

Lincoln



Nebraska's Capital City

April 28, 2003

Mayor Wesely and City Council  
City of Lincoln  
City County Building  
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been requested regarding the application of Dian Hua, d.b.a. Gourmet China Buffet, 5130 North 27<sup>th</sup> Street requesting a class J liquor license.

Mr. Hua was contacted on April 15<sup>th</sup> 2003 at 8:15 A.M and an appointment was requested. Mr. Hua stated he was too busy at that time to schedule an appointment. Therefore no background report is available.

The Lincoln Police Department requests that the application submitted be place on the pending list of the Council, until such time as a background interview can be completed.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



Police Department

575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

A nationally accredited law enforcement agency



# STATE OF NEBRASKA

*Russ*

*Rec date: 4/21*  
*PH*  
*(B) 5-5-03*



Mike Johanns  
Governor

April 9, 2003

J #58997

City Clerk of Lincoln  
City/County Building  
555 S 10 Street  
Lincoln, NE 68508

*A3-038964*  
*116*

NEBRASKA LIQUOR CONTROL COMMISSION  
Forrest D. Chapman  
Executive Director  
301 Centennial Mall South, 5th Floor  
P.O. Box 95046  
Lincoln, Nebraska 68509-5046  
Phone (402) 471-2571  
Fax (402) 471 2814  
TRS USER 800 833-7352 (TTY)

*Dian Hua*  
*dba*  
*Houmont China Buffet*  
*5130 N. 27th Street*  
*Class J.*

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

FILED  
CITY CLERK'S OFFICE  
APR 11 PM 12 15  
CITY OF LINCOLN  
NEBRASKA

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

*James B. Markel*  
Licensing Division

Enclosures  
Rhonda R. Flower  
Commissioner

Bob Logsdon  
Chairman

R.L. (Dick) Coyne  
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001  
REV. 12 99

**APPLICATION FOR LICENSE**

Nebraska Liquor Control Commission  
 PO Box 95046, 301 Centennial Mall South  
 Lincoln, NE 68509-5046

<http://www.nol.org/home/NLCC/>  
 Phone: (402) 471-2571  
 Fax: (402) 471-2814

LOCAL JOB

**RECEIVED**  
 APR - 7 2003  
 NEBRASKA LIQUOR CONTROL COMMISSION

**INSTRUCTIONS:** Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouse(s) who file an affidavit of no interest with application. Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest. 6. All applications must be typewritten or printed clearly. 7. Submit in Triplicate

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH**

Class of License (Check applicable class)	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only - Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only - Indicate Inside or Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> J Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> DI Spirits, Wine, Beer, Off Sale only - within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer On & Off Sale - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, on Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	\$ 50.00	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
<input type="checkbox"/> X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

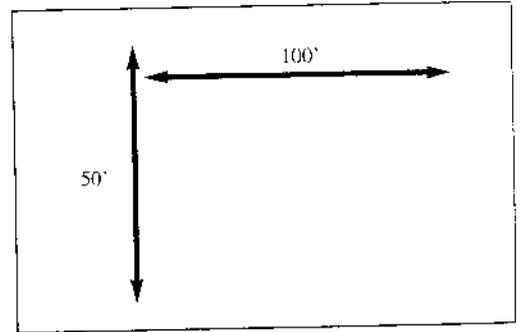
TYPE OF APPLICATION	CORPORATE SURETY BOND INFORMATION
Type of application being applied for (place appropriate number in box) <div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 5px;">1</div> 1= Individual License requires Form 1 to be attached. 2= Partnership License requires Form 2 to be attached. 3= Corporate License requires Form 3 and 4 and Manager Application be attached.	Bond Company - for Classes L V W X Y only <div style="border: 1px solid black; width: 100%; height: 30px; margin: 5px;"></div> Start Date Month/Day/Year      Bond Number <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; width: 150px; height: 25px;"></div> <div style="border: 1px solid black; width: 150px; height: 25px;"></div> </div>

**SECTION A - LOCATION INFORMATION - Must be completed by all applicants**

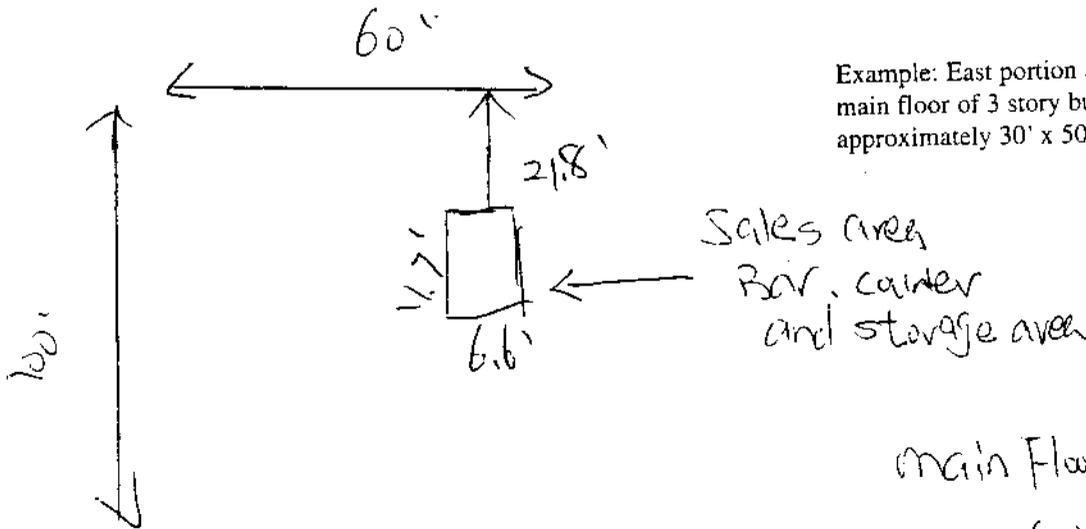
Trade Name (name of business) <i>Gourmet China Buffet</i>	Telephone Number at premise to be licensed <i>402-438-8080</i>
1) Street Address of Proposed licensed premise <i>5130 North 27th St Suites #5-7</i>	2) Mailing Address for receipt of Liquor Control Commission mailings <i>1435 N 40th St</i>
Is this licensed inside the city limits Circle YES/NO	
City      County      Zip Code <i>Lincoln      Lancaster      68521</i>	City      County      Zip Code <i>Lincoln      Lancaster      68505</i>

## DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.



main floor Dimension  
60' x 100'  
★ Storage area located  
within the 60' x 100'  
area to be licensed

1 story bldg approx 60' x 100'

located in Lincoln Crossings Shopping Center

SECTION B	OTHER INFORMATION REQUIRED		
	Yes	No	Explanation/Comments
<p>1. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, <u>ever</u> been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>	✓		

	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).		<input checked="" type="checkbox"/>	
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.		<input checked="" type="checkbox"/>	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.		<input checked="" type="checkbox"/>	
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		<input checked="" type="checkbox"/>	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.		<input checked="" type="checkbox"/>	
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		<input checked="" type="checkbox"/>	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		<input checked="" type="checkbox"/>	
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		<input checked="" type="checkbox"/>	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.			Union Bank (Lincoln N 27 <sup>th</sup> Street Branch) Dian Hua
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.			N/A None
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.			Liang Hua - employee 40 hours per week
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.			<del>None</del> None
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).			Tenant Lease Expires 11-1-20-12 anticipated
15. When do you intend to open for business?			5/1/2013

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
Dian Hua	2003	Present	Lincoln NE
Dian Hua	2000	2002	Bozaville NE
Dian Hua	1997	2000	New York NY
Dian Hua	past		Fuzhou CHINA

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials not acceptable.

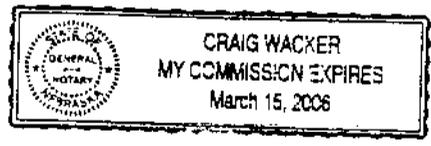
sign here \_\_\_\_\_  
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sign here \_\_\_\_\_  
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 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_

Subscribed in my presence and sworn to before me this 21<sup>st</sup> day of April, 2003

In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

(SEAL)



sign here \_\_\_\_\_  
 Notary Public Signature

NEBRASKA LIQUOR CONTROL COMMISSION  
**Individual Application**  
 for License  
**FORM 1**

INSTRUCTIONS:

- 1) An Individual Licensee must be a Resident of the State of Nebraska.
- 2) Each Applicant and Spouse must attach fingerprint cards (2 cards per person) and proper fees.
- 3) All applications must be typewritten and submitted in triplicate.

**RECEIVED**

APR 1 2008

SUPERVISOR  
 NEBRASKA LIQUOR CONTROL COMMISSION

Name of Applicant (Last, First, Middle, Maiden). List any Previous Names or Aliases Used.

HWA, DIAN

Social Security Number

---

Date of Birth

1 1 1

Applicant's Home Address (1)

1435 N 40th Street

Applicant's Home Address (2)

181 South 11th St 41 Nebraska City NE 68410

City

Lincoln

County

Lancaster

Zip Code

68403

Driver's License Number

---

State

NE

Home Telephone Number

902 325 0320

Business Telephone Number

402 488 8080

ARE YOU MARRIED? No IF YES, PLEASE COMPLETE.

Spouse's Name (Last, First, Middle, Maiden). List Any Previous Names or Aliases Used

---

Spouse's Social Security Number

---

Spouse's Date of Birth

---

Spouse's Driver's License Number

---

State

---

OMAHA NEBRASKA



NEW CLERK

No. 27558731

Personal description of holder  
as of date of naturalization:

Date of birth: NOVEMBER 12, 1981

Sex: MALE

Height: 5 feet 8 inches

Marital status: SINGLE

Country of former nationality:  
CHINA, PEOPLE'S REPUBLIC OF

I certify that the description given is true, and that the photograph  
hereto is a likeness of me.

U.S. Registration No.

A045893557

RECEIVED

JAN - 6 2003

(Complete and true signature of holder)

It is known that, pursuant to an application filed with the Attorney General

NEBRASKA LIQUOR  
CONTROL COMMISSION

at: OMAHA, NEBRASKA

The Attorney General having found that:

DIAN HUA

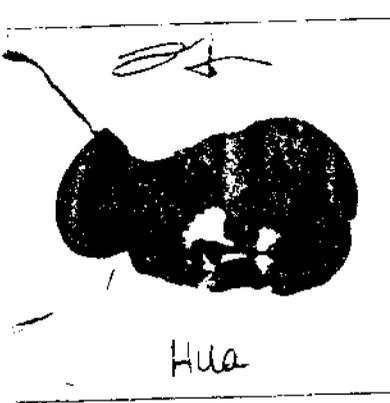
then residing in the United States, intends to reside in the United States when so  
required by the Naturalization laws of the United States, and had in all other  
respects complied with the applicable provisions of such naturalization laws, and was  
admitted to be admitted to citizenship, such person having taken the oath of allegiance  
in a ceremony conducted by the

U.S. IMMIGRATION AND NATURALIZATION SERVICE

at: OMAHA, NEBRASKA

on: SEPTEMBER 21, 2002

that such person is admitted as a citizen of the United States of America.



PLEASE PRINT NAME, RESIDENCE, LAW FIRM, FIRM OR INDUSTRY, TITLE, CITY AND STATE, ZIP CODE, AND PHONE NUMBER

(Commissioner of Immigration and Naturalization)