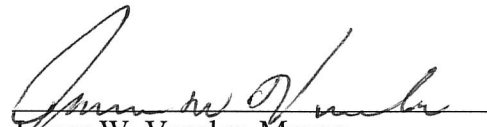


**RESOLUTION #09-09**

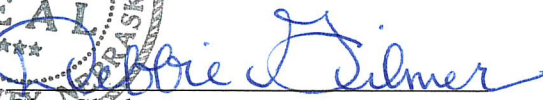
A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF FRIEND, SALINE COUNTY, NEBRASKA, APPROVING THE APPLICATION OF THE FRIEND HISTORICAL SOCIETY, FOR A SPECIAL DESIGNATED PERMIT UNDER THE NEBRASKA LIQUOR CONTROL ACT, TO SERVE BEER/WINE/LIQUOR DURING THE FRIEND HISTORICAL SOCIETY'S DOWNTOWN FRIEND FESTIVAL TO BE HELD ON OCTOBER 10, 2009 IN THE CITY OF FRIEND. THE SAID SPECIAL DESIGNATED PERMIT TO BE HELD BETWEEN THE HOURS OF 5:00 P.M. AND 12:00 A.M. MIDNIGHT ON OCTOBER 10, 2009, PURSUANT TO THE MUNICIPAL CODE OF THE CITY OF FRIEND, AND THE NEBRASKA LIQUOR CONTROL ACT.

DATED SEPTEMBER 1, 2009

  
James W. Vossler, Mayor

ATTEST:



  
City Clerk

This resolution was offered by Councilperson Krause, seconded by Councilperson Drake. Upon roll call, voting aye, Schrock, Lawver, Drake, Krause; voting nay, none. Said resolution was passed and approved and the Clerk was directed to enter the same at large upon the minutes and to certify a copy to accompany the application for the special designated permit to the Nebraska Liquor Control Commission.

**CERTIFICATION**

STATE OF NEBRASKA    )  
                                  )  
COUNTY OF SALINE    )

SS.

I, Debbie Gilmer, City Clerk of the City of Friend, Saline County, Nebraska, being first duly sworn, hereby certify that the attached is a true and correct copy of Resolution #09-09 and that this resolution was passed and adopted by the Mayor and City Council of the City of Friend on September 1, 2009.

ATTEST:



*Debbie Gilmer*  
Debbie Gilmer, City Clerk

FRIEND HISTORICAL SOCIETY

511 2ND STREET  
FRIEND, NE 68359

1043

76-0212/1049

DATE 1 Sept. 2009

PAY TO THE  
ORDER OF

Liquor Control Comm. \$ 40.00

forty and no / 100

FACE OF ORIGINAL DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER.

DOLLARS

Details of Security Features listed on back.

**First National Bank**  
of Friend

MEMO \_\_\_\_\_

James R Taylor  
treasurer

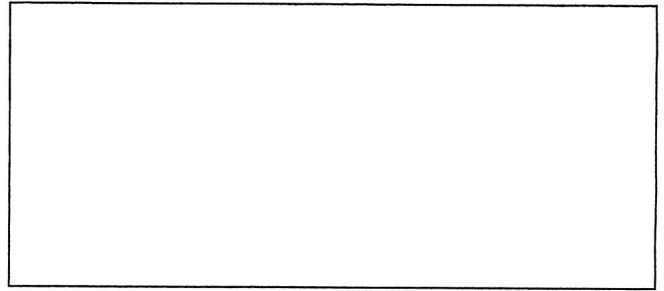
⑆ 104902127⑆

301 102 1043

PROFESSIONAL CHECK SYSTEMS

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
NON PROFIT APPLICANTS**

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.ne.gov/



**BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION**

- Include approval from the City, Village or County Clerk where the event is to be held
- Include signed statement from the local law enforcement (see question #8)
- A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed)
- Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)
- Letter from IRS declaring your organization exempt from payment of federal income taxes, or copy of federal tax return, as filed with the IRS, as well as affidavit signed by an officer of the organization declaring that the copy of the tax return is true and correct copy as filed with the IRS

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed  
 Beer       Wine       Distilled Spirits
2. Status of applicant (check one)  
 Municipal    Political    Fine Arts    Fraternal    Religious    Charitable    Public Service
3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: Friend Historical Society

ADDRESS: 511-2<sup>nd</sup> St, Friend, NE COUNTY Saline

4. Location where event will be held; name, address, city, county, zip code

ADDRESS: 511- 2<sup>nd</sup> St. Friend, NE COUNTY Saline

- a. Is this location within the city/village limits?  YES  NO
- b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their wives?  YES  NO
- c. Is this location within 300' of any university or college campus?  YES  NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date Hours From	Date Hours From	Date Hours From	Date Hours From	Date Hours From	Date Hours From
<u>Oct 10, 09</u> <u>5 PM</u> To <u>12 AM</u>	To	To	To	To	To

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
(alternate date or location must be approved by local and law enforcement)

6. Indicate type of activity to be carried on during event

- Dance  Reception  Fund Raiser  Beer Garden  Sampling/Tasting  Other

7. Description of area to be licensed

Inside building, dimensions of area to be covered INFEET 62' x 75'  
Name of building \_\_\_\_\_ (not square feet or acres)

Outdoor area dimensions of area to be covered INFEET 64' x 400'  
(not square feet or acres)

If outdoor area, how will premises be enclosed

fence, type of fence

tent

other, explain Sidewalk area in front of yoked store

\*If both inside and outdoor area to be licensed include **simple sketch**

8. Attach a signed statement from local police chief or county sheriff, whichever is applicable, that local law enforcement has been informed in advance of this event, and if they are aware of any reason the event should not occur.

9. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

Wrist Bands

10. Will premises to be covered by license comply with all Nebraska sanitation laws?

YES  NO

a. Are there separate toilets for both men and women?  YES  NO

11. Will there be any games of chance operating during the event?  YES  NO  
If so, describe activity \_\_\_\_\_

**OTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions: No

13. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Mark Stutzman Phone: Before 402 416 7287 During Same  
Print name of Event Supervisor

Mark Stutzman  
Signature of Event Supervisor

**Consent of Authorized Representative/Applicant**

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here Mark Stutzman President 8-25-09  
Authorized Representative/Applicant Title Date

Mark Stutzman  
Print Name

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Friend Historical Society  
NAME OF CORPORATION

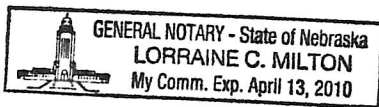
26 - 0876473  
FEDERAL ID NUMBER

  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

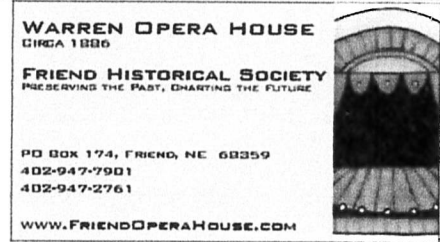
SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 31 DAY OF

August, 2009.



  
NOTARY PUBLIC SIGNATURE & SEAL

Friend Historical Society  
Warren Opera House Restoration Committee



September 1, 2009

Dear Mayor Vossler & Councilmen;

The Friend Historical Society is requesting your approval of a one-day event liquor license for festivities planned in conjunction with the Downtown Friend Festival, October 10, 2009.

The day will begin at 9AM with local artists, vendors, craftspeople and antiques on display and for sale. Booths will close at 3PM. We are still discussing including a car show with the day's events. If this occurs, it will be held on the street in front of the Opera House.

Beginning at 5PM, the Society will be selling hamburgers and brats, chips, pop and water outside the previous Yokel building. The Elvis Concert "Will Call" booth will open at this time, in the same location.

From 5-7PM, inside the building, the Society will be sponsoring Nebraska wineries, which will be providing wine tastings and wine sales for guests. Live entertainment will be performing in the new Welcome Center (former showroom). The Budweiser truck will arrive and the beer garden will open in this location as well. Beer will be sold from the truck, parked in front of the Yokel building. Anyone buying beer will purchase outside the building and bring beverages inside. The license would cover the immediate sidewalk area in front of the former Yokel Hardware store to allow beer to be bought and taken inside. Snow fence barriers will be placed from the building to the truck, securing the area.

At 8PM, Joseph Hall takes the stage outside under the tent directly behind the building, on the Historical Society's vacant lot. Concert-goers will be allowed to take their beer or wine into the tent for the performance.

This license will cover the immediate sidewalk area in front of the former Yokel Hardware store, interior of the former building and showroom, as well as the space required to exit the building to the tent, and all tent spaces. We will be setting 3 tents (2-12ft side tents and a 34ft hexagon). They will extend from the back of the building area, south about 60 ft and east to west 64 ft. All tents will be enclosed to the east, west, and south. The only access will be between the building and stage area to the north. This will prevent anyone from entering the tented structure.

Friend Historical Society members and volunteers will staff this event, ensuring that minors are not served alcohol. Those of legal age will wear wrist bands to identify themselves.

We expect this day's events to bring many visitors to Downtown Friend and will benefit the various renovation projects the Historical Society is pursuing. We thank you for your consideration.

Regards,

  
Cara Potter, Secretary  
Friend Historical Society



1sq. = 2'

64 x 75 building

20 x 10

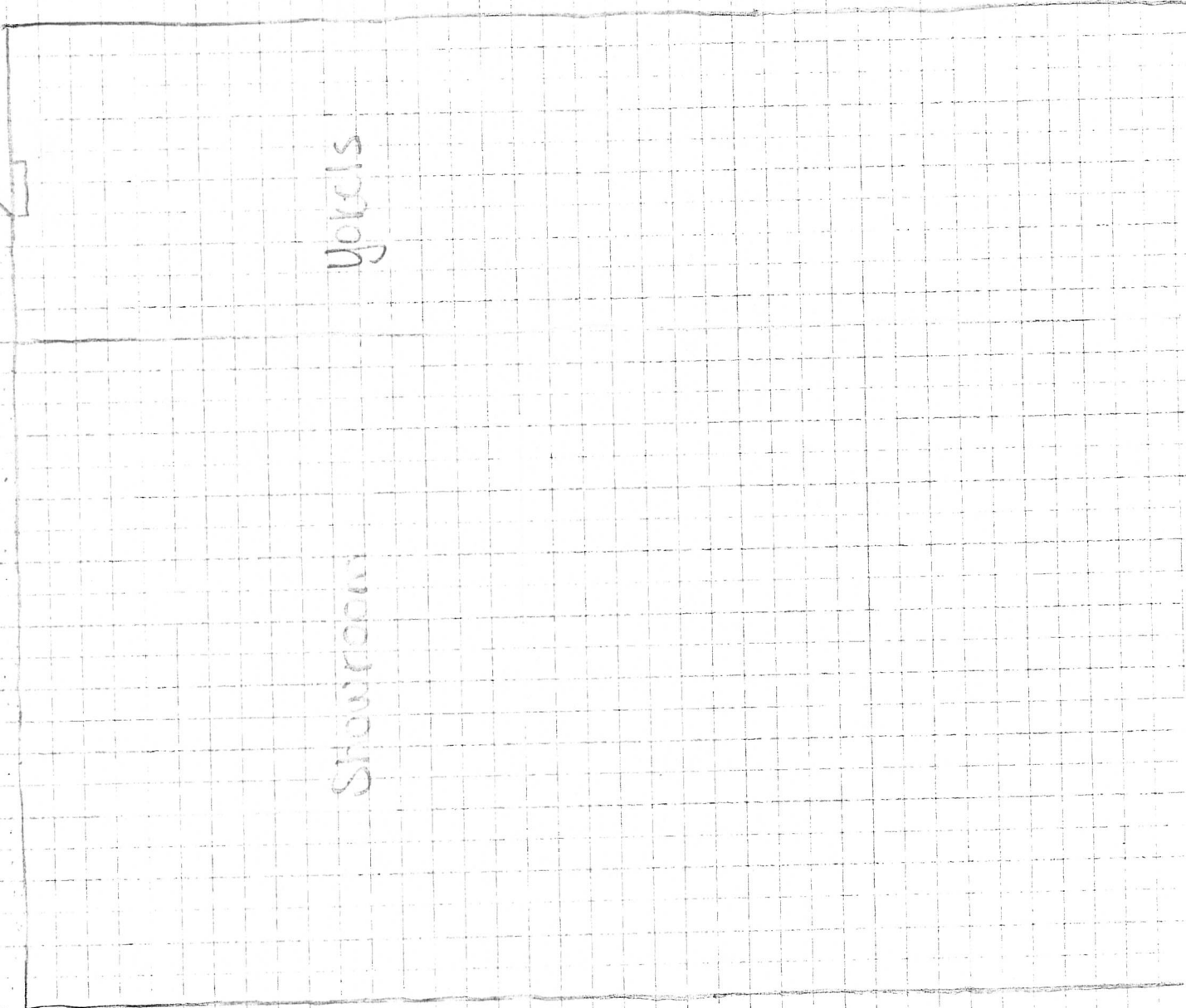
sidewalk  
area  
in front of  
yokels

SHOWROOM

Yokels

NA

Sidewalk



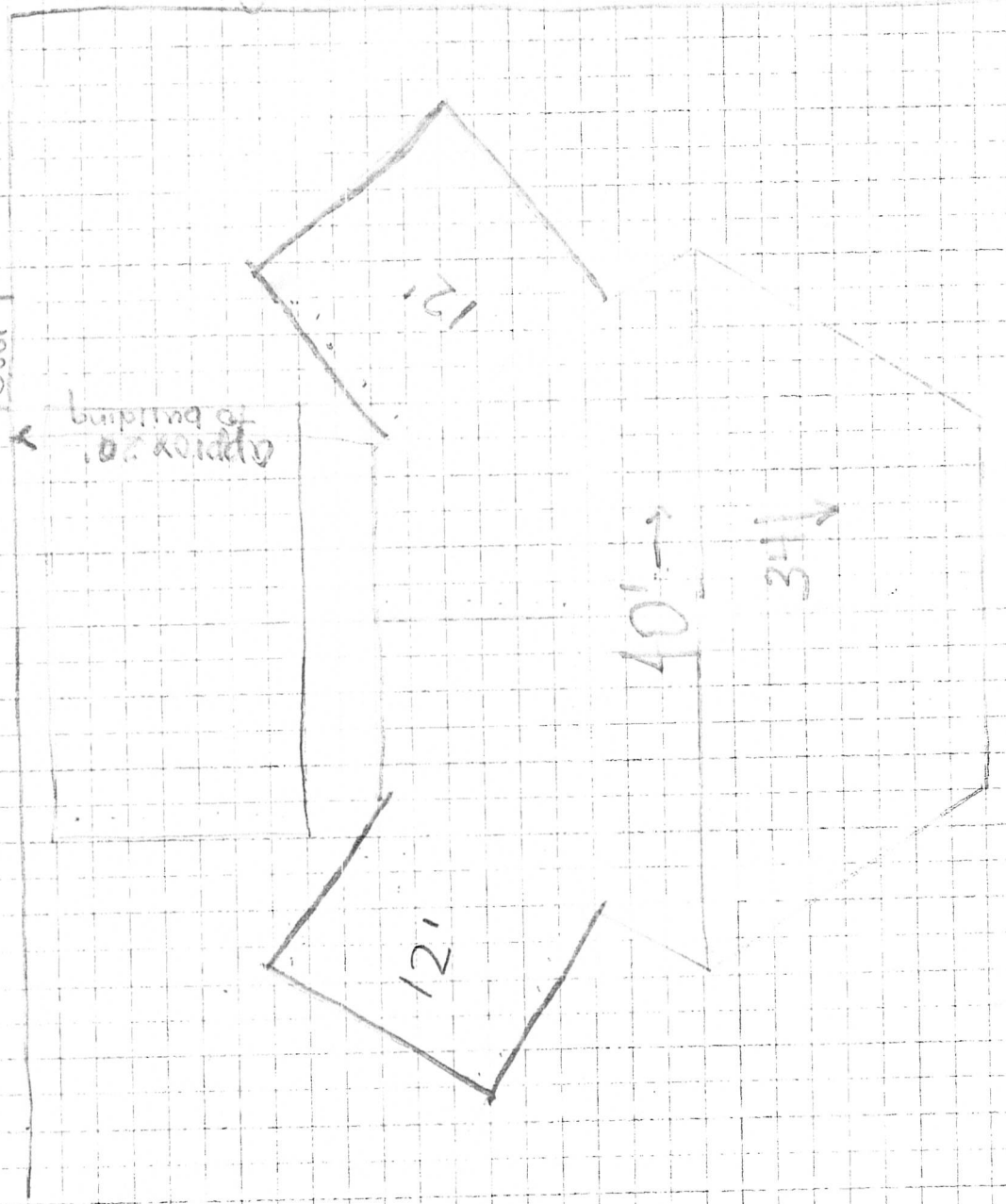
Oper. House ↑

Showroom

Door

building of  
or. Koido

gobet building





# CITY OF FRIEND

NEBRASKA

68359

235 Maple Street

Phone (402) 947-2711

*"From a friend  
in Friend"*



September 1, 2009

To Whom It May Concern,

The Friend Police Department has been notified that the Friend Historical Society is making application to the Nebraska Liquor Control Commission for a Special Designated License for a one day event of festivities planned in conjunction with the Downtown Friend Festival. This permit application is for Saturday, October 10, 2009, 5:00 p.m. until 12:00 midnight. It is understood that this license would be for 511 2<sup>nd</sup> Street (see designated areas indicated on application and on sketch provided with application). There will be local law enforcement on duty in the City of Friend during these hours.

This note is to confirm that the Friend Police Department has been informed of this event, and at this time, the Friend Police Department is not aware of any reason the event should not occur.

Sincerely,

Mark McFarland  
Chief of Police

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 13 2007**

FRIEND HISTORICAL SOCIETY  
PO BOX 174  
FRIEND, NE 68359-0000

Employer Identification Number:  
26-0876473  
DLN:  
17053206000037  
Contact Person:  
JACOB A MCDONALD ID# 31649  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
June 30  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
April 16, 2007  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
June 30, 2011  
Addendum Applies:  
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

FRIEND HISTORICAL SOCIETY

Sincerely,

A handwritten signature in cursive script that reads "Robert Choi". The signature is written in dark ink and is positioned above the typed name and title.

Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Enclosures: Publication 4221-PC  
Statute Extension