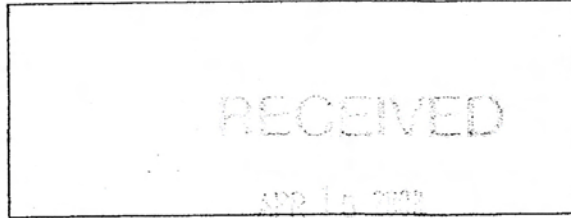


NEW APP D-80799/ TAA 799
REPLACING 76193
LEASE : Expires 04/30/2010

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

80799



Applicant Name Hi Times Liquor Mart LLC OT GAWSEN COMPANY INC
Trade Name Hi Times Liquor Mart 2 Previous Trade Name Hi Times Liquor Mart 2

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 state.

REQUIRED ATTACHMENTS

Each item must be checked and included with application or marked N/A (not applicable)

- 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed on cards as per brochure.
- 2. Enclose registration fee for the appropriate class of license, made out to the Nebraska Liquor Control Commission.
- 3. Enclose the appropriate application forms; Individual License – Form 1; Partnership License – Form 2; Corporate - Form 3a; Limited Liability Form (LCC) – Form 3b. Corporate Form 3a and LLC Form 3b requires Corporate Manager application – Form 3c.
- 4. If building is being leased send a copy of the lease. Be sure it reads in the individual(s), corporate or LLC name being applied for. Also, the lease must extend through the license year being applied for. If building owned, send a copy of the deed or purchase agreement in appropriate name.
- 5. If you are buying the business of a current licensee, provide a copy of the purchase agreement from licensee. This also needs to be in appropriate applicant's name.
- 6. If wishing to run on current liquor license enclose temporary agency agreement (must be Commission form only, must include copy of signature card from the bank showing both the seller and buyers name on account).

QA
X
X

BUS 10002
45-mm



0800008072

COPIES
OF
DENIED
LICENSE

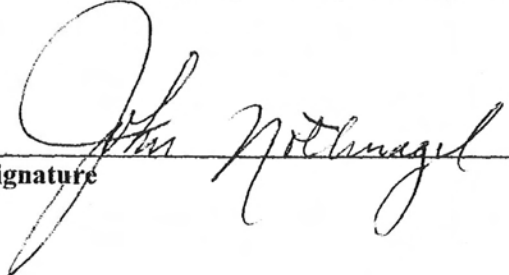
7. Copy of alcohol inventory being purchased. Inventory shall include brand names and container sizes. Inventory may be taken at the time application is being submitted.

8. Enclose a list of any inventory or property owned by other parties that are on the premise.

9. For individual, partnership and LLC enclose proof of citizenship; copy of birth certificate (certificate from the State where born, not hospital certificate), naturalization paper or passport, for all applicants, members and spouses.

10. If corporation or LLC enclose a copy of articles as filed with the Secretary of States Office. This document must show barcode.

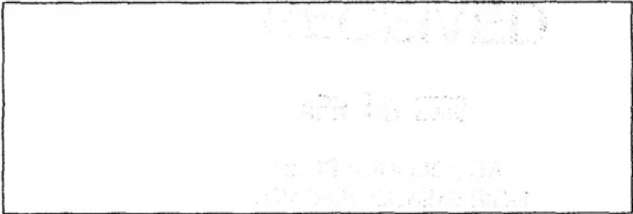
I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 45-60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.



Signature

APPLICATION FOR LIQUOR LICENSE

301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/



**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS(S)**

RETAIL LICENSE(S)

- A BEER, ON SALE ONLY \$45.00
- B BEER, OFF SALE ONLY \$45.00
- C BEER, WINE & DISTILLED SPIRITS, ON & OFF SALE \$45.00
- D BEER, WINE & DISTILLED SPIRITS, OFF SALE ONLY \$45.00
- I BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY \$45.00

Class K Catering license may be added to any of these classes with the filing of the appropriate form and fee of \$100.00

MISCELLANEOUS

- L Craft Brewery (Brew Pub) \$295.00 \$1,000 minimum bond
- O Boat \$ 95.00
- V Manufacturer \$ 45.00(+license fee) \$10,000 minimum bond
- W Wholesale Beer \$545.00 \$5,000 minimum bond
- X Wholesale Liquor \$795.00 \$5,000 minimum bond
- Y Farm Winery \$295.00 \$1,000 minimum bond
- Z Micro Distillery \$295.00 \$1,000 minimum bond

All Class C licenses expire October 31st
All other licenses expire April 30th
Catering expire same as underlying retail license

TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (requires form 3b & 3c)

**NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION
(commission will call this person with any questions we may have on this application)**

Name John K Nothnagel Phone number: 308-345-5462
Firm Name Hi Times Liquor Mart LLC

PREMISE INFORMATION

Trade Name (doing business as) Hi Times Liquor Mart LLC #2

Street Address #1 109 Cattlemans's Drive Suite #5

Street Address #2 _____

City Lexington County Dawson ^{#18} Zip Code 68550

Premise Telephone number 308-324-7350

Is this location inside the city/village corporate limits: YES NO

Mail address (where you want receipt of mail from the commission) City

Name John K Nothnagel

Street Address #1 805 Spruce Road

Street Address #2 502 East B Street

City McCook County Red Willow Zip Code 69001

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

Encluded

Entire one story bldg
approx 65' x 26'

LEXINGTON STORE
109 CATTLEMAN DRIVE
SUITE # 5

8' To Door →

(Door)
3'

Full length glass window
each 40" wide

- 16' MIDDLE -
ALL OPEN

SHOW CASES & COUNTER

← RETAIL AREA →

OPEN

WALK-IN COOLER

← 7 1/2' →

← 18' →

8' OFFICE

BACK STORE AREA

7 1/2' BATHROOM

DOOR
3'

3' BACK DOOR

N

← 25 1/2' →

40'
SHEVING

→
P. +
→

9 1/2'

↑

↓

↓ - 7 1/2' -

APPLICANT INFORMATION

READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

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.

YES NO

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

John Nothnagel 1 speeding ticket on 8-21-2003

Elizabeth Nothnagel Pleaded no contest to refusal to submit to a breath test and blood test on Jan 23rd 2007, for a violatiion on Nov. 28, 2006

Nicholas Nothnagel a minor traffic violation about 5 years but I don't know the date, a ticket for criminal mischief in Kearney, Ne sometime around Nov of 2005 for a college prank on one of his friends

2. Are you buying the business and/or assets of a licensee?

YES NO

If yes, give name of business and license number C T Jewell Co Inc dba Hi Tlmes Liquor Mart 2 #D-76193

a) Submit a copy of the sales agreement including a list of the furniture, fixtures and equipment.

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

a and b ARE ATTACHED AND INCLUDED

3. Are you filing a temporary agency agreement whereby current licensee allows you to operate on their license?

YES NO

If yes, attach temporary agency agreement form and signature card from the bank.

This agreement is not effective until you receive your three (3) digit ID number from the Commission.

4. Are you borrowing any money from any source to establish and/or operate the business?

YES NO

If yes, list the lender _____

5. 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. _____

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

YES NO

If yes, list such items and the owner. We are leasing the unit with a bathroom.

7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business?

YES NO

If yes, explain. _____

No silent partners

8. Are you premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 feet of a college or university campus?

YES NO

If yes, list the name of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)

9. Is anyone listed on this application a law enforcement officer?

YES NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the individual(s) who will be authorized to write checks and/or withdrawals on accounts at the institution.

McCook National Bank 220 Norris Ave, McCook, Ne John, Elizabeth & Nicholas Nothnagel Jolene Schmidt

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.

Hi Times Liquor Mart, McCook, Ne # D-74289 Hi Times Liquor Mart #2 Lexington, Ne #D-76193

12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.

John Nothnagel 20-40 Hours

13. List the training and/or experience (when and where) of the person lists in #12 above in connection with selling and/or serving alcoholic beverages.

John K Nothnagel is currently the corporate manager of both Hi Times Liquor Marts

14. If the property for which this license is sought 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 show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

Lease: expiration date Copy of Lease attached
 Deed
 Purchase Agreement

Need option to extend through 4/30/2009

15. When do you intend to open for business? Its an on going business so whenever we get a license

16. What will be the main nature of business? beer, wine, liquor, cigs, pop, snacks, coffee, etc

17. What are the anticipated hours of operation? Monday-Saturday 7 am- 12 am Sunday 8am - 10 pm

18. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses. If necessary attach a separate sheet.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
John K Nothnagel	1996	2008	Elizabeth A. Nothnagel	1996	2008
805 Spruce Road			805 Spruce Road		
McCook, Ne. 69001			McCook, Ne. 69001		

see attached for Nicholas Nothnagel

ATTACHMENT TO APPLICATION

18. RESIDENCE PAST 10 YEARS	YEAR	
	FROM	TO
NICHOLAS NOTHNAGEL 805 SPRUCE ROAD. MCCOOK, NE 69001	1998	2005
NICHOLAS NOTHNAGEL 1618 CENTENNIAL LANE MCCOOK, NE 69001	2006	2008

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background investigation 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.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock and spouses). Full (birth) names only, no initials.

John Nottmager

 Signature of Applicant

Elizabeth Madigan

 Signature of Applicant

Julie R. Hilker

 Signature of Applicant

 Signature of Applicant

 Signature of Applicant

Elizabeth Madigan

 Signature of Spouse

John Nottmager

 Signature of Spouse

 Signature of Spouse

 Signature of Spouse

 Signature of Spouse

State of Nebraska
 County of Red Willow

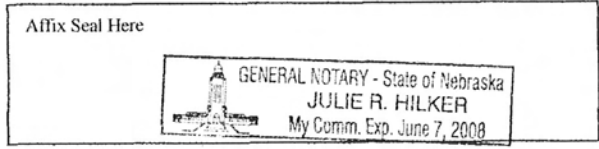
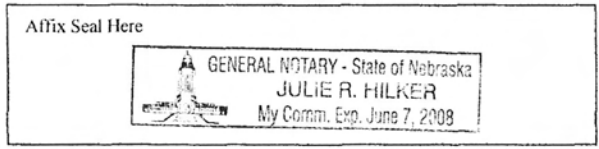
The foregoing instrument was acknowledged before me this April 14, 2008 by
Julie R. Hilker

 Notary Public signature

County of Red Willow

The foregoing instrument was acknowledged before me this April 14, 2008 by
Julie R. Hilker

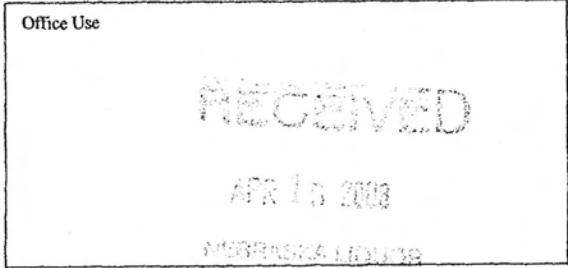
 Notary Public signature



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

**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:



All LCC members, including spouses, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must provide a copy of their certified birth certificate or INS papers
- 3) Must submit their fingerprints (2 cards per person)
- 4) Must sign the signature page of the Application for License form (even if spousal affidavit has been submitted)

Attach copy of Articles of Organization (~~Articles must show bar code receipt by Secretary of State~~)

Name of Registered Agent: G. Peter Burger 116 West E Street, McCook, Ne. 69001

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

Hi Times Liquor Mart LLC

LLC Address: 805 Spruce Road

City: McCook State: Ne Zip Code: 69001

LLC Phone Number: 308-345-5462 Fax Number 308-345-6886

Name of Contact Member (Name and information of contact member must be listed on following page)

Last Name: Nothnagel First Name: John MI: K

Home Address: 805 Spruce Road City: McCook

State: Ne Zip Code: 69001 Home Phone Number: 308-345-5462

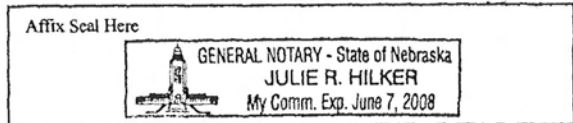
John Nothnagel
Signature of Contact Member

State of Nebraska
County of Red Willow

The foregoing instrument was acknowledged before me this

April 14, 2008 date by John K. Nothnagel name of person acknowledged

Julie R. Hilker
Notary Public signature



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

Last Name: NOTHNAGEL First Name: John MI: K

Social Security Number: 506-70-3986 Date of Birth: 05-05-1951

Spouse Full Name (indicate N/A if single): Elizabeth A. Nothnagel

Spouse Social Security Number: 505-74-3953 Date of Birth: 07-15-1951

Last Name: Nothnagel First Name: Elizabeth MI: A

Social Security Number: 505-74-3953 Date of Birth: 07-15-1951

Spouse Full Name (indicate N/A if single): John K Nothnagel

Spouse Social Security Number: 506-70-3986 Date of Birth: 05-05-1951

Last Name: Nothnagel First Name: Nicholas MI: J

Social Security Number: 508-19-5659 Date of Birth: 02-11-1985

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

Spouse Social Security Number: _____ Date of Birth: _____

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: _____

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: _____

Is the applying Limited Liability Company controlled by another Corporation/Company?

YES

NO

If yes, provide the name of corporation/company and supply an organizational chart

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

Starting Date: JANUARY 01 Ending Date: DEC 31ST

Is this a Non Profit Corporation?

YES

NO

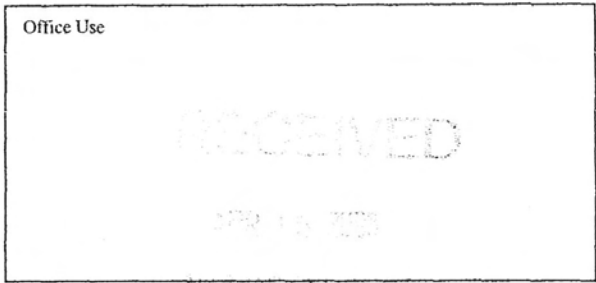
If yes, provide the Federal ID #.

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

REVISED 5/2007

**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:



Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of their certified birth certificate or INS papers
- 4) Must submit their fingerprints (2 cards per person)
- 5) Must be 21 years of age or older
- 6) Applicant may be required to take a training course

Corporation/LLC information

Name of Corporation/LLC: Hi Tlmes Liquor Mart LLC

Premise information

Premise License Number: _____

Premise Trade Name/DBA: Hi Tlmes Liquor Mart LLC #2

Premise Street Address: 109 Cattleman's Drive Suite #5

City: Lexington State: Nebr. Zip Code: 68850

Premise Phone Number: 1-308-324-7350

The individual whose name is listed in the president or contact member category on either insert form 3a or 3b must sign their name below.

CORPORATE OFFICER SIGNATURE
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Gender: MALE FEMALE

Last Name: Nothnagel First Name: John MI: K

Home Address (include PO Box if applicable): 805 Spruce Road

City: McCook State: Nebr. Zip Code: 69001

Home Phone Number: 308-345-5462 Business Phone Number: 308-344-9170

Social Security Number: 506-70-3986 Drivers License Number & State: G48005090 Nebr

Date Of Birth: 05-05-1951 Place Of Birth: McCook, Nebr. 69001

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES NO

Spouse's information

Spouses Last Name: Nothnagel First Name: Elizabeth
MI: A

Social Security Number: 505-74-3953 Drivers License Number & State: G48005585

Date Of Birth: 07-15-1951 Place Of Birth: McCook, Nebr. 69001

APPLICANT AND SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST 10 YEARS					
APPLICANT			SPOUSE		
CITY & STATE		YEAR FROM TO	CITY & STATE		YEAR FROM TO
John K. Nothnagel		1996 2008	Elizabeth A. Nothnagel		1996 2008
805 Spruce Road			805 Spruce Road		
McCook, Ne. 69001			McCook, Ne. 69001		
MANAGER'S LAST TWO EMPLOYERS					
YEAR FROM TO	NAME OF EMPLOYER		NAME OF SUPERVISOR	TELEPHONE NUMBER	
1973 2008	C T Jewell Company, Inc.		None (owner)	308-345-6881	

Manager and spouse must review and answer the questions below
PLEASE PRINT CLEARLY

1. **READ PARAGRAPH CAREFULLY AND ANSWER COMPLETELY AND ACCURATELY.**

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.**

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

John Nothnagel 1 speeding ticket on 8-21-2003

Elizabeth Nothnagel pleaded no contest to refusal to submit to a breath test and blood test on Jan 23rd, 2007 for a violation on Nov. 28th, 2006

Nicholas Nothnagel a minor traffic violation about 5 years ago but i don't know dat, and a ticket for a criminal mischief in Kearney, Ne sometime around Nov of 2005 for a prank

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? **IF YES**, list the name of the premise.

YES NO

3. Do you, as a manager, have all the qualifications required to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

YES NO

4. Have you filed the required fingerprint cards and **PROPER FEES** with this application? (The check or money order must be made out to the **Nebraska State Patrol for \$38.00 per person**)

YES NO

PERSONAL OATH AND CONSENT OF INVESTIGATION

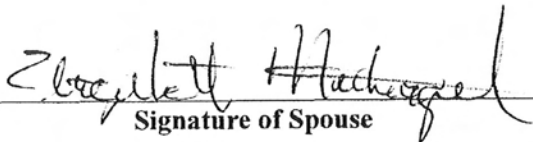
The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. 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.



Signature of Manager Applicant



Signature of Spouse

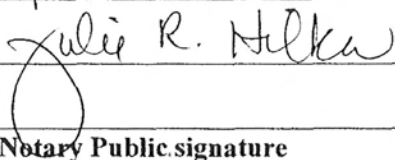
State of Nebraska

County of Red Willow

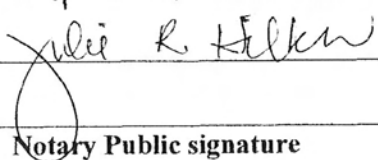
County of Red Willow

The foregoing instrument was acknowledged before me this April 14, 2008 by

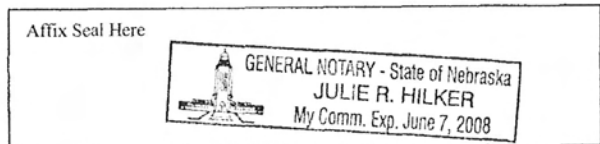
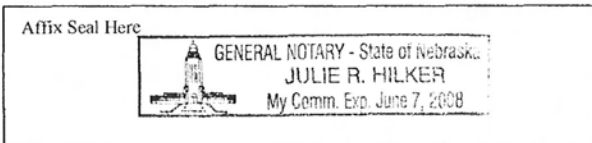
The foregoing instrument was acknowledged before me this April 14, 2008 by



Notary Public signature



Notary Public signature



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

#2

ASSIGNMENT

COMES now C.T. Jewell Company, Inc. and sells, conveys and assigns to Hi Times Liquor Mart, LLC all of its rights to operate the two licensed liquor establishments, #D-74289 and #D-76193, and all rights under the following leases:

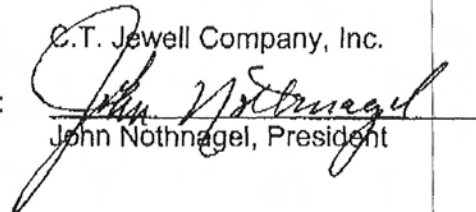
1. GB&G Property Lease, 109 Cattlemen Drive, Suite 5, Lexington, Nebraska.
2. Berry Rentals Lease, 502 East B Street, McCook, Nebraska.

Assignor further assigns to Hi Times Liquor Mart, LLC all of the inventory, fixtures, equipment, cash, and other assets and rights associated with, or located at the above locations.

April 16, 2008.

C.T. Jewell Company, Inc.

By:



John Nothnagel, President