

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS I LIQUOR LICENSE APPLICATION OF LUCKY INC. DBA SUSHI YAMA, LA VISTA, NEBRASKA.

WHEREAS, Lucky Yama Inc. dba Sushi Yama, 80058 S. 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class I Liquor License application submitted by Lucky Yama Inc. dba Sushi Yama, 80058 S. 84<sup>th</sup> Street, La Vista, NE.

PASSED AND APPROVED THIS 17TH DAY OF NOVEMBER 2009.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



October 30, 2009

Lucky Yama Inc.  
dba Sushi Yama  
8058 S 84<sup>th</sup> Street  
La Vista, NE 68128

RE: Class I Liquor License Application for Lucky Yama Inc. dba Sushi Yama,  
8058 S 84<sup>th</sup> Street, La Vista, NE 68128

To Whom It May Concern:

This letter is to inform you that the City of La Vista has received the application for a Class I Liquor License for Lucky Yama Inc. dba Sushi Yama, 8058 S 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska 68128.

Please note that the La Vista City Council will hold a public hearing on this application at their regularly scheduled meeting on November 17, 2009. The meeting will be called to order at 7:00 p.m. and will be held at La Vista City Hall, 8116 Park View Blvd, La Vista, Nebraska. We ask that a representative from the company or the company's legal counsel be present at the aforementioned public hearing to answer any questions that the Mayor or members of the City Council may have concerning the application.

If you have any questions please feel free to contact me.

Sincerely,

Pamela A. Buethe, CMC  
City Clerk

cc: Qishen Zhan  
818 Jane's View St #8  
Papillion, NE 68046

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

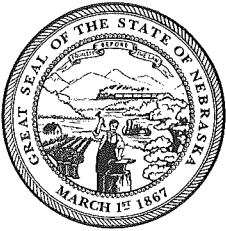
**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

**NEBRASKA LIQUOR CONTROL COMMISSION**

**Hobert B. Rupe**

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

October 28, 2009

**LA VISTA CITY CLERK  
8116 PARK VIEW BLVD  
LA VISTA NE 68128-2198**

**RE: New Application for -LUCKY YAMA INC**

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) Publicize one time not less than 7 days not more than 14 days prior to date of hearing.
- 2) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (\$53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER \$53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

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

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,  
NEBRASKA LIQUOR CONTROL COMMISSION

Kristina Radicia  
Licensing Division

Enclosures

**Janice M. Wiebusch**  
Commissioner

**Bob Logsdon**  
Chairman

**Robert Batt**  
Commissioner

# RECOMMENDATION OF THE NEBRASKA LIQUOR CONTROL COMMISSION

Date Mailed from Commission Office: **October 28, 2009**

I, \_\_\_\_\_; Clerk of \_\_\_\_\_  
(City, Village or County)

Nebraska, hereby report to the Nebraska Liquor Control Commission in accordance with Revised Statutes of Nebraska, Chapter 53, Sec. 134 (7) (reissue 1984) the recommendation of said city, village or county, as the case may be relative to the application for a license under the provisions of the Nebraska Liquor Control Act as applied for by:

**LUCKY YAMA INC**  
**DBA: SUSHI YAMA**  
**8058 S 84<sup>TH</sup> ST**  
**LA VISTA NE 68128/ SARPY COUNTY**  
**Application #: I-86137**  
**45 days = 12/14/2009**

1. Notice of local hearing was published in a legal newspaper in or of general circulation in city, village or county, one time not less than 7 nor more than 14 days before time of hearing. **Check**

**one**.....Yes\_\_\_\_\_ No\_\_\_\_\_

The Statutes require that such hearing shall be held not more than 45 days after the date of receipt of this notice from the Commission.

2. Local hearing was held not more that 45 days after receipt of notice from the Nebraska Liquor Control Commission. **Check one**.....Yes\_\_\_\_\_ No\_\_\_\_\_
3. Date of hearing of Governing Body:\_\_\_\_\_
4. Type or write the Motion as voted upon by the Governing Body. If additional Motions are made by the Governing Body, then use an additional page and follow same format.

\_\_\_\_\_

\_\_\_\_\_

5. Motion was made by:\_\_\_\_\_ Seconded by:\_\_\_\_\_
6. Roll Call Vote:\_\_\_\_\_
7. Check one: The motion passed:\_\_\_\_\_ The motion failed\_\_\_\_\_
8. If the motion is for recommendation of denial of the applicant, then list the reasons of the governing body upon which the motion was made. (Attach additional page if necessary)

\_\_\_\_\_

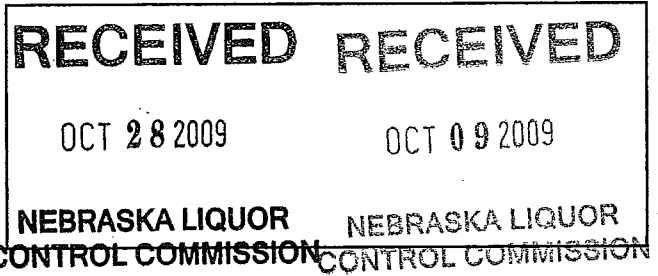
\_\_\_\_\_

**SIGN HERE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
 clerks signature

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST**

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

86137



Applicant Name Lucky Yama Inc

Trade Name Sushi Yama Previous Trade Name sushi yama

E-Mail Address: HPRBJ1084@hotmail.com

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

**REQUIRED ATTACHMENTS**

Each item must be checked and included with application or marked N/A (not applicable)

- ☒ 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed on cards as per brochure.
- ☒ 2. Enclose registration fee for the appropriate class of license, made out to the Nebraska Liquor Control Commission.
- ☒ 3. Enclose the appropriate application forms; Individual License – Form 1; Partnership License – Form 2; Corporate - Form 3a; Limited Liability Form (LCC) – Form 3b. Corporate Form 3a and LLC Form 3b requires Corporate Manager application – Form 3c.
- ☒ 4. If building is being leased send a copy of the lease. Be sure it reads in the individual(s), corporate or LLC name being applied for. Also, the lease must extend through the license year being applied for. If building owned, send a copy of the deed or purchase agreement in appropriate name.
- ☒ 5. If you are buying the business of a current licensee, provide a copy of the purchase agreement from licensee. This also needs to be in appropriate applicant's name.



OK 1042  
ALL-KN

X 6. If wishing to run on current liquor license enclose temporary agency agreement (**must be Commission form only, must include copy of signature card from the bank showing both the seller and buyers name on account**).

X 7. Copy of alcohol inventory being purchased. Inventory shall include brand names and container sizes. Inventory may be taken at the time application is being submitted.

N/A 8. Enclose a list of any inventory or property owned by other parties that are on the premise.

N/A 9. For individual, partnership and LLC enclose proof of citizenship; copy of birth certificate (certificate from the State where born, not hospital certificate), naturalization paper or passport, for all applicants, members and spouses.

X 10. If corporation or LLC enclose a copy of articles as filed with the Secretary of States Office. This document must show barcode.

11. Check with local governing bodies for any further requirements or restrictions.

12. If you have a business plan, please submit a copy.

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

Qi Shen Zhang  
Signature

REVISED

**APPLICATION FOR LIQUOR LICENSE**

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

**RECEIVED**

OCT 28 2009

**NEBRASKA LIQUOR  
CONTROL COMMISSION****CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS(S)**

RETAIL LICENSE(S)		Application Fee
<input type="checkbox"/>	A BEER, ON SALE ONLY	\$45.00
<input type="checkbox"/>	B BEER, OFF SALE ONLY	\$45.00
<input type="checkbox"/>	C BEER, WINE & DISTILLED SPIRITS, ON & OFF SALE	\$45.00
<input type="checkbox"/>	D BEER, WINE & DISTILLED SPIRITS, OFF SALE ONLY	\$45.00
<input checked="" type="checkbox"/>	I BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY	\$45.00
<input type="checkbox"/>	Class K Catering license (requires catering application form)	\$100.00

MISCELLANEOUS		Application Fee	Bond Required
<input type="checkbox"/>	L Craft Brewery (Brew Pub)	\$295.00	\$1,000 minimum
<input type="checkbox"/>	O Boat	\$ 95.00	none
<input type="checkbox"/>	V Manufacturer		
<input type="checkbox"/>	Alcohol & Spirits	\$1,045.00	\$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$145.00	1 to 100 barrel* \$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$245.00	100 to 150 barrel* \$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$395.00	150 to 200 barrel* \$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$545.00	200 to 300 barrel* \$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$695.00	300 to 400 barrel* \$1,000 minimum
<input type="checkbox"/>	Beer (excluding produced by a craft brewery)	\$745.00	400 to 500 barrel* \$1,000 minimum
<input type="checkbox"/>	W Wholesale Beer	\$545.00	\$5,000 minimum
<input type="checkbox"/>	X Wholesale Liquor	\$795.00	\$5,000 minimum
<input type="checkbox"/>	Y Farm Winery	\$295.00	\$1,000 minimum
<input type="checkbox"/>	Z Micro Distillery	\$295.00	\$1,000 minimum

☐ Copy of TTB permit (if applying for L, V, W, X, Y or Z)

\*daily capacity, average daily barrel production for the previous twelve months of manufacturing operation. If no such basis for comparison exists, the manufacturing licensee shall pay in advance for the first year's operation a fee of five hundred dollars

All Class C licenses expire October 31<sup>st</sup>

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

Catering license (K) expires same as underlying retail license

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

- ☐ Individual License (requires insert form 1)  
☐ Partnership License (requires insert form 2)  
☒ Corporate License (requires insert form 3a & 3c)  
☐ Limited Liability Company (requires form 3b & 3c)

**NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION  
(commission will call this person with any questions we may have on this application)**

Name Qishen ZHANG

Phone number: 847-770-1743

Firm Name Lucky Yama Inc

**PREMISE INFORMATION**Trade Name (doing business as) Sushi YamaStreet Address #1 8058 S. 84th StStreet Address #2 Lavista, NE 68128City Lavista County NE, Sarpy County Zip Code 68128Premise Telephone number 402-597-5115Is this location inside the city/village corporate limits: ☒ YES ☐ NO

Mail address (where you want receipt of mail from the commission)

Name Sushi Yama

Street Address

#1 8058 S. 84th Street

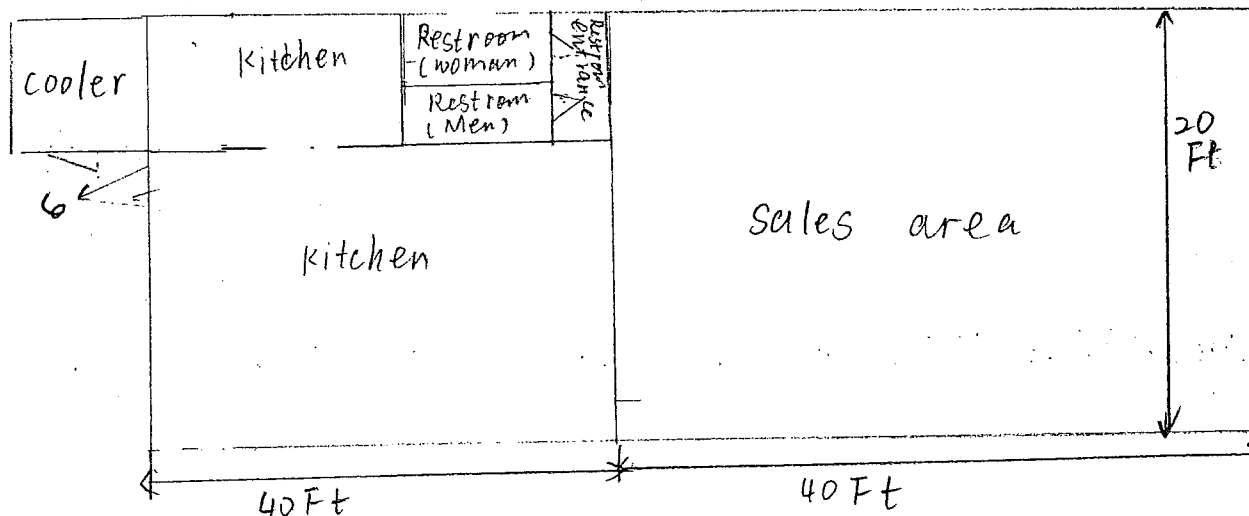
Street Address

#2

City LavistaState NEZip Code 68128**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

\*\*For on-premise consumption liquor licenses minimum standards must be met by providing at least two restrooms



1 Floor

No Basement



## APPLICANT INFORMATION

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

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

### 2. Are you buying the business and/or assets of a licensee?

☒ YES ☐ NO

If yes, give name of business and license number Sushi Yama Inc (73414)

a) Submit a copy of the sales agreement including a list of the furniture, fixtures and equipment.

b) Include a list of alcohol being purchased, list the name brand, container size and how many?

See Attachment

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

☒ YES ☐ NO

If yes, attach temporary agency agreement form and signature card from the bank.

**This agreement is not effective until you receive your three (3) digit ID number from the Commission.**

### 4. Are you borrowing any money from any source to establish and/or operate the business?

☐ YES ☒ NO

If yes, list the lender \_\_\_\_\_

### 5. Will any person or entity other than applicant be entitled to a share of the profits of this business?

☐ YES ☒ NO

If yes, explain. All involved persons must be disclosed on application. \_\_\_\_\_

### 6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

☐ YES ☒ NO

If yes, list such items and the owner. \_\_\_\_\_

See Purchase Agreement

### 7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business?

☐ YES ☒ NO

If yes, explain. \_\_\_\_\_

**No silent partners**

8. Are your premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 feet of a college or university campus?

☐ YES ☒ NO

If yes, list the name of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)

9. Is anyone listed on this application a law enforcement officer?

☐ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

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

American National Bank / Qishen Zhang

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A

12. List the training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

a) Individual, applicant only (no spouse)

b) Partnership, all partners (no spouses)

☒ c) Corporation, manager only (no spouse)

d) Limited Liability Company, manager only (no spouse)

\* Need Training

Name:	Date:	Where:
<u>Angelica Musil</u>	<u>04-07</u>	<u>Farmer B's</u>

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

☒ Lease: expiration date May 31/2012

☐ Deed

☐ Purchase Agreement

14. When do you intend to open for business? Nov. 1, 2009 or until ID # is effective

15. What will be the main nature of business? Restaurant

16. What are the anticipated hours of operation? 11:00 AM - 9:30 PM (10:00 PM ext weekend)

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

**RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE**

APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
<u>Papillion, NE</u>	<u>09</u>	<u>09</u>	<u>Papillion, NE</u>	<u>09</u>	<u>09</u>
<u>Ann Arbor, MI</u>	<u>07</u>	<u>09</u>	<u>Ann Arbor, MI</u>	<u>07</u>	<u>09</u>
<u>Iowa City, IA</u>	<u>05</u>	<u>07</u>	<u>Iowa City, IA</u>	<u>01</u>	<u>07</u>
<u>Shanghai, China</u>	<u>1999</u>	<u>05</u>	<u>Shanghai, China</u>	<u>1999</u>	<u>01</u>

**Inventory of Alcohol Sushi Yama has as of 10/05/2009**

Hakutsuru Plumwine: 4X1.5 Liters  
Salmon Greek Merlot: 6X750ml  
King Fish Chardonnay: 10X750ml  
Hot Japanese Sake: 1X18Liters  
Haiku Sake: 4X750ml  
Nigori Sake: 14X300ml  
Zipang 10X250ml

Sapporo Beer: 42X24oz  
12X12oz  
Asahi Beer: 10X24oz  
33X12oz  
Kirin Beer: 16X24oz  
33X12oz  
Budlight: 4X12oz  
Budweiser 18X12oz

*meny*  
*10/5/2009*

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background investigation and release present and future records of every kind and description including police records, tax records (State and Federal), and 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 of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

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

Q1 Shen Zhang  
Signature of Applicant

Li Fu Tang **RECEIVED**  
Signature of Spouse OCT 28 2009

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse **NEBRASKA LIQUOR  
CONTROL COMMISSION**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

State of Nebraska

County of Sarpy

County of OAKLAND

The foregoing instrument was acknowledged before me this September 19, 2009 by

The foregoing instrument was acknowledged before me this SEPT 28, 2009 by

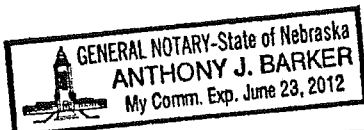
Anthony J. Barker

[Signature]

Notary Public signature

Notary Public signature

Affix Seal Here



Affix Seal Here

John Paul Thomas  
NOTARY PUBLIC  
Oakland County  
State of Michigan  
My Comm. Expires Dec. 8, 2010  
Acting in Washtenaw County

APPLICATION FOR LIQUOR LICENSE  
CORPORATION  
INSERT - FORM 3a

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

Office Use

RECEIVED RECEIVED

OCT 28 2009

OCT 09 2009

NEBRASKA LIQUOR CONTROL COMMISSION  
NEBRASKA LIQUOR CONTROL COMMISSION

Officers, directors and stockholders holding over 25%, including spouses, are required to adhere to the following requirements

- 1) The president and stockholders holding over 25% and their spouse (if applicable) must submit their fingerprints (2 cards per person)
- 2) All officers, directors and stockholders holding over 25 % and their spouse (if applicable) must sign the signature page of the Application for License form (Even if a spousal affidavit has been submitted)

Attach copy of Articles of Incorporation (Articles must show barcode receipt by Secretary of States Office)

Name of Registered Agent: Qishen zhang

Name of Corporation that will hold license as listed on the Articles

Lucky Yama Inc

Corporation Address: 8058 S. 84th Street

City: Lavista State: NE Zip Code: 68128

Corporation Phone Number: 402-597-5115 Fax Number: \_\_\_\_\_

Total Number of Corporation Shares Issued: 10,000

Name and notarized signature of president (Information of president must be listed on following page)

Last Name: zhang First Name: Qishen MI: \_\_\_\_\_

Home Address: 818 Jane's View st #08 City: papillion

State: NE Zip Code: 68046 Home Phone Number: 847-770-1743 (cell)

Qishen zhang

Signature of president

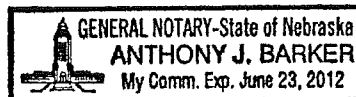
County of Sarpy

The foregoing instrument was acknowledged before me this 6<sup>th</sup> Day of October 2009 by

Anthony J. Barker

Notary Public signature

Affix Seal Here



List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: ZHANG First Name: Qishen MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: owner Number of Shares: 100%

Spouse Full Name (indicate N/A if single): FANG, Lifu

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

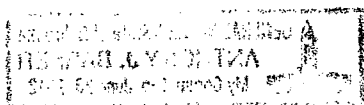
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---



List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Is the applying Corporation controlled by another Corporation?

☐ YES

☒ NO

If yes, provide the name of corporation and supply an organizational chart

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: Jan. 1

Ending Date: Dec. 31

Is this a Non-Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID #.



**APPLICATION FOR TEMPORARY  
AGENCY AGREEMENT**

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

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**NEBRASKA LIQUOR  
CONTROL COMMISSION**

- This application may be submitted along with a completed application for liquor license
- Must include a copy of the signature card from the financial institution where account has been set up
- Agreement is effective upon processing of the application and the three digit number has been issued to applicant
- Agreement is effective up to 120 days from issuance of ID number

ID# \_\_\_\_\_

On (date) SEP. 1, 2009 seller and buyer entered into a contract for sale of the business known as Sushi Yama, which contract is contingent upon buyer receiving approval for a liquor license to operate the business.

Seller and buyer agree to allow buyer to operate the business, subject to approval by the Nebraska Liquor Control Commission, (NLCC) for a period not to exceed 120 days subsequent to Nov. 1, 2009 the date of filing the application with NLCC.

Seller will maintain a possessory interest in the property in the form of a lease, use permit or license;

Buyer will at all times be the agent of the seller, but buyer will be completely and totally responsible for the operation of the business and for all liability associated with the operation of the business during the time when buyer is acting as seller's agent; it is specifically understood that seller shall have no liability for the operation of the business during this period of time, and buyer agrees to indemnify and hold seller harmless from any claims arising during this period of operation; however, it is understood that the liquor license remains in the name of the seller and seller will be responsible for all violations of the liquor laws of the State of Nebraska until such time as seller's license is canceled;

At time of closing, certain funds will be held in escrow pending issuance of the license.

Name of financial institution (Name, address, account number) of where escrow account is being held (SEND

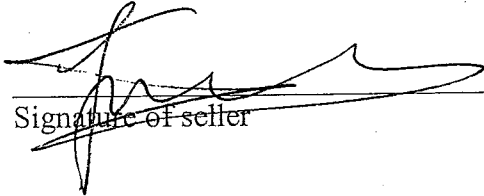
COPY OF SIGNATURE CARD) WellsFargo 8450 S. 71th St. Papillion, NE 68133  
Acct# 64278 70040

**OVER**

All profits derived from the operation of the business by the buyer, after payment of bills and salaries, shall be paid to the same escrow agent to be held until the issuance of the license, it being specifically understood that the buyer shall receive no profits from the operation of the business until the liquor license has been issued to buyer, but shall have the right to direct the investment of profit funds by escrow agent.

This agreement constitutes the entire and complete understanding of all parties with regard to the agency relationship, and is binding upon the heirs, personal representatives and successors of the parties.


It is hereby understood that in the event the Commission denies this application, this Temporary Agency Agreement is null and void the date of the order.

  
Signature of seller

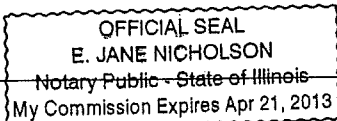
State of ~~Nebraska~~ IL

County of COOK

The forgoing instrument was acknowledge before  
me this 31st Day of August  
Date 2009

  
Notary Public Signature for Meng Jiang

Affix Seal Here

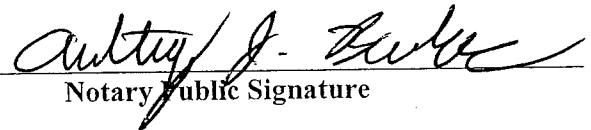


Qi Shen Zhang  
Signature of buyer

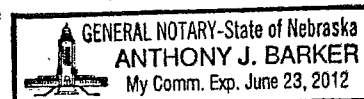
State of Nebraska

County of Sarpy

The forgoing instrument was acknowledge before  
me this September 19, 2009  
Date

  
Notary Public Signature

Affix Seal Here



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# Consumer Account Application

WELLS  
FARGONEBRASKA LIQUOR  
CONTROL COMMISSION

Bank Name:

Wells Fargo Bank, N.A.

Store Name:

72nd &amp; Giles

Banker Name:

SHANE GRESS

Officer/Portfolio Number:

W6253

Date:

08/01/2009

OCT 28 2009

Banker Phone:

402/935-5020

Store Number:

06541

Banker AU:

72809

Banker MAC:

N8068-01

NEBRASKA LIQUOR  
CONTROL COMMISSION

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

## New Account Information

Product Name:

Goal Savings

Minor:

COID:

003

Product:

DDA

Account Number:

6427870040

## Related Customers

Customer Name:

ZHANG QISHEN

HONG JIANG

MENG JIANG

Account Relationship:

Primary Joint Owner (or)

Secondary Joint Owner (or)

Secondary Joint Owner (or)

## Checking/Savings Statement Mailing Information

Customer(s) Listed on Statement:

ZHANG QISHEN

HONG JIANG

MENG JIANG

Statement Mailing Address:

818 JANESVIEW ST APT 8

Address Line 2:

City:

PAPILLION

State:

NE

ZIP/Postal Code:

68046-2074

Country:

US



Customer 1 Name

ZHANG QISHEN

Customer 1 Signature

Signature

Qi Shen Zhang

- ☐ Submit manually  
☐ Signature not required

Date:

08/01/2009

Customer 2 Name

HONG JIANG

Customer 2 Signature

Signature

Hong Jiang

- ☐ Submit manually  
☐ Signature not required

Date:

08/01/2009

Customer 3 Name

MENG JIANG

Customer 3 Signature

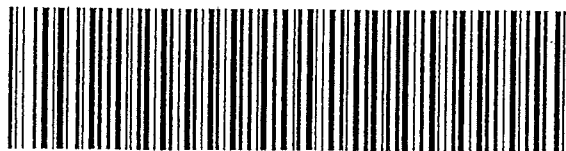
Signature

Meng Jiang

- ☒ Submit manually  
☐ Signature not required

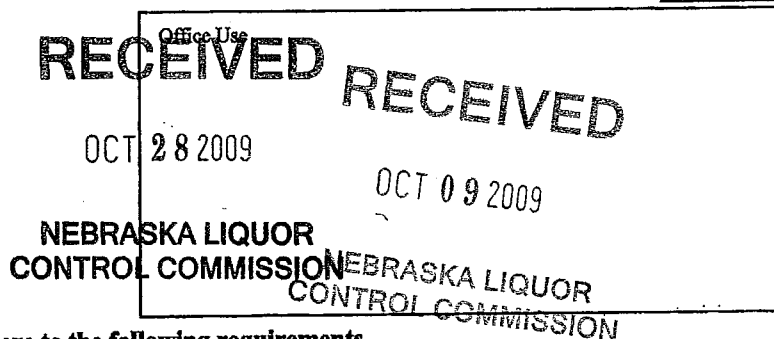
Date:

08/01/2009



# MANAGER APPLICATION INSERT - FORM 3c

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



Corporate manager, including spouse, are required to adhere to the following requirements  
If spouse filed affidavit of non-participation fingerprints and proof of citizenship not required

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of birth certificate, naturalization paper or US passport
- 4) Must submit fingerprints (2 cards per person)
- 5) Must be 21 years of age or older
- 6) Applicant may be required to take a training course

## Corporation/Limited Liability Corporation (LLC) information

Name of Corporation/LLC: Lucky Yama Inc

## Premise information

Premise License Number:

(if new application leave blank)

Premise Trade Name/DBA:

Sushi Yama

Premise Street Address:

8058 S 84th Street

City:

Lavista

Zip Code:

68128

Premise Phone Number:

402-597-5115

The individual whose name is listed in the president or contact member category on either insert form 3a or 3b must sign their name below.

*Qishen Zhang*

CORPORATE OFFICER SIGNATURE  
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Gender: ☐ MALE ☒ FEMALE

Last Name: Musi First Name: Angelica MI: R.I.A.

Home Address (include PO Box if applicable): 2208 Corn Dr.

City: Papillion State: NE Zip Code: 68046

Home Phone Number: 402-991-5203 Business Phone Number: 402-980-3176

Social Security Number:                      Drivers License Number & State:                     

Date Of Birth: 5-1-21 Place Of Birth: Cadillac, Michigan

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☒ YES

☐ NO

Spouse's information

Spouses Last Name: Musi First Name: James MI: P.

Social Security Number:                      Drivers License Number & State:                     

Date Of Birth: 5-18-68 Place Of Birth: Ravenna, Nebraska  
Grand Island

APPLICANT AND SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST 10 YEARS

APPLICANT

SPOUSE

CITY & STATE	YEAR FROM	TO	CITY & STATE	YEAR FROM	TO
Papillion, NE	04	09			
Logan, IA	02	04			
Omaha, NE	95	02			

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
03	08	Westside High School	Mitzi Delman	343-2600
04	07	Farmer B's	Mike Gabriel	390-2911

Manager and spouse must review and answer the questions below  
PLEASE PRINT CLEARLY

1. READ PARAGRAPH CAREFULLY AND ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. **If more than one party, please list charges by each individual's name.**

☒ YES

☐ NO

If yes, please explain below or attach a separate page.

DUI	James P. Mustl	Cass County	8/93

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? **IF YES**, list the name of the premise.

☐ YES

☒ NO

3. Do you, as a manager, have all the qualifications required to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

☒ YES

☐ NO

4. Have you filed the required fingerprint cards and **PROPER FEES** with this application? (The check or money order must be made out to the Nebraska State Patrol for \$38.00 per person)

☐ YES

☐ NO

5. Do you have any experience in selling alcohol in the State of Nebraska?  
If so list training and/or experience (when and where)

Date:	Where:
04-07	Farmer B's waitress

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

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OCT 28 2009

Angelica RTA Musil  
Signature of Manager Applicant

James P. [Signature]  
NEBRASKA LIQUOR  
CONTROL COMMISSION  
Signature of Spouse

State of Nebraska

County of Sarpy

The foregoing instrument was acknowledged before me this 23rd Day of Sept 09 by

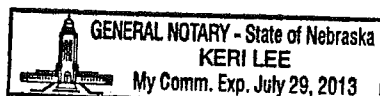
County of Sarpy

The foregoing instrument was acknowledged before me this 23rd Day of Sept 09 by

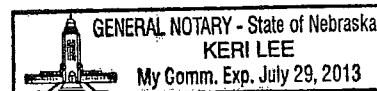
Keri Lee  
Notary Public signature

Keri Lee  
Notary Public signature

Affix Seal Here



Affix Seal Here



In compliance with the ADA, this manager insert form 3c is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

Revised 9/2008



**SPOUSAL AFFIDAVIT OF  
NON PARTICIPATION INSERT**

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

Office Use

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OCT 09 2009

OCT 28 2009

NEBRASKA LIQUOR CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

James P Musil  
Signature of spouse asking for waiver  
(Spouse of individual listed below)

JAMES P Musil  
Printed name of spouse asking for waiver

State of Nebraska

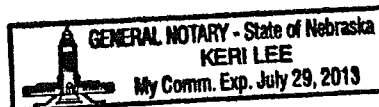
County of Sarpy  
9/23/09  
date

The foregoing instrument was acknowledged before me this

by James P Musil  
name of person acknowledged

Keri Lee  
Notary Public signature

Affix Seal



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

Angelica R.T.A. Musil  
Signature of individual involved with application  
(Spouse of individual listed above)

Angelica R.T.A. Musil  
Printed name of applying individual

State of Nebraska

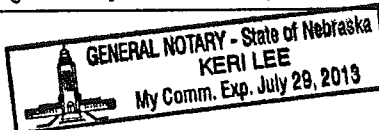
County of Sarpy  
9/23/09  
date

The foregoing instrument was acknowledged before me this

by Angelica R.T.A. Musil  
name of person acknowledged

Keri Lee  
Notary Public signature

Affix Seal



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

Kay Forslund  
(402) 593-2166  
Elections Commissioner  
1261 Golden Gate Dr Ste 6E  
Papillion, NE 68046

**Return Service Requested**



Acknowledgement & Verification of Registration

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2009 OCT 23 PM 4:02

KAY FORSLUND  
ELECTION COMMISSIONER  
SARPY COUNTY NEBRASKA

Precinct: Fairview  
Polling Place:  
Platteview Central Jr High School West  
Door 35  
14801 S 108th St  
Papillion  
Nonpartisan  
U.S. Congressional District 1  
Legislative District 3  
Metro Corn College Dist 5  
Papillion-La Vista Public Schs

Sarpy County, State of Nebraska  
1257469  
Angelica RTA Musil  
2208 Corn Dr  
Papillion, NE 68046

NEBRASKA LIQUOR  
CONTROL COMMISSION

OCT 28 2009

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STATE OF

NEBRASKA

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OCT 28 2009

NEBRASKA LIQUOR  
CONTROL COMMISSION

Department of State  
Lincoln, Nebraska

United States of America, } ss.  
State of Nebraska



I, John A. Gale, Secretary of State of Nebraska do hereby certify;

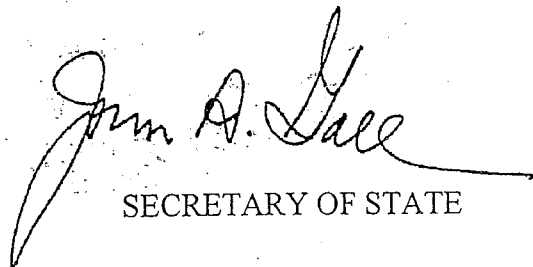
the attached is a true and correct copy of Articles of Incorporation of

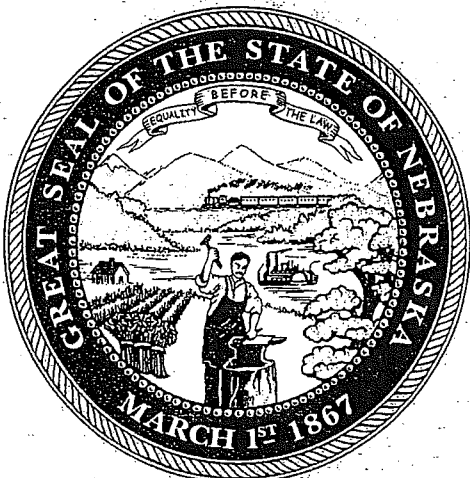
LUCKY YAMA, INC.

with its registered office located in LA VISTA, Nebraska, as filed in  
this office on July 13, 2009.

In Testimony Whereof,

I have hereunto set my hand and  
affixed the Great Seal of the State of  
Nebraska on July 13, 2009.

  
SECRETARY OF STATE



This certificate is not to be construed as an endorsement,  
recommendation, or notice of approval of the entity's  
financial condition or business activities and practices.

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OCT 09 2009

NEBRASKA LIQUOR  
CONTROL COMMISSION

ARTICLES OF INCORPORATION

OF

LUCKY YAMA, INC.



LUCKY YAMA, INC.  
Filed: 07/09/2009 08:59 PM

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NEBRASKA LIQUOR  
CONTROL COMMISSION

The undersigned acting as the incorporator(s) of a corporation under the Lucky Yama, Inc., adopt(s) the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation shall be: Lucky Yama, Inc.

ARTICLE II

The aggregate number of shares which this corporation shall have authority to issue is 10,000 shares, having a par value of \$1.00 each, all of which shall be common stock.

All transfers of the shares of this corporation shall be made in accordance with the provisions of the Bylaws of the corporation.

ARTICLE III

The corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation in the manner now and hereafter permitted by law, and all rights conferred upon shareholders herein are granted subject to this reservation.

ARTICLE IV

The address of the corporation's initial registered office is: 8058 S 84<sup>th</sup> Street, La Vista, Nebraska 68128 (Sarpy County) and the name of the initial registered agent at such address shall be: Qi Shen Zhang.

ARTICLE V

The name and street address of the incorporator(s) are as follows: Qi Shen Zhang, 8058 S 84<sup>th</sup> Street, La Vista, Nebraska 68128.

DATED this 9<sup>th</sup> day of July, 2009.

Qi Shen Zhang  
Incorporator

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OCT 28 2009

**AGREEMENT**  
**(Purchase and Sale of a Business)**

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Agreement made between Meng Jiang, hereinafter referred to as the "SELLER" AND Qishen Zhang, the owner of the Lucky Yama Inc, hereinafter referred to as "PUCHASER".

Seller is the owner and operator of a Restaurant business called Sushi Yama and Located at 8058 S. 84<sup>th</sup> Street, Lavista, NE 68128

The Purchaser desires to purchase the assets of the Seller, including the following equipments, inventory on hand, furniture, goodwill, and customer list as more fully set forth in the Agreement:

Walk-in cooler with shelving, Ice machine (Manitowoc 600), True 3 door reach-in cooler, Steam table, 3 gas fryers, Sushi cases, 3 chest freezers, 2 refrigerators, 1 Hotpoint Refrigerator, Beverage cooler, All high-top booths with hanging high fixtures, tables with chairs, CMA dishwasher with hot water heater, Six burner restaurant range with oven and grill, 36-inch Panasonic flat screen TV with stand, All pots, pans glassware, dishware cooking utensils, Samsung ER4940 cash register.

The Seller agrees to sell and transfer and the Purchaser agrees to buy the following described Restaurant business, owned by Meng Jiang, now located at 8058 S. 84<sup>th</sup> Street Lavista, NE 68128, including the use of the name "Sushi Yama ", client list, mailing list, furniture, fixtures, equipment, and phone number.

The seller warrants to buyer it has good and marketable title to said property, full authority to sell and transfer said property and , that said property is sold free of all liens encumbrances, liabilities, and adverse claims if every nature and description whatsoever.

The seller further warrants to buyer that it will fully defend, protect, indemnity and hold harmless the buyer and its lawful successors and assigns from any adverse claim made thereto by all persons whomsoever

**PURCHASE PRICE.**

The purchase price shall be Four thousand one hundred and eighty one and 00/100 (\$4181.00) DOLLARS to be paid

(Name of corporate Seller)

BY Meng Jiang, Owner of Sushi Yama Inc

Meng Jiang 9/1/2009

(Name of corporate Purchaser)

BY Qishen Zhang, Owner of the Lucky Yama Inc

Qishen Zhang 9/1/2009

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OCT 28 2009

**BRENTWOOD SQUARE SHOPPING CENTER LEASE**  
**CONTROL COMMISSION**

THIS LEASE, made this 3<sup>rd</sup> day of August, 2009, by and between F & J REALTY, hereinafter referred to as "Landlord", and LUCKY YAMA, INC., hereinafter referred to as "Tenant".

**WITNESSETH:**

1. **PURPOSE:** Landlord hereby demises and leases to Tenant that certain space in Landlord's building located at Brentwood Square Shopping Center, and having the address of 8058 South 84th Street, LaVista, Nebraska 68128, which space is described as follows: an area consisting of approximately 1,600 square feet, and said space so leased shall be used as a as a Japanese restaurant for the sale to the public of Japanese food, soft drinks and related food items, and for no other use or purpose whatsoever without the express written consent of the Landlord.
2. **COMMENCEMENT:** The term of this lease shall be for a period of thirty-three (33) months beginning September 1, 2009.
3. **RENTS:** Tenant shall pay to Landlord as rent for said leased premises during the initial Lease Term the total sum of Forty-Six Thousand Two Hundred and 00/100 Dollars (\$46,200.00) per the rent schedule below. Tenant shall pay rent and assessments on the first day of each and every month of said term, in advance, at the office of the Landlord or its duly appointed agent.

**RENT SCHEDULE:**

From <u>September 1, 2009</u>	to <u>May 31, 2012</u>	\$ <u>1,400.00</u>	per month.
From _____	to _____	\$ _____	per month.
From _____	to _____	\$ _____	per month.
From _____	to _____	\$ _____	per month.
From _____	to _____	\$ _____	per month.
From _____	to _____	\$ _____	per month.

Rent representing \_\_\_\_\_, 20\_\_\_\_ (\$ \_\_\_\_\_) is hereby acknowledged upon the execution of this Lease.

4. **COMMON AREA MAINTENANCE CHARGES:** Tenant shall pay Landlord additional annual rental equal to the sum of the amounts:
  - (i) by which taxes, assessments, and governmental charges whether Federal, State, County or Municipal, which are levied on or charged against the real estate of which the leased premises are part and any other taxes and assessments attributable to said real estate or its operation by multiplying the following percentage (2.443% for taxes/1.736% for CAM), representing the relationship of the net rentable square feet of floor area occupied by the Tenant as it relates to the total net rentable square feet on the site of which the leased premises form a part, however, Tenant shall be responsible for all such taxes per square foot of space; and shall pay its prorated amount in monthly installments, along with monthly rent.
  - (ii) by which the Insurance Premiums attributable to the real estate of which the leased premises form a part by multiplying the percentage specified in subparagraph (i) hereof for insurance of multi-peril all risk policy covering the buildings and liability in the manner consistent with the shopping center.

(B) Headings of the various paragraphs herein are inserted merely as a matter of convenience and for reference and shall not be considered as in any manner defining, limiting or describing the scope or intent of the particular paragraphs to which they refer or as affecting the meaning or construction of the language in the body of such paragraphs.

43. ADDITIONAL PROVISIONS: SEE ADDENDUM

44. Until this lease is executed on behalf of all parties hereto, it shall be construed as an offer of proposed Lessee to proposed Lessor. Time being of the essence, this lease must be completed on behalf of all parties on or before August 15, 2009, to be effective.

45. The undersigned, as well as the corporation, hereby guarantees unto the Landlord, its successors and assigns, the payment of base rent and any and all assessments so defined in this lease, and the performance of all of the covenants under said lease by Tenant and hereby waives notice of any default under said lease and agrees that liability shall not be released or affected by any extension of time for payment or by any forbearance by the Lessor.

46. There are no oral agreements between the parties hereto affecting this lease, and this lease supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties hereto with respect to the subject matter thereof, and none thereof shall be used to interpret or construe this lease.

IN WITNESS WHEREOF, the parties hereto have caused the execution of this lease as of the day and year first above written.

F & J REALTY  
LANDLORD

Witness: Randall Wresch By: Frank R. Krejci  
Frank R. Krejci

LUCKY YAMA, INC.  
TENANT

Witness: Randall Wresch By: Qi Shen Zhang

QISHEN ZHANG  
GUARANTOR

By: Qi Shen Zhang