

Lincoln Police Department  
Thomas K. Casady, Chief of Police  
575 South 10th Street  
Lincoln, Nebraska 68508

402-441-7204  
fax: 402-441-8492



MAYOR COLEEN J. SENG

lincoln.ne.gov

October 25, 2006

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

Mayor Seng and Members of the City Council:

An investigation has been made regarding the application of Cheapest Damn Cigarettes, 4821 Cornhusker Highway requesting a class B liquor license.

James Harman, owner has requested that he be approved as the manager of the liquor license.

Background information on the applicant is as follows:

James Harman was born in Nebraska. He attended Northeast High School graduating in 1968. Mr. Harman has been self employed since 1974.

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



A nationally accredited law enforcement agency



**J. Michael Rierden**  
ATTORNEY AT LAW

THE COTSWOLD  
645 "M" STREET  
SUITE 200  
LINCOLN, NE 68508

TELEPHONE (402) 476-2413  
TELECOPIER (402) 476-2948

November 6, 2006

Nebraska Liquor Control Commission  
P.O. Box 95046  
301 Centennial Mall South  
Lincoln, Nebraska 68509

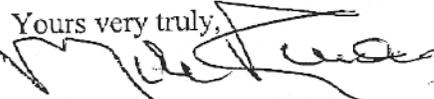
RE: Liquor License Application by James and Janice Harman for a Class I License at  
4821 Cornhusker Highway, Lincoln, Nebraska

To Whom It May Concern:

Please consider this letter additional information concerning violations for James Harman:

1. 9/20/06-Unlawful use of plates
2. 6/14/05-Load not safely secured
3. 3/4/04-No valid license or proof of insurance
4. 11/15/94-Speeding violation/No seat belt
5. 2/20/94-No plates
6. 4/1/93-Improper registration
7. 3/3/87-Speeding

Would you please place this information with the Applicant's file. Please note that I have forwarded copies to the City Clerk and Lincoln Police Department. If you should have any questions please feel free to contact me.

Yours very truly,  


J. Michael Rierden

JMR/jdr  
cc: City Clerk  
Lincoln Police Department

Liquor License Investigation

Business (DBA) Cheapest Down Cigs

Manager       Owner      Other \_\_\_\_\_

Name: JAMES HARMAN

US Citizen?       Yes      No

Has applicant ever been cited for liquor law violations?  No      Yes  
Explain \_\_\_\_\_

Does applicant have an interest in another liquor license?  No      Yes  
Explain \_\_\_\_\_

Is spouse qualified to hold a license?  Yes      No      N/A

How is applicant if not an owner to be paid?      Salary      Hourly

How many hours will applicant be at the establishment?      45+

Any other employment?  No      Yes, explain \_\_\_\_\_

Any previous experience with a liquor license?      Yes       No

Any criminal convictions?  No      Yes  
Comments \_\_\_\_\_

Is applicant a property owner in Lincoln?       Yes       No

Is applicant involved in any civil litigation?  No      Yes  
Comments \_\_\_\_\_

Photo       Records Check       References

Comments \_\_\_\_\_

Interview Date 10/25/06

- 1250 mo Lease -

STATE OF NEBRASKA

11-20

Dave Heineman  
Governor

FILED

NEBRASKA LIQUOR CONTROL COMMISSION  
Hobert B. Rupe 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)

OCT 20 2006

CITY CLERK'S OFFICE  
LINCOLN, NEBRASKA

October 19, 2006

Lincoln City Clerk  
555 So 10th St  
Suite 103  
Lincoln NE 68508

AB-115778

RE: Cheapest Damn Cigarettes

James Harmon  
dba Cheapest Damn Cigarettes  
4821 Cornhusker Hwy Class B

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) Publicize one time not less than 7 days, not more than 14 days prior to date of hearing.
- 2) 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:

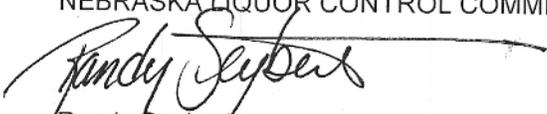
- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

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.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

  
Randy Seybert  
Licensing Division

CTIS 106878

Enclosures

Rhonda R. Flower  
Commissioner

Bob Logsdon  
Chairman

R.L. (Dick) Coyne  
Commissioner

An Equal Opportunity/Affirmative Action Employer



City

**LICENSE APPLICATION CHECKLIST**

Applicant Name James N Harman

Telephone # 464-4900

Trade Name Cheapest Damn Cigarettes

Previous Trade Name \_\_\_\_\_

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. Your operation depends on receiving a liquor license the Nebraska Liquor Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. All applications & attachments must be submitted in triplicate. You may want to check with the city/village or county clerk, where you are making application, to see if any additional local requirements must be met before submitting application to the state.

REQUIRED ATTACHMENTS

EACH ITEM MUST BE CHECKED OFF AND INCLUDED OR MARKED N/A FOR NOT APPLICABLE

- 1. Fingerprint cards for each person (two cards per person) must be enclosed with a separate check payable to the Nebraska State Patrol for processing in the amount of \$38.00 for each person. All areas must be completed on cards as per brochure. To prevent the delay in issuing your license, we strongly suggest you go to a Nebraska State Patrol Agency or law enforcement agency listed in the fingerprint brochure.
- 2. Enclose registration and license fees for the appropriate class of license, made out to the Nebraska Liquor Control Commission.
- 3. Enclose the appropriate additional application forms; Individual License - Form 1; Partnership License - Form 2; Corporate LLC License - Form 3a and Manager application - Form 3b (with corporate application only). LLC application must include all members.
- 4. If building is being leased send a copy of the lease. Be sure it is in the individual(s) or corporate name being applied for. Also, the lease must extend through the license year being applied for. If building is owned, send a copy of the deed or purchase agreement in the appropriate name.
- 5. If you are buying the business of a current licensee, provide a copy of the purchase agreement from licensee. This also needs to be in applicant's name.
- 6. Enclose a copy of the temporary agency agreement, if applicable. Must be on Commission form only. Include a copy of the signature card from the bank showing both the sellers and buyers name(s) on account.
- 7. Copy of alcohol inventory being purchased. Inventory shall include brand names and container sizes. Inventory may be taken at the time application is being submitted.
- 8. Enclose a list of any inventory or property owned by other parties that are on the premise.
- 9. For individual and partnership applications enclose proof of citizenship birth certificates, or naturalization documents for all persons listed on application. Documents must be a certificate from the State, where born, not hospital certificate.

10. If a corporation enclose a copy of the articles of incorporation. This document must show receipt (barcode) by the Secretary of States Office.

Mail checklist, all applications and attachments to: Nebraska Liquor Control Commission, 301 Centennial Mall South,  
PO Box 95046, Lincoln NE 68509-5046

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 45-60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

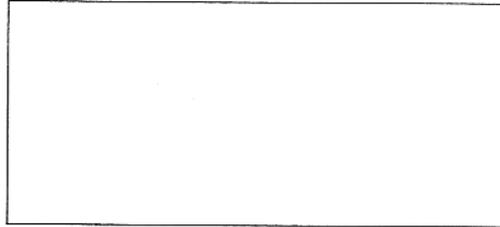
*Jan Harman*

Signature

RECEIVED  
OCT 18 2008  
NEBRASKA LIQUOR  
CONTROL COMMISSION

# APPLICATION FOR LIQUOR LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov



OFFICE USE ONLY

## CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES CHECK DESIRED CLASS(S)

### RETAIL LICENSE(S)

- |                                     |   |   |         |
|-------------------------------------|---|---|---------|
| <input type="checkbox"/>            | A | Beer, On Sale Only                            | \$45.00 |
| <input checked="" type="checkbox"/> | B | Beer, Off Sale Only                           | \$45.00 |
| <input type="checkbox"/>            | C | Beer, Wine & Distilled Spirits, On & Off Sale | \$45.00 |
| <input type="checkbox"/>            | D | Beer, Wine & Distilled Spirits, Off Sale Only | \$45.00 |
| <input type="checkbox"/>            | I | Beer, Wine & Distilled Spirits, On Sale Only  | \$45.00 |

Class K Catering license may be added to any of these classes with an additional fee of \$100.00 and filing form 35-4202

### MISCELLANEOUS

- |                          |   |  | Bond                 |
|--------------------------|---|--|----------------------|
| <input type="checkbox"/> | L | Craft Brewery (Brew Pub)   | \$295.00 1,000 min.  |
| <input type="checkbox"/> | O | Boat   | \$ 95.00 N/A         |
| <input type="checkbox"/> | V | Manufacturer, Beer, Wine & Distilled Spirits<br>(additional fee of \$100 to \$1,000-call for exact amount) | \$ 45.00 10,000 min. |
| <input type="checkbox"/> | W | Wholesale Beer   | \$545.00 5,000 min.  |
| <input type="checkbox"/> | X | Wholesale Liquor   | \$795.00 5,000 min.  |
| <input type="checkbox"/> | Y | Farm Winery  | \$295.00 1,000 min.  |

All Class C licenses expire October 31st

All other licenses expire April 30<sup>th</sup>

Catering expire same as underlying retail license

### TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- Individual License, requires insert form 1  
 Partnership License, requires insert form 2  
 Corporate License, requires insert form 3a and manager application 3b

### NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION

(Commission will call this person with any questions we may have)

Name: j michael rierden

Phone: 476-2413

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Firm Name: rierden law office

Firm address: 645 m st #200 lincoln, nebraska 68508

NEBRASKA LIQUOR  
CONTROL COMMISSION

**PREMISE INFORMATION**

Trade Name (doing business as) cheapest damn cigaretts

Street Address #1 4821 Cornhusker Hiway

Street Address #2 \_\_\_\_\_

City Lincoln County Lancaster

Zip Code 68504

Telephone number at premise to be licensed 464-4900

Is this location inside the city/village corporate limits:  YES  NO

Mail to Address ( where you want receipt of Liquor Control Commission mailings)

Name: 4821 Cornhusker Hiway

Street Address #1 \_\_\_\_\_

Street Address #2 \_\_\_\_\_

City Lincoln County Lancaster

Zip Code 68504

**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**

In the space provided or on an attachment 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 . No blue prints please. Be sure to indicate the direction north and number of floors of the building.

**See Attaed**

**APPLICANT INFORMATION**

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; 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.

- Yes If yes, please explain below or attach a separate page.  
 No

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NEBRASKA LIQUOR  
CONTROL COMMISSION

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). Liquor Inventory may be taken at time of application being submitted.

- Yes  
Current business name and license number \_\_\_\_\_  
 No

3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license. If yes, attach agreement. **Please note:** This agreement is not effective until Commissions assigns you a 3-digit ID number.

- Yes  
 No

4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.

- Yes  
 No

5. Will any person or entity other than applicant be entitled to a share of the profits of this business? If yes, explain. All involved members must be disclosed on application.

Yes

No

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.

Yes

No

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? (No silent partners)

Yes

No

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. Neb. Rev. Stat. 53-177.

Yes

No

9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties.

Yes

No

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the individual(s) who will be authorized to write checks and/or make withdrawals on accounts at the institutions.

Hastins State Bank

11. List all past and present liquor licenses held in Nebraska or any other state 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.

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.

James will be on premise 35 hrs a week and Janice will be on premise about 35 hrs a week

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13. List the training or experience (when and where) of the person listed in #12 above in connection with selling and/or serving alcohol products.

None, but both will be taking the hospitality course

OCT 10 2008

NEBRASKA LIQUOR CONTROL COMMISSION

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 in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

- Lease: expiration date April 30 2010  
 Deed  
 Purchase Agreement

15. When do you intend to open for business? as soon as possible

16. What will be the main nature of business? What are the anticipated hours of operation?

**tobacco products**

17. List the principal residence(s) for the past 10 years for all persons required to sign application, including spouses. If necessary attach a separate sheet.

Applicant Name	From: Year	To: Year	City/State
James Harman	1997	2006	south bend, neb
	1996	1997	lincoln, nen
janice harman	1997	2006	south bend, n
	1996	1997	lincoln, neb

The undersigned applicant(s) hereby consent(s) to a background investigation and release 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, inaccurate or fraudulent.

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 by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock) and spouses. Full (birth) names only, no initials.

*San Harman*  
\_\_\_\_\_  
(sign here) (sign here)

*James N. Harman*  
\_\_\_\_\_  
(sign here) (sign here)

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NEBRASKA LIQUOR  
CONTROL COMMISSION

Subscribed in my presence and sworn to before me this

12<sup>th</sup> day of October, 2006

*Joann Rierden*  
\_\_\_\_\_  
Notary Public Signature & Seal



In compliance with the 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.

FORM 35-4010  
REV. 4/05

EXISTING 50' CUT

SIDEWALK

30' SET BACK

EXISTING PA

50'  
TOBACCO STORE  
LICENSED PREMISES  
SP #06048  
4821 CORNHUSKER HWY  
2242 SQ FT

12 SPACES @ 9'X19'

480 SQ FT

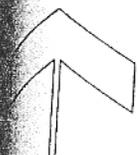
EXISTING PAVING

EXISTING PAVING

No Basement

246.62'

15' SETBACK



# SITE PLAN

1"=20'

SPECIAL PERMIT #06048 RESOLUTION FC-01014

ZONING H-3 [I-1 ABUTTING SOUTH]

4821 CORNHUSKER HIGHWAY

LEGAL LOT 60



# LANCASTER COUNTY ASSESSOR

County Assessor/Register of Deeds



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[News](#)

[FAQ](#)

[Searches](#)

- [PID](#)
- [Owner](#)
- [Address](#)
- [Advanced Search](#)

[Property Data](#)

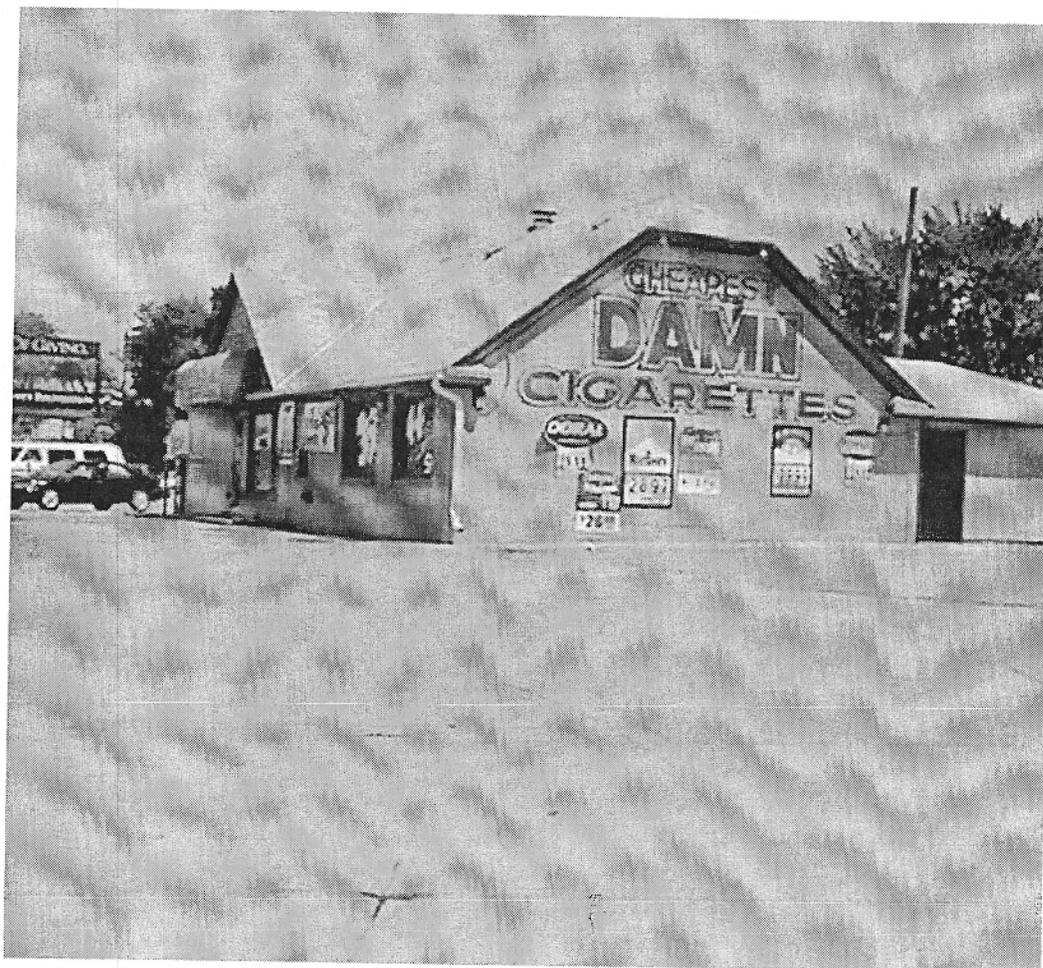
- [Detail Sheet](#)
- [Datasheet](#)

**Owner Information**  
 MARA, JOSEPH A  
 7100 S 29 ST  
 LINCOLN, NE 68516

[Property Image\( R79017 \)](#)

**XRef ID**  
 17-08-200-018-000

**Situs Address**  
 4815 CORNHUSKER HWY  
 LINCOLN, NE



[Back](#)

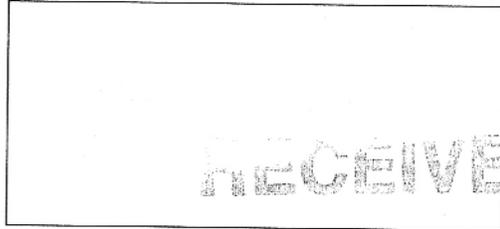
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10 2006

NEBRASKA LIQUOR CONTROL COMMISSION

**APPLICATION FOR LIQUOR LICENSE  
INDIVIDUAL INSERT - FORM 1**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL, SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: <http://www.lcc.ne.gov/>



Name of Applicant: \_\_\_\_\_

Last Name harman

First Name james MI n

Home Address 32118 City south, bend, neb

Home Telephone Number (402) 944-7786

Social Security Number [REDACTED] Date of Birth [REDACTED]

Drivers License Number [REDACTED] State neb

Are you married?  Yes  No If yes, complete the following:

Spouses Name (Last, First, Middle)  
harman, janice m

Social Security Number [REDACTED] Date of Birth [REDACTED]

Drivers License Number [REDACTED] State neb

NEBRASKA LIQUOR  
CONTROL COMMISSION