

Town of Marble
Regular Meeting of the Board of Trustees
April 6th, 2023 7:00 P.M.
Marble Community Church, 121 W. State St. Marble, Colorado
Agenda

7:00 P.M.

- A. Call to order & roll call of the regular meeting of the Board of Trustees
- B. Mayor Comments
 - a. Pastor Jon and Peggady Stovall retirement, Terry Langely
- C. Public Hearing: Smith/Wilkey request for zoning change, 575 West Park St.
- D. Public Hearing: Raspberry Ridge Café liquor license application
- E. Land Use Issues
 - a. Discussion with Carol Parker re: proposed lot line adjustment
- F. Consent Agenda
 - a. Approve March 2, 2023 minutes
 - b. Approve March 15, 2023 minutes
 - c. Approve Current Bills, April 6th, 2023
- G. Parks Committee Report, Marja
- H. CTO grant status, Amber
- I. Administrator Report
 - a. Consider approval of the 5 participation forms of new Opioid Settlement Agreement and the Amended IGA with Gunnison County, Ron
 - b. Update status of Master Plan project, Ron
 - c. Update status of Wild & Scenic Collaborative, Alie
 - d. Town Administrator Job evaluation, Ryan
 - e. Discussion of Cares Act Funding 2023
- J. Old Business
 - a. Lead King Loop working group status, Ron
 - a. Town of Marble financial contribution to USFS forest protection officer 2023, 3,000
 - b.
 - b. Other
- K. New Business
- L. Adjourn

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
March 2nd, 2023 7:00 P.M.

A. Call to order & roll call of the regular meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:10 p.m. Present: Tony Petrocco, Emma Bielski, Amber McMahill and Ryan Vinciguerra. Attending by phone: Larry Good. Also present: Ryan Vinciguerra, Town Administrator; Alie Wettstein, Administrative Assistant and Terry Langley, minutes.

B. Mayor Comments

a. Ryan thanked everyone for attending. He opened with a joke: you know you're from a small town when 3rd Street is on the edge of town!

C. Consent Agenda – Tony Petrocco made a motion to approve the consent agenda. Emma Bieski seconded and the motion passed unanimously.

- a. Approve February 2, 2023 minutes
- b. Approve Current Bills, March 2, 2023

D. Administrator Report

a. Francie Jacober, Wild & Scenic (WS) slide show presentation – Francie introduced herself as a 30- year resident of the Crystal Valley as well as a Pitkin County commissioner but she presented as a Crystal River citizen. She is a member of the Crystal River Wild and Scenic Coalition (CWSC), one of hundreds of citizens who support the efforts of a large group of organizations working toward a common goal – a free flowing river. She presented an educational power point that included information about current and projected future water usage in the Crystal and Colorado River basins. She explained that the Crystal is one of the very few rivers in Colorado with no dams or diversions. She spoke of the history of water storage plans on the Crystal. Recent past proposed storage projects that have threatened the Crystal include West Divide projects that included Osgood and Placita dams, proposed in 2011. Facing public opposition and unfavorable economics, in 2013 the West Divide project reached a settlement that preserved water rights in exchange for abandoning most project rights within the Crystal River basin. The settlement preserves the opportunity for the districts to file new, junior water rights (both storage and direct flow) in the future. Although unfavorable at the moment, the demand for water means future water development proposals. Our community has one way to permanently prevent a federally decreed dam on the river: a preceding federal act to protect it. The pursuit of Wild and Scenic designation for the Crystal was begun as a grass roots movement in the late 1960s. It has grown over the last 50 years. There are three steps for obtaining a Wild and Scenic designation. The first, eligibility, was originally completed by the White River National Forest in the 1980s and reaffirmed in 2002. It requires the river to be free flowing and exhibit outstanding natural, historic and recreational values. All sections that meet the standard are classified as either wild, scenic or recreational. Four segments were identified as eligible and encompass about 39 miles. Segment 1 (wild) from the headwaters of the North Fork to the Maroon Bells Snowmass wilderness boundary (7 miles); segment 2, (scenic) from the wilderness boundary on the North Fork to the junction with the South Fork (2 miles); segment 3 (scenic) from the South Fork to Beaver Lake (10 miles) and Section 4 (recreational) from Beaver Lake to the Sweet Jessup head gate, (20 miles). The second step is suitability.

This includes developing the WS act which is locally customizable to meet specific river and community needs and is collaborative. It includes measuring local community support for protecting the river, determining local community needs as related to the river, and preparing a locally customized river protection proposal. The third step requires Legislative action by the U.S. Congress. WS prohibits the construction of new dams and trans basin diversions, ensures water quality is maintained and enhanced, authorizes federal funds to assist private and public land owners, states and local governments in the planning, protection and management of the river. It requires development of a comprehensive river management plan with local community input. WS does not give federal government any authority over private lands, restrict future developments on private lands, affect existing water rights, existing irrigation systems and other water development facilities, transfer any private land to the federal government. Community support is critical to protect the river. Share your input on both the needs of the river and the needs of the Marble community. Help craft a locally customizes protection plan.

Amber asked where the coalition is in the process. Francie explained that there are two aspects: the CWSC is working to educate the public at the community level. Kelley McNicholas Kury explained that there is also a stakeholders group which is addressing the suitability phase. They put out an RFP for a facilitator and they are working on the best way to hold community conversations. Jacob Bornstein and Wendy Davis were selected as facilitators. They both have extensive experience working on conservation issues and with water laws.

Emma asked if opposition from Marble was the only thing keeping the Crystal from being declared WS previously. Francie explained that the change in administration deterred them from pursuing this. There has been another change and the work has begun again. Laura Meeker added that the opposition from Marble made the people advocating the WS designation realize they needed to look at a more collaborative process. Covid also slowed things down. Emma said that private land owners were strongly opposed and she feels that making this locally customizable to allow them to express what they need. Angus asked what the basis of the resistance was. Emma explained that it was a fear of Federal control over individual's water rights. Ryan added that the need was felt to be farfetched. Francie said that states are being asked to relinquish more water and that water speculators are also on the increase. Lisa Tasker added that the stakeholder process will allow for education which should dispel fears. Richard Wells said that he felt there was misinformation and rumors before and they resulted in the town voting against it. Tim Hunter said the big concern in 2016 was where property owners stood in regards to doing improvements along the river. He does not feel there are any guarantees when the federal government is involved. Laura Meeker said that they are hopeful that these types of questions will come into the process. More conversations will be held in Marble.

E. Master Plan (MP) Report

a. DOLA planning grant report, Ron - Ron expressed appreciation for those who have applied to be on the MP committee. Alie reported that applicants include Amy Rusby, Angus Barber, Richard Wells, Sue Blue, Sam Wilkey, Connie Hendrix, Charlie Manus, Brian Suter and Jeremiah Akers. Others who have expressed an interest but have not yet turned in an application include Tim Hunter, Max Gibbons and Greg Tonozzi. Discussion about the deadline and number set for the committee followed. Ryan explained that the majority have to be town citizens but there has not been a cap set on the number. Tony spoke to keeping the applications open until there is a facilitator in place. It was decided that there is no selection needed – anyone who is interested and applies can be on the committee and

we will continue to encourage applications. Ron reported that the town is applying for a \$12,500 grant from DOLA and DOLA requires a competitive bid for a facilitator. This will delay the process 6-8 weeks. He has drafted an RFP after researching other town RFPs and the Wild and Scenic RFP for their facilitator. He got some good leads for sample RFPs from Tony as well. He would like to put a notice that RFPs are available on the town website in the legal section of the Glenwood Post Independent. This meets the DOLA requirements. Bidnet is another avenue to utilize in getting the RFP out. Ryan asked that the council send any edits or changes to Ron within the next 24 hours. Ron estimates that this will be a six-week process. Ron also gave the board a letter requesting the grant to be submitted to DOLA and reported that their process could take up to two months. He would like to convene those that have applied to be on the committee together in the next couple of weeks to discuss how the process might proceed. He would like the board to attend the first few meetings to kick off the process. Ryan asked that there be some structure and planning developed for those first meetings. Ron suggested that the board get together in two weeks to work on that planning. Ryan suggested Wed., March 15 at 6 p.m.

F. Park Committee report

a. Parks Committee Updates, Marja – Amy Rusby explained that minutes go to the board. They are working on a draft of the scope of the work of the parks committee. She would like to put that into a google doc that the board can add to and comment on. Alie has added a parks committee section for the website. They are working with Roaring Fork Outdoor Volunteers (RFOV) and are nailing down priorities and projects for that work project. They want to map out the trails in the Mill Site Park, work on parking lot issues, begin a kick ball league, and work earth and arbor day projects.

G. Land use issues

a. Consider Patsy Smith request for zoning change, 575 Park St. Samantha – Ron explained that this property is residentially zoned and they are requesting a change to business zoning. Ron said there are 3-4 options: 1. Straight up change the zoning. 2. Creating a new zoning district – mixed zoning that allows residential and commercial at the same time. 3. Changing the entire Park Street strip to business zoning. Residential would not have to change but they could change their property to business. 4. Variance (not recommended). They are requesting a public hearing at the April 7, 2023 board meeting to get the process started. Options at the public hearing are to approve, deny or table the application. Dustin Wilkey presented their plans for the house. He explained that under current regulations, they would need a variance for combining residential and business. There will be parking for the jeeps and a separate parking area for customers. All traffic will be down by the road on the property. In response to a question from Amber, Ron said that he feels that this is an opportunity to codify living and having a business in the same building. Emma supports the mixed-use classification. Tony said another option is to eliminate zoning requirements altogether due to the past exceptions. Amber favors better defining the zoning along with the master plan. Ryan feels that developing and following the Master Plan will help eliminate spot zoning problems. Sue Blue spoke in favor of mixed zoning and having the master plan solidify that. Ryan said that mixed use along Park Street could make it a business corridor with opportunity for businesses. Richard feels that this amplifies the need for planning and the need to talk about rules for businesses, including the need to accommodate neighbors. Tim Hunter agreed with Richard but he pointed out that Redstone Boulevard is mixed use and he would hate to see Park Street become a Redstone Boulevard. Emma Bielski made a motion to set a public hearing on the request for a zoning change for the April 6, 2023 regular meeting. Amber McMahill seconded and the motion passed

unanimously. Ron expressed appreciation to the Wilkeys and Patsy Smith for getting necessary permits and plans to this point. He recommended giving them a camping permit so that they can work on their house. They will not be running the jeep tours from the location in 2023. Ryan Vinciguerra made a motion to approve the camping permit. Amber McMahill seconded and the motion passed with four yays, Emma having stepped out.

b. Consider Aaron/Tina Smith request for lot consolidation, lots 1 & 10 Alpine Village, Tina – They own two smaller lots and would like to consolidate it into one larger lot so that they can build a house. This does not require a public hearing. Ron reported that their paper work is all in order and has been reviewed by the town attorney. Amber McMahill made a motion to approve the lot consolidation of lots 1 and 10 Alpine Village. Tony Petrocco seconded and the motion passed unanimously.

H. Old Business

a. 2023 parking plan, Amber - Ryan said that there has still been no reply from the SBA. Amber said that they can implement a free reservation system but that it will be a financial drain on town funds. Larry suggested a letter from the attorney to the SBA. Ryan does not see the advantage to trying a free system. Amber made a motion to advice Kendall Burgemeister to reach out to the SBA. Emma Bielski seconded and the motion passed unanimously. Tim Hunter feels that this is an item for the Master Planning committee to address.

b. Sign update, Amber – Amber met with the Colorado Tourism Office (CTO). They approved the concepts for the park signage and the historical signage. They did not sign off on the entryway signs as they are not considered wayfaring. There will be funds left in the budget and suggests a white board with plexiglass covering. Ryan suggests making and laminating printed signs that can be reused rather than a white board. Amber would like to see any additional funds added to historical and interpretive signage. Richard suggests avalanche information posted in the winter. Dustin suggested updating the directional signs that are currently posted on power poles and trees.

c. Other – MWC letter. Ryan said he had suggested some changes in the draft letter and Ron made those edits. Amber agreed with a simple “yes we are interested”. Ryan said the letter would include the zero price. Ron will call John Williams to alert him before sending the letter. Angus asked if this letter would be made public. After discussion regarding executive session and communication with the attorney, it was decided that it could be made public.

I. New Business

a. Consider approval 2023 Business License renewal applications, Alie – Alie explained that the list includes those who have applied and paid, those who have not sent in an application but are presumed to still be in business and past businesses that are no longer functioning.

As the only new business, Ryan explained the plans for the Raspberry Ridge Café, including running a grab-and-go café out of the main lodge, keeping the four rooms there as overnight accommodations. He introduced Mattie Truell as the manager at the café. The bungalow and cabin will be used as employee housing. The sun room will be a type of gift shop with art work and trinkets. It is zoned by the county as mixed use and by the town as a business.

Angus asked, if the Beaver Lake Retreat is granted a business license, does Vince Savage have to adhere to the 9 p.m. cut off for amplified music that he previously agreed to. Ryan suggested sending a reminder of that agreement with his business license. Ron said that could be a contingency on his business license. Emma made a motion to approve the 2023 business licenses with the exception that the Beaver Lake Retreat's license be granted with the contingency that the amplified music be cut off at 9:00 p.m., the correct address be maintained on Google and that Vince be considerate of his neighbors. Amber McMahill seconded. Ryan feels that the phrase "be considerate of his neighbors" is ambiguous and should not be included. Emma amended her motion to drop that requirement. Tony seconded the amended motion and it passed unanimously.

b. Set public meeting for Raspberry Ridge Café liquor license application – Ryan recused himself and Emma took the chair as mayor pro-tem. Ryan requested a public hearing to approve the Raspberry Ridge Café' liquor license application be set for April 6. Ron explained that the applicant has to post a sign on the property with required wording and it must be published in the legal notices of the Glenwood Springs Post Independent newspaper. Sue asked where the notice would be posted and Ryan explained that it would be posted on the Raspberry Inn sign. Amber made a motion to set a public hearing to consider the Raspberry Ridge Café liquor license application. Larry Good seconded and the motion passed unanimously. The chair was returned to Ryan.

c. Terry announced the school trip fundraising Bingo to be held at Propaganda Pie on Friday, March 3.

J. Adjourn – Emma Bielski made a motion to adjourn. Amber McMahill seconded and the motion passed unanimously. The meeting ended at 9:08 p.m.

Respectfully submitted,
Terry Langley

Minutes of the Town of Marble
Special Meeting of the Board of Trustees
March 15th, 2023

A. Call to order & roll call – The meeting was called to order by Mayor Ryan Vinciguerra at 6:04 p.m. Present: Emma Bielski, Amber McMahill, Tony Petrocco and Ryan Vinciguerra. Absent: Larry Good. Also present: Ron Leach, Town Administrator; Alie Wettstein, Administrative Assistant and Terry Langley, minutes.

B. Consider approval of Purchasing Policy for Planning Consultants –

Prior to considering the purchasing policy, Ron explained that Dana Hlavac is our DOLA point person. Dana told them that the town would need to have a purchasing policy in place before getting the state DOLA funds. The town has submitted the grant application, the purchasing policy and the RFP to DOLA. Dana said that the documents are good. He said there was some language that needs to be added to the scope of the project, including a three-mile plan. It will be included in the RFP. It could take up to six more weeks before the grant is awarded.

Tony Petrocco made a motion to approve the Purchasing Policy for Planning Consultants. Amber asked if this covered anything outside the planning consultants. Ron said that it does not, but the town does need to develop a comprehensive purchasing policy for such things as snow removal. Ron expressed appreciation to Tony for the help he has given with examples of purchasing policies, RFPs and his expertise. Amber McMahill seconded the motion. The motion passed unanimously.

C. Review Request for Proposal (RFP) for Master Plan Facilitator – Ron recommends doing a full competitive RFP process through Bidnet Direct. Bidnet Direct is a website for use of governments in posting RFPs. It is the gold standard for correctly posting RFPs. Alie has been in a zoom meeting with Bidnet Direct and can get the town registered. Ron researched other towns' and entities' RFPs to develop this RFP. He found they all have purpose, scope, deliverable, funding and logistics statements. He found that they are generally a one month to six weeks process. Ron would like to get this posted on Bidnet Direct on Friday, March 17. The town should know about the grant by the time we would be ready to hire the facilitator, about April 17. Kendall Burgemeister reviewed the RFP, had a few comments but overall felt it was a good and legal document. Ryan asked for clarification regarding posting the RFP to the paper as stated in the RFP and Ron will do that. Emma Bielski made a motion to approve the RFP for Master Plan Facilitator. Amber McMahill seconded and the motion passed unanimously.

D. Review MP committee membership applications – Alie reported 10 applicants with six from town residents and four who live out of town. Ron had a recent application from Steve Fowler. Applicants include Charlie Manus, Connie Hendrix, Chris Palmer, Brian Suter, Jeremiah Akers, Sue Blue, Sam Wilkey, Amy Rusby, Angus Barber, Steve Fowler and Greg Tonazzi. There are a few more interested. The final roster should be set by the first week in June and a cap of 14 was decided on. If more than that apply, the late applicants will be placed on an alternate list.

E. Structure and planning for first committee meeting – Ron would like the board to attend the first meeting. He suggests the following agenda:

1. Introductions

2. Review 2000 Town of Marble Master Plan

3. Review proposed Charter document – This will be a guide for the committee and could include such things as rules on reaching a consensus, rules of respect, conduct of meetings and can be something the committee itself develops. Amber expressed some reservations regarding the possibility of getting lost in minutia in doing this at the first meeting. Tony said the committee should come up with a series of questions to ask the citizens. He recommended a couple of people attend the Roaring Fork Leadership Program.

4. Values audit & mission statement – This also would be used to guide the group and would be developed by the group. Emma suggested an exercise similar to the one done during the Colorado Tourism meetings, including brainstorming the members' vision for Marble.

Ryan asked who would lead these exercises if they happen before we have a facilitator. Ron said that he has experience leading these types of things. Amber expressed some reservations regarding the possibility of getting lost in minutia in working on the charter at the first meeting. Tony said the committee should come up with a series of questions to ask the citizens over the next 7-8 months, compile the answers and develop a document/plan. He recommended a couple of people attend the Roaring Fork Leadership Program. Emma suggested sticking with the first two activities at the first meeting. Ryan spoke to asking the committee for questions/concerns resulting from the review of the previous master plan. Emma suggested members do the SWOT analysis – Strengths, Weaknesses, Opportunities, Threats. Amber said that DOLA and the Colorado Municipal League both have information on master planning.

Ryan said the first meeting would be an open meeting because the board will be there. He asked if other meetings would be open to the public. Ron said that, as a public process, the meetings can be open with some rules to be followed. Ron said there need to be guidelines for talking to the media as part of the charter.

Ron asked for the board's vision for the end product. Ideas could include options for the town. Emma suggested strategic approaches that would guide this and future boards. Ryan felt that getting engagement from the public including through conversations and surveys. Tony pointed out that a master plan is a legal document that has to be followed. Amber spoke to important issues outside of OHVs and traffic that need to be addressed, including annexation, infrastructure, and STRs. Tony spoke to more involvement if answers/surveys are anonymous. Amber wants people to have ownership in decisions. Terry pointed out that we have talked about reaching out to people with expertise for particular issues. Emma suggested surveys directed to certain target populations. Ron feels that this will free the board by having the committee deal with certain issues.

Alie said that she has followed up with the applicants with a welcome letter, a time line and a request to review the previous Master Plan and to note what they feel needs updating, is missing and what they are interested in and what day/time would be best for them.

After a discussion as to the date and time for the first MP meeting, it was decided to choose it at the April town meeting.

F. Other – Ron would like to pay Daley for the plowing prior to next month's meeting. The bill is currently \$10,284.75. Ron asked if this could be approved as an emergency purchase. Ryan Vinciguerra made a motion to pay the bill. Amber McMahill seconded and the motion passed unanimously.

Ryan circulated Ron's evaluation and is waiting for comments from the board. He said that pending comments, Ron would get back pay for any approved raise. This will be on the agenda for April 6 town meeting.

G. Adjourn - Emma Bielski made a motion to adjourn. Tony Petrocco seconded and the motion passed unanimously. The meeting was adjourned at 7:17 p.m.

Respectfully submitted,
Terry Langley

Marble Parks Committee Meeting Minutes

Date: March 6th, 2023 at 6:00 PM

In Attendance: Richard Wells, Ron Leach, Lise Hornbach, Marja O'Connor, Amber McMahill (typed meeting minutes)

Absent: Amy Rusby

Guests In Attendance: Monique Villalobos, Garette Hughes,

Agenda:

Monique Villalobos- Parks Special Use Permit Application

Vendors will be in the RV park, people can stay overnight with their booths 15-20 vendors Entertainment at the Millsite Park, holistic and meditations entertainment. Rob Godwin on first aid, 4 porta-potties. Millsite parking lot, no customers driving in the campground. Tent for greenroom. All sites will rent out. Entertainment ends at 5pm Friday and 7pm Saturday. Trash plans in place will haul out the end of each day. Campground bathrooms, vendors only. Free event.

Monthly Town of Marble Meeting:

- Richard Wells will attend the April 6th town meeting
- Special Event Permits, debrief after events to see what went well and didn't. There has been no application from Mike Yellico on the bonfire.

- Parks Committee Scope of roles and responsibilities.
 - Amy sent the Marble Town Council a Google Doc of the draft for the members to make any additions/changes so that the Parks Committee can finalize the document.
 - We are asking the council to give input on the document by our April 3rd Parks meeting

Park Signage: Amber to discuss Wording and Rules

Word doc will be circulated. Signs need to be in ground by May 1st or the town needs to pay for it.

Town Website for Parks Committee: Check-In; Deadline date?

Each committee member will write something about our parks to be added to the website: Updates need to go to Allie, Edit and approve at the next meeting and send them to her.

DRAFT- Stewardship and Giving Back with Roaring Fork Outdoor Volunteers

On June 24-25, 2023, Roaring Fork Outdoor Volunteers (RFOV) will host its annual stewardship and service work days in Marble. The annual stewardship extravaganza is the largest event that RFOV hosts in our town, where volunteers from all over the valley come together to improve our public spaces. In the past, teams have improved and maintained trails, mitigated invasives, planted native species, and protected historical landmarks. All volunteers from out of town are provided a space to camp in Marble, free of charge and dinner as well as enrichment opportunities. If you would like to see this years' project sites or register to volunteer, visit: <https://www.rfov.org/calendar>

In addition to the stewardship weekend that is open to the public, RFOV brings student groups to Marble throughout the year. They help to educate students about stewardship and public lands, while teaching concrete skills such as pruning. Thank you, RFOV for all you do for our town!

Brent- Parks description and Marble Fest
Richard- Grooming and Campground
Amy- Children's Park
Marja sending Alie the Park Special Use Permit

RFOV Weekend 6/24-6/25

Weekend locations- Need to confirm with RFOV;

Marja's Input- RFOV weekend Raspberry Ridge, Millsite, Invasive Weed Mitigation in Wetlands. Get in touch with Pat Willits. Fire Mitigation Group.

Weekend Promotion- Need to confirm with RFOV and committee brainstorm

Projects:

Millsite Park- Noxious weed removal; fire mitigation (removing/thinning dead/unnecessary brush, limbs, piles); dig out metal posts in concrete (remainder of fence project)

Noxious weed control at wetlands

Jeep Tours for RFOV weekend: TBD

Snowbound Acquisition: Ron and Brent give update

Parking Lot Items:

Millsite Trails:

Create map of trails to include the disc golf course; Get an aerial photo of the Millsite Park to map out the trails

Kickball: Implement a kickball league in August and September as a Parks and Recreation initiative; need to consider how to market this- start out by word of mouth, put it on the Roaring Fork Swap

Earth/Arbor Day: April 22nd is too early for Marble we need to consider a later date possibly May 20th and May 21st- Brent will look into plant donations; Make a town/park clean-up day (i.e. time with town dumpsters) with a potluck

Next Meeting: Monday, April 3rd, 2023

Town of Marble
Deposit Detail-General Fund
February 27 through March 31, 2023

| Date | Name | Memo | Account | Amount |
|-------------------|---------------------------|------------------|----------------------------|-----------------|
| 02/27/2023 | | Deposit | *General Fund -0240 | 4,052.23 |
| | State of Colorado | Deposit | General Sales Tax | -50.00 |
| | Colorado Stone Quarry CSQ | Deposit | CSQ Lease Agreement | -2,379.23 |
| | Colorado Stone Quarry CSQ | Deposit | CSQ Maintenance Payments | -300.00 |
| | | Aaron Smith | Building Permits | -200.00 |
| | | Aaron Smith | Septic Permits | -1,023.00 |
| | | Marble Hideaway | Business Licenses | -50.00 |
| | | CAP Construction | Business Licenses | -50.00 |
| TOTAL | | | | -4,052.23 |
| 02/28/2023 | | Interest | *General Fund -0240 | 0.99 |
| | | Interest | Interest Income | -0.99 |
| TOTAL | | | | -0.99 |

Town of Marble
Deposit Detail-Money Market Fund
March 2023

| <u>Date</u> | <u>Name</u> | <u>Memo</u> | <u>Account</u> | <u>Amount</u> |
|-------------------|-------------|----------------|---------------------------|-----------------|
| 03/03/2023 | | Deposit | Money Market -1084 | 22.77 |
| | | Deposit | Cigarette Tax | -22.77 |
| TOTAL | | | | -22.77 |
| 03/08/2023 | | Deposit | Money Market -1084 | 5,634.93 |
| | | Deposit | General Sales Tax | -5,634.93 |
| TOTAL | | | | -5,634.93 |
| 03/13/2023 | | Deposit | Money Market -1084 | 7,379.46 |
| | | Deposit | Property Taxes | -7,379.46 |
| TOTAL | | | | -7,379.46 |
| 03/20/2023 | | Deposit | Money Market -1084 | 603.34 |
| | | Deposit | Highway Use Tax (HUTF) | -603.34 |
| TOTAL | | | | -603.34 |

Town of Marble
Deposit Detail-Campground Account
 February 2023

| Date | Name | Memo | Account | Amount |
|------------|------|----------|---------------------------|-----------|
| 02/28/2023 | | Deposit | Campground Account -6981 | 1,995.57 |
| | | Deposit | Campground/Store Revenues | -1,836.85 |
| | | Deposit | Sales Tax | -158.72 |
| TOTAL | | | | -1,995.57 |
| 02/28/2023 | | Interest | Campground Account -6981 | 7.48 |
| | | Interest | Interest Income | -7.48 |
| TOTAL | | | | -7.48 |

Town of Marble
Check Register
March 3 through April 6, 2023

| Num | Date | Amount |
|--|------------|------------|
| Century Link 11606 | 04/03/2023 | -511.92 |
| Charlie Manus 11605 | 04/03/2023 | -314.62 |
| Colorado Department of Revenue 11615 | 04/02/2023 | -675.00 |
| Daly Property Services, Inc. 11601 | 03/16/2023 | -10,284.75 |
| Division of Narva Enterprises 11602 | 04/03/2023 | -480.00 |
| Law of the Rockies 11603 | 04/03/2023 | -1,668.50 |
| Marble Water Company 11607 | 04/03/2023 | -180.00 |
| Ragged Enterprises, LLC 11609 | 04/03/2023 | -191.25 |
| Sopris Engineering LLC 11604 | 04/03/2023 | -250.00 |
| United States Treasury E-pay | 04/02/2023 | -1,669.44 |
| Valley Garbage Solution, LLC 11608 | 04/03/2023 | -307.92 |

Town of Marble Payroll Report April 2023

| Date | Num | Name | Type | Amount |
|---------------------------------------|-------|---------------------------------|-----------------|------------------|
| Colorado Department of Revenue | | | | |
| 04/02/2023 | 11615 | Colorado Department of Reven... | Liability Check | -675.00 |
| Total Colorado Department of Revenue | | | | -675.00 |
| United States Treasury | | | | |
| 04/02/2023 | E-pay | United States Treasury | Liability Check | -1,669.44 |
| Total United States Treasury | | | | -1,669.44 |
| Alie O Wettstein | | | | |
| 04/01/2023 | 11610 | Alie O Wettstein | Paycheck | -1,737.99 |
| Total Alie O Wettstein | | | | -1,737.99 |
| Charles R Manus | | | | |
| 04/01/2023 | 11611 | Charles R Manus | Paycheck | -631.69 |
| Total Charles R Manus | | | | -631.69 |
| Richard B Wells | | | | |
| 04/01/2023 | 11612 | Richard B Wells | Paycheck | -724.26 |
| Total Richard B Wells | | | | -724.26 |
| Ronald S Leach | | | | |
| 04/01/2023 | 11613 | Ronald S Leach | Paycheck | -3,294.92 |
| Total Ronald S Leach | | | | -3,294.92 |
| Theresa A Langley | | | | |
| 04/01/2023 | 11614 | Theresa A Langley | Paycheck | -198.54 |
| Total Theresa A Langley | | | | -198.54 |
| TOTAL | | | | -8,931.84 |

Town of Marble
Budget vs. Actual
 January through December 2023

| | Jan - Dec 23 | Budget | \$ Over Budget | % of Budget |
|---------------------------------------|------------------|-------------------|--------------------|--------------|
| Income | | | | |
| Intergovernmental | | | | |
| Grant Revenue | 0.00 | 12,500.00 | -12,500.00 | 0.0% |
| Cigarette Tax | 63.71 | 200.00 | -136.29 | 31.9% |
| Colorado Trust Fund | 0.00 | 0.00 | 0.00 | 0.0% |
| General Sales Tax | 23,224.22 | 164,000.00 | -140,775.78 | 14.2% |
| Highway Use Tax (HUTF) | 7,973.02 | 10,000.00 | -2,026.98 | 79.7% |
| Mineral Lease Distribution | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Severance Tax | 0.00 | 5,000.00 | -5,000.00 | 0.0% |
| Total Intergovernmental | 31,260.95 | 193,700.00 | -162,439.05 | 16.1% |
| Licenses & Permits | | | | |
| Short term rental Licenses | 0.00 | 500.00 | -500.00 | 0.0% |
| Building Permits | 454.00 | 4,000.00 | -3,546.00 | 11.4% |
| Business Licenses | 650.00 | 1,200.00 | -550.00 | 54.2% |
| Other Licenses & Permits | 1,000.00 | 500.00 | 500.00 | 200.0% |
| Septic Permits | 1,023.00 | 3,000.00 | -1,977.00 | 34.1% |
| Total Licenses & Permits | 3,127.00 | 9,200.00 | -6,073.00 | 34.0% |
| Other Revenue | | | | |
| Marble Fest | 200.00 | 24,000.00 | -23,800.00 | 0.8% |
| Campground/Store Revenues | 5,312.69 | 45,000.00 | -39,687.31 | 11.8% |
| CSQ Lease Agreement | 7,037.69 | 30,000.00 | -22,962.31 | 23.5% |
| CSQ Maintenance Payments | 1,200.00 | 3,600.00 | -2,400.00 | 33.3% |
| Donations | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Holy Cross Electric Rebates | 154.98 | 500.00 | -345.02 | 31.0% |
| Interest Income | 142.55 | 500.00 | -357.45 | 28.5% |
| Lead King Loop Project | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Non-Specified | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Parking Program Revenue | 0.00 | 5,100.00 | -5,100.00 | 0.0% |
| SGB Lease Agreement | 0.00 | 2,800.00 | -2,800.00 | 0.0% |
| Transfers (In) Out | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Total Other Revenue | 14,047.91 | 117,500.00 | -103,452.09 | 12.0% |
| Property Taxes | 11,943.19 | 30,100.00 | -18,156.81 | 39.7% |
| Total Income | 60,379.05 | 350,500.00 | -290,120.95 | 17.2% |
| Gross Profit | 60,379.05 | 350,500.00 | -290,120.95 | 17.2% |
| Expense | | | | |
| General Government | | | | |
| Master Plan | 0.00 | 24,500.00 | -24,500.00 | 0.0% |
| Building Maint. | 630.00 | 10,000.00 | -9,370.00 | 6.3% |
| Vehicle Expenses | 211.93 | 0.00 | 211.93 | 100.0% |
| Campground Expenses | 1,562.94 | 25,000.00 | -23,437.06 | 6.3% |
| Church Rent | 0.00 | 500.00 | -500.00 | 0.0% |
| Civic Engagement Fund | 0.00 | 1,500.00 | -1,500.00 | 0.0% |
| Dues & Subscriptions | 316.00 | 500.00 | -184.00 | 63.2% |
| Lead King Loop Project | 0.00 | 5,000.00 | -5,000.00 | 0.0% |
| Legal Publication | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Marble Fest Expense | 324.00 | 23,000.00 | -22,676.00 | 1.4% |
| Office Expenses | 3,262.61 | 14,000.00 | -10,737.39 | 23.3% |
| Parking Program Expenses | 0.00 | 5,000.00 | -5,000.00 | 0.0% |
| Recycle Program | 17.46 | 3,000.00 | -2,982.54 | 0.6% |
| Treasurers Fees | 0.00 | 500.00 | -500.00 | 0.0% |
| Workshop/Travel | 407.64 | 2,000.00 | -1,592.36 | 20.4% |
| Total General Government | 6,732.58 | 115,500.00 | -108,767.42 | 5.8% |
| Other Purchased Services | | | | |
| Liability & Worker Comp Insc | 5,818.91 | 7,000.00 | -1,181.09 | 83.1% |
| Utilities | 834.71 | 4,000.00 | -3,165.29 | 20.9% |
| Total Other Purchased Services | 6,653.62 | 11,000.00 | -4,346.38 | 60.5% |

| | <u>Jan - Dec 23</u> | <u>Budget</u> | <u>\$ Over Budget</u> | <u>% of Budget</u> |
|--|--------------------------|-------------------------|--------------------------|------------------------|
| Park Fund Expenses | | | | |
| Historical Park Pres. Planning | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Jail Preservation Grant Match | 0.00 | 5,000.00 | -5,000.00 | 0.0% |
| Maintenance - Park Fund | 202.12 | 20,500.00 | -20,297.88 | 1.0% |
| Park Fund Expenses - Other | 0.00 | 0.00 | 0.00 | 0.0% |
| Total Park Fund Expenses | <u>202.12</u> | <u>26,500.00</u> | <u>-26,297.88</u> | <u>0.8%</u> |
| Purchased Professional Services | | | | |
| Audit | 0.00 | 10,000.00 | -10,000.00 | 0.0% |
| Engineering-Water Augmentation | 0.00 | 500.00 | -500.00 | 0.0% |
| Engineering Services & Insp. | 430.00 | 4,000.00 | -3,570.00 | 10.8% |
| Legal - General | 2,978.00 | 20,000.00 | -17,022.00 | 14.9% |
| Municipal Court | 0.00 | 1,500.00 | -1,500.00 | 0.0% |
| Total Purchased Professional Services | <u>3,408.00</u> | <u>36,000.00</u> | <u>-32,592.00</u> | <u>9.5%</u> |
| Roads | | | | |
| Snow & Ice Removal | 34,329.75 | 30,000.00 | 4,329.75 | 114.4% |
| Street Maintenance | 0.00 | 15,000.00 | -15,000.00 | 0.0% |
| Total Roads | <u>34,329.75</u> | <u>45,000.00</u> | <u>-10,670.25</u> | <u>76.3%</u> |
| Wages & Benefits | | | | |
| FICA/Medicare | 5,719.30 | 8,000.00 | -2,280.70 | 71.5% |
| Total Wages | 29,281.15 | 110,000.00 | -80,718.85 | 26.6% |
| Wages & Benefits - Other | 468.42 | 0.00 | 468.42 | 100.0% |
| Total Wages & Benefits | <u>35,468.87</u> | <u>118,000.00</u> | <u>-82,531.13</u> | <u>30.1%</u> |
| Total Expense | <u>86,794.94</u> | <u>352,000.00</u> | <u>-265,205.06</u> | <u>24.7%</u> |
| Net Income | <u>-26,415.89</u> | <u>-1,500.00</u> | <u>-24,915.89</u> | <u>1,761.1%</u> |

Patsy Smith
Dustin Wilkey
Samantha Smith Wilkey
575 West Park Street
Marble, CO 81623

March 6, 2023

Town of Marble Town Council
c/o Ron Leach, Town Administrator
Marble, Colorado 81623

RE: *Revised to Fulfill Zoning Regulation Change Request Application Requirements*
Zoning Change and Public Hearing Request for 575 West Park Street, Marble, CO 81623
Lots 4 & 5, Block 3, Marble Ski Area, Filing No. 1, County of Gunnison, State of Colorado

Marble Town Council,

At the July 2022 Town of Marble Council meeting, it became abundantly clear we do not qualify as a "Cottage Industry" or "In Home Business". We have been advised by the Town of Marble Town Council and Town Administrator in order for us to run our small seasonal business from our property the zoning must be changed to Business from Residential. Therefore, we are asking for a change of zoning at 575 W. Park Street from **residential to business**. Additionally, we request a clarification be added to the Zoning regulations allowing a residence to be located on a property zoned as Business. Currently there is no verbiage indicating whether or not a residence can be located on a property zoned as Business.

We would like to run the Crystal River Jeep Tours out of our residence, scheduled to be completed by 2025. The tour company is permitted to transport, up to 1700, paid passengers around the Lead King Loop, Punch Bowls and other surrounding areas by the US Forest Service – White River National Forest from May to November. Our off-road charter Public Utility Commission number is 000214. We have been in continuous operation since 1951 and are one of the longest running adventure companies in Colorado. All tour vehicles are meticulously inspected by a mechanic annually, maintained by a mechanic, we have commercial insurance and detailed records are kept. We do not just provide rides to passengers. Our tours are filled with history, local tales and identification of plants, mountains, waterfalls etc... Employees are rigorously trained in trail etiquette as well. We are stewards of the Upper Crystal Valley trail by checking on hikers, assisting with vehicle malfunctions and picking up trash. We answer the phone year round giving trail advise and safety information. Additionally, all CRJT drivers communicate with our office in Marble (via radio) while on the 4x4 trail.

Parking and the limitation of our USFS passenger number was an issue until we restructured in 2021. Upwards of 15 vehicles would be parked at any given time at the tour office and we would come close to exceeding our passenger load limitation most years (2007-2020). Our restructure included limiting the number of passengers per vehicle, raising our rates, offering private tours, purchasing new vehicles and a management changed. Each tour vehicle is now limited to five passengers, instead of seven. Our restructure had a dramatic impact in 2021 and 2022; there was an average of three (3) tour trips per day; an average of four (4) guest vehicles parked from 9:30a-1:00p & four (4) parked from 1:30p-5:00p. We provided a tour to 1100 passengers in 2021 and 1048 passengers in 2022, instead of maxing out at 1700 by September. The majority of tours depart at 10:00a and 2:00p. Our current store location is off the main corridor so we do not get enough non-tour customers to track accurately. Our max capacity (future growth plan) will be five tour guests parked at a time, up to ten tour trips per day and five non-tour customers at a time. With the restructure we have room to grow!

Page 1 of 2

DustinWilkey@yahoo.com (760) 974-6000 Samantha.Smith.Wilkey@gmail.com (970) 440-0700
Patsy@SmithFamilyColorado.com (903) 288-2470 CrystalRiverJeepTours@gmail.com (970) 963-1991 .

Patsy Smith
Dustin Wilkey
Samantha Smith Wilkey
575 West Park Street
Marble, CO 81623

Current Parking for Crystal River Jeep Tours: We have four parallel parking spaces along Main Street, in front of the tour office. The four spaces have been adequate for the last two seasons.

Tentative Parking Plan for 575 W. Park Street: Tour customers will have five designated parking spaces to the right of the property. Non-tour customers will have five additional spaces to utilize in the front of the property. There will also be an ADA parking space to the right of the property. The expectation of non-tour customers is for them to be parked for a maximum of 10 minutes. Employees will park their personal vehicles behind the residence. Signs will be displayed advising off street parking is not tolerated and where designated parking is located. All tour vehicles will be parked in the existing pole barn or behind the residence, out of sight from Park Street at night and during the off season. During business hours the tour vehicles will be staged on the third tier of the property in a parallel formation. See attached diagram. We utilized the approved OWTS site plan.

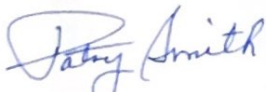
Customer Restrooms: Customers will have access to a porta-potty discreetly located outside the tour office. Customers will not have access to the residence.

Impact: Traffic flow will be the same as it has been for the last two years. Our customers have to drive by 575 W. Park to get to our current office located at 407 W. Main. Business hours are 9:30a to 5:00p. Before 9:30a and after 5:00p there will be little to no activity. Tour customers arrive 30 minutes before departure and normally leave immediately after their trips; tours last three to seven hours. While tours are out, we expect to have a few passersby to stop in for directions, to buy water, a carving or ice cream from time to time. The tour company is only in operation from May to November. The store might remain open during the winter, if needed. The majority of the customers are eager to get their adventure started, so they do not hang around the shop long. Tour vehicles do not play loud music and drivers are required to observe the speed limits in town. We are very aware of the impact on neighbors and will accommodate accordingly. There will be no new or additional impact to the environment.

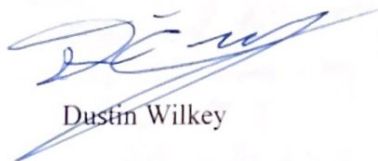
We have our architectural/engineered plans, water tap certificate and approved OWTS permit. We await the Town of Marbles decision to change our zoning from Residential to Business with the addition of being allowed to have a residence on a Business zoned property.

Thank you for your consideration.

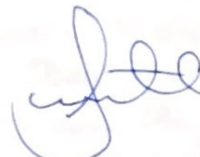
Sincerely,



Patsy Smith



Dustin Wilkey



Samantha Smith Wilkey

Page 2 of 2

DustinWilkey@yahoo.com (760) 974-6000 Samantha.Smith.Wilkey@gmail.com (970) 440-0700
Patsy@SmithFamilyColorado.com (903) 288-2470 CrystalRiverJeepTours@gmail.com (970) 963-1991 .

Colorado.gov



COLORADO
Department of
Regulatory Agencies
Public Utilities Commission





Permit Information

Owner(s) Smittys Willys, Inc.
Company Name Crystal River Jeep Tours

Address 407 W Main ST
Marble, CO 81623
Phone Number 970.963.1991
Fax Number

Permit Number ORC-00214
Permit Type Off-Road Charter
Permit Status Active
Permit Issue Date 05/30/2012

NOTE - A carrier whose permit status is indicated as "Show Cause" means either (1) that the carriers insurance coverage may be cancelled in the future, or (2) that the carriers insurance coverage may already have been cancelled. "Show Cause" does not necessarily mean that the carriers authority or registration has been or will be revoked. Questions regarding a specific carrier should be directed to the PUCs Operating Rights unit at 303.894.2000 (select option 4), or toll-free within Colorado at 800.888.0170 (select option 4).

-  [Return to Colorado Public Utilities Commission - Search Disclaimer](#)
-  [Search for Permits registered with the Public Utilities Commission](#)

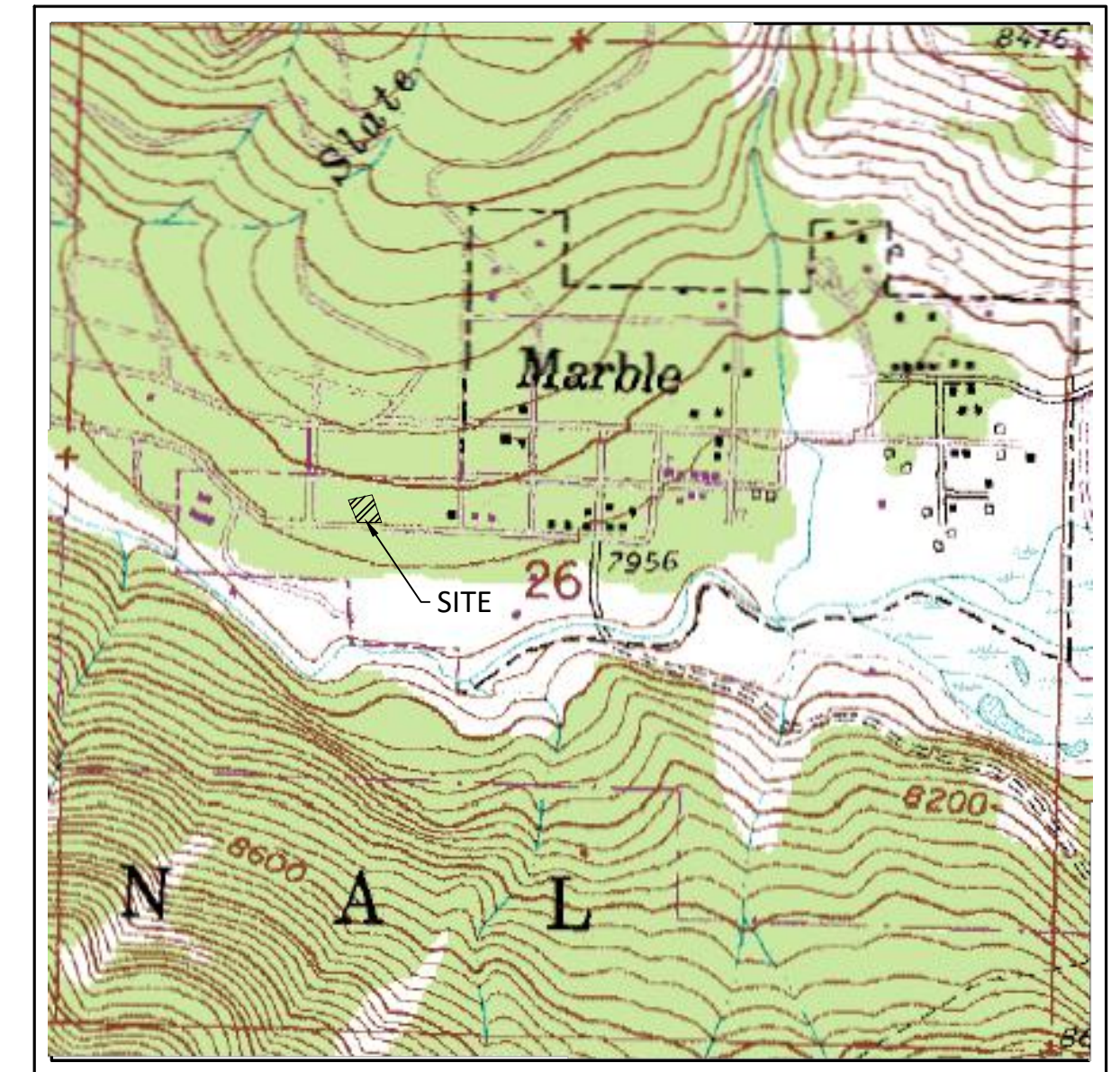
1560 Broadway, Suite 250, Denver, CO 80202 Email
(303) 894-2000 - Phone (800) 888-0170 - Permits and Insurance (800) 456-0858 - Consumer Assistance (303) 894-2065 - Fax

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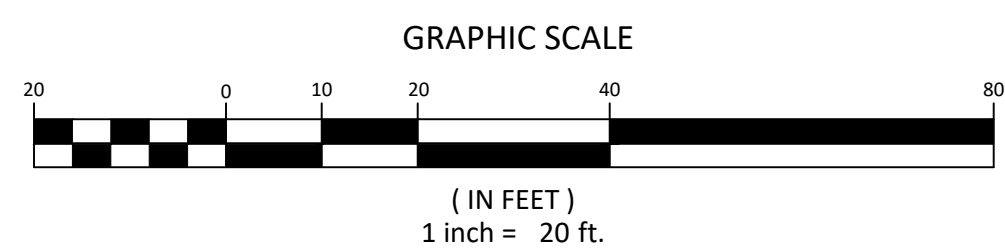
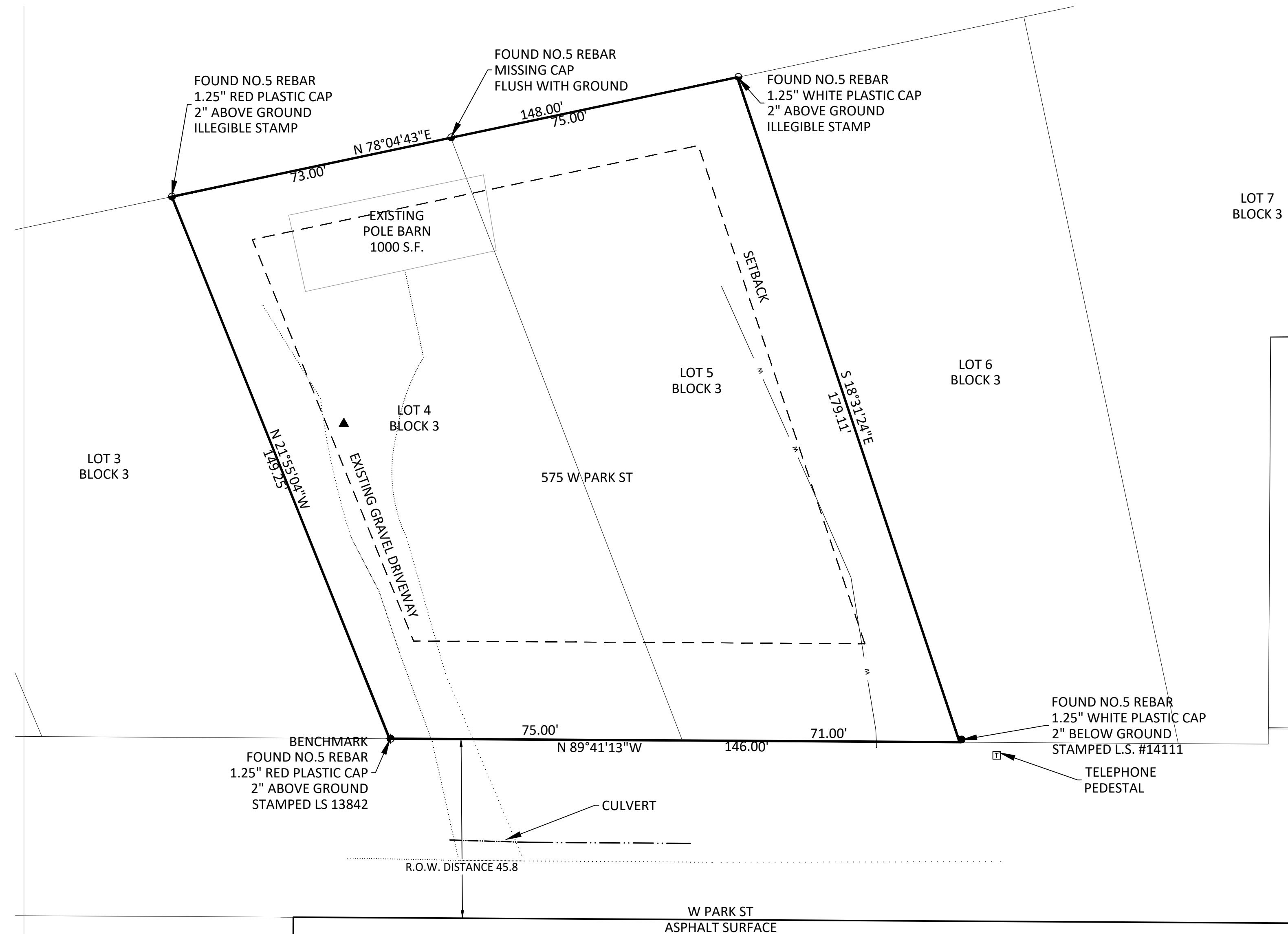
IMPROVEMENT LOCATION CERTIFICATE OF:
**LOTS 4 & 5. BLOCK 3, MARBLE SKI AREA FILING NO. 1,
 TOWN OF MARBLE, GUNNISON COUNTY, COLORADO.**

NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH.
 RANGE 88 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 GUNNISON COUNTY, COLORADO

SHEET 1 OF 1



VICINITY MAP
 SCALE: 1" = 2000'



PROPERTY DESCRIPTION

LOTS 4 & 5. BLOCK 3, MARBLE SKI AREA FILING NO. 1, TOWN OF MARBLE, GUNNISON COUNTY, COLORADO.

TOWN OF MARBLE
 COUNTY OF GUNNISON
 STATE OF COLORADO

NOTES

- 1) DATE OF SURVEY: August 23, 2022.
- 2) DATE OF PREPARATION: September 21, 2022.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS SURVEY IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF N 21°55'04" W FROM THE SOUTHWEST CORNER OF LOT 4, MONUMENTED BY A FOUND NO.5 REBAR WITH A RED PLASTIC CAP (L.S. 13842) AND THE NORTHWEST CORNER OF LOT 4 MONUMENTED BY A FOUND NO. 5 REBAR WITH A RED PLASTIC CAP (L.S. ILLEGIBLE).
- 5) BASIS OF SURVEY: THE BODY OF THE PROPERTY DESCRIPTION CONTAINED IN THE PLAT OF MARBLE SKI AREA RECORDED AS RECEPTION NO. 28255 ON DECEMBER 11, 1970 BY THE GUNNISON COUNTY CLERK AND RECORDER SPECIFICALLY DESCRIBES A PARCEL THAT LIES WITHIN THE NORTHWEST QUARTER OF SECTION 26. VARIOUS DOCUMENTS OF RECORD, AND THE FOUND MONUMENTS, AS SHOWN.
- 6) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PLAT OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON. NO TITLE COMMITMENT WAS PROVIDED TO SE.
- 7) SETBACKS SHOWN ARE THE MINIMUM DISTANCE PER TOWN OF MARBLE ZONING CODE, RESIDENTIAL (R) ZONE.

IMPROVEMENT LOCATION CERTIFICATE

I HEREBY STATE THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED BY SOPRIS ENGINEERING, LLC (SE) FOR GLENN A. SMITH AND PATSY M. SMITH

THAT IT IS NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT AND IT IS NOT TO BE RELIED ON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.

I FURTHERMORE STATE THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, AUGUST 23, 2022, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN; THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.



Mark S. Beckler L.S. #28643

GENERAL UTILITY NOTES:

The locations of underground utilities have been plotted based on utility maps, construction/design plans, other information provided by utility companies and actual field locations in some instances. These utilities, as shown, may not represent actual field conditions. It is the responsibility of the contractor to contact all utility companies for field location of utilities prior to construction.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SOPRIS ENGINEERING - LLC
 CIVIL CONSULTANTS
 502 MAIN STREET, SUITE A3
 CARBONDALE, COLORADO 81623
 (970) 704-0311 SOPRISENG@SOPRISENG.COM

Tentative Plan for Crystal River Jeep Tours at 575 West Park Street

Parking

- Tour Customers – 5 Spaces (right of property)
- Walk-In Customers – 5 Spaces (center, below tour vehicle staging area)
- ADA Parking – 2 spaces (right of property)
- Tour Vehicle Staging Area - 5 vehicles (center)
- Employee Parking Behind Residence
- All parking areas will be identified by signs (carved wood, rustic)

Office Location

- Temporary for 2024 by Staging Area (left)
- Permanently (2025) in the walkout Basement of the Residence (left)

Restrooms

- No customer access to restrooms in residence.
- Porta-Potty discreetly next to office.

2021 & 2022 Vehicle Parking Average

- 4 Vehicles from 9:30a – 1:00p & 4 Vehicles from 1:30p – 5:00p

Max Capacity

- 5 Vehicles from 9:30p – 1:00p & 5 Vehicles from 1:30p – 5:00p



STATE OF COLORADO

CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

STATE FILE NUMBER 1052022040250

| | | | | | | | | |
|--|---|--|---|--|--|---|---|---|
| DECEDENT'S LEGAL NAME GLENN ALVIN SMITH | | | | DATE OF DEATH NOVEMBER 09, 2022 | | | | |
| SEX MALE | SOCIAL SECURITY NUMBER 523-70-3806 | AGE-Last Birthday (Years) 73 | UNDER 1 YEAR Months: _____ Days: _____ | | UNDER 1 DAY Hours: _____ Minutes: _____ | | DATE OF BIRTH (Mo/Day/Yr) SEPTEMBER 11, 1949 | BIRTHPLACE (State or Foreign Country) COLORADO |
| IF DEATH OCCURRED IN HOSPITAL | | | | IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL DECEDENT'S HOME | | | | |
| Facility Name (If not institution, give street & number) 21 RAMPART PLACE | | | | CITY, TOWN OR LOCATION OF DEATH BATTLEMENT MESA | | COUNTY OF DEATH GARFIELD | | |
| RESIDENCE - STREET AND NUMBER 21 RAMPART PLACE | | | | APT. NO. | ZIP CODE 81635 | INSIDE CITY LIMITS YES | | |
| RESIDENCE STATE COLORADO | | | COUNTY GARFIELD | | CITY OR TOWN BATTLEMENT MESA | | | |
| DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired) GENERAL SERVICES OFFICER-US STATE DEPARTMENT | | | | KIND OF BUSINESS/INDUSTRY UNITED STATES GOVERNMENT | | DECEDENT'S EDUCATION BACHELOR'S DEGREE | | |
| DECEDENT OF HISPANIC ORIGIN NO | | | | DECEDENT'S RACE White | | | | |
| EVER IN US ARMED FORCES YES | MARITAL STATUS AT TIME OF DEATH MARRIED | | SPOUSE/PARTNER NAME (If wife give name prior to first marriage) PATSY M. BUTTLER | | | | | |
| FATHER'S NAME GEORGE SMITH | | | | MOTHER'S NAME PRIOR TO FIRST MARRIAGE LOLITA WESTLAKE | | | | |
| INFORMANT'S NAME PATSY M. SMITH | | | | INFORMANT'S RELATIONSHIP TO DECEASED SPOUSE | | | | |
| NAME OF FUNERAL HOME FARNUM-HOLT FUNERAL HOME | | | | CITY AND STATE OF FUNERAL HOME GLENWOOD SPRINGS COLORADO | | WAS CORONER NOTIFIED NO | | |
| METHOD OF DISPOSITION CREMATION | | PLACE OF DISPOSITION WESTERN SLOPE CREMATORY | | | LOCATION - CITY, COUNTY, STATE GLENWOOD SPRINGS GARFIELD COLORADO | | | |
| INJURY AT WORK | IF TRANSPORTATION RELATED, SPECIFY | | DATE OF INJURY | | TIME OF INJURY | | | |
| PLACE OF INJURY | | | | | | | | |
| LOCATION OF INJURY (Street & Number, Apt. No., City or Town, County, State, Zip Code) | | | | | | | | |
| DESCRIBE HOW INJURY OCCURRED | | | | | | | | |
| WAS DECEDENT UNDER HOSPICE CARE YES | ACTUAL OR PRESUMED TIME OF DEATH PRESUMED 10:18 AM | | DATE PRONOUNCED DEAD (MO/DAY/YR) NOVEMBER 09, 2022 | | TIME PRONOUNCED DEAD 10:40 AM | | | |
| MANNER OF DEATH NATURAL | | | WAS AN AUTOPSY PERFORMED NO | | WERE AUTOPSY FINDINGS CONSIDERED IN DETERMINING THE CAUSE OF DEATH? | | | |
| CAUSE OF DEATH | | | | | | | | |
| PART I | | Enter the <u>chain of events</u> -diseases, injuries, or complications-that directly caused the death. | | | | Approximate interval: Onset to death | | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | | a COMPLICATIONS OF SYSTOLIC HEART FAILURE | | | | YEARS | | |
| Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) | | b ISCHEMIC CARDIOMYOPATHY | | | | YEARS | | |
| | | c CORONARY ARTERY DISEASE | | | | YEARS | | |
| | | d | | | | | | |
| PART II Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I | | | | | | | | |
| TITLE, NAME, ADDRESS, ZIP CODE AND COUNTY OF PHYSICIAN HEIDI N MARLIN MD 195 STAFFORD LANE DELTA CO 81416 | | | | | DATE SIGNED NOVEMBER 15, 2022 | | | |
| TITLE, NAME, ADDRESS, ZIP CODE AND COUNTY OF CORONER | | | | | Gunnison County, CO 3/7/2023 11:43:58 AM 132 | | | |
| DATE FILED BY REGISTRAR NOVEMBER 16, 2022 | | | | | 689906 Page 1 of 1 R 13.00 D 0.00 | | | |



DATE ISSUED **NOVEMBER 17, 2022**

THIS IS A TRUE CERTIFICATION OF NAME AND FACTS AS RECORDED IN THIS OFFICE. Do not accept unless prepared on security paper with engraved border displaying the Colorado state seal and signature of the Registrar. PENALTY BY LAW, Section 25-2-118, Colorado Revised Statutes, 1982, if a person alters, uses, attempts to use or furnishes to another for deceptive use any vital statistics record. NOT VALID IF PHOTOCOPIED.

A. Alex Quintana
A. ALEX QUINTANA
STATE REGISTRAR



* 0 1 1 4 8 5 7 0 8 *

REV 01/19

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



SPECIAL WARRANTY DEED

THIS DEED, made this 19 day of October, 2022, between

GLENN A. SMITH AND PATSY M. SMITH

whose address is ,575 West Park Street, Marble CO 81623, GRANTOR(S), and

GLENN A. SMITH AND PATSY M. SMITH AND SAMANTHA WILKEY AND DUSTIN WILKEY

whose address is 575 West Park Street, Marble CO 81623, GRANTEE(S):

WITNESS, that the grantor(s), for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee(s), grantee's heirs and assigns forever, not in tenancy in common but **IN JOINT TENANCY**, all the real property, together with improvement, if any, situate, lying and being in the County of Gunnison and State of Colorado, described as follows:

Lots 4 and 5, Block 3
Marble Ski Area, Filing No.1,
County of Gunnison, State of Colorado

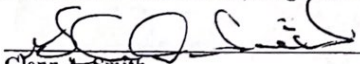
also known by street and number as: **575 West Park Street, Marble, CO 81623**

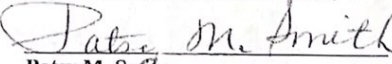
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appurtenant, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, grantee's heirs and assigns forever. The grantor(s), for the grantor, grantor's heirs, and personal representatives or successors, does covenant and agree that grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, grantee's heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under the grantor, except for general taxes for the current and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any; subject to Statutory Exceptions as defined in C.R.S. §38-30-113, Revised.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.


Glenn A. Smith


Patsy M. Smith

STATE OF: Colorado
COUNTY OF: Gunnison

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 19 day of October, 2022 by Glenn A. Smith and Patsy M. Smith.

My Commission expires:

Witness my hand and official seal.


Notary Public



SUPPLEMENTAL AFFIDAVIT

STATE OF COLORADO)
)
COUNTY OF Garfield)

In the matter of the title to real property in joint tenancy, Linda a Mewand, being first duly sworn upon oath, deposes and says, that the undersigned affiant is of legal age and has personal knowledge of the fact that Glenn A. Smith is the same person as Glenn Alvin Smith referred to in the attached copy of the Death Certificate, certified in accordance with the laws of the State of Colorado, on the date of November 17, 2022, and was at the time of death on the date of November 9, 2022, the owner in joint tenancy with Patsy M. Smith and Samantha Wilkey and Dustin Wilkey of the following described real property situate in the County of Gunnison and State of Colorado, to wit:

Lots 4 and 5, Block 3
Marble Ski Area, Filing No.1,
County of Gunnison, State of Colorado

And that the undersigned affiant has no record interest in said real property.

Linda a Mewand
Affiant

Subscribed and sworn to before me in the County of Garfield,
State of Colorado, on March 14, 2023.

My Commission Expires:

Sienna Soto Serafin
Notary Public



Gunnison County Assessor's Property Record Search

Gunnison County Assessor's Property Record Search Data last updated: 03/16/2023

R014476
575 W PARK ST., MARBLE

Total Actual Value
\$33,600

SUMMARY

| | |
|-------------------|--|
| Account # | R014476 |
| Parcel # | 2917-262-21-008 |
| Account Type | Commercial |
| Economic Area | Eco1 Area 8 |
| Owner Name | WILKEY SAMANTHA, WILKEY DUSTIN, SMITH PATSY M |
| Mailing Address | 575 W PARK ST MARBLE, CO 81623-9024 |
| Property Location | 575 W PARK ST., MARBLE |
| Legal Description | LOTS 4 & 5, BLOCK 3, MARBLE SKI AREA SUBDIVISION, FILING NO. 1 |
| Parcel Notes | - |

CURRENT ASSESSMENT INFORMATION

| | |
|-------------------------|----------|
| Tax Year | 2022 |
| Tax District | 400 |
| Mill Levy | 70.974 |
| Land Actual Value | \$33,600 |
| Building Actual Value | \$0 |
| Total Actual Value | \$33,600 |
| Land Assessed Value | \$9,740 |
| Building Assessed Value | \$0 |
| Total Assessed Value | \$9,740 |

For 2022, the assessment rate for single family residential property is 6.95%, and for multi-family residential 6.80%. Agricultural land and outbuildings are assessed at 26.4%. For most other property, including vacant land and commercial, the rate is 29%.

Please note: between January 1 and April 30, the values shown above will reflect the property's valuation from the prior tax year. Any changes to this valuation due to reappraisal or new construction will be displayed from May 1 onwards.

LAND

| LEA | SUBDIVISION | LAND TYPE | SIZE |
|--|-----------------------------------|------------|--------------|
| + 80380: MARBLE LARGE BLDG SITE >10000 | MARBLE SKI AREA 1 | Commercial | 23,217 Sq Ft |
| Site Access | PAVED ACCESS | | |
| Electricity | NOT INSTALLED AVAILABLE NEAR SITE | | |
| Sewer | SEWERS ALLOWED NOT INSTALLED | | |
| Water | DOMESTIC INSTALLED | | |
| Other Attributes | - | | |

BUILDINGS

BUILDING (1)

| | | | |
|--------------------------|------------------|---------------------|---|
| Property Type | Commercial | # of Units | 0 |
| Occupancy | Shed - Equipment | | |
| Original Year Built | 2010 | Stories | 1 |
| Effective Year Built * | 2010 | Bedrooms | - |
| Construction Quality | Fair | Bathrooms | - |
| Condition | Average | Finished Basement | - |
| Above Grade Living Area: | 1,025 | Unfinished Basement | - |
| Garage | - | Unfinished Area | - |

* The difference between a building's Original Year Built and Effective Year Built reflects any remodels, additions and maintenance that have been undertaken since it was first constructed. These activities tend to extend a building's useful life, resulting in an Effective Year Built that is newer than the Original Year Built.

SALES AND CONVEYANCE

| SALE DATE | SALE AMOUNT | GRANTOR | GRANTEE | VACANT OR IMPROVED | RECEPTION # |
|--------------|--------------------------------------|------------------------------|--|--------------------|-------------|
| + 10/19/2022 | \$0 | SMITH GLENN A; SMITH PATSY M | SMITH GLENN A; SMITH PATSY M; WILKEY SAMANTHA; WILKEY DUSTIN | - | 688233 |
| Sales Notes | Transfer with no consideration | | | | |
| Deed Type | SPEC WARR DEED - NO FEE | | | | |
| + 07/24/2008 | \$69,500 | BUDA RONALD F | SMITH GLENN A ETAL | Vacant | 585408 |
| Sales Notes | Not an open-market, arms length sale | | | | |
| Deed Type | WARRANTY DEED - FEE | | | | |

PRIOR YEAR ASSESSMENT INFORMATION

Gunnison County Assessor's Property Record Search

Gunnison County Assessor's Property Record Search Data last updated: 03/16/2023

R014476
575 W PARK ST, MARBLE

Total Actual Value
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| Legal Description | LOTS 4 & 5, BLOCK 3, MARBLE SKI AREA SUBDIVISION, FILING NO. 1 |
| Parcel Notes | - |

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| | |
|-------------------------|----------|
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| Electricity | NOT INSTALLED AVAILABLE NEAR SITE | | |
| Sewer | IS/S ALLOWED NOT INSTALLED | | |
| Water | DOMESTIC INSTALLED | | |
| Other Attributes | - | | |

BUILDINGS

| BUILDING (1) | | # of Units | |
|-------------------------|------------------|---------------------|---|
| Property Type | Commercial | 0 | |
| Occupancy | Shed - Equipment | | |
| Original Year Built | 2010 | Stories | 1 |
| Effective Year Built * | 2010 | Bedrooms | - |
| Construction Quality | Fair | Bathrooms | - |
| Condition | Average | Finished Basement | - |
| Above Grade Living Area | 1,025 | Unfinished Basement | - |
| Garage | - | Unfinished Area | - |

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| SALE DATE | SALE AMOUNT | GRANTOR | GRANTEE | VACANT OR IMPROVED | RECEPTION # |
|--------------|--------------------------------------|------------------------------|--|--------------------|-------------|
| + 10/19/2022 | \$0 | SMITH GLENN A; SMITH PATSY M | SMITH GLENN A; SMITH PATSY M; WILKEY SAMANTHA; WILKEY DUSTIN | - | 688263 |
| Sales Notes | Transfer with no consideration | | | | |
| Deed Type | SPEC WARR DEED - NO FEE | | | | |
| + 07/24/2008 | \$69,500 | BUDA RONALD F | SMITH GLEN A ETAL | Vacant | 585408 |
| Sales Notes | Not an open-market, arms length sale | | | | |
| Deed Type | WARRANTY DEED - FEE | | | | |

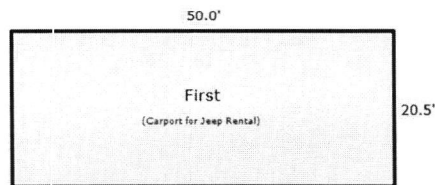
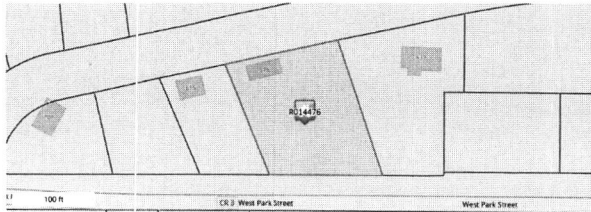
PRIOR YEAR ASSESSMENT INFORMATION

| YEAR | ACTUAL VALUE | ASSESSED VALUE | MILL LEVY | AD VALOREM TAXES |
|------|--------------|----------------|-----------|------------------|
| 2021 | \$33,600 | \$9,740 | 63.36 | \$617 |
| 2020 | \$29,000 | \$8,410 | 66.64 | \$560 |
| 2019 | \$29,000 | \$8,410 | 65.45 | \$550 |
| 2018 | \$27,000 | \$7,830 | 66.63 | \$522 |
| 2017 | \$27,000 | \$7,830 | 64.49 | \$505 |
| 2016 | \$32,400 | \$9,400 | 64.45 | \$606 |
| 2015 | \$32,400 | \$9,400 | 63.82 | \$600 |
| 2014 | \$45,950 | \$13,330 | 63.74 | \$850 |
| 2013 | \$45,950 | \$13,330 | 57.33 | \$764 |
| 2012 | \$164,150 | \$47,610 | 54.01 | \$2,572 |
| 2011 | \$147,280 | \$42,710 | 54.07 | \$2,310 |
| 2010 | \$65,010 | \$18,850 | 48.11 | \$907 |

Contact the Treasurer's Office for current property tax amount due. Do not use the figures above to pay outstanding property taxes.

TAX AUTHORITIES

| TAX AREA | ENTITY NAME | ENTITY TYPE | ENTITY LEVY | TAX AREA LEVY | ENTITY % OF TAX BILL |
|---|--|------------------|-------------|---------------|----------------------|
| + 400 | RE1J School District | School District | 27.236 | 63.363 | 43.0% |
| Mailing Address 801 N Boulevard St, Gunnison, CO 81230 | | | | | |
| Contact Number (970) 641-7770 | | | | | |
| + 400 | Gunnison County Library District | Library District | 1.900 | 63.363 | 3.0% |
| Mailing Address 307 N Wisconsin St, Gunnison, CO 81230 | | | | | |
| Contact Number (970) 641-3485 | | | | | |
| + 400 | Gunnison County | County | 14.614 | 63.363 | 23.0% |
| Mailing Address 200 E Virginia Ave, Gunnison, CO 81230 | | | | | |
| Contact Number (970) 641-0248 | | | | | |
| + 400 | Carbondale & Rural Fire Protect. Dist. | Fire District | 12.607 | 63.363 | 19.9% |
| Mailing Address 300 Meadowood Dr, Carbondale, CO 81623 | | | | | |
| Contact Number (970) 963-2491 | | | | | |
| + 400 | Marble | City/Town | 6.505 | 63.363 | 10.3% |
| Mailing Address 312 W Park St, Marble, CO 81623 | | | | | |
| Contact Number (303) 963-1938 | | | | | |
| + 400 | Colorado River Water District | Water District | 0.501 | 63.363 | 0.8% |
| Mailing Address 211 Centennial St, Ste 200, Glenwood Springs, CO 81601 | | | | | |
| Contact Number (570) 945-8799 | | | | | |



Sketch by Apex Sketch

NOTICE OF PUBLIC HEARING

ZONING AMENDMENT

Please take notice that an application has been submitted to re-zone LOTS 4 & 5, BLOCK 3, MARBLE SKI AREA SUBDIVISION, FILING NO. 1, TOWN OF MARBLE, COLORADO from Residential to Business.

A public hearing on the application has been scheduled for April 6, 2023, 7:00 PM, at Marble Community Church, 121 W. State St. Marble, Colorado.

A copy of the application is available from the Town Clerk at leach@townofmarble.com.

PROOF OF PUBLICATION
GLENWOOD SPRINGS POST INDEPENDENT

STATE OF COLORADO } SS
COUNTY OF GARFIELD }

See Proof on Next Page

I, Peter Baumann, do solemnly swear that I am Publisher of , says: The Glenwood Springs Post Independent, that the same weekly newspaper printed, in whole or in part and published in the County of Garfield, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Garfield for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion; and that the first publication of said notice was in the issue of said newspaper dated 24 Mar 2023 in the issue of said newspaper.

Total cost for publication: **\$21.07**

That said newspaper was regularly issued and circulated on those dates.



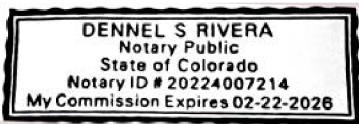
Publisher

Subscribed to and sworn to me this 24th day of March, 2023



Notary Public, Garfield County, Colorado

My commission expires: February 26, 2026



Advertiser:
Swift Communications
200 Lindbergh Drive
Gypsum, CO 81637
970.777.3126

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A copy of the application is available from the Town Clerk at leach@townofmarble.com.
PUBLISHED IN THE GLENWOOD SPRINGS POST INDEPENDENT ON FRIDAY, MARCH 24, 2023.

Notified
Property Owners Within 33 Feet

| Account # | Location | Owner |
|-----------|-----------------------|---|
| R004180 | 509 W PARK ST, MARBLE | DOLORES WAY 104 LLC |
| R004181 | 513 W PARK ST, MARBLE | EVANS MICHAEL F, EVANS LINDA S |
| R014069 | W STATE ST, MARBLE | SERENITY HOUSE LLC C/O ROBERT CONGDON |
| R014070 | W MAIN ST, MARBLE | MANZ ANDREW |
| R014071 | , MARBLE | BOCHMAN CHARLES H |
| R014072 | 610 W MAIN ST, MARBLE | MANZ ANDREW |
| R014073 | , MARBLE | MARTIN TRUST INDENTURE |
| R014080 | , MARBLE | BROWN SHARON L |
| R014467 | , MARBLE | LAWSON KENT SHELDON |
| R014468 | W STATE ST, MARBLE | RODGERS SHANE, RODGERS MEGAN |
| R014475 | 537 W PARK ST, MARBLE | EVANS MICHAEL F, EVANS LINDA S |
| R014476 | 575 W PARK ST, MARBLE | WILKEY SAMANTHA, WILKEY DUSTIN, SMITH PATSY M |
| R014477 | 615 W PARK ST, MARBLE | JONES MARY ELLEN, JONES JASON |
| R014478 | , MARBLE | JONES MARY ELLEN, JONES JASON |
| R014479 | 701 W PARK ST, MARBLE | RODGERS SHANE, RODGERS MEGAN |
| R014481 | , MARBLE | STOVER RAY |
| R015735 | 322 W PARK ST, MARBLE | MARBLE TOWN OF |
| R031827 | W PARK ST, MARBLE | WIENER MADELINE, WIENER MATTHEW |
| R031828 | W 7TH ST, MARBLE | WIENER MADELINE, WIENER MATTHEW |
| R031836 | 620 PARK ST, MARBLE | VILLALOBOS CHRISTY M, VILLALOBOS MARIO |
| R031837 | 630 W PARK ST, MARBLE | VILLALOBOS CHRISTY M, VILLALOBOS MARIO |
| R032228 | , MARBLE | MARBLE TOWN OF |
| R070979 | W MAIN ST, MARBLE | SERENITY HOUSE LLC C/O ROBERT CONGDON |
| R071450 | 501 W PARK ST, MARBLE | DOLORES WAY 104 LLC |
| R073199 | 640 W MAIN ST, MARBLE | MANUS CHARLES R, MANUS CONNIE S |

Jones
615 West Park St
Marble, CO

7/2/22

Dear Town of Marble Board Members, and
other interested parties,

I want to thank you for all your hard
work in making this community one I am proud
to live in. I know your work is not easy
but my deepest thanks to you. You hear much
from those with grievances and much less
from the many of us who are appreciative of
the democratic and fair way that this town
handles issues.

I am writing in support of my next
door neighbors and the jeep tour home business
that they plan to run from their home + property.
The jeep tours monitor the Lead King loop area
and are helpful to anyone who has problems
on the trail. They keep strangers from trying to
take their own vehicles on the trail. They
monitor safety issues and know the trails well.
They limit traffic in town as well as on the
trails because they are situated near the
edge of town and have their own parking
area. The jeep tours have been run out of
this community for over 70 years and have
always been of great help to this community.
I cannot think of any reason to object
to their plan. I do not feel their business will
affect my life in any way, nor does the gallery
cross the street.

I would like to see my neighbors succeed.
They are helpful, honest people who belong in a
community where we all help each other.

Sincerely,
Mary Ellen Jones

From: bkvenner@aol.com
Sent: Monday, March 20, 2023 11:59 AM
To: Ron Leach Town of Marble
Subject: Protest of Rezoning

I am sending this email on behalf of Charles Bochmann who would like to protest the rezoning of the following:

Lots 4 & 5, Block 3, Marble Ski Area Subdivision, Filing No. 1, Town Of Marble, Colorado

Thanks!

Colorado Liquor Retail License Application

New License
 New-Concurrent
 Transfer of Ownership
 State Property Only
 Master file

• All answers must be printed in black ink or typewritten
• Applicant must check the appropriate box(es)
• Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor

1. Applicant is applying as a/an
 Individual
 Limited Liability Company
 Association or Other
 Corporation
 Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number
Raspberry Ridge Cafe LLC 88-4391268

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
5580 County Rd 3

| | | | |
|---|---|--|--|
| City Marble | County Gunnison | State CO | ZIP Code 81623 |
|---|---|--|--|

| | | | |
|---|---|--|--|
| 4. Mailing Address (Number and Street) 101 W 1st st | City or Town Marble | State CO | ZIP Code 81623 |
|---|---|--|--|

5. Email Address
ryanvinciguerra@gmail.com

6. If the premises currently has a liquor or beer license, you **must** answer the following questions

| | | | |
|---|------------------------------|--------------------------|-------------------------|
| Present Trade Name of Establishment (DBA) | Present State License Number | Present Class of License | Present Expiration Date |
|---|------------------------------|--------------------------|-------------------------|

| | | | |
|------------------|--|--------------------------|-----------------------------|
| Section A | Nonrefundable Application Fees* | Section B (Cont.) | Liquor License Fees* |
|------------------|--|--------------------------|-----------------------------|

| | |
|--|---|
| <input type="checkbox"/> Application Fee for New License\$1,100.00 <input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review\$1,200.00 <input type="checkbox"/> Application Fee for Transfer\$1,100.00 | <input type="checkbox"/> Liquor-Licensed Drugstore (County)\$312.50 <input type="checkbox"/> Lodging & Entertainment - L&E (City)\$500.00 <input type="checkbox"/> Lodging & Entertainment - L&E (County)\$500.00 <input type="checkbox"/> Manager Registration - H & R\$30.00 <input type="checkbox"/> Manager Registration - Tavern\$30.00 <input type="checkbox"/> Manager Registration - Lodging & Entertainment\$30.00 <input type="checkbox"/> Manager Registration - Campus Liquor Complex\$30.00 <input type="checkbox"/> Optional Premises License (City)\$500.00 <input type="checkbox"/> Optional Premises License (County)\$500.00 <input type="checkbox"/> Racetrack License (City)\$500.00 <input type="checkbox"/> Racetrack License (County)\$500.00 <input type="checkbox"/> Resort Complex License (City)\$500.00 <input type="checkbox"/> Resort Complex License (County)\$500.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (City)\$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (County)\$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (State)\$160.00 <input type="checkbox"/> Retail Gaming Tavern License (City)\$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County)\$500.00 <input type="checkbox"/> Retail Liquor Store License--Additional (City)\$227.50 <input type="checkbox"/> Retail Liquor Store License--Additional (County)\$312.50 <input type="checkbox"/> Retail Liquor Store (City)\$227.50 <input type="checkbox"/> Retail Liquor Store (County)\$312.50 <input type="checkbox"/> Tavern License (City)\$500.00 <input type="checkbox"/> Tavern License (County)\$500.00 <input type="checkbox"/> Vintners Restaurant License (City)\$750.00 <input type="checkbox"/> Vintners Restaurant License (County)\$750.00 |
|--|---|

| | |
|------------------|-----------------------------|
| Section B | Liquor License Fees* |
|------------------|-----------------------------|

| | |
|---|--|
| <input type="checkbox"/> Add Optional Premises to H & R\$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X _____ Total _____ <input type="checkbox"/> Add Sidewalk Service Area\$75.00 <input type="checkbox"/> Arts License (City)\$308.75 <input type="checkbox"/> Arts License (County)\$308.75 <input type="checkbox"/> Beer and Wine License (City)\$351.25 <input type="checkbox"/> Beer and Wine License (County)\$436.25 <input type="checkbox"/> Brew Pub License (City)\$750.00 <input type="checkbox"/> Brew Pub License (County)\$750.00 <input type="checkbox"/> Campus Liquor Complex (City)\$500.00 <input type="checkbox"/> Campus Liquor Complex (County)\$500.00 <input type="checkbox"/> Campus Liquor Complex (State)\$500.00 <input type="checkbox"/> Club License (City)\$308.75 <input type="checkbox"/> Club License (County)\$308.75 <input type="checkbox"/> Distillery Pub License (City)\$750.00 <input type="checkbox"/> Distillery Pub License (County)\$750.00 <input checked="" type="checkbox"/> Hotel and Restaurant License (City)\$500.00 <input type="checkbox"/> Hotel and Restaurant License (County)\$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City)\$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County)\$600.00 <input type="checkbox"/> Liquor-Licensed Drugstore (City)\$227.50 | |
|---|--|

* Note that the Division will not accept cash

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

| | | | |
|------------------------|----------------|--|-------------|
| License Account Number | Liability Date | License Issued Through (Expiration Date) | Total \$ |
|------------------------|----------------|--|-------------|

Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: SBG.Colorado.gov/Liquor for more information**

| Items submitted, please check all appropriate boxes completed or documents submitted | |
|--|---|
| I. | Applicant information <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Return originals to local authority (additional items may be required by the local licensing authority) <input checked="" type="checkbox"/> E. All sections of the application need to be completed <input type="checkbox"/> F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application |
| II. | Diagram of the premises <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input checked="" type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input checked="" type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input checked="" type="checkbox"/> E. Bold/Outlined Licensed Premises |
| III. | Proof of property possession (One Year Needed) <input checked="" type="checkbox"/> A. Deed in name of the applicant (or) (matching question #2) <u>date stamped / filed with County Clerk</u> <input type="checkbox"/> B. Lease in the name of the applicant (or) (matching question #2) <input type="checkbox"/> C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant <input type="checkbox"/> D. Other agreement if not deed or lease. (matching question #2) |
| IV. | Background information (DR 8404-I) and financial documents <input checked="" type="checkbox"/> A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members) <input checked="" type="checkbox"/> B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved state vendor. Do not complete fingerprint cards prior to submitting your application. The Vendors are as follows: Identogo – https://uenroll.identogo.com/ Phone: 844-539-5539 (toll-free) Colorado Fingerprinting – http://www.coloradofingerprinting.com Appointment Scheduling Website: http://www.coloradofingerprinting.com/cabs/ Phone: 720-292-2722 Toll Free: 833-224-2227 Details about the vendors and fingerprinting in Colorado can be found on CBI's website here: https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license <input checked="" type="checkbox"/> D. List of all notes and loans (Copies to also be attached) |
| V. | Sole proprietor/husband and wife partnership (if applicable) <input type="checkbox"/> A. Form DR 4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant |
| VI. | Corporate applicant information (if applicable) <input type="checkbox"/> A. Certificate of Incorporation <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation (out of state applicants only) |
| VII. | Partnership applicant information (if applicable) <input checked="" type="checkbox"/> A. Partnership Agreement (general or limited). <input checked="" type="checkbox"/> B. Certificate of Good Standing |
| VIII. | Limited Liability Company applicant information (if applicable) <input checked="" type="checkbox"/> A. Copy of articles of organization <input checked="" type="checkbox"/> B. Certificate of Good Standing <input checked="" type="checkbox"/> C. Copy of Operating Agreement (if applicable) <input type="checkbox"/> D. Certificate of Authority if foreign LLC (out of state applicants only) |
| IX. | Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application <input checked="" type="checkbox"/> A. \$30.00 fee <input type="checkbox"/> B. If owner is managing, no fee required |

| | | | | | | | | |
|---|--|-----------------------------------|-------------|---------------------|---------|--|--|--|
| Name Raspberry Ridge Cafe | Type of License Hotel/Restuarant | Account Number 95517468 | | | | | | |
| 7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | | | | | |
| 8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state): <ul style="list-style-type: none"> a. Been denied an alcohol beverage license? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/> c. Had interest in another entity that had an alcohol beverage license suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/> If you answered yes to 8a, b or c, explain in detail on a separate sheet. | | | | | | | | |
| 9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. <input type="checkbox"/> <input checked="" type="checkbox"/> | | | | | | | | |
| 10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? <input type="checkbox"/> <input checked="" type="checkbox"/> or Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/> Other: _____ | | | | | | | | |
| 11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,0000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. <input type="checkbox"/> <input checked="" type="checkbox"/> | | | | | | | | |
| 12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,0000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. <input type="checkbox"/> <input checked="" type="checkbox"/> | | | | | | | | |
| 13. a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Are you a Colorado resident? <input checked="" type="checkbox"/> <input type="checkbox"/> | | | | | | | | |
| 14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee. SEE Attached <input checked="" type="checkbox"/> <input type="checkbox"/> | | | | | | | | |
| 15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement? <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____ a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease: <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width:40%;">Landlord</td> <td style="width:40%;">Tenant</td> <td style="width:20%;">Expires</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | | | Landlord | Tenant | Expires | | | |
| Landlord | Tenant | Expires | | | | | | |
| | | | | | | | | |
| b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16. <input type="checkbox"/> <input checked="" type="checkbox"/> | | | | | | | | |
| c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11". | | | | | | | | |
| 16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary. | | | | | | | | |
| Last Name | First Name | Date of Birth | FEIN or SSN | Interest/Percentage | | | | |
| | | | | | | | | |
| Last Name | First Name | Date of Birth | FEIN or SSN | Interest/Percentage | | | | |
| | | | | | | | | |
| Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation. | | | | | | | | |
| 17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: <input type="checkbox"/> <input type="checkbox"/> Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/> <input type="checkbox"/> Number of additional Optional Premise areas requested. (See license fee chart) _____ | | | | | | | | |
| 18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions. | | | | | | | | |

| | | |
|-------------------------------------|--|-----------------------------------|
| Name RASPBERRY RIDGE CAFE | Type of License Hotel/Restaurant | Account Number 95517468 |
|-------------------------------------|--|-----------------------------------|

19. Liquor Licensed Drugstore (LLDS) applicants, answer the following:
 a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? Yes No
If "yes" a copy of license must be attached.

20. Club Liquor License applicants answer the following: **Attach a copy of applicable documentation** Yes No

a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? Yes No

b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? Yes No

c. How long has the club been incorporated?

d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? Yes No

21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:
 a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) Yes No

22. Campus Liquor Complex applicants answer the following:
 a. Is the applicant an institution of higher education? Yes No
 b. Is the applicant a person who contracts with the institution of higher education to provide food services? Yes No
If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

23. For all on-premises applicants.
 a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

| | |
|---|---------------------------------------|
| Last Name of Manager O'Connor | First Name of Manager Marja |
|---|---------------------------------------|

24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No

25. Related Facility - Campus Liquor Complex applicants answer the following: Yes No

a. Is the related facility located within the boundaries of the Campus Liquor Complex?
 If yes, please provide a map of the geographical location within the Campus Liquor Complex.
 If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.

b. Designated Manager for Related Facility- Campus Liquor Complex

| | |
|---|---|
| Last Name of Manager O'Connor <i>lv</i> | First Name of Manager Marja <i>lv</i> |
|---|---|

26. Tax Information. Yes No

a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? Yes No

b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? Yes No

27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant**. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

| Name | Home Address, City & State | DOB | Position | %Owned |
|------------------|----------------------------------|----------|----------------|--------|
| Ryan Vinciguerra | 101 W 1st st, Marble CO 81623 | 7/1/83 | Owner/Operator | 66.09 |
| Nial O Connor | 270 Serpentine, Marble CO 81623 | 5/30/82 | Owner/Operator | 16.52 |
| Philip Poll | 700 S High st, Columbus OH 43206 | 12/17/82 | N/A | 17.39 |
| | Home Address, City & State | DOB | Position | %Owned |
| | Home Address, City & State | DOB | Position | %Owned |

| | | |
|-------------------------------------|--|-----------------------------------|
| Name RASPBERRY RIDGE CAFE | Type of License Hotel/Restaurant | Account Number 95517468 |
|-------------------------------------|--|-----------------------------------|

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.
 ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)
 ** If total ownership percentage disclosed here does not total 100%, applicant must check this box:
 Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

| | | |
|--------------------------|---|-----------------------|
| Authorized Signature | Printed Name and Title Ryan Vinciguerra | Date 2/2/23 |
|--------------------------|---|-----------------------|

Report and Approval of Local Licensing Authority (City/County)

| | |
|---|--|
| Date application filed with local authority | Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application) |
|---|--|

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

- Fingerprinted
- Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

- (Check One)
- Date of inspection or anticipated date _____
 - Will conduct inspection upon approval of state licensing authority

- Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000? Yes No
 - Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?
- NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.
- Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

| | | | | |
|-------------------------------|-------|------------------|--|--|
| Local Licensing Authority for | | Telephone Number | <input type="checkbox"/> Town, City <input type="checkbox"/> County | |
| Signature | Print | Title | Date | |
| Signature | Print | Title | Date | |


Tax Check Authorization, Waiver, and Request to Release Information

I, Ryan Vinciguerra am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Raspberry Ridge Cafe (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

| | | | |
|--|--|---|------------------------------|
| Name (Individual/Business) Raspberry Ridge Cafe | | Social Security Number/Tax Identification Number 88-4391268 | |
| Address 5580 County Road 3 | | | |
| City Marble | | State CO | Zip 81623 |
| Home Phone Number 9709488576 | | Business/Work Phone Number | |
| Printed name of person signing on behalf of the Applicant/Licensee Ryan Vinciguerra | | | |
| Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information)  | | | Date signed 2/2/23 |

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

CAFE FLOOR PLAN

KEY  = 1 FT

1521

1521

1582

155 FT

230 FT





State Documentary Fee
Date: January 10, 2023
\$115.00

Special Warranty Deed
(Pursuant to C.R.S. 38-30-113(1)(b))

Grantor(s), **THOMAS AKERS AND LAURA AKERS**, whose street address is **5580 COUNTY ROAD 3, MARBLE, CO 81623**, City or Town of **MARBLE**, County of **Gunnison** and State of **Colorado**, for the consideration of **(\$1,150,000.00) ***One Million One Hundred Fifty Thousand and 00/100***** dollars, in hand paid, hereby sell(s) and convey(s) to **RASPBERRY RIDGE CAFE LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **101 W 1ST ST., MARBLE, CO 81623**, City or Town of **MARBLE**, County of **Gunnison** and State of **Colorado**, the following real property in the County of **Gunnison** and State of **Colorado**, to wit:

LOT 2 & THE EAST 1/2 OF LOT 3, ALPINE WOODS VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED JULY 14, 1981 UNDER RECEPTION NO. 360286,

**COUNTY OF GUNNISON,
STATE OF COLORADO.**

also known by street and number as: **5580 COUNTY ROAD 3, MARBLE, CO 81623**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to Statutory Exceptions.

Signed this day of January 10, 2023

Thomas Akers
THOMAS AKERS

Laura Akers
LAURA AKERS

State of Colorado)
County of GARFIELD)ss.

The foregoing instrument was acknowledged before me on this day of January 10, 2023 by **THOMAS AKERS AND LAURA AKERS**

Witness my hand and official seal

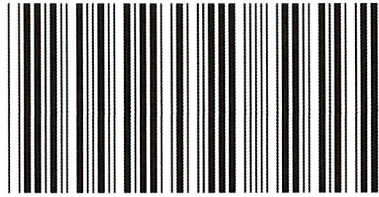
My Commission expires: 9/8/2024

Jessica Reed
Notary Public

**JESSICA REED
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994021384
My Commission Expires: September 08, 2024**

When recorded return to: **RASPBERRY RIDGE CAFE LLC, A COLORADO LIMITED LIABILITY COMPANY
101 W 1ST ST., MARBLE, CO 81623**





HLP1374



BUSINESS LOAN AGREEMENT

| Principal | Loan Date | Maturity | Loan No | Call / Coll | Account | Officer | Initials |
|--|------------|------------|------------|-------------|----------|---------|----------|
| \$862,500.00 | 01-10-2023 | 01-10-2030 | 2051386801 | 1.d / 915 | 11715-01 | DM | |
| References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "*****" has been omitted due to text length limitations. | | | | | | | |

Borrower: RASPBERRY RIDGE CAFE LLC
5580 County Road 3
Marble, CO 81623

Lender: Timberline Bank
Aspen
122 West Main St
Aspen, CO 81611
(970) 920-0112

THIS BUSINESS LOAN AGREEMENT dated January 10, 2023, is made and executed between RASPBERRY RIDGE CAFE LLC ("Borrower") and Timberline Bank ("Lender") on the following terms and conditions. Borrower has received prior commercial loans from Lender or has applied to Lender for a commercial loan or loans or other financial accommodations, including those which may be described on any exhibit or schedule attached to this Agreement. Borrower understands and agrees that: (A) in granting, renewing, or extending any Loan, Lender is relying upon Borrower's representations, warranties, and agreements as set forth in this Agreement; (B) the granting, renewing, or extending of any Loan by Lender at all times shall be subject to Lender's sole judgment and discretion; and (C) all such Loans shall be and remain subject to the terms and conditions of this Agreement.

TERM. This Agreement shall be effective as of January 10, 2023, and shall continue in full force and effect until such time as all of Borrower's Loans in favor of Lender have been paid in full, including principal, interest, costs, expenses, attorneys' fees, and other fees and charges, or until such time as the parties may agree in writing to terminate this Agreement.

CONDITIONS PRECEDENT TO EACH ADVANCE. Lender's obligation to make the initial Advance and each subsequent Advance under this Agreement shall be subject to the fulfillment to Lender's satisfaction of all of the conditions set forth in this Agreement and in the Related Documents.

Loan Documents. Borrower shall provide to Lender the following documents for the Loan: (1) the Note; (2) Security Agreements granting to Lender security interests in the Collateral; (3) financing statements and all other documents perfecting Lender's Security Interests; (4) evidence of insurance as required below; (5) guaranties; (6) together with all such Related Documents as Lender may require for the Loan; all in form and substance satisfactory to Lender and Lender's counsel.

Borrower's Authorization. Borrower shall have provided in form and substance satisfactory to Lender properly certified resolutions, duly authorizing the execution and delivery of this Agreement, the Note and the Related Documents. In addition, Borrower shall have provided such other resolutions, authorizations, documents and instruments as Lender or its counsel, may require.

Payment of Fees and Expenses. Borrower shall have paid to Lender all fees, charges, and other expenses which are then due and payable as specified in this Agreement or any Related Document.

Representations and Warranties. The representations and warranties set forth in this Agreement, in the Related Documents, and in any document or certificate delivered to Lender under this Agreement are true and correct.

No Event of Default. There shall not exist at the time of any Advance a condition which would constitute an Event of Default under this Agreement or under any Related Document.

REPRESENTATIONS AND WARRANTIES. Borrower represents and warrants to Lender, as of the date of this Agreement, as of the date of each disbursement of loan proceeds, as of the date of any renewal, extension or modification of any Loan, and at all times any Indebtedness exists:

Organization. Borrower is a limited liability company which is, and at all times shall be, duly organized, validly existing, and in good standing under and by virtue of the laws of the State of Colorado. Borrower is duly authorized to transact business in all other states in which Borrower is doing business, having obtained all necessary filings, governmental licenses and approvals for each state in which Borrower is doing business. Specifically, Borrower is, and at all times shall be, duly qualified as a foreign limited liability company in all states in which the failure to so qualify would have a material adverse effect on its business or financial condition. Borrower has the full power and authority to own its properties and to transact the business in which it is presently engaged or presently proposes to engage. Borrower maintains an office at 5580 County Road 3, Marble, CO 81623. Unless Borrower has designated otherwise in writing, the principal office is the office at which Borrower keeps its books and records including its records concerning the Collateral. Borrower will notify Lender prior to any change in the location of Borrower's state of organization or any change in Borrower's name. Borrower shall do all things necessary to preserve and to keep in full force and effect its existence, rights and privileges, and shall comply with all regulations, rules, ordinances, statutes, orders and decrees of any governmental or quasi-governmental authority or court applicable to Borrower and Borrower's business activities.

Assumed Business Names. Borrower has filed or recorded all documents or filings required by law relating to all assumed business names used by Borrower. Excluding the name of Borrower, the following is a complete list of all assumed business names under which Borrower does business: **None.**

Authorization. Borrower's execution, delivery, and performance of this Agreement and all the Related Documents have been duly

Liquor License Application Information

14.) Other Colorado Liquor Licenses

- Slow Groovin BBQ
101 W 1st st, Marble CO 81623

Ryan Vinciguerra – 80% owner
Nial O’Connor – 20% owner

- Slow Groovin Snowmass
67 Elbert Ln, Snowmass Village, CO 81615

Ryan Vinciguerra – 50% owner
Nial O’Connor – 20% owner
Steve Horner – 20% owner
Tim Lucca – 10% owner

- Propaganda Pie
467 Redstone Blvd, Redstone CO 81623

Ryan Vinciguerra – 33% owner
Nial O’connor – 33% owner
Steve Horner – 33% owner

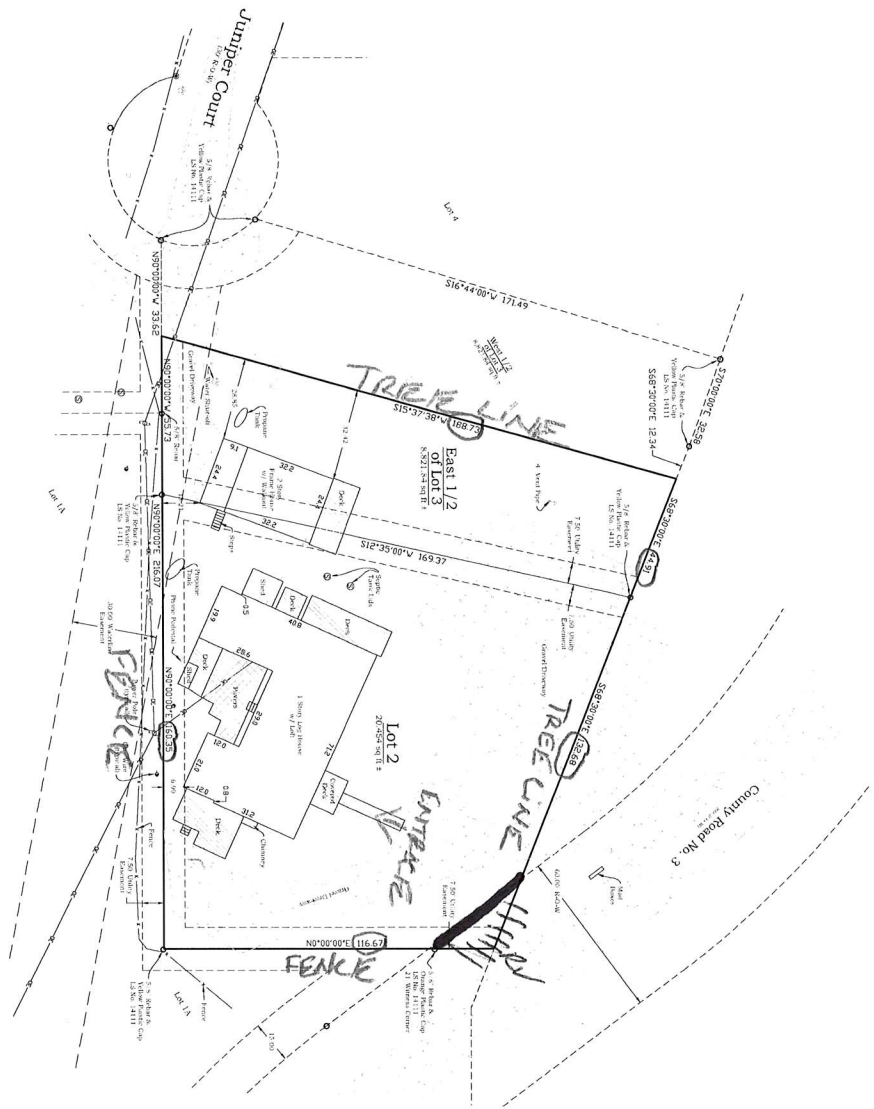
- Honey Butter
155 Hwy 133, Carbondale CO 81623

Ryan Vinciguerra – 33% owner
Nial O’ Connor – 33% owner
Steve Horner – 33% owner

- Raspberry Ridge Café (Applicant)
Ryan Vinciguerra - 66.9% owner
Nial O Connor – 16.52% owner
Philip Poll – 17.39% owner

IMPROVEMENT LOCATION CERTIFICATE

LOT 2 & THE EAST 1/2 OF LOT 3, ALPINE WOODS VILLAGE
 COUNTY OF GUNNISON, STATE OF COLORADO
 5580 COUNTY ROAD 3, MARBLE, CO 81623



PROPERTY DESCRIPTION
 LOT 2 & THE EAST 1/2 OF LOT 3, ALPINE WOODS VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED JULY 14, 1981 UNDER RECEIPT NO. 300358, COUNTY OF GUNNISON, STATE OF COLORADO

- NOTES:**
- 1) THE DATE OF THE FIELD SURVEY WAS OCTOBER 26, 2022.
 - 2) THIS DOES NOT REPRESENT A FIELD SEARCH BY THIS FIRM OR SURVEYOR.
 - 3) THIS PROPERTY IS SUBJECT TO EASEMENTS, RIGHTS OF WAY AND/OR ENCUMBRANCES AS NOTED OR SHOWN IN THE RECORDS OF THE GUNNISON COUNTY CLERK & RECORDER.
 - 4) THIS SURVEY IS BASED ON DOCUMENTS OF RECORD AND MONUMENTS FOUND IN PLACE.

SURVEYOR'S CERTIFICATE:
 I, SCOTT E. BLACKWOOD, HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PLACED AND THAT THE NOTICED TO BE SEALED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY ARE THE PROPERTY OF THE PERSONS WHOSE NAMES ARE SHOWN, HAVE THEIR AGREEMENTS AND CONSENTS BEEN OBTAINED AND THAT THERE IS NO IMPROVEMENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

LAND TITLE GUARANTEE COMPANY
 EFFECTIVE DATE: OCTOBER 18, 2022



SCOTT E. BLACKWOOD, L.S. 15742
 EMAIL: sblackwood11@gmail.com

IMPROVEMENT LOCATION CERTIFICATE
 LOT 2 & THE EAST 1/2 OF LOT 3, ALPINE WOODS VILLAGE
 COUNTY OF GUNNISON, STATE OF COLORADO
 5580 COUNTY ROAD 3, MARBLE, CO 81623



| | |
|---------|----------|
| JOB NO: | 22086 |
| DATE: | 10/21/22 |
| DWG BY: | SHB |
| REV: | |
| REV: | |

1 of 1

NOTE: ACCORDING TO COLORADO LAW, THE BEST GUARANTEE ANY SURVEYOR CAN GIVE IS THAT THE SURVEY WAS MADE ACCORDING TO THE BEST OF HIS OR HER SKILL AND CONSCIENCE AT THE TIME OF THE SURVEY. THIS DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY OR THE RESULTS THEREOF. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACTS OF SURVEYING AND THE PREPARATION OF THE SURVEY INSTRUMENTS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE IMPROVEMENTS OR FOR THE RESULTS THEREOF.

Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

Notice: This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

| | | | | |
|--|-----------|--|--|----------------------|
| 1 Name of Business <p style="text-align: center;">Raspberry Ridge Cafe</p> | | Home Phone Number <p style="text-align: center;">970-963-4090</p> | Cellular Number <p style="text-align: center;">303-506-5097</p> | |
| 2 Your Full Name (last, first, middle) <p style="text-align: center;">O'Connor, Nial, Edward</p> | | 3. List any other names you have used | | |
| 4. Mailing address (if different from residence) | | Email Address <p style="text-align: center;">Oconnor.nial@gmail.com</p> | | |
| 5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary) | | | | |
| Street and Number | | City, State, Zip | | From |
| To | | | | |
| Current | 101 W 1st | Marble CO 81623 | | 05/01/11 |
| Previous | | | | 02/27/23 |
| 6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary) | | | | |
| Name of Employer or Business | | Address (Street, Number, City, State, Zip) | | Position Held |
| From | | To | | |
| Slow Groovin BBQ | | 101 W 1st | | Owner |
| 05/01/11 | | 02/27/23 | | |
| 7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry. | | | | |
| Name of Relative | | Relationship to You | | Position Held |
| Name of Licensee | | | | |
| NA | | | | |
| | | | | |
| | | | | |
| | | | | |
| 8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | |
| See Attached | | | | |
| 9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | |
| One of our restaurants had a violation for an open container | | | | |

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) Yes No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.) Yes No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.) Yes No

Personal and Financial Information

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth: 05/30/19 b. Social Security Number: 117663486 c. Place of Birth: Buffalo NY d. U.S. Citizen: Yes No

e. If Naturalized, state where: f. When: g. Name of District Court:

h. Naturalization Certificate Number: i. Date of Certification: j. If an Alien, Give Alien's Registration Card Number: k. Permanent Residence Card Number:

l. Height: 6ft 6in m. Weight: 250 n. Hair Color: brown o. Eye Color: blue p. Gender: male q. Do you have a current Driver's License/ID? If so, give number and state. Yes No # 061750945 State CO

14. Financial Information.

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 1150000

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 20000

* If corporate investment only please skip to and complete section (d)
** Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

| Type: Cash, Services or Equipment | Account Type | Bank Name | Amount |
|-----------------------------------|--------------|-------------|--------|
| Cash | Checking | Alpine Bank | 20000 |
| | | | |
| | | | |

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

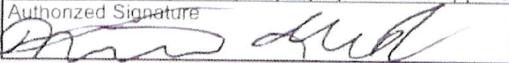
| Type: Cash, Services or Equipment | Loans | Account Type | Bank Name | Amount |
|-----------------------------------|-------|--------------|-----------------|--------|
| Cash | | | Ryan Vinciguera | 80000 |
| Cash | | | Phil Poll | 200000 |
| | | | | |

e. Loan Information (Attach copies of all notes or loans)

| Name of Lender | Address | Term | Security | Amount |
|----------------|-------------------------------|------|----------|--------|
| Timberline | 122 w main st. aspen co 81611 | 7yr | building | 861500 |
| | | | | |
| | | | | |

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature:  Print Signature: Nial O'Connor Title: Partner Date: 2-27-23

Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

| | | | | | |
|--|-------------------------------------|---|---------------------------------|-------------------------|-----------|
| Notice: This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". Any deliberate misrepresentation or material omission may jeopardize the license application. (Please attach a separate sheet if necessary to enable you to answer questions completely) | | | | | |
| 1. Name of Business Rasberry Ridge Cafe, LLC | | Home Phone Number | Cellular Number 419-340-1824 | | |
| 2. Your Full Name (last, first, middle) Poll, Philip, Peter | | 3. List any other names you have used | | | |
| 4. Mailing address (if different from residence) | | Email Address philip@obrcoolingtowers.com | | | |
| 5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary) | | | | | |
| | Street and Number | City, State, Zip | From | To | |
| Current | 2385 Coventry Rd. | Columbus, OH 43221 | 10/01/18 | 02/21/23 | |
| Previous | 699 S. Third St. | Columbus, OH 43206 | 04/01/15 | 10/01/18 | |
| 6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary) | | | | | |
| | Name of Employer or Business | Address (Street, Number, City, State, Zip) | Position Held | From | To |
| | OBR Cooling Towers, Inc. | 2845 Crane Way, Northwood, OH 43619 | Vice President | 01/01/08 | 02/21/23 |
| | | | | | |
| | | | | | |
| 7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry. | | | | | |
| | Name of Relative | Relationship to You | Position Held | Name of Licensee | |
| | | | | | |
| | | | | | |
| | | | | | |
| 8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | | |
| <div style="background-color: black; width: 100%; height: 15px; margin-bottom: 5px;"></div> | | | | | |
| 9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | | |
| | | | | | |

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) Yes No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.) Yes No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.) Yes No

Personal and Financial Information

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

| | | | |
|--------------------------------------|--|---|---|
| 13a. Date of Birth 12/17/82 | b. Social Security Number 296-80-2566 | c. Place of Birth Toledo, OH | d. U.S. Citizen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| e. If Naturalized, state where | | f. When | g. Name of District Court |
| h. Naturalization Certificate Number | i. Date of Certification | j. If an Alien, Give Alien's Registration Card Number | k. Permanent Residence Card Number |
| l. Height 6' - 0" | m. Weight 200 lbs | n. Hair Color Bro | o. Eye Color Bro |
| p. Gender Male | q. Do you have a current Driver's License/ID? If so, give number and state. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No # <u>RV428438</u> State <u>Ohio</u> | | |

14. Financial Information.

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 1150000

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 200,000

* If corporate investment only please skip to and complete section (d)
** Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

| Type: Cash, Services or Equipment | Account Type | Bank Name | Amount |
|-----------------------------------|--------------|-----------|-----------|
| Cash | | | \$200,000 |
| | | | |
| | | | |
| | | | |

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

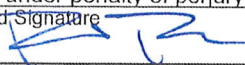
| Type: Cash, Services or Equipment | Loans | Account Type | Bank Name | Amount |
|-----------------------------------|-------|--------------|-----------|----------|
| Ryan Vinciguerra - Cash | | | | \$80,000 |
| Nial OConnor- Cash | | | | \$20,000 |
| | | | | |

e. Loan Information (Attach copies of all notes or loans)

| Name of Lender | Address | Term | Security | Amount |
|-----------------|---------|------|----------|-----------|
| Timberline Bank | | | | \$862,500 |
| | | | | |
| | | | | |

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

| | | | |
|---|--------------------------------|------------------|-----------------|
| Authorized Signature  | Print Signature PHILIP POUL | Title PARTNER | Date 2-22-23 |
|---|--------------------------------|------------------|-----------------|

Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

Notice: This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

| | | | | | |
|--|-------------------------------------|---|--|-------------------------|-----------------|
| 1. Name of Business Raspberry Ridge Cafe LLC | | Home Phone Number | Cellular Number 970 948 8576 | | |
| 2. Your Full Name (last, first, middle) Ryan Thomas Vinciguerra | | 3. List any other names you have used | | | |
| 4. Mailing address (if different from residence) 101 W 1st st, Marble CO 81623 | | Email Address ryanvinciguerra@gmail.com | | | |
| 5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary) | | | | | |
| | Street and Number | City, State, Zip | From | To | |
| Current | 101 W 1st st | Marble CO 81623 | 05/01/11 | 02/27/23 | |
| Previous | 750 Lincoln Ave | Carbondale CO, 81623 | 01/01/10 | 04/30/11 | |
| 6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary) | | | | | |
| | Name of Employer or Business | Address (Street, Number, City, State, Zip) | Position Held | From | To |
| | Slow Groovin BBQ | 101 W 1st st, Marble CO 81623 | Partner | 05/01/11 | 02/27/23 |
| | | | | | |
| | | | | | |
| 7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry. | | | | | |
| | Name of Relative | Relationship to You | Position Held | Name of Licensee | |
| | N/A | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| 8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Please see attached | | | | | |
| 9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| Our restaurant (Slow Groovin BBQ) received a violation notice for a customer leaving our property with an open container while waiting on the waitlist. | | | | | |

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) Yes No
 I received a dwai about 20 years ago

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.) Yes No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.) Yes No

Personal and Financial Information

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

| | | | |
|--------------------------------------|--|---|---|
| 13a. Date of Birth 07/01/19 | b. Social Security Number 295 82 0190 | c. Place of Birth Toledo OH | d. U.S. Citizen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| e. If Naturalized, state where | | f. When | g. Name of District Court |
| h. Naturalization Certificate Number | i. Date of Certification | j. If an Alien, Give Alien's Registration Card Number | k. Permanent Residence Card Number |
| i. Height 6ft 4in | m. Weight 250 | n. Hair Color Br | o. Eye Color Br |
| p. Gender M | q. Do you have a current Driver's License/ID? If so, give number and state. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No # 06-1150585 State CO | | |

14. Financial Information.
 a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other.
 \$ 1150000

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 80,000
 * If corporate investment only please skip to and complete section (d)
 ** Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

| Type: Cash, Services or Equipment | Account Type | Bank Name | Amount |
|-----------------------------------|--------------|-----------|--------|
| Cash | | | 80,000 |
| | | | |
| | | | |
| | | | |

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

| Type: Cash, Services or Equipment | Loans | Account Type | Bank Name | Amount |
|-----------------------------------|-------|--------------|-----------|---------|
| Philip Poll - Cash | | | | 200,000 |
| Nial O'Connor - Cash | | | | 20,000 |
| | | | | |

e. Loan Information (Attach copies of all notes or loans)

| Name of Lender | Address | Term | Security | Amount |
|-----------------|---------|------|----------|---------|
| Timberline Bank | | | | 862,500 |
| | | | | |
| | | | | |

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

| | | | |
|--------------------------|------------------------------------|------------------|-----------------|
| Authorized Signature | Print Signature Ryan Vinciguera | Title Partner | Date 2/27/23 |
|--------------------------|------------------------------------|------------------|-----------------|

Liquor License Application Information

14.) Other Colorado Liquor Licenses

- Slow Groovin BBQ
101 W 1st st, Marble CO 81623

Ryan Vinciguerra – 80% owner
Nial O’Connor – 20% owner

- Slow Groovin Snowmass
67 Elbert Ln, Snowmass Village, CO 81615

Ryan Vinciguerra – 50% owner
Nial O’Connor – 20% owner
Steve Horner – 20% owner
Tim Lucca – 10% owner

- Propaganda Pie
467 Redstone Blvd, Redstone CO 81623

Ryan Vinciguerra – 33% owner
Nial O’connor – 33% owner
Steve Horner – 33% owner

- Honey Butter
155 Hwy 133, Carbondale CO 81623

Ryan Vinciguerra – 33% owner
Nial O’ Connor – 33% owner
Steve Horner – 33% owner

- Raspberry Ridge Café (Applicant)
Ryan Vinciguerra - 66.9% owner
Nial O Connor – 16.52% owner
Philip Poll – 17.39% owner

PUBLIC NOTICE

APPLICATION FOR NEW LIQUOR LICENSE

Type of License Applied For: Hotel/Restaurant

Date of Application: March 2, 2023

Date and Time of Public Hearing: April 6, 2023

Place of Public Hearing: 119 West State Street,
Marble Colorado, 81623

Name of Applicant: Raspberry Ridge Café LLC

Address of Applicant:

5580 County Road 3, County of Gunnison,
Town of Marble Colorado, 81623

Names and Addresses of Partners:

Ryan Vinciguerra

101 West 1st St. Marble Colorado, 81623

Nial OConnor

270 Serpentine Trail, Marble Colorado, 81623

Philip Poll

2385 Coventry Road, Columbus Ohio, 43221

Name and Address of Manager

Ryan Vinciguerra

101 West 1st St. Marble Colorado, 81623

Colorado State Sales Tax Number: 95517468

Licensing Agency:

Town of Marble

322 West Park St. Marble Colorado, 81623

44-3-311. Public notice - posting and publication - definition.

(1) Upon receipt of an application, except an application for renewal or for transfer of ownership, the local licensing authority shall **schedule a public hearing** upon the application **not less than thirty days from the date of the application** and shall **post and publish the public notice thereof not less than ten days prior to the hearing**. Public notice shall be given by the **posting of a sign in a conspicuous place** on the premises for which application has been made **and by publication in a newspaper of general circulation** in the county in which the premises are located.

(2) Notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the **type of license applied for, the date of the application, the date of the hearing, and the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, the sign shall contain the names and addresses of all partners, and if the applicant is a corporation, association, or other organization, the sign shall contain the names and addresses of the president, vice president, secretary, and manager or other managing officers.**

(3) **Notice given by publication shall contain the same information as that required for signs.**

(4) If the building in which the alcohol beverage is to be sold is in existence at the time of the application, any sign posted as required in subsections (1) and (2) of this section shall be placed so as to be conspicuous and plainly visible to the general public. If the building is not constructed at the time of the application, the applicant shall post the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

(5)

(a) At the public hearing held pursuant to this section, any party in interest shall be allowed to present evidence and to cross-examine witnesses.

(b) As used in this subsection (5), "party in interest" means any of the following:

(I) The applicant;

(II) An adult resident of the neighborhood under consideration;

(III) The owner or manager of a business located in the neighborhood under consideration;

(IV) The principal or representative of any school located within five hundred feet of the premises for which the issuance of a license pursuant to section 44-3-309 (1) is under consideration.

(c) The local licensing authority, in its discretion, may limit the presentation of evidence and cross-examination so as to prevent repetitive and cumulative evidence or examination.

(d) Nothing in this subsection (5) shall be construed to prevent a representative of an organized neighborhood group that encompasses part or all of the neighborhood under consideration from presenting evidence subject to this section. The representative shall reside within the neighborhood group's geographic boundaries and shall be a member of the neighborhood group. The representative shall not be entitled to cross-examine witnesses or seek judicial review of the licensing authority's decision.

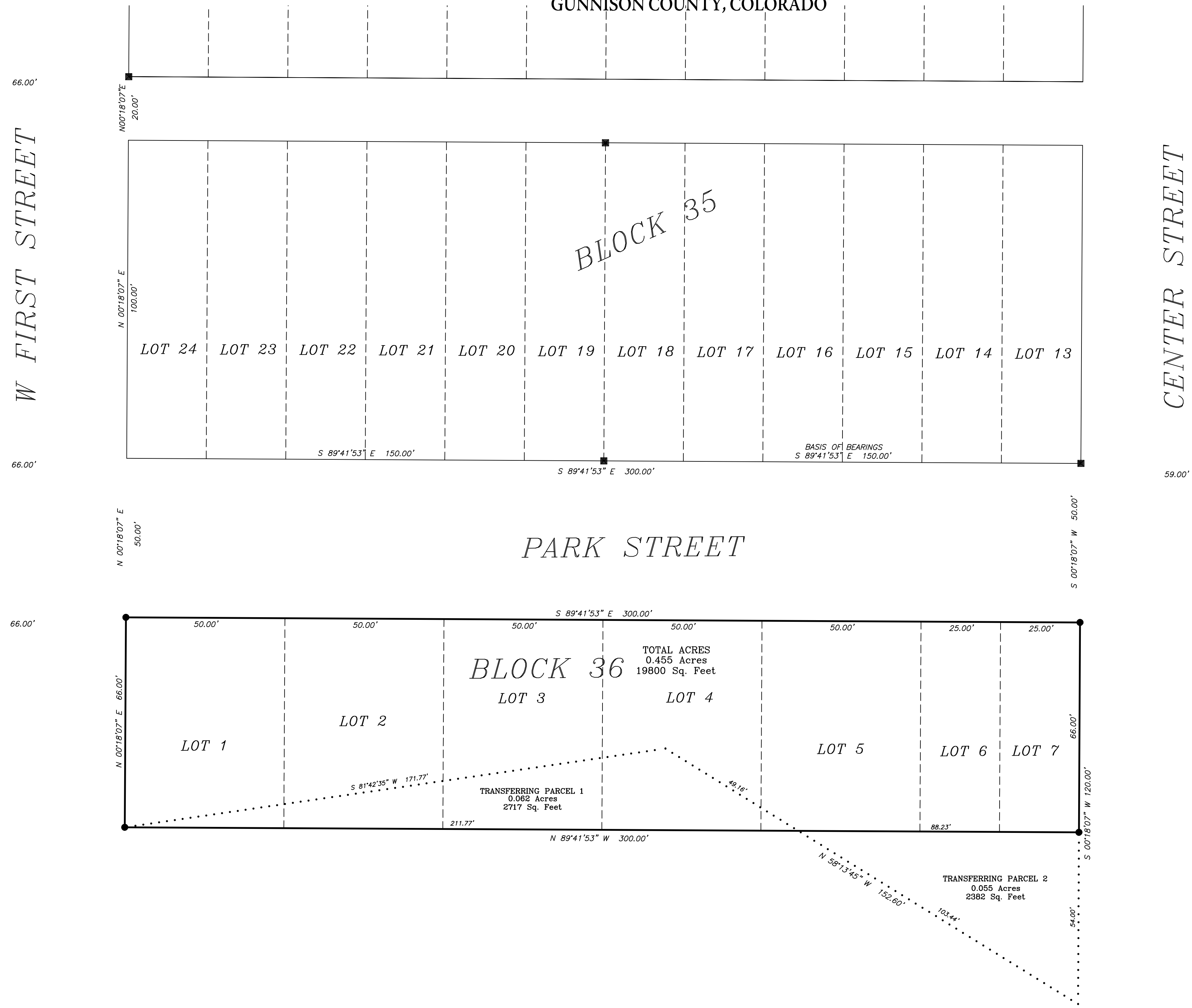
TOWN OF MARBLE / PARKER

BOUNDARY LINE ADJUSTMENT

WITHIN LOTS 1 - 7, BLOCK 36, TOWN OF MARBLE

WITHIN SECTION 26, T.11S., R.88W., 6TH P.M.

GUNNISON COUNTY, COLORADO



Certificate of Dedication and Ownership
 KNOW ALL MEN BY THESE PRESENTS that the undersigned, being the owners of certain lands in the City of Delta, Colorado, do wit:

LEGAL DESCRIPTION
 LOTS 1 THRU 7, BLOCK 36, TOWN OF MARBLE,
 COUNTY OF GUNNISON,
 STATE OF COLORADO.

Have by these presents submitted to the Boundary Adjustment as shown on this plat, under the name of TOWN OF MARBLE / PARKER BOUNDARY LINE ADJUSTMENT, to create two new parcels as follows:

Executed this ____ day of _____, A.D. 20____.

 Carol L. Parker Charlie Parker

 Phillip M. Collins
 STATE OF COLORADO)
) ss.
 COUNTY OF GUNNISON)

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, A.D. 20____, by
 Carol L. Parker, Charlie Parker and Phillip M. Collins
 Witness my hand and official seal.
 My Commission expires: _____

 Notary Public

Town Manager's Certificate
 APPROVED for recording this ____ day of _____

A.D. 20__ by _____

AREA LOCATOR

SITE

- TYPICAL LEGEND**
- Set Mag Nail in Asphalt
 - Set 5/8" rebar 30" long with 2" aluminum cap PLS25972
 - Set 5/8" rebar 30" long with 2" aluminum cap as Witness corner or linepin PLS25972
 - Found 5/8" rebar with 1" plastic cap PLS14111
 - ◆ Found 5/8" rebar with 1" plastic cap PLS19598

- x— Fencelines
- E— Electric (overhead)
- UE— Electric (underground)
- W— Water line
- - - - Easement
- ⋯⋯⋯ Previous Parcel Boundary

BASIS OF BEARINGS:
 S.89°41'53"E. FROM THE SW CORNER LOT 18, BLOCK 35, TOWN OF MARBLE TO THE SE CORNER LOT 13, BLOCK 35, TOWN OF MARBLE.
 GEODETIC NORTH
 GPS OBSERVATION
 SCALE 1"=20 U.S. SURVEY FEET

Surveyor's Certificate
 I, Randy A. Wilmore, hereby certify that this plat accurately represents a survey, performed either by me or under my supervision, and based on my knowledge, information and belief, and that it conforms with the current standards for land surveys of the Colorado AES Board of Registration, as well as with related survey requirements of current versions of the Colorado revised statutes and Town of Marble regulations. This certificate is not intended to be an express or implied warranty or guarantee of any matters except those stated in the preceding sentence.

Signature: Date: _____

WILMORE & COMPANY
 PROFESSIONAL LAND SURVEYING, INC.
 406 Grand Avenue 970.527-4200 PHONE
 P.O. Box 1652 970.260-4130 PHONE
 Paonia, Colorado 81428 www.wilmorelandsurveying.com
 Defining Boundaries EMAIL randy@wilmorelandsurveying.com

| | |
|--------------------|--|
| FIELD CREW: RAW | TOWN OF MARBLE / PARKER BOUNDARY LINE ADJUSTMENT WITHIN LOTS 1 - 7, BLOCK 36, TOWN OF MARBLE WITHIN SECTION 26, T.11S., R.88W., 6TH P.M. GUNNISON COUNTY, COLORADO J22266 29 NOVEMBER 2022 |
| DRAFTER: RAW | |
| CHECKED BY: KC | |
| REVISIONS: | |