

City of Scottsbluff, Nebraska

Monday, March 7, 2022

Regular Meeting

Item Pub. Hear.1

Council to conduct a public hearing set for this date at 6:00 p.m. to consider making a recommendation to the Nebraska Liquor Control Commission regarding a Class C Liquor License for X-Treme Fun, LLC d/b/a X-Treme Fun, 1702 17th Avenue, Scottsbluff, NE.

Staff Contact: Kim Wright, City Clerk

Agenda Statement

Item No.

For meeting of: March 7, 2022

AGENDA TITLE: Council to hold a public hearing as advertised for this date at 6:00 p.m. for a Class C Liquor License application from X-Treme Fun, LLC d/b/a X-Treme Fun, 1702 17th Ave, Scottsbluff, NE.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Administration

PRESENTATION BY: Applicant

SUMMARY EXPLANATION:

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Conduct the public hearing and consider a recommendation to the Nebraska Liquor Commission either approving or denying said application.

EXHIBITS

Resolution ☒ Ordinance ☐ Contract ☐ Minutes ☐ Plan/Map ☐

Other (specify) ☐ Application, Memorandums, Exhibits

Exhibit #1 – Application of X-Treme Fun, LLC d/b/a X-Treme Fun, 1702 17th Ave, Scottsbluff, NE.

Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2016

Exhibit #3 – Written Statement of Police Chief

Exhibit #4 – Written Statement of City Clerk

Exhibit #5 – Written Statement of Development Services

NOTIFICATION LIST: Yes ☒ No ☐ Further Instructions ☐

Amber Brannan
230909 County Road J
Scottsbluff, NE 69361

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.frontdesk@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

License
Class: C

License Number:

124723

RECEIVED

Office Use only
JAN 10 2022

Date Stamp HERE ONLY
Do not stamp on the following pages
**NEBRASKA LIQUOR
CONTROL COMMISSION**

Office Use Only

NEW / REPLACING

TOP Yes / No

Hot List Yes / No

Initial: KF

PLEASE READ CAREFULLY

See directions on the next page. Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

APPLICANT NAME Craig & Amber Brannan X-Treme Fun LLC

TRADE (DBA) NAME X-Treme Fun LLC

PREVIOUS TRADE (DBA) NAME _____

CONTACT PHONE NUMBER 308 765-9260

CONTACT EMAIL ADDRESS Amber.brannan@hotmail.com

CTG

7-1-24

Class Type?
Lease LLC name
Form 116
Business Plan

Office use only

PAYMENT TYPE Check 1075

AMOUNT \$400 RCPT _____

RECEIVED: AS

DATE DEPOSITED _____



2200001120

RECEIVED

FORM 100
REV 8/4/21
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DIRECTIONS

Each item must be included with your application

1. Application fee of \$400 (nonrefundable), please pay online thru our PAYPORT system or enclose payment made payable to the Nebraska Liquor Control Commission
2. Enclose the appropriate application forms
 - Individual License (Form 104)
 - Partnership License (Form 105)
 - Corporate License (Form 101 & Form 103)
 - Limited Liability Company (LLC) (Form 102 & Form 103)Corporation or Limited Liability Company (LLC) must be active with the Nebraska Secretary of State
3. For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
 - a. For residency enclose proof of registered voter in Nebraska
 - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
 - c. See Applicant Guidelines for further assistance
4. Form 147 - Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures".
5. If purchasing an already licensed business; include Form 125—Temporary Operating Permit (TOP)
 - a. Form 125 must be signed by the seller (current licensee) and the buyer (applicant)
 - b. Provide a copy of the business purchase agreement from the seller (current licensee sells "the business currently licensed" to applicant)
 - c. Provide a copy of alcohol inventory being purchased (must include quantity, brand name and container size)
 - d. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
6. If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
7. If building is being leased, send a copy of signed lease in the name of the applicant. Lease term must run through the license year being applied for.
8. Submit a copy of your business plan.

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)
CLASS C LICENSE TERM IS FROM NOVEMBER 1 – OCTOBER 31
ALL OTHER CLASSES TERM IS MAY 1 – APRIL 30

- ☐ A BEER, ON SALE ONLY
- ☐ B BEER, OFF SALE ONLY**
- ☒ C – BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE**
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(4) YES ☒ NO ☐
- ☐ D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY**
- ☐ F BOTTLE CLUB,
- ☐ I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(5) YES ☐ NO ☐
- ☐ J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- ☐ AB BEER, ON AND OFF SALE
- ☐ AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- ☐ IB – BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- ☐ Class K Catering endorsement (Submit Form 106) – Catering license (K) expires same as underlying retail license
- ☐ Class G Growler endorsement (Submit Form 165) – Class C licenses only
- **Class B, Class C, Class D license do you intend to allow drive through services under Neb Rev. Statute 53-178.01(2) YES ☐ NO ☐

ADDITIONAL FEES WILL BE ASSESSED AT THE CITY/VILLAGE OR COUNTY LEVEL WHEN THE LICENSE IS ISSUED

CHOOSE TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- ☐ Individual License (requires insert FORM 104)
- ☐ Partnership License (requires insert FORM 105)
- ☐ Corporate License (requires FORM 101 & FORM 103)
- ☒ Limited Liability Company (LLC) (requires FORM 102 & FORM 103)

Name _____ Phone Number _____

Firm Name _____

Email address _____

Should we contact you with any questions on the application? YES _____ NO _____

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Trade Name (doing business as) X-Treme Fun LLC
Street Address 1702 17th Ave
City Scottsbluff County Scottsbluff Zip Code 69361
Premises Telephone number 308 633-2695 +2795
Business e-mail address Amber.brannan@hotmail.com
Is this location inside the city/village corporate limits YES ☒ NO ☐

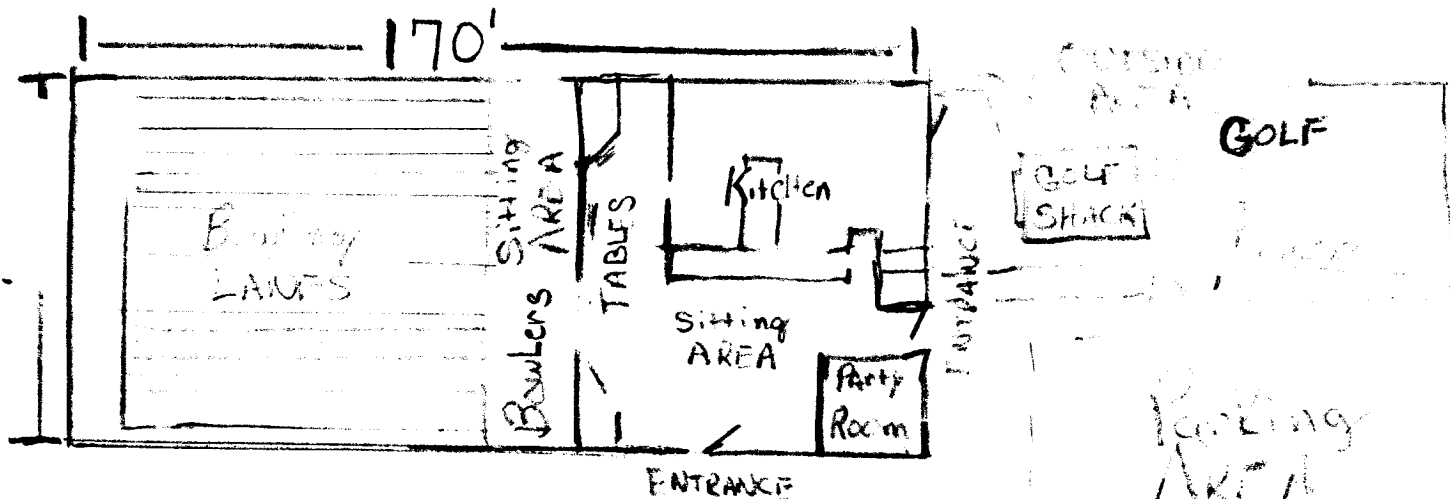
MAILING ADDRESS (where you want to receive mail from the Commission)
Check if same as premises

Name Craig Brannan
Street Address 230909 CR. J County Scottsbluff
City Scottsbluff State NE Zip Code 69361 +7203

IN THE SPACE PROVIDED BELOW OR ATTACH A DRAWING OF THE AREA TO BE LICENSED.
DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS
PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)
INDICATE THE DIRECTION OF NORTH AND THE NUMBER OF FLOORS OF THE BUILDING.

Building length 170 x width 100 in feet
Is there a basement? Yes ☐ No ☒ If yes, length x width in feet
Is there an outdoor area? Yes ☐ No ☒ If yes, length x width in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



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1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

 YES ✓ NO If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

2. Was this premise licensed as liquor licensed business within the last two (2) years?

 YES ✓ NO

If yes, provide business name and license number _____

3. Are you buying the business of a current retail liquor license?

 YES ✓ NO

If yes, give name of business and liquor license number _____

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

 YES ✓ NO

If yes

a) Attach temporary operating permit (TOP) (Form 125)

a) Submit a copy of the business purchase agreement

b) Include a list of alcohol being purchased, list the name brand, container size and how many

c) Submit a list of the furniture, fixtures and equipment

✓ 5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

_____ YES ☒ NO

If yes, list the lender(s) _____

✓ 6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

_____ YES ☒ NO

If yes, explain. (all involved persons must be disclosed on application)

No silent partners 019.01E Silent Partners; Profit Sharing: No licensee or partner, principal, agent or employee of any Retail Liquor License shall permit any other person not licensed or included as a partner, principal, or stockholder of any Retail Liquor License to participate in the sharing of profits or liabilities arising from any Retail Liquor License. (53-1,100)

✓ 7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

_____ YES ☒ NO

If yes, list such item(s) and the owner. _____

✓ 8. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?

_____ YES ☒ NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Nebraska Revised Statute 53-177(1) **AND PROVIDE FORM 134 – CHURCH OR FORM 135 – CAMPUS AND LETTER OF SUPPORT FROM CHURCH OR CAMPUS**

✓ 9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties. (Nebraska Revised Statute 53-125(15))

_____ YES ☒ NO

✓ 10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

US Bank, Platte Valley Bank Craig & Amber Brannan

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business

13. If the property is owned, submit a copy of the deed or proof of ownership. If leased, submit a copy of the lease covering the entire license year.

Documents must be in the name of applicant as owner or lessee

☒ Lease expiration date 7-1-2024
☐ Deed
☐ Purchase Agreement

14. When do you intend to open for business? _____

15. What will be the main nature of business? Entertainment - bowling Alley

16. What are the anticipated hours of operation? Monday - Thursday - 4-9 pm Sat 10 am - midnight Sun 1-8 pm

17. List the principal residence(s) for the past 10 years for **ALL** persons required to sign, including spouses.

RESIDENCE FOR THE PAST 10 YEARS					
APPLICANT CITY & STATE		YEAR FROM TO		SPOUSE CITY & STATE	
230909 CR J Scottsbluff NE 69361		11/18	Current	230909 CR J Scottsbluff NE 69361	
2365 Ambush Ranch Rd Rapid City SD 57703		11/18	11/19	2365 Ambush Ranch Rd Rapid City SD 57703	
1115 Primrose Dr Scottsbluff NE 69361		11/14	11/17	1115 Primrose Dr Scottsbluff NE 69361	
1311 Idlewyld Dr Scottsbluff NE 69361		7/12	11/14	1311 Idlewyld Dr Scottsbluff NE 69361	

If necessary, attach a separate sheet

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Continue address

Applicant - 1718 Ave J
Scottsbluff, NE 69361
7/2003 - 7/2012

Spouse - 1718 Ave J
Scottsbluff NE 69361
7/2003 - 7/2012

**SIGNATURE PAGE –
PLEASE READ CAREFULLY**

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

**Must be signed in the presence of a notary public by applicant(s) and spouse(s).
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)**

Amber Brannan

Signature of **APPLICANT**

(Do not sign until in the presence of the Notary Public)

Amber Brannan

Printed Name of **APPLICANT**

State of Nebraska, County of Scotts Bluff

The foregoing instrument was acknowledged before me this

January 4, 2022

(Date)

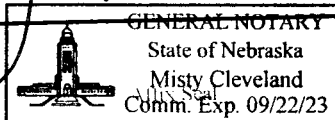
By

Amber Brannan

Name of person(s) signing document in front of Notary

Misty Cleveland

Notary Public Signature



Signature of **SPOUSE**

(Do not sign until in the presence of the Notary Public)

Printed Name of **SPOUSE**

State of Nebraska, County of _____

The foregoing instrument was acknowledged before me this

(Date)

By

Name of person(s) signing document in front of Notary

Notary Public Signature

Affix Seal

**APPLICATION FOR LIQUOR LICENSE
LIMITED LIABILITY COMPANY (LLC)
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

RECEIVED

JAN 10 2022

**NEBRASKA LIQUOR
CONTROL COMMISSION**

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form **MUST** be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: Corporate Service Center, Inc

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

X-Treme Fun LLC

LLC Address: 1702 17th Ave

City: Scottsbluff State: NE Zip Code: 69361 +2795

LLC Phone Number: 308 633 2695 LLC Fax Number: X

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Brannan First Name: Amber MI: R

Home Address: 230909 ER J County Road City: Scottsbluff

State: NE Zip Code: 69361 +7203 Home Phone Number: 308-765-9260

Amber Brannan

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

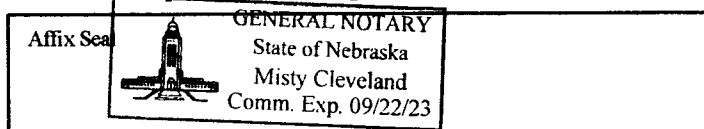
State of Nebraska Scotts Bluff
County of Scotts Bluff

January 4, 2022
Date

The foregoing instrument was acknowledged before me this

by Amber Brannan

name of person acknowledge



List names of all members and their spouses (even if a spousal affidavit has been submitted)

X Last Name: Brannan First Name: Craig MI: A
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Spouse Full Name (indicate N/A if single): Amber R Brannan
Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Percentage of member ownership 100%

Last Name: Brannan First Name: Amber MI: R
Social Security Number [REDACTED] Date of Birth: [REDACTED]
Spouse Full Name (indicate N/A if single): Craig A Brannan
Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Percentage of member ownership 100%

* spouse

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: _____
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____
Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: _____
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____
Percentage of member ownership _____

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Is the applying Limited Liability Company controlled by another corporation/company?

☐ YES

☒ NO

If yes, provide the following:

- 1) Name of corporation _____
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January Ending Date: December

Is this a Non Profit Corporation?

☐ YES

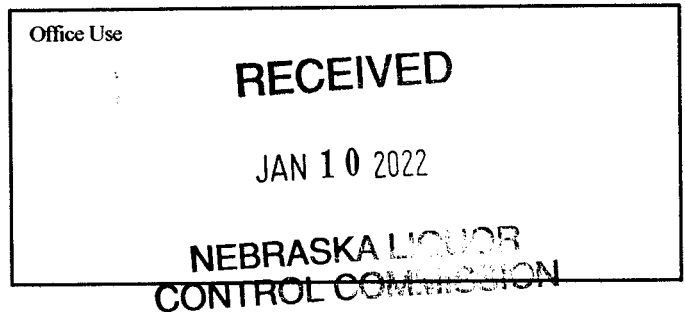
☒ NO

If yes, provide the Federal ID #. _____

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**


NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

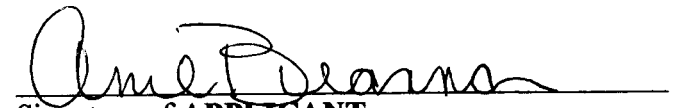


I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. The penalty guideline for violation of this affidavit is cancellation of the liquor license.



I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.


Signature of **NON-PARTICIPATING SPOUSE**
CRAIG BRANNAN
Print Name


Signature of **APPLICANT**
Amber Brannan
Print Name

State of Nebraska, County of Scotts Bluff

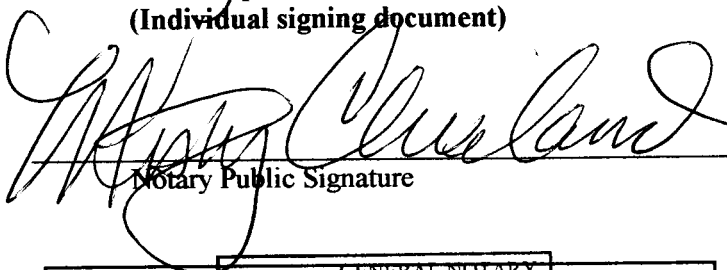
State of Nebraska, County of Scotts Bluff

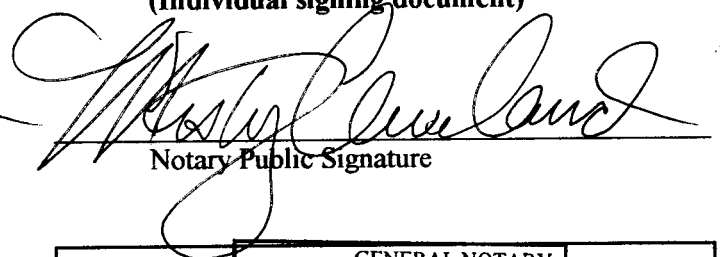
The foregoing instrument was acknowledged before me
this January 5, 2022 (date)

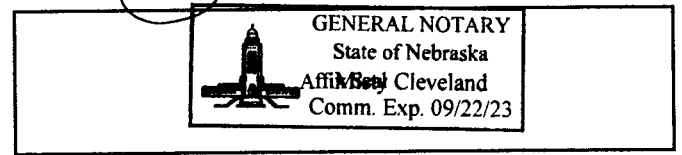
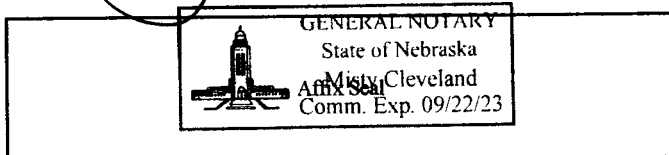
The foregoing instrument was acknowledged before me
this January 4, 2022 (date)

by Craig Brannon
Name of person acknowledged
(Individual signing document)

by Amber Brannan
Name of person acknowledged
(Individual signing document)


Notary Public Signature


Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

Nebraska Secretary of State

X-TREME FUN, LLC

Mon Jan 10 12:43:04 2022

SOS Account Number

2108266999

Status

Active

Principal Office Address

No address on file

Registered Agent and Office Address

CORPORATE SERVICE CENTER, INC.

12020 SHAMROCK PLZ., STE 200

OMAHA, NE 68154-3537

Designated Office Address

1702 17TH AVENUE

SCOTTSBLUFF, NE 69361

Nature of Business

Not Available

Entity Type

Domestic LLC

Qualifying State: NE

Date Filed

Aug 30 2021

Next Report Due Date

Jan 01 2023

Filed Documents

Filed documents for X-TREME FUN, LLC may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Document	Date Filed	Price	
Certificate of Organization	Aug 30 2021	\$1.35 = 3 page(s) @ \$0.45 per page	Purchase Now

Good Standing Documents

- If you need your Certificate of Good Standing Apostilled or Authenticated for use in another country, you must contact the Nebraska Secretary of State's office directly for information and instructions. Documents obtained from this site cannot be Apostilled or Authenticated.

Online Certificate of Good Standing with Electronic Validation**\$6.50**

This certificate is available for immediate viewing/printing from your desktop. A Verification ID is provided on the certificate to validate authenticity online at the Secretary of State's website.

Purchase Now

**CERTIFICATE OF ORGANIZATION
OF
X-TREME FUN, LLC
A NEBRASKA LIMITED LIABILITY COMPANY**

The undersigned person(s) hereby form a limited liability company under the NE Uniform Limited Liability Company Act and adopt as the Certificate of Organization of such limited liability company the following:

I. NAME. The name of the Limited Liability Company shall be:

X-TREME FUN, LLC

II. REGISTERED AGENT. The name and business address of agent for service of process in Nebraska shall be:

CORPORATE SERVICE CENTER, INC.
12020 Shamrock Plz., Ste 200
Omaha, NE 68154-3537

III. DURATION. The period of its duration shall be perpetual from the date of filing of the Certificate of Organization with the Secretary of State of the State of Nebraska

IV. MANAGEMENT OF THE COMPANY. This Company shall be managed by the Manager.

Amber Brannan

The Manager listed above has been named as Manager of this Company, by consent of the Member(s), and shall have all powers, duties and responsibilities as outlined in the Operating Agreement. Only the Manager or Managing Member(s) can bind the Company, Non-Managing Members have no authority to bind it. The Manager, Member or Managing Member shall have the following official Mailing Address: 1702 17th Avenue, Scottsbluff, NE 69361

V. INITIAL DESIGNATED OFFICE. The Initial Designated Office shall be: 1702 17th Avenue, Scottsbluff, NE 69361

VI. PURPOSE. The purpose for which the limited liability company is organized shall be as follows:

The Company shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which limited liability companies may be organized according to the laws of the State of Nebraska, excluding banking and insurance, including all powers and purposes now and hereafter permitted by law to a limited liability company.

VII. BUSINESS CONTINUANCE. Upon the death, retirement, resignation, expulsion, bankruptcy or dissolution of a member or occurrence of any other event which terminates the continued membership of a member in the Company, the remaining members of the Company may continue the business of the Company upon unanimous agreement as provided in the Operating Agreement of the Company.

VIII. ADDITION AND REMOVAL OF MEMBERS. Additional members may be admitted at such times and on such terms and conditions as all members may unanimously agree and as provided in the Operating Agreement of the Company. The members may be expelled or removed only in the manner provided in the Company's Operating Agreement.

IX. INDEMNIFICATION. The Company shall indemnify an individual made a party to any proceeding that results from his or her relationship as a manager, officer, organizer, employee or agent of the Company against liability incurred in the proceeding if:

- A. He/she conducted himself/herself in good faith
- B. He/she reasonably believed that his/her conduct was in or at least not opposed to the Company's best interest and
- C. In the case of any criminal proceeding, he/she had no reasonable cause to believe his/her conduct was unlawful.

Indemnification shall also be provided for an individual's conduct with respect to an employee benefit plan if the individual reasonably believed his/her conduct to be in the interests of the participants in and beneficiaries of such plan.

The Company shall pay for or reimburse the reasonable expenses incurred by a manager, officer, organizer, employee, or agent of the Company who is a party to a proceeding in advance of final disposition of the proceeding if:

- A. The individual furnishes the Company with a written affirmation of his/her good faith belief that he/she has met the standard of conduct described herein
- B. The individual furnishes the Company a written undertaking executed personally or on his behalf to repay the advance if it is ultimately determined that he/she did not meet the standard of conduct and
- C. A determination is made that the facts then known to those making the determination would not preclude indemnification under the law. The undertaking required by this paragraph shall be an unlimited general obligation, but need not be secured and may be accepted without reference to financial ability to make repayment.

The indemnification and advance of expenses authorized herein shall not be exclusive to any other rights to which any manager, officer, organizer, employee or agent may be entitled under any bylaw, agreement, and vote of members or disinterested managers or otherwise. The Certificate of Organization shall not be interpreted to limit in any manner the indemnification or right to advancement for expenses of an individual who would otherwise be entitled thereto.

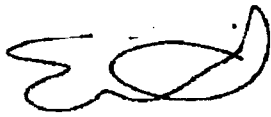
These Certificate of Organization shall be interpreted as mandating indemnification and advancement of expenses to the extent permitted by law.

In addition to the foregoing, the Company shall indemnify and save the organization harmless for all acts taken by them as organizers of the Company, and shall pay all costs and expenses incurred by or imposed upon them as a result of the same, including compensation based upon the usual charges for expenditures required of them in pursuit of the defense against any liability arising on the account of acting as organizers or on the account enforcing the indemnification right hereunder, and the Company releases them from all liability for any such act as organizers not involving willful or grossly negligent misconduct.

X. PREEMPTIVE RIGHTS. The members of the Company have preemptive rights only in the manner specified in the Operating Agreement.

ORGANIZER. This Company is organized by the undersigned.

Eliana Garcia
1450 Vassar St
Reno, NV 89502



Signature of Organizer

8/23/21

Date

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

RECEIVED

JAN 10 2022

**NEBRASKA LIQUOR
CONTROL COMMISSION**

FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE PROCESSED

MANAGER MUST:

- Complete all sections of the application. Be sure it is signed by a **member or corporate officer**, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who **will not** participate in the business, **spouse must:**

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who **will** participate in the business, the **spouse must:**

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required

BARCODE

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

RECEIVED

JAN 10 2022

**NEBRASKA LIQUOR
CONTROL COMMISSION**

MUST BE:

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Name of Corporation/LLC: X-Treme Fun

Liquor License Number: _____ Class Type _____ (if new application leave blank)

Premise Trade Name/DBA: X-Treme Fun

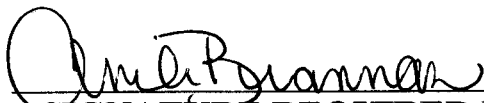
Premise Street Address: 1702 17th Ave

City: Scottsbluff County: Scottsbluff Zip Code: 69361

Premise Phone Number: 308-633-2695

Premise Email address: Amber.brannan

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information here.



SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)

Last Name: Brannan First Name: Amber MI: R
 Home Address: 230909 CR J County Road
 City: Scottsbluff County: Scottsbluff Zip Code: 69361
 Home Phone Number: 308-765-9260
 Driver's License Number & State: [REDACTED] Nebraska
 Social Security Number: [REDACTED]
 Date Of Birth: [REDACTED] Place Of Birth: Scottsbluff NE
 Email address: Amber.brannan@hotmail.com

☒ YES

☐ NO

Spouse

Spouses Last Name: Brannan First Name: Craig MI: A
 Social Security Number: [REDACTED]
 Driver's License Number & State: [REDACTED] Nebraska
 Date Of Birth: [REDACTED] Place Of Birth: Scotts bluff, NE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
230909 CR J Scottsbluff, NE ⁶⁹³⁶¹	November 2018	Current	230909 CR J Scottsbluff NE 69361	November 2018	Current
2360 Ambush Ranch Rd ⁵⁷⁷⁰³ Rapid City, SD	November 2017	November 2018	2360 Ambush Ranch Rd Rapid City SD 57703	November 2017	November 2018
1115 Primrose Dr Scottsbluff NE ⁶⁹³⁶¹	November 2014	November 2017	1115 Primrose Dr. Scottsbluff NE 69361	November 2014	November 2017
1311 Idlewyld Dr. Scottsbluff NE ⁶⁹³⁶¹	July 2012	November 2014	1311 Idlewyld Dr. Scottsbluff NE 69361	July 2012	November 2014
1718 Ave J Scottsbluff NE ⁶⁹³⁶¹	July 2003	July 2012	1718 Ave J Scottsbluff NE 69361	July 2003	July 2012

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
		None		

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

☐ YES ☒ NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

☐ YES ☒ NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

☒ YES

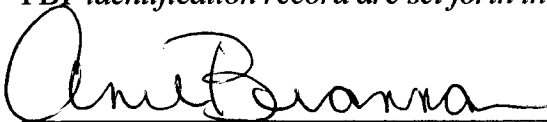
☐ NO

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.



Signature of Manager Applicant

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska
County of

Scotts Bluff

The foregoing instrument was acknowledged before me this

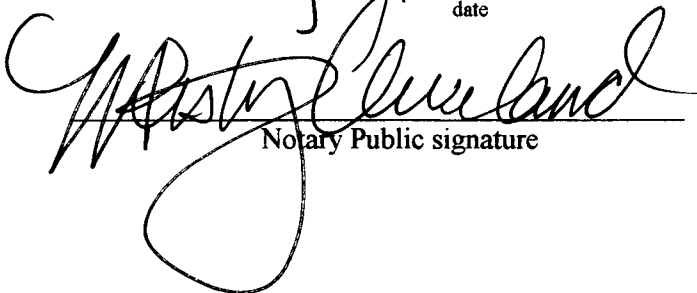
January 4, 2022

date

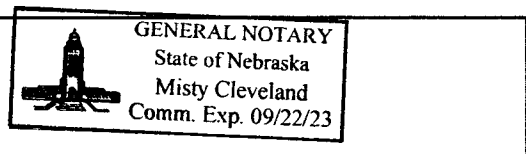
by

Amber Brannan

NAME OF PERSON BEING ACKNOWLEDGED


Notary Public signature

Affix Seal



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use only
RECEIVED
JAN 10 2022
Date Stamp HERE ONLY
NEBRASKA LIQUOR CONTROL COMMISSION
Do not stamp here

THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the NSP PayPort online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices may be released to the applicants;
Fingerprint cards should be submitted with the application.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name X Treme Fun LLC

Name of Person Being Fingerprinted: Amber Brannan

Date of Birth: [REDACTED] Last 4 SSN: 7472

Date fingerprints were taken: 12/14/2021

Location where fingerprints were taken: Nebraska State Patrol - Troop E, Scottsbluff

How was payment made to NSP? Ad 1/3/22

☒ NSP PAYPORT ☐ CASH ☐ CHECK SENT TO NSP CK # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES ☐

Amber Brannan

SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

FORM 147
REV JUNE 2021



[Back to Lookup](#) / Registrant Detail

Amber R Brannan

Political Party
Nonpartisan

Precinct
East Winter Creek

Election Details

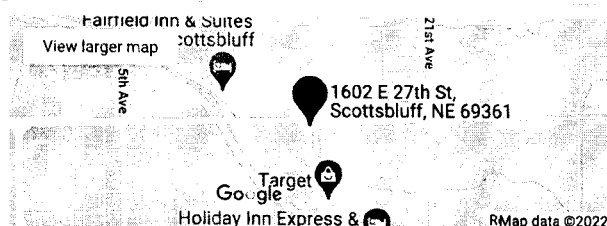
05/10/2022 2022 NE Primary Election

We did not find an absentee or provisional ballot associated with the selected election. This website does not track the status of a traditional ballot voted at the polls. If you voted a traditional ballot at the polls, your ballot has been accepted and counted.

Polling Location

W Ne Community College

1602 E 27th St Scottsbluff, NE 69361



Early Voting Sites

County Admin. Bldg.



1825 10th St. Gering, Ne, NE 69341

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Kelly Sides
Scotts Bluff County Clerk
1825 10th Street
Gering NE 69341
Phone 308-436-6600 Fax 308-436-3178

CERTIFICATE OF REGISTRATION

State of Nebraska)
)
County of Scotts Bluff)

I, Kyna Ballinger, Deputy County Clerk/Election Commissioner do hereby certify that the Voter Registration Register of said County shows the following facts:

Date of Registration: 09/29/2016

Name: Amber Brannan

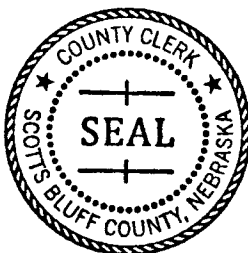
Address: 230909 CR J, Scottsbluff, Ne 69361

Date of Birth: 10/04/1980

Party Affiliation: Nonpartisan

Remarks:

IN WITNESS THEREOF, I have hereunto set my hand and seal at Gering, Nebraska this
_____10th_____ day of December____, 2021__.



County Clerk/Election Commissioner

Kyna Ballinger, Deputy County Clerk
Deputy

Business plan

X-Treme Fun LLC is an entertainment facility where we offer bowling, Laser Tag and birthday parties. We will have bowling leagues and host many types of events. We will have a full concession to accommodate our customers.

Addendum

Kuldip Singh (Cheema Investments LLC)

1702 17th Ave Scottsbluff, NE 69361


Craig and Amber Brannan

**Expiration date on the addendum would be the same as the lease.
7-1-2024 Craig and Amber Brannan Sublease the building at 1702
17th Ave Scottsbluff, NE 69361 to
X-Treme Fun LLC on January 16th 2022.**


**Kuldip Singh
Cheema Investments LLC**

 1/16/22

Craig Brannan

 1-16-2022

Amber Brannan

 1-16-22

7-1-2024

COMMERCIAL LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this ____ day of February, 2021 by and between CHEEMA INVESTMENTS, LLC, a Nebraska Limited Liability company, referred to hereafter as "LANDLORD", and CRAIG BRANNAN and AMBER BRANNAN, Husband and Wife, collectively and jointly and severally, TENANT herein. X
WITNESSETH:

PREMISES

Landlord leases to Tenant and Tenant leases from Landlord the premises located at 1702 17th Avenue, Scottsbluff, Nebraska, legally described as:

Block 4, EAST PORTAL ADDITION to the City of Scottsbluff, Scotts Bluff County, Nebraska, and, Lot 2, Subdivision of Block 9, EAST PORTAL ADDITION to the City of Scottsbluff, Scotts Bluff County, Nebraska

The premises has been operated as a bowling alley, and included in the lease is all bowling equipment, pins, pin setting infrastructure, and all shoes, bowling balls, and miscellaneous equipment currently located on or in the premises. Also included is all restaurant equipment and appliances, office equipment, and all other miscellaneous personal property currently located in the premises. Parties shall complete an inventory of personal property located on or in the premises at the time possession under this lease is given to Tenant.

USE OF PREMISES

The Premises shall be used by Tenant for the purpose of operating a bowling alley, restaurant, and family entertainment center, and for such purposes as Tenant shall elect, provided Tenant shall not use or occupy, or permit the use or occupancy of the leased Premises, or any part thereof, in any unlawful manner or for any illegal purpose or

in such manner as to constitute a nuisance or in violation of any provision of this lease, the terms and conditions of any certificate of occupancy applicable to the Premises, or for any purpose or in a manner which may cause structural injury, and shall not use or occupy, or permit the use or occupancy of the Premises, for any purpose not permitted by the laws, rules, regulations, and ordinances of the applicable governmental authorities. The premises, and all equipment and personal property included in this lease shall be maintained by Tenant in a good and serviceable condition, and shall, at the expiration of this lease or any extension or renewal term thereof, be restored to Landlord in its present condition, reasonable wear and tear associated with normal use excepted.

TERM OF LEASE

The Term of this lease shall commence on the date possession of the premises is given to Tenant, and shall continue for a period of Three (3) years, commencing on the 1st day of July, 2021, and continuing for 36 months thereafter. Landlord and Tenant agree that they will discuss renewal or extension of the lease, and or purchase of the premises by Tenant, sixty days before the expiration of the term of this lease, and if a renewal, extension or purchase is agreed to, the parties shall execute a new lease or agreement for the same.

RENT

Tenant shall pay to Landlord as rent for the leased premises, the sum of \$54,000.00, which sum shall be paid in monthly installments of \$1,500.00 each, commencing on July 1, 2021, and a like amount of \$1,500.00 on the first day of each month thereafter for the full 36 month period. Tenant is excused from paying any rent

from the date possession is given to tenant, until July 1, 2021, when the obligation to pay monthly rent commences, an estimated amount of free rent of \$4,500.00.

PAYMENT OF RENT

Tenant shall pay all Rental payments when due and payable, without any setoff, deduction or prior demand therefor whatsoever. Any Rental, or other sum due Landlord under the terms of this Lease, not paid when due shall bear interest from the original due date at the rate of not less than 14% per annum until paid.

TENANTS MAINTENANCE AND REPAIR OF BUILDING

Tenant shall maintain the interior and exterior of the building in a neat and orderly fashion, and shall not allow waste or neglect to diminish the value of the building or detract from its appearance. Tenant shall be responsible for making all necessary repairs to the plumbing, electrical and lighting, and maintenance of the heating system in the building, and to the pin setting equipment, bowling lanes, fire protection system and all other improvements, fixtures, appliances, equipment, and personal property located in the premises. Tenant shall have the responsibility of replacing light bulbs and florescent lighting as the same shall be required during the term of the lease, and keeping and maintaining the parking lot, sidewalks and exterior of the building, including the roof, in good condition. Tenant shall keep the parking lot and walkways free of snow and ice, and in a safe condition for customer and patron use. This lease is to be a "Tripple Net" lease, with the Tenant responsible for all necessary repairs and maintenance of the premises, and the parties specifically acknowledge that the amount of rent to be paid to Landlord for the premises for a building of the size and included improvements as the

current premises, has been set and agreed to with recognition of the obligations of Tenant in mind.

ALTERATIONS TO THE PREMISES

Tenant shall not, without the written consent of Landlord, be permitted to make any structural modification to or remodeling of the premises, including by way of example but not limitation, removal or relocating of interior walls, doorways, windows or hallways, removal of wall or floor coverings, lighting fixtures or plumbing fixtures, removal of any bowling alley infrastructure, including lanes and pin setting equipment. Landlord will consider any request of Tenant for permission to remodel or make structural modifications to the premises, and will not unreasonably withhold such consent provided the same shall not diminish the value or utility of the premises, and provided further that Tenant shall provide Landlord with a detailed description of the proposed work and Tenant's plan for restoring the premises at the expiration of the term of this lease. All improvement to the building and premises shall remain with the premises at the expiration of this lease, and shall be the property of Landlord.

UTILITIES

Tenant shall pay all utility charges for water, gas, electricity, sewer, trash removal and other city services and utility charge, accruing during the term of the lease or any extension or renewal thereof, promptly when the same shall be due. In the event any deposits for utilities shall be required, Tenant shall pay the same, and shall cause the utility accounts to be established in Tenant's name.

ASSIGNMENT AND SUBLEASE

Tenant shall not be permitted, without the consent of Landlord, to assign or sublet the premises or any portion thereof, except to a subsidiary or other division of Tenant. Any assignment or sublease shall not relieve Tenant of its obligations to Landlord provided for herein.

TAXES

Landlord shall be responsible for and agrees to pay all real estate taxes and assessments accruing before or during the term of the lease.

INSURANCE

Tenant shall, during the term of this lease agreement, keep in effect casualty and hazard insurance, insuring the premises against loss from fire, flood and other occurrence. Tenant shall additionally purchase and maintain public premises liability insurance in an amount not less than \$1,000,000.00. Tenant shall be responsible for any renters insurance, insuring Tenant's contents and personal property located within the premises. The premium cost for premises liability insurance and casualty and hazard insurance shall be split between the parties. Tenant shall, at the commencement of this lease, provide Landlord with a certificate of insurance *demonstration that tenant has in* full force and effect the required insurance, and the casualty and hazard insurance shall identify Landlord as having the insurable interest. Tenant shall at the time of renewal of such insurance provide Landlord with additional certificates of insurance.

LANDLORD'S RIGHT TO ENTER THE PREMISES

During the term of this lease, Landlord shall have the right to enter the premises at reasonable times to view and inspect the premises, make repairs and alterations which are the responsibility of Landlord, and take such other action as shall be necessary to protect and preserve the integrity and value of the premises.

PURCHASE OF REPLACEMENT PROPERTY

Tenant may, during the term of this lease, purchase additional bowling balls, shoes or other equipment, or purchase additional appliances or other items of personal property to be used in the operation of the bowling alley and restaurant. Personal property, equipment or appliances purchased to replace damaged or destroyed personal property currently in the premises, shall remain in the premises at the expiration of the lease, and be the property of Landlord. Any additional personal property, equipment, appliances, games, arcade property, or other personal property, not affixed to the real estate, shall remain the property of Tenant at the expiration of this lease, and Tenant shall be entitled to remove the same (as long as removal does not cause damage to the premises). Personal property affixed to the real estate, e.g. water softener, water heater, air conditioner units, ceiling lighting, signage, wall and floor coverings, shall remain with the premises at the expiration of the lease, and shall be the property of Landlord. Tenant shall purchase and replace any such personal property and equipment, damaged or destroyed during the term of this lease.

DEFAULT AND TERMINATION

In the event Tenant:

1. Fails or refuses to perform any of its obligations under this lease;
including without limitation, the obligation to pay rent;
2. Breaches any covenant or condition of this lease;
3. Abandons the premises;
4. Files or has filed against it, any case under the Federal Bankruptcy Act;
5. Suffers or allows any event to occur which reasonably impairs its ability to perform the terms of this lease or the value of the premises;

Landlord may terminate this lease effective fifteen (15) days after notice of termination is given Tenant unless Tenant shall, within such period, cure any breach, failure to perform, or cause to be eliminated any condition impairing the premises or Tenant's ability to perform the terms of this lease without interruption. In the event Landlord shall terminate this lease as provided for herein, Tenant shall immediately restore possession of the premises to Landlord, and agrees to and by these presents does assign to Landlord all rents and profits of the premises. Upon termination of the lease as provided for herein, Landlord shall be entitled to maintain any action at law or in equity available to Landlord arising out of the default by Tenant.

RESTORATION OF PREMISES

At the expiration of the term of this lease, unless extended or renewed. Tenant shall restore possession of the premise to Landlord in a clean, neat and orderly fashion, and in the same condition as the same are presently in, reasonable wear and tear associated with normal use excepted, and excepting further any change in condition of the premises caused by remodeling if agreed to by Landlord as provided for herein

LIMITATION OF LANDLORD'S PERSONAL LIABILITY

Tenant specifically agrees to, and by the presents does indemnify and hold Landlord harmless for any claim, cause of action or damage sustained by Landlord arising out of the possession of or use of the premises by Tenant.

ENTIRE AGREEMENT-BINDING EFFECT

This Lease contains the entire agreement between the parties hereto and shall not be modified in any manner except by an instrument in writing executed by the parties or their respective successors in interest. This agreement shall bind the parties, their heirs, assigns except as provided for herein, personal representatives and successors in interest.

Dated this 16 day of April, 2021

Chccma Investments, LLC, Landlord

By: KS
Kuldip Singh, Member/Manager

Craig Brannan
Craig Brannan, Tenant
Amber Brannan
Amber Brannan, Tenant

S T A T E O F N E B R A S K A
LIQUOR CONTROL COMMISSION

MISCELLANEOUS DEPOSIT

LICENSE INFORMATION:

LICENSE NO. 999999

CATEGORY R (R, S, M, D)

RECEIVED FROM:

REFERENCE: Craig A Brannan -124723
ck 1075

	CHECK	CASH	CURRENCY
	\$\$\$\$\$\$ ¢¢	\$\$\$\$\$\$ ¢¢	\$\$\$\$\$\$ ¢¢
REMITTANCE AMOUNT:	000400 00		

ACCT

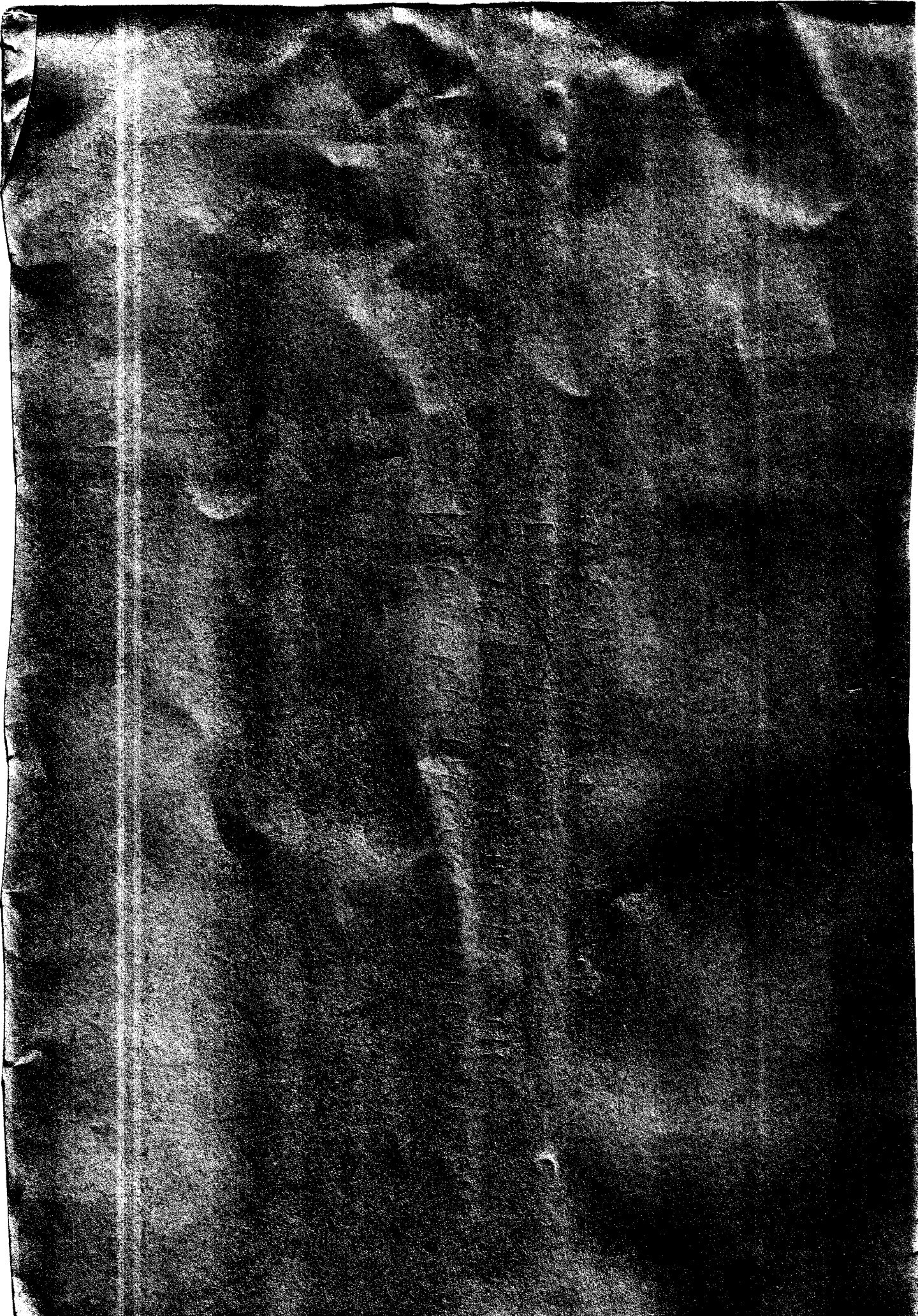
DEPOSIT (+/-)

=====
63.476100
67.472201

=====
000395 00
000005 00

DEPRESS: **ENTER** - PROCESS

PA1 - RETURN TO MENU



CHECK LIST**Neb. Rev. Stat. §53-132 (Reissue 2016)**

Council should determine the propensity of whether or not to grant the liquor license that has been requested. In that regard, suitability and fitness and the following four criteria are most important:

- (2)(a) Applicant is fit, willing and able to provide the service proposed.
- (2)(b) Applicant can conform to all laws.
- (2)(c) Applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to ensure conformance with law.
- (2)(d) Issuance of the license is or will be required by the present or future public convenience and necessity.

In making its determination Council may also consider as the Nebraska Liquor Control Commission will consider, the following. The Council should not base its recommendation on any of the following criteria, but may chose to comment to the Commission about one or more of the criteria:

- (3)(b) Citizen's protest.
- (3)(c) Existing population/growth.
- (3)(d) The nature of the neighborhood around the location.
- (3)(e) Existence of other licenses.
- (3)(f) Existing motor vehicle and pedestrian traffic in the vicinity.
- (3)(g) Adequacy of existing law enforcement.
- (3)(h) Zoning restrictions.
- (3)(i) Sanitary conditions.
- (3)(j) Whether the type of business or activity proposed will be consistent with the public interest.

*OTHER COUNCIL CONCERNS

Memorandum

To: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
From: Kevin E Spencer, Chief of Police
Date: 3/1/2022
Re: Application for Class C Liquor License, number 124723 in the name of X-Treme Fun, LLC dba X-Treme Fun, 1702 17th Ave, Scottsbluff, Nebraska 69361

AUTHORITY: The Scottsbluff Police Department reports specific information to the City Council whenever a liquor license application is presented. The information furnished by the Police Department conforms to Chapter 53, Reissue Revised Statutes of Nebraska 1943, and Section 53-132, which outlines the factors which the Commission may consider in granting a liquor license.

COMMENTARY

53-132: Section 2

(A) The applicant is fit, willing and able to properly provide the service proposed within the city where the premises described in the application are located:

A background investigation was conducted on Amber Brannan as a means to determine her fitness to hold a liquor license. Amber reported no criminal convictions; no additional information was discovered. Amber reported not having any experience in the alcohol business, but seems to have an adequate plan in place and a willingness to learn.

Considering all the information gathered I find no reason to believe the applicant is not fit to hold a liquor license.

(B) The applicant can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Any operator must adhere to the existing laws while doing business in the community and adhere to acceptable business practices.

On Thursday, February 24, 2022 Amber Brannan appeared before the City of Scottsbluff Liquor License Holders Investigatory Board to answer questions regarding her application. Amber told us she will have approximately 15 to 20 employees, and require them to check the identification of anyone under 40 years of age. Amber told us that she will attend training and require her employees who handle alcohol to attend training. Amber said that she was unsure what would happen if an employee sold alcohol to a minor, Amber told us that the employee would be disciplined.

Based on Amber's responses to the questions and comments made by the board, no significant issues arose. **A positive recommendation to council was approved by the board.**

The applicant appears to have the ability and willingness to conform to language within the Nebraska Liquor Control Act.

- (C) The applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to ensure that the licensed business can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:**

Amber told us that the business does have security cameras and an intrusion alarm. Amber stated that she will be responsible for the inventory and ordering all of the alcohol. Amber added that any overstock of alcohol will be kept in a locked room in the back of the business.

- (D) The issuance of the license is or will be required by the present or future public convenience and necessity:**

The business is a bowling alley that has existed at this location for several years.

SPECIFIC ISSUES COMMISSION MAY CONSIDER

- (E) The existence of a citizen's protest made in accordance with Section 53-133:**

There have been no known citizen protests of this business.

- (F) The nature of the neighborhood or community of the location of the proposed licensed premises:**

The business is located at 1702 17th Ave, Scottsbluff, Nebraska. It is the type of business that will attract customers when open, seven days a week Sunday through Saturday. Its location is easily accessible and convenient for customers. I would not anticipate any issues with location.

- (G) The existence or absence of other retail licenses or bottle club licenses with similar privilege within the neighborhood or community of the location or the proposed licensed premises.**

There are no other businesses of this type or nature in the close proximity that have liquor licenses.

- (H) The existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises:**

Although no recent traffic studies have been completed regarding motor vehicle traffic of the general area, the traffic flow is not of a concern at this time nor is pedestrian traffic.

- (I) The adequacy of existing law enforcement:**

The Scottsbluff Police Department is allowed 33 full time officers in the department and handled approximately 17,073 calls for service in 2021. The number of liquor licenses within the jurisdictional boundaries of the Police Department, regardless of the class, continues to be a priority to the Police Department and even routine monitoring of their business practices is difficult. Compliance checks continue to remain a concern to those businesses that sell alcohol to minors. The Nebraska State Patrol has assumed liquor law enforcement duties and their wide jurisdiction generally precludes any particular focus in the city.

- (J) Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest:**

- (K) Adequate staffing and training, as well as close supervision of patrons are important. Cooperation with the Police Department by management will help to eliminate or diminish potential problems with violations.**

EXHIBIT IV

Memo

Date: March 7, 2022

To: Honorable Mayor McKerrigan and Members of the City Council

From: Kimberley Wright, City Clerk

CC: Elizabeth Loutzenhiser & Kevin Spencer, Interim City Managers

Re: X-Treme Fun, LLC d/b/a X-Treme Fun, 1702 17th Ave, Scottsbluff, NE

The city clerk is required by ordinance to report specific information to the city council whenever a liquor license application hearing is held.

Following are the existing licenses, their class, address and proximity to other licensed premises:

Class of License

Class A	Beer only, for consumption on premises
Class B	Beer only, for consumption off premises
Class C	Alcoholic liquors, for consumption on and off premises
Class D	Alcoholic liquors, including beer, for consumption off premises
Class I	Alcoholic liquors, for consumption on the premises
Class IB	Alcoholic liquors, for consumption on the premises and beer only for consumption off premises.
Class L	Craft Brewery (Brew Pub)
Class W	Wholesale beer
Class Z	Microdistillery
Catering	Alcohol permitted by licensee's retail license, sold or served at events covered by special designated licenses

Class A Licenses

Restaurants

Mast Enterprises, Inc. dba Arthur's Pizza	2203-07 Broadway
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Total Class A Licenses 1

Class B Licenses

Convenience Stores

Total Class B Licenses 0

Class C Licenses

Restaurants

El Charrito Restaurant & Lounge, Inc .
Tangled Tumbleweed
Las VII Americas Tortilleria
Flyover Brewing Company (Catering)
27th Street Bro's, LLC d/b/a Brothers 27th Street Wings and
Burgers (Catering)

802 21st Avenue
1823 Ave. A
1619 East Overland
1824 Broadway
2621 5th Avenue

Hotel/Motel

Holiday Inn Express

1821 Frontage Rd.

Taverns/Lounges

Hight's Tavern
Shots Bar and Grill
Bob's Garage & Bar
RSK Frontside, LLC dba Frontside
Racks Sports Bar, LLC (Catering)

20 West 18th Street
705 East Overland
1907 Broadway
1001 Avenue I
1402 East 20th St.- Suite B

Retail

Panhandle Cooperative Assn. (Catering)
Kelley's Liquor (Catering)

401 S. Beltline Hwy West
817 West 27th Street

Clubs

Elks BPO Lodge 1367 (Catering)

1614 1st Avenue

Bowling Alleys

TOTAL CLASS C LICENSES 14

Class D Licenses

Grocery Stores

Safeway of Western Nebraska
Panhandle Coop Assn.

601 Broadway
3302 Ave. B

Convenience Stores

East "O" Watering Hole
Scottsbluff Watering Hole
Big Bats
Git N Split
Cheema's Gas & Liquor
Route 26 Mart
Maverik Stores Inc.,
Walgreens
Western Travel Terminal
Essential Fuel

503 East Overland
121 W 27th Street
902 West Overland
506 West 27th Street
2002 Avenue I
1722 E 20th Street
920 West 36th St.,
205 West 27th Street
822 South Beltline Hwy W
2319 East Overland

Liquor Stores

Dermer's
Cigarette Chain

1311 E Overland Dr.
323 East Overland

Discount/Grocery Stores

Target (Catering)
Wal-Mart Supercenter #867
TOTAL CLASS D LICENSES

16

1401 Frontage Rd.
3322 Avenue I

CLASS I LICENSES

Restaurants

Rosita's (Catering)
Applebees
Chili's Grill & Bar
Wonderful House Restaurant
Ole, LLC
San Pedro Mexican Restaurant
Sam & Louie's Pizzeria (Catering)
16th Empire
Taco Town
Prime Cut
Goonies Sports Bar & Grill

1205 East Overland
2302 Frontage Rd.
826 West 36th St.
829 Ferdinand Plaza
1901 East 20th Street
23 West 27th St.
1522 Broadway
1605 Ave A
1007 West 27th St.
305 West 27th St.
1802 East 20th Place

Hotel/Motel

Hampton Inn & Suites
2627 Lodging dba Fairfield Inn & Suites

301 W Hwy 26
902 Wintercreek Dr.

TOTAL CLASS I LICENSES 13

CLASS IB LICENSES

Nightclub

Marez, LLC d/b/a Oasis

TOTAL CLASS IB LICENSES

1

1722 Broadway

Class L Licenses

Flyover Brewing Company

TOTAL CLASS L LICENSES

1

1824 Broadway

Class W Licenses

Wholesale

High Plains Budweiser

TOTAL CLASS W LICENSES

1

2810 Ave M

Class Z Licenses

Great Plains Distillery (Catering)

TOTAL CLASS Z LICENSES

1

213 West Railway St.

TOTAL LICENSES	
Class A	1
Class B	0
Class C	14
Class D	16
Class I	13
Class IB	1
Class L	1
Class W	1
Class Z	1
TOTAL LICENSES	48

Memo

Exhibit V

Date: February 17, 2022
To: Honorable Mayor and City Council
From: Staff, Development Services
CC: Dustin Reif
Re: Class "C" Liquor License Application
X-treme Fun
1702 17th Ave.
Scottsbluff, NE 69361

Action:

Amber Brannan has applied for a new liquor license in the name of X-treme Fun, located at 1702 17th Ave., Scottsbluff, Ne.

The Development Services Department is required by Article 1, Chapter 11 of the Scottsbluff Municipal Code to report specific information to the Mayor and City Council whenever a liquor license application hearing is held. In accordance with that directive the following information is offered:

- (1) The property at 1702 17th Ave. is situated in a C-2 (Neighborhood and Retail Commercial) zoning district where an indoor amusement center is allowed by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances.
- (2) The off-street parking requirements for a bowling alley are six spaces per every lane in the establishment. There are 16 lanes, which would require 96 parking stalls. The parking lot is gravel with no parking lot markings. The lot is very large and should be able to handle 96 automobiles.
- (3) The areas to the East is zoned R4 (Heavy Density Multiple-Family) and C3 (Heavy Commercial). The area to the south is R1a (Single Family). The areas to the North and West are R4 (Heavy Density Multiple-Family).
- (4) There are no churches, schools, or other similar institutions within 300 feet of the subject property.
- (5) The population of Scottsbluff according to the 2020 census is approximately 14,417.

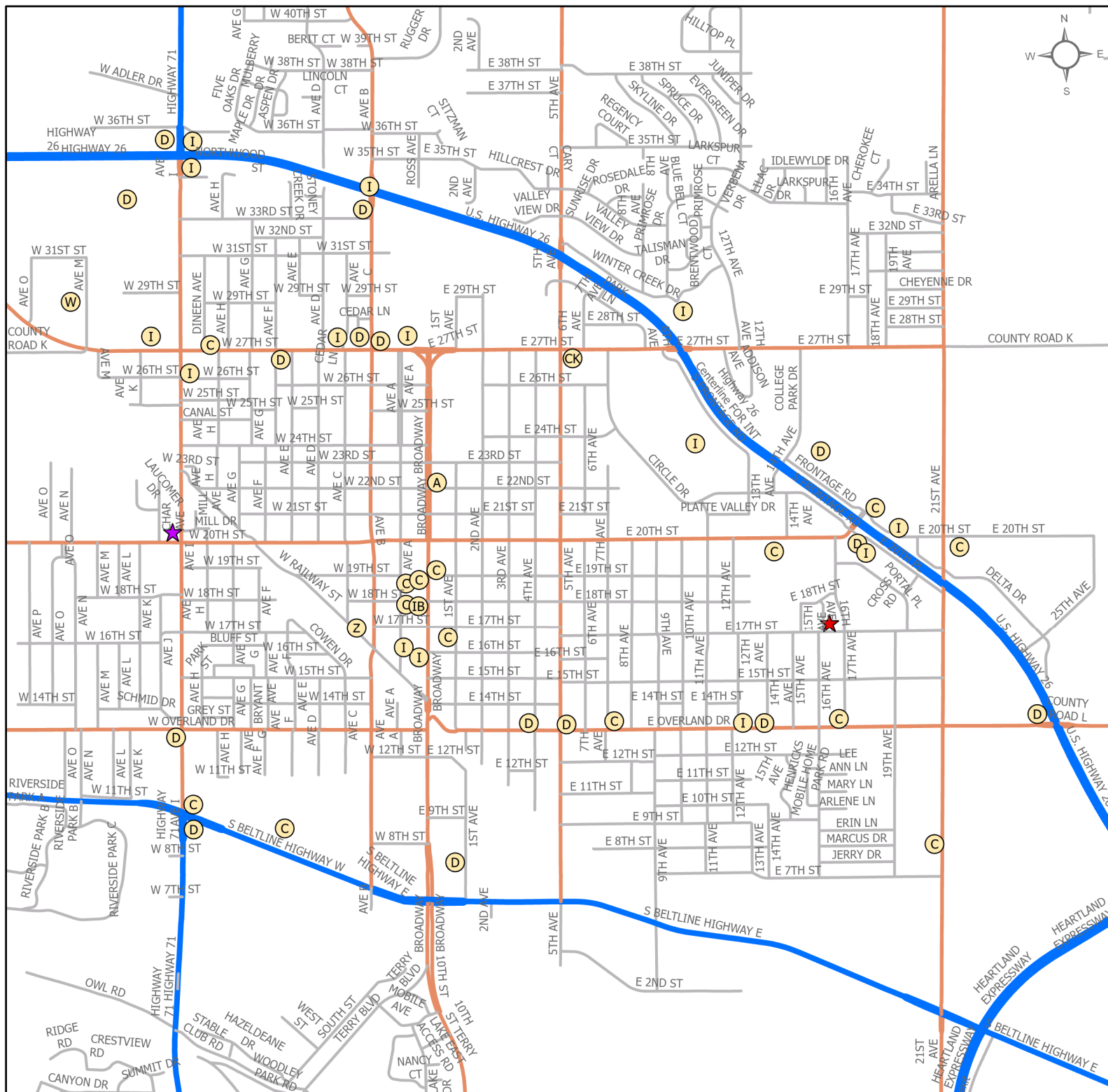
CITY OF SCOTTSBLUFF

Liquor Licenses

- ★ Applicant
X-Treme Fun, LLC d/b/a X-Treme Fun
Type C - 1702 17th Ave
 - ★ Applicant
Grass Retail, LLC d/b/a Shortstop
Type D - 2002 Ave I
 - Current Licensed Properties
 - Highway
 - Main Road
 - Residential/Rural
- | | |
|--------------|---|
| Class A | Beer only, for consumption on premises |
| Class B | Beer only, for consumption off premises |
| Class C | Alcoholic liquors, for consumption on and off premises |
| Class D | Alcoholic liquors, including beer, for consumption off premises |
| Class I | Alcoholic liquors, for consumption on the premises |
| Class IB | Beer, Wine, Distilled Spirits on Sale, Beer off sale only |
| Class W | Wholesale beer |
| Catering (K) | Alcohol permitted by licensee's retail license, sold or served at events covered by special designated licenses |

Taylor Stephens
City of Scottsbluff GIS
Created on 2/28/2022
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.



City of Scottsbluff
Liquor License Holders Investigatory Board
Regular Meeting
February 24, 2022 - 4:00 p.m.

The City of Scottsbluff Liquor License Holders Investigatory Board met in a regular meeting on Thursday, February 24, 2022 at 4:00 p.m. in the Meeting Room of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on February 20, 2022 in the Star Herald, a newspaper published and of general circulation in the city. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public. That anyone with a disability desiring reasonable accommodation to attend the meeting should contact the city clerk's office, and that an agenda of the meeting kept continuously current was available for public inspection at the office of the city clerk in City Hall; provided, the committee could modify the agenda at the meeting if it determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each committee member.

1. Roll Call - The following Board Members were present: Police Chief/Interim City Manager, Kevin Spencer; Kim Wright, City Clerk, Libby Stobel, City Attorney, Russ Knight, Chairman, Andrea Margheim, Flyover Brewery and Matt Huck Scottsbluff Public Schools. Absent: Kelli Larson, Panhandle Prevention Coalition and Norman Coley, WNCC,
2. Open Meeting Act – Chairman Knight welcomed everyone in attendance and informed those in attendance that a copy of the Nebraska Open Meetings Act is posted on the west wall for the public's review.
3. Call Meeting to Order - The meeting was called to order and Wright recorded the proceedings.
4. Approve the January 27, 2022 Regular Meeting Minutes – Motion by Spencer, Second by Margheim to approve the January 27, 2022 Regular Meeting Minutes, motion passed unanimously.
5. Changes or additions to the agenda – Chairman Knight asked to move items 6) Remove from table Nominations of Officers and 7) Nomination of Officers after 8) New applications. The committee approved the request.
6. New Application.
 - a. Amber Brannan, Liquor License Manger applicant of X-Treme Fun, LLC d/b/a X-Treme Fun was present to answer questions regarding the Class C liquor license application for X-Treme Fun, LLC d/b/a X-Treme Fun. Ms. Brannan stated the business will include a bowling alley and laser tag. She stated she has no experience in liquor, but will be taking TIPS training as well as her staff of 15-20 people. They will focus on selling beer and hard seltzers in bottles or cans only. Ms. Brannan was asked her policy on checking ID's. Ms. Brannan stated they will check everyone who looks under 40. She was also asked what would happen to an employee that sold to a minor. Ms. Brannan answered she had not really thought about it, but would probably counsel and write up the employee. Chairman Knight encouraged Ms. Brannan to create an employee handbook with guidelines in it for employees to follow.

Chief Spencer asked about security cameras. Ms. Brannan stated she has both security cameras and alarms in the building. As far as overstock is concerned she is still deciding where to locate it, but it will probably be in the back area in a locked room.

The committee had a concern regarding the large area that alcohol will be permitted in. Committee Member Margheim recommended having an employee roam the area keeping watch of the alcohol.

Police Chief Spencer moved, seconded by Committee Member Margheim to send a positive recommendation to City Council for the Class C Liquor License for X-Treme Fun, 1702 17th Avenue and also naming Amber Brannan as the Liquor License Manager, motion passed unanimously.

- b. Craig Grass, Liquor License Manager applicant of Grass Retail, LLC d/b/a Shortstop was present to answer questions regarding the Class D Liquor License Application for Short stop. Mr. Grass and his wife Nikki came forward and explained they have purchased the gas station and convenience store from Cheema and they plan on making it more of a convenience store than liquor store. Both Mr. and Ms. Grass stated they do not have much experience in this field as they have never owned a bar or restaurant. They are planning to take the TIPS training for themselves and their two and one half employees; Ms. Grass will be the on-site manager. They plan on downsizing the hard alcohol and currently are not selling due to being denied a Temporary Operators License; all alcohol is covered with black plastic and in another locked room.

Police Chief Spencer questioned why there was not a detailed inventory list sent with the application. Mr. Grass stated he does not have a 100% definitive answer. He stated Cheema sent the list to the state and he has received that list, but has not verified it. Mr. Spencer also asked what measures they have in place to prevent underage drinking. Mr. Grass stated they will ID everyone who purchases alcohol, with Ms. Grass stating their point of sale system stops transactions that involve alcohol; however that can be overridden. They also have born on date calendars in the store. Mr. Spencer also asked about security cameras. Mr. Grass stated they have cameras located throughout the store and intrusion alarms as well. Both Mr. and Ms. Grass stated they will be in charge of ordering and inventory and overstock will be kept in a locked back room.

Mr. Rob Jackson, Investigator with the State Patrol was present to answer questions regarding the existing inventory in the store. He stated normally when there is a transfer of liquor there is an inventory sheet attached with the application that contains a detailed amount of bottles and everything is accounted for. The reason for this process is the alcohol is supposed to be purchased from a wholesaler in the State of Nebraska, which was not the case with the previous owner. He questions why the alcohol was even part of the sale; he did comment, however, he has received contradicting information from the Liquor Commission.

After discussion, Chairman Knight informed Mr. and Ms. Grass that they are not going to be judged on the person they bought from; they will be judged on being good business owners and stewards of the liquor license.

Legal Counsel Stobel added there are two issues going on. She doesn't feel she was presented enough information to make a negative recommendation as to them; it is just the issue of the alcohol they have and whether that is going to get them into trouble down the road.

Chairman Knight moved to make no recommendation regarding the Class D Liquor License for Grass Retail, LLC d/b/a Shortstop, 2002 Avenue I, Scottsbluff, NE and Craig Grass as Manager. This was seconded by Police Chief Spencer. Motion passed unanimously by the Board.

7. Nomination of Officers – The committee agreed that Russ Knight would remain Chairman; however, due to the absences of Kelli Larsen, Police Chief Spencer moved to nominate Andrea Margheim as Vice-Chairman. The nomination was seconded by Legal Counsel Stobel. The motion passed unanimously by the board.
8. Other Business – Committee Member Margheim asked if the meetings could be moved to another day and time. She stated Thursdays at 4:00 p.m. was a scheduling conflict for her. She asked if meetings could be moved to either Mondays or Wednesdays at 2:00 p.m. After a brief discussion the committee decided to conduct future meetings on Wednesdays at 2:00 p.m.
9. Adjourn – Legal Counsel Stobel moved, seconded by Committee Member Huck to adjourn the meeting at 5:38 p.m. The motion passed unanimously by the board.

Russ Knight, Chairman

Kim Wright, Secretary