

State of Arizona  
Department of Liquor Licenses and Control

800 W. Washington 5<sup>th</sup> Floor  
Phoenix, Arizona 85007  
(602) 542-5141

**Application For Liquor Store (series 9) Sampling Privileges**

Licensee's Name: FRANKLIN DELANO CONLEY, JR, Title (owner/agent): AGENT

Business Name: SAFEWAY FOOD & DRUG #1055

Current License #: 09130007

FOR DLLC USE ONLY  
New License #: 09130007 S

Physical Location of Business:

7720 E HWY 69, PRESCOTT VALLEY, AZ, YAVAPAI, 86314  
Street Address City State County Zip Code

Business Phone Number: (928) 772-6125 Email: \_\_\_\_\_

I, FRANKLIN DELANO CONLEY, JR, understand that, upon approval, sampling privileges for the liquor license identified above will require compliance with the following:

Initial Here

FC  
FC  
FC  
FC  
FC  
FC  
FC  
FC  
FC  
FC

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
4. The licensee shall not charge any customer for the sampling of any products.
5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
6. Accurate records of sampling products dispensed shall be retained by the licensee.
7. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
8. The sampling shall be conducted only on the licensed premises.
9. Upon approval of this application, a series 9S liquor license will be issued and mailed to the licensee's address of record. The series 9S license must be displayed in a conspicuous public area of the licensed premises that is readily accessible for inspection by any peace officer, distributor, wholesaler or member of the public. (A.R.S. §4-261.01)
10. Liquor store license sampling privileges are not transferable.

**A.R.S. §4-206.01. Bar, beer and wine bar or liquor store licenses; number permitted; fee; sampling privileges**

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
4. The licensee shall not charge any customer for the sampling of any products.
5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
6. Accurate records of sampling products dispensed shall be retained by the licensee.
7. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
8. The sampling shall be conducted only on the licensed premises.

I, FRANKLIN DELANO CONLEY, JR, attest that I am the OWNER/AGENT filing this application, that I have read, and assume responsibility for compliance with, A.R.S. §4-206.01(J), at the licensed establishment named on page 1, and verify all statements I have made on this document to be true, correct and complete.

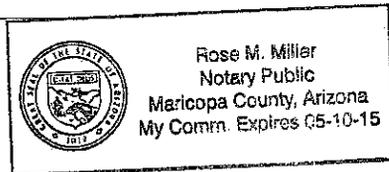

10/27/11  
 Signature, Title Date

Notarized Signature

The forgoing instrument was acknowledged before me this 27 of October, 2011.  
day month year

Notary Public:  Signature

My commission expires: 10 day, 5 month, 15 year



11 NOV 4 11:41 AM '09

**ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL**

800 W Washington 5th Floor  
Phoenix AZ 85007-2934  
(602) 542-5141

**QUESTIONNAIRE**

Attention all Local Governing Bodies: Social Security and Birthdate information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with **BLACK INK**. An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a \$24.00 processing fee for each fingerprint card submitted.

**Liquor License #**

09130007

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

(If the location is currently licensed)

1. Check appropriate box →  Controlling Person (Complete Questions 1-19)  Agent (Complete Questions 1-19)  Manager (Only) (Complete All Questions except # 14, 14a & 21)  
 Controlling Person or Agent must complete #21 for a Manager. Controlling Person or Agent must complete # 21

2. Name: Conley, Jr. Franklin Delano Date of Birth: \_\_\_\_\_  
 Last First Middle (NOT a Public Record)

3. Social Security Number: \_\_\_\_\_ Drivers License # \_\_\_\_\_ State: AZ

4. Place of Birth: New Orleans LA USA Height: 5'9" Weight: 225 Eyes: Brwn Hair: Brown  
 City State Country (not county)

5. Marital Status  Single  Married  Divorced  Widowed Daytime Contact Phone: (480) 894-4102

6. Name of Current or Most Recent Spouse: Conley Lori Ann Bruno Date of Birth: \_\_\_\_\_  
 (List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden (NOT a public record)

7. You are a bona fide resident of what state? Arizona If Arizona, date of residency: 9/2005

8. Telephone number to contact you during business hours for any questions regarding this document. (480) 894-4102

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: SAFEWAY FOOD & DRUG #1055 Premises Phone: (928)772-6125

11. Physical Location of Licensed Premises Address: 7720 E HWY 69 PRESCOTT VALLEY YAVAPAI 86314  
 Street Address (Do not use PO Box #) City County Zip

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. List most recent 1st.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
09/2005	CURRENT	VP of Finance	Safeway Inc. 2750 S. Priest Drive, Tempe AZ 85282
1/2001	9/2005	Sr. Director of Finance	HMS Host, Tampa International Airport, 3rd Level, Tampa, FL 33607

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION ↑

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
09/2005	CURRENT	own	5024 E Wagoner Rd.	Scottsdale	AZ	85254
08/1999	9/2005	own	10242 Shadow Branch Drive	Tampa	FL	33647

If you checked the Manager box on the front of this form skip to # 15

- 14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?  
If you answered YES, how many hrs/day? \_\_\_\_\_, and answer #14a below. If NO, skip to #15.  YES  NO
- 14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof)  
If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.  YES  NO
- 15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)?  YES  NO
- 16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved?  YES  NO
- 17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state?  YES  NO
- 18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?  YES  NO
- 19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state?  YES  NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement.  
Give complete details including dates, agencies involved, and dispositions.  
**SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED**

20. I, Frank Delano Conley Jr., hereby declare that I am the APPLICANT/REPRESENTATIVE  
(print full name of Applicant)  
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

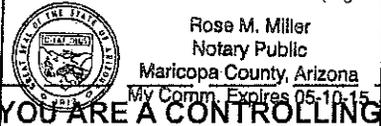
x Frank Delano Conley Jr.  
(Signature of Applicant)

State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this  
27 day of October, 2011  
Month Year

My commission expires on: 10 5 15  
Day Month Year

Rose M. Miller  
(Signature of NOTARY PUBLIC)



**COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION**

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license.  
The manager named must be at least 21 years of age.

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this

X \_\_\_\_\_  
Signature of Controlling Person or Agent (circle one)

\_\_\_\_\_ day of \_\_\_\_\_  
Month Year

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

My commission expires on: \_\_\_\_\_  
Day Month Year

\*11 NOV 4 11 49 AM '11



October 26, 2011

Connie Wagner, Director of Licensing  
Department of Liquor Licensing & Control  
800 West Washington Street, 5<sup>th</sup> Floor  
Phoenix, Arizona 85007

Re: Alien Status Form and Passport

Dear Connie:

My completed Alien Status form and a copy of my passport are on file at the Arizona Department of Liquor Licenses and Control.

If you require more information please call me at 480-894-4102. Thank you.

Sincerely,

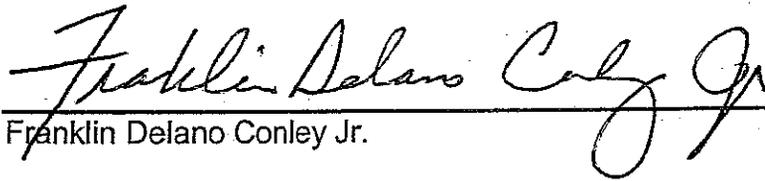
A handwritten signature in cursive script that reads "Frank Conley".

Frank Conley  
Vice President of Finance

### Attachment A

Details for "YES" answers to questions 17 and 19

17. Safeway Inc. (or one of its subsidiaries) holds alcoholic beverages licenses for over a thousand retail premises. A very small number of these licenses have been suspended for the sale of alcoholic beverages to a minor. A very small number of these licenses have paid fines in lieu of suspension in conjunction with making an offer in compromise. None of these licenses have been revoked. On October 4<sup>th</sup> 2005, Safeway's liquor license in Gallup, NM was suspended for one day.
  
19. I am currently an officer for Safeway Inc. Safeway Inc. and or its subsidiaries hold various retail off-sale licenses throughout the United States.

  
\_\_\_\_\_  
Franklin Delano Conley Jr.



**Sampling Privilege Laws  
Effective July 20, 2011**

To alleviate any confusion, this excerpt from A.R.S. §4-206.01 is highlighted on this routing form because it relates to fees charged by local governing bodies:

**A.R.S. §4-206.01(J) A CITY OR TOWN SHALL NOT CHARGE ANY FEE RELATING TO THE ISSUANCE OR RENEWAL OF A SAMPLING PRIVILEGE.**

For your convenience, the remainder of the new sampling privilege laws are included below:

**A.R.S. §4-206.01. Bar, beer and wine bar or liquor store licenses; number permitted; fee; sampling privileges**

- A. The director shall determine the total number of spirituous liquor licenses by type and in each county. The director shall publish a listing of that information as determined by the director.
- B. In each county, the director shall issue additional bar, beer and wine bar or liquor store licenses at the rate of one of each type for each additional ten thousand person increase over the population in that county as of July 1, 2010. For THE purposes of this subsection, the population of a county is deemed to be the population estimated by the OFFICE OF EMPLOYMENT AND POPULATION STATISTICS WITHIN THE ARIZONA DEPARTMENT OF ADMINISTRATION as of July 1 of each year.
- C. A person issued a license authorized by subsection B of this section shall pay an additional issuance fee equal to the license's fair market value that shall be paid to the state general fund. The fair market value shall be defined to mean the mean value of licenses of the same type sold on the open market in the same county during the prior twelve months, but if there are not three or more such sales then the fair market value shall be determined by three appraisals furnished to the department by independent professional appraisers employed by the director.
- D. The director shall employ professional appraisal services to determine the fair market value of bar, beer and wine bar or liquor store licenses.
- E. If more than one person applies for an available license, a priority of applicants shall be determined by a random selection method prescribed by the director.
- F. After January 1, 2011, bar licenses and beer and wine bar licenses shall be issued and used only if the clear primary purpose and actual primary use is for on-sale retailer privileges. The off-sale privileges associated with a bar license and a beer and wine bar license shall be limited to use, which is clearly auxiliary to the ACTIVE primary on-sale privilege. A bar license or a beer and wine bar license shall not be issued or used if the associated off-sale use, by total retail SPIRITUOUS liquor sales, exceeds THIRTY per cent of the sales price of on-sale spirituous liquors by the licensee at that location. FOR DUAL LICENSES ISSUED PURSUANT TO A SINGLE SITE OR WHERE A SECOND LICENSE IS ISSUED TO A SITE WHICH ALREADY HAS A SPIRITUOUS LIQUOR LICENSE, OTHER THAN SETTLEMENT LICENSES ISSUED PURSUANT TO LAWS 2010, CHAPTER 85, SECTION 4, AS AMENDED BY THIS ACT, THE APPLICANT SHALL HAVE THE BURDEN OF ESTABLISHING THAT PUBLIC CONVENIENCE AND THE BEST INTEREST OF THE COMMUNITY WILL BE SERVED BY THE ISSUANCE OF THE LICENSE.
- G. The director may issue a beer and wine store license to the holder of a beer and wine bar license simultaneously at the same premises. An applicant for a beer and wine bar license and a beer and wine store license may consolidate the application and may apply for both licenses at the same time. The holder of each license shall fully comply with all applicable provisions of this title. A beer and wine bar license and beer and wine store license on the same premises shall be owned by and issued to the same licensee.
- H. The director may issue a beer and wine bar license to the holder of a liquor store license issued simultaneously at the same premises. An applicant for a liquor store license and a beer and wine bar license may consolidate the application and may apply for both licenses at the same time. The holder of each license shall fully comply with all applicable provisions of this title. A liquor store license and a beer and wine bar license on the same premises shall be owned by and issued to the same licensee.
- I. The director may issue a restaurant license to the holder of a beer and wine bar license issued simultaneously at the same premises. An applicant for a restaurant license and a beer and wine bar license may consolidate the application and may apply for both licenses at the same time. The holder of each license shall fully comply with all applicable provisions of this title. A restaurant license and a beer and wine bar license on the same premises shall be owned by and issued to the same licensee. The limitation set forth in subsection F OF THIS SECTION with respect to the off-sale privileges of the beer and wine bar licenses shall be measured against the on-sales of beer and wine sales of the establishment. For purposes of compliance with section 4-205.02, subsection H, paragraph 2, it shall be conclusively presumed that all on premises sales of spirituous liquors are made under the authority of the restaurant license.
- J. An applicant for a liquor store license OR A BEER AND WINE STORE LICENSE AND the licensee of a liquor store license OR A BEER AND WINE STORE LICENSE may apply for sampling privileges associated with the license. A BEER AND WINE STORE PREMISES SHALL CONTAIN AT LEAST FIVE THOUSAND SQUARE FEET IN ORDER TO BE ELIGIBLE FOR SAMPLING PRIVILEGES. A person desiring a sampling privilege associated with a liquor store license shall apply to the director on a form prescribed and furnished by the director. The application for sampling privileges may be filed for an existing license or may be submitted with an initial license application. The request for sampling approval, the review of the application and the issuance of approval shall

be conducted under the same procedures for the issuance of a spirituous liquor license prescribed in section 4-201. After a sampling privilege has been issued for a liquor store license OR A BEER AND WINE STORE LICENSE, the sampling privilege shall be noted on the license itself and in the records of the department. The sampling rights associated with a license are not transferable. UNTIL JANUARY 1, 2015, THE DIRECTOR MAY CHARGE A FEE FOR PROCESSING THE APPLICATION FOR SAMPLING PRIVILEGES AND A RENEWAL FEE AS PROVIDED IN THIS SECTION. A CITY OR TOWN SHALL NOT CHARGE ANY FEE RELATING TO THE ISSUANCE OR RENEWAL OF A SAMPLING PRIVILEGE. Notwithstanding section 4-244, paragraph 19, a liquor store licensee that holds a license with sampling privileges may provide spirituous liquor sampling subject to the following requirements:

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
  2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
  3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
  4. The licensee shall not charge any customer for the sampling of any products.
  5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
  6. Accurate records of sampling products dispensed shall be retained by the licensee.
  7. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
  8. The sampling shall be conducted only on the licensed premises.
- K. If a beer and wine bar license and a beer and wine store license are issued at the same premises, for purposes of reporting liquor purchases under each license, all spirituous beverages purchased for sampling are conclusively presumed to be purchased under the beer and wine bar license and all spirituous liquor sold off-sale are conclusively presumed to be purchased under the beer and wine store license.
- L. THE DIRECTOR MAY ISSUE A BEER AND WINE STORE LICENSE TO THE HOLDER OF A BAR LICENSE SIMULTANEOUSLY AT THE SAME PREMISES. AN APPLICANT FOR A BEER AND WINE STORE LICENSE AND A BAR LICENSE MAY CONSOLIDATE THE APPLICATION AND MAY APPLY FOR BOTH LICENSES AT THE SAME TIME. THE HOLDER OF EACH LICENSE SHALL FULLY COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS TITLE. A BEER AND WINE STORE LICENSE AND A BAR LICENSE ON THE SAME PREMISES SHALL BE OWNED BY AND ISSUED TO THE SAME LICENSEE. IF A BEER AND WINE STORE LICENSE AND A BAR LICENSE ARE ISSUED AT THE SAME PREMISES, FOR PURPOSES OF REPORTING LIQUOR PURCHASES UNDER EACH LICENSE, ALL OFF-SALE BEER AND WINE SALES ARE CONCLUSIVELY PRESUMED TO BE PURCHASED UNDER THE BEER AND WINE STORE LICENSE