

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

LANC. COUNTY CLERK

IN THE MATTER OF AN APPLICATION)
FOR ADDITION TO A PREMISE OF A)
LIQUOR LICENSE HELD BY DUSTIN)
AND SHARON DUBA d/b/a DUSTY'S)
BAR AND GRILL, LOCATED AT)
109 1ST STREET, KRAMER,)
LANCASTER COUNTY, NEBRASKA,)
AND SUCH LOCATION ADDRESS)
BEING CHANGED BY THE COUNTY)
TO 11365 WEST KRAMER STREET,)
KRAMER, LANCASTER COUNTY,)
NEBRASKA.)

RESOLUTION NO. R-09-0024

WHEREAS, Neb.Rev.Stat. §53-129, provides that:

Retail, craft brewery, and microdistillery licenses issued under the Nebraska Liquor Control Act apply only to that part of the premises described in the application approved by the commission and in the license issued on the application, and only one location shall be described in each license. After such license has been granted for particular premises, the commission, with the approval of the local governing body and upon proper showing, may endorse upon the license permission to add to, delete from, or abandon the premises described in such license and, if applicable, to move from the premises to other premises approved by [the local governing body], but in order to obtain such approval the retail, craft brewery, or micordistillery licensee shall file with the local governing body a request in writing and a statement under oath which shows that the premises as added to or deleted from or to which such move is to be made comply in all respects with the requirements of the act. No such addition, deletion, or move shall be made by any such licensee until his or her license has been endorsed to that effect in writing by the local governing body and by the commission and the licensee furnishes proof of payment of the state registration fee prescribed in section 53-131;

and

WHEREAS, on or about April 20, 2009, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the addition to licensed premises of Dustin and Sharon Duba, d/b/a Dusty's Bar and Grill, for liquor license number IB 56700, for the premises located at 109 1st Street, Kramer, Lancaster County, Nebraska; and

WHEREAS, on or about September 10, 2007, Lancaster County changed the address of the licensed premises to 11365 West Kramer Street, Kramer, Lancaster County, Nebraska as provided in Exhibit "A" which is attached hereto and made apart hereof; and

WHEREAS, the applicants have requested that a 20 x 24 feet beer garden, be added to the licensed premises; and

WHEREAS, pursuant to the requirements of Neb.Rev.Stat. §53-129, the Board of County Commissioners of Lancaster County set a time and place for a public hearing on said application, and published in the Lincoln Journal Star, notice of said public hearing as required by law; and

WHEREAS, said public hearing was conducted on May 5, 2009, and

WHEREAS, on May 12, 2009, the County Board voted to recommend approval of the request for endorsement of the addition of the licensed premises of liquor license number IB 56700 held by Dustin and Sharon Duba, d/b/a Dusty's Bar and Grill.

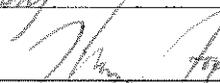
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that pursuant to the provisions of Neb.Rev.Stat. §53-129 it should and hereby endorses the addition of the licensed premises as requested by Dustin and Sharon Duba, d/b/a Dusty's Bar and Grill.

BE IT FURTHER RESOLVED, that the Lancaster County Clerk is hereby directed to mail a copy of this Resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, and the Applicant, this 12 day of May, 2009.

DATED, this 12 day of May, 2009, at the County-City Building, Lincoln, Lancaster
County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this 12 day of
May, 2009.



Dep. County Attorney
GARY E. LACEY
Lancaster County Attorney







