

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: September 9, 2022

FROM: Carrie Craig, RLS RE: #3925 dba Boon Dox Bar

Requested Action:

Request time extension to submit a transfer application and to allow continued operations.

Statutory Authority:

AS 04.11.030(a): "The executor or administrator of the estate of a person who was operating a business as a sole licensee under a licensed authorized by this title may continue to operate the licensed business until an application for transfer of a license to another person is approved or until the licensed is forfeited under (b) of this section."

AS 04.11.030(b): "If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited."

AS 04.11.030(c): "The board may extend the time limits in (b) of this section on petition of the executor or administrator."

3 AAC 304.216

- "(a) Upon the death of an individual who owns a controlling interest in a partnership, including a limited partnership, a limited liability company, or a corporation that holds a license under AS 04 and this chapter, the business entity may continue to operate the licensed business but shall file, not later than 90 days after the individual's death, a transfer application as required under AS 04.11.040 and 3 AAC 304.175 or a time extension request under (b) of this section. If a transfer application or time extension request is not filed by the 90-day deadline, the business shall cease operation until a transfer application is filed.
- (b) Upon receipt of a time extension request, the board may grant an extension not to exceed one year. A written request to extend the applicable deadline must be submitted before the expiration of the applicable deadline, unless the board approves a request submitted after the deadline for good case. Additional extensions may be granted by the board only for good cause."

Background: At the April 12, 2022 meeting, the board approved Clyde Stormont's, surviving son, 180 extension to file a transfer application due his father's passing. Mr. Stormont is now requesting an additional 180 days.

On November 30, 2021 Michael Stormont, 100% owner of the license, passed away. Clyde Stormont, surviving son, is requesting the ABC Board allow an extension to the 90-day time frame referenced in the above statutes and regulations. A specific time frame was not included in the request. A transfer application has not been submitted to AMCO for review.

Attachments: Emailed Request

MLS and Craigslist Listings Original Letter of Resquest

Statement of Informal Appointment of Personal Representative Intestacy

Acceptance of Duties Letters of Administration Certificate of Death

Letter from Fairbanks Funeral Home

From: Alcohol Licensing, CED ABC (CED sponsored)

To: <u>Craig, Carrie D (CED)</u>

Subject: FW: #3925 dba Boon Dox Bar - Court Document on Estate

Date: Monday, September 12, 2022 8:16:48 AM

Attachments: Flex MLS.pdf

Craigs List.pdf

Garrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350

From: Clyde Stormont [mailto:clydestormont@gmail.com]

Sent: Friday, September 9, 2022 4:48 AM

To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>

Subject: Re: #3925 dba Boon Dox Bar - Court Document on Estate

Good Morning Carrie,

I'm writing to you regarding license 3925 - Boon Dox Bar. Although I've had the property with the dispensary license up for sale since May 2022, I have not been able to obtain a buyer. I have taken steps to create interest including providing the broker with financial incentive for a quick close, reducing the price by \$126,000, cleaning and maintaining the premises, and taking professional photos of the property. Attached please find the MLS listing and a Craiglist ad marketing the property.

With the 180 day extension coming due next month and heading into winter, I would like to request another extension of the license.

Please let me know what I need to do to get this on the calendar.

Thank you and TGIF!

Clyde Stormont, Personal Representative for the Estate of Michael C. Stormont

On Fri, Apr 22, 2022 at 10:55 AM Alcohol Licensing, CED ABC (CED sponsored) alcohol.licensing@alaska.gov wrote:

Good morning,

Thanks for your question. It is 180 days from April 12, 2022. There are not additional details



Listina# 22-6920 **Status** Near Salcha Price-List **Type** Commercial Sale Zip Code

Active

99714

\$ 399,000

Mixed Use

Building Status Property Use

% of Space Leased Year Built **Existing Structure** Construction Status **Floors**

Building Type

Area: 765 - Salcha Legal: Boon Dox L6 Zoning: GU1 - General Use

Tax ID: 119741

SF-Blda 2.244 SF-Lot 33,105 Acres 0.76

Grid # (Muni Anch) N/A Tax Map #-Mat-Su N/A Taxes (Estimated)

Tax Year Foreclosure/Bank Own No

Directions: Past Salcha continue on the Richardson Highway to the address

Public Remarks: Great opportunity to get in on the tourist boom that is on its way to Alaska. During the pandemic people were not able to travel - that has changed and tourists are expected in record numbers for the next few years. The view from the property is astounding. There is a residence on the property so you or a manager could live next door. There will be an inventory of items to convey in the near

Building Info: Parking Space-Ttl #: 25 Construction Type: Wood Frame Sewer: Septic Tank Water: Well

Primary Space: Retail; Industrial Fuel Type: Oil

Features-Commercial: Security System

EM Minimum Deposit \$ 10.000 **Agent Days On Market** 43

LO: Alaska Commercial Properties (907) 456-6008

Provided as a courtesy of

Office - (907) 456-6008 Alaska Commercial Properties realty@realtyalaska.com http://www.realtvalaska.com 302 Cushman St.

Fairbanks, AK 99701

All information is deemed reliable, but is not guaranteed. Interested parties are advised to independently verify all information contained herein. © 2022 MLS and FBS. Prepared by Alaska Commercial Properties on Thursday, July 07, 2022 12:34 PM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.

(CL) fairbanks

real estate - by broker

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Posted less than a minute ago on: 2022-07-07 13:39

Contact Information:

\$399,000 / 1br - 2244ft² - Crazy Price Reduction (Salcha)





7271 Richardson Highway

1BR / 2Ba

2244ft²

available now

house

laundry in bldg

street parking

Great opportunity to get in on the tourist boom that is on its way to Alaska. During the pandemic people were not able to travel - that has changed and tourists are expected in record numbers for the next few years. The view from the property is astounding. There is a residence on the property so you or a manager could live next door. There will be an inventory of items to convey in the near future. The sale includes the bar liquor license. The building is new, having recently been rebuilt. If you want to own your own business don't miss out on this one.

QR Code Link to This Post

















































December 15, 2021

Alcohol and Marijuana Control Office 550 W. 7th Avenue, Suite 1600 Anchorage, AK 99501

RE: Boon Dox Bar Alcohol Dispensary License #3925 – Letter of Explanation to accompany Form AB-17 General Renewal Application

Dear Licensing Unit,

Please find the AB-17 General Renewal Application, and application and renewal fees of \$300 and \$2,500 enclosed.

- The applicant and licensee, Michael Clyde Stormont, died on November 30, 2021. Enclosed AMCO will find a verification of death from the funeral home in lieu of the official death certificate, which is pending completion and certification.
- Per AMCO licensing staff guidance via a phone call on or about December 7, 2021: I, Clyde James Stormont, the applicant, and licensee's only son and next of kin, completed the application (AB-17) to the best of my knowledge with the information I had available to me at the time of completion, and signed the application on behalf of the applicant and licensee. Enclosed is a photocopy of my California Driver's License for identification purposes.
- The entries in the attached AB-17 match the AMCO records for this license. The contact information contained therein is no longer valid. My contact info is:
 - o 2896 Honeysuckle Way Sacramento, CA 95826 415-377-8580 clydestormont@gmail.com

I, Clyde James Stormont, kindly request AMCO to provide additional time and/or an extension if additional and/or supporting information is required to process the application in consideration of the circumstances. Once authority has been granted by the courts, I or the personal representative for the estate will take steps to transfer the license to a valid party.

Signed,

Notary Public in and for the State of:

Subscribed and sworn before me this day of day of

Signature of Notary Public CALIFORNIA

Clyde James Stormont

RHEINA VICKY LOPEZ COMM. #2249647 Notary Public - California Sacramento County

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA) SS
COUNTY OF ACCOUNTY OF

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

This area for official notarial seal

RHEINA VICKY LOPEZ COMM. #2249647

Notary Public - California Sacramento County
My Comm. Expires July 13, 2022

JUGED FR 16 200

Downes, Tallerico & Schwalm

29 College Rd., Suite 5 Fairbanks, A K 99701 Phone: (907) 474-4529 Fax: (907) 531-1451 www.goldenheartlaw.com

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA FOURTH JUDICIAL DISTRICT AT FAIRBANKS

In the Matter of the Estate of:)		
MICHAEL CLYDE STORMONT,)	Case No. 4FA-22-00084	PR
Decedent.)		

STATEMENT OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE INTESTACY AS 13.16.115

The Registrar makes the following findings based upon the application of Clyde James Stormont for formal appointment of a personal representative in intestacy:

- The application appears to be complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of the applicants knowledge and belief.
 - 2) The applicant is an interested person.
- 3) Decedent died on November 30, 2021, and at least 120 hours have elapsed since decedent's death.
- 4) Decedent was domiciled in Fairbanks, Fourth Judicial District, State of Alaska at the time of his death.
- 5) Venue is proper because decedent was domiciled in this judicial district at the time of death.
 - 6) The time for appointment of personal representative has not expired.
- 7) A personal representative has not been appointed in this or any other judicial district of the state.
- 8) After the exercise of reasonable diligence, the applicant is unaware of any unrevoked testamentary instrument executed by decedent relating to property having a situs in this State.
- 9) The person whose appointment is sought has priority for appointment as personal representative.

ITMO the Estate of Michael Clyde Stormont; 4FA-22- PR STATEMENT OF INFORMAL APPOINTMENT OF PR INTESTACY Page 1 of 2

- 10) No bond is required because Clyde James Stormont is the sole heir of the decedent's estate.
 - 11) Any notice required by the laws of this state has been given.

THEREFORE, IT IS ORDERED THAT:

- Clyde James Stormont is hereby informally appointed personal representative of the estate of Michael Clyde Stormont.
- 2. Letters of Administration shall be issued to Clyde James Stormont upon his qualification.

Dated: 02/11/22

MAGISTRATE JUDGE

Risa C. Leonard Standing Master



29 College Rd., Suite 5 Fairbanks, AK 99701 Phone: (907) 474-4529 Fax: (907) 531-1451 www.goldenheartlaw.com I certify that on 2 22 22 copies of this form were sent to:

CLERK_HF

<u>ITMO the Estate of Michael Clyde Stormont</u>; 4FA-22- PR STATEMENT OF INFORMAL APPOINTMENT OF PR INTESTACY Page 2 of 2

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA FOURTH JUDICIAL DISTRICT AT FAIRBANKS

In the Matter of the Estate of:)			
MICHAEL CLYDE STORMONT,)	Case No.	4FA-22-00084	PR
Decedent.)			

ACCEPTANCE OF DUTIES (AS 13.16.015)

- I, Clyde James Stormont, accept the duties and promise to perform the duties as required by law of the office of Personal Representative of the Estate of Michael Clyde Stormont. I acknowledge my duties as Personal Representative to:
- take possession and control of decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;
- (b) provide notice to heirs and devisees as required by AS 13.16.360, except as provided by AS 13.16.690;
- (c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455-.515;
- advise the court in writing of my address and telephone number as required by (d) Probate Rule 8;
- file returns for income, property, and estate taxes, if required by AS 43.31.121 (e) and AS 43.31.250;
- (f) pay homestead, exempt property and family allowances as required by AS 13.11.125-.140, costs of administration and other claims as required by AS 13.16.470, and distribute the assets of the estate; and
 - close the estate as soon as appropriate as required by AS 13.16.670. (g)

Clyde J. Stormont c/o Downes, Tallerico, & Schwalm Law Firm

29 College Rd., Suite 5 Fairbanks, Alaska 99701

(907) 474-4529

Downes. Tallerico & Schwalm

29 College Rd., Suite 5 Fairbanks, AK 99701 Phone: (907) 474-4529 Fax: (907) 531-1451

www.goldenheartlaw.com

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA FOURTH JUDICIAL DISTRICT AT FAIRBANKS

)
) Case No. 4FA-22-00084 PR
))

LETTERS OF ADMINISTRATION (AS 13.16.245)

The Statement of Informal Appointment of Personal Representative having been signed by the Magistrate Judge, Clyde James Stormont is appointed personal representative of the estate. Bond is waived.

02/17/22 Dated:

MAGISTRATE JUDGE

Risa C. Leonard Standing Master

Downes, Tallerico &

29 College Rd., Suite 5 Fairbanks, AK 99701 Phone: (907) 474-4529 Fax: (907) 531-1451

www.goldenheartlaw.com

STATE OF ALASKA

FOURTH AUDICIAL DISTRICT t. The undersigned certify that this is a true and full copy of Letters Testamentary I etters of Administration issued in the That Courts: Lourth Judicial District, State of Alaska and that the Personal Representative was appointed as such on the 17 day of Pebruary 20 22, at Earbanks, Alaska in an informal formal proceeding. Witness my hand and the seal of the count this 18 day of Pebruary 20 22, at Earbanks, Alaska, By Howen

CLERK HT

AMCO Rcvd 3/22/2022

Schwalm

I celtify that on 2 32 22 copies of this form were sent to: K.Schwalm

MATERIAL CERTIFICATION OF VITAL RECORD

STATE OF ALASKA

ALASKA DEPARTMENT OF HE TH AND SOCIAL SERVICES - BUREAU OF VITAL STATISTICS P.O. Box 110675, Juneau, AK 99811-0675
CERTIFICATE OF DEATH STA DATE FILED 12/14/2021 STATE FILE NO. 2021004696 1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last) 2. SEX MICHAEL CLYDE STORMONT MALE 4a. AGE-Last Birthday (Years) 4b. UNDER 1 YEAR 4c. UNDER 1 DAY 5 DATE OF BIRTH (MM/DD/YY) 6. BIRTHPLACE (City and State or Foreign Country) 77 Months Days Hours Minutes MADISON, WISCONSIN 7a RESIDENCE-STATE b. COUN ALASKA **FAIRBANKS NORTH STAR FAIRBANKS** 7d STREET AND NUMBER 828 2ND AVE B. EVER IN US ARMED FORCES? 78 APT No. 7f. ZIP CODE TO INSIDE CITY LIMITS? 99701 VYes No

10 SURVIVING SPOUSE'S NAME (If wife, give name prior to first marriage) 9 MARITAL STATUS AT TIME OF DEATH X Yes No Unknown DIVORCED 11 FATHER'S NAME (First, Middle, Last) 12 MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle Last) CLYDE STORMONT MARGUERITE BUTZEN 13a. INFORMANT'S NAME 13b. RELATIONSHIP TO DECEDEN 13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) **CLYDE JAMES STORMONT** SON 2896 HONEYSUCKLE WAY SACRAMENTO, CALIFORNIA 95826 14. DECEDENT'S EDUCATION. 16. DECEDENT'S RACE Tribe Affliation 5. ASSOCIATE DEGREE (E.G., AA, AS) 17. DECEDENT'S USUAL OCCUPATION White PLUMBER Black or African American American Indian or Alaskan Native 15. DECEDENT OF HISPANIC ORIGIN? 18 KIND OF BUSINESS OR INDUSTRY (Name of the enrolled or principal tribe)
Asian Indian
Chinese
Superince
Filipino
Japanese No, not Spanish/Hispanic/Latino(a) CONSTRUCTION Yes, Mexican, Mexican American, ☐ Native Hawaiian Chicano(a) Guamanian or Chamorro(a) Yes, Puerto Rican ☐ Samoan Yes, Cuban Other Pacific Islander (Specify) Korean Yes, other Spanish/Hispanic/Latino(a) Vietnamese Other (Specify) Other Asian (Specify) 19 PLACE OF DEATH RESIDENCE
20 FACILITY NAME (If not institution, give street & number) 21. CITY OR TOWN, STATE AND ZIP CODE 22. COUNTY OF DEATH 828 2ND AVE FAIRBANKS, ALASKA 99701 FAIRBANKS NORTH STAR 23. METHOD OF DISPOSITION Burial Cremation Donation Entombment Removal from State Other (Specify) 24. PLACE OF DISPOSITION Other (Specify) LEGACY CREMATORY 25. LOCATION - CITY, TOWN AND STATE 25 NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY FAIRBANKS FUNERAL HOME & CREMATORY 3704 ERICKSON AVE FAIRBANKS, ALASKA 99709 FAIRBANKS, AK 27. NAME OF FUNERAL SERVICE LICENSEE OR OTHER AGENT (SIGNATURE ON FILE) 28 LICENSE NUMBER (Of Licensee) JENNICA E. WORLAND 365 29 DATE PRONOUNCED DEAD (MM/DD/YY) 30. TIME PRONOUNCED DEAD 13:17 31. SIGNATURE OF PERSON PRONOUNCING DEATH (Only when applicable) 32 LICENSE NUMBER 33. DATE SIGNED (MM/DD/YY) 34. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YY) 35. ACTUAL OR PRESUMED TIME OF DEATH 36. WAS MEDICAL EXAMINER OR CORONER CONTACTED? Yes X No 11/30/2021 13:17 37. PART I. CAUSE OF DEATH Approximate Interval Onset to death a. HEART FAILURE (PROBABLE) YEARS Due to (or as a consequence of) b. ATRIAL FIBRILLATION YEARS Due to (or as a consequence of): ALCOHOL ABUSE YEARS Due to (or as a consequence of) PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause 38. WAS AN AUTOPSY PERFORMED? Yes No 39 WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? Yes No 40. DID TOBACCO USE CONTRIBUTE 41. IF FEMALE (PREGNANCY STATUS) 12. MANNER OF DEATH TO DEATH? 8. NOT APPLICABLE. NATURAL CAUSES 43 DATE OF INJURY (MM/DD/YY) 44 TIME OF INJURY 45. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant, wooded area) 47 LOCATION OF INJURY: (Street & Number, Apt. No., City or Town, State, Zipcode) 46 INJURY AT WORK?
Ves No 48 DESCRIBE HOW INJURY OCCURRED 49. IF TRANSPORTATION INJURY, SPECIFY: Driver/Operator □ Passenger 50a CERTIFIER: CERTIFYING PHYSICIAN Unknown Pedestrian Other (Specify)

001733037

50b NAME OF CERTIFIER (SIGNATURE ON FILE) NATHANIEL BUFFINGTON

51 ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH 1001 NOBLE ST FAIRBANKS AK 99701

52. LICENSE NUMBER 53. DATE CERTIFIED (MM/DD/YY)

124117 12/13/2021

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE IN THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, JUNEAU, ALASKA.

December 17, 2021 DATE ISSUED

PeloeccaWH State Registrar

This copy not valid unless prepared on engraved border displaying the date, seal and signature of the Alaska State Registrar.



From: <u>Clyde Stormont</u>

To: Alcohol Licensing, CED ABC (CED sponsored)

Subject: License #3925 - Boon Dox Bar - Supporting Document Attached

 Date:
 Monday, February 7, 2022 3:14:25 PM

 Attachments:
 Scanned-image 02-07-2022-144408.pdf

You don't often get email from clydestormont@gmail.com. Learn why this is important

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please find the death certificate attached for the holder of the above license - Michael Clyde Stomont. In December 2021, I submitted the renewal application, renewal fee, and a statement regarding the situation with my father's estate.

My attorney is currently in the process of opening the probate case with the courts and expects my appointment to the personal representative of my father's estate within 2-4 months. At such time, I plan to seek a buyer for the establishment and license.

--

Thanks,

Clyde Stormont

Fairbanks Funeral Home

3704 Erickson Avenue, Fairbanks, Alaska 99709 Phone: (907) 451-1110 FAX: (907) 451-7098

fairbanks@legacyalaska.com

www.legacyalaska.com

VERIFICATION OF DEATH

Deceased:

Michael Clyde Stormont

Social Security Number:

564-62-4553

Date of Birth:

December 11.1943

Date of Death:

November 30, 2021

TO WHOM IT MAY CONCERN:

This letter is to inform you that Fairbanks Funeral Home is handling the arrangements of the deceased **Michael Clyde Stormont**.

This letter is to serve as verification of death for the above-named deceased, in lieu of the Certificate of Death. The Certificate of Death can take many weeks to process and certify.

All courtesies shown to this family are greatly appreciated.

Sincerely,

Jared Dye, Director

AMCO DEC 2 8 2021