



January 22, 2024

By Certified Mail No.: 7022 1670 0002 1180 5570

7022 1670 0002 1180 5570

Luna County
 Berenda McWright, Clerk
 700 Silver Ave., Box 7
 Deming, NM 88030

Lic. No. /Appl. No.: Rural Dispenser License #5531
 Name of Applicant: Adobe Deli Enterprises, LLC.
 Doing Business as: Adobe Deli
 Proposed Location: 3970 Lewis Flats Rd. SE
 Deming, NM 88030

REC'D LUNA COUNTY CLERK
 JAN 30 PM 2:35

The Director of the Alcoholic Beverage Control Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30-day notice and the 45-day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that the governing body has a couple of options:

- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing.
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and



regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing.

ABC has no preference in the option you choose.

The governing body is required to send notice by certified mail to the Applicant of the date, time and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made of the hearing.**

THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP OF RURAL DISPENSER LIQUOR LICENSE NO. 5531.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcoholic Beverage Control Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

Tammy M. Sandoval

Tammy M. Sandoval, Hearing Officer
Alcoholic Beverage Control Division
Phone: (505) 476-4548 | Fax: (505) 476-4595
Email: tammy.sandoval@rld.nm.gov

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Premises Location, Ownership & Description
3. Zoning Statement

Note: Page 2, Premises Location, Ownership & Description and the Zoning Statement are included however, this is a transfer of ownership of the liquor license only - the premises location has already been established and is not moving.





NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

ALCOHOL & GAMING DIVISION

OCT 05 2023

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

Transfer of Dispenser Type Liquor Application | \$200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee \$ 200 Received on: 3-27-2023 Receipt No. _____
License Fee \$ _____ Received on: _____ Receipt No. _____
Application Number: _____ Local Option District: _____

License Number 5531 License Type Rural Dispenser's
Record Owner of Existing License: Van and Victoria Jacobsen
Current D/B/A Name: Adobe Deli
Current Premises Address: 3970 Lewis Flats Rd. SE, Deming, NM 88030
Current LOD: County of Luna Is License moving out of Local Option District? Yes No

Check appropriate boxes:

Application is for: Transfer of Ownership Transfer of Ownership and Location Transfer of Location Only
Applicant is Individual Limited Liability Company Corporation Partnership (General/Limited)

NAME OF APPLICANT: Adobe Deli Enterprises, LLC

D/B/A Name to be used: Adobe Deli Business Phone No: 575-546-0361

Mailing Address: 3970 Lewis Flats Rd. SE, Deming, NM 88030

Email (required) care of: karen@woottonlegal.com

Physical location where license is to be used: 3970 Lewis Flats Rd. SE, Deming, NM 88030

County: Luna (Include street number / highway number / state road, city, state, and zip code)

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License # / Type: 5531/Rural Dispenser

Contact Person: Karen Wootton Phone #: 575-222-4891 Email: karen@woottonlegal.com

I, (print name) Van Jacobsen, as (title) Owner being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same, knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form before a Notary Public.

Signature of Applicant: _____ Date: 8/14/23

Notary Public Use Only: (State of New Mexico, County of Luna)

SUBSCRIBED AND SWORN TO before me this 14th day of August, 2023

By: Van Jacobsen Notary Public: [Signature]

Date my Commission Expires: 8/19/2023



Local Option District Use Only: Local Governing Body of _____ City, County, Village

Public Hearing held on _____ 20____ Please check one: Approved Disapproved

Signature of City/County Official: _____ Title: _____

Alcoholic Beverage Control Division Use Only: Approved Disapproved, _____

Signed by Director: _____ Date: _____



COPY

OCT 05 2023

ALCOHOL & GAMING

Premises Location, Ownership, and Description | NMSA §60-6B-10 | Page 2

1. The land and building which is proposed to be the licensed premises is: (check one)

Owned by Applicant, copy of deed/document attached

Leased by Applicant, copy of lease/document attached

Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): Van and Victoria Jacobsen

B. Date and Term of Lease: January 1, 2022; 5 year term

3. Premises location is Zoned (example C-1, see Zoning Statement): None, see Zoning Statement

Zoning Statement attached, Yes No Must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Windmill Cowboy Church Miles/feet: 8.66 miles

Address/location of Church: 3655 La Bonita Dr SE, Deming, NM 88030

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Chaparral Elementary School Miles/feet: 10.1

Address/location of School: 1400 E. Holly St., Deming, NM 88030

6. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

7. Type of Operation: Hotel Lounge Package Grocery Racetrack

Restaurant Craft Distiller Small Brewer Winery Wholesaler

Other (specify): _____

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, and the Applicant does not admit that the location is within 300 feet and requests a waiver from the LOD, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.



COPY

STATE OF NEW MEXICO
County of Luna

OCT 05 2023

Barbara L. Reedy
Commissioner, District 1

Linda M. Smrkovsky
Chair, District 2



ALCOHOL & GAMING

John S. Sweetser
Commissioner, District 3

Chris A. Brice
County Manager

700 South Silver Avenue · Post Office Box 551 · Deming, New Mexico 88031
Telephone (575) 546-0494 Facsimile (575) 544-4293
lunacountynm.us

July 20, 2022

Re: 3970 Lewis Flats Rd SE; Adobe Deli Restaurant

Dear Licensing Agent:

This letter is to inform you that the above stated property is located within Luna County Jurisdiction. Luna County does not have zoning regulations, therefore the subject property is currently used as a restaurant with no zoning restrictions. Luna County allows for all uses of the New Mexico's Rural Dispenser's License #5331 for the Adobe Deli that is allowed by the State of New Mexico

Sincerely,

A handwritten signature in cursive script that reads "Lupita Hernandez".
Lupita Hernandez
County Planning Supervisor
575-543-6621

JAN 24 2024

ALCOHOL & GAMING



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Clay Bailey, Acting Superintendent
Phillip A. Sanchez, Director

January 18, 2024

Certified Mail No.: 7021 2720 0001 2205 1808

Luna County

Clerk: Andrea Rodriguez
P. O. Box 1838
Deming, NM 88030

REC'D LUNA COUNTY CLRK
JAN 24 AM 11:33

Lic. No. /Appl. No.:

Name of Applicant: Robert Ruelas
Doing Business As: Rancho Alegre
Proposed Location: 195 Belgian Road, NW, Deming, New Mexico 88030

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:

- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;



ABC has no preference in the option you choose.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING RESTAURANT A – BEER AND WINE LIQUOR LICENSE WITH ON PREMISES CONSUMPTION ONLY WITH PATIO SERVICE

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Charmaine Martinez
Admin Law Judge | Hearing Officer
NM Regulation & Licensing Department
Alcoholic Beverage Control Division
Phone: (505) 476-4804 Fax: (505) 476-4595
Email: Charmaine.Martinez2@rld.nm.gov

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of the Zoning Statement
4. Copy of Floor Plan





NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT



STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

Restaurant Liquor License Application | \$200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee \$200.00 Received on: 8-7-23 Receipt No. _____
License Fee \$ _____ Received on: _____ Receipt No. _____

Application Number: _____ Local Option District: _____

TYPE of APPLICATION: *Check appropriate box*

- Restaurant A | Beer & Wine only | License Fee, pro-rated, due at final: \$1,050.00
- Restaurant B | Beer, Wine & Spirits | License Fee, pro-rated, due at final: \$10,000.00

Applicant is: Individual Limited Liability Company Corporation Partnership (General/Limited)

Applicant /Company Name: Rancho Alegre Robert Ruelas

D/B/A Name: Rancho Alegre

Email: (required) Ranchoalegremn85@gmail.com Business Phone No (575) 567-5429
P.O. Box 574 Deming, NM 88031

Mailing Address: 195 Belgian RD NW, Deming, NM, 88030

Physical location, if different: 195 Belgian Rd. NW, Deming, NM 88030
(Include Street number / Hwy number / State Road, City, State, and Zip Code)

County: LUNA

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License #/Type: _____

As defined in §60-3A-3. V. "Restaurant", means an establishment having a New Mexico resident as a proprietor or manager ... as a place where food is prepared and served primarily for on-premises consumption to the general public in consideration of payment and that has a dining room, a kitchen and the employees necessary for preparing, cooking and serving food; ... does not include establishments as defined in rules promulgated by the director serving only hamburgers, sandwiches, salads and other fast foods;

I qualify as a "Restaurant"? Yes No

Is food service the primary source of revenue and accounts for 60% or more of the total gross receipts at current licensed premises? Yes No

Is Food Service Permit current? Yes, attached No

I have attached photos of the Dining Room and Kitchen and included a copy of the Menu. Yes No

Days and Hours of Operation? Friday 5pm-11pm, Saturday 12pm-11pm, Sunday 10am-6pm

I understand that a restaurant license requires that the establishment is not a bar-like setting and the hours for sales and/or service of alcoholic beverages are only from 7:00am to 11:00pm or until food sale and service ceases, whichever is earlier? Yes No

Contact Person: Robert Ruelas Phone #: 575-649-8459 Email: Robrueles85@gmail.com



Application No. _____

You must sign before a Notary Public.

I, (print name) Robert Ruelas, as (Title) OWNER | Applicant being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

Signature of Applicant: RRuelas Date: 8-1-23

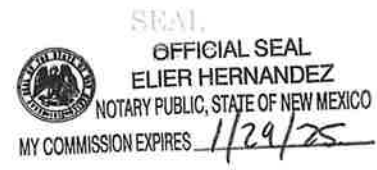
Notary Public Use Only: (State of New Mexico, County of Luna)

SUBSCRIBED AND SWORN TO before me this 1st day of August, 2023

By Affiant: Robert Ruelas

Notary Public: Elier Hernandez

My Commission Expires on: 1/29/25



Local Option District Use Only:

Local Governing Body of _____ City, County, Town, Village

Public Hearing held on _____ 20____ Decision: Approved Disapproved

Signature of Official: _____ Title: _____

ABC USE ONLY:

APPROVED DISAPPROVED, _____

Done this _____ Day of _____, 20____.

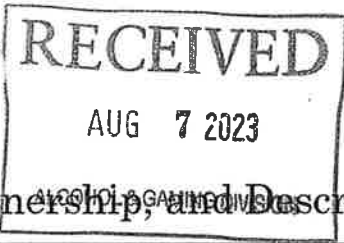
SIGNED BY DIRECTOR: _____

ASSIGNED LICENSE NO. _____ EXPIRES ON: _____

Reviewed, with copy sent to Licensee via Email, Fax, 1st class mail

By: _____ Date: _____





Premises Location, Ownership, and Description | NMSA §60-6B-10 | Page 2

1. The land and building which is proposed to be the licensed premises is: (check one)

- Owned by Applicant, copy of deed/document attached
Leased by Applicant, copy of lease/document attached
Other (provide details):

2. If the land and building are not owned by Applicant, indicate the following:

- A. Owner(s): Rigoberto Rubelas
B. Date and Term of Lease:

3. Premises location is Zoned (example C-1, see Zoning Statement):

Zoning Statement attached, Yes No Must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Church of Jesus Christ of Latter Day Saints Miles/feet: 2.1 miles
Address/location of Church: 1000 W Florida St, Deming NM 88030

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Red Mountain Middle School Miles/feet: 1.6 miles
Address/location of School: 2100 Highway 418 SW Deming NM 88030

6. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8 1/2 x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

- 7. Type of Operation: Hotel Lounge Package Grocery Racetrack
Restaurant Craft Distiller Small Brewer Winery Wholesaler
Other (specify):

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, and the Applicant does not admit that the location is within 300 feet and requests a waiver from the LOD, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

STATE OF NEW MEXICO
County of Luna

Ray J. Trejo
Commissioner, District 1

Colette M. Chandler
Commissioner, District 2



John S. Sweetser
Commissioner, District 3

Chris A. Brice
County Manager

700 South Silver Avenue · Post Office Box 551 · Deming, New Mexico 88031
Telephone (575) 546-0494 Facsimile (575) 544-4293
lunacountynm.us

June 30, 2023

Re: 195 Belgian Rd NW
Deming NM, 88030

To whom it may concern:

This letter is to inform you that the above stated property is located in Luna County Jurisdiction. Luna County does not have zoning regulations; therefore, the subject property is allowed to be developed as permitted by County and State building regulations.

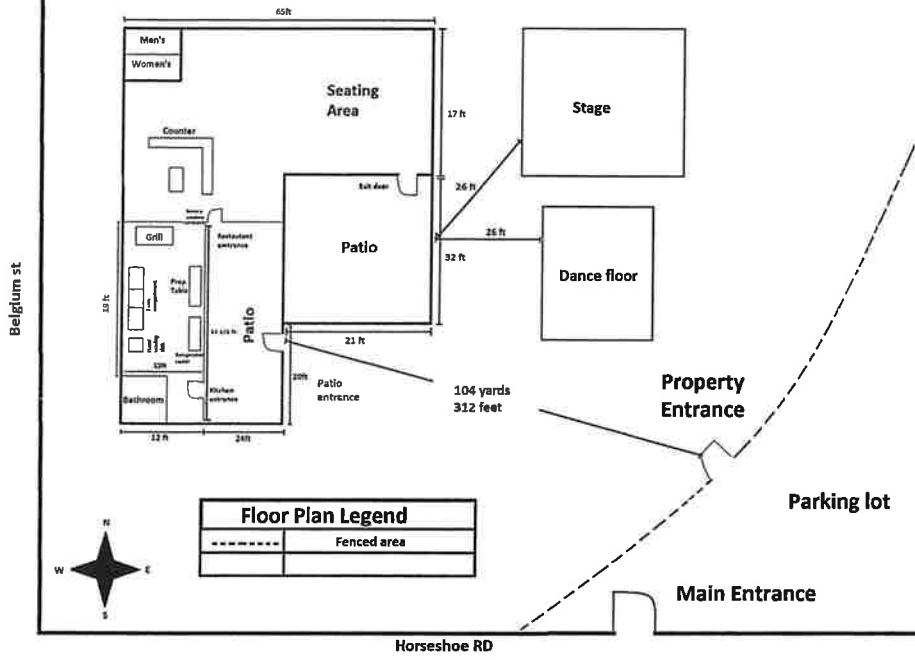
Sincerely,

Aylin Carreon.

Aylin Y. Carreon
Planning Administrative Assistant
planning_assistant@lunacountynm.us
575-543-6621



Rancho Alegre Mexican Grill Floor Plan
Total Building Footage: 3,905 square ft



Floor Plan Legend	
	Fenced area



Be it remembered that at the Special Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 1st day of April 2024, the following proceedings were had and entered of record.

AMENDED RESOLUTION 24-19

AUTHORIZING THE PURCHASE OF PROPERTY

WHEREAS, Luna County, by and through the Board of County Commissioners, intends to purchase the property located in, Deming, Luna County;

With the address of 207, 209 and 211 S. Iron Street, Deming, NM 88030. The legal description being:

Lots numbered Eighteen (18), Nineteen (19), Twenty (20) and the South Half (S1/2) of Lot Twenty-one (21), Block Thirteen (13) of Deming Townsite, Luna County, New Mexico.

NOW THEREFORE, BE IT RESOLVED by signature of the Board of Commissioners of Luna County, it is agreed to authorize the County Manager to purchase the property by process and in compliance with the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies, and procedures, including entering into an agreement and take all other action necessary.

Done at Deming, New Mexico this 1st day of April 2024

By the board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3