From:	C Clapper
To:	Marijuana Licensing (CED sponsored)
Cc:	Johnston, Naomi A (CED); Greencross@alaska.net; honestml@muni.org
Subject:	License 10154 Objection
Date:	Monday, April 04, 2016 10:32:30 PM

To: Alcohol & Marijuana Control Office

From: Chris & Becky Clapper

Re: Denial of License Application 10154, Alaska Green Cross

To Whom It May Concern:

As a unit owner at 215 East Dimond Blvd., Anchorage located in King's Row Shoppes Condominiums, I have attached written documentation showing two pages of an amendment to our associations declarations prohibiting within any of the units in the Association:

the establishment, maintenance and/or operation of a "marijuana cultivation facility", a "marijuana product testing facility", a "marijuana product manufacturing facility" or a "retail marijuana store", where marijuana products are sold, bartered, or given away.

The physical address given on Application for Marijuana Establishment License 10154 doing business as Alaska Green Cross was submitted as 211 E, Dimond Unit A, Anchorage, AK 99515, United States. The submitted address is a unit within King's Row Shoppes Condominiums and is subject to the above Associations declarations and amendments.

State of Alaska Statues Chapter 306 Regulation of Marijuana Industry, 3 AAC 306.080. Denial of License Application states:

"After review of the application, including the applicant's operating plan and all relevant information, the board will deny an application for a new license if the board find that the application is not complete under the applicable provisions of 3 AAC 306.020 - 3 AAC 306.055, or contains any false statement of material fact".

I request the marijuana board deny licensing Alaska Green Cross Application 10154 for reason of submitting a physical address where a retail Marijuana store is prohibited resulting in a false statement of material fact on the licensing application.

Sincerely, Chris Clapper

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