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**BEFORE THE WINDSOR HEIGHTS CITY COUNSEL**

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IN RE:	)	
	)	ORDER ACCEPTING
WAL-MART STORE, INC.	)	ACKNOWLEDGEMENT/
702 SW 8 <sup>th</sup> Street, Dept. 8916	)	SETTLEMENT AGREEMENT
Bentonville, AR 72716-0500,	)	(FIRST VIOLATION)
	)	
Permit Holder.	)	WAL-MART STORE #1764
	)	1001 73 <sup>rd</sup> St.
	)	Windsor Heights, Iowa 50311
	)	

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On this 18<sup>th</sup> day of May, 2009, in lieu of a public hearing on the matter, the Windsor Heights City Council approves the attached Acknowledgement/Settlement Agreement between the above-captioned Permit Holder and the City of Windsor Heights.

Therefore, the Windsor Heights City Council finds that the above-captioned Permit Holder has remitted to the City of Windsor Heights a civil penalty in the amount of three hundred dollars (\$300.00). Be advised that this sanction will count as a First Violation of Iowa Code section 453A.2(1), pursuant to Iowa Code section 453A.22(2)(a). IT IS THEREFORE ORDERED that the judgment in this matter is hereby satisfied.

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JERRY SULLIVAN  
Mayor, City of Windsor Heights

NOTICE OF HEARING  
FIRST VIOLATION

April 17, 2009

Wal-Mart Stores, Inc.  
702 SW 8<sup>th</sup> Street, Dept. 8916  
Bentonville, AR 72716-0500

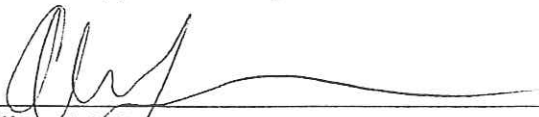
Re: Wal-Mart Store # 1764, 1001 73<sup>rd</sup> St., Windsor Heights, Iowa 50311

The City of Windsor Heights has scheduled a hearing before the Windsor Heights City Council at 5:15 p.m. on Monday May 18, 2009, at Windsor Heights City Hall, 1133 66th Street, Windsor Heights, Iowa. The hearing complaint, which has been filed against you, is attached.

If you or your representative fail to appear at this hearing, a decision may be rendered against you. You have the opportunity to be heard at this hearing and to be represented by an attorney at your own expense regarding the mandatory \$300.00 civil penalty prescribed by Iowa Code 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1). By selling, giving, or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under 18 years of age.

If you wish to settle this case in lieu of the public hearing, you may complete the attached Acknowledgment/Settlement Agreement, returning the original copy, properly signed and dated to Allison M. Steuterman, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266, no later than (10) business days prior to the hearing date. With this Acknowledgment/Settlement Agreement, you must include a check in the amount of \$300.00 made payable to the City of Windsor Heights. This will satisfy the penalty for a first violation under Iowa Code Section 453A.22(2), and will conclude the matter.

Please call me if you have any questions, or if you have obtained representation by an attorney in this matter, your attorney should contact me.

  
Allison M. Steuterman  
Windsor Heights City Prosecutor  
6701 Westown Parkway, Suite 100  
West Des Moines, IA 50266  
Telephone: (515) 274-1450  
Facsimile: (515) 274-1488

cc: Jerry Sullivan, Mayor  
Marketa Oliver, City Administrator  
Chief Gary Walters, Windsor Heights Police Department  
Rob Pearson, Windsor Heights Police Department  
Matthew Brick, Windsor Heights City Attorney