



Pima County Clerk of the Board

Julie Castañeda

Melissa Manriquez
Deputy Clerk

Administration Division
130 W. Congress, 5th Floor
Tucson, AZ 85701
Phone: (520)724-8449 • Fax: (520)222-0448

Document and Micrographics Mgt. Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

March 6, 2018

Kim Kenneth Kwiatkowski
Circle K Store No. 3493
Licensing DC-36
P.O. Box 52085
Phoenix, AZ 85072-2085

RE: Arizona Liquor License No.: 09100063
d.b.a. Circle K Store No. 3493

Dear Mr. Kwiatkowski:

Enclosed is a copy of the Affidavit of Posting relative to your Liquor License Application for a Series 9, Liquor Store, which was received in our office on January 25, 2018. The Hearing before the Pima County Board of Supervisors has been scheduled for Tuesday, March 20, 2018, at 9:00 a.m. or thereafter, at the following location:

Pima County Administration Building
Board of Supervisors Hearing Room
130 W. Congress, 1st Floor
Tucson, AZ 85701

Should you have any questions pertaining to this matter, please contact this office at (520)724-8449.

Sincerely,

A handwritten signature in cursive script that reads "Julie Castañeda".

Julie Castañeda
Clerk of the Board

Enclosure



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

8591

FEB 21 18 00:51 POC/KO/EPD

AFFIDAVIT OF POSTING

Date of Posting: 01/26/18

Date of Posting Removal: 02/20/18

Applicant's Name: Circle K Store No. 3493
Kwiatkowski Kim Kenneth
Last First Middle

Business Address: 4600 W. Valencia Road Tucson 85757
Street City Zip

License #: 09100063

I hereby certify that pursuant to A.R.S. 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

DR McKillop Process Server 520-351-6000
Print Name of City/County Official Title Phone Number

DR McKillop 02/20/18
Signature Date Signed

Return this affidavit with your recommendations (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents. If you have any questions please call (602) 542-5141 and ask for the Licensing Division.



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Phone: (520) 351-8464 • Fax: (520) 791-6666

TO: Development Services, Zoning Division
FROM: Alina Bárcenas *AFB*
Administrative Support Specialist Senior
DATE: 1/25/2018
RE: Zoning Report - Application for Liquor License

Attached is the application of:

Kim Kenneth Kwiatkowski
d.b.a. Circle K Store No. 3493
4600 W. Valencia Road
Tucson, AZ 85757

Arizona Liquor License No. 09100063
Series 9, Liquor Store
New License
Person Transfer
Location Transfer

ZONING REPORT

DATE: 2/6/18

Will current zoning regulations permit the issuance of the license at this location?

Yes No

If No, please explain:

[Signature]
Pima County Zoning Inspector

When complete, please return to cob_mail@pima.gov

MAR 06 10AM 09:00 PCC CLK OF RD

● 18-01-9315 ●

18 JAN 24 Liq. Lic. #1125



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

DLLC USE ONLY	
License #	09100063
Date Accepted:	1/24/18
CSR:	<i>[Signature]</i>

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
- 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 license

- 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 (restaurant, bar etc.): Liquor Store 2. LICENSE # (if issued): 09100063

SECTION 4 Applicants

- Agent's Name: KWIATKOWSKI KIM KENNETH PI004605
Last First Middle
- Applicant/Licensee Name: CIRCLE K STORES INC. B1005673
(Ownership name for type of ownership checked on section 1)
- Business Name (Doing Business As-DBA): CIRCLE K STORE #3493 B1057629
- Business Location Address: 4600 W Valencia Rd Tucson AZ 85757 Pima
(Do not use PO Box) Street City State Zip Code County
- Mailing Address: LICENSING DC-36, PO BOX 52085, PHOENIX, AZ 85072-2085
(All correspondence will be mailed to this address) Street City State Zip Code
- Business Phone: Pending Daytime Contact Phone: 602-728-4783
- Email Address: azlicense@circlek.com
- 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? Pima County

JAN 25 10 09 54 AM 2018

Fees: <u>\$100.00</u>	<u>-</u>	<u>-</u>	<u>Current</u>	<u>\$100.00</u>
Application	Interim Permit	Site Inspection	Finger Prints	Total of All Fees
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete?				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 5 Background Check

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

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

a) Date Incorporated/Organized: 06/08/1951 State where Incorporated/Organized: TEXAS

b) AZ Corporation or AZ L.L.C. File No: F-0006598-0 Date authorized to do business in AZ 04/08/1957

2. List any individual or entity that own a beneficial interest of 10 % or more and/or controls the license. If the applicant is owned by another entity, attach an organizational chart showing the ownership structure. Attach additional sheets as needed to disclose any controlling person, member, shareholder or general partner who owns a beneficial interest of 10 % or more of the license.

Last	First	Middle	Title	%Owned	Mailing Address	City	State	Zip
Haxel	Geoffrey	Charles	Pres/Sec/Dir	0	1130 W Warner Rd, Tempe, AZ 85284			
Cunnington	Kathleen	K	Treas/VP/Dir	0	1130 W Warner Rd, Tempe, AZ 85284			
Rodriguez	Paul	(none)	VP	0	1130 W Warner Rd, Tempe, AZ 85284			
Kwiatkowski	Kim	Kenneth	Asst Sec	0	1130 W Warner Rd, Tempe, AZ 85284			

(Attach additional sheet if necessary)

SECTION 6 Interim Permit

If you intend to operate business while your 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: _____

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

I, (Signature) _____ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location.

Attach a copy of the license currently issued at this location to this application.

NOTARY	
State of Arizona	}
County of _____	}
On this _____ Day of _____, 20____ before me personally appeared _____	
<small>Day</small>	<small>Month</small>
<small>Year</small>	<small>(Print Name of Document Signer)</small>
Whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and acknowledged that he or she signed the above/attached document.	
_____ <small>Signature of NOTARY PUBLIC</small>	
(Affix Seal Above)	

SECTION 7 Probate, Receiver, Bankruptcy Trustee, Assignment, or Divorce Decree of an existing liquor license ARS § 4-204

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD ALONG WITH \$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

License Number: _____

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

SECTION 5: Additional Ownership

NAME	%OWNED	ADDRESS
CIRCLE K DELAWARE INC.	100%	1130 W WARNER RD, TEMPE, AZ 85284

Circle K Stores Inc.
Texas 6/8/51
Charter No. 0010697700
FIN# 74-1149540

OFFICE	Name	BUSINESS ADDRESS	PHONE
* President and Secretary	Geoffrey C. Haxel ✓	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
* Vice President & Secretary	Kathleen K Cunningham ✓	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
* Sr Vice President	Darrell Davis	12911 Telecom Parkway, Tampa, FL 33637	(813) 910-6882
Sr Vice President	Dennis Tewell	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Vice President	Pia Bach Henriksen	495 E Rincon, Suite 150, Corona, CA 92879	(951) 270-5129
Vice President	Paul Rodriguez ✓	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Vice President	Francis Lapointe	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Vice President	David Morgan	12911 Telecom Parkway, Tampa, FL 33637	(951) 270-5136
Vice President	Brian Bednarz	25 W Cedar St, Suite 100, Pensacola, FL 35202	(951) 270-5136
Vice President	Timothy Alexander Miller	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Vice President	Matt McCure	2440 Whitehall Park Dr., #800, Charlotte, NC 28273	(704) 583-5716
Vice President	Waymon (Butch) Seber	12911 Telecom Parkway, Tampa, FL 33637	(951) 270-5136
Vice President	Meredith Willard Rice, Jr.	305 Gregson Dr., Cary, NC 28273	(704) 583-5712
Vice President	Rodney Blanton	2440 Whitehall Park Dr., #800, Charlotte, NC 28273	(704) 583-5716
Vice President	Mark Tate	1199 S Beltline Rd, #160, Coppell, TX 75019	(602) 728-8000
Vice President	Steve Lattig	215 Pendelton St, Waycross, GA 61501	(210) 692-2147
Vice President	Mark Ostoits	2440 Whitehall Park Dr., #800, Charlotte, NC 28273	(704) 583-5713
Assistant Secretary	Scott J. Stevenson	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Assistant Secretary	Kim Kwiatkowski ✓	1130 W Warner Rd, Tempe, AZ 85284	(602) 728-8000
Assistant Secretary	Sylvain Aubry	4204 Boul. Industriel, Laval (Quebec) Canada H7L 0E3	(450) 662-6632
Assistant Secretary	Sarah Lynn Longwell	255 E Rincon, Suite 100, Corona, CA 92879	(951) 270-5136
Assistant Secretary	Michael L Foster	2440 Whitehall Park Dr., #800, Charlotte, NC 28273	(704) 583-5716
Assistant Secretary	Kyle Poyer	2440 Whitehall Park Dr., #800, Charlotte, NC 28273	(704) 583-5716
Assistant Secretary	Randy Home	12911 Telecom Parkway, Tampa, FL 33637	(813) 910-6882
Assistant Secretary	Tim Peters	1199 S Beltline Rd, #160, Coppell, TX 75019	(602) 728-8000
Assistant Secretary	Peter Uhlich	12911 Telecom Parkway, Tampa, FL 33637	(813) 910-6878
Assistant Secretary	Edward Giunta	12911 Telecom Parkway, Tampa, FL 33637	(813) 910-6878
Assistant Secretary	John Little	305 Gregson Dr., Cary, NC 28273	(704) 583-5712
Assistant Secretary	Aaton Brooks	305 Gregson Dr., Cary, NC 28273	(704) 583-5712

* Director

Business Address: 1130 W. Warner Road, Bldg B, Tempe, AZ 85284 (602) 728-8000

Domicile Address: % CSC-Lawyers Incorporating Service Company, 701 Brazos Street, Suite 1050, Austin, TX 78701

12,000,000 Shares Authorized, 1,000 issued at \$1.00 Par. 100% owned by Circle K Delaware Inc. (FIN: 46-0520672)

Circle K Stores Inc. is qualified in:

AL, AZ, AR, CA, CO, FL, GA, , ID, KS, LA, MS,
 MO, NV, NM, NC, OK, OR, SC, TN, TX, UT, WA

Corporate Structure:

Circle K Delaware Inc. is 100% owned by The Circle K Corporation (Geoffrey Haxel - President/Director)

The Circle K Corporation is 100% owned by Couche-Tard US Inc. (Geoffrey Haxel - President/Director)

Couche-Tard US Inc. is 100% owned by Mac's Convenience Stores Inc. (Geoffrey Haxel - President/Director)

Mac's Convenience Stores Inc. is 100% owned by Couche-Tard Inc. (Geoffrey Haxel - Sr. Vice President)

Couche-Tard Inc. is 100% owned by Depan-Escompte Couche-Tard Inc. (Geoffrey Haxel - Sr. Vice President)

Depan-Escompte Couche-Tard Inc. is 100% owned by Alimentation Couche-Tard Inc. (Geoffrey Haxel - Sr. Vice President)

Alimentation Couche-Tard Inc. is a publicly traded company (Geoffrey Haxel - Sr. Vice President)

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

1. Government Entity: _____

2. Person/Designee: _____
Last First Middle Daytime Contact Phone #

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

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

1. License #: _____

2. Current Agent Name: _____
Last First Middle

3. Current Licensee Name: _____
(Exactly as it appears on the license)

4. Current Business Name: _____
(Exactly as it appears on the license)

5. Current Daytime Phone: _____ Primary Email Address: _____

6. Does current licensee intend to operate the business while this application is pending? Yes No

7. I authorize the transfer of this license to the applicant: _____
Signature or Agent or Individual controlling person

NOTARY

State of Arizona)
County of _____)

On this _____ Day of _____ Month, 20____ Year before me personally appeared _____
(Print Name of Document Signer)

Whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and acknowledged that he or she signed the above/attached document.

Signature of NOTARY PUBLIC

(Affix Seal Above)

SECTION 10 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 3
- d) Craft Distillery (A.R.S. §4-205.10) Series 18

- e) Government license (A.R.S. §4-205.03) Series 5
- f) Playing area of a golf course (A.R.S. §4-207 (B)(5))
- g) Wholesaler/Distributor Series 4
- h) Farm Winery Series 13
- i) Producer Series 1

1. Distance to nearest School: 3,092 FT Name of School: Lawrence 3-8 School
 (If less than one (1) mile note footage) Address: 4850 W Jeffrey Rd, Tucson, AZ 85757

2. Distance to nearest Church: 10,256 ft Name of Church: Mission Valley Church of Christ
 (If less than one (1) mile note footage) Address: 3022 W Bilby Rd, Tucson, AZ 85746

SECTION 11 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

2. If the premises is leased give lessors: Name: NA
 Address: NA
Street City State Zip

3. What is the penalty if the lease is not fulfilled? \$ NA or Other: _____

4. Total money borrowed for the Business not including lease? \$ 3,500,000

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

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
Wells Fargo Bank	Acct-4123020789		3,500,000	333 S Grand Ave, 12th Floor, Los Angeles, CA			90071

(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 manufacture, wholesaler, or employee have an interest in your business?

Yes No If yes, attach explanation.

SECTION 12 Diagram of Premises

Check ALL boxes that apply to your business:

Walk-up or drive-through windows

Patio: Contiguous 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? 04 / 21 / 2018

Please attach a diagram of the premises which clearly show only the areas where spirituous liquor will be sold, served, consumed, dispensed, possessed or stored. Include all entrances, exits, interior walls, bar areas, dining areas, dance floor, stage, game room and the kitchen. **DO NOT INCLUDE** parking lots, living quarters or areas where business is not conducted under this liquor license. When completing your premises diagram, please identify which orientation is North.

18 JAN 24 197. LIC. PHOTOS

SBSL soft

NA

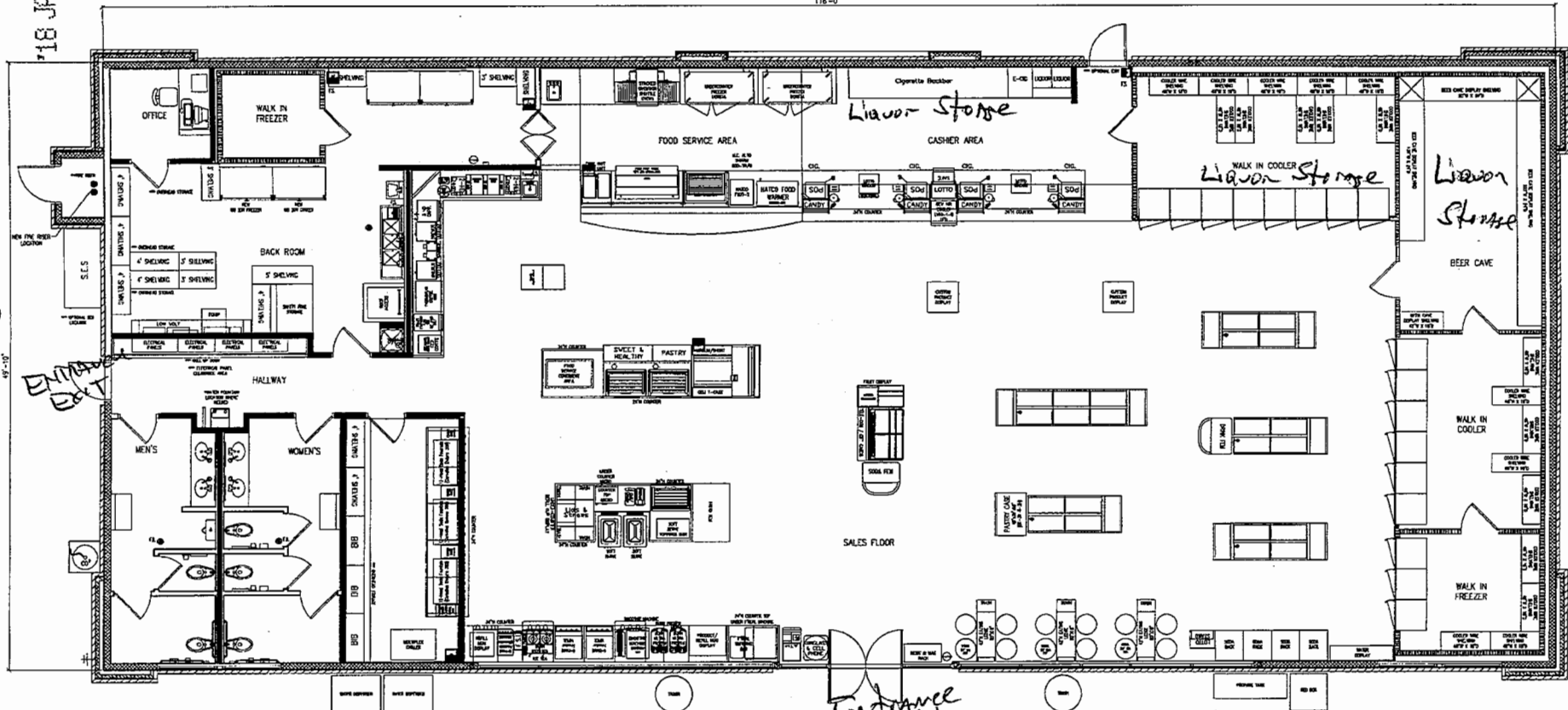
1B

118'-0"

49'10"

ENTRANCE
EXIT

Entrance
Exit



2. 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.

RESTAURANTS AND HOTELS/MOTELS ONLY

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

3a. 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)

3b. Provide a restaurant operation plan.

4. As stated in A.R.S.§4-207.01 (B), I understand it is my 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.

HK

Applicants Initials

SECTION 13 SIGNATURE BLOCK

I, (Signature) *Kim Kenneth Kwiatkowski*, hereby declare that I am the Owner/Agent filing this application, I have read this application and verify all statements to be true, correct and complete.

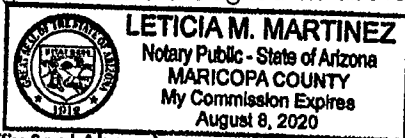
NOTARY

State of Arizona

County of Maricopa

On this 23 Day of JAN, 20 18 before me personally appeared Kim Kenneth Kwiatkowski
(Print Name of Document Signer)

Whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and acknowledged that he or she signed the above/attached document.



(Affix Seal Above)

Leticia M. Martinez
Signature of NOTARY PUBLIC

A.R.S.§41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts 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.