



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

Management of Information & Records Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

September 24, 2018

Kim Kenneth Kwiatkowski
Circle K Store No. 2741650
Licensing DC-36
P.O. Box 52085
Phoenix, AZ 85072-2085

RE: Arizona Liquor License No.: 09103604/Job No. 24574
d.b.a. Circle K Store No. 2741650

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 August 28, 2018. The Hearing before the Pima County Board of Supervisors has been scheduled for Tuesday, October 16, 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 black ink, appearing to read "Julie Castañeda", is written over a horizontal line.

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

SEP 26 10 08 AM '18
AKS

AFFIDAVIT OF POSTING

Date of Posting: 8-31-2018 Date of Posting Removal: 9-20-2018

Applicant's Name: Circle K Store No. 2741650
Kwiatkowski Kim Kenneth
Last First Middle

Business Address: 2088 W. Orange Grove Road Tucson 85704
Street City Zip

License #: 09103604/Job No. 24574

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.

BRIAN J RUTLEDGE PCSD Process Server 520-301-1212
Print Name of City/County Official Title Phone Number

Brian J Rutledge 9-20-2018
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.



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

Management of Information & Records Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

TO: Development Services, Zoning Division
FROM: Alina Bárcenas *AB*
Administrative Support Specialist Senior
DATE: 8/29/2018
RE: Zoning Report - Application for Liquor License

Attached is the application of:

Kim Kenneth Kwiatkowski
d.b.a. Circle K Store No. 2741650
2088 W. Orange Grove Road
Tucson, AZ 85704

Arizona Liquor License No. 09103604/Job No. 24574
Series 9, Liquor Store
New License ☒
Person Transfer
Location Transfer

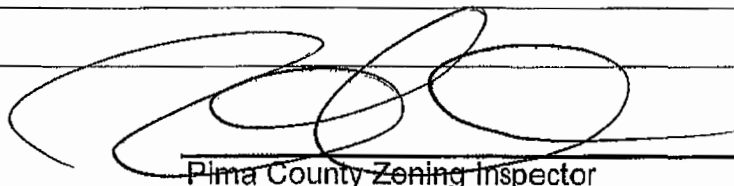
ZONING REPORT

DATE: 9/14/18

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

Yes ☒ No ☐

If No, please explain:


Pima County Zoning Inspector

When complete, please return to cob_mail@pima.gov

SEP 14 18 AM 08:10 PC CLK OF BD

AB



18-22-9336

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 #	24574
Date Accepted:	7-3-18
CSR:	AP

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) _____

AZ DLLC

JUL 03 2018

AUG 28 10 03 PM '18
AR3

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): Liquor Store

2. LICENSE # 09103604 / #24574

SECTION 4 Applicants

1. Agent's Name: KWIATKOWSKI KIM KENNETH
Last First Middle
2. Individual/Owner Name: CIRCLE K STORES INC.
(Ownership name for type of ownership checked in section 2)
3. Business Name (Doing Business As-DBA): CIRCLE K STORE #2741650
4. Business Location Address: 2088 W Orange Grove Rd Tucson AZ 85704 Pima
(Do not use PO Box) Street City State Zip Code County
5. 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
6. Business Phone: 520-878-0126 Daytime Contact Phone: (602) 728-4783
7. Email Address: azlicense@circlek.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? Pima County
9. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ 126,900

Fees: \$700.00
Application

Department Use Only

Interim Permit

Site Inspection

Finger Prints

100.00
Total of All Fees

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: _____

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

NOTARY

I (Print Full Name) _____ hereby declare that I am the Agent, Current Owner, or Controlling Person on the stated license and location.

Signature: _____ State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Date _____ Day of _____ Month _____ Year _____

Signature of Notary

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: 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 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
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			
Lapointe	Francis	(none)	Vice President	0	1130 W Warner Rd, Tempe, AZ 85284			
Kwiatkowski	Kim	Kenneth	Asst Secretary	0	1130 W Warner Rd, Tempe, AZ 85284			

(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.

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

	OFFICE	Name	BUSINESS ADDRESS
AZ DOL	* President and Secretary	Geoffrey C. Haxel	1130 W Warner Rd, Tempe, AZ 85284
AZ DOL	* Vice President & Secretary	Kathleen K Cunningham	1130 W Warner Rd, Tempe, AZ 85284
	* Sr Vice President	Darrell Davis	12911 Telecom Parkway, Tampa, FL 33637
	Sr Vice President	Dennis Tewell	1130 W Warner Rd, Tempe, AZ 85284
	Vice President	Pia Bach Henriksen	495 E Rincon, Suite 150, Corona, CA 92879
	Vice President	Paul Rodriguez	1130 W Warner Rd, Tempe, AZ 85284
AZ DOL	Vice President	Francis Lapointe	1130 W Warner Rd, Tempe, AZ 85284
	Vice President	David Morgan	12911 Telecom Parkway, Tampa, FL 33637
	Vice President	Brian Bednarz	25 W Cedar St, Suite 100, Pensacola, FL 35202
	Vice President	Timothy Alexander Miller	1130 W Warner Rd, Tempe, AZ 85284
	Vice President	Matt McCure	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Vice President	Waymon (Butch) Seber	12911 Telecom Parkway, Tampa, FL 33637
	Vice President	Meredith Willard Rice, Jr.	305 Gregson Dr., Cary, NC 28273
	Vice President	Rodney Blanton	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Vice President	Mark Tate	1199 S Beltline Rd, #160, Coppel, TX 75019
	Vice President	Steve Lattig	215 Pendelton St, Waycross, GA 61501
	Vice President	Mark Ostois	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Vice President	Kevin Lewis	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Vice President	Mathew P Dolan	935 Tallmadge Ave, Akron, OH 44310
	Assistant Secretary	Patrick Panzarella	19500 Bulverde Rd, San Antonio, TX 78259
	Assistant Secretary	Scott J. Stevenson	1130 W Warner Rd, Tempe, AZ 85284
AZ DOL	Assistant Secretary	Kim Kwiatkowski	1130 W Warner Rd, Tempe, AZ 85284
	Assistant Secretary	Christine Anagnostou	4204 Boul. Industriel, Laval (Quebec) Canada H7L 0E3
	Assistant Secretary	Sarah Lynn Longwell	255 E Rincon, Suite 100, Corona, CA 92879
	Assistant Secretary	Michael L Foster	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Assistant Secretary	Kyle Poyer	2440 Whitehall Park Dr., #800, Charlotte, NC 28273
	Assistant Secretary	Randy Home	12911 Telecom Parkway, Tampa, FL 33637
	Assistant Secretary	Luc Langevin	12911 Telecom Parkway, Tampa, FL 33637
	Assistant Secretary	Peter Uhlich	12911 Telecom Parkway, Tampa, FL 33637
	Assistant Secretary	Edward Giunta	12911 Telecom Parkway, Tampa, FL 33637
	Assistant Secretary	Kimberly Andrews	550 S Quebec St., Greenwood Village, CO 80111
	Assistant Secretary	John Little	305 Gregson Dr., Cary, NC 28273
	Assistant Secretary	Aalon Brooks	305 Gregson Dr., Cary, NC 28273

* 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 #

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

1. License #: _____
2. Individual Owner/Agent Name: _____
Last First Middle
3. Ownership Name: _____
(Exactly as it appears on the license)
4. Current Business Name: _____
(Exactly as it appears on the license)
5. Business Location Address: _____
Street City State County Zip
6. Current Daytime Phone: _____ Primary Email Address: _____
7. Does current licensee intend to operate the business while this application is pending? ☐ Yes ☐ No
8. I, (Signature): _____ authorize the transfer of this license to the applicant.

NOTARY

I (Print Full Name) _____ hereby declare that I am the Individual Agent, Owner, Or Controlling Person on the stated license and location.

Signature: _____ State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Date _____ Day of _____ Month _____ Year _____

Signature of Notary

**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: 3,150 ft
(If less than one (1) mile, note footage)

Name of School: Marion Donaldson Elementary
Address: 2040 W Omar Dr., Tucson, AZ 85704

2. Distance to nearest Church: 3,100 ft
(If less than one (1) mile, note footage)

Name of Church: Faith Community Church
Address: 2551 W Orange Grove Dr, Tucson, AZ 85741

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

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? \$ 0

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		0	333 S Grand Ave, 12th fl, 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 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) _____

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) <u>Kim Kenneth Kwiatkowski</u> hereby declare that I am the Individual Agent, Owner, Or Controlling Person on the stated license and location.	
Signature: <u>[Signature]</u>	State of <u>Arizona</u> County of <u>Maricopa</u>
The foregoing instrument was acknowledged before me this	
My Commission Expires on: <u>May 31, 2019</u>	<u>03</u> Day of <u>July</u> , <u>2018</u>
	<u>Christine A. Watson</u> Signature of Notary

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.

AZ DLLC
JUL 03 2018

Circle K

2701650

STORE # ~~1650~~

2088 W. ORANGE GROVE RD. TUCSON, AZ

UPDATED: 8/2016

3200 sq ft.



80'

40'

