



**CITY OF NOVI CITY COUNCIL**  
**SEPTEMBER 8, 2025**

**SUBJECT:** Consideration of a request from Jayaksha LLC (DBA: Amruth Royal Cuisine) for a new Class C quota license to be located at 30750 Beck Rd, Novi, MI 48377 and Agreement on the Prohibition on Profiteering by Class C Liquor License Holders.

**SUBMITTING DEPARTMENT:** City Clerk

**KEY HIGHLIGHTS:**

- Amruth Royal is a new restaurant opening in the Beck Village Plaza.
- The restaurant will offer a unique dining experience in Indian cuisine.
- The City has 3 available quota liquor licenses and has received 3 applications for quota licenses. These are the last 3 quota licenses available to the City until after the 2030 census is completed.

**BACKGROUND INFORMATION:**

The City currently has three new Class C quota liquor licenses available. Chapter 3 of the City code contains the review criteria for considering a new license. Section 3-13 establishes the city's general licensing policy, which considers whether the facility:

- a) Will provide a service, product, or function that is not presently available within the city or that would be unique to the city or to an identifiable area within the city.
- b) Is of a character that will foster or generate economic development or growth within the city, or an identifiable area of the city, in a manner consistent with the city's policies.
- c) Represents an added financial investment on the part of a long-term business or resident with recognized ties to the city and the local community.

In addition, Section 3-15 (g) establishes specific criteria, evaluating the application with regard to:

**The applicant** (subsection [g][1]), such as:

- The applicant's management experience in the alcohol/liquor business

**The facility** (subsection [g][2]), such as:

- compliance with building, zoning, and other code requirements
- effects on traffic
- effects on surrounding businesses and neighborhood
- proximity of the proposed business facility to other similarly situated licensed liquor facilities

**Benefits to the community** (subsection [g][3])

- effects upon the economic development of the city
- effects on the health, welfare and safety of the general public
- whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business facility at the location proposed, taking into consideration, among other things:
  1. total number of licenses for similar establishments and/or operations in the city; and
  2. proximity of the establishment to other licensed liquor establishments
- The uniqueness of the facility contrasted with other existing or proposed facilities
- The permanence of the proposed facility in the community.

Section 3-17 of the City Code allows for an agreement on the prohibition on profiteering by Class C liquor license holders. Under the terms of the agreement, the City Council shall not approve the transfer of a Class C liquor license within three (3) years of the date of the original issuance of the license. A draft agreement is included in this packet.

Amruth Royal Cuisine offers authentic Indian dining experience featuring traditional and contemporary Indian cuisine with a focus on high-quality ingredients, vibrant flavors, and a warm, welcoming atmosphere. Their menu includes a variety of classic Indian dishes, tandoori specialties, and regional delicacies, paired with a carefully selected assortment of alcoholic beverages to complement the dining experience.

The Police Department has no objection to the request. Approval from the Fire Department and Community Development are conditional, pending compliance with City regulations.

**RECOMMENDED ACTION:** Consideration of a request from Jayaksha LLC (DBA: Amruth Royal Cuisine) for a new Class C quota license to be located at 30750 Beck Rd, Novi, MI 48377 and Agreement on the Prohibition on Profiteering by Class C Liquor License Holders. By renovating the vacant suite, Amruth Royal Cuisine will complement the area and provide residents with a dining option which will foster or generate economic development or growth within the city, or an identifiable area of the city, in a manner consistent with the city's policies. The applicant appears to qualify for a license under the City's ordinance.

## Questionnaire A – Applicant Cover Information and Procedures for Liquor License

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The Novi City Council will consider whether an applicant's proposal for a liquor license is reasonable when measured against the information contained within this completed application. Please answer each question thoroughly. All answers should be typed or printed legibly and neatly in black ink. If the space provided is insufficient for a complete answer, use additional sheets of paper, following the same format used in the questionnaire and attach to that part of the application. Failure to provide all required information or attachments could result in delay or denial of liquor license. All liquor license applications are subject to final approval by the Novi City Council. Please refer to Novi Alcoholic Liquor Ordinance, Articles I-II.

1(a). Name, address and phone number of applicant:

Jayaksha LLC

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1(b). Name, address and phone number of business:

Amruth Royal Cuisine

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30750 Beck Rd

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Novi MI 48377

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+1 (248) 662-6630

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NOTE: If the applicant is a partnership, you must include the name and address of each partner and attach a copy of the partnership agreement. If the applicant is a privately held corporation, you must include the name and address of each corporate officer, member of the board of directors and/or stockholders. Attach a copy of the articles of incorporation.

2. Type of liquor license applying for (circle all those that apply):

☒ Class C   ☐ Resort   ☐ Tavern   ☐ Club   ☐ Hotel A B   ☒ Quota   ☐ Transfer   ☐ Microbrewery/Brewpub

Theme of Proposed Business:

Authentic Indian Dining Experience featuring traditional and contemporary Indian cuisine with a focus on high-quality ingredients, vibrant flavors, and a warm, welcoming atmosphere. Our menu includes a variety of classic Indian dishes, tandoori specialties, and regional delicacies, paired with a carefully selected assortment of alcoholic beverages to complement the dining experience.

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3. Street address and legal description of the property where liquor license is to be located:

30750 Beck Road Novi MI 48377

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## Questionnaire B – Administrative Background Information for Liquor License

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The Novi City Council will consider whether an applicant's proposal for a liquor license is reasonable when measured against the information contained within this completed application. Please answer each question thoroughly. All answers should be typed or printed legibly and neatly in black ink. If the space provided is insufficient for a complete answer, use additional sheets of paper, following the same format used in the questionnaire and attach to that part of the application. Failure to provide all required information or attachments could result in delay or denial of liquor license. All liquor license applications are subject to final approval by the Novi City Council.

1. What is the applicant's management experience in the alcohol/liquor business?

~~While I do not have direct experience managing an alcohol/liquor business, I have extensive experience in restaurant management and operations. I understand the importance of responsible alcohol service, compliance with state and local liquor laws, and ensuring a safe and enjoyable dining experience for customers. I will ensure that all staff members are properly trained in alcohol service through a state-approved program such as TIPS (Training for Intervention Procedures) or ServSafe Alcohol to maintain compliance with liquor laws and best practices.~~

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2. What is the applicant's general business management experience?

~~As a restaurant owner, I have developed skills in business operations, financial planning, staff management, and customer service. I oversee day-to-day activities, including vendor relations, inventory management, budgeting, and ensuring compliance with local health and safety regulations. My focus is on creating a welcoming dining experience, maintaining high food quality standards, and managing a well-trained team to provide excellent customer service. Additionally, I am committed to implementing effective marketing strategies to attract and retain customers while ensuring the restaurant operates efficiently and profitably.~~

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3. What is the applicant's general business reputation?

~~I am committed to building a strong reputation in the Novi community by operating a high-quality, customer-focused restaurant. My business philosophy prioritizes excellent service, authentic and high-quality cuisine, and strict compliance with all local and state regulations. I am dedicated to maintaining a responsible and well-managed establishment that contributes positively to the local economy. Additionally, I strive to build strong relationships with customers, vendors, and the community to establish trust and long-term success.~~

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4. What is the applicant's financial status and ability to build and/or operate the proposed facility on which the proposed liquor license is to be located?

~~JAYAKSHA LLC has secured sufficient capital to build and operate AMRUTH Royal Cuisine at 30750 Beck Road, Novi, MI 48377. The LLC's members, USHA MADHU KONDURU and SHALINI SRIRANGAM, have invested in the business, ensuring financial stability for lease expenses, renovations, inventory, and operations. The restaurant is expected to generate steady revenue, and all necessary permits, insurance, and staffing costs have been accounted for. The applicants are committed to responsible alcohol service and full compliance with liquor laws.~~

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5. What are the applicant's past criminal convictions involving moral turpitude, violence or alcoholic liquors?

~~No such convictions~~

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6. Does the applicant use alcoholic beverages to excess?

~~By offering a unique dining experience with alcoholic beverage service, the business would attract additional foot traffic and increase local patronage, benefiting nearby businesses and enhancing the overall appeal of the area. Furthermore, the restaurant would create job opportunities, contributing to local employment and generating additional tax revenue. The presence of a well-managed establishment could also enhance the area's~~

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7. What is the effect that the issuance of a license would have upon the economic development of the surrounding area?

By offering a unique dining experience with alcoholic beverage service, the business would attract additional foot traffic and increase local patronage, benefiting nearby businesses and enhancing the overall appeal of the area. Furthermore, the restaurant would create job opportunities, contributing to local employment and generating additional tax revenue. The presence of a well-managed establishment could also enhance the area's reputation, encouraging further development and investment in the surrounding community.

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8. What effect would the issuance of a license have on the health, welfare and safety of the general public?

The business is committed to promoting responsible alcohol consumption through well-trained staff, age verification protocols, and adherence to all local, state, and federal regulations. In addition, the restaurant will implement policies to prevent over-serving and underage drinking. By operating in a safe and controlled environment, we aim to provide a space where patrons can enjoy a meal and social experience without compromising public safety. The presence of a well-regulated establishment also helps foster a safe and welcoming atmosphere in the surrounding community, contributing to a reduction in disorderly conduct or other safety concerns.

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9. Has the applicant received responses from the Police Department, Building Department and/or Fire Department with regard to the proposed facility?

The applicant is currently in the process of obtaining responses from the Police Department, Building Department, and Fire Department regarding the proposed facility. We are committed to addressing any requirements or recommendations provided by these departments to ensure full compliance with all safety and zoning regulations.

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10. What is the public need or convenience for issuance of a liquor license for this facility at the proposed location?

The issuance of a liquor license for this facility will meet the growing demand for a unique dining experience in the area. The proposed restaurant will offer Indian cuisine, which is not widely available nearby, and providing alcoholic beverages will enhance the overall dining experience for our customers. This will attract more visitors to the area and contribute to the local economy. The liquor license will help make the restaurant a more appealing and competitive option for those looking for a place to dine and socialize.

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11. What is the uniqueness of the proposed facility when contrasted against other existing or proposed facilities and the compatibility of the proposed facility to surrounding architecture and land use?

The proposed restaurant will offer a unique dining experience by specializing in Indian cuisine, which is not commonly available in the area. This will provide local residents and visitors with a new and diverse option for dining. Restaurant will create a welcoming atmosphere with a modern yet culturally relevant design, reflecting the Indian culture while maintaining contemporary feel. The facility will blend seamlessly with the surrounding architecture, respecting the character of the neighborhood while contributing to the area's overall appeal. The proposed use is compatible with the commercial nature of the location and will enhance the local dining scene without disrupting the surrounding land use.

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12. Does the facility to which the proposed liquor license is to be issued comply with the applicable building, plumbing, electrical and fire prevention codes and zoning statutes and ordinances applicable to the City of Novi? Has applicant received information from the appropriate departments?

The applicant is in the process of obtaining confirmation from the relevant departments, including the Building Department, Fire Department, and other local authorities. We are working to ensure that the facility complies with all applicable building, plumbing, electrical, fire prevention codes, and zoning statutes for the City of Novi.

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13. What effect will the facility to which the proposed liquor license is to be issued have upon vehicular and pedestrian traffic in the area?

The proposed facility is expected to have a positive and manageable impact on both vehicular and pedestrian traffic in the area. The restaurant is designed to attract a reasonable number of customers, and ample parking is available to accommodate patrons. We anticipate that the location's existing traffic infrastructure can easily handle the increased flow of vehicles, and the restaurant's proximity to main roads makes access convenient. Pedestrian traffic will also benefit from the safe, accessible design of the facility, with clear walkways and proximity to other local businesses. We are committed to minimizing any potential congestion by encouraging responsible parking and ensuring the smooth flow of traffic.

14. What is the proximity of the proposed business facility to other similarly situated licensed liquor facilities?

The proposed business facility is located at a reasonable distance from other licensed liquor facilities in the area. There are no similarly situated licensed liquor establishments immediately adjacent to or within close proximity of the proposed location, ensuring that the facility will serve an underserved area and provide a unique option for the community.

15. What is the proximity of the proposed facility to complimentary uses such as office and commercial development?

The proposed facility is located in close proximity to several complementary uses, including office spaces, commercial developments, and other retail establishments. This makes it a convenient destination for both local professionals and shoppers. The location benefits from high foot traffic and is strategically positioned to serve a diverse range of customers, contributing to the overall vitality of the area. The combination of dining and commercial uses in the vicinity ensures that the facility will complement, rather than compete with, existing businesses.

16. What effect would the proposed facility have upon the surrounding neighborhood and/or business establishments, including impacts upon residential areas, church and school districts?

The proposed facility will have a positive impact on the surrounding neighborhood and businesses by offering a new dining option that isn't currently available in the area. It is located in a commercial zone, so it won't affect nearby residential areas, churches, or schools. We will follow all noise and operating hour regulations to ensure a peaceful environment. Overall, the restaurant will contribute to the local economy and support nearby businesses.

17. What proposed or actual commitments are being made by the applicant to establish permanency in the community?

The applicant is committed to establishing a permanent presence in the community by creating a long-term, sustainable business. We have signed a lease for the commercial space, invested in renovating and maintaining the facility to high standards, and plan to hire locally, creating job opportunities for residents. Additionally, the restaurant will focus on building strong relationships with local suppliers and businesses, supporting the area's economy. We are dedicated to providing a consistent, high-quality dining experience for years to come, ensuring the restaurant becomes a valued part of the community.

18. What utilities are available to serve the facility?

The facility has access to all necessary utilities, including water, electricity, natural gas, and sewer services. These utilities are provided by the City of Novi and are fully capable of supporting the restaurant's operations.

19. What other factors should the Novi City Council consider?

In addition to the factors already discussed, the Novi City Council should consider the potential for increased local employment opportunities, the positive economic impact of attracting more customers to the area, and the restaurant's commitment to maintaining a safe, responsible, and well-regulated environment. The applicant is dedicated to being a good neighbor and supporting the community through local sourcing, creating a welcoming atmosphere, and contributing to the area's overall growth and vitality.



Receipt: 14257  
Page

06/16/25

The sum of: \$1,630.00

JAYAKSHA, LLC  
DBA AMRUTH ROYAL CUISINE  
24508 BASHIAN DR  
NOVI MI 48375

LIQUOR				1,630.00
Total				1,630.00
TENDERED:	CREDIT CARD	1d1bc95f-b5dd-4e60-b051-089		1,630.00
	Credit Card Fee	1d1bc95f-b5dd-4e60-b051-089		48.90

Signed: \_\_\_\_\_

# MEMORANDUM



**TO:** CORTNEY HANSON, CITY CLERK  
**FROM:** ERICK W. ZINSER *EZ*  
DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE  
**INITIATED BY:** MICHAEL BENDER, DETECTIVE *MB*  
**SUBJECT:** CLASS C LIQUOR LICENSE APPLICATION,  
AMRUTH ROYAL CUISINE  
**DATE:** JUNE 24, 2025

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## Liquor License Request:

Jayaksha LLC is requesting a Class C/Quota license for a new business operating as Amruth Royal Cuisine, which will be located in the Beck Village Plaza, 30750 Beck Road.

## Theme of Proposed Business:

Authentic Indian dining experience featuring traditional and contemporary Indian cuisine with a focus on high quality ingredients, vibrant flavors, and a warm welcoming atmosphere. The menu will include a variety of classic Indian dishes, tandoori specialties, and regional delicacies, paired with a carefully selected assortment of alcoholic beverages to compliment the dining experience.

## Applicant/Background Information:

Usha Konduru, Shalini Srirangam, and Vijayakumar Kandukuri are the applicants for this liquor license request.

Usha is the owner of Dream Dynamic IT Solutions and has had prior experience supervising both a grocery store and at an Indian restaurant. Usha managed daily operations, trained staff, ensured smooth customer service, handled inventory, scheduling and resolved on-the-spot issues efficiently.

Shalini is a tax professional and was employed with H&R Block. Shalini did not list any prior business/managerial experience in his application.

Vijayakumar is a software developer and is employed with Biorad Laboratories. Vijayakumar did not list any prior business/managerial experience in his application, and indicated that he is a passive investor for this business, not involving in any of the management or organizing activities.

## Criminal History/Police Contacts:

None of these applicants have a criminal history or notable police contacts on record.



### Oakland County Treasurer's Office

Contact was made with the Oakland County Treasurer's Office and I was advised that there are no delinquent property taxes for this venue.

### Financial Review:

Based upon the financial data provided, no issues were found to prevent the liquor license application process from proceeding.

### Summary:

Based on the information provided and the subsequent liquor investigation, I find no reason to deny the applicant's request. This request requires the approval of the Novi City Council.

C: Victor Cardenas, City Manager



June 23, 2025

**CITY COUNCIL**

**Mayor**

Justin Fischer

**Mayor Pro Tem**

Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

TO: Cortney Hanson, City Clerk  
Melissa Morris, Assistant City Clerk

FROM: Andrew Copeland – Fire Marshal

SUBJECT: -Liquor Business License–  
**Amruth Royal Cuisine**  
**30750 Beck Rd**  
**Novi MI 48377**

**City Manager**

Victor Cardenas

**City Clerk**

Cortney Hanson

The above Liquor License application is recommended for a "CONDITIONAL APPROVAL" that when the construction for the new build has been completed, it MUST be inspected and approved by the Fire Marshal and or his designee for a certificate of completion. The fire department does not have any objections to this Liquor License conditional approval at this time.

Sincerely,

Andrew Copeland – Fire Marshal  
City of Novi Fire Department

cc. file

**City of Novi**

45175 Ten Mile Road  
Novi, Michigan 48375  
248.347.0460  
248.347.0577 fax

[cityofnovi.org](http://cityofnovi.org)

## MEMORANDUM



**TO:** Melissa Morris, Deputy City Clerk

**FROM:** Charles Boulard, Director of Community Development *CB*

**SUBJECT:** AMRUTH ROYAL CUISINE – LIQUOR LICENSE

**DATE:** 08/13/25

The property located at **30750 Beck Road** with the business name of **Amruth Royal Cuisine** has received Special Land Use permit **PSLU25-0001** for the purpose of:

- ☐ Auctions
- ☒ Liquor license – Amruth Royal Cuisine
- ☐ Arcade license
- ☐ Massage license
- ☐ Outdoor gathering
- ☐ Outdoor seating
- ☐ Other: \_\_\_\_\_

From building safety standpoint, the Building Division does not object to the proposed license. Should you have any further questions with regards to this matter please feel free to contact me at (248) 347-0423.



# MINUTES SPECIAL LAND USE HEARING CITY OF NOVI

July 30, 2025, 9:45 AM

Mayor's Conference Room | Novi Civic Center  
45175 Ten Mile Road

**Present:** Charles Boulard, Director of Community Development; Jeff Herczeg, Director of Public Works; Jan Ziozios, Assessor; Nina Schaffrath, Recording Secretary; Shalimi Srirandam, Owner; Usha Madhu Komvuru, Owner; Akahil Bing, Owner; Vijya Kandukuri, Investor; Rama Srirandam, Father of Owner; Carol Klausing, President of Pointe Park Condominiums HOA

**Applicant:** Amruth Royal Cuisine

**Hearing called to order at 9:45 A.M.**

**Correspondence Received:** None

**Public Participation:**

Carol Klausing, President of Pointe Park Condominiums HOA

**1. PSLU25-0001- 30750 Beck Road – Parcel Number: 50-22-04-100-032**

The applicant, **Amruth Royal Cuisine**, is requesting Special Land Use approval at **30750 Beck Road**, parcel number **50-22-04-100-032**. The applicant is requesting approval to use a portion of the parcel for service of alcoholic beverages in accordance with Section 4.89 of the Zoning Ordinance.

Amruth Royal Cuisine is asking for Special Land Use approval for the service of alcoholic beverages. Shalimi Srirandam, Owner/Manager of Amruth Royal Cuisine states that she and her partners have come together to open an Indian restaurant, and they are applying for a Liquor License so they can serve alcohol to enhance their dining experience. Ms. Srirandam said their restaurant is focused on food and the sale of alcoholic beverages would just be a compliment to the food they offer. Usha Madhu Komvuru added that alcohol sales would not be a stand-alone part of their business, it would be secondary and would be sold simply to compliment the food they are serving. Charles Boulard asked the applicants if they have any other restaurants and if they do, do they serve alcohol at those locations? Ms. Komvuru replied yes, she is currently managing another restaurant in Novi, located at 25750 Novi Road, and she would bring her experience and expertise to Amruth Royal Cuisine. Mr. Boulard asked how they will be training their employees. Ms. Komvuru said her current restaurant she manages has their Serve Safe certifications and they will use that to train new employees. Mr. Boulard asked the applicants to clarify which businesses within 500 ft of their restaurant have an active Liquor License, as the list they provided listed all businesses in the City of Novi with active alcohol sales and it has some listed from other communities. Mr. Boulard asked if it was just Yori Sushi that had an active Liquor License or are there other businesses / restaurants within 500 feet of their address that have one? The applicants reviewed the list and stated that they believe Yori Sushi is the only restaurant within 500 feet that has a Liquor License, but that there may be stores that sell alcohol within 500 feet. Mr. Boulard confirmed that their hours of operation would be from breakfast to 11 PM. And would that be seven days a week. The applicants responded that yes it would be breakfast to 11 P.M. but they will be open six days a week. Mr. Boulard asked Carol Klausing, who is a resident present for the public hearing, if she had questions or input. Ms. Klausing asked which area of the strip mall they would be occupying. The applicants pulled out the building layout plan that shows the individual spaces of the mall and showed

Ms. Klausing where their space was and it was confirmed it was where the business "Spicey Slices" used to be. Ms. Klausing stated that she doesn't have an issue with any restaurants going into that space, and they have several restaurants around that area that are doing well. She stated that the restaurants that are doing well are in different locations outside of that strip mall, and that restaurants in that strip are having a problem and that she doesn't know what the reason for that is. Ms. Klausing stated that for some reason that strip mall seems to have a lot of vacancies over the past 20 years that she has lived in the area. Ms. Klausing then confirmed with the applicants that they will be serving beverages like beer and wine. The applicants responded yes. Jan Ziozios asked what their seating compacity would be. The applicants stated that it would be 92. (Please let it be noted that after the public hearing the applicants had a revision to their plans and the seating compacity will be 96.) Ms. Ziozios states that the Assessing Department has no objections to Amruth Royal Cuisine serving alcohol and made a motion to recommend approval to City Council for the Special Land Use for a Liquor License for Amruth Royal Cuisine in accordance with section 4.89 - 4-A, 4-B, and 4-C of the City of Novi Zoning Ordinance. Jeff Herczeg stated that DPW has no objections and seconds the motion. The motion passed 3-0.

**IN CASE NO. PSLU25-0001 Motion to recommend approval, because:**

- 1. The proposed establishment will promote the City's economic development goals and objectives, and will be consistent with the City's master plan and zoning ordinance**
- 2. Given the character, location , development trends and other aspects of the area in which the proposed use or change in use is requested, it is demonstrated that the use will provide a service, product, or function that is not presently available with in the City or that would be unique to the City or to an identifiable area within the City and that the addition of the use or proposed change in use will be an asset to the area.**
- 3. The use or change in use as constructed and operated by the applicant is compatible with the area in which it will be located, and will not have any appreciable negative secondary effects on the area, such as:**
  - a. Vehicular and pedestrian traffic, particularly during late night or early morning hours that might disturb the area residents.**
  - b. Noise, odors, or lights that emanate beyond the site's boundaries onto property in the area on which there are residential dwellings.**
  - c. Excessive number of persons gathering outside the establishment.**
  - d. Peak hours of use that add to congestion or other negative effects in the neighborhood.**
  - e. Fighting, brawling, outside urination or other behavior that can accompany intoxication.**

**Motion approved 3-0 Voice Vote.**

**Meeting was adjourned at 9:55 A.M.**

### **AGREEMENT REGARDING LIQUOR LICENSE**

This Agreement made as of the date of the last signature on \_\_\_\_\_,  
by and between THE CITY OF NOVI, a municipal corporation, with offices located at  
45175 W. Ten Mile Road, Novi, Michigan 48375, hereinafter known as "THE CITY", and  
\_\_\_\_\_, owners of \_\_\_\_\_, whose address is \_\_\_\_\_, Novi,  
Michigan \_\_\_\_\_, hereinafter known as "APPLICANT."

#### **RECITALS:**

A. The City Council of THE CITY, approved a Resolution to recommend to the  
Michigan Liquor Control Commission, approval of the issuance of THE CITY'S Class C  
Liquor License (hereinafter "License") from THE CITY'S quota for the APPLICANT, to be  
located at \_\_\_\_\_, Novi, Michigan \_\_\_\_\_ (hereinafter  
"PREMISES").

B. To assure that APPLICANT'S representations that were made to and relied  
upon by the City Council of THE CITY in approving the Resolution were honored and  
enforceable by THE CITY, its City Council separately directed that the signing and  
delivery of the Resolution be deferred until the City Attorney had approved one or  
more agreements guaranteeing the License would stay in THE CITY, with this Agreement  
and the PREMISES.

#### **IT IS THEREFORE AGREED:**

1. In the event APPLICANT should cease operating its restaurant and/or  
cease to use the License at the PREMISES for any reason whatsoever for a period in  
excess of ninety (90) consecutive days without the written consent of THE CITY, then  
APPLICANT shall immediately proceed to place the License in escrow as provided in  
subsection (a), or return and request termination of the License under subsection (b) if it

has not been removed from escrow as provided in subsection (a) within five (5) years of being placed in escrow. In recognition that notwithstanding the requirements of this Agreement, the Michigan Liquor Control Commission could approve a transfer of the License to a location outside of THE CITY as currently provided in MCL 436.1521(1), as amended, if the License is required to be placed in escrow by this Agreement or the Michigan Liquor Control Act, APPLICANT agrees that after notice and an opportunity for APPLICANT to be heard, the City Council may object to renewal of the License by the Michigan Liquor Control Commission in accordance with the provisions of the Michigan Liquor Control Act and specifically MCL 436.1501(2), as amended.

- a. APPLICANT shall place the License into escrow with the Michigan Liquor Control Commission and maintain same in good standing with the Michigan Liquor Control Commission, conditioned on and with APPLICANT agreeing to take whatever steps are necessary to cause the License to remain in THE CITY, by APPLICANT using the License itself at another location within THE CITY, selling or transferring the License to the OWNER or a successor tenant for use at the PREMISES as provided in the attached Lease or selling or transferring the License to another entity for use at another location in THE CITY.
- b. APPLICANT shall return the License to the Michigan Liquor Control Commission and request that its rights to the License be terminated and that the License not be placed or continued in escrow but instead be returned to THE CITY to be added to its available quota Class C Licenses.

2. The parties also agree that in the event of a fire loss or some other type of event causing physical damage to the APPLICANT'S restaurant at the PREMISES and which results in a temporary closing of the APPLICANT'S business exceeding the ninety (90) consecutive days stated herein while the premises are being repaired or renovated, then same shall not be considered a violation of any of the conditions of this Agreement.

3. APPLICANT agrees that the City Council shall not approve the transfer of the License within three (3) years of the date of the original issuance of the License. The City Council may, but is not required to, excuse the above limitation for any of the following reasons:

- (1) If the License holder is a natural person, he or she dies or becomes incapacitated.
- (2) If the License holder is a corporation, the majority shareholder dies or becomes incapacitated, or the corporation dissolves for reasons other than to transfer the License.
- (3) If the License holder is a limited liability company, the company dissolves for reasons other than to transfer the License.
- (4) The License holder and the proposed License transferee establish that the transfer of the class License shall not result in profiteering.
- (5) The application of this limitation will subject the APPLICANT to financial hardship due to no fault of the APPLICANT, such as a change in the business climate, illness or death, labor or supply problems, and/or other factors outside the APPLICANT'S control.



Unless excused by the City Council as provided above, in the event a License is proposed for transfer within three (3) years from the date of issuance, the APPLICANT agrees that the Michigan Liquor Control Commission shall terminate the License and the City Council may approve the issuance of a new License to a new Applicant without any compensation to the Licensee who placed the License into escrow; provided, however, prior to the approval of such issuance to a new Applicant, the person or entity who placed the License into escrow shall be afforded written notice and an opportunity to be heard, and all objections raised at the hearing shall be resolved (at the Michigan Liquor Control Commission or in the circuit court if necessary) prior to issuance of the License to a new Applicant.

4. APPLICANT agrees that the recommendation of approval agreed upon by the City Council is not a property right and was approved upon the express and continuing condition that the requirements and conditions set forth in this Agreement shall be maintained and not violated by APPLICANT.

5. APPLICANT agrees that after notice and an opportunity for APPLICANT to be heard, a finding by the City Council that a violation of a requirement or condition set forth in this Agreement has occurred, shall be grounds for the City Council to request revocation and/or object to renewal of the License by the Michigan Liquor Control Commission in accordance with the provisions of the Michigan Liquor Control Act and specifically MCL 436.1501(2), as amended.

6. APPLICANT acknowledges that the agreements contained herein are unique and in the event it violates one or more of those agreements, THE CITY would not be adequately compensated by damages or resorting to the remedies described in Paragraph 5, and therefore agrees that the terms and conditions of this Agreement

shall be specifically enforceable by THE CITY by action for such relief in the Oakland County Circuit Court for the State of Michigan and that if THE CITY prevails in such an action, it shall be entitled to an award and judgment that APPLICANT pay THE CITY'S costs and attorney fees incurred.

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

APPLICANT:

\_\_\_\_\_  
By:  
Its:

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
Acting in \_\_\_\_\_ County, Michigan  
My Commission expires: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

THE CITY:

\_\_\_\_\_  
By: Justin Fischer, Mayor

\_\_\_\_\_  
By: Cortney Hanson, Clerk

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
Acting in \_\_\_\_\_ County, Michigan  
My Commission expires: \_\_\_\_\_