COUNTY DEPARTMENT AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, April 28, 2011	Type of Request:	Public Hearing

Wording for the Agenda:

Consideration of the Packaged Beer and Wine Sales License for RaceTrac Petroleum, Inc. d/b/a RaceTrac #192, 897 Highway 85 South, Fayetteville, Georgia, RaceTrac Petroleum, Inc., Owner, and Gabriel G. Wallace, Corporate Agent/Applicant. This property is located in Land Lot 70 of the 5th District, fronts Ramah Road and SR 85 South, and is zoned C-H. This is for a New Location.

Background/History/Details:

This application is for the sale of beer and wine at a new location. The fingerprints/background checks have been sent to the GCIC and the FBI and the results have been reviewed and approved by the Marshal's Office. The application was reviewed and approved by the County Attorney.

This application and site are in compliance with all state and county requirements for the issuance of a county license.

What action are you seeking from the Board of Commissioners?

Motion to approve or deny the application of a Packaged Beer and Wine License for Race Trac Petroleum, Inc. at 897 Highway 85 South.

If this item requires funding, please describe:

Not Applicable

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

ALCOHOLIC BEVERAGE LICENSE APPLICATION
FOR NEW LOCATION OR CHANGE OF OWNERSHIP
FAYETTE COUNTY, GEORGIA

FOR OFFICIAL USE ONLY:

Date Received: 3·4, 20 11

TYPE OF LICENSE:
Retail ✓
Pouring _____

Fee Enclosed: $ 175.00

Cash: ____ Check No.: 8830613142 Money Order: _____

Receipt No.: 2056789

Bd. of Comm. Action:

Denied _____, 20__

Local License No.: _____

Approved _____, 20__

State License No.: _____

Land Lot(s): 70

District(s): 5th

Zoning of Property: C-H

SH & SH
Reviewed and Approved by:

4-8-11
Date Approved:
Fayette County, Georgia

Check One: New Location: x Change of Ownership: _____

ORIGINAL APPLICATION FOR COUNTY LICENSE AS DEALER/OPERATOR
RETAIL IN VINOUS LIQUORS (WINE) SALES x
RETAIL IN MALT LIQUORS (BEER) SALES x
ON PREMISE CONSUMPTION OF MALT LIQUORS (BEER) _____
ON PREMISE CONSUMPTION OF VINOUS LIQUORS (WINE) _____
ON PREMISE CONSUMPTION OF DISTILLED SPIRITS (ALCOHOL) _____

INSTRUCTIONS: Read through entire application before answering any questions. EVERY questions and sub-question must be fully and completely answered. If a particular question does not apply to you, then answer "N/A" and if necessary explain why it is not applicable to you. Do not leave any questions blank. If the space provided is not sufficient, answer the question on a separate sheet and indicate in the space provided that such separate sheet is attached. When the form is completed, it must be dated, signed and verified under oath by the applicant and filed with the Fayette County Planning & Zoning Department, Fayette County, Georgia, together with all supporting papers, one complete copy, and money order or certified check for the exact fee. Personal checks will not be accepted. A copy of the relevant alcoholic beverage ordinance is available for your use.

1. (a) Full name, address & legal residence of person making application.
Racetrac Petroleum, Inc.

Name: Gabriel G. Wallace, as agent

Address: 1901 Eastwood Village Dr.

Resident of: City Stockbridge County Henry State GA

Zip Code 30281

(b) Is the above address your legal and bona fide place of domicile? yes

(c) How long have you lived at the above address? 11/10/10 to present

2. Trade name of business for which license is requested:

Racetrac # 192

3. Location of business for which license is requested:

Address: 897 Hwy. 85 South

City, State, Zip Code: Fayetteville, GA 30214

Telephone Number: (Store #) 770-460-5497 Store under construction 770-431-7600 (corp.)

Mailing Address: 3225 Cumberland Blvd., Ste. 100, Atlanta, GA 30339
(if different from above)

4. Name and residence of each person, partnership and corporation having any ownership interest in the business, and the amount of such interest.

Please refer to the attachment for listing of Shareholders for Racetrac Petroleum, Inc.

Name	Address	Residence	Interest

Name	Address	Residence	Interest

Name	Address	Residence	Interest

5. (a) Will this business be owned by the applicant as a sole proprietorship?
Yes _____ No _x_ (Corporation)

(b) If this business will be owned in whole or in part by a partnership, corporation or any other association, list the members of such organization and give their address, county and state of their legal residence, and the amount of their interest.

Corporation: Shareholders
Please refer to attachment listing of Racetrac Petroleum, Inc.

Name	Address	Residence	Interest

Name	Address	Residence	Interest

Name	Address	Residence	Interest

6. How much of the capital of this business is borrowed and from whom? (attach exhibits if necessary)

The aforesaid location money is generated out of the operations of the business. No funds are borrowed specifically for this property. The corporation maintains revolving lines of credit with commercial banks for its general needs.

Amount	Lender	Address

Amount	Lender	Address

7. Does any person or organization listed in questions (1), (4), (5), or (6) have any financial interest whatsoever in any other business selling ~~distilled spirits~~, wine or beer, either in this state or any other state? Yes [X] No [ ]
If yes, list the name of such person or organization, the name and location of such other business, and the amount and type of interest.

Please refer to the attachment for locations in the State of Georgia for Racetrac Petroleum, Inc.

Racetrac Petroleum, Inc. is:

8. (a) Is the applicant and/or license holder the owner of the building where business is to be conducted? Yes [X] No [ ]

(b) Is the applicant and/or license holder the owner of the land where business is to be conducted? Yes [X] No [ ]

(c) If your answer is "No" to either question, state whether you lease, sublease, or rent the building and whether you lease, sublease, or rent the land, or both.

9. (a) State the full name and address of the owner of the building, the name and address of the owner of the land, and the name and address of all lessors and/or sublessors. Attach copies of all lease agreements as exhibits to question 9.

Building Owner	Address	Relationship to applicant or any other owners
Racetrac Petroleum, Inc.	3225 Cumberland Blvd., Ste. 100 Atlanta, GA 30339	owner
Land Owner	**Address**	**Relationship to applicant or any other owners**
Ractrac Petroleum, Inc.	same	owner
Other	**Address**	**Relationship to applicant or any other owners**
n/a		

(b) Has the applicant and/or license holder entered into an agreement or contract with either the owner, lessor or sublessor for either the building or the land or both which provides for the payment of rent on a percentage or profit sharing basis? Yes [ ] No [x]

If "yes", please list the terms of such agreement or contract, and attach a copy of such agreement or contract if in written form. (State owner, lessor, or sublessor and the building, the land, or both).

n/a

Question 10. to be completed for New Location Application Only:

10. What is the distance from the nearest building wall of the business, along the closest and most reasonable public access, to the nearest point of the following:

(a) School Ground Fayette Middle School Path: 7,963' Straight Line: 5,308'

(b) Church Ground Fayetteville Church of Christ Path: 1,628' Straight Line: 760'

(c) Residence Genevieve P Oddo Path: 1,428' Striaght Line: 335'

(d) Alcoholic Treatment Center No known alcoholism treatment centers

(e) Library Fayette County Govenment Library Path: 7,630' Straight Line: 6,701'

(f) Day Care: Primrose School at Summit East Path: 1,932' Straight Line: 1,709'

11. Excepting the front entrance, describe each entrance and exit to or from your place of business, and any passageways between your place of business and any adjacent place of business.

Back door is for deliveries and an emergency exit

12. Name the manager of the business for which this application is filed and state how he is compensated.

Tobauis Melson 4050 Morgan Rd., #41 Union City, GA 30291

Name Address

Compensation:

Check one: [X] Salary [ ] Hourly [X] ~~Commission~~ Bonus [ ] Comb. of any 3

13. List all other ~~liquor~~, beer or wine businesses that your general manager is interested in, employed by, or associated with, in any way whatsoever.

As a corporation - Racetrac Petroleum, Inc. has locations throughout Georgia Attached listing of locations is attached.

Name Address

Liquor, beer or wine business name Type of interest and amount

14. Does any non-resident of the State of Georgia have any financial interest in the operation of this business? Yes [ ] No [X]
If yes, list such non-resident's legal name and address and amount of interest.

Name Address Interest

Name Address Interest

15. List all employees of this business involved in serving, ~~pouring~~, or ~~bartending positions~~, or in cashier positions. List all owners, managers and/or supervisors. Note: Applies only to the particular business for which this license application is made. ***A Personnel Statement shall be required for each person listed.*** (attach exhibits if necessary)

Please see attached listing of Racetrac Petroleum, Inc. Officers/Shareholders

Name Position Name Position

Name Position Name Position

Question 16. to be completed for Change of Ownership Application only. N/A

16. If you acquired this business or propose to acquire it from some previous licensee, give the name of the previous licensee, the State License Number of the previous license, and the date acquired or to be acquired.

N/A

17. Has any place of business engaged in the sale of distilled spirits, wine or beer with which you have been associated ever been cited or charged at any time with any violation of federal, state, county, or municipal law, or any rule, regulation or ordinance, concerning the sale of such products? [ ] Yes [x] No

As Agent for Racetrac Petroleum, Inc. - Gabriel Wallace - No

Authority issuing citation	Violation alleged	Results
"RaceTrac Petroleum, Inc. owns 309 stores in five states. Some of these stores have had penalties assessed involving alcoholic beverages within the 5 years prior to this application as a result of actions by employees who were immediately terminated. RaceTrac has a strict alcohol compliance policy, regular alcohol training for employees and routine monitoring to prevent these types of issues."		

Authority issuing citation	Violation alleged	Results

18. Did the applicant or any person listed in questions 4, 5(b), or 6 have any interest in any business engaged in the sale of distilled spirits during the preceding calendar year? Yes [ ] No [x]
If yes, state:

Name	Address	Interest

Name	Address	Interest

19. (a) List the name of the spouse of any person mentioned in questions 1, 4, or 5(b) who has any interest whatsoever in any business selling distilled spirits other than the business for which this application is made.

N/A

Name	Address	Interest

(b) List the name of the father, mother, brother, sister, son, or daughter, or the spouse of any such relative, of any person mentioned in questions 1, 4, or 5(b) who has any interest whatsoever in any business selling distilled spirits other than the business for which this application is made.

N/A

Name	Address	Interest

Name	Address	Interest

Read and complete the following:

20. There must be submitted with this application, as Exhibits A-1, A-2, etc., a personnel statement from the applicant and from each person listed in questions 4, 5, 12, and 15. Such personnel statements shall be deemed to be incorporated into and made a part of this application, and any false statement in this application or in any such personnel statement shall constitute cause for the revocation of any license issued pursuant to this application. Number of personnel statements attached: 7

21. As to the applicant, if an individual, and as to the managing officer or partner, if a corporation or partnership, there must be attached to this application as Exhibit B an affidavit by some person having knowledge of the facts concerning the residence of such applicant, managing officer or partner for the past ten years. Check here that such affidavit is attached. G.W.

22. There must be attached hereto, as Exhibit D, documentation proving residence of the applicant in the State of Georgia for twelve (12) months preceeding the year for which application is made. Such documentation can include copies of a county tax bill showing a homestead exemption, a lease agreement, a deed, or some identification showing an address.
Check here that such documentation is attached. ✓

Question 23. is for New Location Application Only.

23. There must be attached to this application as Exhibit E a certificate from a registered surveyor, as required by the Code of Ordinances of Fayette County relating to the sale and distribution of alcoholic beverages, showing the distances from this place of business to the nearest residence, school ground, church ground, alcoholic treatment center, and library.
Check here that such exhibit is attached. X

24. There must be attached, as Exhibit F, approved building/site plans on file in the Fayette County Permits & Inspections Department and plans showing seating and building requirements as approved by the Fayette County Fire Marshal.
Check here that such exhibit is attached. X

25. Should any change occur during the year for which a license is issued pursuant to this application which would require a different answer to any questions contained in this application, or any personnel statement which is made a part of this application, such change must be reported to the Fayette County Planning & Zoning Department within ten (10) days. The failure to make such report shall be cause for the revocation of any license issued pursuant to this application.
Initial to indicate that this is fully understood. G.W.

26. Please initial each following paragraph if you have read it, understand it, and agree with the information contained therein.

(a) I agree to abide by all laws, rules and regulations of the United States, the State of Georgia and Fayette County, either now in force or hereafter promulgated or enacted, regulating and governing the sale of alcoholic beverages and liquors. G.W.

(b) I understand that any license issued shall be valid from the date of issuance or the first day of January of each subsequent year, and shall expire December 31, in the year issued. I also understand that no license shall be assignable or transferable, nor shall the holder thereof be entitled to a rebate of the license fee or any portion thereof by reason of revocation of said license or for any other reason. G.W.

(c) As applicant and/or license holder, I have read the Ordinance governing the sale of beer, wine, or other alcoholic beverages, and all amendments thereto, in Fayette County, Georgia. G.W.

27. Complete and initial the following statement if you have read and understand it.

I submit herewith the sum of $ 175.00 dollars as payment in full of the investigation fee, with the understanding that if for any reason the license shall not be granted, the investigation fee will not be refunded. G.W.
Initial

NOTE: BEFORE SIGNING THIS APPLICATION, CHECK ALL ANSWERS AND EXPLANATIONS TO SEE THAT YOU HAVE ANSWERED ALL QUESTIONS FULLY AND CORRECTLY. THIS APPLICATION IS TO BE EXECUTED UNDER OATH, IS SUBJECT TO THE PENALTIES OF FALSE SWEARING, AND INCLUDES ALL ATTACHED SHEETS SUBMITTED HEREWITH. APPLICANT UNDERSTANDS THAT ANY LICENSE ISSUED PURSUANT TO THIS APPLICATION IS CONDITIONED UPON THE TRUTH OF THE ANSWERS AND STATEMENTS MADE HEREIN, AND ANY FALSE OR FRAUDULENT STATEMENT OR ANSWER WITHIN THIS APPLICATION OR ATTACHMENTS THERETO SHALL CONSTITUTE CAUSE FOR THE SUSPENSION OR REVOCATION OF ANY LICENSE ISSUED PURSUANT TO THIS APPLICATION.

Affidavit Verifying Status
For County Public Benefit Application

By executing this affidavit under oath, as an applicant for a Fayette County, Georgia Business Occupation Tax Certificate, Alcohol License, Taxi Permit or other public benefit as referenced in O.C.G.A. Section 50-36-1, I am stating the following with respect to my application for a Fayette County Business Occupation Tax Certificate, Alcohol License, Taxi Permit or other public benefit (circle one) for Gabriel G. Wallace [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1) X I am a United States citizen

OR

2) _____ I am a legal permanent resident 18 years of age or older or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant: Date

Gabriel Wallace 2/23/2011

Printed Name:

Gabriel G. Wallace

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
23rd DAY OF Feb, 20 11

Notary Public
My Commission Expires: Dec. 2, 2014

* n/a
Alien Registration number for non-citizens

***Note**: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien," legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below:

_____

JANETTE QUIRK NOTARY PUBLIC GEORGIA PAULDING COUNTY EXPIRES DEC. 2, 2014

AFFIDAVIT

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, being duly sworn, deposes and says on oath, the following:

1) That the undersigned is Assistant Secretary/General Counsel/VP-Legal for Racetrac Petroleum, Inc. ("Racetrac");

2) That, as Assistant Secretary/General Counsel/VP-Legal, the undersigned has personal knowledge of the facts sworn to in this affidavit;

3) That this affidavit is made for the purpose of verifying that, Gabriel G. Wallace of 1901 Eastwood Village Dr., Stockbridge, GA 30281, is the Development Supervisor for the below-listed Racetrac location in Georgia.

Racetrac #192 – Fayetteville, 897 Hwy. 85 South

RACETRAC PETROLEUM, INC.

By: _____
Philip P. Gura
Its: Assistant Secretary/
General Counsel/VP-Legal

Signed the 25th day of Feb, 2011.
Cobb County, Georgia

_____
Notary Public

Dec. 2, 2014
My commission expires

JANET E. QUIRK
NOTARY
EXPIRES
GEORGIA
DEC. 2, 2014
PUBLIC
PAULDING COUNTY

\legal\jquirk\b&waff.ga

ALCOHOL/TOBACCO LICENSES
STATE OF GEORGIA
Racetrac Petroleum, Inc.: Mailing Address: 3225 Cumberland Blvd., Ste. 100, Atlanta, GA 30339 (Attn: Tax Dept.)
1/2011
*Beer & Wine

*RACETRAC #051
7921 Macon Hwy.
Watkinsville, GA 30677
County of Oconee
Alcohol State License # 0042263
Tobacco License # 0017746

*RACETRAC #052
1625 Old 41 Hwy.
Kennesaw, GA 30152
City of Kennesaw
Alcohol State License # 0042341
Tobacco License # 0017884

*RACETRAC #053
5350 Floyd Rd. SW
Mableton, GA 30126
County of Cobb
Alcohol State License # 0043673
Tobacco License # 0020242

*RACETRAC #055
3840 Stone Mountain Hwy.
Snellville, GA 30039
County of Gwinnett
Alcohol State License # 0047280
Tobacco License # 0025729

*RACETRAC #072
1320 Hwy.20 West
McDonough, GA 30253
City of McDonough
Alcohol State License # 0052622
Tobacco License #0033333

*RACETRAC #074
4752 Highway 129 North
Jefferson, GA 30549
City of Jefferson
Alcohol State License #0052725
Tobacco License #0033266

*RACTRAC #075
9665 Knox Bridge Hwy.
Canton, GA 30114
City of Canton
Alcohol State License # 0054744
Tobacco License # 0036882

*RACETRAC #076
5882 Wendy Bagwell Pkwy.
Hiram, GA 30127
City of Hiram
Alcohol State License #0055028
Tobacco License # 0037558

*RACETRAC #078
2491 Macland Rd. SW
Marietta, GA 30064
County of Cobb
Alcohol State License #0055806
Tobacco License # 0038581

*RACETRAC #080
7944 Hwy. 92
Woodstock, GA 30189
City of Woodstock
Alcohol State License #0056185
Tobacco License # 0038948

*RACETRAC #094
1385 Grayson Hwy.
Lawrenceville, GA 30045
County of Gwinnett
Alcohol State License #0056398
Tobacco License #0039358

*RACETRAC #110
4255 Jonesboro Road
Union City, GA 30291
City of Union City
Alcohol State License # 0046806
Tobacco License # 0025234

*RACETRAC #114
915 McFarland Rd.
Alpharetta, GA 30004
County of Forysth
Alcohol State License # 0046453
Tobacco License # 0025025

*RACETRAC #118
303 Interstate South Drive
Jasper, GA 30143
City of Jasper
Alcohol State License # 0046004
Tobacco License # 0023833

*RACETRAC #120
749 S. Marietta Pkwy.
Marietta, GA 30060
City of Marietta
Alcohol State License #0046688
Tobacco License # 0025235

*RACETRAC #122
2734 Powder Springs Rd.
Marietta, GA 30064
County of Cobb
Alcohol State License #0047684
Tobacco License #026994

*RACETRAC # 124
2294 Rock Chapel Road
Lithonia, GA 30058
County of DeKalb
Alcohol State License #0048031
Tobacco License # 0026995

*RACETRAC #140
1461 Veterans Memorial Hwy. SE
Mableton, GA 30126
City of Smyrna
Alcohol State License #0057629
Tobacco License # 0041354

*RACETRAC #147
155 Hames Rd.
Woodstock GA 30188
City of Woodstock
Alcohol State License # 0056160
Tobacco License # 0038949

*RACETRAC #158
3405 Sugarloaf Pkwy.
Lawrenceville, GA 30044
County of Gwinnett
Alcohol State License #0053216
Tobacco License # 0034475

*RACETRAC #182
4200 N. Expressway
Hampton, GA 30228
County of Spalding
Alcohol State License # 0053927
Tobacco License # 0035653

*RACETRAC #192
SR 85 and Ramah Rd.
Fayetteville, GA 30214
Fayette Co.
Alcohol State License #_____
Tobacco License #_____
NEW LOCATION

*RACETRAC #206
2682 Buford Dr.
Lawrenceville, GA 30043
County of Gwinnett
Alcohol State License # 0042422
Tobacco License # 0017340

RACETRAC #213
1907 Chattanooga Rd
Dalton, GA 30720
City of Dalton
Alcohol State License #0018748
Tobacco License # 0006869

*RACETRAC #234
3940 Atlanta Hwy.
Loganville, GA 30052
City of Loganville
Alcohol State License #0057712
Tobacco License # 0041684

*RACETRAC #256
5191 South Cobb Dr.
Smyrna, GA 30080
County of Cobb
Alcohol State License #0011770
Tobacco License # 0006874

*RACETRAC #270
1918 Eatonton Hwy.
Madison, GA 30650
City of Madison
Alcohol State License #0021765
Tobacco License # 0003579

*RACETRAC #284
30580 Highway 441 S.
Commerce, GA 30529
County of Banks
Alcohol State License #0015401
Tobacco License # 0006885

*RACETRAC #285
3790 Atlanta Hwy.
Bogart, GA 30622
County of Clarke/ City of Athens
Alcohol State License #0015402
Tobacco License # 0006886

RACETRAC #289
1513 W. Walnut Ave.
Dalton, GA 30720
City of Dalton
Alcohol State License #0015884
Tobacco License # 0006887

*RACETRAC #298
#1 Amlajack Blvd.
Newnan, GA 30265
County of Coweta
Alcohol State License #0017126
Tobacco License # 0006890

*RACETRAC #301
444 West Pike St.
Lawrenceville, GA
City/Gwinnett County
Alcohol State License #005668
Tobacco License # 0040686

*RACETRAC #328
2337 Canton Rd. NE
Marietta, GA 30066
County of Cobb
Alcohol State License #0041851
Tobacco License # 0017244

*RACETRAC #350
4125 Marietta Hwy.
Canton, GA 30114
County of Cherokee
Alcohol State License #0022763
Tobacco License # 0006901

*RACETRAC #354
6622 Battlefield Pkwy.
Ringgold, GA 30736
Co. of Catoosa – Annexed to City 11/05
Alcohol State License #0023337
Tobacco License # 0006902

*RACETRAC #396
888 Buford Road
Cumming, GA 30041
County of Forsyth
Alcohol State License # 028850
Tobacco License # 0006907

*RACETRAC #415
7845 Senoia Road
Fairburn, GA 30213
City of Fairburn
Alcohol State License #0027181
Tobacco License # 0000887

*RACETRAC #417
9294 Hwy. 5
Douglasville, GA 30134
City of Douglasville
Alcohol State License # 0042169
Tobacco License # 0017536

*RACETRAC #434
4350 Wade Green Rd.
Kennesaw, GA 30144
County of Cobb
Alcohol State License # 0031501
Tobacco License # 0006911

*RACETRAC #439
5897 Fairburn Rd.
Douglasville, GA 30133
City of Douglasville
Alcohol State License # 0030303
Tobacco License # 0002951

*RACETRAC #453
2325 Marietta Blvd.
Atlanta, GA 30318
City of Atlanta
Alcohol State License # 0033413
Tobacco License # 0005910

*RACETRAC #455
US 441 and Hwy. 76
Clayton, GA 30525
City of Clayton
Alcohol State License # 0031505
Tobacco License # 0006912

*RACETRAC #461
1545 Mansell Rd.
Alpharetta, GA 30201
City of Alpharetta
Alcohol State License # 0032299
Tobacco License # 0006913

*RACETRAC #467
906 Pleasant Hill Rd.
Lawrenceville, GA 30244
County of Gwinnett
Alcohol State License # 0033215
Tobacco License # 0006915

*RACETRAC #490
5700 Peachtree Industrial Blvd.
Norcross, GA 30071
City of Norcross
Alcohol State License # 0034225
Tobacco License # 0006918

*RACETRAC #495
Hwy. 61 & Commerce St.
Villa Rica, GA 30108
City of Villa Rica
Alcohol State License # 0034215
Tobacco License # 0006919

*RACETRAC #500
1517 Lafayette Pkwy.
LaGrange, GA 30240
City of LaGrange
Alcohol State License # 0034372
Tobacco License # 0006920

*RACETRAC #511
5905 Hwy. 85
Riverdale, GA 30274
County of Clayton
Alcohol State License # 0043809
Tobacco License # 0020389

*RACETRAC #538
1135 Hwy. 92
Acworth, GA 30102
County of Cherokee
Alcohol State License # 0042087
Tobacco License # 0017473

*RACETRAC #543
1465 Riverstone Pkwy.
Canton, GA 30114
City of Canton
Alcohol State License #0046121
Tobacco License # 0024432

*RACETRAC #548
2466 Delk Rd.
Marietta, GA 30067
City of Marietta
Alcohol State License # 0043772
Tobacco License # 0020020

*RACETRAC #608
13722 Jones Street
Lavonia, GA 30553
City of Lavonia
Alcohol State License # 0037585
Tobacco License # 0011380

*RACETRAC #610
4597 Jimmy Lee Smith Pkwy.
Hiram, GA 30141
City of Hiram
Alcohol State License #0037839
Tobacco License # 0023359

*RACETRAC #621
3980 Mundy Mill Rd.
Oakwood, GA 30566
City of Oakwood
Alcohol State License #0038363
Tobacco License # 0012526

*RACETRAC #623
3195 Lawrenceville-Suwanne Rd.
Suwanne, GA 30245 30024
Annexed to Suwanne (city)
Alcohol State License #0040823
Tobacco License # 0015239

*RACETRAC #625
505 Historic Hwy. 441
Cornelia, GA 30531
City of Cornelia
Alcohol State License # 0038462
Tobacco License # 0012660

*RACETRAC #635
7721 Tara Blvd.
Jonesboro, GA 30236
City of Alpharetta
Alcohol State License # 0038871
Tobacco License # 0012691

*RACETRAC #636
656 Thornton Rd.
Douglasville, GA 30135
City of Douglasville
Alcohol State License # 0038852
Tobacco License # 0012885

*RACETRAC #652
11 Baker Rd.
Carterville, GA 30121
County of Bartow
Alcohol State License # 0041788
Tobacco License # 0017007

*RACETRAC #659
2592 Pleasant Hill Rd.
Duluth, GA 30096
City of Duluth
Alcohol State License # 0048218
Tobacco License # 0026993

*RACETRAC #660
4414 Austell Rd.
Austell, GA 30106
County of Cobb
Alcohol State License # 0040905
Tobacco License # 0022756

*RACETRAC #662
795 Old Airport Rd.
Carrollton, GA 30117
County of Carroll
Alcohol State License # 0040617
Tobacco License # 0022758

*RACETRAC #675
450 Canal Rd.
Brunswick, GA 31525
County of Glynn
Alcohol State License #0041249
Tobacco License # 0016447

*RACETRAC #687
4847 Covington Hwy.
Decatur, GA 30035
County of DeKalb
Alcohol State License # 0017317
Tobacco License # 0016940

DRY/TOBACCO LICENSES
STATE OF GEORGIA

RACETRAC #247
3350 Dallas Hwy.
Marietta, GA 30064
County of Cobb
Tobacco License # 0022028

RACETRAC PETROLEUM, INC.

DIRECTORS, OFFICERS AND STOCKHOLDERS LIST

Bolch, Carl E., Jr. 4755 Northside Drive Atlanta, Georgia 30327 (Fulton Co.) 770-431-7600	**Chief Executive Officer, Director, Stockholder** [redacted]
Place of Birth:	St. Louis, MO
Date of Birth:	2/28/43
Name of Spouse:	Susan Bass Bolch
Bolch, Susan B. 4755 Northside Drive Atlanta, GA 30327 (Fulton Co.)	**Secretary, Director** [redacted]
Place of Birth:	Philadelphia, PA
Date of Birth:	03/8/53
Name of Spouse:	Carl E. Bolch, Jr.

1.	Bolch, Carl E., Jr., as Trustee of the Carl Bolch Senior Trust 3225 Cumberland Blvd., Ste. 100 Atlanta, GA 30339 Date of Trust: 9/21/73	48.38% interest - beneficiary Carl E. Bolch, Jr.
2.	Bolch, Carl E., Jr., Grantor Retained Annuity Trust dated 12/23/10 3225 Cumberland Blvd., Ste. 100 Atlanta, GA 30339 Date of Trust: 12/23/10	18.59% interest
3.	Susan Bass Bolch, Grantor Retained Annuity Trust dated 12/23/10 3225 Cumberland Blvd., Ste. 100 Atlanta, GA 30339 Date of Trust: 12/23/10	18.59% interest

NOTE: ALL REMAINING STOCKHOLDERS EACH HAVE LESS THAN 5.0% INTEREST IN RACETRAC PETROLEUM, INC.

4.	Lenker, Max V. 3759 Waterlilly Way Marietta, GA 30067 (Cobb Co.) Place of Birth: Date of Birth: Name of Spouse:	**President, Director, Stockholder** 1.54% interest [redacted] San Francisco, CA 4/4/46 Cheryl M. Lenker
5.	Dumbacher, Robert J. 3185 Hunterdon Court Marietta, GA 30067(Cobb Co.) Place of Birth: Date of Birth: Name of Spouse:	**Treasurer, CFO, Assistant Secretary, Director, Stockholder** 0.67% interest [redacted] Cincinnati, Ohio 5/30/48 Mary Dumbacher
6.	Gura, Philip P. 5113 Meadowcreek Dr. Dunwoody, GA 30338 (DeKalb) Place of Birth: Date of Birth:	**Assistant Secretary, General Counsel, Vice-President-Legal, Stockholder** 0.03% interest [redacted] Newark, NJ 06/27/59
7.	Moran, Allison Bolch 915 West Wesley Rd. NW Atlanta, GA 30327 (Fulton Co.) Date of Birth:	**Stockholder, Director** 3.03% interest [redacted] 7/13/68
8.	Susan B. Bolch, Trustee of Minor's Trust for Bolch, Jordan B. 4755 Northside Drive Atlanta, GA 30327 (Fulton Co.) Date of Trust: 12/22/88	**Stockholder** 2.99% interest [redacted] - sole beneficiary Jordan B. Bolch
9.	Susan B. Bolch, Trustee of Minor's Trust for Bolch, Melanie C. 4755 Northside Drive Atlanta, GA 30327 (Fulton Co.) Date of Trust: 12/22/88	**Stockholder** 2.99% interest [redacted] - sole beneficiary Melanie C. Bolch
10.	Susan B. Bolch, Trustee of Minor's Trust for Bolch, Natalie J. 4755 Northside Drive Atlanta, GA 30327 (Fulton Co.) Date of Trust: 12/22/88	**Stockholder** 2.99% interest [redacted] - sole beneficiary Natalie J. Bolch

11.	Eggers, Shirley B. 3902 Harts Mill Lane Atlanta, GA 30319 (DeKalb Co.) Date of Birth:	**Stockholder** 0.07% interest [redacted] 04/15/56
12.	Milam, Bill 2415 Stone Wood Court Cumming, GA 30041 (Fulton Co.) Date of Birth:	**Stockholder** 0.04% interest [redacted] 08/28/71
13.	Noden, Ronald Todd 2806 Cranmore Court Marietta, GA 30066 (Cobb Co.) Date of Birth:	**Stockholder** 0.04% interest [redacted] 10/5/63
14.	Williams, Eric 565 Peachtree St. NE #802 Atlanta, GA 30308 (Fulton) Date of Birth:	**Stockholder** 0.03% interest [redacted] 10/18/72
15.	Reese, Mark A. 1479 Hedgewood Ln. Kennesaw, GA (Cobb) Date of Birth:	**Stockholder** 0.02% interest [redacted] 6/5/70
16.	McBrayer, Max E., Jr. 16500 Hopewell Rd. Alpharetta, GA 30004 (Fulton Co.) Date of Birth:	**Stockholder** 0.01% interest [redacted] 04/9/51

NEAREST KNOWN USES:

DAY CARE CENTER:
PRIMROSE SCHOOL AT
SUMMIT EAST
160 HIGHWAY 92 S.
FAYETTEVILLE, GA. 30215
DISTANCE
PATH: 1,932'
STRAIGHT LINE: 1,709'

CHURCH
FAYETTEVILLE CHURCH OF CHRIST
870 REDWANE ROAD
FAYETTEVILLE, GA. 30215
DISTANCE
PATH: 1,628'
STRAIGHT LINE: 760'

SCHOOL
FAYETTE MIDDLE SCHOOL
450 GRADY AVENUE
FAYETTEVILLE, GA. 30214
DISTANCE
PATH: 7,963'
STRAIGHT LINE: 5,308'

PRIVATE RESIDENCE
GENEVIEVE P. OOOO
818 REDWINE ROAD
FAYETTEVILLE, GA. 30215
DISTANCE
PATH: 1,428'
STRAIGHT LINE: 335'

LIBRARY
FAYETTE COUNTY GOVERNMENT LIBRARY
1821 HERITAGE PARKWAY
FAYETTEVILLE, GA. 30214
DISTANCE
PATH: 7,630'
STRAIGHT LINE: 6,071'

ALCOHOLISM TREATMENT CENTER:
NO KNOWN ALCOHOLISM TREATMENT
CENTERS LOCATED IN FAYETTE COUNTY, GA.

GEORGIA REGISTERED 2875 LAND SURVEYOR RODNEY E. ABNEY, JR.
2/23/11

THERE IS NO KNOWN CHURCH, SCHOOL, LIBRARY, ALCOHOLSM TREATMENT CENTER PRIVATE RESIDENCE, OR CHILD DAY CARE CENTER LOCATED WITHIN 300 FEET OF THE PROPOSED BUILDING, AS MEASURED FROM THE NEAREST BUILDING WALL OF THE PROPOSED BUILDING TO THE NEAREST POINT OF THE ABOVE MENTIONED STRUCTURES, AS ALONG THE CLOSEST AND MOST REASONABLE PUBLIC ACCESS ROUTE.

BEER AND WINE SURVEY FOR

RACETRAC PETROLEUM, INC.
895 GA. HIGHWAY 85

LAND LOT 70 - 5TH DISTRICT
FAYETTE COUNTY - GEORGIA

Bechtler Greenfield Surveying, LLC
1430 West Peachtree St., Suite 225
Atlanta, Georgia 30309
Phone: (770) 422-8181
Fax: (770) 422-8101
Email: info@bgsurveying.com

PROJECT: 07-110-0	DATE: 02-23-11
DWG NAME: 07-110-0 B&W.DWG	SCALE: 1" = 200 FT.

Doc ID: 007736240003 Type: GLR
Filed: 03/03/2008 at 10:45:00 AM
Fee Amt: $1,712.00 Page 1 of 3
Transfer Tax: $1,698.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 3364 PG 229-231

This instrument was prepared by
and is to be returned to:
General Counsel
Racetrac Petroleum, Inc.
3225 Cumberland Boulevard, Suite 100
Atlanta, Georgia 30339

After recording, return to:
Metropolitan Title Agency, Inc.
1820 The Exchange, Suite 550
Atlanta, Georgia 30339
(770) 933-0073

WARRANTY DEED

THIS INDENTURE, made as of the 22nd day of February, 2008, by and between **Richard F. Chambers** (hereinafter "**GRANTOR**"), whose address is **110 Ashwood Point, Eatonton, Georgia 31024**, and **Racetrac Petroleum, Inc.**, a corporation existing under the laws of the State of Georgia, whose address is **3225 Cumberland Boulevard, Suite 100, Atlanta, Georgia 30339** (hereinafter referred to as "**GRANTEE**") (the words "GRANTOR" and "GRANTEE" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and for other good and valuable consideration in hand paid by GRANTEE to GRANTOR at and before the sealing and delivery hereof, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto the said GRANTEE all that tract or parcel of land lying and being in **Fayette** County, Georgia, as more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Land") , TOGETHER WITH all buildings and other improvements and fixtures situated thereon or attached thereto and all tenements, hereditaments, improvements, appurtenances, rights, privileges, easements, licenses, benefits and rights-of-way appurtenant to the Land, and all of Grantor's right, title and interest in and to any existing or proposed streets, roadways, alleys and/or rights-of-way adjacent to the Land (hereinafter collectively called the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights, easements, members and appurtenances thereof to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of GRANTEE forever in FEE SIMPLE.

AND GRANTOR covenants and warrants unto GRANTEE that GRANTOR is lawfully seized and possessed of the entire fee simple estate in and to the Property; that the Property is free and clear of all liens, encumbrances, easements and restrictions of every nature and description; that

G-4410
2 of 7

Grantor hereby conveys good and marketable fee simple title to Grantee; that the Property is unoccupied and free of any lease or other right of possession or claim by any party other than Grantee; that GRANTOR has the lawful and good right power, and authority to convey same to GRANTEE; that GRANTOR will execute and deliver such further conveyances and do such further acts as may become necessary to fully vest in GRANTEE the entire fee simple estate in and to the Property; and that GRANTOR will warrant and forever defend the right and title to the Property unto GRANTEE against the claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has caused this deed to be signed, sealed and delivered as of the day and year first above written.

WITNESSES:

Print Name: S. T. Thompson

Print Name: Frank Bennett

GRANTOR:

Name: Richard F. Chambers

STATE OF GEORGIA

COUNTY OF February

The foregoing instrument was acknowledged before me this 27th day of February, 2008 by Richard F. Chambers, who is personally known to me or who has produced Florida Driver's License as identification and who did (did not) take an oath.

Notary Public

Linda S. Teribury

Printed Name

LINDA S. TERIBURY
MY COMMISSION EXPIRES
NOTARY
PUBLIC
MAY 01, 2010
HENRY COUNTY, GEORGIA

Tax Parcel I.D. No's: **05017-049-01**

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 70 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF RAMAH ROAD (100' RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 85 (130 FOOT RIGHT-OF-WAY); THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 85 SOUTH 14°27'03" WEST, A DISTANCE OF 295.63 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 89°22'56" WEST, A DISTANCE OF 331.50 FEET TO A POINT; THENCE NORTH 00°30'39" WEST, A DISTANCE OF 221.63 FEET TO A POINT; THENCE NORTH 81°07'00" EAST, A DISTANCE OF 111.19 FEET TO A POINT; THENCE SOUTH 75°32'57" EAST, A DISTANCE OF 13.20 FEET TO A POINT; THENCE NORTH 14°27'03" EAST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE SOUTH 83°45'22" EAST, A DISTANCE OF 54.85 FEET TO A POINT; THENCE NORTH 14°27'03" EAST, A DISTANCE OF 55.05 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF RAMAH ROAD; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 89°25'59" EAST, A DISTANCE OF 115.93 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 414.56 FEET, AND ARC LENGTH OF 97.96 FEET, A CHORD OF WHICH BEARS SOUTH 82°37'24" EAST, A DISTANCE OF 97.73 FEET TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINS AN AREA OF 98,854 SQUARE FEET OR 2.269 ACRES MORE OR LESS.

Control No. **J609286**

STATE OF GEORGIA

Secretary of State

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF EXISTENCE

I, Brian P. Kemp, Secretary of State and the Corporations Commissioner of the state of Georgia, hereby certify under the seal of my office that

RACETRAC PETROLEUM, INC.

Domestic Profit Corporation

was formed or was authorized to transact business on 06/24/1986 in Georgia. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on 27th day of October, 2010

Brian P. Kemp
Secretary of State

Certification Number: 6214286-1 Reference:
Verify this certificate online at http://corp.sos.state.ga.us/corp/soskb/verify.asp

Control No. **J609286**

STATE OF GEORGIA

Secretary of State

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

Certified Copy

I, Brian P. Kemp, Secretary of the State of Georgia, do hereby certify under the seal of my office that the attached documents are true and correct copies of documents filed under the name of

RACETRAC PETROLEUM, INC.

Domestic Profit Corporation

Said entity was formed in the jurisdiction set forth above and has filed in the Office of Secretary of State on the 24th day of June, 1986 its certificate of limited partnership, articles of incorporation, articles of association, articles of organization or application for certificate of authority to transact business in Georgia. This Certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence of the existence or nonexistence of the facts stated herein.

WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on 27th day of October, 2010

Brian P. Kemp
Secretary of State

Certification Number: 6214287-1 Reference:
Verify this certificate online at http://corp.sos.state.ga.us/corp/soskb/verify.asp

Control No. J609286

STATE OF GEORGIA

Secretary of State

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF SHARE EXCHANGE

I, **Wesley B. Tailor**, the Deputy Secretary of State and the Corporations Commissioner of the State of Georgia, do hereby issue this certificate pursuant to Title 7 of the Official Code of Georgia annotated certifying that articles or a certificate of share exchange have been filed and that the fees have been paid on 12/31/2009 regarding

RACETRAC PETROLEUM, INC.
A Domestic Profit Corporation

and

WHOLESALE SOUTH, INC., a Foreign Non-qualifying Entity

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on December 31, 2009

Wesley B. Tailor
Deputy Secretary of State