



Nebraska's Capital City

July 19, 2002

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 made regarding the application of Irfan Osmanovic, d.b.a. Pho-Suha, 1819 'O' Street requesting a class J liquor license. This location was previously known as Bosnian Kitchen which held a class I liquor license.

Irfan Osmanovic, past owner of the Bosnian Kitchen has changed the name of the business and is changing the name. Irfan Osmanovic, owner of all shares has requested that he be approved as the manager of the liquor license.

Background information on the application is as follows:

Irfan Osmanovic was born in Bosnia. He completed his education in Bosnia as an electrician. Irfan moved to the United States in 1998.

The Lincoln Police Department is recommending **Denial** of this application. The denial is based on the past liquor license of the applicant for the 2001 – 2002 period. This license was paid for with an Insufficient Funds Check in the amount of \$608.00. The City Clerk has made several attempts to collect on this check; however the applicant has made no attempts of restitution.

For further information see the enclosed information provided by the City Clerk.

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

A nationally accredited law enforcement agency



STATE OF NEBRASKA

455

Set date 7-22-02
PH: 8-5-02



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)
web address: <http://www.nol.org/home/NLCC/>

A2-080817
72

July 17, 2002

Office of the City Clerk
355 So 10th Street
Suite 103
Lincoln NE 68508

Mike Johanns
Governor

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.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Mary Messman
Licensing Division

Enclosures

FILED
CITY CLERK'S OFFICE
02 JUL 18 PM 3 01
CITY OF LINCOLN
NEBRASKA

Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

24

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

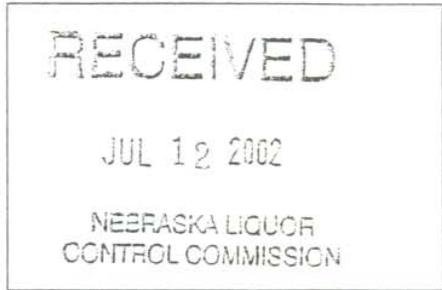
FORM 35-4001
REV. 12 99

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

Copy # 56391



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 spouses) 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.

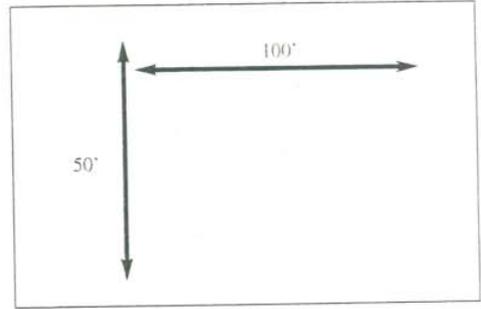
TYPE OF APPLICATION	CORPORATE SURETY BOND INFORMATION
Type of application being applied for (place appropriate number in box) <div style="border: 1px solid black; display: inline-block; padding: 5px; margin-right: 10px;">3</div> 1= Individual License requires Form 1 to be attached. 2= Partnership License 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; height: 30px; width: 100%;"></div> Start Date Month/Day/Year Bond Number <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 40%; height: 20px;"></div> <div style="border: 1px solid black; width: 40%; height: 20px;"></div> </div>

SECTION A – LOCATION INFORMATION – Must be completed by all applicants

Trade Name (name of business) <i>PHO - SUHA</i>			Telephone Number at premise to be licensed <i>(402) 476-2712</i>		
1) Street Address of Proposed licensed premise <i>1819 "O" ST</i>			2) Mailing Address for receipt of Liquor Control Commission mailings <i>1819 "O" ST</i>		
City	County	Zip Code	City	County	Zip Code
<i>Lincoln</i>	<i>NE</i>	<i>68508</i>	<i>Lincoln</i>	<i>NE</i>	<i>68508</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.

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>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Replacing License Number (if applicable)

[Empty box for license number]

Are the proposed licensed premises inside the City Limits of the Town or City? Y

Y=Yes N=No

Do you own the building and real estate for which a license is sought? If owned, submit copy of deed or sales contract demonstrating ownership. Y=Yes N=No N

If you lease the building or real estate, when does the lease expire?

12-6-01

Month/Day/Year

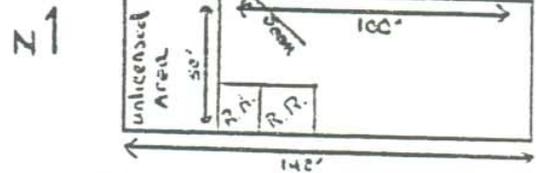
SUBMIT A SIGNED COPY OF YOUR LEASE EXTENDING THROUGH LICENSE YEAR

Are you filing a temporary agency agreement, whereby current licensee allows you to operate on their license?

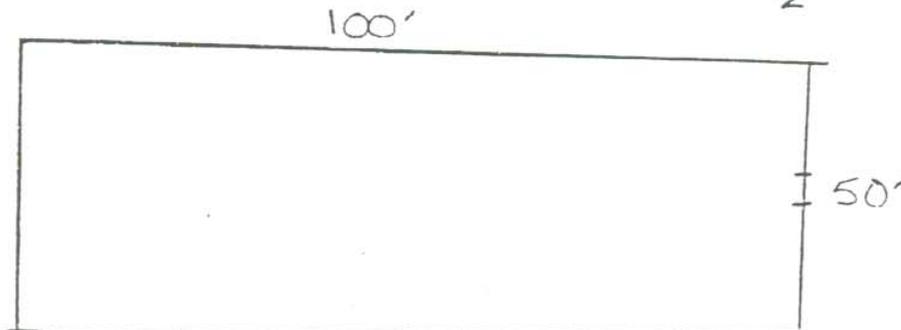
Y=Yes N=No If yes, attach copy

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 of consumption. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the entire building, as well as the licensed area. No blue prints will be accepted. Be sure to indicate the direction North and number of stories in the building.



EXAMPLE: East portion Approx. 50' x 100' of main floor of 3 story building plus basement approx. 50' at the East end.



LEGAL DESCRIPTION OF PREMISES TO BE LICENSED

INFORMATION REQUIRED

	YES	NO	Explanation/Comments
<p>1. READ CAREFULLY-ANSWER FULLY AND ACCURATELY Has anyone who is a party to this application, or their spouse, ever been convicted of, or pled guilty to any criminal charge? Criminal charge means any charge alleging a violation of a Federal, State or local law or ordinance. List the nature of the charge, where the charge occurred and the year and month of the conviction or guilty plea. Also list any charges pending at the time of this application.</p>		✓	
<p>2. Are you buying or leasing the business of a present licensee? If buying, give the name of the licensee selling to you and submit a signed copy of the sales agreement listing furniture, fixtures, and their assigned values. If leasing, include a signed copy of the lease</p>		✓	

421002

	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).		X	
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.		X	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.		X	
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		X	
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.		X	
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?		X	
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.	X		
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.		X	
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.			Chash
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.			yes
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.			10 am to 10 pm Irfan Asmarovic
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.			yes CLASS
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).			Corporate name PHO-Suha
14. When do you intend to open for business?			Open

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)
Irfan Osmanovic	1998	2003	Lincoln NE
		1998	Bosnia

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.

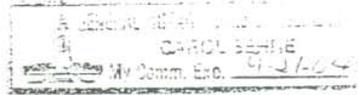
Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials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

sign here _____
 sign here _____
 sign here _____
 sign here Irfan Osmanovic

sign here _____
 sign here _____
 sign here _____
 sign here _____

Subscribed in my presence and sworn to before me this 12th day of July 2002

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 Carol Behne
 Notary Public Signature

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

RECEIVED
JUL 12 2002

NEBRASKA LIQUOR
CONTROL COMMISSION

Name of Corporation That Will Hold License: PHO - SUHA		Total Number of Shares (if corporation)	
Corporate Street Address (1) 1819th Oth St		Mailing address for receipt of Liquor Control Commission Mailings	Corporate Telephone Number (402) 475-2212
City Lincoln	County NEB	State NE	Zip Code 68508
Name of Registered Agent		Name of Proposed Manager Irfan Osmannovic	
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER			
Name Irfan Osmannovic	Title President	Date of Birth	Social Security Number
Home Address (1) 1237		State NE	
City Lincoln	State NE	Zip Code 68502	Home Telephone Number (402) 475-0912

Corporation/LLC Application for License - Form 3
Nebraska Liquor Control Commission

Is this Corporation/LLC controlled by another Corporation? YES NO

Name of Control Corporation

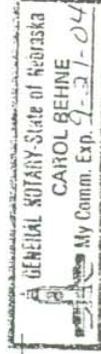
IF YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LLC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned

Please indicate below your corporate tax year with the IRS

Starting Date: _____ Ending Date: _____

STATE OF Nebraska)
)
) ss.)
kancaster County)

Carol Behne
Notary Public Signature & Seal



By Trefan Amanovic
PRESIDENT/MEMBER

SECRETARY/MEMBER

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

Articles of Amendment to
The Articles of Incorporation of
Bosnian Kitchen, Inc

RECEIVED

NE Sec of State - CORP
1000311862
PHO-SUHA, INC
Filed: 07/12/2002 02:19 PM

Pgs: 1

JUL 12 2002

NEBRASKA LIQUOR
CONTROL COMMISSION

Pursuant to the provisions of the Nebraska Corporation Act and the Written Consent of all of the Directors and all of the Shareholders of the Corporation entitled to vote on this Amendment ~~to its Articles of Incorporation~~; the ~~an~~ undersigned Corporation hereby adopts the following Articles of Amendment to its Articles of Incorporation: effective July 12 - 02

Article I of the Articles of Incorporation, is deleted and there is inserted in place thereof the following

ARTICLE I

The name of the corporation is:

PHO - SUHA, Inc

JULY 12 - 2002

T. Alan Osmer, President

Application for Corporate Manager

Must Be A Nebraska Resident

Please submit in Triplicate

RECEIVED

Return to: Nebraska Liquor Control Commission, PO Box 95046
301 Centennial Mall So., Lincoln NE 68509

JUL 12 2002

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

NEBRASKA LIQUOR
CONTROL COMMISSION

LIQUOR LICENSE INFORMATION

NAME OF LICENSED CORPORATION PHO - SUHA		CLASS & LICENSE NUMBER 50170	
TRADE NAME OF LICENSED PREMISE Pho-Suha			
STREET ADDRESS OF LICENSED PREMISE 1819 "0" st	CITY Lincoln	COUNTY 02	ZIP CODE 68508

On behalf of the corporation, I designate this individual as corporate manager.

Signature of Corporate President/CEO:

APPLICANT INFORMATION (MUST BE 21 OR OVER)

NAME (LAST, FIRST, MIDDLE, MAIDEN) Irfan Osmanovic	SEX F <input checked="" type="radio"/> M	SOCIAL SECURITY NUMBER	DATE OF BIRTH	PLACE OF BIRTH BOSNIA
HOME STREET ADDRESS 1237 Peach	CITY Lincoln	COUNTY NE 02	STATE NE	ZIP CODE 68502
HOME TELEPHONE NUMBER (402) 475-0912	BUSINESS TELEPHONE NUMBER (402) 476-2212	DRIVERS LICENSE NUMBER & STATE		

SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE NONE)

FULL NAME (LAST, FIRST, MIDDLE, MAIDEN) None	SOCIAL SECURITY NUMBER	DRIVERS LICENSE NUMBER & STATE
DATE OF BIRTH:	PLACE OF BIRTH:	

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 criminal charge? Criminal charge means any charge alleging a felony or misdemeanor 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.

YES NO

2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? **IF YES**, for what premise give license number and date.

YES NO

AGREEMENT

This agreement, made this 25th day of APRIL, 2003, by and between Jerry and Sandi Irwin, hereinafter referred to as Lessor, and Xirfan Osmanovic d/b/a the PHO SUHA INC, hereinafter referred to as Lessee.

Witnesseth:

ARTICLE I. DESCRIPTION OF PREMISES, Lessor, subject to the conditions, agreements, regulations and rents hereinafter set forth does let and lease and hold under the terms of said Agreement the premises known and described as follows: The restaurant space located at 1819 "O" Street, Lincoln, Nebraska.

ARTICLE II. TERM. Lessee shall hold the premises for a term of 12 months lease with the option of 4 additional one year leases. Lease shall begin on May 1, 2002 and end on April 31, 2003. The said Lessee in consideration of the leasing of the premises above set forth, covenants and agrees with the Dollars (\$500.00) per month due on the 5th of each month. Rent shall increase by the Cost of Living index as established by the United State Government. At no time may Rent be lowered. Rent shall be payable in advance without notice by Lessor during the term of this Lease to the Lessor at an address specified or as directed in writing by Lessor. Rent will be increased by one-half the rise in property tax over the last year. Base year will be 2002.

ARTICLE III. COVENANT OF QUIET ENJOYMENT. Lessor covenants the Lessor is the true and lawful owner of said premises and has good right and full power to let and lease the same. Lessor agrees that contingent upon Lessee's compliance with the terms of this Lease, Lessee shall quietly and peaceably hold, possess and enjoy the premises for the full term of this lease without any hindrance or molestation from Lessor or his agents.

ARTICLE IV. USE OF PREMISES. Lessee agrees that said premises shall be used as a restaurant and said use shall conform to all laws and regulations so governing. Lessee can hold a liquor license issued by the State of Nebraska provide any live entertainment at 1819 "O" Street. Lessee may not provide any adult entertainment at 1819 "O".

ARTICLE V. ABANDONMENT AND DEFAULT. If Lessee shall abandon and vacate said premises before the end of the term of this Lease or shall suffer the rent to be in arrears for a period of thirty (30) days or more, Lessor may, after giving fifteen (15) days advance notice in writing to Lessee, at Lessor's option enter said premises, remove and signs of said Lessee therefrom and relet the same as it shall see fit without such retaking, voiding or termination of this Lease; the rental received from such reletting shall be credited against the rent

due under this Lease, and that for the purpose of said reletting the said Lessor is authorized to make and repairs, changes, alterations, or additions in and to said premises as may be necessary for the purpose of reletting. In no event should the abandonment of the herein-described premises by Lessee terminate this Lease Agreement.

ARTICLE VI. REPAIR OF PREMISES. Lessee shall at all times take good care of demised premises and Lessee shall at its own cost and expense make all inside repairs and replacements, including replacing light bulbs and fluorescent tubes starter. Lessor at his own expense shall make all repairs and replacements to the roof, foundation and exterior structural portions of said premises and to adjoining sidewalks and curbs and low-grade plumbing which are necessary to maintain the premises in safe, dry and tenable condition and in good order and repair. Lessee is aware of water leaks that Lessor will maintain but Lessor will not do a complete re-roofing at this time.

ARTICLE VII. UTILITIES. Lessee agrees to pay at its own expense, water, sewer use tax, electricity and gas of the demised premises. Lessor shall maintain heating unit and air conditioning units at Lessors expense.

ARTICLE VIII. DEFAULT BY LESSEE. If default is made by Lessee in the performance of the conditions of this Lease, and said default shall have continued for thirty (30) days after written notice thereof has been furnished to Lessee, then Lessor in addition to other remedies afforded by law, may at its election have the right to re-enter, re-possess, and enjoy the demised premises.

ARTICLE IX. SUCCESSORS AND ASSIGNS. Lessee agrees to surrender the premises at the end of the term of this Lease or any renewal thereof in as good condition as when first occupied, ordinary wear and tear excepted.

ARTICLE X. ASSIGNMENT OF LEASE. This Lease may not be assigned without prior written consent of Lessor; such consent shall not be unreasonably withheld. Any assignment shall release either signing party to their personal liability under the term of this Lease.

ARTICLE XI. INTERIOR FINISH OR PREMISES. The interior of these premises may be adjusted to the needs of the tenant's at tenant's expense. Interior partitions to be furnished by Lessee.

ARTICLE XII. INSURANCE. Lessee agrees to carry and pay for public liability insurance on the demised premises in a Company or Companies to be approved by Lessor which approval shall not be unreasonably withheld by Lessor, with limits not less than \$100,000/\$300,000 for personal injury and \$100,000 for property damage, which said insurance shall cover and protect

the Lessor as well as Lessee, and a certificate or certificates evidencing such insurance shall be deposited with Lessor during the entire term of this Lease.

Signed and dated this 25th day of APRIL, 2003

JERRY AND SANDI IRWIN
A Partnership,

By Jerry R Irwin
A Partner "Lessor"

Xirfan Osmanovic
LESSEE

LESSEE



July 18, 2002

City Council Members
County/City Building
555 South 10th Street
Lincoln, NE 68508

*Russ - we
have Rec'd
documentation
from Diversion Serv
as to their efforts
from*

Re: Liquor License Application - Pho-Suha, Inc.
Manger applicant: Irfan Osmanovic

Dear Chairman Cook and Council Members:

Attached is documentation relating to the Insufficient Fund check dated 5/1/01 in the amount of \$608.00 that the above applicant wrote to the City Clerk in payment of the Class I liquor license for the Bosnian Kitchen located at 1819 "O" Street. The applicant, Irfan Osmanovic has **not** made restitution for the check and has not responded to our letters nor those of Diversion Services.

I would respectfully ask that you consider a recommendation of **denial** on this application based on the fact that Mr. Osmanovic did serve liquor under a Class I liquor license, for which he did not pay, during the 2001/2002 license year at his business located at 1819 "O" Street.

Sincerely,

A handwritten signature in cursive script that reads "Joan E. Ross".

Joan E. Ross
City Clerk

Attachments
cc: Officer Russ Fosler, LPD

**LANCASTER COUNTY ATTORNEY'S OFFICE
REQUEST FOR CRIMINAL PROSECUTION FOR BAD CHECKS**

Please Read Reverse Side Before Completing Form

1. Name of business or person turning in check IRFAN OSMANOVIC DBA BOSNIAN KITCHEN
 2. Business address 1819 "O" ST., LINCOLN NE Zip 68508 Phone _____
 3. Name of person completing form TERESA J. MEIER-BROCK Position DEPUTY CITY CLERK
 4. Name of person who wrote check IRFAN OSMANOVIC
 Address 1237 PEACH ST. City LINCOLN Home Phone 475-091
 Employer SELF Address 1819 "O" ST. Work Phone _____

5. Person who passed check if different from #4 _____

CHK AMOUNT	CHK NUMBER	DATE TAKEN	PERSON WHO TOOK CHK
#1. <u>\$608.00</u>	<u>1034</u>	<u>5/1/01</u>	<u>TERESA J. MEIER-BROCK</u>
#2. _____	_____	_____	_____

6. Can person who took check identify check passer in Court?

- Check # 1. Yes () No () ? ()
 Check # 2. Yes () No () ? ()

7. Was check written in presence of person who took check?

- Check # 1. Yes () No () ? ()
 Check # 2. Yes () No () ? ()

8. Was check written and/or passed in Lancaster County?

- Check # 1. Yes () No () ? ()
 Check # 2. Yes () No () ? ()

9. What was obtained for checks (merchandise, cash, etc.) State of Nebraska Class I Liquor License

10. Did person ask that any of these checks be held or post-date checks? Yes () No () ? () If Yes, which one(s)? _____

11. Were any of these checks given in payment of account? Yes () No () If Yes, which one(s)? _____

12. Was identification obtained from checkwriter at the time check was written? NO. If Yes, which ones? _____
 Driver's license/state of check writer _____ Other ID _____

13. Was written notice sent to check writer? Yes () No () Date sent 9 / 7 / 01
 Was notice returned? Yes () No () Response _____

14. List dates of any other contact (by phone or in person) with check passer. See attached memo

15. Any other information of value _____

Staple Checks Here

STATUTORY FEE \$10 PER CHECK AS OF 9/1/87

The undersigned has read this form and agrees to the conditions set forth thereon; and further, states that he or she has filled out this complaint; that the above statements are true; and that he or she will testify in Court under oath to these statements.
 MAIL TO: Diversion Services, Inc., 4435 'O' St., Ste 96, Lincoln NE 68510 483-4444

Signature: Teresa J. Meier-Brock, Deputy City Clerk Date: 9/12/01

MEMORANDUM

TO: Lancaster County Attorney

FROM: Teresa J. Meier-Brock 
Deputy City Clerk

DATE: Sept. 28, 2001

SUBJECT: Irfan Osmanovic dba Bosnian Kitchen

The City Clerk, Joan Ross, visited with Inv. Russ Fosler of Lincoln Police Dept. as soon as we received notice of this check bouncing to inquire what we could now do since this was for a Liquor License. Unfortunately, due to a miscommunication, the Clerk thought Inv. Fosler was telling her we could not collect on the bad check when in actuality Inv. Fosler was talking about not being able to pull their liquor license. However, Mr. Osmanovic would have received notice from his bank that this check did not clear.

Once this misunderstanding was cleared up, I sent Mr. Osmanovic a letter on Fri., Sept. 7, 2001 informing him of his need to take care of this check & gave him a deadline of the following Friday, Sept. 14th.

On Thurs., Sept. 13th, Mr. Osmanovic called our office & stated he would be in on Friday, Sept. 14th with a Certified Check. On Fri., Sept. 14th, Mr. Osmanovic called again & requested an extension. An agreement was reached that he would be in by 8 a.m. Monday, Sept. 17th to take care of this. He called again on Monday, Sept. 17th to request another extension. This request was denied. There has been no further contact to this date.

Model (M) Reverse or Void (RM)

Document Type UD
 Document Number/Fd 82743 00999 Explanation 05-City Clerk Ret'd Ck
 G/L Date 05/31/01 Batch Number 175036
 Remaining Ref1

Skip to Line

Account No.	Debit Amount	Credit Amount	G/L Date
999.1060.010		608.00	05/31/01
06006.3068.05	400.00		05/31/01
06005.3830	200.00		05/31/01
06006.4020	8.00		05/31/01

F5=Make New Model F6=% JE F15=Model JE's F13=Acct Master F24=More Keys MW

funds were debited due to check being rejected by bank!

EOSNIAN KITCHEN
 IRFAN OSMANOVIC
 1819 O STREET
 LINCOLN, NE 68508

MAY 21 2001

1034

THIS ITEM HAS BEEN PRESENTED TWICE DO NOT REDEPOSIT

DATE 5-1-01 76-1391/1049

PAY TO THE ORDER OF City of Lincoln \$ 608.00

Six hundred eight dollars

Pinnacle Bank
 Lincoln, Nebraska 68507
 Member FDIC
 www.pinnaclebank.com

RFID 091000022 Irfan Osmanovic

⑆1049⑆39⑆12⑆23002866⑆12⑆1034⑆⑆0000060600⑆⑆



SEPT. 7, 2001

BOSNIAN KITCHEN
ATTN: IRFAN OSMANOVIC
1819 "O" ST.
LINCOLN NE 68508

RE: INSUFFICIENT FUNDS NOTICE ON CHECK FOR LIQUOR LICENSE

DEAR MR. OSMANOVIC:

On May 1, 2001, you wrote a check (#1034) to our office in the amount of \$608.00 for your Class I Liquor License. On May 21st, we received an Insufficient Funds Notice from your bank that your account did not have enough funds in it to cover this check. Our office has contacted you on numerous occasions, including having Investigator Fosler fo the Lincoln Police Dept. visit you. To date, we have received no response to our request for payment in cash of this License.

If you do not come in & pay this with cash by Sept. 14, 2001, the County Attorney's Office will be handling it for prosecution.

SINCERELY,

Teresa J. Meier-Brock
TERESA J. MEIER-BROCK
DEPUTY CITY CLERK

pc: file

