



PUBLIC HEARING AGENDA ITEM

DATE: April 16, 2025
SUBJECT: Liquor License Renewal: LIQ2025-00034: BALL FOUR INC dba ODDS ON OTB
FROM: Jenni Hall, Director; Bill Aiken, Deputy Director; Lucas Workman, Economic Development Manager; Brandan Slattery, License Administrator
AGENCY/DEPARTMENT: Community & Economic Development
RECOMMENDED ACTION: That the Adams County Liquor and Marijuana Licensing Authority Board Approve the Renewal of the Tavern Liquor License issued to BALL FOUR INC dba ODDS ON OTB

BACKGROUND:

Applicant applied for the Renewal of their Tavern Liquor License LATE with all fees owing. No further issues.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Planning: No comment.
- Permits: None.
- Enforcement: No comment.
- Building: No comment.
- No known DOR-LE actions or investigations during the year.

ATTACHED DOCUMENTS:

- Exhibit A - Renewal Application
- Exhibit B - Tax Check Authorization, Waiver, and Request to Release Information form

Submit to Local Licensing Authority

Fees Due	
Annual Renewal Application Fee	\$ 125
Renewal Fee	
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

* Note that the Division will not accept cash

☐ Paid by check

☐ Paid online

Uploaded to
MoveIt on

Date

Licensee Name HALL FOUR INC		Doing Business As Name (DBA) ODDS ON OTB	
Liquor License # 03-12853	License Type TAVERN		
Sales Tax License Number 2270990	Expiration Date 03/03/25	Due Date	
Business Address 5390 SHERIDAN BLVD UNIT A ARVADA, CO			Phone Number 303-428-5510
Mailing Address 11338 W. TH PLACE ARVADA CO 80005			Email 59cent41236@icloud.com
Operating Manager Susan Gentry	Date of Birth	Home Address	Phone Number
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented *If rented, expiration date of lease 09/30/2026			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in the upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3b. If so, which are you renewing? <input type="checkbox"/> Delivery <input type="checkbox"/> Takeout <input type="checkbox"/> Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ Yes ☒ No
7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ Yes ☒ No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ Yes ☒ No

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business

Susan Gentry

Title

President

Signature

Date

3/20/25

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For

Date

Signature

Title

Attest

Tax Check Authorization, Waiver, and Request to Release Information

I, Diana Gentry am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Ball Four - Odds On OTB (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>BALL FOUR ODDS ON OTB</u>		Social Security Number/Tax Identification Number [REDACTED]	
[REDACTED]		[REDACTED]	
[REDACTED]		Zip <u>80002</u>	
Home Phone Number <u>720-353-3265</u>	Business/Work Phone Number <u>303-428-3518</u>		
Printed name of person signing on behalf of the Applicant/Licensee <u>ARIADA CO</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) <u>Diana Gentry</u>			Date signed <u>7/20/25</u>
Privacy Act Statement Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).			

LEASE EXTENSION AMENDMENT

RE: BALL FOUR INC., A COLORADO CORPORATION

THIS LEASE EXTENSION AMENDMENT (the "Agreement"), entered into this 29TH day of JANUARY 2025, by and between Berkeley Village Center LLC, A COLORADO LIMITED LIABILITY COMPANY (the "Landlord"), and BALL FOUR INC., A COLORADO CORPORATION., with its principal office and place of business at 5390 SHERIDAN BLVD. ARVADA, COLORADO 80002., (the "Tenant").

WITNESSETH,

WHEREAS, the undersigned parties now being Landlord and Tenant respectively, under the terms of a lease dated November 2, 2019 (the lease and any other amendments and/or modifications and extensions thereto hereinafter referred to as the "Lease") and primarily covering a store space located at 5390 Sheridan Boulevard, City of Arvada, County of Adams, and State of Colorado (the "Demised Premises"), do now desire to modify and amend such Lease.

WHEREAS, both parties hereby acknowledge that Tenant's shall extend the Lease dated November 2, 2019 for a period of ONE (1) year with the new base rent as follows:

MARCH 1, 2025 – SEPTEMBER 30, 2026 \$14,000.00

NOW, THEREFORE, the parties agree that such Lease shall be and is hereby amended and extended and modified as follows:

1. **TERM.** The term of this Lease is extended for a period of one (1) year beginning MARCH 1, 2025 and terminating on SEPTEMBER 30, 2026 (the "Extended Term"), upon all terms and conditions as set forth in the Lease, except as specifically amended herein.
2. **COUNTERPARTS AND ELECTRONIC SIGNATURE.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all such counterparts taken together shall be deemed to constitute one and the same instrument. This Agreement may be executed and delivered electronically with such signatures being deemed original signatures for purposes of enforcement and construction of this Agreement.
3. **NOTICES.** All notices required under this Agreement shall be deemed to have been properly served if delivered in the manner set forth in the Lease, except that Tenant's address for receipt of notices shall hereinafter be Ball Four Inc. 5390 SHERIDAN BLVD. ARVADA, COLORADO 80002
4. **MISCELLANEOUS.** Landlord and Tenant agree that the Lease is, as of the date of this Agreement, in full force and effect, and all other terms and conditions of the Lease and of any previous modifications thereof shall remain unchanged. The provisions of this Lease Extension Agreement shall bind and inure to the benefit of the parties hereto, their heirs, executors, administrators, successors and assigns. All capitalized terms in this Agreement shall have the meaning assigned to them in the Lease, unless expressly modified herein.

5. ADDITIONAL PROVISIONS. Landlord and Tenant agree on the following:

1. Landlord and Tenant agree that this Lease Extension allows for a 30 day option to terminate by Landlord or Tenant.
2. For this extension period Susan Gentry is not personally liable for any payments including rent payments.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement as of the dates set forth below.

Signed and acknowledged in duplicate in presence of:

LANDLORD: BERKELEY VILLAGE CENTER LLC

By: Margarita Tsalyuk
Name: Margarita Tsalyuk
Its: Manager

TENANT: Ball Four Inc., a Colorado Corporation

By: Susan Gentry
Name: Susan Gentry
Its: Manager



JOHN (SEAN) JENNINGS
303.628.3636 (direct)
jjennings@irelandstapleton.com

RECEIVED MAR 26 2025

March 25, 2025

Via FedEx

Adams County
Licensing Administrator
4430 S. Adams County Parkway
First Floor, Suite W2000A
Brighton, CO 80601

***Re: Liquor License Late Renewal Application
Ball Four Inc., d/b/a Odds On OTB
5390 Sheridan Blvd., Unit A, Arvada, CO 80002***

Dear Mr. Slattery:

Thank you for our recent discussions regarding the liquor license late renewal filing (within 90 days of expiration) for the above business. Our firm represents Bally's Corporation and is assisting the business as one of several statewide Off-Track Betting (OTB) facilities affiliated with Bally's. On March 24, 2025, we submitted the liquor license late renewal application via email, and submitted payment online for the applicable State of Colorado licensing fees and late renewal fee. Please find enclosed a check for the local licensing authority fees payable to Adams County, including the local late renewal fee.

If we can provide any additional information or coordination from the above business, please contact me any time at 303-628-3636 or jjennings@irelandstapleton.com. Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Jennings".

John (Sean) Jennings

cc: Tom Downey, Esq.
Bally's Corporation
Susan Gentry, Ball Four, Inc.