

11/15/04 (1)

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9612
Fax (978) 264-9630

Don P. Johnson
Town Manager

October 28, 2004

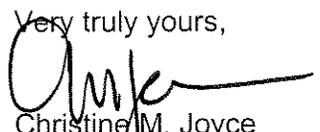
RE: REQUEST FOR APPOINTMENT AS MANAGER TO REPLACE SHELLY KILLAY

Kimberlee A Miller
Pizza Hut #611007
14841 Dallas Parkway
Dallas, TX 75254

Dear Ms. Miller:

I have scheduled Mr. Burton to meet the Board of Selectmen regarding your request to replace Shelly Killay with Mr. Burton as the Manager of the Acton Pizza Hut, on November 15, 2004 at 7:15 p.m. in room 204 of the Acton Town Hall.

Please call my office at 978-264-9612 to confirm your/his availability of this meeting.

Very truly yours,

Christine M. Joyce
Town Manager's Office



LAW DEPARTMENT

Kimberlee Miller
License Specialist

Pizza Hut

14841 Dallas Parkway

Dallas, TX 75254

972 338 7700

Direct 972 338 8675

Fax 972 338 7988

October 22, 2004

Town of Acton
Attn: Christine Joyce
472 Main Street
Acton, MA 01720

Via DHL

Re: Pizza Hut #611007 - Change of Manager

Dear Christine:

Enclosed please find the following documents as they relate to a change in manager for our Pizza Hut located at 273 Great Road, Acton, MA:

- Form A - Licensee Personal Information Sheet
- Petition for License Transaction
- Consent of Board of Directors
- Form 43
- Cashier's check for \$200 payable to ABCC, Commonwealth of Massachusetts

Please process this change of manager request as quickly as possible. I understand renewals are coming soon and am hoping this change is in effect so we don't have any delays with that process. Please forward all communication to our office so we may keep apprised of the status.

If you have any questions or require additional information, please do not hesitate to give me a call, at 972/338-8675. Thank you for your assistance in this regard.

Regards,

Kimberlee A. Miller

Enclosures



INTERDEPARTMENTAL COMMUNICATION

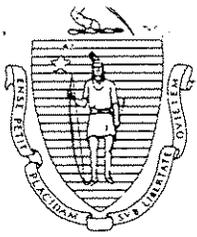
DATE: 10/29/04

TO: Police Dept., Board of Health,

FROM: Christine Joyce

SUBJECT: Change of Manager

Enclosed please find a request from Pizza Hut to replace the current Manager with Mr. Benjamin Burton. Please forward your comments as soon as possible.



The Commonwealth of Massachusetts
 The Alcoholic Beverages Control Commission
 239 Causeway Street, Suite 200
 Boston, MA 02114

611007

Telephone: 617- 727-3040
 FAX: 617- 727-1258

FORM A
LICENSEE PERSONAL INFORMATION SHEET

THIS FORM MUST BE COMPLETED FOR EACH:

- A. NEW LICENSE APPLICANT
- B. APPOINTMENT OR CHANGE OF MANAGER
IN A CORPORATION
- C. TRANSFER OF LICENSE (RETAIL ONLY-SEC. 12 & SEC. 15)

(Please check which transaction is the subject of an application accompanying this Form A.)

PLEASE TYPE OR PRINT ALL INFORMATION

ALL QUESTIONS MUST BE ANSWERED AND TELEPHONE NUMBERS PROVIDED OR
 APPLICATION WILL NOT BE ACCEPTED.

1. LICENSEE NAME PIZZA HUT OF AMERICA, INC. d/b/a PIZZA HUT #611027
(NAME AS IT WILL APPEAR ON THE LICENSE)
2. NAME OF (PROPOSED) MANAGER BENJAMIN A. BURTON
3. SOCIAL SECURITY NUMBER 033-68-9617
4. HOME (STREET) ADDRESS 122 BALDWIN ROAD, CARLISLE, MA 01741
5. AREA CODE AND TELEPHONE NUMBER (S): (Give both, your home telephone and a number at which you can be reached during the day).
 DAY TIME # 978/263-5043 HOME# 978/371-2178
6. PLACE OF BIRTH: WORCESTER, MA 7. DATE OF BIRTH: 2/18/82
8. REGISTERED VOTER: YES NO 8A. WHERE ? : MA
9. ARE YOU A U. S. CITIZEN: YES NO (BY BIRTH)
10. COURT AND DATE OF NATURALIZATION (IF APPLICABLE): N/A
(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)

(Over)

PETITION FOR LICENSE TRANSACTION

THE COMMONWEALTH OF MASSACHUSETTS

10/21/04

CHANGE OF LOCATION

PLEDGE OF STOCK

PLEDGE OF LICENSE

CHANGE OF CORPORATE NAME

CHANGE OF D/B/A

CHANGE OF MANAGER

CHANGE OF LICENSE TYPE

CORDIALS AND LIQUEURS PERMIT

To the

Licensing Board for the TOWN OF ACTON

The undersigned respectfully petition for

d/b/a PIZZA HUT #611007

Delete as manager – SHELLY KILLAY

and substitute therefor as manager of the above referenced restaurant

BENJAMIN BURTON

PIZZA HUT OF AMERICA, INC.

By


John J. Murphy

President

Title

Form 997

LIC510-2

CERTIFIED COPY OF ACTION BY UNANIMOUS WRITTEN CONSENT
OF BOARD OF DIRECTORS OF
PIZZA HUT OF AMERICA, INC.

I, the undersigned, hereby certify that I am the duly elected, qualified, and acting Secretary of PIZZA HUT OF AMERICA, INC., a Delaware corporation, and as such am the keeper of the corporate records and seal. I further certify that the following is a true and correct copy of an excerpt of the action by the Board of Directors of said Corporation taken by unanimous written consent on October 21, 2004.

BE IT RESOLVED, that BENJAMIN A. BURTON be and he hereby is appointed to serve as the Manager of the restaurant located at the premises known and numbered as Pizza Hut #611007, 273 Great Road, Acton, MA 01720 and in connection therewith, that BENJAMIN A. BURTON be and he hereby is vested with full authority and control of said premises and of the control of all business therein relative to alcoholic beverages as the Corporation itself could in any way have and exercise if it were a natural person resident in Massachusetts.

I further certify that the foregoing resolution is still in full force and effect and is not contrary to the Bylaws or charter of this Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Corporation this 21st day of October, 2004.

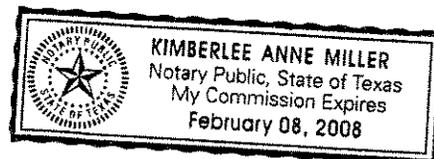
PIZZA HUT OF AMERICA, INC.

By: 
John J. Murphy, President

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

Subscribed and sworn to before me this 21st day of October, 2004.


Kimberlee Anne. Miller, Notary Public





TOWN OF ACTON
Health Department
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9634
Fax (978) 264-9630

November 1, 2004

To: Christine Joyce

From: Heather Marceau, Health Agent

A handwritten signature in black ink, appearing to be "H. Marceau", enclosed within a circular scribble.

Re: Manager Change – Pizza Hut

The Health Department has reviewed the application for the change in manager at Pizza Hut, 273 Great Road, Acton, MA. At this time, the Health Department has no outstanding issues with this establishment.