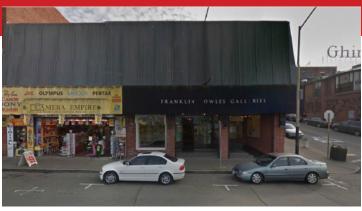
File No.	170 <u>513</u>	Committee Item No.	2
		Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Saf	ety & Neighborhood Servicers Meeting:		Date: Date:	July 12, 2017
Budge Youth Introdu Depart MOU Grant I Grant I Subco Contra Form 1 Award Applica	ntion nce ative Digest t and Legislative Analyst I Commission Report action Form ment/Agency Cover Lette Information Form Budget ntract Budget ct/Agreement 26 – Ethics Commission Letter	•		ort
Plann	Department Response - Juing Department Response - ral Letter - May 2, 2017			17
Prepared by:		Date: Date:	July (6, 2017

CVS pharmacy[™] 799 Beach Street



Existing Site

CVS Pharmacy is pleased to announce that it is coming soon to the corner of 799 Beach Street. Formerly the site of Franklin Bowles Art Gallery, this building offers over 12,400 square feet of retail and storage space on the ground floor and mezzanine. Situated between Ghirardelli Square and the Aquatic Park waterfront, this store is designed to serve the almost 12 million people that visit Fisherman's Wharf annually. The store is scheduled to open in November 2017.

FACILITY DETAILS

- Corner entrance fronting Beach and Larkin Streets
- Plans include the removal of the building parapet, restoration of the original brick façade and the installation of CVS Pharmacy signage
- Store hours: Proposed to be 7 AM –10 PM, seven days a week (may expand depending on demand)

STORE FEATURES

Full-service pharmacy

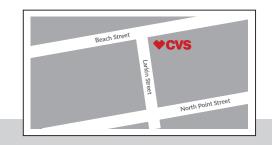
Top quality over-the-counter healthcarerelated products such as vitamins, health aids and first aid products

Complete line of basic needs and convenience items such as stationery supplies, basic household items and cleaners, seasonal merchandise, photo finishing and personal care items

Expanded milk and dairy, large pre-packaged to go food selection including sandwiches, salads and wraps, and beer and wine



Facts About CVS Pharmacy at 799 Beach Street



Will there be parking at this location? No. This store is designed to serve the thousands of people that walk in the busy Fisherman's Wharf neighborhood, as well as nearby residents and hotel guests.

Where will CVS Pharmacy be located on the site? CVS

Pharmacy will occupy the entirety of the currently vacant site and offer 7,417 square feet of retail space, including a 505 square foot pharmacy. Plans include occupying the same building footprint as the gallery, using the 2,669 square foot mezzanine for storage, for a total of over 12,400 square feet of back of house service and retail space combined. Construction of the store is expected to begin in March 2017, followed by the store opening in November 2017.

How is the proposed CVS Pharmacy different than the store located at 1 Jefferson Street? The 1 Jefferson Street location functions as a true urban convenience store and does not have an on-site pharmacy. The proposed location at 799 Beach Street will include all the amenities our customers expect, including a full-service pharmacy.

Will liquor be sold at this location? CVS Pharmacy is applying to sell beer and wine at this location and will work with neighborhood groups, the police and community to create a set of conditions to ensure the responsible management of alcohol sales. The sale of alcohol for off-site consumption is an incidental sale (the store will only have 213 square feet or three percent of the shelf space devoted to alcohol) and is intended as a convenience item for customers when purchasing other merchandise. For over a year, CVS Pharmacy has sold beer, wine and distilled spirts at its 1 Jefferson Street location without incident.

Will CVS Pharmacy have to purchase a liquor license?

CVS Pharmacy is planning to transfer the license from its store located at 377 32nd Avenue, to the CVS Pharmacy at 799 Beach Street.

What history does CVS Pharmacy have in selling alcohol? With over 40 years of experience, CVS Pharmacy has developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. CVS Pharmacy requires all employees selling alcoholic beverages to complete its training program and execute a semi-annual acknowledgement of its alcohol policies.

Will there be conditions on the sale of alcohol to prevent the site from becoming a nuisance? Absolutely. CVS Pharmacy is a responsible alcohol seller and plans to work with the neighborhood and the police to create a set of conditions to facilitate the responsible management of alcohol sales. This is a process CVS Pharmacy successfully underwent when it is was pursing alcohol sales at its 1 Jefferson Street location. Typically CVS does not sell malt liquor, singles or other nuisance products. Additionally, limited store hours prevent the sale of alcohol past 10 pm, when alcohol sales can be the biggest nuisance.

How many jobs will be created at this location? On average CVS Pharmacy hires 20 to 25 employees in each location, including 6-8 full time employees.

Will CVS Pharmacy hire locally? Yes. It is our goal to hire employees from the local San Francisco market, including key supervisory and management positions. CVS Pharmacy has partnerships in place with the Mayor's Office of Economic and Workforce Development as well as local workforce development non-profits.

How will the store manage loading and deliveries? CVS will receive up to three deliveries per week. Vehicles will unload via Beach Street and the product will be wheeled into the receiving area of the store.

For more information about the project or to schedule a meeting with the project team, please contact our community relations representative Luis Cuadra at Icuadra@begdavis.com or 415-788-1000 ext. 206.



File # 20-580851

First Owner:

Name of Business:

Location of Business:

Garfield Beach CVS, LLC

CVS Pharmacy 11004 799 Beach Street

San Francisco, CA 94109-1218

Conditions for Type 20 Off -Sale Beer and Wine

- 1. Sales of alcoholic beverages shall be permitted between the hours of 8:00 am to 11:00p.m.daily.
- 2. No more than 5% of the square footage of the premise will be used for the display of the alcoholic beverages.
- 3. The sales of beer or malt beverages in quantities of 16oz, 22oz, 32oz, 40oz, or similar size containers is prohibited.
- 4. No beer, malt beverages, and wine coolers in containers of 16oz or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
- 5. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
- 6. Wine shall not be sold in bottles or containers smaller than 750 ml.
- 7. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- 8. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti with 72 hours following the beginning of the next week day.
- 9. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257.

Sgt. Gigi George#9921 SFPD, ABC Liaison Unit (ALU)

Revised: 01/30/17 2 of 2



May 23, 2017

Erica Major, Assistant Clerk Erica.Major@sfgov.org Public Safety and Neighborhood Services Committee San Francisco Board of Supervisors

Nelly Gordon, Acting Lieutenant Nelly.Gordon@sfgov.org ABC Liaison Unit San Francisco Police Department

RE: CVS Pharmacy at Beach and Larkin

To whom it may concern:

Formed in 2005/2006, the Fisherman's Wharf Community Benefit District's (FWCBD) mission is to execute market research, brand and destination marketing, sidewalk operations, district beautification and order, traffic and urban planning, and emergency preparedness in order to preserve and enhance its vast San Francisco waterfront landscape and multi-cultural heritage, while integrating modern efficiencies to enrich the experience of visitors from both near and far. The organization is a 501(c)3 and has a 25-member board of directors.

The FWCBD would like to share our thoughts on the proposed CVS Pharmacy at Beach and Larkin. This corner has been vacant for quite some time, is quite run down and in desperate need of a quality tenant that is not providing redundant services for the district. With the recent loss of Walgreen's on Jones Street, the community is underserved for the essentials provided by such an establishment as well as a full-service pharmacy (there is currently only one in our 30-square block district).

One item that caused concern for our board was the sale of alcohol and liquor. However, those concerns were mitigated by the team representing the new location who presented 12 conditions, to be attached to their alcohol license, that addresses these concerns. They are as follows:

- 1. The hours of operation for the store are currently proposed to be 8 a.m. to 11 p.m. If CVS should decide to increase its hours due to customer demand, CVS would be prohibited from selling alcohol past 11 p.m. regardless of the hours of operation. Customer access to all alcohol will be restricted after 11 p.m. by using any combination of locked cooler cases, gondola covers, and/or physical barricades at the ends of the aisles where the product is located on the sales floor.
- 2. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.
- 3. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
- 4. The sale of single beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.
- 5. No beer or malt beverages, wine coolers or beer coolers shall be sold in quantities of less than manufacturer pre-packaged multi-unit quantities of four (4) or more.
- 6. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corded bottles.



- 7. Interior security cameras will be installed within the store and concentrated in the area of alcohol products. These cameras will be monitored during store hours by on-site management, CVS regional and corporate operations, and made available to the SFPD for a minimum of 30 days upon request. External facing cameras will be installed and operated, focused on the perimeter of the store. Output from these cameras will be shared with the SFPD, upon request.
- 8. Interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually.
- All checkouts will be equipped with electronic scan detection systems to control the sale of agerelated products and to prompt cashiers to require proper identification before a sale is completed.
- 10. Loitering will be prohibited on adjacent sidewalks surrounding the store at all times. Store management will be responsible for site security and monitoring the property during hours of operation.
- 11. Store will provide a posted phone number to report site vandalism, loitering, or other concerns with mandated response to the person reporting the issue within forty-eight (48) hours. Vandalism and graffiti will be removed within twenty-four (24) hours of reporting and all other issues will be dealt with as expeditiously as possible.
- 12. The Type 20 alcohol license would be transferred from the CVS store located at 377 32nd Avenue to the CVS store at 799 Beach Street.

Therefore, we would like to share that we are supportive of the project if all these conditions are met.

Sincerely,

Troy Campbell Executive Director

Cc: Supervisors Ronen, Sheehy and Fewer



San Francisco Police Department **ABC Liaison Unit**



Alcoholic Beverage License -Public Convenience and Necessity Recommendation

To:

The San Francisco Board of Supervisors' Committee on Public Safety

and Neighborhood Services

Supervisor Hillary Ronen Supervisor Jeff Sheehy Supervisor Sandra Lee Fewer

From:

A/C Lieutenant Nelly Gordon

Sgt. G. George #992

Officer in Charge

ABC Liaison Unit (ALU) 415-553-1115

Date:

July 5, 2017

Subject:

P.C.N. Investigation Regarding:

Garfield Beach CVS, LLC

DBA: CVS Pharmacy#11004

799 Beach Street John Kevlin

Mr. John Kevlin on behalf of Garfield Beach CVS, LLC; DBA: CVS Pharmacy # 11004 has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 20 (Off- Sale Beer and Wine) License for 799 Beach Street (located between Larkin Street and Hyde Street).

Hours of Operation:

7 Days a Week: 8:00 a.m.-11:00 p.m.

Digest:

CVS Pharmacy is a convenience store which will be located at 799 Beach Street in San Francisco Fisherman's Wharf area. CVS Pharmacy has several stores throughout the San Francisco bay area and three stores with Alcohol license one in the San Francisco Bay Area. If approved, this license will allow CVS Pharmacy to sell off-sale Beer and Wine.

Letters of Protest:

0 Valid Protest

Letters of Support:

0 Valid Support

Police Calls for Service:

From April 2016 to April 2017

0 calls for service

Police Reports:

From April 2016 to April 2017

0 police reports

San Francisco Plot Information:

This premise is located in Plot: 433

A High Crime area is defined as 78 or more police incident in a plot for the year of 2016.

This plot had 153 police incident for 2016, which is 75 over the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract: 102.00

Population for this tract is: 4,143

On-sale license authorized by census tract: 14 Active on-sale licenses: 21 with 0 pending

Off-sale licenses authorized by census tract: 3 Active off-sale licenses: 5 with 0 pending

Departmental Recommendation:

Points of consideration: 0

No opposition from Central Station

Applicant premise is located in a "High Crime" area.

Applicant premise is located in an "undue concentration" area.

- 0 Record of protest.
- 0 Record of support.

ALU Recommendation: **Approval following conditions:**

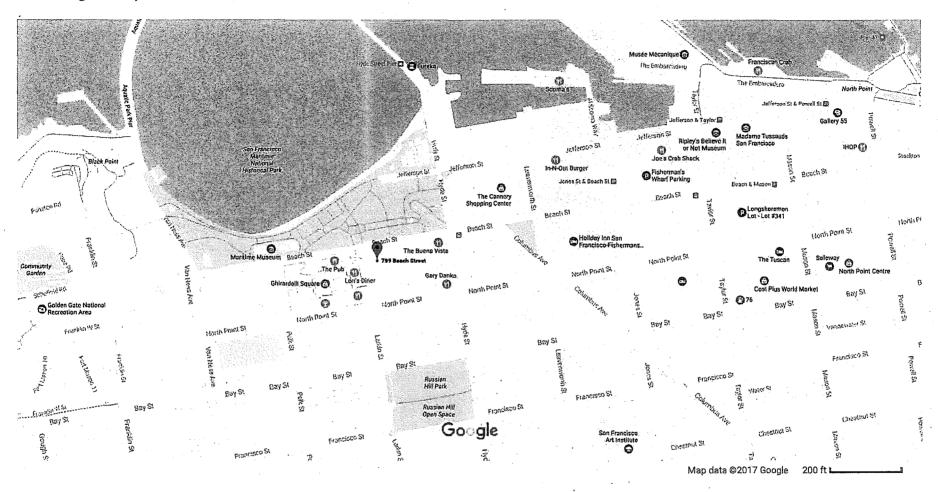
Conditions for Type 20 Off -Sale Beer and Wine

- 1. Sales of alcoholic beverages shall be permitted between the hours of 8:00 am to 11:00p.m.daily.
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- 3. The sales of beer or malt beverages in quantities of 16oz, 22oz, 32oz, 40oz, or similar size containers is prohibited.
- 4. No beer, malt beverages, and wine coolers in containers of 16oz or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
- 5. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
- 6. Wine shall not be sold in bottles or containers smaller than 750 ml.
- 7. No wine shall be sold with an alcoholic content of great than 15% by volume.

- 8. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti with 72 hours following the beginning of the next week day.
- 9. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257.
 - It should be noted that the Applicant agrees with the above recommended conditions.

End

Gogle Maps 799 Beach St



Go gle Maps 852 Beach St

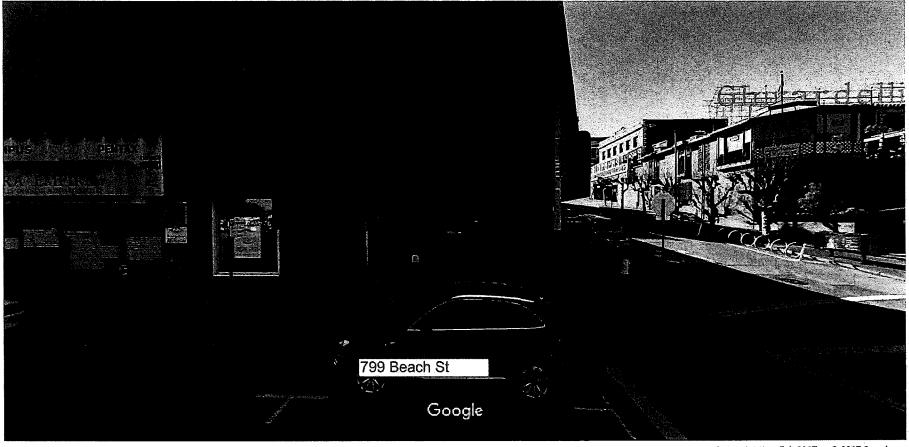


Image capture: Feb 2017 © 2017 Google

San Francisco, California Street View - Feb 2017



RECEIVED LIQUOR LICENSE REVIEW

MAY - 2 2017 Y & COUNTY OF S.F. O ANNING DEPARTMENT O ANNING DOOD Planning Department

AnMarie Rodgers/CTYPLN/SFGOV

Georgia Powell/CTYPLN/SFGOV@SFGOV

Fax No.: (415) 558-6409

TO:

Police Department Inspector Nelly Gordon

Phone: (415) 837-7273

DATE:

May 2, 2017

File: 170513

Block/lot: 0025/012/013

Record #2017-005581 Mi

Please submit your response in four to six weeks for the matter to be heard. PLEASE EMAIL YOUR RESPONSE BY: June 7, 2017, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.

Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name:

Garfield Beach CVS, LLC

and Business Name:

CVS (Pharmacy 11004)

Applicant Address:

799 Beach Street

San Francisco, CA 94109

and Phone No.

(415) 567-9000

PLANNING COMMENTS: M Approval Type 20 ABC License may be permitted as accessory to and in conjunction with a general grocery retail sales and service use within the C-2 Ristrict per P.C. Sec. 210.1. Alcohol display and sale area not to exceed 15% of establishment's gross square botage per P.C. Sec. 703.2(b)(1)(c)(vi).

POLICE COMMENTS: Approval Denial Use established under BPA #2016.11.18.3087.

LIQUOR LICENSE REVIEW

TO:	Planning Department File: 170513 AnMarie Rodgers/CTYPLN/SFGOV Georgia Powell/CTYPLN/SFGOV@SFGOV Fax No.: (415) 558-6409									
TO:	Police Department Inspector Nelly Gordon Phone: (415) 837-7273									
DATE:	May 2, 2017									
Please submit your response in four to six weeks for the matter to be heard. PLEASE EMAIL YOUR RESPONSE BY: June 7, 2017, to Erica Major, Public Safety and Neighborhood Services Committee Clerk. Erica.Major@sfgov.org - Fax No: 554-7771										
Applicant Name: and Business Name:		Garfield Bea CVS (Pharm	ch CVS, LLC acy 11004)							
Applicant Address:		799 Beach Street San Francisco, CA 94109								
and Phone I	No.	(415) 567-90	000							
PLANNING COMMENTS: Approval Denial										
POLICE (COMMENT	ΓS:	☐ Approval	□ D	enial					



File No. 170513 Received Via Email 5/23/17

May 23, 2017

Erica Major, Assistant Clerk Erica.Major@sfgov.org Public Safety and Neighborhood Services Committee San Francisco Board of Supervisors

Nelly Gordon, Acting Lieutenant Nelly.Gordon@sfgov.org ABC Liaison Unit San Francisco Police Department

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One item that caused concern for our board was the sale of alcohol and liquor. However, those concerns were mitigated by the team representing the new location who presented 12 conditions, to be attached to their alcohol license, that addresses these concerns. They are as follows:

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- 12. The Type 20 alcohol license would be transferred from the CVS store located at 377 32nd Avenue to the CVS store at 799 Beach Street.

Therefore, we would like to share that we are supportive of the project if all these conditions are met.

Sincerely,

Troy Campbell Executive Director

Cc: Supervisors Ronen, Sheehy and Fewer

REUBEN, JUNIUS & ROSE, LLP

April 26, 2017



Ms. Angela Calvillo Clerk of the Board San Francisco Board of Supervisors 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102

Liquor License "PCN" Request – 799 Beach Street – CVS

Our File No.: 7970.28B

Dear Ms. Calvillo:

Re:

Our office represents Boos Development West, LLC ("Boos"), the project sponsor of a new CVS retail store and pharmacy at 799 Beach Street (the "Project"). On November 18, 2016, Boos filed a building permit for the Project, and upon its issuance anticipates undertaking tenant improvements to prepare the space for CVS' operation.

Boos now seeks a type-20 off-sale beer and wine license from the California Department of Alcohol Beverage Control ("ABC"). Boos has filed an application with ABC on behalf of CVS for a license transfer (current License No. 508036 enclosed). The license would be transferred from the CVS store located at 377 32nd Avenue, to the CVS store at 799 Beach Street. Due to the overconcentration of this type of ABC license in this census tract and the Project's location in a high crime reporting district, Boos must obtain a determination by the Board of Supervisors that the public convenience and necessity will be served by the issuance of this license for operations at 799 Beach Street.

580 851

The Project will establish a CVS retail store and pharmacy at 799 Beach Street, an existing building at the northeast corner of Larkin and Beach Streets. The CVS would occupy approximately 10,000 square feet of ground and second floor space. The CVS would sell overthe-counter drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, and groceries (such as milk, bread and eggs). The proposed hours of operation are 8 a.m. to 11 p.m. daily.

The CVS will offer a wide variety of convenience goods in the highly-travelled Russian Hill neighborhood adjacent to Ghirardelli Square. Adding beer, wine and liquor to the offerings of this CVS store would serve the public convenience and necessity of the neighborhood by increasing the variety of goods offered at this location. Area workers, residents and tourists will have a new store that will provide a convenient, "one-stop" shopping experience.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben¹
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight
Chloe V. Angelis | Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman².³ | John McInerney III²

San Francisco Office

One Bush Street, Suite 600, San Francisco, CA 94104 tel: 415-567-9000 | fax: 415-399-9480

Oakland Office

827 Broadway, Suite 205, Oakland, CA 94607 tel: 510-257-5589

www.reubenlaw.com

www.reubenlaw.con

Ms. Angela Calvillo April 26, 2017 Page 2

Adding alcohol to the offerings of this CVS store would also serve the public convenience and necessity by establishing an alcohol retailer that has vast experience with the sale of alcohol and is a responsible retailer with an effective training and corporate-wide management policy for controlling the sale of beer and wine. CVS's employee training program, approved by the ABC, must be completed by all employees within 14 days of their hire and before they are permitted to operate the registers. CVS has a zero-tolerance policy – any employee knowingly or recklessly selling any age restricted product to a minor or to an adult purchasing product for a minor is subject to disciplinary action up to termination. Security cameras will be equipped throughout the store and particularly in the area of beer and wine sales, which will be monitored by on-site store management, CVS regional and corporate operations, and can be made available to the San Francisco Police Department upon request. The interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually. Further, all checkouts will be equipped with electronic scan detection systems to control the sale of age-restricted products and prompt cashiers to require proper identification before a sale is completed.

CVS is committed operating a store at 799 Beach Street that is welcomed by the neighborhood. CVS has already engaged the local neighborhood group, the Fisherman's Wharf Community Benefits District (the "CBD"), and is currently working through the details of the operation to ensure it has no negative impacts on the neighborhood. CVS will also be meeting with the San Francisco Police Department regarding this off-sale license in the coming weeks to discuss any concerns they have.

For the reasons outlined above, I respectfully request that this letter be forwarded to the Public Safety and Neighborhood Services Committee of the Board and that the Committee and the full Board of Supervisors make a determination under California Business & Professions Code §23958.4 that the public need or convenience would be served by the issuance of a type-20 off-sale beer and wine license to this CVS location.

Please contact me with any questions you have.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

John Kevlin

San Francisco Office

One Bush Street, Suite 600, San Francisco, CA 94104

tel: 415-567-9000 | fax: 415-399-9480

Oakland Office

827 Broadway, Suite 205, Oakland, CA 94607

tel: 510-257-5589



California Department of Alcoholic Beverage Control

License Query System Summary as of 5/2/2017

License Information

License Number: 580851

Primary Owner: GARFIELD BEACH CVS LLC

ABC Office of Application: 24 - SAN FRANCISCO

Business Name

Doing Business As: CVS PHARMACY 11004

Business Address

Address: 799 BEACH ST Census Tract: 0102.00

City: SAN FRANCISCO County: SAN FRANCISCO

State: CA Zip Code: 94109

Licensee Information

Licensee: GARFIELD BEACH CVS LLC

Company Information

OFFICER: CVS PHARMACY INC (MANAGING MEMBER)

OFFICER: MOFFATT, THOMAS (PRESIDENT)

OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC)

OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC)

OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC)

OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER)

OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)

MEMBER: CVS PHARMACY INC

Licensee: LONGS DRUG STORES CALIFORNIA LLC

Company Information

OFFICER: LONGS DRUG STORES LLC (MEMBER) OFFICER: MOFFATT, THOMAS (PRESIDENT) OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC) OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC) OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC) OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER) OFFICER: CLARK, JEFFREY EDWARD (TREASURER) OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER) MEMBER: LONGS DRUG STORES LLC License Types 1) License Type: 20 - OFF-SALE BEER AND WINE License Type Status: PENDING Status Date: 25-APR-2017 **Term:** 12 Month(s) **Original Issue Date: Expiration Date:** Master: Y Fee Code: P40 **Duplicate:** 0 License Type was Transferred On: FROM: 21-508036 **Operating Restrictions** ... No Operating Restrictions found ... Current Disciplinary Action ... No Active Disciplinary Action found ... Disciplinary History ... No Disciplinary History found ... Hold Information Hold Date: 25-APR-2017 Type: FORM 220 Escrow ... No Escrow found ...