HARTIG RHODES LLC

www.hartig.com
1049 W. 5th Avenue STE. 202
ANCHORAGE, ALASKA 99501-1965

ATTORNEYS AT LAW

TODD J. TIMMERMANS
Direct Line:(907) 276-1592
FACSIMILE (907) 277-4352
Email:tjt@hartig.com

April 8, 2016

VIA CERTIFIED MAIL

State of Alaska
Alcohol & Marijuana Control Office
550 W. 7th Ave., Suite 1600
Anchorage, AK 99501

RE: Objection to application of Alaska Green Glacier Gardens LLC, doing business as Alaska Green Cross
License No. 10154
Address: 211 E. Diamond, Unit A, Anchorage, AK 99515.
Our File No.: 102290.2

To Whom It May Concern:

This firm represents the Kings Row Shoppes Condominium Association. Alaska Green Glacier Gardens LLC ("AGGG") is a tenant doing business in the above-referenced unit. This unit is owned by Sue and Rak Chang.

Please be advised that the Association objects to AGGG's application for a marijuana establishment license. Under the Declaration of the Association, the establishment, maintenance or operation of a retail marijuana store is prohibited. See Second Amendment to Declaration of Kings Row Shoppes Condominiums, attached hereto. Accordingly, operating a retail marijuana store is prohibited by the Association's declaration, and AGGG's application should be denied.

If you have questions, please advise.

Very truly yours,
HARTIG RHODES LLC

By: Todd J. Timmermans

TJT/bjs
Enclosure as indicated

cc: State of Alaska
Alcohol & Marijuana Control Office
marijuana.licensing@alaska.gov

Municipality of Anchorage
Attn: Mandy
honestml@muni.org

Alaska Green Glacier Gardens LLC
aba Alaska Green Cross
211 E. Dimond, Unit A
Anchorage, AK 99515

Alaska Green Glacier Gardens LLC
aba Alaska Green Cross
1120 Huffman Road, Suite 24, Box 528
Anchorage, AK 99515

SECOND AMENDMENT TO DECLARATION OF KING'S ROW SHOPPES CONDOMINIUMS

This Second Amendment to the Declaration of KING'S ROW SHOPPES CONDOMINIUMS is made on the day hereinafter set forth by the King's Row Shoppes Condominium Owners Association, an Alaskan non-profit corporation ("the Association"), having a principal place of business at 1577 C Street, Suite 101, Anchorage, AK 99501, hereinafter referred to as "the Association" and the owners of units within King's Row Shoppes Condominiums more particularly described below.

WITNESSETH:

WHEREAS, the Declaration for Kings Row Shoppes Condominiums was recorded pursuant to the Horizontal Property Regime Act ("the Act"), AS 34.07 et. seq., of the State of Alaska for King's Row Shoppes Condominiums on February 3, 1984, at Book 1043, Page 0427, in the Anchorage Recording District, Third Judicial District, State of Alaska; and

WHEREAS, an Amendment to the Declaration of King's Row Shoppes Condominiums was recorded on October 28, 1996, at Book 1514, Page 234, in the records of the Anchorage Recording District, Third Judicial District, State of Alaska.

WHEREAS, the power to enforce and amend the Declaration lies within the Association; and

WHEREAS, the Association, pursuant to Article X, desires to amend the Declaration; and

WHEREAS, the Board of Directors have approved the amendment to the Declaration as set forth below; and

WHEREAS, a vote of the unit owners in the Association was taken and the amendment contained herein was approved by at least 75% of the votes of the unit owners; and

WHEREAS, the real property originally subject to the Declaration, situated in the Anchorage Recording District, Third Judicial District, State of Alaska, is more particularly described as follows:

Lots Twenty-four (24) and Twenty-five (25), Block Four (4), Dimond Industrial Center, Addition No. 1, according to Plat No. 80-49, located in the Anchorage Recording District, Third Judicial District, State of Alaska, which property was submitted to the Horizontal Property Regimes Act by Declaration of Covenants, Conditions and Restrictions, Reservations of Easements and Condominium Plan pursuant to the Horizontal Property Regimes Act of the State of Alaska, recorded in Book 1043 at Page 427, Records of the Anchorage Recording District, Third Judicial District, State of Alaska, and is further reflected on the Amendment to the Survey and Floor Plans filed together herewith under File No. 86-186 on the 28th day of October, 1986, which amends the survey and floor plans filed under File No. 84-29 on February 3, 1984, in the Records of the Anchorage Recording District, Third Judicial District, State of Alaska.;

WHEREAS, the state of Alaska has recently legalized the sale and use of marijuana within the state;

WHEREAS, under United States Federal law, marijuana is illegal and a controlled substance under the Controlled Substances Act. 21 U.S.C. 812(b)(1);

WHEREAS, the Association believes that it is in the best interest of the Association to prohibit the sale and use of marijuana within the units of the Association;

WHEREAS, the Association desires and intends to amend the Declaration to prohibit the sale and use of marijuana within the units of the Association.

NOW, THEREFORE, the Association hereby declares the following provisions be added to the Declaration:

1. The establishment, maintenance and/or operation of a "marijuana cultivation facility", "a marijuana testing facility", a "marijuana product manufacturing facility" or a "retail marijuana store", where marijuana products are sold, bartered, or given away, is prohibited within any of the units of the Association.

2. Definitions.

A. "Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other

ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

B. "Marijuana cultivation facility" means an entity that cultivates, prepares, and packages marijuana and sells marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities.

C. "Marijuana product manufacturing facility" means an entity that purchases marijuana; manufactures, prepares, and packages marijuana products; and sells marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores.

D. "Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

E. "Marijuana testing facility" means an entity that analyzes and certifies the safety and potency of marijuana.

Dated this 31 day of MARCH, 2016.

King's Row Shoppes Condominium
Owners Association

By: Richard O Baker, President

CERTIFICATE OF PRESIDENT

I, the undersigned, hereby certifies that:

1. I am the duly elected and acting president of King's Row Shoppes Condominium Owners Association, an Alaska non-profit corporation.

2. I have been designated by the Board of Directors on behalf of the Association for the purpose of executing the above Amendment to the Declaration of King's Row Shoppes Condominiums.

3. That as required by the Declaration, a vote of the Unit Owners was taken and the above Amendment to the Declaration were approved by a vote of said Unit Owners of at least 75% of the votes in the Association.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed the seal of the corporation this 31 day of March, 2016.

(SEAL)

_____, President

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 31 day of March 2016, before me the undersigned, appeared Richard Baker, who acknowledged being the President of King's Row Shoppes Condominium Owners Association, an Alaska non-profit corporation, and voluntarily signing and sealing the foregoing instrument on behalf of said corporation and being authorized so to do.

JASON CARTER HENNING
Commission # 130912 2
NOTARY PUBLIC
My Commission Expires 09-17-2017
STATE OF ALASKA

_____
Notary Public in and for Alaska
My Commission Expires: _____

CERTIFICATE OF SECRETARY

I, the undersigned, hereby certifies that:

1. I am the duly elected and acting secretary of King's Row Shoppes Condominium Owners Association, an Alaska non-profit corporation.

2. I have been designated by the Board of Directors on behalf of the Association for the purpose of executing the above Amendment to the Declaration of King's Row Shoppes Condominiums.

3. That as required by the Declaration, a vote of the Unit Owners was taken and the above Amendment to the Declaration were approved by a vote of said Unit Owners of at least 75% of the votes in the Association.

IN WITNESSETH WHEREOF I have hereunto subscribed my name and affixed the seal of the corporation this 31 day of March, 2016.

(SEAL)

Becky Clapper Secretary

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 31 day of March, 2016, before me the undersigned, appeared Becky Clapper, who acknowledged being the Secretary of King's Row Shoppes Condominium Owners Association, an Alaska non-profit corporation, and voluntarily signing and sealing the foregoing instrument on behalf of said corporation and being authorized so to do.

JASON ALAN HERNING NOTARY PUBLIC Commission My Commission Expires 09-17-2017 STATE OF ALASKA

Notary Public in and for Alaska
My Commission Expires: 9/17/2017

After recording in the Anchorage Recording District,
please return to:
Todd J. Timmermans
Hartig Rhodes LLC
1049 W. Fifth Avenue, Suite 202
Anchorage, AK 99501