

Commission Letter # 339-10(B)  
Commission Meeting: 12/20/2010

RE: Huntington National Bank – Small Plates, 310 S. Main

December 13, 2010

The Honorable Mayor  
And  
Members of City Commission

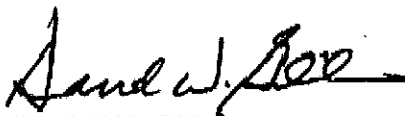
The Royal Oak Police Department has received a request from the Michigan Liquor Control Commission (MLCC) for a recommendation on a request from Huntington National Bank to transfer all rights to renewal of the escrowed Class C licensed business from Small Plates – Royal Oak, L.L.C.

This is the same license that the City Commission has approved for transfer to J.J.T. Hospitality for use at 526 S. Main. As a result of miscommunication between legal counsel for Huntington National Bank and J.J.T. Hospitality, the "Step 2" transfer from the Bank to J.J.T. Hospitality was presented to the City before the "Step 1" transfer from Small Plates – Royal Oak to the Bank. This Step 1 transfer is only for the purpose of transferring the license while it is in escrow.

The City's Liquor Control Committee (LCC) reviewed the request at its December 8, 2010 meeting and unanimously approved a motion to recommend that the City Commission recommend approval of the proposed transfer by the MLCC. If the City Commission agrees with this recommendation, the following resolution would be appropriate:

BE IT RESOLVED, that the request from Huntington National Bank to transfer all rights to renewal of the escrowed 2009 Class C Licensed Business from Small Plates – Royal Oak, L.L.C. to the Bank, with licenses to be held in escrow, be considered for APPROVAL.

Respectfully submitted,



David W. Gillam  
City Attorney

cc: Donald E. Johnson, City Manager  
Melanie Halas, City Clerk  
Christopher M. Jahnke, Chief of Police  
Lt. Gordon Young, Criminal Investigations

## MEMORANDUM

**To:** Mr. Don Johnson, City Manager

**From:** Gordon Young, Lieutenant

**CC:** Christopher M. Jahnke, Chief of Police *CWJ*

**Date:** 12/2/2010

**Re: HUNTINGTON NATIONAL BANK REQUESTS TO TRANSFER ALL RIGHTS TO RENEWAL OF ESCROWED 2010 CLASS C LICENSED BUSINESS FROM SMALL PLATES-ROYAL OAK, LLC. THE LICENSES WILL BE HELD IN ESCROW. (STEP 1)**

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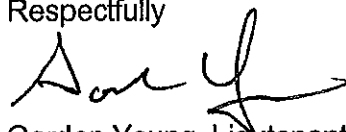
The Royal Oak Police Department has received a request from the Michigan Liquor Control Commission (MLCC) for a recommendation to transfer all rights to renewal of escrowed 2010 Class C licensed business from Small Plates-Royal Oak, LLC. to Huntington National Bank, with licenses to be held in escrow. (Step 1)

MLCC does not require an investigation into this request since the licenses will be placed in escrow. JJT Hospitality, LLC. (526 Tequila Blue) has requested to transfer this license to 526 S. Main St. (Step 2)

The Royal Oak Police Department does not object to this transfer request from Small Plates-Royal Oak, LLC. to Huntington National Bank.

**This application is subject to the approval or denial of the Royal Oak City Commission.**

Respectfully



Gordon Young, Lieutenant  
Royal Oak Police Department

cc: City Clerk  
City Attorney  
Building Department  
Fire Marshal  
File

# ***Kus, Ryan & Associates, PLLC***

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November 15, 2010

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David W. Gillam  
Royal Oak City Attorney  
211 S. Williams Street  
Royal Oak, MI 48067

**RE: Pending Transfer of Liquor License from Small Plates -- Royal Oak LLC  
to Huntington National Bank**

Dear Mr. Gillam:

Let this letter follow-up and confirm our telephone conversation regarding the above referenced matter. As we discussed, pursuant to Bankruptcy Court Order, Huntington National Bank is entitled to process transfer and assignment of Class C Specially Designated Merchant Licenses with Sunday Sales Permit, Official Permit (food), which Licenses are currently assigned to Small Plats -- Royal Oak at 310 S. Main Street, Royal Oak, Michigan.

Further, as discussed, Huntington National Bank has no intention of operating a liquor licensed establishment in Royal Oak, Michigan. The requested transfer is step one with the Huntington National Bank's intention to request and process transfer/assignment of the subject Liquor Licenses for use pending approval of the City of Royal Oak and the Liquor Control Commission.

Please submit the Request for Transfer to the appropriate Committee as well as the Royal Oak City Commission for approval. We ask that this step one transfer be processed and completed separately and independent of the currently proposed step 2 transfer to J.J.T. Hospitality, LLC for use proposed at 526 Main Street.

Further, as it is not the intention of Huntington National Bank to operate and as the License(s) will remain in escrow until a second step approval by the City of Royal Oak and the Liquor Control Commission, it is my understanding that an appearance on behalf of Huntington National Bank is not necessary. If this understanding is not accurate or if an appearance on behalf of Huntington National Bank is deemed appropriate, please contact my office.

Otherwise, I appreciate your attention to submitting the transfer application to the appropriate Committee and Commission for approval. Thank you for your attention to this request.

Sincerely,

  
Michael J. Ryan

MJR/cm

cc: Kelly A. Allen, Esq.  
Huntington National Bank