WHEREAS, a duplicate beverage dispensary liquor license is a pendent license which cannot be issued unless the applicant for the duplicate license is the owner of an existing, operational primary license; and

WHEREAS, concurrent with the advertisement for the transfer of ownership of the beverage dispensary license, the transfer of ownership of the duplicate license was also advertised; and

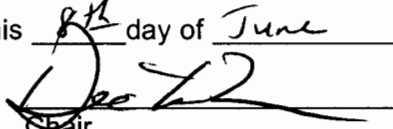
WHEREAS, when the Assembly considered the transfer of ownership, AM 211-2004 did not make any reference to the duplicate license; and

WHEREAS, when the application for transfer of the license came before the Alcoholic Beverage Control Board, a question arose as to whether or not the Assembly had a protest with regard to the transfer of the duplicate license.

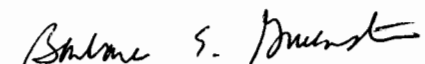
NOW, THEREFORE, the Anchorage Assembly resolves:

That the Anchorage Assembly hereby informs the Alcoholic Beverage Control Board that the Assembly approves without protest or conditions, the concurrent transfer of the ownership of the duplicate beverage dispensary liquor license along with the existing beverage dispensary liquor license which was approved for transfer on March 2, 2004 subject to the same terms and provisions as applied to the approval of the transfer of the beverage dispensary liquor license itself.

PASSED AND APPROVED by the Anchorage Assembly this 8th day of June, 2004.


Chair

ATTEST:


Municipal Clerk

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