

RESOLUTION NO. 08-01

DECISION ON APPLICATION FOR A 3.2% FERMENTED MALT BEVERAGE LICENSE BY WAL-MART STORES INCORPORATED, UNDER THE TRADE NAME OF "WAL-MART SUPERCENTER #1280" LOCATED AT 2881 NORTH AVENUE, GRAND JUNCTION, COLORADO

A public hearing was held on September 5, 2001, by the Local Licensing Authority for the City of Grand Junction (hereinafter "City"), on the application submitted by Albertson's, Incorporated, (hereinafter "Applicant"), for a 3.2% Fermented Malt Beverage license for off-premise consumption under the trade name of "Wal-Mart Supercenter #1280" located at 2881 North Avenue, Grand Junction, Colorado. The Local Licensing Authority having duly considered the evidence adduced at said hearing, FINDS:

1. The hearing on September 5, 2001 on the application was held after proper notice thereof, as required by 12-47-311 C.R.S., et. seq.
2. The survey of the neighborhood conducted by the applicant revealed that 205 persons believed the needs of the neighborhood were not being met by the existing outlets and desired that the license be issued. Thirty-seven (37) persons did not support the application.
3. There were no counterpetitions or letters of opposition filed in regards to this application.
4. The moral character and reputation of the corporate officers is good as determined by a check performed by the Grand Junction Police Department.
5. There are four (4) 3.2% fermented malt beverage outlets within the area surveyed. There is one (1) additional 3.2% fermented malt beverage outlet within a one-mile radius.

In light of all the evidence presented at the hearing, the documents and survey placed in the file, and the statements of counsel, it is determined that the statutory requirements for the issuance of the license have been met.

The evidence supports the conclusion that the needs of the neighborhood are not being met and it is the desire of the adults surveyed that the license be issued.

**NOW, THEREFORE, BE IT RESOLVED BY THE LOCAL
LICENSING AUTHORITY OF THE CITY OF GRAND JUNCTION:**

That the application submitted by Wal-Mart Stores Incorporated, for a 3.2% Fermented Malt Beverage License, under the trade name of "Wal-Mart Supercenter #1280", located at 2881 North Avenue, Grand Junction, Colorado, be approved.

DONE this 5th day of September, 2001.

/s/ Phillip Coebergh
Philip Coebergh, Hearing Officer
Local Licensing Authority for the
City of Grand Junction

ATTEST:

/s/ Christine English
Christine English
Sr. Admin. Assistant
Office of the City Clerk