IN RE:

D&S Xpress
2924 N. Broadway
Council Bluffs, IA 51503

ACKNOWLEDGEMENT/SETTLEMENT AGREEMENT

I/We hereby knowingly and voluntarily acknowledge that we have received the Notice of Hearing and the Complaint in the above case. I/We hereby knowingly and voluntarily acknowledge the facts and allegations contained in the complaint, attached hereto and incorporated herein by reference, and knowingly and voluntarily admit that the same are true and correct. I/We hereby knowingly and voluntarily waive hearing, and submit to the statutory penalties prescribed by Iowa law. I/We understand that this penalty will count as an official "Second Violation" of Iowa Code Section 453A.2 pursuant to Iowa Code Section 453A.22. I/We understand that the penalty for a second violation is a $1,500.00 fine or a suspension of my/our cigarette permit for thirty (30) days beginning on the date that will be specified in the official city order that I will receive. The above-captioned permit holder hereby waives all jurisdictional claims.

In accordance with Iowa Code Section 453A.22(2)(b), the above-captioned permittee chooses the following penalty:

✓ $1,500.00 fine

_____ 30-day suspension

DATED this 22nd day of March, 2019.

Donald W. Doebelin Jr. Owner
Printed Name and Title

Donald W. Doebelin
Signature

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by individual(s) who have authority to bind the entity.

If you decide to sign this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated, as well as a check in the amount of $1,500.00 (if choice of penalty is fine) should be returned to:

Council Bluffs City Attorney's Office
City Hall-Legal Dept
209 Pearl Street
Council Bluffs, IA 51503