HIAWATHA CITY COUNCIL

Hawkeye Convenience Stores
975 Robins Road
Hiawatha, IA 52233

Petroleum Services Company LLC
P.O. Box 439
Walford, IA 52351

On this 5th day of February 2020, in lieu of a public hearing on the matter, the Hiawatha City Council approves the affirmative defense of the above-captioned permittee's cigarette permit pursuant to Iowa Code section 453A.22 resulting from a violation of Iowa Code section 453A.2(1) dated November 25, 2019.

HIAWATHA CITY COUNCIL THEREFORE, FINDS that the above-captioned permittee was granted the affirmative defense and no further action by the above-captioned permittee regarding this violation is required.

IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

_____
MAYOR

ACKNOWLEDGE/SETTLEMENT AGREEMENT

IN RE:
Hawkeye Convenience Stores
975 Robins Road : **Petroleum Services Company LLC**
Hiawatha, Iowa 52233 : **P.O. Box 439**
: **Walford, Iowa 52351**

ACKNOWLEDGEMENT/ SETTLEMENT AGREEMENT

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I (we) hereby knowingly and voluntarily acknowledge that I (we) have received 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 admit that Reana Heck sold tobacco to a minor on November 25, 2019. I (we) have submitted the required documents to show that the employee charged with the violation stated in the complaint completed the tobacco compliance employee training program pursuant to section 453A.5 at the time of the violation. I (we) hereby assert an affirmative defense under Iowa Code sections 453A.22(3). I (we) understand that the affirmative defense asserted for the violation dated November 25, 2019 may only be used once in a four-year period to bar prosecution of the legal owner. I (We) understand that in order to conclude this matter the Hiawatha City Council must approve this settlement agreement.

_____ _____

_____ _____

_____
DATE

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 the AKNOWLEDGEMENT/SETTLEMENT AGREEMENT and waive your appearance at a hearing, this document, properly signed and dated should be returned to the City of Hiawatha, 101 Emmons Street, Hiawatha, Iowa 52233 before the date of the scheduled hearing before City Council on February 5, 2020.