



JENNIFER FOGG, COUNTY CLERK
ROCKWALL COUNTY, TEXAS
1111 EAST YELLOWJACKET LANE
SUITE 100
ROCKWALL, TEXAS 75087

NOTICE OF APPLICATION

THE STATE OF TEXAS

COUNTY OF ROCKWALL

Notice is hereby given that an application of the hereinafter named owner for license to sell beer at a location not licensed has been submitted to the Texas Alcohol Beverage Commission.

Substance of Application:

Type of License/Permit Wine and Beer Retailer's Permit with Food and Beverage Certificate

Exact Location of Business 2901 Ridge Road Rockwall, Texas 75032

Name of Owner(s) MOD Pizza - Rockwall South

Assumed or Trade Name MOD Pizza

Corporation Name MOD Super Fast Pizza, LLC

Name and Title of all Officers of Corporation Scott T. Svenson; Joshua G. Guenser; John M. Maguire

Any person shall be permitted to contest the facts stated in said application and the applicant's right to secure said license or permit upon giving security for costs as provided by law.



WITNESS MY HAND this 10 day of May

Jennifer Fogg, Rockwall County Clerk, Rockwall County, Texas

By

County Clerk or Deputy Clerk

Rockwall County Clerk's Office
Jennifer Fogg, County Clerk
1111E. Yellowjacket Lane
Suite 100
Rockwall, TX 75087
(972) 204-6300

Receipt for Services

Cashier ATUCKER Batch # 219280
Customer Name MARTIN FROST & HILL PC Date: 05/10/2021 Time: 12:50:10PM
3345 BEE CAVE RD STE 105
AUSTIN, TX 78746

Date	Instrument No	Document Type	Transaction Type	Pg/Amt
		BEER WINE PERMIT HEARINGS	BEER WINE PERMIT HEARINGS	5.00
			Total:	\$5.00
		Fee Total:		\$5.00
CHECK	20252			5.00
			Payment Total:	\$5.00



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texas Helping Businesses & Protecting Communities

ON-PREMISE PREQUALIFICATION PACKET

L-ON (12/2020)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for:	☒ Original	☐ Add Late Hours Only	License/Permit Number
☐ Reinstatement	☐ Reinstatement and Change of Trade Name	License/Permit Number	
☐ Change of Location	☐ Change of Location and Trade Name	License/Permit Number	
2. Type of On-Premise License/Permit			
☒ BG	Wine and Beer Retailer's Permit	☐ LB	Mixed Beverage Late Hours Permit
☐ BE	Beer Retail Dealer's On-Premise License	☐ MI	Minibar Permit
☐ BL	Retail Dealer's On-Premise Late Hours License	☐ CB	Caterer's Permit
☐ BP	Brewpub License	☒ FB	Food and Beverage Certificate
☐ V	Wine & Beer Retailer's Permit for Excursion Boats	☐ PE	Beverage Cartage Permit
☐ MB	Mixed Beverage Permit	☐ RM	Mixed Beverage Restaurant Permit with FB
☐ O	Private Carrier's Permit -Brewpubs (BP) with a BG only	☐ E	Local Cartage Permit - Wine/Beer retailers (BG) Only
3. Indicate Primary Business at this Location			
☒ Restaurant	☐ Sporting Arena, Civic Center, Hotel	☐ Bar	
☐ Grocery/Market	☐ Sexually Oriented	☐ Miscellaneous	
4. Trade Name of Location (Name of restaurant, bar, store, etc.)			
MOD Pizza - Rockwall South			
5. Location Address			
2901 Ridge Road			
City	County	State	Zip Code
Rockwall	Rockwall	TX	75032
6. Mailing Address	City	State	Zip Code
PO Box 6939	Bellevue	WA	98008
7. Business Phone No.	Alternate Phone No.	E-mail Address	
pending	512-614-2008	aigo@mfhliquorlaw.com	

OWNER INFORMATION

8. Type of Owner		
☐ Individual	☐ Corporation	☐ City/County/University
☐ Partnership	☒ Limited Liability Company	☐ Other
☐ Limited Partnership	☐ Joint Venture	
☐ Limited Liability Partnership	☐ Trust	
9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)		
MOD Super Fast Pizza, LLC		

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your permit/license.

10. Contact Person:	Relation to Business:
Amy Igo	paralegal
Phone (mandatory):	Email (mandatory):
512-614-2008	aigo@mfhliquorlaw.com

TABC DATESTAMP

11. Are you, the applicant, a veteran-owned business?				☐ Yes ☒ No	
12. Are you, the applicant, a Historically Underutilized Business (HUB)?				☐ Yes ☒ No	
13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)					
Individual/Individual Owner		Limited Liability Company/All Officers or Managers			
Partnership/All Partners		Joint Venture/Venturers			
Limited Partnership/All General Partners		Trust/Trustee(s)			
Corporation/All Officers		City, County, University/Official			
Last Name Svenson		First Name Scott		MI T	Title Mgr/CEO
Last Name Guenser		First Name Joshua		MI G	Title Mgr/CFO
Last Name Maguire		First Name John		MI M	Title Mgr/COO/Pres
MEASUREMENT INFORMATION Section 109.31 et seq.					
14. Will your business be located within 300 feet of a church or public hospital?				☐ Yes ☒ No	
<i>NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.</i>					
15. Will your business be located within 300 feet of any private/public school, day care or child care facility?				☐ Yes ☒ No	
If "YES," are the facilities located on different floors or stories of the building?				☐ Yes ☐ No	
<i>NOTE: For private/public schools, day care centers and child care facilities, measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.</i>					
<i>NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.</i>					
<i>NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.</i>					
16. Will your business be located within 1,000 feet of a private school?				☐ Yes ☒ No	
17. Will your business be located within 1,000 feet of a public school?				☐ Yes ☒ No	
60-DAY SIGN					
18. If required under Section 11.391 and 61.381, provide exact date the required sign was posted at the location.				Exact Date (MM/DD/YYYY) 04.16.2021	
ALL APPLICANTS					
19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE ☐ I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.					
COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION					
<i>Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.</i>					
All required forms have been completed.				☒ Yes ☐ No	
I have reviewed all forms to ensure they are complete.				☒ Yes ☐ No	
I have obtained all required local and state certifications (pages 3-5).				☒ Yes ☐ No	
All application packets have been notarized.				☒ Yes ☐ No	
Phone numbers and email address for contact person are up to date.				☒ Yes ☐ No	
All additional documentation as required by the application packets is attached.				☒ Yes ☐ No	
If required, out of state criminal history checks are attached (PHS #7).				☐ Yes ☐ No ☒ N/A	
Certification of publication in local newspaper has been completed (page 5).				☒ Yes ☐ No ☐ N/A	
A copy of the newspaper publication is attached (page 5).				☒ Yes ☐ No ☐ N/A	

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

Proprietorship
Partnership
Corporation
Limited Partnership
Limited Liability Partnership
Limited Liability Company

WHO MUST SIGN:

Individual Owner
Partner
Officer
General Partner
General Partner
Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT
NAME

John Maguire

SIGN
HERE

TITLE

President & COO

Before me, the undersigned authority, on this 29th day of March, 2021, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.



NOTARY PUBLIC

CERTIFICATE OF CITY SECRETARY FOR MB, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the city secretary or clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by ordinance.

I hereby certify on this 6th day of May, 2021, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

- ☐ MB Mixed Beverage Permit
- ☐ MB/FB (RM) Mixed Beverage Restaurant Permit with Food and Beverage Certificate (MB must also hold a Food and Beverage Certificate)
- ☒ BG/FB Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)
- ☐ BG Wine and Beer Retailer's Permit - Election for given location was held for:
- ☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999
- ☐ BE Beer Retail Dealer's On-Premise License

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN
HERE

Kristy Cole
City Secretary/Clerk

SEAL



Rockwall TEXAS
City

CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT LB & BL

Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- ☐ The governing body of this city has by ordinance authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- ☐ The governing body of this city has by ordinance authorized the sale of **beer** between midnight and _____ A.M.; or
- ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

**SIGN
HERE**

City Secretary/Clerk

City

_____, TEXAS

S E A L

CERTIFICATE OF COUNTY CLERK FOR MB, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by order.

I hereby certify on this 10th day of May, 2021, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court.

- ☐ **MB** Mixed Beverage Permit
- ☐ **MB/FB (RM)** Mixed Beverage Restaurant Permit with Food and Beverage Certificate (FB must also hold a Food and Beverage Certificate)
- ☒ **BG/FB** Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)

- ☐ **BG** Wine and Beer Retailer's Permit - Election for given location was held for:
 - ☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
 - ☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

- ☐ **BE** Beer Retail Dealer's On-Premise License

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

**SIGN
HERE**

County Clerk

COUNTY



CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT LB & BL

Chapters 29 & 70 et seq

- I hereby certify on this _____ day of _____, 20____, that one of the below are correct:
- ☐ The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- ☐ The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____ A.M.; or
- ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

OR

- ☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____

County Clerk

COUNTY

SEAL**COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE**

Section 11.46 (b) & 61.42 (b)

This is to certify on this 01 day of April, 2021, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number 32053911957Outlet Number 00100

Print Name of Comptroller Employee

Pamela Sutton

Print Title of Comptroller Employee

Supervisor

SIGN

HERE _____

FIELD OFFICE

2417-Austin Enforcement**SEAL****PUBLISHER'S AFFIDAVIT FOR MB, LB, RM, BP, BG, BE, BL & V**

Section 11.39 and 61.38

Name of newspaper	
City, County	
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)	
Publisher or designee certifies attached notice was published in newspaper stated on dates shown.	
Signature of publisher or designee	
Sworn to and subscribed before me on this date (MM/DD/YYYY)	
Signature of Notary Public	
SEAL	

ATTACH PRINTED

COPY OF THE

NOTICE HERE

Hover over to see example

3345 BEE CAVE ROAD, STE. 105
AUSTIN, TEXAS 78746



TELEPHONE: 512.473.0300
MFHLIQUORLAW.COM

Martin Frost & Hill
Texas Liquor Lawyers

May 7, 2021

Via Federal Express

Jennifer Fogg, County Clerk
Rockwall County Clerk's Office
1111 E Yellowjacket Lane, Suite 100
Rockwall, Texas 75087

Re: Original TABC Prequalification Packet for County Certification
MOD Super Fast Pizza, LLC

Dear Jennifer:

Enclosed is an executed Original Prequalification Packet for a TABC Application for a Wine and Beer Retailer's Permit (BG) with Food and Beverage Certificate (FB) to be held by MOD Super Fast Pizza located at 2901 Ridge Road in Rockwall.

Please certify that the location is "wet" for a BG and FB permit on page 4 of the form. After certification, please return the Prequalification Packet to me at the above address using the provided Federal Express envelope and prepaid air bill.

Should you have any questions or need additional information, please feel free to contact me at 512-614-2008 or via email at aigo@mfhliquorlaw.com.

Sincerely,

Amy Igo
Paralegal

Enclosure