



Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

### Section 1 – Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Alaska Promotions, LLC	License #:	447		
License Type:	Beverage Dispensary	Statutory Reference:	04.11.090		
Doing Business As:	N/A				
Premises Address:	No Premises				
City:	Juneau	State:	Alaska	ZIP:	99801
Local Governing Body:	City and Borough of Juneau, Alaska				

### Transfer Type:

- ☐ Regular transfer
- ☒ Transfer with security interest
- ☐ Involuntary retransfer

OFFICE USE ONLY			
Complete Date:	9/19/18	Transaction #:	121128 122101
Board Meeting Date:	10/15/18	License Years:	17/18
Issue Date:		BRE:	CDC.





## Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application****Section 2 – Transferee Information**Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	David McGivney				
Doing Business As:	N/A				
Premises Address:	No Premises				
City:	Juneau	State:	Alaska	ZIP:	99801
Community Council:	City and Borough of Juneau, Alaska				

Mailing Address:	PO Box 21082				
City:	Juneau	State:	Alaska	ZIP:	99802

Designated Licensee:	David McGivney			
Contact Phone:	907-723-9187	Business Phone:	907-723-9187	
Contact Email:	david@mcgivneys.com			

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: \_\_\_\_\_

**Section 3 – Premises Information**

Premises to be licensed is:

☐ an existing facility ☐ a new building ☐ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

N/A

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

N/A







## Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application****Section 4 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☒ applicant ☐ affiliate

Name:	David McGivney				
Address:	PO Box 21082				
City:	Juneau	State:	Alaska	ZIP:	99802

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

**Section 5 – Entity Ownership Information**

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

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Entity Official:	DMG				
Title(s):		Phone:		% Owned:	DMG
Address:	DMG				
City:	DMG	State:	DMG	ZIP:	DMG

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:		AK Formed Date:		Home State:	
Registered Agent:			Agent's Phone:		
Agent's Mailing Address:					
City:		State:		ZIP:	

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

[Form AB-01] (rev 10/10/2016)







Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

**Alaska Alcoholic Beverage Control Board**

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**Section 6 – Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?



If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

David McGivney has financial interest in:

DMG

Beverage Dispensary #644 - Salt Alaska (Restaurant and Bar) - Juneau

Beverage Dispensary #2728 - McGivney's Bar and Grill - Juneau

Beverage Dispensary #5430 - McGivney's Bar and Grill - Juneau

**Section 7 – Authorization**

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?



If "Yes", disclose the name of the individual and the reason for this authorization:





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 8 – Transferor Certifications**

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

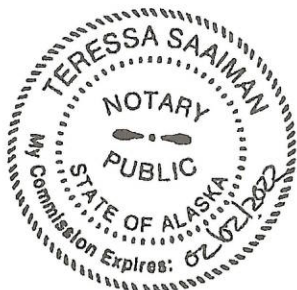
I declare under penalty of perjury that the undersigned represents a controlling interest of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Signature of transferor

Ethan Billings

Printed name of transferor

Subscribed and sworn to before me this 7 day of August, 2018.



Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: 02/02/2022

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Notary Public

Notary Public in and for the State of \_\_\_\_\_.

My commission expires: \_\_\_\_\_





Alaska Alcoholic Beverage Control Board

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Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.



I certify that all proposed licensees have been listed with the Division of Corporations.



I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.



I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.



I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.



As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Signature of transferee

David McGivney

Printed name

Subscribed and sworn to before me this 7 day of August, 2018.



Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 02/02/2022





# Affidavit of Publication

United States of America

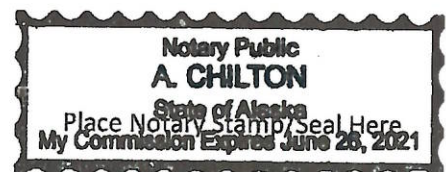
Ad #: 819440

Ethan Billings

I, Nicole Quinto, first duly sworn, oath, depose, and say that I am the Principle Clerk of the JUNEAU EMPIRE, a newspaper of general circulation, published in the city of Juneau, State of Alaska; that the publication was published in said newspaper, and on [www.juneauempire.com](http://www.juneauempire.com), the online edition, on the 31st day of July 2018 and thereafter for 2 additional day(s), the last date of publication being August 14th, 2018.

*NEO*  
.....  
Subscribed and sworn to before me this  
14th day of August 2018.

*a. Chilton*  
.....  
Notary Public in and for the State of  
Alaska.





To:1907

ALASKA

**2018-015679-3**

**Recording District 500 UCC Central File**  
**08/30/2018 01:30 PM** **Page 1 of 3**



**UCC FINANCING STATEMENT AMENDMENT**  
**FOLLOW INSTRUCTIONS**

A. NAME & PHONE OF CONTACT AT FILER (optional)  
Ethan Billings 907-321-5725

B. E-MAIL CONTACT AT FILER (optional)  
ethanbillings@gmail.com

C. SEND ACKNOWLEDGMENT TO: (Name and Address)

Alaska Promotions, LLC  
PO Box 35761  
Juneau, Alaska 99803

**THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY**

<b>1a. INITIAL FINANCING STATEMENT FILE NUMBER</b> 2018-015236-5		THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY	
<b>1b. <input type="checkbox"/> This FINANCING STATEMENT AMENDMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS FILE: (Mortgage Amendment Acknowledgment From UCC-328) and provide Debtor's name in Item 13</b>			
<b>2. <input type="checkbox"/> TERMINATION:</b> Effectiveness of the Financing Statement Identified above is terminated with respect to the security interest(s) of Secured Party authorizing this Termination Statement			
<b>3. <input type="checkbox"/> ASSIGNMENT (full or partial):</b> Provide name of Assignee in Item 7a or 7b, and address of Assignee in Item 7c and name of Assignor in Item 8. For partial assignment, complete Items 7 and 9 and also indicate affected collateral in Item 6.			
<b>4. <input type="checkbox"/> CONTINUATION:</b> Effectiveness of the Financing Statement Identified above with respect to the security interest(s) of Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law			
<b>5. <input type="checkbox"/> PARTY INFORMATION CHANGE:</b> Check <u>one</u> of these two boxes: <span style="margin-left: 100px;"><b>AND</b> Check <u>one</u> of these three boxes in:</span> This Change affects <input type="checkbox"/> Debtor or <input type="checkbox"/> Secured Party of record <span style="margin-left: 50px;"><input type="checkbox"/> CHANGE name and/or address: Complete Item 6a or 6b; and Item 7a or 7b and Item 7c</span> <span style="margin-left: 50px;"><input type="checkbox"/> ADD name: Complete Item 7a or 7b, and Item 7c</span> <span style="margin-left: 50px;"><input type="checkbox"/> DELETE name: Give exact name to be deleted in Item 6a or 6b</span>			
<b>6. CURRENT RECORD INFORMATION:</b> Complete for Party Information Change - provide only <u>one</u> name (6a or 6b)			
6a. ORGANIZATION'S NAME OR 6b. INDIVIDUAL'S SURNAME <span style="margin-left: 100px;">FIRST PERSONAL NAME</span> <span style="margin-left: 100px;">ADDITIONAL NAME(S) INITIAL(S)</span> <span style="margin-left: 100px;">SUFFIX</span>			
<b>7. CHANGED OR ADDED INFORMATION:</b> Complete for Assignment if Party Information Change - provide only <u>one</u> name (7a or 7b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) 7a. ORGANIZATION'S NAME OR 7b. INDIVIDUAL'S SURNAME <span style="margin-left: 100px;">INDIVIDUAL'S FIRST PERSONAL NAME</span> <span style="margin-left: 100px;">INDIVIDUAL'S ADDITIONAL NAME(S) INITIAL(S)</span> <span style="margin-left: 100px;">SUFFIX</span>			
7c. MAILING ADDRESS <span style="margin-left: 100px;">CITY</span> <span style="margin-left: 100px;">STATE</span> <span style="margin-left: 100px;">POSTAL CODE</span> <span style="margin-left: 100px;">COUNTRY</span>			
<b>8. <input checked="" type="checkbox"/> COLLATERAL CHANGE:</b> Also check <u>one</u> of these four boxes: <input type="checkbox"/> ADD collateral <input type="checkbox"/> DELETE collateral <input checked="" type="checkbox"/> RESTATE covered collateral <input type="checkbox"/> ASSIGN collateral Indicate collateral: See Attached.			
<b>9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT:</b> Provide only <u>one</u> name (9a or 9b) (name of Assignor, if this is an Assignment) If this is an Amendment authorized by a DEBTOR, check here <input type="checkbox"/> and provide name of authorizing Debtor			
9a. CREDITOR'S NAME OR 9b. INDIVIDUAL'S SURNAME <span style="margin-left: 100px;">FIRST PERSONAL NAME</span> <span style="margin-left: 100px;">ADDITIONAL NAME(S) INITIAL(S)</span> <span style="margin-left: 100px;">SUFFIX</span>			
<b>10. OPTIONAL FILER REFERENCE DATA:</b>			

FILING OFFICE COPY -- UCC FINANCING STATEMENT AMENDMENT (Form UCC3) (Rev. 04/20/11)



UCC File Number 2018-015236-5

**Collateral Change:**

All personal property, memorabilia, fixtures, and equipment as shown on the "The List" attached hereto.

WITH REGARD TO THE HEREAFTER LISTED LIQUOR LICENSE, the following provisions apply:

Under the terms of AS 4.11.670, AS 04.11.360 (4) (B), and 3 AAC 304.107, the transferor/lessor retains a security interest in the liquor license that is the subject of this conveyance, and may, as a result, be able to obtain a retransfer of the license without satisfaction of other creditors.

State of Alaska, Beverage Dispensary Liquor License #447.





**The List:**

Signed Mickey Mantle Jersey  
Signed Michael Jordan Jersey  
Signed Darrell Strawberry Jersey  
Signed Pele Jersey  
Signed Andrew Luck Jersey  
Signed Brazil National Team Jersey  
Signed Elway Jersey  
Signed Peyton Manning Jersey  
Signed Marshawn Lynch Jersey  
Signed Russel Wilson Helmet  
Signed Kobe Bryant Jersey  
Signed Phelix Hernandez Jersey  
Signed Carlos Boozer Jersey  
Signed Kevin Durant Jersey  
Signed Wayne Gretsky Jersey  
Signed Paul Pierce Jersey signed by whole Boston team  
Signed Hope Solo Soccer Ball  
Signed Alex Morgan Jersey  
Signed Evan Longoria Jersey  
Signed Miracle Jersey (US Mens Hockey)  
Signed Dwight Clark Jersey  
Signed Paq Man Boxing Trunks  
Signed Ted Williams Bat  
Signed Griffy JR Bat  
Signed Steve Young Jersey  
Signed Drew Breeze Jersey  
Signed Tom Glaven Jersey  
Signed Brooks Jersey



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Signed Shawn Kemp Jersey  
Signed Joquiem Noah Jersey  
Signed David Robinson Jersey  
Signed Derrick Jeter Jersey  
Signed Tim Ryans Jersey  
Signed Keucheli Jersey  
Signed Marcus Allen Helmet  
Signed Marcus Mariota Helmet  
Signed Lawrence Taylor Helmet  
Signed Ray Lewis Helmet  
Signed Bo Jackson Jersey  
Signed Jerry Rice Helmet  
Signed Elway Helmet  
Signed Bobby Oar Jersey  
Signed Booze'd Basketball  
Signed hulk Hockey Stick  
Signed randy White Cleats and Football  
Signed Johnathan Quick Hockey Mask  
Signed George Garvin Basketball  
Signed Tomlinson Jersey  
Signed Robinson Jersey  
Signed Brown Helmet  
Signed Finch Jersey  
Signed Chipper Jones Jersey  
Signed Doug Martin Jersey  
Signed Nolan Ryan Jersey  
Signed Ramirez Jersey  
Yankees Stadium Seats (Original Stadium)  
Chairs tables



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Bubble Hockey  
3 Walk in Kitchen Coolers  
Walk in Keg Cooler  
2 stoves  
2 ovens  
Flat top  
Grill  
2 fryers  
Cooling/heating work stations for kitchen staff  
Freezer  
Refrigerator  
27 Large flat screen TV's  
Self tap system  
Sports Ticker tap System  
Glycol Beer Tap System  
TV and Audio System



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From: Remax Juneau

To: 1907269

ALASKA

2018-015236-5

Recording District 500 UCC Central File

08/23/2018 12:36 PM

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**UCC FINANCING STATEMENT**  
FOLLOW INSTRUCTIONS

<b>A. NAME &amp; PHONE OF CONTACT AT FILER (optional)</b> Ethan Billings 907-321-5725
<b>B. E-MAIL CONTACT AT FILER (optional)</b> ethanbillings@gmail.com
<b>C. SEND ACKNOWLEDGMENT TO: (Name and Address)</b> Alaska Promotions, LLC PO Box 35761 Juneau, Alaska 99803

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. **DEBTOR'S NAME:** Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the individual Debtor's name will not fit in line 2a, leave all of item 1 blank, check here ☐ and provide the individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Aa)

<b>1a. ORGANIZATION'S NAME</b> David McGivney			
<b>OR</b>			
<b>1b. INDIVIDUAL'S SURNAME</b> David McGivney			
<b>1c. MAILING ADDRESS</b> PO Box 21082		<b>CITY</b> Juneau	<b>STATE</b> AK
		<b>POSTAL CODE</b> 99802	<b>COUNTRY</b> USA

2. **DEBTOR'S NAME:** Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the individual Debtor's name will not fit in line 2a, leave all of item 2 blank, check here ☐ and provide the individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Aa)

<b>2a. ORGANIZATION'S NAME</b>			
<b>OR</b>			
<b>2b. INDIVIDUAL'S SURNAME</b>			
<b>2c. MAILING ADDRESS</b>		<b>CITY</b>	<b>STATE</b>
		<b>POSTAL CODE</b>	<b>COUNTRY</b>

3. **SECURED PARTY'S NAME (or NAME of ASSIGNOR of ASSIGNOR SECURED PARTY):** Provide only one Secured Party name (3a or 3b)

<b>3a. ORGANIZATION'S NAME</b> Alaska Promotions, LLC			
<b>OR</b>			
<b>3b. INDIVIDUAL'S SURNAME</b> Ethan Billings			
<b>3c. MAILING ADDRESS</b> PO Box 35761		<b>CITY</b> Juneau	<b>STATE</b> AK
		<b>POSTAL CODE</b> 99803	<b>COUNTRY</b> USA

4. **COLLATERAL:** This financing statement covers the following collateral:

State of Alaska Beverage Dispensary Liquor License Number 447, all personal property, memorabilia, fixtures, and equipment as shown on "The List" attached hereto.

"Under the terms of AS 04.11.670, AS 04.11.360 (4) (B), and 3 AAC 304.107, the transferor/lessor retains a security interest in the liquor license that is the subject of this conveyance, and may, as a result, be able to obtain a retransfer of the license without satisfaction of other creditors."

5. Check only if applicable and check only one box: <input type="checkbox"/> Collateral is <input type="checkbox"/> held in a Trust (see UCC1Aa, item 17 and instructions)		<input type="checkbox"/> being established by a Creditor's Personal Retention of Title	
6a. Check only if applicable and check only one box: <input type="checkbox"/> Public Finance Transaction <input type="checkbox"/> Manufacture of Home Transaction <input type="checkbox"/> A Debtor to a Transferring Utility		6b. Check only if applicable and check only one box: <input type="checkbox"/> Agricultural Lien <input type="checkbox"/> Non-UCC Filing	
7. ALTERNATIVE DESIGNATION (if applicable): <input type="checkbox"/> Lease/Leasehold <input type="checkbox"/> Consignment/Consignor <input type="checkbox"/> Subcontractor <input type="checkbox"/> Union/Seller <input type="checkbox"/> Lien on a License			
8. OPTIONAL FILER REFERENCE DATA:			

FILING OFFICE COPY -- UCC FINANCING STATEMENT (Form UCC1) (Rev. 04/20/11)

RECEIVED

AUG 24 2018

ALCOHOL MARIJUANA CONTROL OFFICE  
STATE OF ALASKA



SECURITY AGREEMENT

August, 2018, by and between DAVID MCGIVNEY, whose mailing address is PO Box 21082, Juneau, Alaska 99802 and principal place of business is TBA, Juneau, Alaska 99801 (hereinafter called "Debtor"), and Alaska Promotions, LLC, whose address is PO Box 35761, Juneau, Alaska 99803 (hereinafter called "Secured Party") mailing address P.O. Box 35761, Juneau, Alaska 99803.

## WITNESSETH:

1. As security for the payment and performance of all of Debtor's obligations to the Secured Party and Secured Party's conveyance of a State Beverage Dispensary Liquor License #447 to Debtor, Debtor does hereby grant a continuing security interest to Secured Party in the property (hereinafter called "Collateral") whether now owned or hereinafter owned or acquired described as:

"The List" Personal Property, Memorabilia, Fixtures, & Equipment List

The obligations secured by this Security Agreement include all obligations owed by Debtor to Secured Party including, without limitation all amounts that are due or may become due under a promissory note in the principal sum of \$140,000.00 plus interest (see Promissory Note, dated of even date herewith).

2. It is understood and agreed that the security of this security agreement is a beverage dispensary license issued by the State of Alaska currently owned by the Secured Party. The following provisions shall apply in regards to said license:

(a) Debtor shall, every two years starting December 2018, renew the said license #447 on or before December 16 of each renewal year and shall pay all license fees, annual renewal fees, taxes or any other items required by the State of Alaska to keep license #447 active and operational. Secured party will contact the ABC Board on December 16 or soon after of the renewal year to see that the license has been renewed and fees have been paid. In the event that Debtor should fail or refuse to comply with this provision by December 16 of each renewal year, then Secured Party may declare default hereunder and proceed to take possession of the license with full power and authority to retransfer the license to either Security Party's own name or to such other parties as Secured Party may elect. City and Borough of Juneau (CBJ) sales taxes must be paid by required deposits monthly and quarterly or Debtor shall be in default. Sales tax returns must be filed and paid on due dates or Debtor shall be in default.

If the license is not operated for 30 8-hour days in any calendar year on the 1<sup>st</sup> day of the 13<sup>th</sup> month the license is not operated per AS 04.11.330 (a) 3, the debtor will be considered in default of this agreement. Debtor agrees to pay the first year waiver fee per 15 AAC 104.170. Debtor shall not allow the license to be inactive for more than one calendar year or debtor will be in default of this agreement.

(b) Debtor concurrently herewith has executed and delivered to Secured Party a Special Power of Attorney authorizing Secured Party, in the event of any default in the payment of the aforementioned promissory note or in failure to comply with any of the





conditions herein, to use said Special Power of Attorney in order to retransfer the said beverage dispensary license to Secured Party or any other person that Secured Party may elect.

This agreement and the Special Power of Attorney shall authorize Secured Party the full power and authority to execute and sign on behalf of Debtor any applications for transfer of license forms or other such documents as are necessary and shall grant Secured Party the right to appear before the Alcoholic Beverage Control Board and to resume possession of the license and to operate the same while the retransfer is taking place.

3. The term default shall mean the occurrence of any of the following events:

(a) Default, unless otherwise cured, of the Promissory Note for \$140,000.00 indebtedness and/or non-performance of any obligation under this Agreement after written Notice and the undersigned's failure to cure within ten (10) days.

(b) Whenever default exists, Secured Party may have all of the rights of a Secured party under the Uniform Commercial Code of the State of Alaska and said rights shall be cumulative and not in the alternative. No delay on the part of Secured Party in the exercise of any right or remedy shall constitute a waiver thereof, unless specified in writing as described in the promissory note, and no exercise of Secured Party of any right or remedy shall preclude the exercise of any other right or remedy or further exercise of the same remedy. In the event of any deficiency, Debtor agrees to pay same.

4. This Agreement shall inure to the benefit of Secured Party, its successors and assigns, and each of the undersigned, the respective heirs, executors, administrators and successors in interest.

5. Under the terms of AS 04.11.360(4)(B), AS 04.11.670, and 3 AAC 304.107, the transferor/lessor ("Secured Party") retains a security interest in the liquor license that is the subject of this conveyance, and may, as a result, be able to obtain a retransfer of the license without satisfaction of other creditors.

6. This Agreement shall be deemed made and effective as of the 7<sup>th</sup> day of August, 2018.

DEBTOR:  
DAVID MCGIVNEY

By: 

Name: DAVID MCGIVNEY

Its: \_\_\_\_\_

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

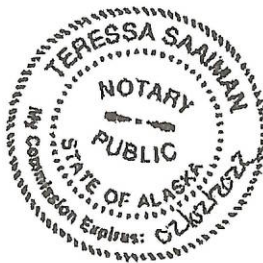
} ss.

THIS IS TO CERTIFY that on the 7 day of August, 2018, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared DAVID MCGIVNEY, known to me and to me known to be the individual named in and who executed the foregoing document, and he/she acknowledged to me that he/she was authorized to execute the foregoing by authority granted his/her in the Bylaws or by resolution of the Board of Directors of said corporation for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.







T. Saaman  
Notary Public in and for the State of Alaska  
My Commission Expires: 02/02/2022

**SECURED PARTY:**  
Alaska Promotions, LLC

By: [Signature]  
Name: Ethan Billings  
Its: Member

**SECURED PARTY:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF ALASKA  
FIRST JUDICIAL DISTRICT

} ss.

THIS IS TO CERTIFY that on the 7 day of August, 2018, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **ETHAN BILLINGS**, Member of Alaska Promotions, LLC, known to me and to me known to be the individuals named in and who executed the foregoing document, and he and she acknowledged to me that he and she were authorized to execute the foregoing by authority granted him and her in the Bylaws or by resolution of the Board of Directors of said limited liability company for the uses and purposes therein set forth.



WITNESS my hand and notarial seal the day and year first hereinabove written.

T. Saaman  
Notary Public in and for the State of Alaska  
My Commission Expires: 02/02/2022

PROMISSORY NOTE

\$140,000.00

8/7/ 2018  
Juneau, Alaska

FOR VALUE RECEIVED, the undersigned promises to pay to the order of Alaska Promotions, LLC, P.O. Box 35761, Juneau, Alaska 99803, (Holder) the principal sum of ONE HUNDRED FOURTY THOUSAND AND NO/100 DOLLARS (\$140,000.00), with interest on the unpaid principal balance of this Note from and after 8/7/18 2018, until paid, at the rate of six percent (6%) per annum for 6 years. (See attached interest calculation sheet). Monthly payments of \$2,320.20 are due on the 10<sup>th</sup> of each month starting August 10, 2018. Monthly deposits to be made into Ethan Billings First National Bank of Alaska account number TBA.

If the payment of principal and interest as set forth above is not paid when due and if such default is not made good within ten (10) days of written notice to DAVID MCGIVNEY of such a default, the entire principal balance of this Note and accrued interest thereon shall at once become due and payable, at the option of holder hereof. Failure to exercise this option shall not constitute a waiver of the right to exercise such option. In the event of any default in the payment of this Note, and if the same is referred to an attorney at law for enforcement or collection or suit is brought hereon, the undersigned shall pay the holder hereof, all expenses and costs of collection, including without limitation, reasonable attorney's fees and court costs.

During the time the undersigned remains obligated to Holder pursuant to this promissory note, Holder shall be entitled to a first right of acquisition and return of the Undersigned's beverage dispensary liquor license #447. Upon written notice of default, and the undersigned's failure to cure within ten (10) days after Holder mails by certified mail with return receipt requested or hand delivers notice of default to the undersigned, upon demand from Holder the undersigned agrees to immediately transfer the beverage dispensary liquor license #447 to Holder or his designee.

DAVID MCGIVNEY

By:   
Name: DAVID MCGIVNEY

Its: \_\_\_\_\_



STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on the 7th day of August, 2018, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared DAVID MCGIVNEY, individually, known to me and to me known to be the Individual named in and who executed the foregoing document, and he/she acknowledged to me that he/she was authorized by authority granted his/her in the Bylaws or by resolution of the Board of Directors of said limited liability company to execute the foregoing note obligation for the uses and purposes therein set forth, and that affixing his/her signature hereto was his/her free and voluntary act and deed.

WITNESS my hand and notarial seal the day and year first hereinabove written.



M. Saaman  
Notary Public in and for the State of Alaska  
My Commission Expires: 02/02/2022



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Personal Guarantee: The undersigned, DAVID MCGIVNEY hereby personally guarantees the performance of each and every obligation to Alaska Promotions, LLC as set forth above. This personal guarantee shall be a joint and several obligation of the undersigned with DAVID MCGIVNEY

  
\_\_\_\_\_, Individually

STATE OF ALASKA

ss.


FIRST JUDICIAL DISTRICT

THIS IS TO CERTIFY that on the 21th day of August, 2018, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared DAVID MCGIVNEY, individually, known to me and to me known to be the individual named in and who executed the foregoing document, and he/she acknowledged to me that he/she was authorized by authority granted him/her in the Bylaws or by resolution of the Board of Directors of said corporation to execute the foregoing note obligation for the uses and purposes therein set forth, and that affixing his/her signature hereto was his/her free and voluntary act and deed.

WITNESS my hand and notarial seal the day and year first hereinabove written.



235572

  
\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 02/02/2022



**IRREVOCABLE POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS:

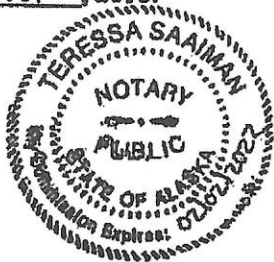
That Grantor, DAVID MCGIVNEY, does by these presents hereby make, constitute and appoint Alaska Promotions, LLC upon default by Grantor of its obligations to Alaska Promotions, LLC under the terms and conditions of a Security Agreement executed by the parties on August 7, 2018, its true and lawful attorney-in-fact, and in its name, place and stead:

To do and perform all acts necessary to preserve, sell, transfer, and assign all its interest in the Beverage Dispensary Liquor related to DAVID MCGIVNEY and license #447.

Granting and giving unto our attorneys-in-fact full authority and power to do and perform any and all other acts necessary solely pertaining to the Security Agreement of liquor license #447 or incident to the performance and execution of the power herein expressly granted with power to do and perform all acts authorized hereby as fully to all intents and purposes and the Grantor might or could do if personally present with full power of substitution.

Grantor hereby declares this power irrevocable, notwithstanding anything to the contrary by deed or action in the future.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 7 th day of August, 2018.



DAVID MCGIVNEY

By: Name: DAVID MCGIVNEY

Its: \_\_\_\_\_

STATE OF ALASKA )

FIRST JUDICIAL DISTRICT ) ss.

THIS IS TO CERTIFY that on the 7 day of August, 2018, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared DAVID MCGIVNEY, known to me and to me known to be the individual named in and who executed the foregoing document, and he/she acknowledged to me that he/she was authorized to execute the foregoing by authority granted him/her in the Bylaws or by resolution of the Board of Directors of said corporation for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.

  
Notary Public in and for the State of Alaska  
My Commission Expires: 02/02/2022



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