

Town of Rico Memorandum

Date: June 16, 2023

TO: Town of Rico Board of Trustees

From: Chauncey McCarthy

Rico School Committee to provide update on the Rico School Annexation/Detachment community engagement session.

A member of the Rico School Committee will provide an update on their community engagement session. This meeting is scheduled for June 21 from 6 – 7 PM at the Rico Town Hall. The committee is hosting additional community engagement meetings in Telluride and Dove Creek.

Bohannan Huston to provide update on the wastewater preliminary engineering report.

Donzil Worthington of Bohannan Huston will be meeting with town staff on June 21 to discuss the wastewater preliminary engineering report and potential sites for a treatment plant. He will be attending the meeting that evening to present to the Board of Trustees.

Review and execution, as concurring party, of a Memorandum of Agreement between the United States Forest Service (San Juan National Forest), and the Colorado State Historic Preservation Officer, regarding adverse effects to site 5dl.478.19 resulting from the Atlantic Richfield Company small tracts act case no. 2020 project, Dolores County, Colorado amendment 2

Include in the packet is an MOA between the USFS and the Colorado State Historic Preservation regarding small tracts act case no 2020 Atlantic Richfield Company. In addition to the agreement a plat of the proposed tract has been included. The Forest Service has requested that the town sign the agreement as a concurring party. In accordance with 36 CFR § 800.6(c)(3), a concurring party is a consulting party invited to concur in the agreement document but who does not have the authority to amend or terminate the agreement.

Like an invited signatory's signature, a concurring party signature is not required to execute the agreement; a concurring signature is essentially an endorsement of the agreement. Thus, the refusal to sign by any party asked to concur in the agreement does not prevent the agreement from being executed. Whether any or all other consulting parties are invited to concur in an agreement is at the federal agency's sole discretion. Extending the offer to sign an agreement as a concurring party may be an effective way of recognizing the assistance and support that a party has provided for the actions being evidenced in the agreement and encouraging their ongoing support.

Signing the amendment doesn't obligate the Town of Rico to any work, it only endorses the agreement and the change.

Review and execution of Resolution 2023-04 a Resolution of the Board of Trustees of the Town of Rico, Colorado approving the Final Plat of the Dolores River Trail Subdivision, Rico Colorado

Included in this packet is a resolution approving the Dolores River Trail Subdivision. This subdivision was approved by the Board of Trustees at the April 19, 2023 meeting. Execution of this resolution is a required step in the subdivision process.

Consideration of second reading Ordinance No. 2023-03 an ordinance of the Town of Rico, Colorado extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments.

Included in this packet is ordinance No. 2023-03 which would extend the temporary moratorium on accepting new land use applications for major or minor subdivisions, and residential or commercial planned unit developments until December 31, 2023. As discussed at last month's meeting, Town staff and contract employees need more time to work through water issues and availability, and funding opportunities. The first reading of this ordinance was approved May 17, 2023.

Consideration of liquor license for 2 Rico LLC, dba Silver Creek Rico

Included in this packet is a liquor license for 2 Rico LLC, dba Silver Creek Rico. This application is complete, compliant, and properly noticed.

Consideration of special event liquor license for Rico Frequency, Street Dance on Mantz July 4th event.

Included in this packet is a liquor license for the Rico Frequency Non-profit, Street Dance on Mantz, July 4th event. This application is complete, compliant, and properly noticed.

Voluntary lead soils clean up ("VCUP") status

Mayor Pieterse to provide an update on the Voluntary lead soils clean up status.

Water system updates

There are currently many water system projects being contemplated. Reactivating Silver Creek, including the intake, waterline, and treatment plan, replacing or restoring the third water storage tank, upgrading the water meter reading system (AMI), rate and impact fee study, and subsurface utility engineering and GIS mapping. Some of these projects could happen in 2023 and would require a budget amendment.

Silver Creek Water System and Storage Tank

A request for funding this project is currently being reviewed by a congressional subcommittee and could be included in the 2024 Fiscal Year Federal Budget. In addition to the Town's CDS request, this project has been submitted to the State Revolving Loan Fund.

AMI Meter reading

The new water meters the town is using allow for remote reading through a gateway and antenna system. Currently town staff reads meters through a handheld device. If the board elects to move forward with the AMI systems, meters can be read every 15 minutes without staff needing to be in the field. Being able to read meters daily can help the town alert property owners of leaks in real time and would save unnecessary water consumption. Town has provided an asset list and service address list to Neptune to start the propagation study needed to determine gateway location is cost. Initial cost estimates are around \$20,000 – \$50,000.

Rate and Impact Fee Study

Karl Hanlon of KNH provided recommendations for a firm, Gov Rates, that could conduct a rate and impact fee study. (Gov Rates conducted a study for Glenwood Springs, another municipality who is

represented by KNH) This study is necessary if the Board elects to adopt an ordinance to impose impact fees to developers.

Subsurface Utility Engineering and GIS Mapping

Subsurface utility engineering is the service of mapping subsurface utilities. Although there is a map of the town's water system, it is dated, missing items, and has some discrepancies. A meeting is scheduled, at the beginning of July, with Goff Engineering to discuss the scope of this project and potential pricing. Once the town engages in this service, we will need to obtain GIS software to utilize the data. The result of this project would allow for town staff to utilize handheld devices, in the field, to locate watermains, valves, curb stops, meter pits, and service lines.

Historic Commercial/Commercial properties in violation of the Rico Land Use Code

The board and town staff should discuss properties that are in violation of the RLUC within the historic commercial and commercial zone district.

NEW Town of Rico - General Fund
Check Register
 For the Period From Jun 1, 2023 to Jun 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
17764	6/1/23	Rico Fire Protection	10000	1,711.50
17765	6/1/23	Rico Valley Cemetery	10000	12,000.00
17766	6/13/23	Le Pew Porta-Johns, Inc	10000	1,873.40
17767	6/13/23	Safe Built	10000	900.00
17768	6/13/23	Annie Belaska	10000	375.00
17769	6/13/23	Rico Post Office	10000	130.00
17770	6/13/23	Century Link	10000	47.62
17771	6/13/23	Orkin	10000	93.00
17772	6/13/23	Xerox Corporation	10000	51.84
17773	6/13/23	WM Corporate Services, I	10000	42.73
17774	6/13/23	Fraleley Propane, LLC	10000	1,206.00
17775	6/13/23	Jon Kelly	10000	375.00
17776	6/13/23	San Miguel Power Associ	10000	122.00
17777	6/13/23	Utility Notification Center	10000	18.06
17778	6/13/23	Kaplan Kirsch Rockwell	10000	52,468.25
17779	6/13/23	Rico Telephone Company	10000	255.00
17780	6/13/23	CEBT	10000	4,022.40
17787	6/14/23	Karp Neu Hanlon, PC	10000	5,515.00
17781	6/15/23	Patrick W. Drew	10000	91.90
17782	6/15/23	Chauncey P. McCarthy	10000	2,190.11
17783	6/15/23	Stephen C. Roberts	10000	1,890.14
17784	6/15/23	Jerry A. Sam	10000	498.64
17785	6/15/23	Dennis E. Swank	10000	1,451.00
17786	6/15/23	Anna C. Wolf	10000	1,251.64
Total				<u><u>88,580.23</u></u>

NEW Town of Rico - Water Fund
Check Register
For the Period From Jun 1, 2023 to Jun 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4507	6/13/23	USA Bluebook	10000	179.17
4508	6/13/23	UPS	10000	1.86
4509	6/13/23	UPS	10000	68.13
4510	6/13/23	RVS Software	10000	847.00
4511	6/13/23	San Juan Basin Health De	10000	35.00
4512	6/13/23	San Miguel Power Associ	10000	474.00
4513	6/13/23	Fralely Propane LLC	10000	804.00
4514	6/13/23	Rico Telephone Company	10000	115.00
4515	6/13/23	AT&T Mobility	10000	111.37
Total				<u>2,635.53</u>

2018 NEW Town of Rico - Street Fund
Check Register
For the Period From Jun 1, 2023 to Jun 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2862	6/13/23	WM Corporate Services, I	10000	140.31
2863	6/13/23	Rico Telephone Company	10000	42.77
2864	6/13/23	San Miguel Power Associ	10000	167.00
2865	6/13/23	Slavens, Inc	10000	53.47
Total				<u>403.55</u>

NEW Town of Rico - Open Park Fund
Check Register
For the Period From Jun 1, 2023 to Jun 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1742	6/13/23	WM Corporate Services, I	11000	41.57
1743	6/13/23	San Miguel Power Associ	11000	25.00
Total				66.57

**MEMORANDUM OF AGREEMENT BETWEEN
THE UNITED STATES FOREST SERVICE (SAN JUAN NATIONAL FOREST), AND THE
COLORADO STATE HISTORIC PRESERVATION OFFICER, REGARDING ADVERSE
EFFECTS TO SITE 5DL.478.19
RESULTING FROM THE ATLANTIC RICHFIELD COMPANY SMALL TRACTS ACT
CASE NO. 2020 PROJECT,
DOLORES COUNTY, COLORADO
AMENDMENT 2**

WHEREAS, the Memorandum of Agreement (MOA) was executed on February 3, 2021; and

WHEREAS, the MOA Amendment 1 was executed on July 8, 2022; and

WHEREAS, it was determined that the undertaking would not result in the transfer of 19.1 of the originally consulted upon 39.99 acres out of federal ownership and updating this information is needed to more accurately account for the undertaking discussed and defined in the MOA; and

WHEREAS, the United States Forest Service, San Juan National Forest (USFS) will send a copy of this executed amendment to the Advisory Council on Historic Preservation.; and

NOW, THEREFORE, USFS, the Colorado State Historic Preservation Office, and the Atlantic Richfield Company agree to amend the MOA in accordance with Stipulation VII of the Agreement as follows:

Replace the following two paragraphs in their entirety:

WHEREAS, the United States Forest Service, San Juan National Forest (USFS) is proposing to transfer 39.99 acres of land out of federal ownership to the Atlantic Richfield Company (ARC) in Dolores County, Colorado as part of the Atlantic Richfield Company Small Tracts Act Case No. 2020 Project; and

WHEREAS, the USFS has defined the undertaking's area of potential effect as the 39.99 acres situated in the west half (W1/2) of Section 25, Township 40, Range 11 West, N.M.P.M depicted on the plat deposited with the Dolores County Clerk and Recorder's Office on September 26, 2019 as Survey 1-210, a copy of which is shown in Attachment 1 of this Memorandum of Agreement (MOA); and

with the following:

WHEREAS, the United States Forest Service, San Juan National Forest (USFS) is proposing to transfer 20.89 acres of land out of federal ownership to the Atlantic Richfield Company (ARC) in Dolores County, Colorado as part of the Atlantic Richfield Company Small Tracts Act Case No. 2020 Project; and

WHEREAS, the USFS has defined the undertaking's area of potential effect as the 20.89 acres situated in the west half (W1/2) of Section 25, Township 40, Range 11 West, N.M.P.M depicted on the plat deposited with the Dolores County Clerk and Recorder's Office on October 27, 2022 under reception number 172250, a copy of which is shown in Attachment 1 of this Memorandum of Agreement (MOA); and

Replace the Attachment 1 of the Memorandum of Agreement (MOA) in its entirety with Attachment 1 of this Amendment.

Signatures. In witness whereof, the parties to AMENDMENT 2 of this MOA through their duly authorized representatives have executed AMENDMENT 2 of this MOA on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of AMENDMENT 2 of this MOA as set forth herein.

The remainder of this page intentionally left blank.

The effective date of AMENDMENT 2 of this MOA for the **ATLANTIC RICHFIELD COMPANY SMALL TRACTS ACT CASE NO. 2020 PROJECT** is the date of the last Signatory signature affixed to these pages.

SIGNATORIES:

UNITED STATES FOREST SERVICE, SAN JUAN NATIONAL FOREST

David Neely, Forest Supervisor

Date: 04/26/2023

COLORADO STATE HISTORIC PRESERVATION OFFICE

Dawn DiPrince, Colorado State Historic Preservation Officer

Date: 05/11/2023

INVITED SIGNATORY:

ATLANTIC RICHFIELD COMPANY

Ron Halsey, Portfolio
Manager

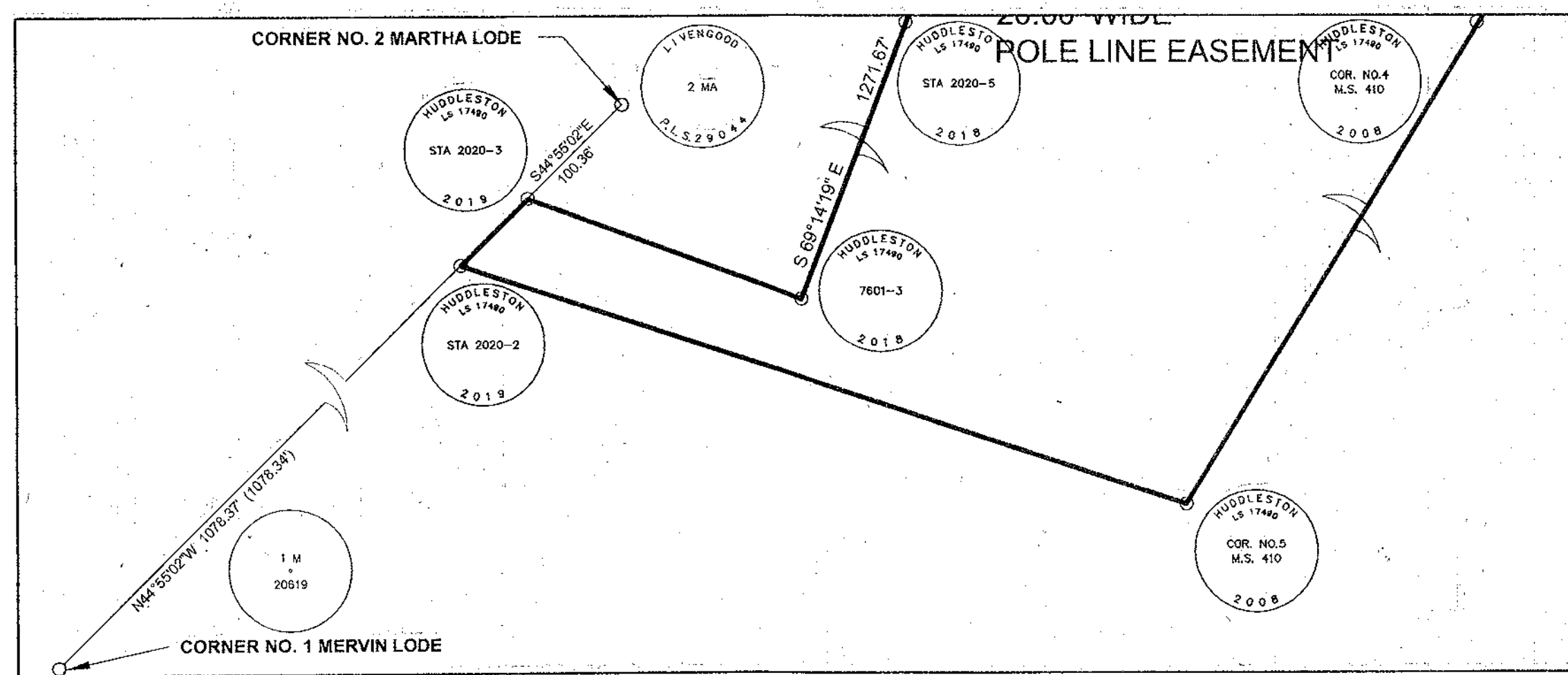
Date: _____

CONCURRING PARTY:

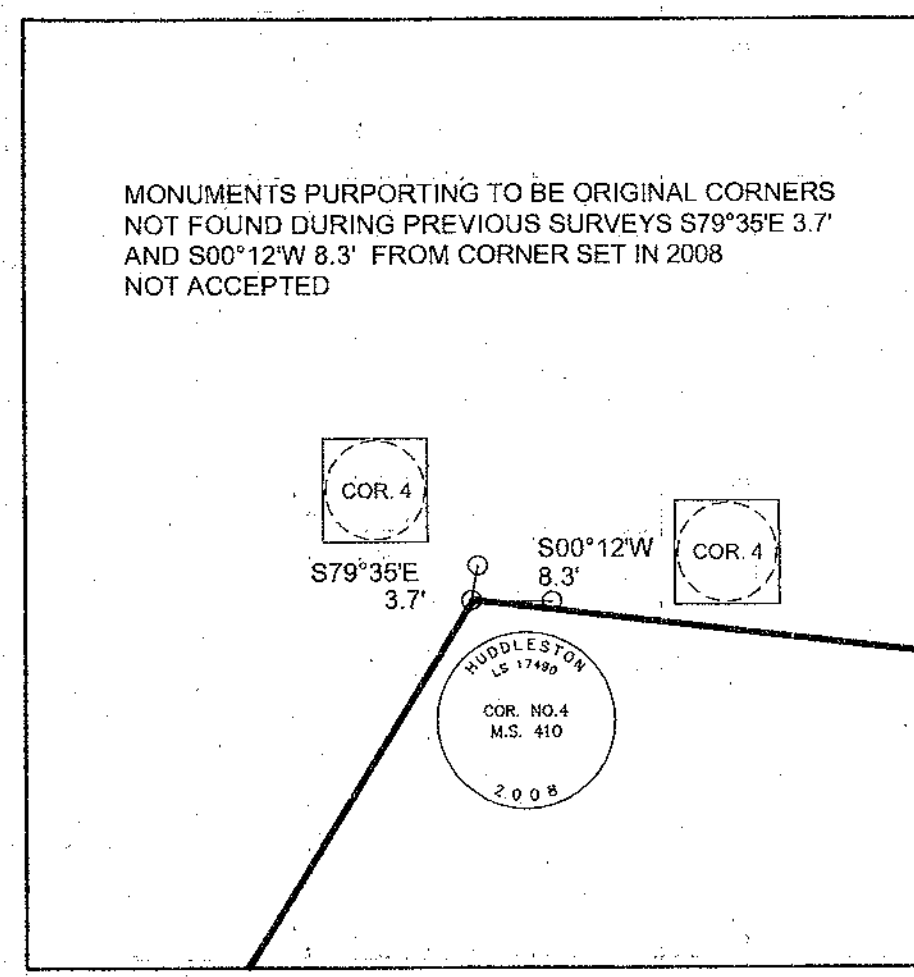
TOWN OF RICO

Nicole Pieterse, Mayor

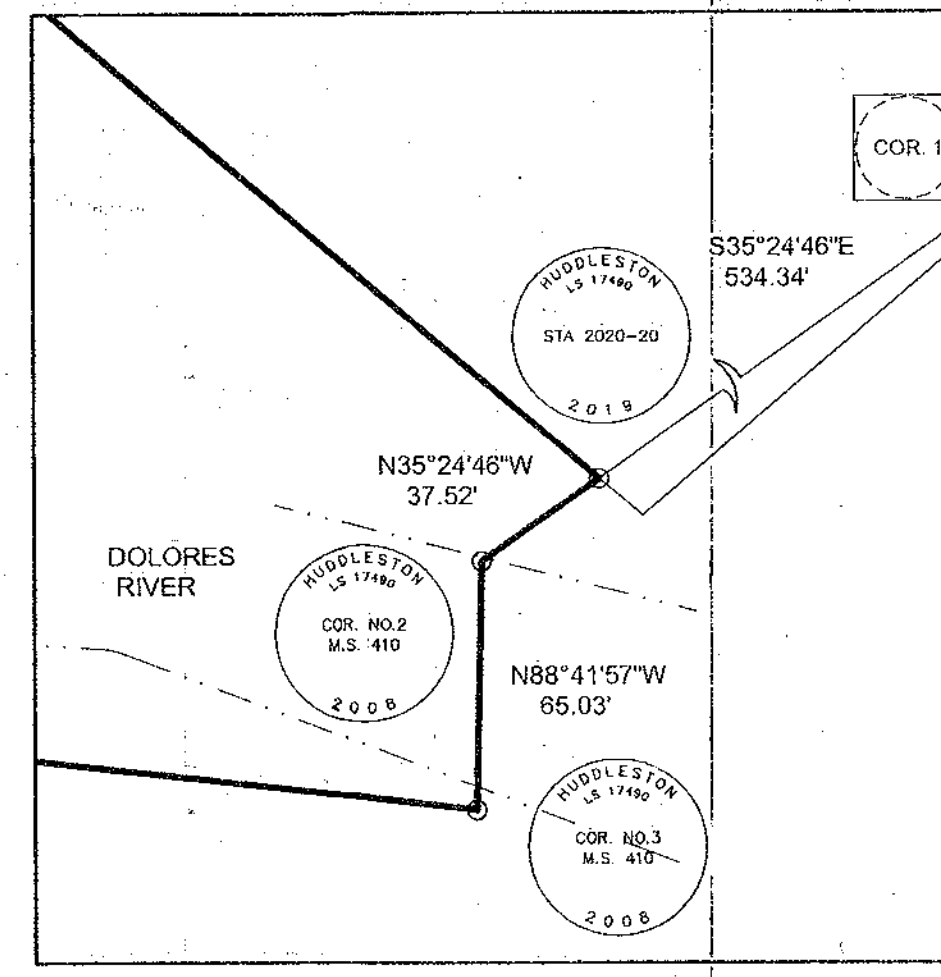
Date: _____



DETAIL A
SCALE 1"=100'



DETAIL B
SCALE 1"=20'



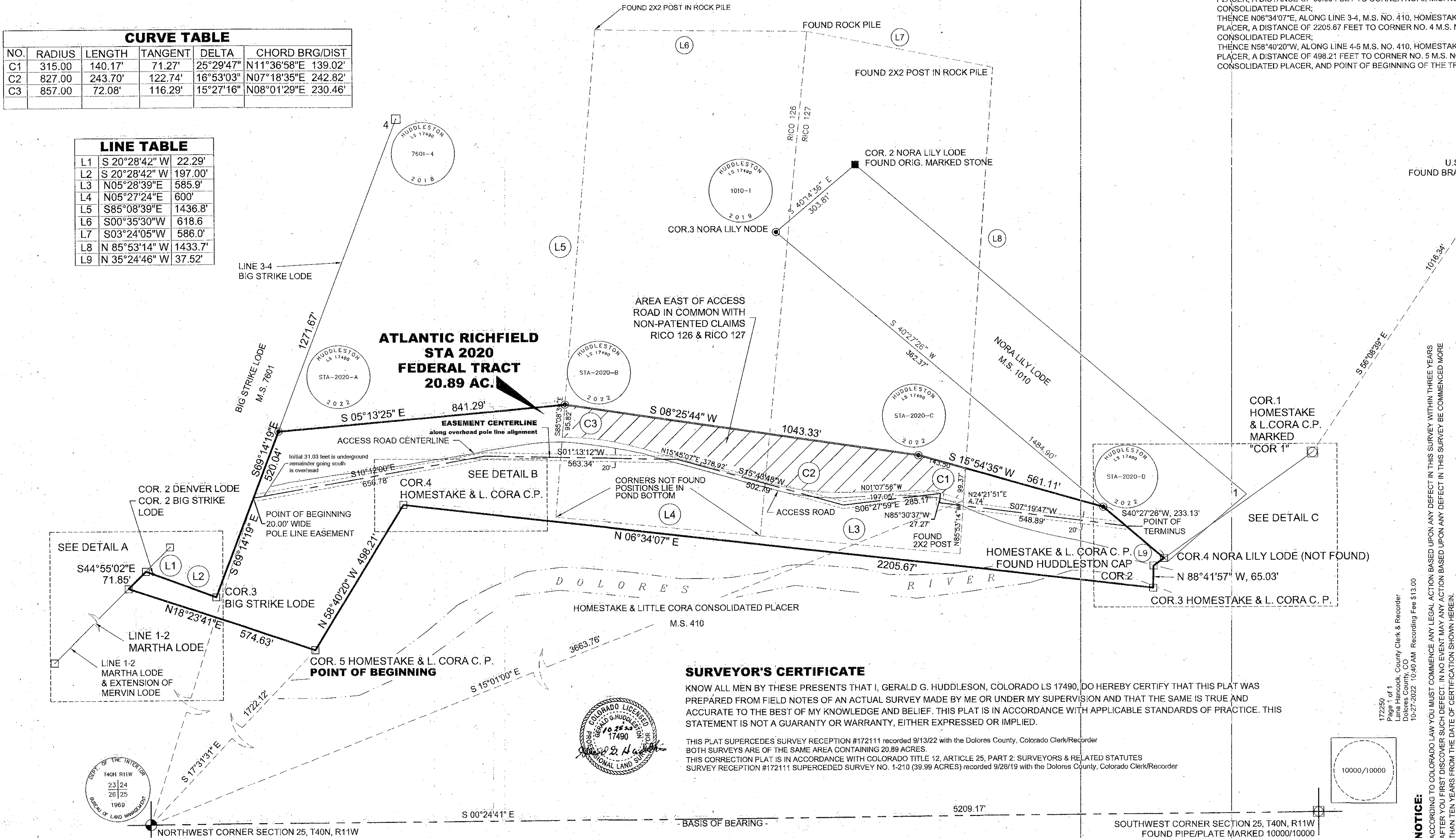
DETAIL C
SCALE 1"=50'

CURVE TABLE

NO.	RADIUS	LENGTH	TANGENT	DELTA	CHORD BRG/DIST
C1	315.00	140.17'	71.27'	25°29'47"	N11°36'58"E 139.02'
C2	827.00	243.70'	122.74'	16°53'03"	N07°18'35"E 242.82'
C3	857.00	72.08'	116.29'	15°27'16"	N08°01'29"E 230.46'

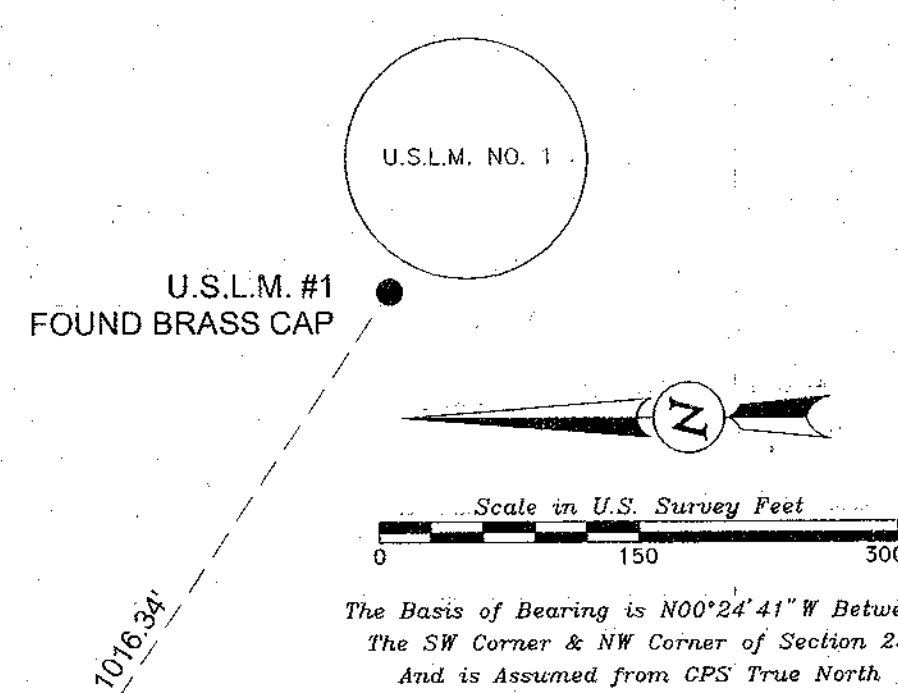
LINE TABLE

LINE	BEARING	LENGTH
L1	S 20°28'42" W	22.29'
L2	S 20°28'42" W	197.00'
L3	N05°28'39"E	585.9'
L4	N05°27'24"E	600'
L5	S85°08'39"E	1436.8'
L6	S00°35'30"W	618.6'
L7	S03°24'05"W	586.0'
L8	N 85°53'14" W	1433.7'
L9	N 35°24'46" W	37.52'



LEGAL DESCRIPTION OF STA 2020 FEDERAL TRACT, 20.89 ACRES

A TRACT OF LAND SITUATED IN THE WEST HALF (W/2) OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT CORNER NO. 5, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, MONUMENTED WITH A REBAR, 3/4" DIAMETER, MARKED HUDDLESTON #17490, FROM SAID POINT OF BEGINNING, THE SECTION CORNER OF SECTIONS 23, 24, 25 & 26 BEARS N17°31'31"W, A DISTANCE OF 1722.12 FEET.
 THENCE N18°23'41"E, ALONG LINE 5-6, M.S. NO. 410 HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 574.63 FEET TO THE POINT OF INTERSECTION WITH LINE 1-2, M.S. NO. 20619, MARTHA LODE;
 THENCE S44°55'02"E, ALONG LINE 1-2, M.S. NO. 20619, MARTHA LODE, A DISTANCE OF 71.85 FEET TO THE POINT OF INTERSECTION WITH LINE 3-2, M.S. NO. 7601, DENVER LODE;
 THENCE S20°28'42"W, ALONG LINE 3-2, M.S. NO. 7601, DENVER LODE, A DISTANCE OF 22.29 FEET TO CORNER NO. 2, M.S. 7601, DENVER LODE;
 THENCE S20°28'42"W ALONG LINE 2-3, M.S. NO. 7601, BIG STRIKE LODE, A DISTANCE OF 197.00 FEET TO CORNER NO. 3, M.S. 7601, BIG STRIKE LODE;
 THENCE S69°14'19"E, ALONG LINE 3-4, M.S. NO. 7601, BIG STRIKE LODE, A DISTANCE OF 520.04 FEET;
 THENCE S05°13'25"E A DISTANCE OF 841.29 FEET;
 THENCE S08°25'44"W A DISTANCE OF 1043.33 FEET;
 THENCE S15°54'35"W A DISTANCE OF 561.11 FEET TO A POINT ON LINE 3-4, M.S. NO. 1010, NORA LILY LODE;
 THENCE S40°27'26"W ALONG LINE 3-4, M.S. NO. 1010, NORA LILY LODE, A DISTANCE OF 233.13 FEET TO THE POINT OF INTERSECTION WITH LINE 1-2, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER;
 THENCE N35°24'46" W, ALONG LINE 1-2, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 37.52 FEET TO CORNER NO. 2, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER;
 THENCE N88°41'57"W, ALONG LINE 2-3, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 65.03 FEET TO CORNER NO. 3, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER;
 THENCE N06°34'07"E, ALONG LINE 3-4, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 2205.67 FEET TO CORNER NO. 4, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER;
 THENCE N58°40'20"W, ALONG LINE 4-5, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 498.21 FEET TO CORNER NO. 5, M.S. NO. 410, HOMESTEAK & LITTLE CORA CONSOLIDATED PLACER, AND POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED.



- 2 1/4" IRON PIPE W/ 2 3/4" SCREW ON BRASS CAP MARKED AS SHOWN
- 5" IRON PIPE W/ 3/8" SQUARE PLATE WELDED ON TOP MARKED AS SHOWN
- ⊕ 2 1/4" IRON PIPE W/ 3 1/4" BRASS CAP (BLM 1989)
- CORNER FROM PREVIOUS SURVEY 3 1/4" ALUMINUM CAP ON 30" BY #6 REBAR
- SET NEW 3 1/4" ALUMINUM CAP ON 30" X #6 REBAR MARKED "HUDDLESTON #17490"

ATLANTIC RICHFIELD COMPANY



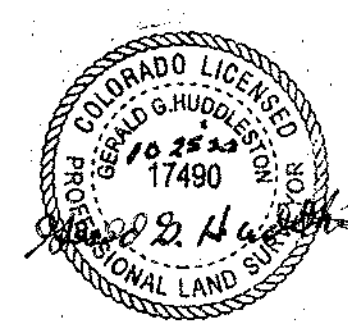
CORRECTION PLAT
 ATLANTIC RICHFIELD STA CASE #2020 WITHIN SECTION 25, T40N, R11W, N.M.P.M. NORTH OF THE TOWN OF RICO, DOLORES COUNTY, COLORADO

Project: _____ Sheet: _____
 Date: 25-OCT-2022
 Scale: AS SHOWN

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT I, GERALD G. HUDDLESON, COLORADO LS 17490, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS PLAT IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE. THIS STATEMENT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THIS PLAT SUPERCEDES SURVEY RECEPTION #172111 recorded 9/13/22 with the Dolores County, Colorado Clerk/Recorder BOTH SURVEYS ARE OF THE SAME AREA CONTAINING 20.89 ACRES.
 THIS CORRECTION PLAT IS IN ACCORDANCE WITH COLORADO TITLE 12, ARTICLE 25, PART 2: SURVEYORS & RELATED STATUTES SURVEY RECEPTION #172111 SUPERCEDED SURVEY NO. 1-210 (39.99 ACRES) recorded 9/26/19 with the Dolores County, Colorado Clerk/Recorder



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 BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREIN.

RESOLUTION 2023-04

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO
APPROVING THE FINAL PLAT OF THE DOLORES RIVER TRAIL SUBDIVISION
TOWN OF RICO, COLORADO**

WHEREAS, the applicants, Rebecca and Gordon Mortensen, submitted the final application for the Dolores River Trail Subdivision to the Rico Planning Commission on April 12th, 2023;

WHEREAS, the proposed subdivision originally consisted of three tracts, a portion of the Hillside 1, a portion of the Hillside 2, and portion Yanky Boy. The application proposes five single family lots ranging from 0.50 acres (22,000 sq. ft.) to 1.47 acres (64,033sq. ft.).

WHEREAS, public hearings were held on this matter by the Rico Planning Commission on March 19th 2022, when they recommended conditional approval of the conceptual plan, October 12th 2022, where the Rico Planning Commission recommended conditional approval of the preliminary plan and April 12th, 2023 where the Planning Commission recommended conditional approval of the final subdivision plan;

WHEREAS, the Board of Trustees (Board) held a public hearing on April 19th 2023 to act on the final plat and considered questions and comments from members of the community and the Applicant, as well as all accompanying information and evidence;

WHEREAS, the Board is authorized to approve subdivisions pursuant to C.R.S. 30-28-133 and Section 548 of the Rico Land Use Code (“RLUC”); and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO:

The Board of Trustees for the Town of Rico finds that the final plat of the Dolores River Trail Subdivision meets the requirements of RLUC sec. 546.2 and approves the final plat for the Dolores River Trail Subdivision and the accompanying Subdivision and PUD Development Agreement, subject to all conditions stated therein.

APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO

This 21st day of June, 2023.

By:

Nicole Y. Pieterse, Mayor

Attest:

Anna Wolf, Town Clerk

**TOWN OF RICO
ORDINANCE NO. 2023-03**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO EXTENDING
THE TEMPORARY MORATORIUM ON THE ACCEPTANCE OF NEW
LAND USE APPLICATIONS FOR MAJOR OR MINOR SUBDIVISIONS,
AND RESIDENTIAL OR COMMERCIAL PLANNED UNIT
DEVELOPMENTS.**

WHEREAS, the Town of Rico, Colorado (the “Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter (the “Charter”); and

WHEREAS, pursuant to C.R.S. §§ 29-20-101 *et seq.*, 31-15-101 *et seq.*, and 31-23-101 *et seq.*, the Town has broad authority to ensure the health, safety and welfare of the community and its residents; and

WHEREAS, by Ordinance No. 2022-13, the Town imposed a temporary moratorium on the acceptance of new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments through June 30, 2023 while it reviewed alternatives for water system improvements to increase water availability as well as options for funding said improvements;

WHEREAS, the Town continues to evaluate improvement and funding alternatives to increase water availability to meet the demands of future growth and development within the Town; and

WHEREAS, in order to promote the public health, safety, and welfare of the Town’s residents, the Board of Trustees finds it is necessary to extend the temporary moratorium on new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO THAT:

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. Upon the effective date of this Ordinance, the Town of Rico hereby extends the temporary moratorium on the acceptance of all applications for approval of minor or major subdivisions submitted under Article V of the Rico Land Use Code (“RLUC”), and all applications for approval of Residential or Commercial Planned Unit Developments submitted under Article III of the RLUC, as enacted by Ordinance No. 2022-13, which is incorporated by this reference, until December 30, 2023. This temporary moratorium shall automatically terminate on December 30, 2023, unless terminated earlier by the Board of Trustees or extended in its duration by enactment of another Ordinance.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON 17TH DAY OF MAY, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY ON 21ST DAY OF JUNE, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: June 21, 2023

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
[REDACTED]
 2 Rico LLC

2a. Trade Name of Establishment (DBA)
 Silver Creek Rico [REDACTED]

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
 2 N Glasgow Avenue, Unit 1

City Rico	County Dolores	State CO	ZIP Code 81332
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4. Mailing Address (Number and Street) PO Box 242	City or Town Rico	State CO	ZIP Code 81332
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5. Email Address
 scottjacobs@me.com

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

Present Trade Name of Establishment (DBA) n/a	Present State License Number	Present Class of License	Present Expiration Date
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Section A Nonrefundable Application Fees*	Section B (Cont.) Liquor License Fees*
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<table style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> Application Fee for New License.....</td> <td>\$1,100.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review.....</td> <td>\$1,200.00</td> </tr> <tr> <td><input type="checkbox"/> Application Fee for Transfer.....</td> <td>\$1,100.00</td> </tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> Add Optional Premises to H & R.....</td> <td>\$100.00 X</td> <td>Total</td> <td>_____</td> </tr> <tr> <td><input type="checkbox"/> Add Related Facility to Resort Complex.....</td> <td>\$75.00 X</td> <td>Total</td> <td>_____</td> </tr> <tr> <td><input type="checkbox"/> Add Sidewalk Service Area.....</td> <td></td> <td></td> <td>\$75.00</td> </tr> <tr> <td><input type="checkbox"/> Arts License (City).....</td> <td></td> <td></td> <td>\$308.75</td> </tr> <tr> <td><input type="checkbox"/> Arts License (County).....</td> <td></td> <td></td> <td>\$308.75</td> </tr> <tr> <td><input checked="" type="checkbox"/> Beer and Wine License (City).....</td> <td></td> <td></td> <td>\$351.25</td> </tr> <tr> <td><input type="checkbox"/> Beer and Wine License (County).....</td> <td></td> <td></td> <td>\$436.25</td> </tr> <tr> <td><input type="checkbox"/> Brew Pub License (City).....</td> <td></td> <td></td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Brew Pub License (County).....</td> <td></td> <td></td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Campus Liquor Complex (City).....</td> <td></td> <td></td> <td>\$500.00</td> </tr> <tr> <td><input type="checkbox"/> Campus Liquor Complex (County).....</td> <td></td> <td></td> <td>\$500.00</td> </tr> <tr> <td><input type="checkbox"/> Campus Liquor Complex (State).....</td> <td></td> <td></td> <td>\$500.00</td> </tr> <tr> <td><input type="checkbox"/> Club License (City).....</td> <td></td> <td></td> <td>\$308.75</td> </tr> <tr> <td><input type="checkbox"/> Club License (County).....</td> <td></td> <td></td> <td>\$308.75</td> </tr> <tr> <td><input type="checkbox"/> Distillery Pub License (City).....</td> <td></td> <td></td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Distillery Pub License (County).....</td> <td></td> <td></td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Hotel and Restaurant License (City).....</td> <td></td> <td></td> <td>\$500.00</td> </tr> <tr> <td><input type="checkbox"/> Hotel and Restaurant License (County).....</td> <td></td> <td></td> <td>\$500.00</td> </tr> <tr> <td><input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City).....</td> <td></td> <td></td> <td>\$600.00</td> </tr> <tr> <td><input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County).....</td> <td></td> <td></td> <td>\$600.00</td> </tr> <tr> <td><input type="checkbox"/> Liquor-Licensed Drugstore (City).....</td> <td></td> <td></td> <td>\$227.50</td> </tr> </table>	<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"/> 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 checked="" 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 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	<table style="width: 100%; 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* 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 \$
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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 type="checkbox"/> D. Return originals to local authority (additional items may be required by the local licensing authority) <input 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 type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input 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 type="checkbox"/> A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk <input checked="" 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 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 type="checkbox"/> A. Partnership Agreement (general or limited). <input 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 type="checkbox"/> A. \$75.00 fee <input type="checkbox"/> B. Individual History Record (DR 8404-I) <input type="checkbox"/> C. If owner is managing, no fee required

Name 2 Rico LLC	Type of License Beer & Wine	Account Number		
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):				
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"/>		
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 (>) 10,000? 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 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 (<) 10,000? 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 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 type="checkbox"/>		
13 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.		<input type="checkbox"/> <input checked="" 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 type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____		<input type="checkbox"/> <input type="checkbox"/>		
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord Scott P. Jacobs	Tenant 2 Rico LLC	Expires May31, 2027		
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 8 1/2" 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 Region 9 Loans	First Name	Date of Birth	FEIN or SSN	Interest/Percentage 0% equity
Last Name Region 10 Loan	First Name	Date of Birth	FEIN or SSN	Interest/Percentage 0% equity
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: 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.				
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?		<input type="checkbox"/> <input type="checkbox"/>		
If "yes" a copy of license must be attached.				

Name	Type of License	Account Number		
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
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?	<input type="checkbox"/>	<input type="checkbox"/>		
c. How long has the club been incorporated?	<input type="checkbox"/>	<input type="checkbox"/>		
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?	<input type="checkbox"/>	<input type="checkbox"/>		
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)	<input type="checkbox"/>	<input type="checkbox"/>		
22. Campus Liquor Complex applicants answer the following:				
a. Is the applicant an institution of higher education?	<input type="checkbox"/>	<input type="checkbox"/>		
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.	<input type="checkbox"/>	<input type="checkbox"/>		
23. For all on-premises applicants.				
a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprint submitted to approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.				
b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager	First Name of Manager			
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		
	<input type="checkbox"/>	<input type="checkbox"/>		
25. Related Facility - Campus Liquor Complex applicants answer the following:				
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	First Name of Manager			
26. Tax Information.				
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		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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.?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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
scott jacobson	2 N Glasgow Ave	01/02/60	managing member	100
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
** 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: <input type="checkbox"/> 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.				

Name <i>Scott 2 Rico LLC</i>	Type of License <i>Beer & Wine</i>	Account Number	
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 <i>[Signature]</i>	Printed Name and Title <i>Scott A. Jacobs, Managing Member</i>	Date <i>6-14-22</i>	
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:			
<input type="checkbox"/> Fingerprinted <input type="checkbox"/> 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)			
<input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority			
<input type="checkbox"/> 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	
	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 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?	<input type="checkbox"/>	<input type="checkbox"/>	
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"/> 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?	<input type="checkbox"/>	<input type="checkbox"/>	
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

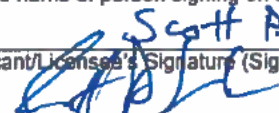
Tax Check Authorization, Waiver, and Request to Release Information

I, Scott A. Jacobs am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of 2 Rico LLC (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)	<u>2 Rico LLC</u>	SSN	[REDACTED]	Number	[REDACTED]
Address	<u>2 N. Glasgow Ave</u>				
City	<u>Rico</u>	State	<u>CO</u>	Zip	<u>81332</u>
Home Phone Number	<u>(213) 321-6958</u>	Business/Work Phone Number	[REDACTED]		
Printed name of person signing on behalf of the Applicant/Licensee					
<u>Scott A. Jacobs</u>					
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information)				Date signed	
				<u>6-14-22</u>	

Privacy Act Statement

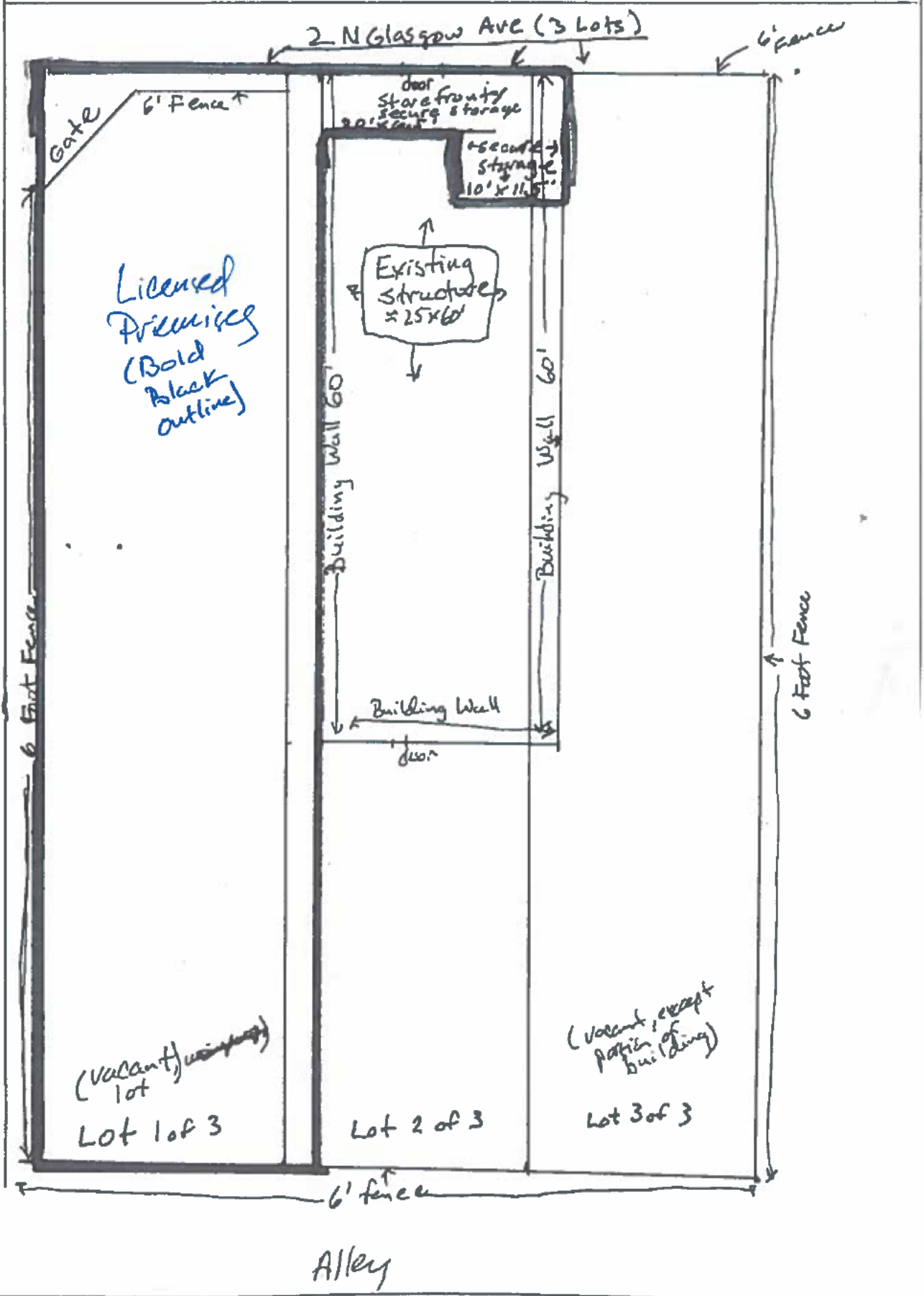
Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

Highway 145 N →

2 N Glasgow Ave (3 Lots)

6' Fence

← Mautz Ave



(303) 205-2300

Permit

State Only Permit/State Property

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- Social Athletic Philanthropic Institution
- Fraternal Chartered Branch, Lodge or Chapter Political Candidate
- Patriotic National Organization or Society Municipality Owned Arts Facilities
- Political Religious Institution

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate Rico Frequency

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)
PO Box 331
Rico, CO 81332

3. Address of Place to Have Special Event (include street, city/town and ZIP)
2 Commercial + Mantz Ave.
Rico, CO 81332

4. Authorized Representative of Qualifying Organization or Political Candidate
Ronald Clay Hall Date of Birth 03/17/67 Phone Number [Redacted]

Authorized Representative Mailing Address (if different than Question 2.) [Redacted]

5. Event Manager
Ronald Clay Hall Date of Birth 03/17/67 Phone Number [Redacted]

Event Manager Home Address (Street, City, State, ZIP) [Redacted] Email Address of Event Manager [Redacted]

6. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?
 No Yes How many days? _____

7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?
 No Yes License Number _____

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
<u>7/4/23</u>	<u>11 A.m.</u>	<u>4 P.m.</u>												

Oath of Applicant
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature [Signature] Title President Date 5/17/23

Report and Approval of Local Licensing Authority (City or County)
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.
THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) City County Telephone Number of City/County Clerk _____

Signature _____ Title _____ Date _____

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information

License Account Number	Liability Date	Stats	Total
			750.000 €

Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- Appropriate fee.
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; or
- If not incorporated, a NONPROFIT charter; or
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- Application must first be submitted to the Local Licensing Authority (city or county) at least thirty (30) days prior to the event.
- Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
- State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
- Check payable to the Colorado Department Of Revenue

Qualifications for Special Events Permit

(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Rico Frequency

is a

Nonprofit Corporation

formed or registered on 02/17/2020 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20201145180 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/10/2023 that have been posted, and by documents delivered to this office electronically through 05/11/2023 @ 13:33:09 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/11/2023 @ 13:33:09 in accordance with applicable law. This certificate is assigned Confirmation Number 14956155 .



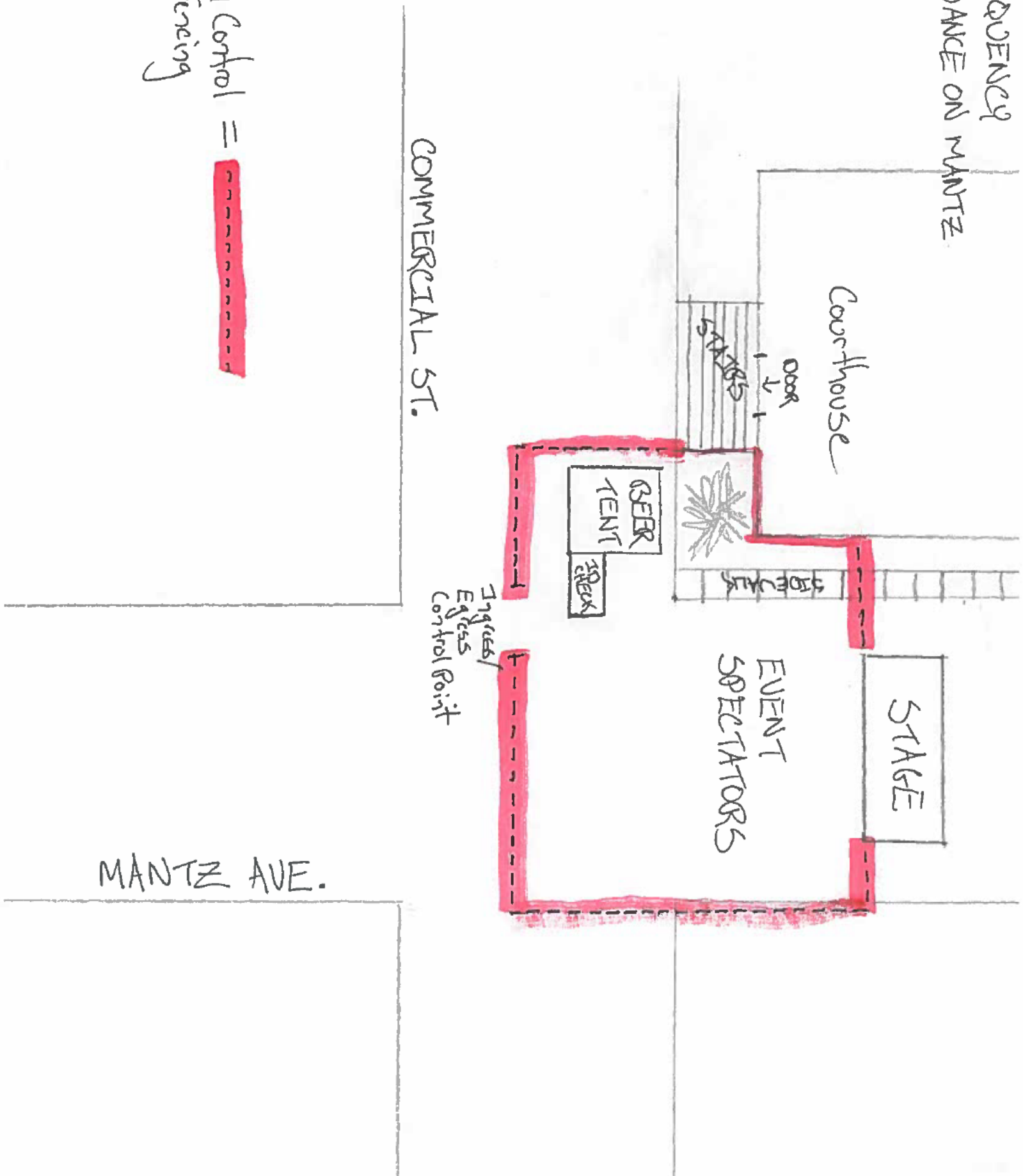
Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Noticia: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

RICCO FREQUENCY
STREET DANCE ON MANTZ
Diagram



Fine/Alcohol Control = [red dashed line]
Temporary Fencing