

**AGENDA**  
**CITY OF MORRISTOWN, TENNESSEE**  
**BEER BOARD MEETING**  
**September 15, 2020**  
**5:00 P.M.**

**1.     CALL TO ORDER**

Mayor Gary Chesney

**2.     ROLL CALL**

**3.     APPROVAL OF MINUTES**

1. August 18, 2020

**4.     CITIZEN COMMENTS ABOUT AGENDA ITEMS ONLY**

**5.     OLD BUSINESS**

**6.     NEW BUSINESS**

1. Off-premise Permit for Bavaliyo Inc., (Owner and Registered Agent Dipak Patel)  
DBA AJ Market located at 3789 E. Andrew Johnson Highway, Morristown, TN.,  
TN.

**7.     ADJOURN**

**STATE OF TENNESSEE  
COUNTY OF HAMBLLEN  
CORPORATION OF MORRISTOWN  
August 18, 2020**

The Beer Board for the City of Morristown, Hamblen County, Tennessee, met in session at the regular meeting place of the Beer Board in the Morristown City Center at 5:45 p.m., Tuesday, August 18, 2020 with the Honorable Mayor Gary Chesney presiding and the following Councilmembers present: Al A'Hearn, Chris Bivens, Bob Garrett, Tommy Pedigo, Kay Senter, Ken Smith.

Mayor Chesney opened the floor for members of the audience to speak subject to the guidelines provided. No one spoke.

Beer Board member A'Hearn made a motion to approve the June 16, 2020, minutes as circulated. Beer Board member Pedigo seconded the motion and upon roll call; all voted "aye".

Beer Board member Bivens made a motion to approve the On-premise Permit for Bravos Inc., (Owner Ivonne Aich; Manager Itzel Berenice de Alba Gonzales and Sarahi DeJesus) DBA Bravos Mexican Grill located at 4329 W. Andrew Johnson Hwy, Suite 6, Morristown, TN. Beer Board member Senter seconded the motion and upon roll call; all voted "aye".

Mayor Chesney adjourned the August 18, 2020, meeting of the City of Morristown, Beer Board at 5:47 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY ADMINISTRATOR



CITY OF MORRISTOWN BEER  
APPLICATION FOR BEER P  
CHECKLIST & INFORMA

**COPY**

\*\*\*CITY OF MORRISTOWN\*\*\*  
100 W 1ST NORTH ST  
MORRISTOWN TN 37814-1499

Please submit the forms listed below with

RECEIPT#: 618273

08/21/20 15:02 28421616

CUSTOMER#:0

NAME:

BEER PERMIT APPLICATION

CHG: 808

BEER BOND

280.00

PAID AMT

28 PAID BY NAME

SAVING INC PAY METHOD

CHECK

1004

AMT TENDERED:

AMT APPLIED:

280.00

CHANGE:

280.00

1. Completed permit application & owner/manager question  
Office, 100 West 1<sup>st</sup> North St., Morristown, TN 37814.

2. Designation of Registered Office and Registered Agent

3. Completed authorization form for Criminal History Inquiry  
managers.

4. Permit application (\$250) & Publication fee paid (\$30) to

5. Copy of Current County Business License

6. Copy of Current City Business License

7. Copy of Lease Agreement or Certified Copy of Deed & C  
LLC, etc. (if applicable)

8. Copy of Certificate of Registration for Tennessee Sales

9. Restaurant seating area plan showing a minimum of 40

This application must be completely filled out and submitted with the requirements listed above. By making this application, the applicant certifies that the information provided is true and accurate. The Beer Board may delay action or deny the application if the information is inaccurate. Copies of licenses and documents must be submitted to the City of Morristown Tax Office, 100 West 1<sup>st</sup> North St., Morristown, TN 37814, and notarized. Applicants may call (423) 318-1552 with any questions regarding the application process.

A background check will be conducted from all counties an applicant has resided in within the last 10 years. The Beer Board requires records checks on all owners, registered agents and managers.

The owner shall list the local manager(s) responsible for operations. Any change in management must be reported and a new owner/manager questionnaire submitted to the city business tax office. A new manager is subject to a background check. Applicant may not have been convicted of any crime involving moral turpitude or violation of any alcoholic beverage law within the ten (10) years prior to applying for permit.

The City will place a public notice in the local newspaper one (1) time at least ten (10) days prior to the Beer Board meeting. A notice will also be posted at the establishment at least (15) days prior to the meeting.

State law requires a \$100.00 annual privilege tax which is due each January. New permittees will pay a prorated annual tax.

A permit holder must surrender the beer permit to the City Business Tax Office within five (5) days of termination of the business, change in ownership, relocation of the business or change in the business name. A change in ownership for a corporate owner occurs when at least fifty percent (50%) of the stock of the corporation is transferred to a new owner.

The City Beer Board meets as needed on the first and third Tuesday of each month. To ensure consideration of an application, the applicant must submit the completed application to the City of Morristown Tax Office 30 days prior to the next Beer Board meeting in order to appear on that agenda.



CITY OF MORRISTOWN BEER PERMIT  
CITY OFFICIALS CHECKLIST



TAX OFFICE CHECKLIST

Current Taxes Verified

\_\_\_\_\_ City Taxes

\_\_\_\_\_ County Taxes

POLICE DEPARTMENT CHECKLIST

Public Notices

☒ Notice of Beer Board Meeting

☒ Signs Posted at Location of Business – Date Posted: 8-26-2020

☒ Newspaper Notice of Application – Date Ran in Newspaper: 9-3-2020

☒ Background Investigation

\_\_\_\_\_ Date of Beer Board Approval: \_\_\_\_\_

\_\_\_\_\_ Copy of Permit (Number \_\_\_\_\_) Issued

\_\_\_\_\_ Prorated Privilege Tax Paid

\_\_\_\_\_ Signature of person verifying completion of checklist

PLANNING CHECKLIST

Requested location is in a (check one)  
ordinances of the City of Morristown.

☐ Non-conforming

☐ Conforming location under the zoning laws and

Signature of City Planner \_\_\_\_\_

INSPECTIONS CHECKLIST

Have occupancy issues been addressed by City Inspections? ☐ Non-Conforming ☐ Conforming

Signature of City Inspector \_\_\_\_\_

FIRE DEPARTMENT CHECKLIST

Have the fire code inspections been completed? ☐ Non-conforming ☒ Conforming

Signature of Fire Marshall Billy Mc





CITY OF MORRISTOWN  
APPLICATION FOR BEER PERMIT



(It is the applicant's responsibility to provide complete and accurate information. The Beer Board could delay action on the application if any information is not accurate.)

I/we hereby make application for a permit to sell, store, brew, or distribute beer or other beverages authorized to be sold, stored or distributed under the provisions of the City of Morristown's Municipal Code, Title 8, Chapter 2, and base my application upon the answers to the following questions:

1. Reason for application ☒ New Business ☐ New Ownership ☐ Name Change  
☐ Other \_\_\_\_\_
2. Name of Business Owner(s): Dipak Patel
3. Is Owner a ☒ Corporation ☐ General Partnership ☐ Limited Partnership ☐ LLC  
☐ Sole Proprietorship ☐ Other \_\_\_\_\_
4. Under what name will the business operate: AT MARKET
5. Business Address 3789 E Andrew Johnson Hwy Phone 423-748-4113
6. Property Owners Name \_\_\_\_\_ Phone \_\_\_\_\_
7. Type of permit requested: ☐ Restaurant ☐ Limited Service Restaurant ☐ Non-Profit Club  
☐ On/Off Premise Microbrewery ☒ Off Premise (Convenience Store, Drug Store, Grocery Store)  
☐ Caterer
8. Will business be applying for a Liquor-By-the-Drink (LBD) License through the Alcohol Beverage Commission (ABC)? ☐ Yes ☒ No
9. List names of all general partners and owners and designate percentage of ownership. (Use additional paper if necessary.) Each person owning 5% or more of the business must complete an owner/manager questionnaire (attached) and submit to a criminal history/background checks conducted by the City of Morristown's Police Department from all counties of residence within the last 10 years. If ownership is a corporation, please indicate whether the corporation is privately held or publicly traded. Be sure to include all names ever used by the named individuals, (i.e. maiden and previous married names).  
  
Dipak Patel  
\_\_\_\_\_  
\_\_\_\_\_
10. List the name(s) of registered agents and managers or others on-site responsible for operations. Any change in management must be reported to the Business Tax Office. Any new manager must complete the owner/manager questionnaire and submit to a criminal history/background check as listed in No. 8 above.  
  
Dipak Patel  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CITY OF MORRISTOWN  
BEER PERMIT APPLICATION AFFIDAVIT



1. I/we Dipak Patel hereby solemnly swear or affirm that each statement in this application is true and correct and understand that if any statement contained herein is false, the permit issued is automatically forfeited and voided. Furthermore, that in the event of forfeiture I/we shall not be eligible to receive another permit for a period of ten (10) years pursuant to Tennessee Code Annotated § 57-5-105(d).
2. I/we understand that all applicants are charged with the responsibility of knowing the local and state beer laws. I/we are aware that the penalty for violating state or local beer laws can include revocation or suspension of the permit and/or the imposition of civil penalties up to two thousand five dollars (\$2,500) per offense.
3. I/we understand that if the business allows illegal gambling on the premises that the beer permit will be subject to revocation.
4. I/we understand that by submitting this application, a background investigation shall be conducted on the applicant(s) and all on-site managers who will be selling beer at the permitted establishment. It is further understood that any and all documents related to that investigation shall become public record open for public inspection and reproduction pursuant to Tennessee Code Annotated § 10-7-503.
5. I/we understand that a requirement of maintaining good status standing with the Morristown Beer Board is that I/we must notify the City of Morristown Tax Office each time there is a change in the on-site manager responsible for selling beer.
6. I/we hereby release, absolve and hold harmless, the City of Morristown, the Morristown Beer Board, the Morristown Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of actions, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or any other matters related to my application. I/we hereby waive all possible liability of the City of Morristown, Morristown Beer Board, Morristown Police Department, its employees, agents and representatives as stated above.
7. I/we agree that the beer permit holder shall use servers possessing server's permits issued by the State of Tennessee Alcoholic Beverage Commission and have said permits available for inspection upon request.
8. I/we agree that the hiring of an employee who has been convicted within the past ten (10) years of any law relating to the sale, possession, manufacture or transportation of intoxicating beverages, including beer, as defined by City of Morristown Municipal Code Section 8-213 or the hiring of an employee who has been convicted of any felony or crime involving moral turpitude within the past ten (10) years will be cause for possible revocation of the beer permit.
9. I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Morristown Beer Board.
10. I/we understand that if the business closes, relocates, or there is any change in the ownership of the business, the permit will be surrendered to the Business Tax office within 5 days of said change for appropriate action.
11. I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of Morristown and the State of Tennessee in the sale of beer.
12. I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.
13. I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.
14. The undersigned is the applicant or the bona fide and qualified agent/representative of the corporate applicant.
15. I/we have been a citizen and/or lawful resident of the United States for not less than one (1) year immediately preceding the date of this document.

[Signature]  
Applicant Signature or Agent/Representative

8-19-20  
Date

\_\_\_\_\_  
Co-Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Applicant Signature

\_\_\_\_\_  
Date

Sworn to and subscribed by me this 19th day of August, 20 20

Notary Public: Rachel Westra

My Commission Expires: 4-26-22





# CITY OF MORRISTOWN BEER PERMIT OWNER/MANAGER QUESTIONNAIRE



Reason for Application: ☒ New Application

☐ Manager Change or Addition

1. Name Dipak Patel ☐ Owner - Percentage of Ownership 100 % ☐ Manager
2. Home Address [REDACTED] City Morristown State T.N. Zip 37814
3. Home Phone (423) [REDACTED] Cellular Phone ( ) same Date of Birth [REDACTED] 177
4. Are you a United States Citizen: ☒ Yes ☐ No
5. Driver's License # [REDACTED] State T.N. Social Security # [REDACTED]
6. Local Business Name AJ MARKET
7. Local Business Address/Zip 37814 Business Phone ( )
8. Have you ever been convicted of any violation of liquor and/or beer laws, controlled substance laws, felonies, or any crime involving moral turpitude, within the last ten years, or do you have any charges currently pending?  
☐ Yes\* ☒ No  
 \*If yes, give particulars of each charge, including city, county, state: court and date: \_\_\_\_\_
9. Have you ever had a beer permit revoked, suspended, or denied? ☐ Yes\* ☒ No  
 \*If yes, explain: \_\_\_\_\_
10. Have you ever been convicted of any misdemeanors, other than minor traffic violations, within the last ten (10) years or have any charges currently pending?  
☐ Yes\* ☒ No  
 \*If yes, give particulars of each charge, including city, county, state: court and date: \_\_\_\_\_
11. Do you understand both the state laws and local laws regulating the sale and distribution of beer in the City of Morristown?  
☒ Yes ☐ No
12. Do you understand that allowing illegal gambling on the premises will be subject the permit to revocation?  
☒ Yes ☐ No

## AFFIDAVIT

I hereby solemnly swear or affirm that each statement on this questionnaire is true and correct and agree that if my statement is false, the permit issued may be revoked by the Beer Board, upon notice and hearing, and that the burden is on the permittee to prove the correctness of all the statements in this application.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated §10-7-503.

I understand that by submitting this application all documents provided referencing the submitted background checks related to my investigation and further investigation conducted as a result of those documents shall become public records.

I hereby release, absolve and hold harmless, the City of Morristown, the Morristown Beer Board, the Morristown Police Department, its employees, agents and representatives, from any and all liability of whatever type for any damages, causes of actions, personal or property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or any other matters related to employees, agents and representatives as stated above.

I have been a citizen and/or lawful resident of the United States for not less than one (1) year immediately preceding the date of this affidavit.

I have read and understand the foregoing release and understand its provisions and voluntarily consent to abide by its requirements.

[Signature]  
Signature of Applicant

8-19-20

Date

Sworn to and subscribed by me this 19th day of August, 20 20

Notary Public: Rachel Westra

My Commission Expires: 4-26-22



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CITY OF MORRISTOWN BEER BOARD  
AUTHORIZATION FOR CRIMINAL HISTORY



08/12/2020  
Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through its agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years from the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

[Redacted]  
Morristown T.N. 37814  
Same Address for  
Last ten years

Street Address

City, State and Zip Code

Signature

T.N. 37814  
Morristown

Dipak Patel

Name - Printed (include Maiden Name if Applicable)

Date of Birth

Social Security Number

Current Home Street Address

City, State and Zip Code

Signature

Name of Witness - Printed

Nitesh PATEL





City of Morristown  
Office of the Police Department  
Support Services



FAX TRANSMITTAL  
COVER SHEET

FAX # (423) 585-4685

TO: Hamblen County Sheriff's Department  
Attn: **Records**

FR: Sgt. Kenneth Hinkle, Support Services Sergeant

RE: Background Check for Beer Permit Application

DATE: August 28, 2020

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET:   2  

COMMENTS:

**Background check request is for the LAST 10 YEARS**

**THANK YOU**

**NOTICE**

THIS MATERIAL IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL INFORMATION THAT IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE NOTE THAT YOU ARE STRICTLY PROHIBITED FROM DISSEMINATING OR DISTRIBUTING THIS MATERIAL (other than to the intended recipient) OR COPYING THIS MATERIAL. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THIS MATERIAL (and all copies) TO US BY MAIL TO THE *Morristown Police Department, P. O. Box 1283, Morristown, TN 37816-1283*.

IF THERE WAS A PROBLEM RECEIVING THIS FAX, PLEASE CONTACT THIS OFFICE AT **(423) 585-4681**.

THANK YOU.



## Morristown Police Department

ROGER OVERHOLT  
Chief of Police

Hamblen County Sheriff's Dept.  
Records Division

August 28, 2020

I am requesting a records check for the purpose of a Beer Permit on the following individual:

Dipak R Patel

DOB: [REDACTED] 1977

SSN: [REDACTED]

If you have any questions, please give me a call at 423-581-4681 or fax me the results at 423-585-4685.

Thanks in advance for your assistance,

Sgt. Kenneth Hinkle  
Support Services Sergeant  
Morristown Police Department

Esco R. Jarnagin  
Sheriff

Wayne Mize  
Chief Deputy



## Sheriff of Hamblen County

510 Allison Street  
Morristown, Tennessee 37814

# HAMBLLEN CO. ARREST RECORD SEARCH

DATE: 8/28/20

AN ARREST RECORD SEARCH WAS PROVIDED FOR THE FOLLOWING  
INDIVIDUAL:

NAME: Dipak R Patel

DATE OF BIRTH: 9/12/77

INDIVIDUAL HAS NO RECORD AT THE HAMBLLEN CO. SHERIFF'S DEPT. ✓

Has Arrest with Morristown Police Department, Please Contact MPD-423-585-2710

INDIVIDUAL HAS THE FOLLOWING RECORD AT THE HAMBLLEN CO. SHERIFF'S DEPT:

**NO RECORD**

**NO RECORD**

**NO RECORD**

**THIS RECORDS CHECK COVER**

**APPROXIMATELY THE LAST 15 YEARS**

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE HAMBLLEN CO.  
SHERIFF'S DEPT. RECORDS OFFICE AT (423) 585-2769. THIS  
RECORD CHECK IS A COUNTY RECORD CHECK ONLY.

Kimo Spre

PHONE: (423) 586-3781 - Administrative  
(423) 585-2720 - Jail  
FAX: (423) 587-1658 - Administrative  
(423) 587-1329 - Jail



City of Morristown  
Office of the Police Department



LOCAL ARREST HISTORY  
MORRISTOWN, TN (CITY LIMITS ONLY)

Subject of Inquiry: Patel, Dipak R  
Last First Middle

Full Maiden Name if Applicable

Date of Birth: 1977

Address: Street: City: Morristown State: Tennessee Zip Code: 37814

ID Presented: ☐ DL (State TN ) ☐ SSN ☐ Military ☐ Other ID Number

☐ Check if information is same as above

Person Requesting: Hinkle, Kenneth  
Last First Middle

Date of Birth:

Address: Street: MPD City: State: Zip Code:

ID Presented: ☐ DL (State ) ☐ SSN ☐ Military ☐ Other ID Number:

"I understand this information is regulated by law."

Signature

☐ No Record was found with the name and DOB provided.

☒ The following record was found with the name and DOB provided.

Date:	Charges:
1/28/2020	Registration Violation
3/11/2019	Speeding
11/27/2007	Registration Violation, fail to yield
5/24/2004	Registration Violation
1/15/2008	Speeding
4/28/2014	Underage Beer Sale
9/4/2014	Seatbelt law violation
7/1/2011	Speeding

☐ Continued on Reverse Side

Melinda Andrews Records  
Employee Processing History Title

Date: 8/28/2020

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**POST AT  
LOCATION OF  
BUSINESS**

**City of Morristown  
Minimum Business License  
and Gross Receipt Tax**

THIS LICENSE EXPIRES 04/15/2021

**License Number**

10699

**Business Name** BAVALIYO INC  
DBA AJ MARKET  
3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37814

**ID:** 10699

**Location:** 3789 E ANDREW JOHNSON HWY

**MINIMUM BUSINESS TAX**

This is your official notice that if gross receipts tax is not paid within 60 days from above expiration date, a distress warrant may be issued to satisfy the tax dept. Further notification of expiration is not required by law. Please make note of these dates. If paid by check, this license valid only after check is paid. This license does not permit operation unless properly zoned, and/or in compliance with all other applicable laws/rules.

**Classification:** 1

**Date issued** 08/19/2020

**By** \_\_\_\_\_

*A. W. [Signature]*  
Taxing Authority



**City of Morristown**

P.O. Box 1654

Morristown, Tennessee 37816-1654

**Total Tax** .....

**PAID**

**This License is NOT Transferable**

Office Copy Only

**POST AT  
LOCATION OF  
BUSINESS**

**City of Morristown  
Minimum Business License  
and Gross Receipt Tax**

THIS LICENSE EXPIRES 04/15/2021

**License Number**

10699

**Business Name** BAVALIYO INC  
DBA AJ MARKET  
3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37814

**ID:** 10699

**Location:** 3789 E ANDREW JOHNSON HWY

**MINIMUM BUSINESS TAX**

This is your official notice that if gross receipts tax is not paid within 60 days from above expiration date, a distress warrant may be issued to satisfy the tax dept. Further notification of expiration is not required by law. Please make note of these dates. If paid by check, this license valid only after check is paid. This license does not permit operation unless properly zoned, and/or in compliance with all other applicable laws/rules.

**Classification:** 1

**Date issued** 08/19/2020

**By** \_\_\_\_\_

13

Taxing Authority



**City of Morristown**

P.O. Box 1654

Morristown, Tennessee 37816-1654

**Total Tax** .....

**PAID**

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# PENNY PETTY, HAMBLÉN COUNTY CLERK

LICENSE  
**0365280**

## STANDARD BUSINESS TAX LICENSE

Total Due: 15.00  
Cash: 20.00 Check: Check No.: Change: 5.00  
PEGGY wk04 Drawer: 1 Site: 1  
Work Date: 08/21/2020

DETACH THIS PORTION FOR CONFIDENTIAL FILE

# PENNY PETTY HAMBLÉN COUNTY CLERK

511 W. 2ND NORTH ST  
MORRISTOWN, TN 37814

LICENSE  
**0365280**

## STANDARD BUSINESS TAX LICENSE

Mailing

Location

75696 BAVALIYO INC DBA AJ MARKET

3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37813

BAVALIYO INC DBA AJ MARKET

3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37813

LOCAL ACCOUNT NUMBER 75696  
STATE ACCOUNT NUMBER 1001332222  
TRANSACTION NUMBER \_\_\_\_\_  
CLASS 1A  
SALES TAX NUMBER \_\_\_\_\_

ISSUE DATE 08/21/20  
TAX PERIOD STARTED - 08/21/2020  
PAYMENT DUE BY 4/15/2021  
EXPIRATION DATE 5/15/2021

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.

DEPUTY CLERK SIGNATURE

PEGGY wk04 Drawer:1 Site:1

-- POST AT LOCATION OF BUSINESS --

14 IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE [Return to Agenda](#)

## LEASE AGREEMENT

AGREEMENT made by and between JR Byerley, (hereinafter "LESSOR") Dipak Patel (hereinafter "LESSEE").

1. The Lessor hereby leases to the Lessee the real estate, parking area, and office located at ~~3775~~ <sup>3799</sup> East Andrew Johnson Highway, Morristown, Tennessee, former Flowers Bakery Building.
2. The term of this Lease shall be for five (5) years commencing on July 1, 2020 and ending at midnight on July 30, 2025. Rent shall commence July 1, 2020. Lessee shall pay to Lessor, without notice or demand, rent of \$1800.00 per month, in advance, on the first day of each calendar month during the term of this lease. Lessee shall pay a late fee of \$50 for any rent payment not made by the tenth day of each calendar month, plus \$5 per day for every day after the tenth until entire payment is collected. Lessee shall have two (2) five (5) year options to renew the lease by giving the Lessor 90-days written notice. Lease rate shall increase 10% per option.
3. A security deposit of \$1,800.00 has been paid at lease execution.
4. Lessee shall pay all taxes assessed against or by reason of property it owns and uses within the leased premises and all license and other fees required for the conduct of its business. Lessor shall pay or provide for the payment of all real estate taxes assessed against the leased property.
5. The Lessee shall be responsible for all repairs or maintenance required to be made to the interior of the premises of every kind and character (Except those specifically set forth in this paragraph to be made by the Lessor) during the term of this lease. The Lessee agrees that it

will use the premises in a careful, lawful and proper manner and commit no waste thereon.

The Lessor shall be responsible for all exterior and structural repairs. Lessee shall be responsible for all maintenance and repairs of the plumbing, electrical and heat and air conditioning systems, required to be made; and Lessee shall be responsible for routine maintenance of plumbing, electrical and heat and air conditioning systems. Lessor may take this over and bill Lessee. The premises is as-is.

6. Lessee shall initiate, contract for and obtain in its name utility services for gas, water, electricity and telephone, and shall pay all charges for those services promptly as they become due.
7. The Lessee shall indemnify the Lessor against all liabilities, expenses and losses, including attorney's fees and other legal costs incurred by the Lessor as a result of: (a) failure by the Lessee to perform any covenant required to be performed by Lessee under this Agreement; (b) any accident, injury or damage caused by Lessee or its employees, which shall happen in or about the leased property; (c) failure to comply with any requirements of any governmental authority; and (d) any merchant's lien or security agreement filed against the leased property.
8. The Lessor shall indemnify the Lessee against all liabilities, expenses and losses, including attorney's fees and other legal costs incurred by Lessee as a result of failure by Lessor to perform any covenant required to be performed by Lessor under this Agreement.
9. The Lessee, with Lessor's prior consent, may improve or alter the leased premises in such a manner as may be necessary for Lessee's use of the premises so long as said improvements are done in a workmanlike manner and in accordance with applicable codes and ordinances. Such consent shall not be unreasonably withheld.



10. If Lessee fails to pay the rental when due or to perform any other covenants, promises or agreements hereunder, or if Lessee files or has filed against it a petition in bankruptcy, or if the Premises shall be abandoned by the Lessee, then in any such events Lessor shall send written notice of such default to Lessee. If Lessee fails to cure such default within fifteen (15) days after receipt of such notice, the Lessee shall be in breach of this Lease Agreement and Lessor may terminate this Lease. Lessor, at its option, without termination of this Lease upon such breach by Lessee may upon notice to Lessee terminate Lessee's rights to possession and enter upon and rent premises at the best price obtainable by reasonable effort. Lessee shall, upon receipt of such notice under this paragraph, surrender possession of the premises to Lessor and remove all of Lessee's property therefrom, and Lessor may reenter and repossess the premises and remove Lessee and its property by using such force as may be necessary.
11. Lessee stipulates that is has examined the leased premises, including all grounds and all buildings and improvements, and that they are at time of the Lease, in good order, repair, and a safe, clean, and tenantable condition. At the expiration of this Lease, the Lessee shall return the premises to the Lessor in the same condition as on the commencement of this Lease, normal wear and tear excepted.
12. The Lessor SHALL NOT BE LIABLE for any personal injury to the Lessee or to any other occupant of any part of the leased property, or for any damages to any property of the Lessee, irrespective of how such injury or damage may be caused, whether from action of the elements, condition of the leased premises, or acts of negligence of the Lessor or otherwise; Lessee hereby ASSUMES THE RISK OF any such injury or damage, and agree to RELEASE, indemnify and hold Lessor harmless therefrom.

13. Lessee may not, without prior written consent of Lessor, assign this Lease or any interest hereunder or sublet the Premises or any part thereof, or permit the use of the premises by any party other than Lessee. Lessor shall not unreasonably withhold such consent.
14. The Lessor and representatives may enter the premises at any reasonable time, during Lessee's business hours, for the purpose of inspecting the premises, performing any work which Lessor is required to perform, exhibiting the premises for sale or lease or posting any signs in connection with any prospective sale or lease.
15. Lessee shall at all times during the term of this Lease carry public liability insurance with minimum limits of liability in an amount not less than \$1,000,000 for bodily injury or death to any one person and an amount no less than \$50,000 for damage to property. Such insurance policies shall name Lessee and Lessor as the insured parties thereunder. Lessee shall deliver to Lessor certificates of insurance certifying that such insurance is in effect. Lessor shall provide fire and extended coverage insurance for the building and Lessee shall pay their prorated share. Lessee understands that Lessor's insurance will not provide any coverage for theft or damage to Lessee's personal property.
16. At the expiration or termination of this Lease, the Lessee shall surrender the premises to Lessor in as good condition as they were at the beginning of the term of this lease, ordinary wear and tear excepted.
17. Any notices required to be given to Lessor, and the rent, shall be sent to:

LeBel Commercial Realty

PO Box 1600

Morristown, TN 37816

Any notices required to be given to Lessee shall be sent to:

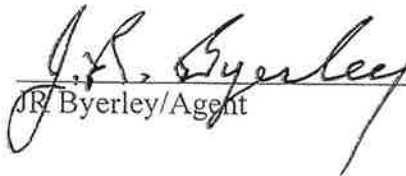
[REDACTED]

Morristown, TN 37814

[REDACTED]

18. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.
19. The Lessor shall have the right to make such other and further rules and regulations as in the judgment of the Lessor may from time to time be needed for the safety, care and cleanliness of the premises and for the preservation of good order therewith.
20. This Agreement contains the entire agreement of the parties and it may not be changed except by a written document signed by the parties hereto. The failure of either party to insist in any instance on strict performance of any covenant or condition hereof or to exercise any option herein contained shall not be construed as a waiver of such covenant, condition or option in any other instance.

WITNESS our hands the 1 day of June, 2020.

  
J.R. Byerley/Agent

Lessee

BY: 

Dipak Patel

Keep this part for your records.

CP 575 A (Rev. 7-2007)

Return this part with any correspondence  
so we may identify your account. Please  
correct any errors in your name or address.

CP 575 A

9999999999

Your Telephone Number Best Time to Call  
( ) -

DATE OF THIS NOTICE: 06-10-2020  
EMPLOYER IDENTIFICATION NUMBER: 85-1372316  
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023  
|||||

BAVALIYO INC  
A J MARKET  
3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37814





**Tre Hargett**  
Secretary of State

**Division of Business Services**

**Department of State**

**State of Tennessee**

312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

Bavaliyo Inc  
3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37814-6236

June 10, 2020

**Filing Acknowledgment**

Please review the filing information below and notify our office immediately of any discrepancies.

**Control # : 1102740** Status: Active

Filing Type: For-profit Corporation - Domestic

**Document Receipt**

Receipt # : 005594144

Filing Fee: \$20.00

Payment-Credit Card - State Payment Center - [REDACTED]

\$20.00

Amendment Type: Assumed Name

Image # : B0877-4167

Filed Date: 06/10/2020 12:57 PM

This will acknowledge the filing of the attached assumed name with an effective date as indicated above. When corresponding with this office or submitting documents for filing, please refer to the control number given above. The name registration is effective for five years from the date the original registration was filed with the Secretary of State.

Tre Hargett  
Secretary of State

Processed By: Corp Web User

Field Name

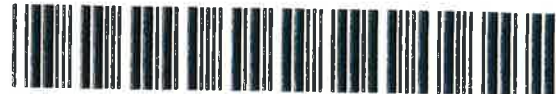
Changed From

Changed To

New Assumed Name

No Value

AJ Market



005407697

**APPLICATION FOR REGISTRATION  
OF ASSUMED NAME****SS-4230****Tre Hargett**  
Secretary of State**Division of Business Services  
Department of State**State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102  
(615) 741-2286

Filing Fee: \$20.00

For Office Use Only

**-FILED-**

Amendment # 005407697

Pursuant to the Tennessee Business Corporation Act, Tennessee Nonprofit Corporation Act, Tennessee Limited Liability Company Act, Tennessee Revised Limited Liability Company Act, or the Tennessee Revised Uniform Partnership Act, this application for registration of an assumed name is submitted to the Tennessee Secretary of State.

1. The Secretary of State Control Number is: 001102740

and the true name of the business entity is:

Bavaliyo Inc

2. The state or country of organization is:

TENNESSEE

3. The business entity intends to transact business under an assumed name.

4. The assumed name the business entity proposes to use is:

AJ Market

*The assumed name must satisfy the statutory requirements for that type of entity.*

06/10/2020

Signature Date

President

Signer's Capacity

Electronic

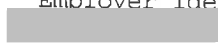
Signature

Dipak Patel

Name (typed or printed)

**Note: Pursuant to T.C.A. § 10-7-503 all information on this form is public record.**

Date of this notice: 06-10-2020

Employer Identification Number:  


Form: SS-4

Number of this notice: CP 575 A

BAVALIYO INC  
A J MARKET  
3789 E ANDREW JOHNSON HWY  
MORRISTOWN, TN 37814

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 85-1372316. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.


Form 941	10/31/2020
Form 940	01/31/2021
Form 1120	04/15/2021

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

**IMPORTANT INFORMATION FOR S CORPORATION ELECTION:**

If you intend to elect to file your return as a small business corporation, an election to file a Form 1120-S must be made within certain timeframes and the corporation must meet certain tests. All of this information is included in the instructions for Form 2553, *Election by a Small Business Corporation*.

SS# 

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at [www.irs.gov](http://www.irs.gov) for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is BAVA. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.



**Page** : 1 of 1 09/02/2020 11:48:16  
**Order Number** : 22173727  
**PO Number** :  
**Customer** : 21876374 City Of Morristown  
**Contact** :  
**Address1** : Ashley Ahl  
**Address2** : PO Box 1499  
**City St Zip** : Morristown TN 378161499  
**Phone** : (423) 581-0100  
**Fax** : (423) 585-4679  
**Printed By** : ctadtaker4  
**Entered By** : ctadtaker4  
**Keywords** : Beer Board  
**Notes** :  
**Zones** :

**Ad Number** : 22261616  
**Ad Key** :  
**Salesperson** : 04 - Anne Marie House  
**Publication** : Citizen Tribune  
**Section** : Classified Section  
**Sub Section** : Classified Section  
**Category** : Public Notices-130  
**Dates Run** : 09/03/2020-09/03/2020  
**Days** : 1  
**Size** : 1 x 4.22, 44 lines  
**Words** : 73  
**Ad Rate** : Open  
**Ad Price** : 37.83  
**Amount Paid** : 0.00  
**Amount Due** : 37.83

### **PUBLIC NOTICE**

The Beer Board of the City of Morristown, Tennessee, will meet on Tuesday, September 15, 2020 at 5:00 p.m. in the Council Chambers at the Morristown City Center, 100 West First North Street, to consider the following Beer Permit:

Off-premise Permit for Bavaliyo Inc., (Owner and Registered Agent Dipak Patel) DBA AJ Market located at 3789 E. Andrew Johnson Highway, Morristown, TN.

**BEER BOARD  
 CITY OF MOR-  
 RISTOWN,  
 TENNESSEE**

**Run Date: 09/03/20**

# Morristown Police Department

ROGER OVERHOLT  
Chief of Police



## BEER ORDINANCE ASSURANCE

I, the undersigned, acknowledge receipt of a copy of the City of Morristown Beer Ordinance Title 8 Chapter 2.

I understand it is my responsibility to adhere to the guidelines of this ordinance and the applicable laws of the State of Tennessee.

I understand it is my responsibility to ensure that my employees are aware of, and adhere to, all governing ordinances and laws concerning the sale of beer in my establishment.

Business Name & Address: BRAVALIYO DBA AJ Market

3789 E Andrew Johnson Highway

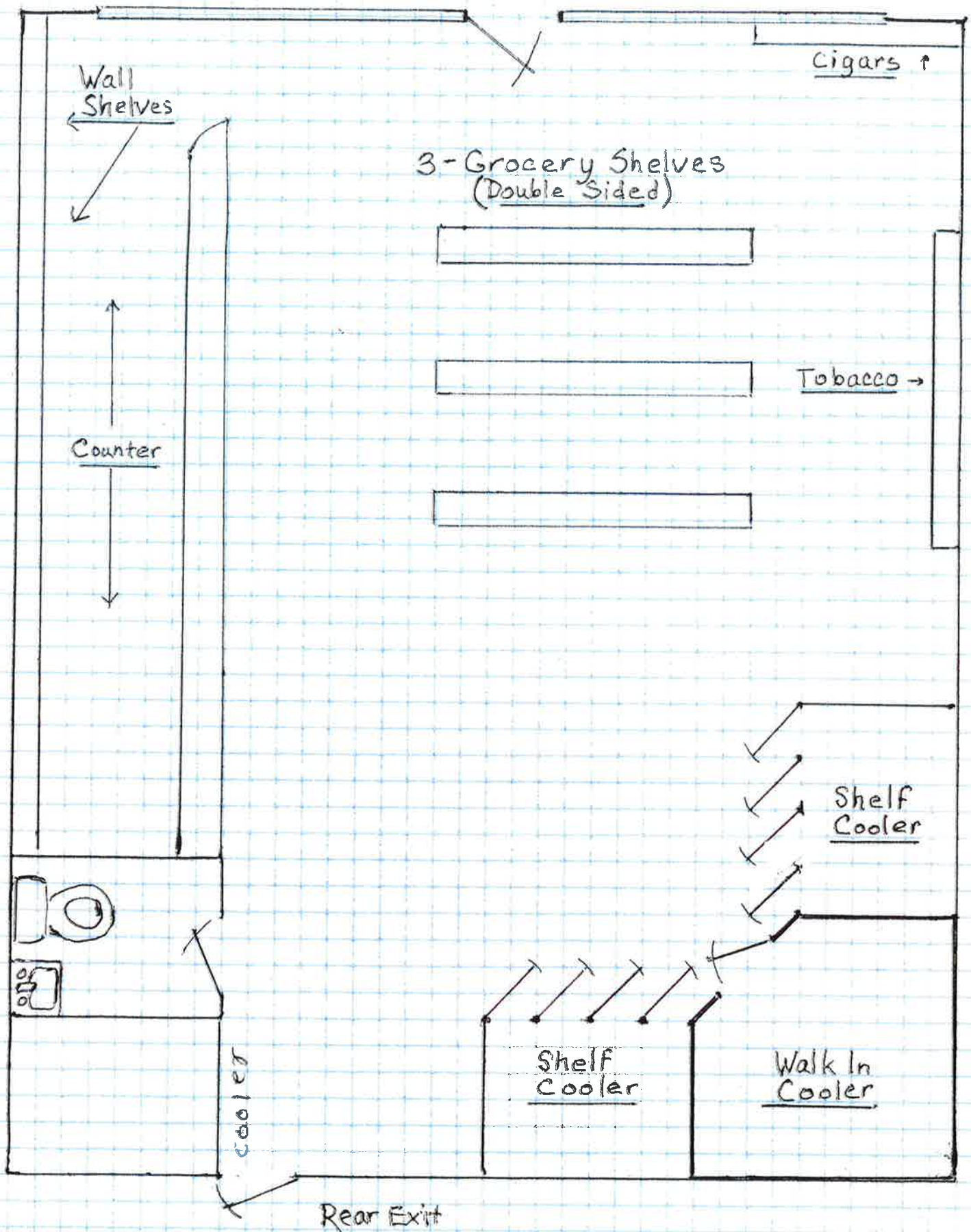
MORRISTOWN, TN. 37814

  
Applicant Signature

Dipak Patel  
Print Name

8-26-20  
Date

Front Entrance



*[Signature]*  
Sept 7, 2020