



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: May 25, 2022

FROM: Carrie Craig, RLS

RE: #5149 dba Croft Wholesale

**Requested
Action:**

Request time extension to submit a transfer application and to allow continued operations.

**Statutory
Authority:**

AS 04.11.030(a): "The executor or administrator of the estate of a person who was operating a business as a sole licensee under a license authorized by this title may continue to operate the licensed business until an application for transfer of a license to another person is approved or until the license is forfeited under (b) of this section."

AS 04.11.030(b): "If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited."

AS 04.11.030(c): "The board may extend the time limits in (b) of this section on petition of the executor or administrator."

3 AAC 304.216

"(a) Upon the death of an individual who owns a controlling interest in a partnership, including a limited partnership, a limited liability company, or a corporation that holds a license under AS 04 and this chapter, the business entity may continue to operate the licensed business but shall file, not later than 90 days after the individual's death, a transfer application as required under AS 04.11.040 and 3 AAC 304.175 or a time extension request under (b) of this section. If a transfer application or time extension request is not filed by the 90-day deadline, the business shall cease operation until a transfer application is filed.

(b) Upon receipt of a time extension request, the board may grant an extension not to exceed one year. A written request to extend the applicable deadline must be submitted before the expiration of the applicable deadline, unless the board approves a request submitted after the deadline for good cause. Additional extensions may be granted by the board only for good cause."

Background: In December of 2022 Toni Croft, 100% owner of the license, passed away. Eric Croft, surviving son, is requesting the ABC Board allow an extension to the 90-day time frame referenced in the above statutes and regulations. A specific time frame was not included in the request. A transfer application has not been submitted to AMCO for review.

Attachments: Letter of Request
Letters Testamentary

From: [Eric Croft](#)
To: [AMCO Admin \(CED sponsored\)](#); [Alcohol Licensing, CED ABC \(CED sponsored\)](#)
Cc: [Lee Croft](#); [John Croft](#); [Brenda Marlow](#)
Subject: Permission to Operate Under AS 04.11.030 for Croft Wholesale
Date: Tuesday, March 7, 2023 4:06:41 PM
Attachments: [TC Letters Testamentary.pdf](#)

Some people who received this message don't often get email from eric@croftlawoffice.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Joan Wilson
Director
Alcohol & Marijuana Control Office

Dear Ms. Wilson,

My Mother was the registered owner of Croft Wholesale, License Wholesale #5149 and Warehouse #290. She and my Father died last summer and I was declared the PR of their Estates in December 2022. I have attached the letters testamentary for her. The primary purpose of Croft Wholesale is to sell wines made by Croft Vineyards in Oregon to Anchorage restaurants and retailers. Before their death, they had not developed that business much, really only selling wines to restaurant Spenard Roadhouse and retailer La Bodega. Our sales last year totaled about \$15k.

My parents left Croft Vineyards to me and my two siblings, who live in Oregon. We are working now to get Croft Vineyards in our name under a new LLC structure. When that is done, we would like Croft Vineyards to be the owner of the Alaska Croft Wholesale licenses. All this is taking more time that I would have liked.

I am writing at the request of your very capable and helpful staff to request permission under AS 04.11.030 to continue our limited sales to our two current clients while we work out the transfer of the license. I would also appreciate any advice from you or your staff on next steps.

Sincerely,

Eric Croft

Personal Representative for Toni Williamson Croft (deceased)

(b) provide notice to heirs and devisees as required by Alaska Statute 13.16.360, except as provided by Alaska Statute 13.16.690;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by Alaska Statutes 13.16.455 through 13.16.515;

(d) advise the court in writing of my address and telephone number as required by Probate Rule 8;

(e) file returns for state estate taxes, if required by Alaska Statute 43.31.121 and 43.31.250;

(f) pay homestead, exempt property and family allowances as required by Alaska Statutes 13.12.401 through 13.12.405, costs of administration and other claims as required by Alaska Statute 13.16.470, and distribute the assets of the estate; and

(g) close the estate as soon as appropriate as required by Alaska Statutes 13.16.620 through 13.16.670.

I will file any required bond.

12/8/2022
Date

Eric C. Croft
Eric C. Croft
738 H Street
Anchorage, AK 99501

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VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Eric C. Croft, being first duly sworn, deposes and says: I am the named personal representative in the foregoing document. I have read the foregoing document, know the contents thereof, and believe all the statements made in the document to be true.

Eric C. Croft
Eric C. Croft
738 H Street
Anchorage, AK 99501

SUBSCRIBED AND SWORN to before me this 8th day of December, 2022.



Shawn McTaggart
Notary Public in and for Alaska
My commission expires: 2/26/2025

I certify that on 12/14/2022
a copy of the above was mailed/handed/faxed to
each of the following at their address of record:

J. Pelman
Judicial Assistant

I hereby certify that this is a true and correct copy of the original on file in my office.

ATTEST: *[Signature]* Clerk of the Trial Courts
Deputy
Date: 12/16/2022

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