



CITY OF TRINIDAD
TRINIDAD, COLORADO

The Regular Meeting of the City Council of the City of Trinidad, Colorado, will be held on Tuesday, February 3, 2015 at 7:00 P.M. in City Council Chambers at City Hall

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Special Meeting of January 19, 2015 and January 23, 2015, and Regular Meeting of January 20, 2015
- 3) **PUBLIC HEARING**
 - a) New Retail Marijuana Store license application filed by Canna Company d/b/a CannaCo at 3019 Toupal Drive
 - b) New Retail Marijuana Cultivation Facility license application filed by Canna Company d/b/a CannaCo at 3019 Toupal Drive
- 4) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 5) **COUNCIL REPORTS**
- 6) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 7) **UNFINISHED BUSINESS**
 - a) Public hearing for consideration of an ordinance of the City Council of the City of Trinidad, Colorado, amending Article 11, Chapter 14, Section 14-201, Definitions, 14-201(y) "School" to offer the same protection to existing state-licensed daycare facilities as those offered to facilities meeting the school definition as it was originally adopted
 - 1) Second reading of an ordinance of the City Council of the City of Trinidad, Colorado, amending Article 11, Chapter 14, Section 14-201, Definitions, 14-201(y) "School" to offer the same protection to existing state-licensed daycare facilities as those offered to facilities meeting the school definition as it was originally adopted
- 8) **MISCELLANEOUS BUSINESS**
 - a) Appointment to the Arts and Culture Advisory Commission
 - b) Appointment to the Tourism Board
 - c) Appointment to the Parks & Recreation Advisory Committee
 - d) Appointments to the Board of Building Code Appeals
 - e) Appointment to the Library Advisory Board
 - f) Resolution appointing the Commissioners of the Trinidad Urban Renewal Authority
 - g) Consideration of Renewal of Main Street Program Memorandum of Understanding
 - h) Ratification of City Manager Employment Agreement with Gabriel Engeland
- 9) **BILLS**
- 10) **PAYROLL**, January 17, 2015 through January 30, 2015
- 11) **ADJOURNMENT**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Audra Garrett, City Clerk, 135 N. Animas Street, Phone (719) 846-9843, or FAX (719) 846-4140. At least a 48 hour advance notice prior to the scheduled meeting would be appreciated so that arrangements can be made to locate the requested auxiliary aid(s).

The City Council of the City of Trinidad, Colorado met in Special Session on Monday, January 19, 2015, at 8:00 a.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Monday, January 19, 2015, at 8:00 a.m. in the Council Chambers at City Hall

The following items are on file for consideration of City Council:

- 1) Executive session
 - a) For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – City Manager applicant interviews

The meeting was called to order at 8:08 a.m.

Roll call was taken.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Attorney	Downs

Executive session - For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – City Manager applicant interviews. A motion to go into executive session for the stated purpose was made by Councilmember Fletcher and seconded by Councilmember Bolton. Upon roll call vote the motion carried unanimously. The executive session ensued at 8:09 a.m. The executive session was electronically recorded as required by the Open Meetings Law.

A recess was taken from approximately 1:00 p.m. until approximately 5:00 p.m. Thereafter, the executive session resumed.

Upon conclusion of executive session at 7:15 p.m., Councilmember Bolton moved to go out of executive session and resume the special meeting. Councilmember Miles seconded the motion and upon a unanimous vote, the special meeting resumed and was adjourned.

ATTEST:

JOSEPH A. REORDA, Mayor

AUDRA GARRETT, City Clerk

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, January 20, 2015, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles
Also present:	Acting City Manager	Garrett
	City Attorney	Downs
	Asst. City Clerk	Valencich
Absent:	Councilmember	Torres

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Regular Meeting of January 6, 2015 and Special Meeting of January 13, 2015. Acting City Manager Garrett called to Council's attention at their seating places corrected minutes, page one of the regular meeting minutes and of the special meeting minutes. The corrections were made in the first paragraph of the regular meeting minutes and in the attendance list of the special meeting minutes. A motion to approve the minutes as corrected was made by Councilmember Bolton and seconded by Councilmember Miles. The motion carried unanimously.

PUBLIC HEARING. New Retail Marijuana Store license application and Retail Marijuana Cultivation Facility license application filed by Canna Company, Inc. d/b/a CannaCo at 3019 Toupal Drive. Mayor Reorda declared the public hearing open. Douglas Genova addressed Council on behalf of CannaCo and was sworn in. He testified to City Attorney Downs' questioning that he was before Council representing Canna Company corporation doing business as CannaCo. He identified himself as the Project Manager, hired to get the project in gear and is acting as an agent of the company tonight. His day to day role is yet to be determined. He testified that CannaCo is a Colorado registered C Corporation in good standing. Regarding the correlation to Forever Green, Mr. Genova testified that the initial name of the corporation was Forever Green Limited and was later changed to Canna Company. There was no relationship to Terry Sanchez and his company name Forever Green. Forever Green Limited was incorporated with the state of Colorado and it was anticipated that they may enter into a business venture with Forever Green. That did not happen. They then changed the name of the corporation to Canna Company. There is no common ownership, no influence, no Board of Directors in common; there's nothing in common. The only member of the Board of Directors of Canna Company is Cynthia Genova. Initially, as a result of the first meeting of the incorporators, Josh Bleem was President, Cynthia Genova was Executive Vice President and Lynn Bleem was Vice President/Secretary/ Treasurer. However, that has changed. The resignations of Josh and Lynn Bleem are in the minutes provided. He explained that the Bleems moved to Colorado in June, 2014, and consequently don't meet the two-year residency requirements to be directors or officers of the corporation. Mr. Genova acknowledged the requirement to notify the City and State of any changes to the ownership. Cynthia Genova owns 60,000 shares of stock in Canna Company. Her financial interest is \$100,000 for the 60,000 shares. There is also an unsecured promissory note for \$30,000 from PEG Industries, Inc. To the Mayor's questions, Mr. Genova advised Council that Cynthia Genova owns 100% of the common stock in Canna Company. They intend to raise more money from the issuance of additional stock shares. It is going to remain a closely held corporation. Mr. Genova again acknowledged the requirement to notify the City and State as the stock shares are sold as that will result in a new financial interest. Cynthia Genova submitted to a background check for her Key Associate License as an owner and has passed. Josh Bleem and Lynn Bleem filed for their Key Employee licenses and have been vetted and passed. Doug Genova has not submitted to a background clearance. City Attorney Downs advised that Cynthia Genova passed her local background check but there are no results yet from the CBI. He asked Council that if they are inclined to approve the licenses that they do so conditional upon receiving a satisfactory background check. Mr. Genova further testified that they anticipate having three to five key employees in addition to two other key associate license holders who will be involved in the company. Depending on the start-up methodology and funding, he stated that they could have up to seven key employees and 30 associate licensed employees. If they are approved tonight, he said they are hoping to open the later part of February or early March. Once again he acknowledged the requirement to notify the City and State of stock share sales. He confirmed that the address of the proposed premises is 3019 Toupal Drive. Having reviewed the application, he also confirmed that they are asking for a retail store license and retail cultivation license. The status of their medical marijuana licenses is that they are in abeyance pending the outcome of the retail licenses. They have not yet been issued the medical marijuana licenses. Mr. Genova testified that Canna Company has a lease from their landlord, the John H. and Marcia Lackey Revocable Trust through March, 2018. They also have their conditional use permits, as well as a certificate from Colorado Department of Transportation regarding a traffic impact study. State Highway Access Permit #214066 from the Colorado Department of Transportation allows them to operate at that location. The state has determined the traffic impact to be negligible. It is part of their application. Regarding the septic system, the facility is on a commercial septic system to the best of his knowledge, designed for high occupancy use. It is not tied into any other sewer system, municipal or special district. Their current plan is to have a hydroponic grow operation. Hydroponic means they will grow in water plus other medias. The water conveys the nutrients that the plants use. Mr. Genova stated he is dealing with Public Works/Utilities Director Mike Valentine regarding approvals for discharge of the waste water. They have come to an agreement with the Las Animas County Health Department that they would grout and close the cultivation area discharge points so that any water from the hydroponic system would not be allowed to go into the septic system. As a result, they need some place to go with the water if they decide to continue with the hydroponic. Obviously if this water becomes an issue there are alternatives available to them for the grow process. In the mean time he has talked to PWD/Utilities Director Valentine about a contract for the possible disposal at the wastewater treatment plant, provided that the discharge meets the requirements and will not interfere with the operations of the wastewater treatment plant. City Attorney Downs advised Mr. Genova that an approval of the license may be conditional upon him getting that approval. Mr. Genova said they would welcome that. He said their method of operation is to do everything at 100% compliance. City Attorney Downs clarified that the condition would be with respect to the cultivation license and would not affect the retail store license. Mr. Genova

said as they understand it they have two distinct conditional use permits, one for the retail store and one for the retail cultivation. The Colorado Department of Revenue Marijuana Enforcement Division has issued two distinct licenses, a retail store license and a retail cultivation license. The facility is divided in its operation and will have two certificates of occupancy. It can be considered two operations. There is tracking requirements under the Marijuana Enforcement Division requires them to manifest from the grow area into the retail area. They are separate operations. As a practical matter they won't have their own product to sell in the retail store unless they were to wait for the cultivation facility to be operational. Initially their retail product will be bought at wholesale from other cultivation facilities. Mr. Genova acknowledged their ongoing requirement to cooperate with the City and State officials, including the Building Inspector, Public Works Director, Police and Fire Chiefs, City Clerk and City Attorney's offices. City Attorney Downs told Mr. Genova that the operators are presumed to have a knowledge of the local ordinances and Department of Revenue regulations and the State Statutes on the sale and cultivation of marijuana. All who may be in ownership or operation must have the knowledge. Mr. Genova said they will additionally ensure the adequate training of their work force and ensure they maintain compliance. A security plan, diagram, an aerial view of the facility, are all being contemplated and dealt with by the organization as part of this application. He said he understands the lighting requirements. Mr. Genova acknowledged that in times of water austerity their water supply may be cut off by the City. Further, before they sell or possess any retail marijuana they must have been issued their state and local licenses. He testified that the application contents are true and correct to the best of his knowledge. City Attorney Downs submitted the application to Council for their consideration. He noted that there are two things that haven't been done - the background check for Cynthia Genova and the approval of wastewater disposal as it applies to the cultivation license. Mr. Genova offered that Cynthia Genova has cleared the state background at the state level. Councilmember Mattie noted that the neighborhood and citizen concerns were related to traffic and wastewater. He confirmed that the applicant has the CDOT approved paperwork and authorization to proceed relative to the traffic concern. Concerning the use of hydroponic water used as a grow medium, it will be a segregated from the other sewer system and either reused or if that is not possible or efficient, taken to the City's wastewater treatment plant through an agreement, was his understanding of the testimony. Councilmember Mattie said this is the first funding situation that has come before Council relative to stock. Funding is a critical part of this at all levels. He said his understanding was that his wife Cynthia owns 60% and 40% is for sale. Mr. Genova corrected that Cynthia Genova owns 100% of the issued stock. The corporation has authorized 100,000 shares of stock which currently allows 40,000 shares of the stock to be sold. Councilmember Mattie said his concern is them being able to track their investors, up to 40,000 in number possibly. He asked if he understands the obligation to provide to the proper authorities information behind the money. Mr. Genova said they will have a licensed CPA and bookkeeper on staff. Councilmember Mattie reminded Mr. Genova that he is proceeding under the authorization of City ordinance and State law, however, the sale of marijuana continues to be a violation of Federal law. He asked if he is willing to assume the risk and proceed, to which Mr. Genova responded affirmatively. Councilmember Bonato commented that Mr. Genova seemed to have a lot of uncertainty in his answers to City Attorney Downs. He asked if the City has a copy of the CDOT traffic permit. City Attorney Downs pointed it out at the back of the packet. Councilmember Miles asked if the employees have to be fingerprinted. The City Clerk advised that they do by the state. Councilmember Miles asked if his key employees have submitted to fingerprinting. Mr. Genova said they of course have. Councilmember Miles noted that Josh Bleem used to be an equity owner. Mr. Genova countered that he was never an equity owner. Councilmember Miles asked about Mr. Bleem's compensation, whether it was a straight salary or if it is based on profits of the company. Mr. Genova answered that Mr. Bleem will be the General Manager and that the regulations allow management employees to negotiate a contract that has compensation related to the performance of the company. Councilmember Miles asked if that applies to those who are not residents. Mr. Genova responded affirmatively. Councilmember Miles asked if that is true. One way of conveying an equity interest is to say that person's bonus is 30% of the profits. Mr. Genova said it is in the regulations and he could find it for her. Councilmember Miles expressed her concern that Mr. Bleem can have equity interest in the profits of the company without having met the residency requirements. Mr. Genova said compensation may be derived to employees by performance. Councilmember Miles suggested that may be true for residents, but questioned its application to nonresidents. She said there are two ways to have an equity interest - you can have shares of stock or something that is kind of off the books where you are just granted an equity interest in the company. She asked if someone has a compensation arrangement whereby they receive 100% of the profits of the company, who owns the company. She opined that if an employee receives all of the profits of the company that employee owns the company. Mr. Genova argued that point. City Attorney Downs said someone could claim they own a company, make all of the decisions, sign the checks and give all of the profits of the company to another party and still own the company. Councilmember Miles suggested that would be a convenient way of sidestepping the residency requirements. Mr. Genova, to City Attorney Downs' question, confirmed by Josh Bleem is not going to have an ownership interest. Councilmember Miles argued that he may not have stock interest but will have an equity interest. She suggested another way of having an equity interest would be to have an above-market lease arrangement. She asked Mr. Genova what percentage of profits Mr. Bleem will receive. Mr. Genova said it has not yet been agreed to. To further questioning he couldn't provide a range either. Councilmember Miles suggested it could be 50%. Mr. Genova said it could be but he doubted it would be. He added that he doesn't know where they are with that. Councilmember Miles said depending on that percentage they will need to know if he needs to meet the Colorado residency requirement. City Attorney Downs asked if she agreed that it is appropriate in terms of compensation for a non-resident individual to be a finite amount of compensation. Councilmember Miles commented that she could see where a bonus up to "X" being fine, but if someone is given 75% of the profits of the company, that person essentially owns the company. Mr. Genova said that Josh Bleem doesn't have an equity position. Councilmember Miles said technically not, but in substance he does because he works for the company's benefit. Mr. Genova said everyone works for the company operates for their benefit. Councilmember Miles reiterated her concern that this is a way of sidestepping the residency requirement. If he owned no stock but had 100% of the earnings, the company would be operating solely for his benefit. If the percentage were 50% the company would be operating 50% for his benefit and she thought that would be virtual equity interest. It would be a convenient side step to the residency requirements to have someone with a dollar interest own 100% of the shares and then convey all of the profits through a compensation arrangement. Mr. Genova responded that the Colorado Department of Revenue and the Marijuana Enforcement Division are completely aware of Josh Bleem's relationship with the company. Councilmember Miles argued that he cannot speak to his compensation arrangement because it is yet to be determined. Mr. Genova reminded that their company hasn't started up yet. Councilmember Miles said doesn't want to hold this up on things they do not know. She asked if it could be conditioned on an understanding that the state is okay with Mr. Bleem's compensation arrangement. She added that she'd like to make sure this isn't a side step of the residency requirement. Mr. Genova reiterated that he would provide her with the regulation. Councilmember Miles stated she's sure there are answers but thought that it starts with Mr. Bleem's compensation arrangement which is unknown

at this point. Mr. Genova said they've interviewed many people and haven't entered into any compensation agreement with any employees. City Attorney Downs said the point is apt and it is appropriate to get an answer to the questions. Councilmember Miles said Council needs to know who is behind the businesses. Councilmember Mattie asked if Mr. Genova knows when Mr. Bleem meets the residency requirement. Mr. Genova answered that it is in June, 2016. Mayor Reorda called for comments against the application. Father Peter Raleigh addressed Council. He said he is new to Trinidad and has a minister's meeting here once per month. He read information from their last month's meeting: "Adults who persuade or who helps juveniles commit acts of delinquency may be charged with the crime of contributing to the delinquency of a minor or called CDM. A minor is anyone under the age of majority, 18 in most states. Since possession of alcohol is an act of juvenile delinquency, for example providing alcohol to minors would be an act of CDM in most cases. Colorado was the first state to establish the crime in 1903. All states now have such laws. We the undersigned are petitioning the City Council of the City of Trinidad, Colorado, to restrict the sale of and distribution of marijuana from the premises of any church, school, universities, seminary, daycare center, park, or where there is the congregating of young adults and children. Pursuant to all criminal laws, contributing to the delinquency of minors is a crime. A distance of no less than 500 feet is the norm for most municipalities. We have undertaken this petition in accordance with the state regulations that pertain to the sale and distribution of liquor." Many who advocate the use of marijuana always state that alcohol is legal. He said he understands and is not here to say marijuana is evil in and of itself. But, there is a responsibility to give good examples to our children and grandchildren. He asked that they take it under consideration. Trinidad has a great heritage. Does City Council want Trinidad to be known as once a great town, the footstep to Colorado, its early foundations, now to become its tumbling stone? A nation is not composed of a conglomery; it is comprised of individuals. He said he cannot express the importance of the small town of Trinidad and the decisions Council makes here because it affects a nation. Father Raleigh told Council that his prayers go with everyone, he wishes no one harm. He said he has dealt with people from addictions. There's nothing worse than to see someone who has allowed themselves to be taken over. You can see where this addiction has replaced God. He concluded that he can serve a most high God, but he cannot be most high and serve God. Councilmember Mattie asked if his considerations are addressed in the City's ordinance or state law. City Attorney Downs answered that the crime of contributing to the delinquency of a minor is a felony in the state. However, the distance from a church is not specified in the ordinance or state law. Father Raleigh commented that churches have schools. Mike Garrett addressed Council. He said his speaking to Council is getting to be a habit now. Pot smoking is a habit. He said if the Trinidad pot shops don't eventually go away he won't either and neither will other people of Trinidad who oppose the proliferation of pot licenses being approved by City Council. They are here tonight to announce the official opening of their campaign to start picketing Trinidad pot shops, beginning at 1:00 p.m. on Saturday in front of M & M Distributing, LLC. He said they may also picket in front of the old Monte Cristo Bar across from Sonic depending on the number of people they get. Mr. Garrett said he wanted to clarify to Council their motives and goals with this campaign - they want Council to restrict the number of pot shops to no more than the five that are now open or are on the verge of opening. They also want them to restrict where they can open. The ordinance says they need to be away from schools and they would like it modified to also include daycare centers and churches. Mr. Garrett further clarified that they are not against the selling of pot for medicinal purposes, only for recreational use. They don't want to see any more pot heads walking the streets of Trinidad than are already doing so. The theme of their campaign is "Enough is enough. Don't turn Trinidad into Potterville." If Trinidad gets a regional reputation for the ease of buying pot here, how many undesirables will drive to Trinidad to buy it? Unlike Denver, Colorado Springs or Pueblo, all you have to do is take the Commercial Street exit, drive one-half a block and you can buy your pot. They'll do it here if it is much easier than going to Denver or Colorado Springs. We have lots of people from Texas and New Mexico coming in here. They will make Trinidad their first stop. The more pot businesses Trinidad does the more shops will open here. All of the empty buildings will be filled with pot and pot smoke. Bill Phillips, Big O Tire and Grease Monkey on Toupal Drive, addressed Council. He provided Council with remonstrances, evidence and questions that he asked to submit for the record. He said they have details that they can take the time to look through. He announced that the citizens object to their holding of this hearing and approving the applications, citing there being improper notice, corporate issues and financial issues, as well as filing fees have not been met. Regarding the improper notice he stated that the legal notice required in the paper and to be posted at the building refer to two different entities, both of which are not legal Colorado entities, that being "Canna Company LLC" and "Canna Company, Inc." Neither exists. Canna Company, Inc. is in the legal publication in the paper. There are corporate issues that he didn't elaborate upon, stating they were obvious from the discussions. He stated that there are some highly irregular activities that are happening that they are unaware of that Mr. Downs brought up. The citizens want to know what corporate entity they are dealing with. Who is on the Board of Directors? He added that he didn't believe in the State of Colorado there could be less than two executive members in a corporation; you cannot have one. He said he thought they were led to believe Josh Bleem was a resident of Colorado when he applied for all of these applicants and now we are finding out that he is not. They want to know who they are dealing with. Also, regarding financial issues, there's no CannaCo operating accounts. In general when you apply for applications you have some bank accounts that specifically say it is Canna Company, CannaCo, this is the money that has been deposited into this account, and it has come from x, y, and z. It is very straight forward and our application certificate filing requires it. It's not there. The filing fee requirement is not met, he claimed. The diagram shows the cultivation area as 170 feet by 50 feet or approximately 7,250 square feet. The application fee said it was \$5,000, but it should be \$1 per square foot. He said they believe the hearing should be continued and not held, reiterating that the requirements of the ordinance were not followed, the applicant listed on the notices is not the actual applicant, the mandatory statement on the name has not occurred, both posted and published notices must contain the same information, neither of which identify the correct name. Chris Furia addressed Council. He told Council they are the responsible parties to make decisions for the citizens. To make those decisions all of the information needs to be correct and submitted correctly to them. He thanked Councilmember Miles for asking the questions she did. He said those questions need to be answered. Many were grey areas or questions that haven't been answered in the application they are considering for these licenses. It is obvious through some of the questions that there are many issues not addressed as far as what is correct on these applications, such as proper notice of the hearing on what it pertains to and especially corporate issues such as who the officers of the corporation are. How many officers does there need to be to have a legal corporation? As of now the information shows there is one officer. Josh and Lynn Bleem resigned as officers because they don't meet the residency requirement. Many applications have Josh Bleem as President. They were submitted prior to his resignation. Are they considered legal or binding to allow Council to pass these licenses? CDOT gave correct information as far as an access permit. The packet from the public record shows there's been contact with the Fire, Police and the Building Inspector. There is nothing from the Health Department. Safety and health are still issues with this application. They should be looked at specifically. He concluded that there are so many grey areas that the application needs to be tabled or not passed. There's

much more than conditions that are not met here. Susan Martin addressed Council. She said she knows from personal experience that it is necessary for a corporation in Colorado to have three officers. She knows this from having just gone through it with the church. She said all of the members of City Council were chosen by the people of the community to represent their best interests. Les Downs as City Attorney is to give sound legal advice to Council for the betterment of the community. All of the members of Council except Councilmember Joe Bonato have failed to serve the community. She said they have acted like marijuana is the greatest thing in the world. It is nothing more than a gateway drug to harder drugs. Council has wrongly assumed every home in Trinidad has and uses marijuana. The fifteen already-approved facilities is more than enough for a City of 9,000 people. According to a Trinidad newspaper article Trinidad middle and high school students already use more marijuana and hard drugs than teens in the entire rest of the state of Colorado. They don't need easier access to pot. Sure there are rules not to let anyone under 21 buy pot, but there are ways around this law. She said they should ask any teen in town. Now they are planning to put a store across the street from the junior college. The majority of the students that go to the junior college are under 21. It will be less than 500 feet from campus. Isn't the law 1,000 feet from schools? You want to okay pot shops by day care centers with the comment from Les Downs that toddlers won't be buying pot. But, she said, the parents will be leaving the kids unattended in their cars and carelessly leaving marijuana candy and brownies where the toddlers can consume them. She said she wondered what their response will be when the first toddler dies from consuming these things. Marijuana will bring revenue to the community, but at what cost? Medical professionals and the police are scared of what will happen. Homelessness in the Denver area has increased 100% since the legalization of pot. Trinidad already has no plans for taking care of the homeless problem already going on. She said because they are a church they face this on a regular basis. She spent three-quarters of a day trying to find help for a young couple, 20 something years old, who got a job at Burger King but won't have a check for ten days. They slept under the bridge the night before. She couldn't find anyone to help them. This situation for people who aren't even on drugs will be worse. The deserving ones won't have a place for help. The ones on drugs won't either. Since the members of City Council and the City Attorney seem determined to expand the availability of marijuana in Trinidad, they will have to be responsible for taking care of the homeless proliferation created by their poor judgment. Carol Dillow Phillips, co-owner of Big O Tires and Grease Monkey, addressed Council. She said she functions in a Chief Financial Officer position of their companies. She reminded Council that they function as the economic keepers of the City and it is a big responsibility. In doing so, they have to be conservative in their decisions. There were all sorts of issues raised here why this should be tabled or not even considered today, but offered to give them three more reasons - three pending lawsuits on 3019 Toupal Drive, all because of marijuana. She asked that they think about that. One lawsuit was filed September 2nd, the next on December 2nd and the third on December 30th. Les Downs would like Council to think they are moot but Judge Epstein didn't think so. She asked if they shouldn't just table this and stop subjecting the people of the City of Trinidad to litigation. She told Council they are obviously not representing the people. Mary Jo Baudino addressed Council. She told them that she owns an in-home daycare center called the Nursery Center which she started six years ago. She said even though she is in a residential area, some day she might grow and actually become an actual center or a school, and she might have to worry about it. She said she's here tonight to answer the question if they want to add daycare center to the definition of a school so a marijuana facility cannot be located within 1,000 feet. How is this even a question? After reading the newspaper article she said she was just shocked. She said she cares for children from six weeks to 13 years old. From five to 13 is a school age. She also takes care of babies. When it was said that there's nothing dangerous nor a liability and little risk of it falling into our little ones' hands, that's just not true. Dr. Oz even said that three size Oreo cookies could kill a seven to 14 year old, or put them at least in ICU. Can you imagine a gummy bear falling into a toddler's hands? The liability will fall on the daycare owner or the person taking care of them. We have to keep in mind that marijuana is an altering drug that can be very, very dangerous. With it being in edibles such as rice crispy treats, brownies, suckers and gummy bears they are so attractive to little ones. If one of the children is outside and she's tending to an injured child and someone walks by and the child accepts a gummy bear, she would be liable. She said it is very scary. They as daycare owners love and want to protect the children in every way possible. It has nothing to do with the marijuana map and everything to do with protecting the little ones. She asked that Council please add daycare to the definition of a school and not allow marijuana facilities within 1,000 feet of daycares. Deb Hartman, Southern Colorado Council of Governments Early Learning Center, said they are located on Rosita. It is a preschool and they have infant and toddler programs. She said she read the newspaper article about daycares. She told Council she is not here to protest the City's decision to legalize marijuana. Rather, she said she was here to ask that provisions be put in place as alcohol regulations are to be proactive in setting standards from the get go. We are just beginning this process. Incidents will occur in the future so let's add statutes sooner rather than later to be proactive instead of reactive. She said they've already had to deal with an incident at her center where a parent had a gummy bear and their child got ahold of it. They are monitoring parents in this also but they need statutes to back them up. Last week's newspaper article stated that daycare centers are not a school. She said it is her responsibility as a licensed child care provider and child advocate to educate Council and the community that most child care facilities at this time are early learning centers. She said they have state funding and the state assessment data to prove that point. Those that are child care facilities that are child care homes without a curriculum should also be considered in this new venture as they house numerous children at once as she does. She said she has 100 children in the center at any given time. The issue is not 5 to 15 year old children going across the street to purchase marijuana. The issue is the foot traffic frequenting these establishments. They may be in need of money to make purchases and do anything necessary. The crime will increase in the immediate vicinities. An example would be this weekend's drug-related break in at the Shell station on Linden. Therefore, Ms. Hartman said she supports changing the law to include the words childcare centers. The current licensed marijuana facilities obviously considered present locations prior to opening. She urged Council to make a decision to be proactive and keep all children safe by restricting the location of future marijuana facilities to 1,000 feet, even 5,000 feet from schools, childcare facilities, and churches to make all of Trinidad's children safe. Councilmember Mattie pointed out that they are in a hearing regarding the application of CannaCo. City Attorney Downs suggested they let anyone who wishes to speak to do so. Mayor Reorda called for further comment regarding the application filed by CannaCo. There was none. He offered his personal opinion that the answers to questions posed to CannaCo were very vague. There were not a lot of answers for the questions. He suggested a motion to postpone the decision would be in order. Councilmember Miles commented that the issue raised concerning the noticing is important. The public needs the opportunity to know who will be licensed here. Canna Company, LLC and Canna Company, Inc. is confusing. How can the public do their due diligence? She agreed that the hearing should be continued based on the noticing alone, and moved to table the application. City Attorney Downs stated that all of the notices say CannaCo. He opined that it isn't a fatal defect and gives the world notice. However, he understood the concern. Councilmember Miles argued that a person can't do due diligence based on a d/b/a, which was the only common thread here. That's not who is applying for the license. City Attorney Downs said a person can name search

on the Secretary of State's website and find CannaCo. He agreed that the posting and publication were incorrect. Councilmember Mattie noted that while it may not be a fatal flaw, that shouldn't be their job. Mr. Genova stated he wants to stay above board and in compliance. There were concerns raised about the composition of the board and the number of officers. He suggested until it can be determined that they are in compliance with state law and our ordinance, it should be tabled. Councilmember Bolton seconded the motion and Council unanimously agreed that it be tabled to the next regular meeting upon roll call vote. The hearing was closed.

New Retail Liquor Store license request by El Paso Liquor, Inc. d/b/a El Paso Liquor at 1101 E. Main Street (Continuation). Ioannis Smirniotis addressed Council along with Cheryl Ashe and Bonnie Felthager. Ms. Ashe told Council that she worked for RJ's Liquor Store for a little over one year. They both worked there. They ran the store. They functioned as manager and day and night clerks. She said she felt they were in positions to have to understand the liquor laws. Councilmember Miles asked what the hours of operation are for a liquor store. Ms. Felthager answered that she believed they are 8:00 a.m. to midnight. To questioning they both responded that they are not TIPS certified. Councilmember Miles recommended they be certified, although it is not required. Ms. Felthager was unable to answer what the one day per year is that a liquor store needs to be closed (Christmas). Councilmember Miles stated the laws are complicated and archaic. She reiterated from the last hearing that in some instances a person can go to jail for violating those laws. TIPS certification will help them. Ms. Felthager said they did the cash, in and out, inventory, stock and closed out. She added that she has accounting and bookkeeping experience. Councilmember Miles said she is most concerned with compliance with the liquor laws. She urged them to become familiar with those laws and become TIPS certified which will prevent Mr. Smirniotis from getting into trouble himself. Ms. Felthager said carding was mandatory when they worked for RJ's Liquor. Councilmember Miles encouraged them to get the TIPS training and look at the liquor laws. You can't buy from anyone except a distributor, for instance. A motion to approve the license was made by Councilmember Fletcher and seconded by Councilmember Bolton. The motion carried upon a roll call vote of Council. Mayor Reorda read the following into the record:

This matter came on for hearing on the application of El Paso Liquor, Inc. d/b/a El Paso Liquor at 1101 E. Main Street in Trinidad, Colorado, for a Retail Liquor Store License, before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on January 6, 2015 and continued to January 20, 2015, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, letters of recommendation, reports of the City Clerk and other City staff, petitions admitted into evidence at the hearing and testimony taken during the hearing, makes the following **FINDINGS**:

1. The neighborhood consists of that area located within the City's corporate limits.
2. Ioannis Smirniotis, Cheryl Ash and Bonnie Felthager testified in favor of granting the license. No other persons testified in favor of or in opposition to the granting of the license.
3. The City Clerk's report showed that there are 41 liquor-licensed outlets within the neighborhood. Of these, there are four 3.2% Beer Off-Premises licenses, one 3.2% Beer On-Premises license, one Club license, 14 Hotel and Restaurant licenses, one of which has Optional Premises, eight Liquor Store licenses, and 10 Tavern licenses, one Arts license and two Beer and Wine licenses.
4. The applicant submitted a petition regarding the liquor license application, which was admitted into evidence. A total of 52 signatures appeared on the petition, of which 43 were residents or business owners/managers from within the neighborhood, 21 years of age or older, all favoring issuance of a liquor license at this location. No petitions opposing the issuance of the license were submitted.
5. The applicant through testimony and other evidence, made a prima facie showing that the reasonable requirements of the neighborhood are not being met by existing liquor outlets, and that the adult inhabitants of the neighborhood favor issuance of the license.
6. Based on the evidence presented at the hearing and the investigative materials provided for the hearing, the City Council finds that the reasonable requirements of the neighborhood are not being met by the existing liquor outlets, that the adult inhabitants of the neighborhood favor issuance of the license to the applicant, and that the applicant officers are of satisfactory moral character.

THEREFORE, the City Council of the City of Trinidad, Colorado, as the local liquor licensing authority, hereby approves the application of El Paso Liquor, Inc. d/b/a El Paso Liquor at 1101 E. Main Street in Trinidad, Colorado.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. None.

COUNCIL REPORTS. Councilmember Mattie reported on his attendance of the gathering with the Boettcher Foundation and ArtSpace folks. He said he received a call from Jim Vigil thereafter thanking City Council for appearing in their entirety. He said given that government support is one of the five criteria they consider, it will be helpful. Councilmember Fletcher said Marilyn Leuzler likewise expressed her appreciation for Council being there. She said she was personally impressed by revisiting the gems in our community. She thought the people visiting were in awe. Mayor Reorda added that he was impressed those people flew to Trinidad. Councilmember Bolton thanked Council for attending in their entirety and hoped they enjoyed the presentation as much as she did. Councilmember Fletcher asked if anyone knew when they'd be getting back with the City. Councilmember Bolton said her understanding is that they will be getting back with the Creative District. Tara Marshall said she heard from them today. They spent the day meeting with Colorado Department of Local Affairs representative and she should have more of a report next week.

Councilmember Miles told Council she participated by phone in mediation in the ARPA vs. City of Lamar lawsuit. No agreement was reached. It was not expected.

Councilmember Bonato had nothing to report.

Councilmember Mattie thanked Ms. Marshall for coordinating the visit and making the presentation at the meeting. Mr. Vigil had mentioned Ms. Marshall by name.

REPORTS BY CITY MANAGER. Meetings/Calendar. Acting City Manager Garrett reminded Council of the Chamber of Commerce luncheon tomorrow at noon at the TSJC Pioneer Room, the Planning Commission training through DOLA this Thursday at 5:30 p.m. DOLA has asked City Council to attend if they are available. Also, the Trinidad History Museum Listening Session is scheduled for Friday, January 23rd at 2:00 p.m.

REPORTS BY CITY ATTORNEY. City Attorney Downs stated that he wanted the public to know that on a national holiday, City Council worked 11 hours on City business, from 8:00 a.m. to 7:00 p.m. City Manager interviews went for five hours, they had a short lunch break and then had the ArtSpace meeting. They came back at 5:00 p.m. and worked until 7:00 p.m. He offered kudos to Council and Councilmember Bolton back to him as well for working those same hours.

UNFINISHED BUSINESS. Electric Service Territory. Councilmember Miles asked the status of the possibility of the City extending electric service access to the Industrial Park. Public Works/Utilities Director Valentine said he has been working on it. It is moving slowly but it is moving.

MISCELLANEOUS BUSINESS. Modification of premises request by Ristras Restaurant & Cantina, LLC d/b/a Ristras Restaurant & Cantina at 516 Elm Street. Ruben Torres, Jr., was present on behalf of the licensee. Councilmember Miles asked if this modification was to accommodate the Sushi place. Mr. Torres responded affirmatively. A motion to approve the modification was made by Councilmember Bolton and seconded by Councilmember Bonato. Roll call was taken and the motion carried unanimously.

New Retail Marijuana Store license application filed by Colorado Cannabis Associates, LLC d/b/a The Spot at 452 N. Commercial Street. Councilmember Bolton made a motion to set the new retail marijuana store license application for public hearing on March 3, 2015 at 7:00 p.m. Councilmember Fletcher seconded the motion. Upon roll call vote the motion carried unanimously.

Consideration of Contract Amendment for the Window and Door Restoration/Reconstruction of the Trinidad City (Historic) Water Works Building. A motion to approve the contract amendment was made by Councilmember Fletcher and seconded by Councilmember Bolton. The motion carried unanimously upon roll call vote.

Consideration of an agreement with McCool Development Solutions, LLC for the purpose of updating the City of Trinidad Comprehensive Plan, the Land Development Code and the Zoning Map. Councilmember Fletcher moved for the approval of the agreement with McCool Development Solutions, LLC and Councilmember Bolton seconded the motion. Upon roll call vote the motion carried unanimously.

Appointments to the E911 Authority Board. Councilmember Bolton moved for the appointment of Mary Blecha to the Board and the motion was seconded by Councilmember Bonato. The motion carried unanimously. Councilmember Mattie made a motion to reappoint David Barrack. Councilmember Bonato seconded the motion, which carried unanimously upon roll call vote.

First reading of an ordinance of the City Council of the City of Trinidad, Colorado, amending Article 11, Chapter 14, Section 14-201, Definitions, 14-201(y) "School" to offer the same protection to existing state-licensed daycare facilities as those offered to facilities meeting the school definition as it was originally adopted, and setting a hearing date for consideration of said ordinance. Councilmember Miles introduced the ordinance and the ordinance was read aloud in its entirety. A motion to approve the ordinance on first reading and consider it further at a public hearing on Tuesday, February 3, 2015 at 7:00 p.m. was made by Councilmember Bolton and seconded by Councilmember Fletcher. Upon roll call vote the motion carried unanimously.

ORDINANCE NO.

OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO,
AMENDING ARTICLE 11, CHAPTER 14, SECTION 14-201, DEFINITIONS, 14-201(Y)
"SCHOOL" TO OFFER THE SAME PROTECTION TO EXISTING STATE-LICENSED
DAYCARE FACILITIES AS THOSE OFFERED TO FACILITIES MEETING THE SCHOOL
DEFINITION AS IT WAS ORIGINALLY ADOPTED

Consideration of City Manager applicants to fill the City Manager vacancy. Councilmember Mattie moved that pursuant to the interviews of the five finalists from the 25 applicants and the lengthy discussion yesterday afternoon, City Attorney Downs be authorized to make an offer of employment to Gilbert Engleland who currently serves as Assistant City Manager in Gilbert, Arizona, for the position of City Manager of the City of Trinidad, Colorado. Councilmember Bonato seconded the motion, which carried by a unanimous roll call vote. Mayor Reorda asked if Audra Garrett and Mike Valentine will continue until the new City Manager begins. City Attorney Downs reminded that the appointment was made for six months pursuant to the Charter. He said he has discussed this with CIRSA and they have determined that a person could be re-appointed for a new six-month period. Councilmember Mattie moved to continue with the interim appointment of Audra Garrett and Mike Valentine in their present capacity until their services are no longer required. Councilmember Bolton seconded the motion which carried unanimously upon roll call vote.

BILLS. Councilmember Bonato inquired about the status of Tyler Technologies computer conversion, noting that he keeps seeing \$10,200 payments to them. He asked when it is supposed to be in place. Acting City Manager Garrett advised that the conversion process is continuing and that on-site training and phone training is currently taking place. There is a lot of account information that has to be converted and verified before it goes live. Acting City Manager Garrett couldn't recall

ANUARY 20, 2015

the exact timing but thought it was supposed to be in place mid to end of February. It is around the corner. There are a lot of changes that come with the conversion, so it is not just seamless. There will be a number of improvements that comes with added work to achieve them on both ends. Councilmember Fletcher moved to approve the bills and Councilmember Bolton seconded the motion. The motion carried unanimously upon roll call vote.

PAYROLL, January 3, 2015 through January 16, 2015. A motion to approve the payroll was made by Councilmember Fletcher and seconded by Councilmember Bolton. Roll call was taken and the motion carried unanimously.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Fletcher and seconded by Councilmember Bonato. The meeting was adjourned by unanimous roll call vote of Council.

ATTEST:

JOSEPH A. REORDA, Mayor

DONA VALENCICH, Asst. City Clerk

The City Council of the City of Trinidad, Colorado met in Special Session on Friday, January 23, 2015, at 5:30 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Friday, January 23, 2015, at 5:30 p.m. in the Council Chambers at City Hall

The following items are on file for consideration of City Council:

1) Executive session

a) For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Discussion of certain matters relating to recent City Manager selection and announcement

The meeting was called to order at 5:35 p.m.

Roll call was taken.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	City Attorney	Downs

Executive session - For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Discussion of certain matters relating to recent City Manager selection and announcement. A motion to go into executive session for the stated purpose was made by Councilmember Mattie and seconded by Councilmember Torres. Upon roll call vote the motion carried unanimously. The executive session ensued at 5:36 p.m. The executive session was electronically recorded as required by the Open Meetings Law.

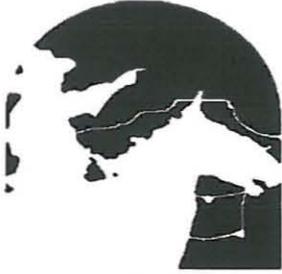
Upon conclusion of executive session at 6:53p.m., Councilmember Bolton moved to adjourn the special meeting. Councilmember Miles seconded the motion and upon a unanimous vote, and the special meeting was adjourned.

ATTEST:

JOSEPH A. REORDA, Mayor

AUDRA GARRETT, City Clerk

3a-b



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: PUBLIC HEARING

- a) New Retail Marijuana Store license application filed by Canna Company d/b/a CannaCo Company at 3019 Toupal Drive
- b) New Retail Marijuana Cultivation Facility license application filed by Canna Company d/b/a CannaCo Company at 3019 Toupal Drive

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Conduct the public hearing. City Council may take up to 30 days thereafter to render a decision on the application.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: This is an application for new licenses.

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- This is a quasi-judicial matter and as such Council should only consider evidence and testimony provided during the public hearing.
- This matter was tabled at the regular meeting of January 20, 2015.

3a-b

PROOF OF PUBLICATION

STATE OF COLORADO
COUNTY OF LAS ANIMAS} SS

Lauri A. Duran, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general circulation complying with all of the requirements of Articles I to VII, Chapter 130, 1935, Colorado Statutes Annotated, and all other laws of said State, and that said legal / notice has been so published for the period of time prescribed in said newspaper proper and not a supplement.

The attached Notice was published in said newspaper in its issue(s) dated

56751 January 22, 2015



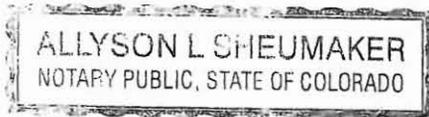
Lauri A. Duran

Subscribed and sworn to before me this
22 day of January
A. D., 2015.



Allyson L. Sheumaker

My commission expires on August 26, 2015



My Comm. Expires August 26, 2015

NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company d/b/a CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Store license at this location.

Hearing on application will be held on Tuesday, February 3, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 21st day of January, 2015

By Order of the Trinidad City Council
Audra Garrett, City Clerk

PUBLISHED January 22, 2015 56751



**INVESTIGATIVE REPORT
FOR THE *FEBRUARY 3, 2015* PUBLIC HEARING
OF CANNA COMPANY**

Applicant: Canna Company

Business Name: CannaCo

Business Address: 3019 Toupal Drive – Community Commercial zoning

Officers/Owners: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO
80226

Date of Application: December 5, 2014

**Date Application Filed
with Local Authority:** December 16, 2014

Type of Request: New License

Type of License(s): Retail Marijuana Store
Retail Marijuana Cultivation Facility

Hearing Date: *Tuesday, February 3, 2015, 7:00 p.m.*

APPLICATION CONTENTS -

Applicant's Documents: City of Trinidad Retail Marijuana License Application
CUP Approval
Lease Agreement
Verified Consent of Property Owners for the Submission of
an Application for Marijuana Business
Articles of Incorporation and Amendment
Certificate of Good Standing

Statement of Trade Name

Applicant's Documents:
(Cont.)

Board Meeting Minutes
Shareholder Meeting Minutes
Corporate Bylaws
Resolution of Shareholder C Corp. Status
Waiver of Notice Board of Directors Meeting
Waiver of Notice First Shareholders Meeting
Sales Tax License
Diagram of Premises (Aerial Photograph, Plot Plan, Building
Interior, Site Overview)
Individual History Record
Fingerprints
Security Alarm – contract to be provided prior to license
issuance – basic layout provided
Exterior Security Lighting Plan
Colorado Business Retail Marijuana License Application
Colorado Retail Marijuana License Bond

City Documents:

Notices of Public Hearing
Certificates of Mailing
*Proof Publication on 1/22/15 (Affidavit from the Chronicle
News was not provided at the time of this report – a
copy of the newspaper publication is provided as
proof)*
Certificates of Posting
Departmental Reports

Supplemental Documents: Descriptive Floor Plan Drawings
CRS Title 7 regarding Corporations and Associations
*MED Rule 204 regarding factors considered when evaluating
ownership of a license*
Statement concerning cultivation square footage

LOCAL FEES -

Local Fees Retail Marijuana Store:

Investigation	\$2500.00
License	<u>2500.00</u>
Total	\$5000.00

Local Fees Retail Marijuana Cultivation Facility:

Investigation	\$2500.00
License	<u>2500.00</u>
Total	\$5000.00

Local Fees

\$1.00 per square foot cultivation fee x 5000 = \$5000

TOTAL \$15,000.00

Local fees have been paid. Applicant has been advised the City's investigation fee is non-refundable and in the event the license is denied, license fees only shall be refunded.

ZONING –

The proposed premise is zoned Community Commercial, one of the appropriate zoning designations for location of a marijuana business pursuant to the Trinidad Municipal Code. Conditional Use Permit requests were heard by the Planning Commission on 10/14/14 and denied. Upon appeal the Conditional Use Permits were ultimately approved subject to four conditions identified within the Staff Report dated 10/14/14 from the Planning Department. Abbreviated, the applicant must 1) comply with all state and local laws, rules, regulations relative to the operation of their business; 2) an air filtration plan must be submitted and approved by the Building Inspector; 3) the conditional use permit must be put into effect within one year or it will expire; 4) the applicant must comply with the reasonable requirements of all City officials with respect to establishment and operation of their business.

LEASE AGREEMENT -

The lease agreement is between the John H. and Marcia M. Lackey Revocable Trust, landlord, and Canna Company, tenant. The term extends from January 1, 2015 through March 15, 2018. A letter of intent from the property owners was submitted and supplemented by a notarized statement consenting to the submission of an application for a marijuana business as required by the Trinidad Municipal Code.

CORPORATE DOCUMENTS –

Dated-stamped Articles of Organization for Forever Green Limited are provided. Date-stamped Articles of Amendment changing the name of the corporation from Forever Green Limited to Canna Company are additionally provided, as well as a Certificate of Good Standing issued by the Colorado Secretary of State. A Statement of Trade Name of

a Reporting Entity indicates Canna Company has registered the trade name CannaCo under which they will operate. Corporate minutes and bylaws were included.

SALES TAX LICENSE -

Sales Tax License #30460950-0000 was verified.

DIAGRAM OF PREMISES -

The diagrams identify the proposed premises, which is a ground level facility with a mezzanine. It identifies a cultivation area, sales area, waiting area, office, storage and packaging area, and a second storage and packaging area. There is a second diagram showing the mezzanine which is proposed for storage and packaging. The cultivation, office, storage and packaging areas are accessible only to licensed employees. The sales area will be accessible to registered customers only and the waiting area is proposed to be an open area, accessible to the general public. The Retail Store and Retail Marijuana Cultivation Facility are shown as areas adjoining each other all within the confines of 3019 Toupal Drive. Initial plans indicate the proposed location of the security cameras, however, based upon final inspection from the Colorado Marijuana Division and the City Building and Fire Departments, those locations are subject to change. The overall footprint of the building is approximately 12,600 square feet. Also included was an aerial photograph of the site, a plot plan, building interior drawing and site overview. A security alarm system agreement will be required prior to issuance of the license. An exterior security lighting plan proposal was submitted pursuant to the City's requirements.

OWNERSHIP INFORMATION/BACKGROUNDS FINGERPRINTING -

Fingerprint cards were submitted to CBI/FBI on 12/11/14. *Results had not yet been received for Cynthia Louise Genova from CBI/FBI as of 1/23/15. Upon inquiry it appears that the fingerprints were lost after mailing. Therefore, on 1/23/15, Ms. Genova returned to the Trinidad Police Department to be re-fingerprinted and submitted a cashier's check to cover the cost again. Local database checks done by the TPD found no records. It should be noted that the conditional State license has been issued, indicative of a satisfactory criminal history review by the State of the applicant.*

RESIDENCY REQUIREMENT -

Cynthia Louise Genova, the Chairwoman and 100% common stock owner of Canna Company, meets the two-year Colorado residency requirement to hold a marijuana license.

COLORADO RETAIL MARIJUANA LICENSE DOCUMENTS –

Copies of the entity's Colorado licensing documents were a required submittal with the City's application to obtain complete applicant information without redundancy. Those documents include the license applications and license bond.

NOTICES OF HEARING -

Mailed to applicant – 1/21/15.

Published – 1/22/15.

Posted on the premises – 1/21/15.

DEPARTMENTAL REPORTS -

Fire Chief Tim Howard indicated on 12/29/14 that the applicant will need a final inspection after they remodel and before they open.

Building Inspector Chris Kelley indicated that he lacks building plans as of 1/9/15.

Police Chief Charles Glorioso on 12/29/14 also indicates that inspections must be completed by the department at the completion of the renovation/construction.

Periodic inspections will continue throughout the process. Issuance of the license will only be done upon final approvals of all three departments and issuance of the Certificate of Occupancy.

OTHER REVELANT CONCERNS -

SCHOOL DISTANCES –

There is a 1,000-foot limitation from a school for any marijuana business. The nearest school property is Fishers Peak Elementary which is 5,007.86 feet from the nearest point of this property.

STATE HIGHWAY ACCESS PERMIT –

A concern was previously raised concerning traffic. A copy of the CDOT issued permit was provided.

STATE LICENSES –

The Colorado Department of Revenue Marijuana Enforcement Division has conditionally approved the Retail Store and Retail Cultivation Facility and provided the City with copies of the licenses.

LICENSED OUTLETS WITHIN THE CITY –

The following licenses have been approved to date within the City limits:

M & M Distributing, LLC, 422 N. Commercial Street	Medical Center
M & M Distributing, LLC, 422 N. Commercial Street	Medical Optional Premise Cultivation Operation
M & M Distributing, LLC, 422 N. Commercial Street	Retail Store
M & M Distributing, LLC, 422 N. Commercial Street	Retail Cultivation Facility
T.P. Main Street, LLC, 821 E. Main Street	Medical Center
T.P. Main Street, LLC, 821 E. Main Street	Medical Optional Premise Cultivation Operation
T.P. Main Street, LLC, 821 E. Main Street	Medical Infused-Products Manufacturer
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.	Medical Center
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.	Retail Store
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.	Retail Cultivation Facility
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.	Retail Product Manufacturing Facility
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.	Medical Marijuana Optional Premise Cultivation Operation
Peaceful Herbs, Ltd., LLC, 124 Santa Fe Trail	Retail Marijuana Store
Southern Colorado Therapeutics, 1505 Santa Fe Trail	Retail Marijuana Store

Dated this 26th day of January, 2015.

CITY OF TRINIDAD, COLORADO



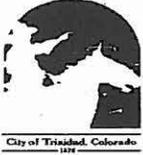
Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of January, 2015, I mailed a copy of the Investigative Report, by Certified Mail, to:

Canna Company
d/b/a CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9836


Audra Garrett, City Clerk



NOTICE OF PUBLIC HEARING

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Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 21st day of January, 2015.

By order of the Trinidad City Council.

CITY OF TRINIDAD, COLORADO

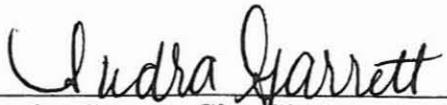


Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of January, 2015, I mailed the Notice of Public Hearing by first-class mail, postage pre-paid to:

Canna Company
d/b/a CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9362


Audra Garrett, City Clerk



NOTICE OF PUBLIC HEARING

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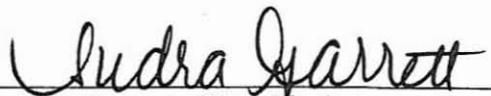
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By order of the Trinidad City Council.

CITY OF TRINIDAD, COLORADO

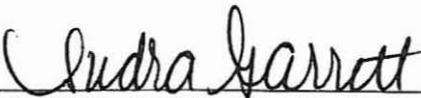


Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of January, 2015, I mailed the Notice of Public Hearing by first-class mail, postage pre-paid to:

Canna Company
d/b/a CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9379


Audra Garrett, City Clerk

CLASSIFIED

PHONE: 719-846-3311 • FAX: 719-846-3612

DEADLINE: NOON, MONDAY-FRIDAY

02 Houses For Sale

Community Resources and Housing is actively seeking applicants for their Self Help Housing program. There is one space left! This program allows middle to low income families to help build their own home, and in return they have no down payment. Families participating in this program help to build approximately 65 percent of each other's homes under qualified supervision. If you are interested, please call 719.589.1680 or visit crhdc.org/HousingDevelopment/SelfHelpHousing. Applications are available online or at the Work Force Center.

03 Houses For Rent

3-4 BD, 2 BA, NATURAL GAS, CITY WATER, WOOD STOVE, W/D HOOKUP, ON 1.25 ACRES, IN HOEHNE SCHOOL DIST, \$800 / MONTH + DEP, NO SMOKING, NO INDOOR PETS, 846-9597

2BD, 1BA APPLIANCES

319 1/2 Animas St. Call 719-240-9909

IN VALDEZ

Lrg house 2+bdrms. New paint & carpets \$650/mo \$700 dep + pet deposit. 719-846-0822

Cute as a button 2/1/1

Avail March 1, No Smoke \$700 * 817-944-5302

RENT TO OWN

3BD House w/ 2bd apt downstrs., Mother-in-law or Nanny apt. a good job & 3 ref a must.

04 Apartments

NORTH AVENUE APARTMENTS A ELDERLY/DISABLED HOUSING COMPLEX, TAKING APPLICATIONS
1 Bedroom units only
Appliances, stove, refrigerator, Laundry Room, community Room
Rental assistance available to those who qualify. Call 845-0216 or stop by and see us at 421 E North Ave, Trinidad, CO TDD 1-800-659-2656 This institution is an equal opportunity provider.



1BD & 2BD Apts partially furnished * all util pd except electricity * \$550 & \$600 mo Dep \$600 * No smoking & No pets 719-422-8260

TRINIDAD WESTERN APTS.

is now taking applications! Studios, 1-2-3 Bdrm Apts. Laundry facilities Rental assistance to those who qualify. Call 719-846-7539 or stop by and see us at **411 NORTH AVE.,** Trinidad TTY / TDD 1-800-659-2656 Our community is an equal opportunity provider.



17 Help Wanted

Haz mat fuel driver, Class B Haz mat w/tanker license required, must comply w/CDL requirements including drug testing and background check. Job is delivering fuel locally. Health benefits available. Pay based on experience. Apply at 2918 Freedom Rd.

Position Opening Corazon Square

Occupancy Specialist Corazon Square is seeking a motivated, service oriented individual to work as an Occupancy Specialist. This part time position works under the supervision of the Trinidad Housing Authority Office Manager. Job duties include but are not limited to: collecting rent and other fees, scheduling annual and interim appointments, calculating tenant rents, maintaining tenant records in compliance with US Department of Housing and Urban Development regulations, maintaining the wait list, preparing work orders, completing and posting dispositions. The Occupancy Specialist is responsible for general office duties and coordinates periodic social activities. Corazon Square offers a competitive wage in a quiet work environment. Must be able to communicate effectively and positively interact with people. The successful applicant must be proficient in Microsoft Office applications most especially Word and Excel. Must hold a valid Colorado Driver's license

17 Help Wanted

with 2 years-experience is preferred. Knowledge of medical terminology and good computer skills is a must as we are now on a fully electronic medical record system. This position requires excellent interpersonal skills, multi-tasking, and organizational skills. Successful candidate will work closely with providers and patients in a fast paced environment. Please submit an application and resume, or if a current employee, a letter of interest to the SPRHC Human Resource Department: 23500 US Hwy 160, Walsenburg, CO 81089 by January 28, 2015 closing date.

For further information contact Human Resources at (719) 738-4540 or to view facility information go to www.sprhc.org.

29 Cars

2007 Pontiac Vibe, 65K miles, newer tires, front wheel drive w/stabilitrac, \$7,000 obo, 719-629-8667

30 Trucks

97 Chevrolet 2500, extended cab, long bed. 6.5L turbo diesel, 5speed, Manuel trans., 321k miles, good condition. Would make good farm truck or diesel truck build. Needs a little work. Asking \$3500 OBO, located in Hoehne, Colo. Call 719-353-2199 for info.

33 Motorcycles

90 Legals
NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company d/b/a CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Store license at this location.

Hearing on application will be held on Tuesday, February 3, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 21st day of January, 2015.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

PUBLISHED January 22, 2015 56751
NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company d/b/a CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Cultivation Facility license at this location.

Hearing on application will be held on Tuesday, February 3, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 21st day of January, 2015.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

PUBLISHED January 22, 2015 56752

Notice:

The Board of Directors of Aspen Rose Ranch Property Owners Association have submitted ballots to land owners in ARR to approve/disapprove covenants changes regarding (1) animal control and (2) enforcement of governing documents. Individuals seeking a copy of the ballot should contact the Secretary, Carolyn Reed at (361)749-1096.

PUBLISHED January 22, 2015 56744

DEAR ABBY

READERS SHARE MANY REASONS FOR CHOOSING CREMATION

By Abigail Van Buren

DEAR ABBY: I just finished the letter from "Plotting and Planning in Arizona" (Oct. 5), regarding why cremation is so popular. There are also other reasons.

My father, a WWII veteran, had planned to be buried in a national veterans' cemetery. After his death we were informed that the only option currently available was interment in the veterans' wall of honor columbarium, because the cemetery had run out of space for traditional burials. -- PROUD DAUGHTER OF WWII VET

DEAR PROUD DAUGHTER: "Plotting and Planning" guessed one reason was cost, while another might be that we live in a more mobile society. Readers agreed, but offered additional input:

DEAR ABBY: Several people I know prefer cremation because they are claustrophobic. Even the thought of being shut up in a casket gives them the heebie-jeebies. -- DAVID IN EAST MOLINE, ILL.

DEAR ABBY: Rather than be buried in a cemetery (\$\$\$) or be cremated (my kids objected), I'm donating my body to medical science. I have degenerative arthritis, asthma and other minor conditions.

STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, Canna Company d/b/a CannaCo, 3019 Toupal Drive, Trinidad, Colorado, which business has applied for a new Retail Marijuana Store license at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the 21st day of January, 2015.

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 21st day of January, 2015.

CITY OF TRINIDAD, COLORADO

(S E A L)



Audra Garrett, City Clerk

STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

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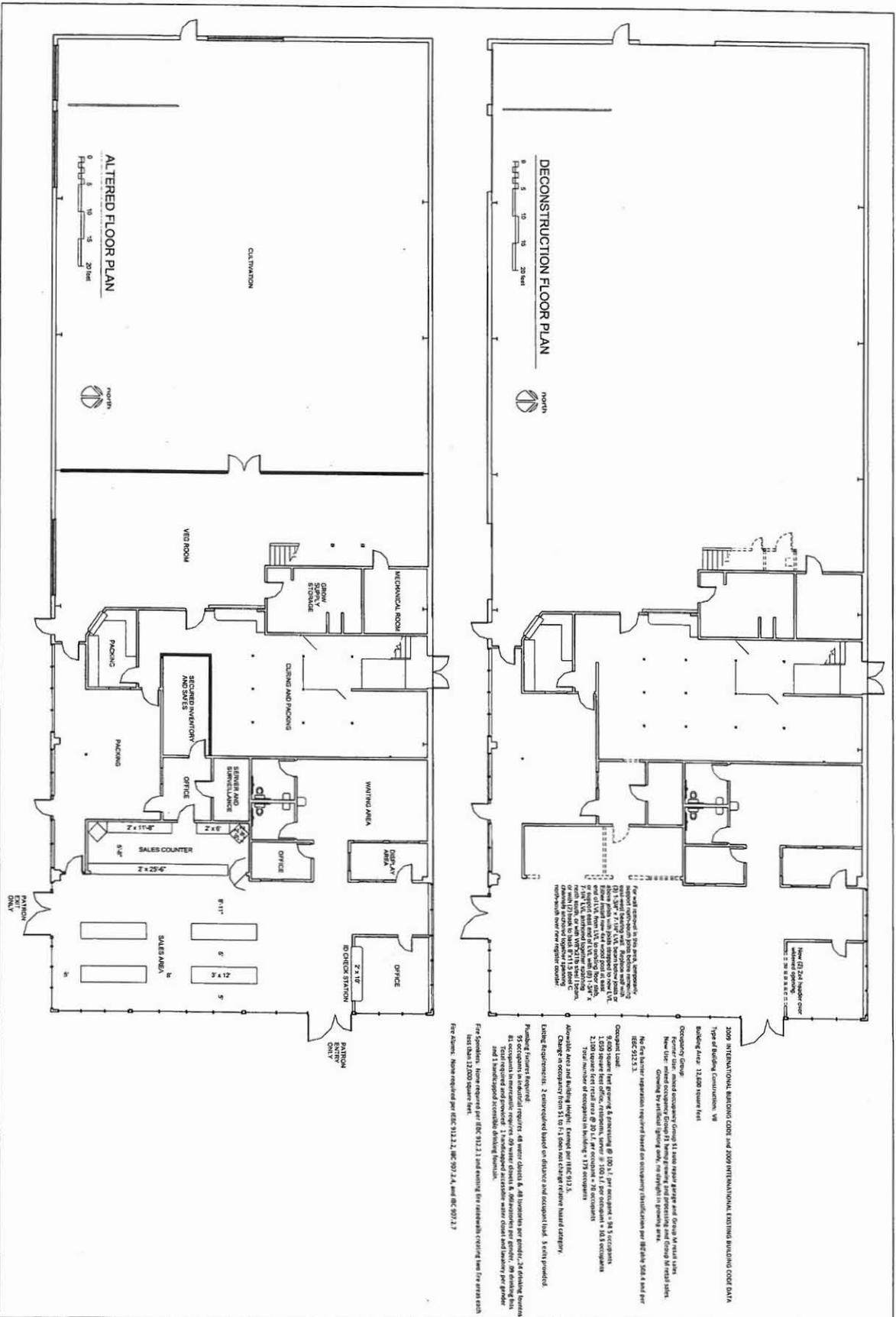
WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 21st day of January, 2015.

CITY OF TRINIDAD, COLORADO

(SEAL)



Audra Garrett, City Clerk



2009 INTERNATIONAL BUILDING CODE and 2009 INTERNATIONAL EXISTING BUILDING CODE DATA
 Type of Building Construction: VI
 Building Area: 12,000 square feet

Occupancy Group: Group 11, minor repair garage and Group M retail store
 New Use: mixed occupancy Group B1, heavy storage and processing and Group M retail store
 Occupied by: retail, storage, and processing
 No fire barrier separation required based on occupancy classification per IBC table 510.2.4 and per IBC 510.2.3.3

Occupied Load:
 5,000 square feet parking & processing @ 100 L per occupant = 500,000 lbs
 2,100 square feet retail area @ 80 L per occupant = 168,000 lbs
 2,100 square feet retail area @ 80 L per occupant = 168,000 lbs
 Total number of occupants in building = 179 occupants

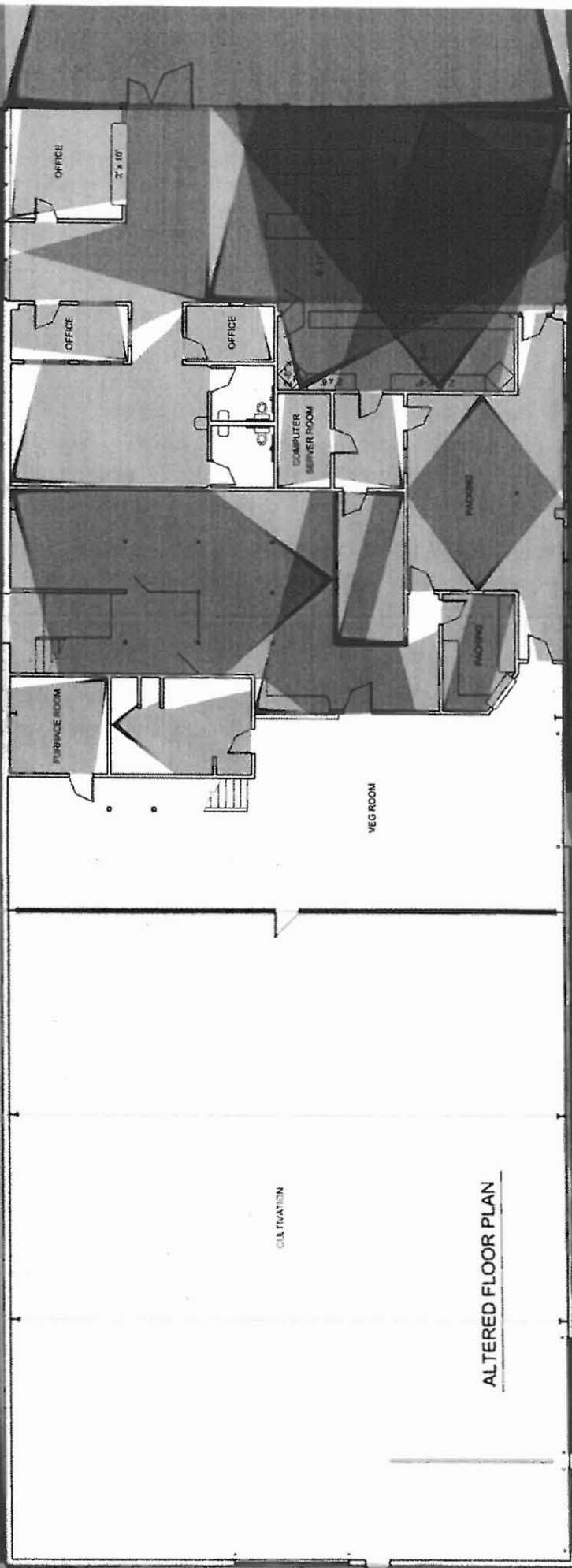
Allowable Area and Building Height: 1,000 sq ft per occupant based on IBC 510.2.3.3
 Change in occupancy from 51 to 1, 2000 net change relative hazard category

Existing Requirements: 2 enhanced based on distance and occupant load, 5 exits provided

Permitted Egress Requirements:
 50 occupants in industrial requires 40 water closets & 40 siphonless per gender, 24 drinking fountains
 80 occupants in mercantile requires 60 water closets & 60 siphonless per gender, 30 drinking fountains
 110 occupants in mercantile requires 80 water closets & 80 siphonless per gender, 40 drinking fountains
 and 1 handoperated accessible drinking fountain

Fire Exits: None required per IBC 910.2.1 and existing fire exits per IBC 910.2.1
 Fire Exits: None required per IBC 910.2.1 and existing fire exits per IBC 910.2.1

	<p>CANNACO TRINIDAD, COLORADO</p>		<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">NO</td> <td style="width: 15%;">DATE</td> <td style="width: 80%;">REVISIONS</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO	DATE	REVISIONS			
NO	DATE	REVISIONS							
<p>DATE: 1/15/15</p> <p>SCALE: 1/8" = 1'-0"</p>		<p>1</p>							



ALTERED FLOOR PLAN

CULTIVATION

VEG ROOM

PURCHASE ROOM

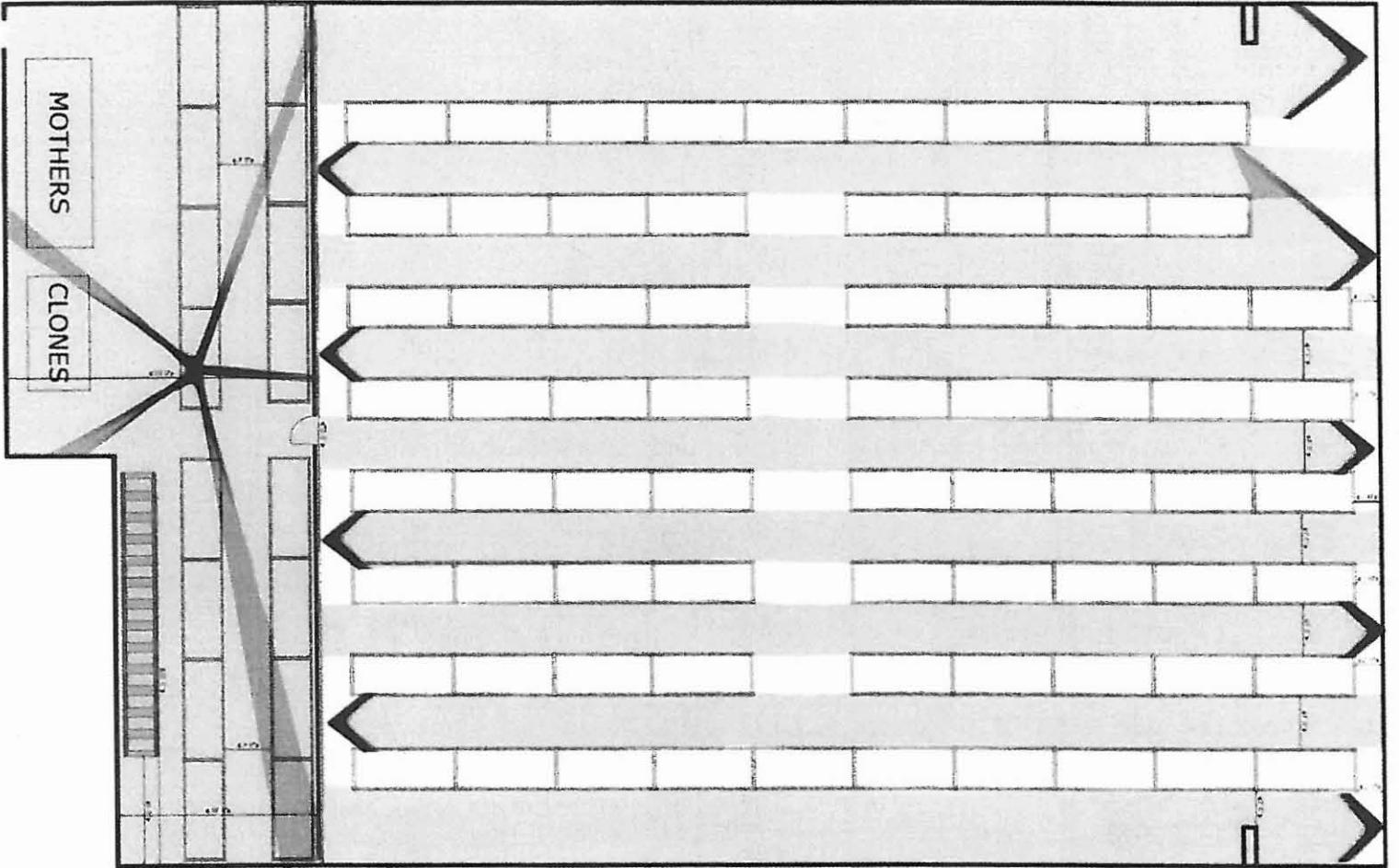
COMPUTER
SERVER ROOM

OFFICE

OFFICE

OFFICE

2' x 10'



VEG = 345.6 AMPS @ 120 v

FLOWER = 1266.66 AMPS @ 240 v



Tom Acre

From: Det. Sgt. Phil Martin [phil.martin@trinidad.co.gov]
Sent: Friday, January 23, 2015 9:35 AM
To: Audra Garrett
Subject: Cynthia Genova

Audra:

I just got off the phone with CBI IDENT. They are advising me that they never received Cynthia's print cards. They did advise that the DOR Marijuana cards from the state were processed and submitted to Marijuana enforcement in Oct. I hope this helps

Phil A. Martin Jr #0857 and K9 "Lachlian"
Detective Sergeant
Criminal Investigations
Trinidad Police Department
2309 E Main St.
Trinidad, CO 81082
E-mail: phil.martin@trinidad.co.gov
office: 719-846-4449 EXT 140
dispatch: 719-846-4444
cell: 719-845-6002
fax: 719-846-3728

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and Colorado State Statutes 18-9-301 to 305 C.R.S. and contains information intended for the specified individual only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, copying, or the taking of any action based on the contents of this information is strictly prohibited

Tom Acre

From: Det. Sgt. Phil Martin [phil.martin@trinidad.co.gov]
Sent: Wednesday, January 21, 2015 11:50 AM
To: CBI Fingerprint
Cc: Audra Garrett
Subject: fingerprint info Cynthia genova

To whom it may concern:

The City of Trinidad submitted a "civil" card for the below listed individual, this agency has not yet received the print results. We are inquiring if these prints have been received and processed

Applicant info: Genova, Cynthia DOB/01-12-1957 Date of Submission: 12-11-14, ORI:CO0360100

Thanks in advance

Phil A. Martin Jr #0857 and K9 "Lachlian"
Detective Sergeant
Criminal Investigations
Trinidad Police Department
2309 E Main St.
Trinidad, CO 81082
E-mail: phil.martin@trinidad.co.gov
office: 719-846-4449 EXT 140
dispatch: 719-846-4444
cell: 719-845-6002
fax: 719-846-3728

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COLORADO REVISED STATUTES

Title 7. Corporations and Associations

Board of Directors:

One person can constitute a board of directors, authorized by the following Colorado Statute:

C.R.S. 7-108-103

7-108-103. Number and election of directors

- (1) A board of directors shall consist of one or more members, with the number stated in or fixed in accordance with the bylaws.
- (2) The bylaws may establish a range for the size of the board of directors by fixing a minimum and maximum number of directors. If a range is established, the number of directors may be fixed or changed from time to time within the range by the shareholders or the board of directors.
- (3) Directors are elected at each annual meeting of the shareholders except as provided in section 7-108-106.

Officers:

The same individual may simultaneously hold more than one office in the corporation.

C.R.S. 7-108-301

7-108-301. Officers

- (1) A corporation shall have the officers designated in its bylaws or by the board of directors. An officer shall be an individual who is eighteen years of age or older.
- (2) Officers may be appointed by the board of directors or in such other manner as the board of directors or bylaws may provide. A duly appointed officer may appoint one or more officers or assistant officers if authorized by the bylaws or the board of directors.
- (3) The bylaws or the board of directors shall delegate to one or more of the officers responsibility for the preparation and maintenance of minutes of the directors' and shareholders' meetings and other records and information required to be kept by the corporation under section 7-116-101 and for authenticating records of the corporation.
- (4) The same individual may simultaneously hold more than one office in the corporation.

Minutes Board of Directors Meeting

Canna Company

A meeting of the board of directors of this Corporation was held on October 20, 2014, at 2:00 O'clock PM, at the offices of the corporation, located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550.

Present at the meeting were the following people:

Cynthia L Genova, Chairperson

Joshua T. Bleem, President

Lynn M. Bleem, Secretary and Treasurer

all of whom are directors of this corporation.

No other persons were present.

1. A Waiver of Notice of the meeting which was signed by all directors was presented.

Upon motion made and carried, the secretary was ordered to attach the Waiver of Notice to the minutes of this meeting.

2. Joshua T. Bleem tendered his resignation as President/CEO and Director of this corporation
3. Lynn M. Bleem tendered her resignation as VP, Secretary, Treasurer and Director of this corporation
4. Cynthia L. Genova, the chairperson of the director meeting accepted the resignations. It was agreed that the resignations will take effect immediately.
5. Cynthia L. Genova accepted to fill the positions vacated by the resignations.

Upon motion made and carried, the board of directors

RESOLVED that:

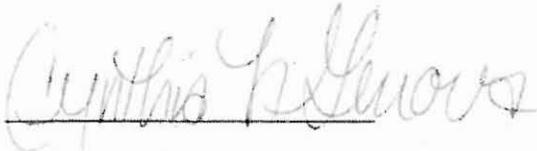
The following person(s) were elected as officers of the corporation to serve until the first annual board of directors meeting:

Cynthia L. Genova Chairman and President

Cynthia L. Genova Secretary and Treasurer

There being no further business, upon motion made and carried, the meeting was adjourned.

Dated this 20th day of October, 2014

A handwritten signature in cursive script, appearing to read "Cynthia L. Genova", is written over a horizontal line.

Cynthia L. Genova, Secretary of Corporation

1. In the event the license is not renewed prior to expiration, a Retail Marijuana Establishment may not operate.
2. If a former Licensee files a late application and the requisite fees with the Division within 90 days of expiration of the license, the Division may administratively continue the license from the date the late application is received until it can complete its renewal application process and investigate the extent to which the Licensee operated with an expired license.
3. If a former Licensee files a renewal application after 90 days from date of expiration, the application will be treated as a new license application.

Basis and Purpose – R 204

The statutory authority for this rule is found at subsections 12-43.4-202(2)(b) and 12-43.4-312(1), C.R.S. The purpose of this rule is to clarify what elements the State Licensing Authority generally considers when determining who has a beneficial interest in a license to such an extent that one is considered an Owner. The Division will review whatever relevant information exists to determine who ultimately owns or controls, *i.e.*, is in charge of a business. This rule sets forth the general elements that will help the Division make the proper determination.

R 204 – Factors Considered When Evaluating Ownership of a License: Retail Marijuana Establishments

- A. Licenses Held By Owners. Each Retail Marijuana Establishment License must be held by the Owner or Owners of the licensed establishment. The Division may consider the following non-exhaustive list of elements when determining who is an Owner:
 1. Who bears risk of loss and opportunity for profit;
 2. Who is entitled to possession of the Licensed Premise or premises to be licensed;
 3. Who has final decision making authority over the operation of the licensed Retail Marijuana Establishment;
 4. Who guarantees the Retail Marijuana Establishment's debts or production levels;
 5. Who is a beneficiary of the Retail Marijuana Establishment's insurance policies;
 6. Who acknowledges liability for the Retail Marijuana Establishment's federal, state, or local taxes; or
 7. Who is an officer or director of a Retail Marijuana Establishment.
- B. Management Companies. Any Person contracted to manage the overall operation of a Licensed Premises may be considered an Owner.

- C. Role of Managers. Owners may hire managers, and managers may be compensated on the basis of profits made, gross or net. A Retail Marijuana Establishment license may not be held in the name of the manager.
- D. Entities. A partnership interest, limited or general, a joint venture interest, a licensing agreement, ownership of a share or shares in a corporation or a limited liability company which is licensed, or having a secured interest in furniture, fixtures used directly in the manufacture or cultivation of Retail Marijuana or Retail Marijuana Product, equipment or inventory constitutes ownership and a direct financial interest. Secured notes or loans shall constitute an indirect financial interest. It shall be unlawful to fail to completely report all financial interests in each license issued.

Basis and Purpose – R 205

The statutory authority for this rule is found at subsections 12-43.4-202(2)(b), 12-43.4-202(3)(a)(III), 12-43.4-304, 12-43.4-306, 12-43.4-309(2), and sections 12-43.4-308 and 24-76.5-101 *et. seq.*, C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a)(I). The purpose of this rule is to establish protocol for ownership transfers.

R 205 – Transfer of Ownership and Changes in Business Structure: Retail Marijuana Establishments

A. General Requirements

1. All applications for transfers of ownership or changes in corporate entities by licensed Retail Marijuana Establishments authorized pursuant to section 12-43.4-401, C.R.S., shall be made upon current forms prescribed by the Division. Each application shall identify the relevant local jurisdiction.
2. All applications for transfers of ownership and changes in Retail Marijuana Establishments must include application fees and be complete in every material detail.
3. Each Applicant for a transfer of ownership shall provide suitable evidence of a Person's proof of lawful presence, residence and good character and reputation that the Division may request. Each Applicant shall also provide all requested information concerning financial and management associations and interests of other Persons in the business, Department of Revenue tax payment information, proof of good and sufficient surety bond and the deed, lease, contract, or other document governing the terms and conditions of occupancy of the Licensed Premises. Nothing in this section is intended to limit the Division's ability to request additional information it deems necessary relevant to determining an Applicant's suitability for licensure.
4. Failure to provide such additional evidence by the deadline specified by the Division may result in denial of the application.
5. The Division will send applications for a transfer of ownership to the relevant local jurisdiction within seven days of receiving the application. See Rule R 1401 - Instructions for Local Jurisdictions and Law Enforcement Officers.
6. The Division will not approve a transfer of ownership application without first receiving written notification from the relevant local jurisdiction approving the transfer. If a local jurisdiction elects not



January 24, 2015

City of Trinidad
135 North Animas Street
Trinidad, CO 81082

Re: 3019 Toupal Drive
Square Footage of Cultivation Area

To Whom it May Concern

As a point of clarification the following is submitted:

1. The total area requested to be permitted an applied for in the application process is 5000 square foot. This square footage will be used to grow recreational marijuana.

The facility can accommodate a larger cultivation area; however, that area is being reserved pending further business decisions regarding cultivation of medical marijuana or other future expansion.

Please feel free to contact me if further information is required.

Best regards,

Cynthia L. Genova
Chairman

Canna Company
3019 Toupal Drive, Trinidad, CO 81082
7 19.680.8087 www.canna.co.com

REMONSTRANCES

Regarding marijuana applications filed by Canna Company

January 20, 2015

Filed By Citizens:

- 1) Chris Furia;
- (2) WD's Venture, LLC, dba Big O Tires Trinidad;
- (3) LAHT Enterprise, Inc., dba Grease Monkey Trinidad.

The Citizens object to (a) holding the hearing scheduled for January 20, and (b) approving the applications, for the following reasons, including others that may be voiced in their testimony.

1. **Improper Notice.** The published and posted notices for the January 20 application hearing did not comply with the requirements of City Ordinances. The result is that the scheduled hearing cannot be held. *See attached chart of Notice violations and attachments.*
2. **Corporate Issues.** There are multiple contracts and documents that appear to have been entered into on behalf of the applicant. The CannaCo bylaws state that the contracts and documents must be authorized by a resolution of the board of directors. There is no evidence in the applications that there has been authorization. Without the authorizations, the contracts and documents are not proper and binding on CannaCo., and cannot be considered. That includes the applications to Trinidad and the state, including the CDOT traffic permit. *See attached excerpt from bylaws.*
3. **Financial Issues.**

Cannaco operating accounts. Application Funding Certification requires:

All investments and funds used to start and or finance this Applicant's business have been disclosed and accurately reported. These investments and funds were obtained from fully disclosed, legal and legitimate sources. These investments and funds are not involved in any criminal or money-laundering activity and the funds are clear and not derived from any illegal activities.

Only disclosure of account is an account in the name of Genova, not Cannaco. There must be an explanation of why there is not an operating account in the name of the corporation.

Genova "seed money". Genova says she will pay \$100,000 as a capital contribution. Capital contributions must be made before corporate stock is issued. No contribution actually paid means no shares, then there is no shareholder.

Questions must be answered: Where is the written obligation to pay the \$100,00? From where will the \$100,000 come from? Is this corporation properly formed without payment of all capital contributions from Genova?

4. Filing fees requirement not met. According to the square feet of the facility and the need to pay \$1 per square feet, Cannaco has failed to pay the required amount to file its application.

POSTED AND PUBLISHED NOTICE DEFECTS

Applicable Exhibits

Posted notice photo

Posted Notice Certificates of Posting

Proofs of publication

Ordinance regarding public notice

Application Appendix A 2. Certificate of Good Standing

<p>Proper name of Applicant according to Certificate of Good Standing and according to all references to applicant in the application package</p>	<p>Canna Company dba CannaCO</p> <p>There is no "Inc." or "LLC".</p> <p>The name is wrong.</p>
<p>Published Notice</p>	<p>From Proof of publication and Certificate of Posting</p> <p><u>Name problem:</u> 'Canna Company, <u>Inc.</u> d/b/a Cannaco'... has requested...</p>
<p>Posted Notice</p>	<p>From Blowup photo of the notices posted on the building From Certificate of Posting</p> <p><u>Name problem:</u> 'Canna Company, <u>LLC</u> D/B/A Cannaco'... has requested...</p>
<p>Public Notice and Public Hearing Ordinance requirements</p>	<p>14-228. Public Notice and Public Hearing.</p> <p>(a) Upon receipt of an application, except an application for renewal unless one is deemed necessary for good cause, the Local Licensing Authority shall schedule a public hearing upon the application to be held not less than thirty days after the filing date of the application.</p> <p>(b) Once the Local Licensing Authority schedules a hearing for a retail marijuana application, it shall</p>

	<p>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 City.</p> <p>(c) Public notice given by <u>posting</u> 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 <u>name and address of the applicant</u>, 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, corporation, or limited liability company, the sign shall contain the names and addresses of the officers, directors, or manager of the facility to be licensed.</p> <p>(d) Public notice given by <u>publication</u> shall contain the same information as that required for signs.</p>
--	--

Conclusion:

The hearing must be continued and cannot be held.

The requirements of the Ordinance have not been followed.

The applicant listed on the Notice is not the actual applicant.

The mandatory statement of the name of the applicant has not occurred.

Both posted notice and published notice must contain the same information.

The two notices differ in that both state the name of a different entity, and neither of the names on the notices are correct.

STATE OF COLORADO)

COUNTY OF LAS ANIMAS) SS

CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, Canna Company, Inc., d/b/a CannaCo, 3019 Toupal Drive, Trinidad, Colorado, which business has applied for a new Retail Marijuana Store license at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the

5th day of January, 2015

WITNESS, my hand and the official seal of the City of Trinidad, Colorado,

this 5th day of January, 2015.

CITY OF TRINIDAD, COLORADO

Audra Garrett
Audra Garrett, City Clerk

(SEAL)

STATE OF COLORADO)

COUNTY OF LAS ANIMAS) SS

CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, Canna Company, Inc., d/b/a CannaCo, 3019 Toupal Drive, Trinidad, Colorado, which business has applied for a new Retail Marijuana Cultivation Facility license at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the 5th day of January, 2015

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 5th day of January, 2015

(SEAL)

CITY OF TRINIDAD, COLORADO

Audra Garrett
Audra Garrett, City Clerk

PROOF OF PUBLICATION

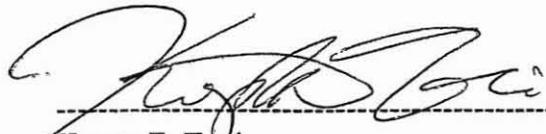
STATE OF COLORADO
COUNTY OF LAS ANIMAS } SS

Krysta E. Toci, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general circulation complying with all of the requirements of Articles I to VII, Chapter 130, 1935, Colorado Statutes Annotated, and all other laws of said State, and that said legal / notice has been so published for the period of time prescribed in said newspaper proper and not a supplement.

The attached Notice was published in said newspaper in its issue(s) dated

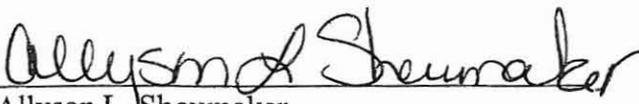
56545

December 30, 2014



Krysta E. Toci

Subscribed and sworn to before me this
30 day of December
A. D., 2014.


Allyson L. Sheumaker

My commission expires on August 26, 2015

ALLYSON L SHEUMAKER
NOTARY PUBLIC, STATE OF COLORADO

My Comm. Expires August 26, 2015

NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company, Inc. d/b/a/ CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Store license at this location.

Hearing on application will be held on Tuesday, January 20, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

Published: December 30, 2014

56545

PROOF OF PUBLICATION

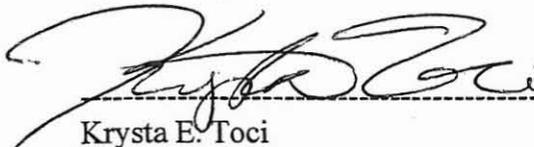
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56546

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

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

Canna Company

is a **Corporation** formed or registered on 08/23/2014 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 20141506825.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/09/2014 that have been posted, and by documents delivered to this office electronically through 10/12/2014 @ 12:55:21.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 10/12/2014 @ 12:55:21 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8980368.



Secretary of State of the State of Colorado

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

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site 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 Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us>, by 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 Web site, <http://www.sos.state.co.us>, click Business Center and select "Frequently Asked Questions."

Salaries of Officers. The salaries of the officers will be fixed by the board of directors and may be altered at any time by the board. An officer may receive a salary even if he or she receives a salary as a director.

Stock Certificates. Certificates that represent shares of ownership in the corporation will be in the form designated by the board of directors. Certificates will be signed by the president of the corporation. Certificates will be consecutively numbered. The name and address of the person receiving the issued shares, the certificate number, the number of shares, and the date of issue will be recorded by the secretary of the corporation in the corporate stock transfer book. Shares of the corporation's stock may only be transferred on the stock transfer book of the corporation by the holder of the shares in whose name they were issued as shown on the stock transfer book, or by his or her legal representative.

Financial Matters. The board of directors will determine the accounting methods and fiscal year of the corporation. All checks, drafts, or other methods for payment shall be signed by an officer determined by resolution of the board of directors. All notes, mortgages, or other evidence of indebtedness shall be signed by an officer determined by resolution of the board of directors. No money will be borrowed or loaned by the corporation unless authorized by a resolution of the board of directors. No contracts will be entered into on behalf of the corporation unless authorized by a resolution of the board of directors. No documents may be executed on behalf of the corporation unless authorized by a resolution of the board of directors. A board of directors resolution may be for specific instances or a general authorization.

Loans to Officers or Directors. The corporation may not lend any money to an officer or director

QUESTIONS:

1. PEG, the company that loaned \$30,000 to President Genova lists the same address as Genova on the note. The principal of PEG is also named Genova. There are two identical \$30,000 notes to PEG, signed differently by Genova. Does that mean there is \$30,000 due to PEG, or \$60,000? See the signature lines for the two different Genova signatures.

Does that mean there is \$30,000 due to PEG, or \$60,000?

Is this a bona fide loan? What would happen to President Genova's credit and what steps can reasonably be taken by PEG if the note(s) are not paid as promised?

2. Corporate structure and authority. In October, corporate minutes show that Josh Bleem is no longer an officer or director. On November 18, Josh Bleem refers to himself in a retail marijuana appeal hearing as "owner operator" of Cannaco. Bleem's actions in November need to be explained as they clash with Cannaco's other evidence and supporting documentation.

NOTICE

PURSUANT TO THE MARIJUANA LAWS OF COLORADO
CANNA COMPANY, LLC D/B/A/ CANNACO
3019 TOUPAL DRIVE
TRINIDAD, CO 81082

HAS REQUESTED THE LICENSING
OFFICIALS OF CITY OF TRINIDAD, COLORADO TO
GRANT A NEW RETAIL MARIJUANA STORE

LICENSE AT:

3019 TOUPAL DRIVE

HEARING ON APPLICATION TO BE HELD AT
CITY HALL, COUNCIL CHAMBERS, 135 N ANIMAS

TIME AND DATE 7 00P M JANUARY 20, 2015

DATE OF APPLICATION DECEMBER 16, 2014

BY ORDER OF TRINIDAD CITY COUNCIL

OFFICERS:

CYNTHIA L. GENOVA, 500 GARRISON STREET, LAKEWOOD, CO 80226

PETITIONS OR REMONSTRANCES MAY BE FILED AT:

CITY CLERKS OFFICE

135 NORTH ANIMAS STREET

TRINIDAD, COLORADO 81082

DATE JANUARY 20, 2015

NOTICE

PURSUANT TO THE MARIJUANA LAWS OF COLORADO
CANNA COMPANY, LLC D/B/A/ CANNACO
3019 TOUPAL DRIVE
TRINIDAD, CO 81082

HAS REQUESTED THE LICENSING
OFFICIALS OF CITY OF TRINIDAD, COLORADO TO
GRANT A NEW RETAIL MARIJUANA CULTIVATION FACILITY

LICENSE AT:

3019 TOUPAL DRIVE

HEARING ON APPLICATION TO BE HELD AT
CITY HALL, COUNCIL CHAMBERS, 135 N. ANIMAS

TIME AND DATE 7:00P.M JANUARY 20, 2015

DATE OF APPLICATION DECEMBER 16, 2014

BY ORDER OF TRINIDAD CITY COUNCIL

OFFICERS:

CYNTHIA L GENOVA, 500 GARRISON STREET, LAKEWOOD, CO 80226

PETITIONS OR REMONSTRANCES MAY BE FILED AT:

CITY CLERKS OFFICE
135 NORTH ANIMAS STREET
TRINIDAD, COLORADO 81082

DATE JANUARY 20, 2015

NOTICE OF PUBLIC HEARING

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Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

Published: December 30, 2014

56545

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Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

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Dated this 22nd day of December, 2014.

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Audra Garrett, City Clerk

Published: December 30, 2014

56546



INVESTIGATIVE REPORT

Applicant: Canna Company, Inc.

Business Name: CannaCo

Business Address: 3019 Toupal Drive – Community Commercial zoning

Officers/Owners: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO
80226

Date of Application: December 5, 2014

Date Application Filed
with Local Authority: December 16, 2014

Type of Request: New License

Type of License(s): Retail Marijuana Store
Retail Marijuana Cultivation Facility

Hearing Date: Tuesday, January 20, 2015, 7:00 p.m.

APPLICATION CONTENTS -

Applicant's Documents: City of Trinidad Retail Marijuana License Application
CUP Approval
Lease Agreement
Verified Consent of Property Owners for the Submission of
an Application for Marijuana Business
Articles of Incorporation and Amendment
Certificate of Good Standing
Statement of Trade Name

Applicant's Documents:
(Cont.)

Board Meeting Minutes
Shareholder Meeting Minutes
Corporate Bylaws
Resolution of Shareholder C Corp. Status
Waiver of Notice Board of Directors Meeting
Waiver of Notice First Shareholders Meeting
Sales Tax License
Diagram of Premises (Aerial Photograph, Plot Plan, Building
Interior, Site Overview)
Individual History Record
Fingerprints
Security Alarm – contract to be provided prior to license
issuance – basic layout provided
Exterior Security Lighting Plan
Colorado Business Retail Marijuana License Application
Colorado Retail Marijuana License Bond

City Documents:

Notices of Public Hearing
Certificates of Mailing
Proof Publication on 12/15/14
Certificates of Posting
Departmental Reports

LOCAL FEES -

Local Fees Retail Marijuana Store:

Investigation	\$2500.00
License	<u>2500.00</u>
Total	\$5000.00

Local Fees Retail Marijuana Cultivation Facility:

Investigation	\$2500.00
License	<u>2500.00</u>
Total	\$5000.00

Local Fees

\$1.00 per square foot cultivation fee x 5000 = \$5000

TOTAL \$15,000.00

Local fees have been paid. Applicant has been advised the City's investigation fee is non-refundable and in the event the license is denied, license fees only shall be refunded.

ZONING –

The proposed premise is zoned Community Commercial, one of the appropriate zoning designations for location of a marijuana business pursuant to the Trinidad Municipal Code. Conditional Use Permit requests were heard by the Planning Commission on 10/14/14 and denied. Upon appeal the Conditional Use Permits were ultimately approved subject to four conditions identified within the Staff Report dated 10/14/14 from the Planning Department. Abbreviated, the applicant must 1) comply with all state and local laws, rules, regulations relative to the operation of their business; 2) an air filtration plan must be submitted and approved by the Building Inspector; 3) the conditional use permit must be put into effect within one year or it will expire; 4) the applicant must comply with the reasonable requirements of all City officials with respect to establishment and operation of their business.

LEASE AGREEMENT -

The lease agreement is between the John H. and Marcia M. Lackey Revocable Trust, landlord, and Canna Company, Inc., tenant. The term extends from January 1, 2015 through March 15, 2018. A letter of intent from the property owners was submitted and supplemented by a notarized statement consenting to the submission of an application for a marijuana business as required by the Trinidad Municipal Code.

CORPORATE DOCUMENTS –

Dated-stamped Articles of Organization for Forever Green Limited are provided. Date-stamped Articles of Amendment changing the name of the corporation from Forever Green Limited to Canna Company are additionally provided, as well as a Certificate of Good Standing issued by the Colorado Secretary of State. A Statement of Trade Name of a Reporting Entity indicates Canna Company, Inc., has registered the trade name CannaCo under which they will operate. Corporate minutes and bylaws were included.

SALES TAX LICENSE -

Sales Tax License #30460950-0000 was verified.

DIAGRAM OF PREMISES -

The diagrams identify the proposed premises, which is a ground level facility with a

mezzanine. It identifies a cultivation area, sales area, waiting area, office, storage and packaging area, and a second storage and packaging area. There is a second diagram showing the mezzanine which is proposed for storage and packaging. The cultivation, office, storage and packaging areas are accessible only to licensed employees. The sales area will be accessible to registered customers only and the waiting area is proposed to be an open area, accessible to the general public. The Retail Store and Retail Marijuana Cultivation Facility are shown as areas adjoining each other all within the confines of 3019 Toupal Drive. Initial plans indicate the proposed location of the security cameras, however, based upon final inspection from the Colorado Marijuana Division and the City Building and Fire Departments, those locations are subject to change. The overall footprint of the building is approximately 12,600 square feet. Also included was an aerial photograph of the site, a plot plan, building interior drawing and site overview. A security alarm system agreement will be required prior to issuance of the license. An exterior security lighting plan proposal was submitted pursuant to the City's requirements.

OWNERSHIP INFORMATION/BACKGROUNDS FINGERPRINTING -

Fingerprint cards were submitted to CBI/FBI on 12/11/14. Results have not yet been received for Cynthia Louise Genova from CBI/FBI. Local database checks done by the TPD found no records.

RESIDENCY REQUIREMENT -

Cynthia Louise Genova, the Chairwoman and 100% common stock owner of Canna Company, Inc., meets the two-year Colorado residency requirement to hold a marijuana license.

COLORADO RETAIL MARIJUANA LICENSE DOCUMENTS -

Copies of the entity's Colorado licensing documents were a required submittal with the City's application to obtain complete applicant information without redundancy. Those documents include the license applications and license bond.

NOTICES OF HEARING -

Mailed to applicant - 12/22/14.

Published - 12/30/14.

Posted on the premises - 1/5/15

DEPARTMENTAL REPORTS -

Fire Chief Tim Howard indicated on 12/29/14 that the applicant will need a final inspection after they remodel and before they open.

Building Inspector Chris Kelley indicated that he lacks building plans as of 1/9/15.

Police Chief Charles Glorioso on 12/29/14 also indicates that inspections must be completed by the department at the completion of the renovation/construction.

Periodic inspections will continue throughout the process. Issuance of the license will only be done upon final approvals of all three departments and issuance of the Certificate of Occupancy.

OTHER REVELANT CONCERNS -

SCHOOL DISTANCES –

There is a 1,000-foot limitation from a school for any marijuana business. The nearest school property is Fishers Peak Elementary which is 5,007.86 feet from the nearest point of this property.

STATE HIGHWAY ACCESS PERMIT –

A concern was previously raised concerning traffic. A copy of the CDOT issued permit was provided.

STATE LICENSES –

The Colorado Department of Revenue Marijuana Enforcement Division has conditionally approved the Retail Store and Retail Cultivation Facility and provided the City with copies of the licenses.

LICENSED OUTLETS WITHIN THE CITY –

The following licenses have been approved to date within the City limits:

M & M Distributing, LLC, 422 N. Commercial Street	Medical Center
M & M Distributing, LLC, 422 N. Commercial Street	Medical Optional Premise Cultivation Operation
M & M Distributing, LLC, 422 N. Commercial Street	Retail Store
M & M Distributing, LLC, 422 N. Commercial Street	Retail Cultivation Facility

T.P. Main Street, LLC, 821 E. Main Street
T.P. Main Street, LLC, 821 E. Main Street

T.P. Main Street, LLC, 821 E. Main Street

Trinidad's Higher Calling U, LLC, 1000 Independence Rd.
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.
Trinidad's Higher Calling U, LLC, 1000 Independence Rd.

Trinidad's Higher Calling U, LLC, 1000 Independence Rd.

Peaceful Herbs, Ltd., LLC, 124 Santa Fe Trail
Southern Colorado Therapeutics, 1505 Santa Fe Trail

Medical Center
Medical Optional Premise
Cultivation Operation
Medical Infused-Products
Manufacturer
Medical Center
Retail Store
Retail Cultivation Facility
Retail Product
Manufacturing Facility
Medical Marijuana
Optional Premise
Cultivation Operation
Retail Marijuana Store
Retail Marijuana Store

Dated this 13th day of January, 2015.

CITY OF TRINIDAD, COLORADO



Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of January, 2015, I mailed a copy of the Investigative Report, by Certified Mail, to:

Canna Company, Inc.
d/b/a CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9850


Audra Garrett, City Clerk

STORE



CITY OF TRINIDAD
City Clerk's Office
135 N Animas St
P.O. Box 880
Trinidad, Colorado 81082
719-846-9843

RETAIL MARIJUANA LICENSE APPLICATION
New License Application Fee \$2,500.00
License Fee/Renewal Fee \$2,500.00
Transfer of Ownership Application Fee \$1,500.00
Change of Location \$1,500.00
\$1.00 per square foot cultivation fee
Expansion of cultivation area @ \$1.00 per square foot charge for that additional area \$
LICENSE TYPE
Marijuana Store
Marijuana Product Manufacturing Facility
Marijuana Cultivation Facility
Marijuana Testing Facility
TYPE OF BUSINESS
Corporation
Partnership
Individual*
Limited Liability Corporation
Other

Applicant (Corporation/LLC) CANNA COMPANY
Applicant (Sole Proprietor)
Trade Name of Establishment (DBA) CANNA CO
Address of Premise 3019 TOUPAL DR TRINIDAD CO 81082
Mailing Address
Telephone 719-680-8087 Email Address JOSH@CANNA.CO.COM
Contact Person/Manager JOSH BLEEM Title GENERAL MANAGER
Telephone 719-680-8087 Email Address JOSH@CANNA.CO.COM

Does the Applicant have legal possession of the premise for at least one (1) year from the date that this license will be issued by virtue of ownership, lease or other arrangement?
Ownership Lease Other (explain in detail)

R12/5/14

If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:**

Landlord	Tenant	Expires
<u>JOHN HE MARCIA M. LACEY TRUST</u>	<u>CANNA COMPANY</u>	<u>MAR 15, 2018</u>

**If premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a retail marijuana facility.

ADDITIONAL DOCUMENTS TO BE SUBMITTED WITH APPLICATION
--

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Retail Marijuana License.

1. Fingerprinting by the Trinidad Police Department for:
 - all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
 - all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
 - all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
 - all managers and employees of a Retail Marijuana License with the appropriate fee payable to Colorado Bureau of Investigation (currently \$39.50, March, 2014)
2. Lease or Deed – Evidence of Possession *SEE APPENDIX E, STATE APPLICATION*
3. Conditional Use Permit approval *YES - CANNA CO*
4. Copy of alarm system contract *LETTER OF INTENT TO EXECUTE PENDING OCCUPANCY*
5. Copy of state sales tax license *SEE APPENDIX A, STATE APPLICATION*
6. Certificate of Good Standing *SEE APPENDIX A, STATE APPLICATION*
7. Affidavit of Lawful Presence (Sole Proprietors only)
8. Diagram of Premises: *SEE APPENDIX F, STATE APPLICATION*
 - A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.

A one-time fee of \$1.00 per square foot of that portion of the licensed premises in which plants are located for cultivation purposes, including greenhouses, shall be due to the City. Any expansion of the licensed premises in which plants are located for cultivation purposes shall result in an additional \$1.00 per square foot charge for that additional area.
9. Copy of State Application with attachments *SEE ATTACHED, SUBMITTED OCT 20, 2014*

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: CYNTHIA L. GENOVA Title: CHAIR WOMAN
Address: [REDACTED] LAKEWOOD CO 80226
Financial Interest: 100% OWNERSHIP, COMMON STOCK

2. Name: _____ Title: _____
Address: _____
Financial Interest: _____

3. Name: _____ Title: _____
Address: _____
Financial Interest: _____

4. Name: _____ Title: _____
Address: _____
Financial Interest: _____

5. Name: _____ Title: _____
Address: _____
Financial Interest: _____

6. Name: _____ Title: _____
Address: _____
Financial Interest: _____

7. Name: _____ Title: _____
Address: _____
Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the retail marijuana business; and that the application and documents submitted for other approvals relating to the retail marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

By accepting a license issued pursuant to this ordinance, a licensee releases the City, its officers, elected officials, appointed officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.

By accepting a license issued pursuant to this ordinance a licensee, jointly and severally if more than one, agrees to indemnify and defend the City, its officers, elected officials, employees, attorneys, agents, insurers, and self-insurance pool against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the retail marijuana business that is the subject of the license. The licensee further agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorney fees.

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: Cynthia L. Genova Title: CHAIR WOMAN
(Must be signed by individual Owner, Partner, or Officer)

Printed Name: CYNTHIA L. GENOVA Date: 12/4/2014



City of Trinidad, Colorado
1878

**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S RETAIL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING RETAIL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Retail Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Retail Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, CANNA COMPANY, hereby state that I have read Article 43.4 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Retail Marijuana business licensing and understand the contents thereof.

CANNA COMPANY
Printed Name of Licensee

Cynthia Herrera, chairwoman
Authorized Signature of Licensee/Title

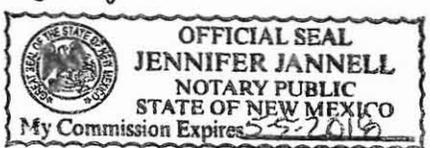
12/5/14
Date

STATE OF New Mexico)
COUNTY OF Colfax) SS.

Subscribed and sworn to before me this 5 day of December, 2014.

Jennifer Jannell
Notary Public Signature

My Commission Expires: 5-5-2018





CITY OF TRINIDAD

City Clerk's Office
135 N Animas St
P.O. Box 880
Trinidad, Colorado 81082
719-846-9843

RETAIL MARIJUANA LICENSE APPLICATION		
<input checked="" type="checkbox"/> New License Application Fee	\$2,500.00	<input checked="" type="checkbox"/> License Fee/Renewal Fee \$2,500.00
<input type="checkbox"/> Transfer of Ownership Application Fee	\$1,500.00	<input type="checkbox"/> Change of Location \$1,500.00
<input checked="" type="checkbox"/> \$1.00 per square foot cultivation fee	<u>5000</u>	Square feet = \$ <u>5000.00</u>
<input type="checkbox"/> Expansion of cultivation area @ \$1.00 per square foot charge for that additional area \$ _____		
LICENSE TYPE		
<input type="checkbox"/> Marijuana Store	<input type="checkbox"/> Marijuana Product Manufacturing Facility	
<input checked="" type="checkbox"/> Marijuana Cultivation Facility	<input type="checkbox"/> Marijuana Testing Facility	
TYPE OF BUSINESS		
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Individual*
<input type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Other	
*Sole Proprietorship (Individual) – Verification of Lawful Presence is required per State law (Signed Affidavit and Photo ID)		

Applicant (Corporation/LLC) CANNA COMPANY

Applicant (Sole Proprietor) First Name Middle Initial Last Name

Trade Name of Establishment (DBA) CANNA Co

Address of Premise 3019 FOYAL DR TRINIDAD CO 81082

Mailing Address _____

Telephone 719-680-8087 Email Address JOSH @ CANNA.CO.COM

Contact Person/Manager JOSH BLEEM Title GENERAL MANAGER

Telephone 719-680-8087 Email Address JOSH @ CANNA.CO.COM

Does the Applicant have legal possession of the premise for at least one (1) year from the date that this license will be issued by virtue of ownership, lease or other arrangement?

- Ownership
- Lease
- Other (explain in detail)

If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:**

Landlord	Tenant	Expires
JOHN HE MARCIA M. LACKEY TRUST	CANNA COMPANY	MAR 15, 2018

****if premises are leased, attach notarized consent by the owner of the property to the licensing of the premises for a retail marijuana facility.**

ADDITIONAL DOCUMENTS TO BE SUBMITTED WITH APPLICATION

Individual History Records attached and completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Retail Marijuana License.

1. Fingerprinting by the Trinidad Police Department for:
 - all general partners of a partnership and limited partners owning 10% (or more) of a partnership;
 - all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation;
 - all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company; and
 - all managers and employees of a Retail Marijuana License with the appropriate fee payable to Colorado Bureau of Investigation (currently \$39.50, March, 2014)
2. Lease or Deed – Evidence of Possession *SEE APPENDIX E, STATE APPLICATION*
3. Conditional Use Permit approval *YES - CANNA CO*
4. Copy of alarm system contract *LETTER OF INTENT TO EXECUTE PENDING OCCUPANCY*
5. Copy of state sales tax license *SEE APPENDIX A, STATE APPLICATION*
6. Certificate of Good Standing *SEE APPENDIX A, STATE APPLICATION*
7. Affidavit of Lawful Presence (Sole Proprietors only)
8. Diagram of Premises: *SEE APPENDIX F, STATE APPLICATION*
 - A floor plan, drawn to scale on 8-1/2 x 11" paper, showing the layout of the center and the principal uses of the floor area. Floor plan must include location of lighting and cameras required by state rules.

A one-time fee of \$1.00 per square foot of that portion of the licensed premises in which plants are located for cultivation purposes, including greenhouses, shall be due to the City. Any expansion of the licensed premises in which plants are located for cultivation purposes shall result in an additional \$1.00 per square foot charge for that additional area.
9. Copy of State Application with attachments *SEE ATTACHED, SUBMITTED OCT 20, 2014*

LIST OF OWNERS, OFFICERS, MANAGERS, EMPLOYEES & OTHERS WITH DIRECT OR INDIRECT FINANCIAL INTEREST

1. Name: CYNTHIA L. GENOVA Title: CHAIR WOMAN
Address: [REDACTED] LAKEWOOD CO 80226
Financial Interest: 100% OWNERSHIP, COMMON STOCK

2. Name: _____ Title: _____
Address: _____
Financial Interest: _____

3. Name: _____ Title: _____
Address: _____
Financial Interest: _____

4. Name: _____ Title: _____
Address: _____
Financial Interest: _____

5. Name: _____ Title: _____
Address: _____
Financial Interest: _____

6. Name: _____ Title: _____
Address: _____
Financial Interest: _____

7. Name: _____ Title: _____
Address: _____
Financial Interest: _____

The applicant hereby acknowledges that the applicant and its owners, officers, and employees may be subject to prosecution under federal laws relating to the possession and distribution of controlled substances, that the City of Trinidad accepts no legal liability in connection with the approval and subsequent operation of the retail marijuana business; and that the application and documents submitted for other approvals relating to the retail marijuana business operation are subject to disclosure in accordance with the Colorado Open Records Act.

By accepting a license issued pursuant to this ordinance, a licensee releases the City, its officers, elected officials, appointed officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.

By accepting a license issued pursuant to this ordinance a licensee, jointly and severally if more than one, agrees to indemnify and defend the City, its officers, elected officials, employees, attorneys, agents, insurers, and self-insurance pool against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the retail marijuana business that is the subject of the license. The licensee further agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorney fees.

I declare, under penalty of perjury, that this application has been examined by me; that the statements made herein are made in good faith and, to the best of my knowledge and belief, true, correct and complete.

Signed: Cynthia L. Genova Title: CHAIR WOMAN
(Must be signed by Individual Owner, Partner, or Officer)

Printed Name: CYNTHIA L. GENOVA Date: 12/4/2014



City of Trinidad, Colorado
1878

**CITY OF TRINIDAD, COLORADO
OFFICE OF THE CITY CLERK**

**LICENSEE'S STATEMENT REGARDING KNOWLEDGE
OF THE STATE OF COLORADO'S RETAIL MARIJUANA CODES AND
REGULATIONS AND THE CITY OF TRINIDAD'S ORDINANCES AND LOCAL
RULES OF PROCEDURE GOVERNING RETAIL MARIJUANA BUSINESSES**

The Local Licensing Authority, as the enforcement agency for the for the City of Trinidad, expects a Retail Marijuana Business licensee to be knowledgeable of the State of Colorado's and the City of Trinidad's Retail Marijuana laws, codes, regulations and ordinances and to seek further clarification of such information if necessary.

I, CANNA COMPANY, hereby state that I have read Article 43.4 of Title 12, C.R.S., as amended, and the regulations promulgated thereunder, and the City of Trinidad Municipal Code regarding general business licensing and Retail Marijuana business licensing and understand the contents thereof.

CANNA COMPANY
Printed Name of Licensee

Cynthia Genova, Chairwoman
Authorized Signature of Licensee/Title

12/5/14
Date

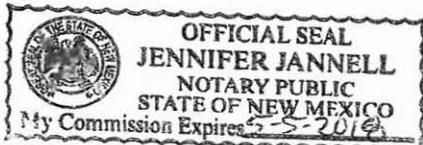
STATE OF New Mexico)
COUNTY OF Colfax)

ss.

Subscribed and sworn to before me this 5 day of December, 2014.

Jennifer Jannell
Notary Public Signature

My Commission Expires: 5-5-2018





CITY of TRINIDAD

P. O. Box 880
TRINIDAD, COLORADO 81082
TELEPHONE (719) 846-9843
FAX NO. (719) 846-4140

BEFORE THE TRINIDAD CITY COUNCIL, ACTING IN THEIR CAPACITY AS THE
BOARD OF APPEALS

TRINIDAD, COLORADO

**FINDINGS OF FACT, AND CONCLUSIONS, WITH RESPECT TO THE CANNACO
APPEAL FROM THE TRINIDAD PLANNING, ZONING AND VARIANCE
COMMISSION MEETING OF OCTOBER 14, 2014**

I. PROCEDURAL HISTORY AND FACTUAL BACKGROUND:

1) At a hearing held on October 14, 2014, the Trinidad Planning, Zoning and Variance Commission denied three conditional use permit applications for a retail marijuana establishment at 3019 Toupal Drive, in Trinidad, Colorado. Those conditional use permit applications were numbered and are identified as 2014-RMS-24, 2014 RPMF-24, and 2014 RMCF-24. These applications were brought in the name of CannaCo.

2) After a fairly lengthy hearing, the Trinidad Planning, Zoning and Variance Commission denied the conditional use permit applications. There were five Commission members that made up the Planning, Zoning and Variance Commission as of October 14, 2014, and all were present. The denial of the conditional use permits was by a three to two vote, with Commission Members Davis, Leone and George voting to deny the applications for the conditional use permits.

3) City Staff, in the form of City Planner Louis Fineberg and City Attorney Les Downs were present at the Planning and Zoning Commission hearing in question. Staff advised the Commission both during and at the conclusion of the hearing that the proposed conditional use permits should be granted.

4) The reasons cited by the majority of the Commission for the denial of the applications were: concerns about safety (Commissioner Leone), concerns about overlapping conditional use permits at that premises (Commissioner Davis), and no reasons given by Commissioner George.

5) A timely appeal was filed and perfected by the applicant/appellant pursuant to Trinidad Code of Ordinances section 14-139. Per ordinance, the appeal hearing was scheduled

in front of the Trinidad City Council, for November 18th, 2014. Pursuant to section 14-141 of the Trinidad Code of Ordinances, a delayed decision was agreed upon by the Trinidad City Council, with findings and a decision to be tendered by the individual members of City Council to the City Attorney by noon, November 24th, 2014. The vote on the subject appeal was scheduled for the regular meeting of the Trinidad City Council on December 2nd, 2014.

II. THE APPEAL HEARING:

6) An appeal hearing was held in front of the Trinidad City Council on November 18th, 2014. A procedure was agreed upon, where the applicant/appellant, the parties in opposition, and the City Attorney would all be heard from.

7) At the appeal hearing the following parties/witnesses were heard from:

---For the applicant: Mr. Josh Bleem, as the owner operator of CannaCo, and Mr. Howard Lackey as the applicant's landlord;

---For the groups in opposition to the application: Mr. Chris Furia, representing residents in the subject area; Mr. Bill Phillips representing businesses in the subject area, and; Mr. Gary Fentiman, representing the Phil Long Dealership, the existing business at the proposed location for the applicant's place of business;

---Les Downs, as City Attorney for the City of Trinidad.

---Staff members Mike Valentine as the Public Works Director, and Louis Fineberg as the City Planner also answered questions from individual City Council members as the questions arose.

III. FINDINGS OF FACT AND CONCLUSIONS:

8) The applicant has shown that the proposed conditional use permits for 3019 Toupal Drive are for a valid and legal business operation and undertaking, and that the sale of retail marijuana is permitted and allowed by the City of Trinidad. There is no reason why this type of business should not be allowed at this address or at this location.

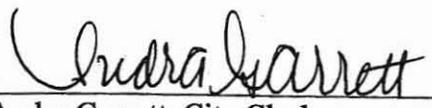
9) Concerns about safety, or overlapping conditional use permits, are without merit. Such concerns, if they existed at all, were not elaborated upon or adequately expressed. There is no legal or factual reasons why conditional use permits for a retail marijuana operation at this address should not be issued. While medical marijuana conditional use permits did exist for another applicant for this address, that has no bearing on whether or not Cannaco should be issued retail marijuana conditional use permits. Further, safety issues were not sufficiently articulated or expressed, and if such safety issues had been set forth clearly, such concerns could have been dealt with as additional conditions for the conditional use permits being issued.

10) It was, therefore, an abuse of discretion and reversible, actionable error for the Trinidad Planning, Zoning and Variance Commission to deny the conditional use permits for CannaCo, at 3019 Toupal Drive.

11) As was stated by staff, if there were meritorious concerns about this location or any matters associated with it, the Commission could have attached conditions to the granting of the conditional use permits. That wasn't done, nor was it attempted.

For the foregoing reasons, it is the opinion of the majority of City Council that the Planning and Zoning Commission should be reversed, and the conditional use permits for this applicant at this address should be and hereby are, granted.

For the Trinidad City Council, issued this 3rd day of December, 2014.


Audra Garrett, City Clerk



MEETING DATE: October 14, 2014

TO: Planning, Zoning & Variance Commission

FROM: Planning Department

SUBJECT: Request for a Conditional Use Permit to establish a Retail Marijuana Store at 3019 Toupal Drive.

CITY COUNCIL MEETING: NA

GENERAL INFORMATION:

Applicant(s): Cannaco CO

Property Owner(s): John H. & Marcia M. Lackey Trust

Application #: #2014-RMS-24

Associated Applications:

Purpose: Request for a Conditional Use Permit to establish a Retail Marijuana Store

Location: 3019 Toupal Drive

Property Area: 3 acres

Existing Land Use: Commercial

Surrounding Land Uses: A mix of commercial and residential uses.

Existing Zoning: CC—Community Commercial

BACKGROUND INFORMATION:

The applicant is proposing to establish and operate a facility for the sale of retail marijuana at the above-referenced location. The proposed facility is located in a non-residential zone and is not within one thousand feet (1000') of a school facility in accordance with the specified locational requirements outlined in Section 14, Article 12 of the City of Trinidad Municipal Code of Ordinances. The proposed facility is allowable as a conditional use at the proposed location.

POLICY & STANDARDS FOR CONDITIONAL USE PERMITS:

Section 14-102 states that any conditional use permit allowed in various zone districts shall be subject to the following basic considerations and other considerations as may be deemed necessary by the Commission in order to protect the general health, safety, welfare, and morals of the area in which a conditional use may be located.

- (1) That such use does not create any danger to safety in surrounding areas, does not cause water and/or soil pollution and does not create offensive noise, vibration, smoke, dust, odors, heat, glare, snow storage problems, or other objectionable influences beyond the boundaries of the property on which such use is located.
- (2) That upon the discretion of the Commission a written explanation may be required indicating the methods to be used to minimize smoke, odors, dust, and similar environmental and snow storage problems which may result from the operation of the proposed use.

Additionally, Section 14-63 provides: "The Commission shall be provided with site development plans showing the proposed development or use and its relationship to adjacent properties. The site development shall show existing contours of the site at two foot (2') intervals, the location of improvements on the site, the height and bulk of proposed structures, description and placement of screening or screen planting, availability of utilities if applicable, and a statement of the time-sequence of development and environmental impact on properties in the immediate vicinity. The Commission may, in addition, prescribe any additional conditions regarding intensity or limitation of use, appearance, hours of operation, setbacks or required open space, or other such conditions which may be deemed necessary by the Commission."

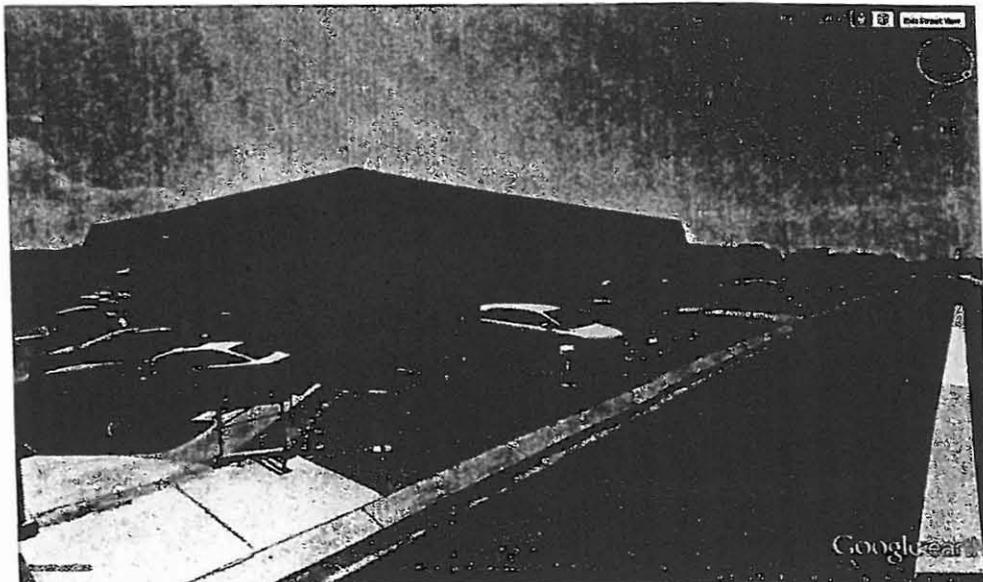
LEGAL ISSUES:

Because this is a quasi-judicial matter, the decision-makers, shall not have direct contact with the parties involved in this matter prior to a decision. Any possible or potential conflict of interest matters should be disclosed to and/or discussed with the City Attorney prior to any hearing on the matter. If you have any questions, please contact the City Attorney.

RECOMMENDATIONS:

Staff recommends that the Commission grant approval for the conditional use permit request as outlined above, subject to the following conditions:

1. The applicant must comply with all provisions outlined in Article 12 of Chapter 14 of the City of Trinidad Municipal Code of Ordinances as well as any and all applicable state and local statutes, ordinances, rules, and regulations regarding the operation of medical marijuana centers, and other statutes, ordinances, rules, and regulations for the operation of businesses within the City of Trinidad, including but not limited to City sales tax and the City's sign code.
2. The applicant must provide the City with an air filtration plan describing the filtration system and/or other method or methods to be used to minimize odors associated with the cultivation and sale of medical marijuana. Approval of said air filtration plan is subject to the approval of the City Building Inspector.
3. If the proposed conditional use is not established within one year of its approval, discontinued for at least one year, or replaced by another use of the land, the conditional use permit and all associated conditional use permits shall expire.
4. The applicant must comply with the reasonable requirements of all Trinidad Municipal Officials with respect to the establishment and operation of the proposed facility or facilities.



3019 Toupal Dr.



MEETING DATE: October 14, 2014

TO: Planning, Zoning & Variance Commission

FROM: Planning Department

SUBJECT: Request for a Conditional Use Permit to place a Retail Marijuana Cultivation Facility

CITY COUNCIL MEETING: NA

GENERAL INFORMATION:

Applicant(s): Cannaco CO

Property Owner(s): John H. & Marcia M. Lackey Trust

Application #: #2014-RMCF-24

Associated Applications:

Purpose: Request for a Conditional Use Permit to place a Retail Marijuana Cultivation Facility at 3019 Toupal Drive.

Location: 3019 Toupal Drive

Property Area: 3 acres

Existing Land Use: Commercial

Surrounding Land Uses: A mix of commercial and residential uses.

Existing Zoning: CC—Community Commercial

BACKGROUND INFORMATION:

The applicant is proposing to establish and operate an Retail Marijuana Retail Cultivation Facility at the above-referenced location. The proposed facility is located in a non-residential zone and is not within one thousand feet (1000') of a school facility in accordance with the specified locational requirements outlined in Section 14, Article 12 of the City of Trinidad Municipal Code of Ordinances. The proposed facility is allowable as a conditional use at the proposed location.

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- (2) That upon the discretion of the Commission a written explanation may be required indicating the methods to be used to minimize smoke, odors, dust, and similar environmental and snow storage problems which may result from the operation of the proposed use.

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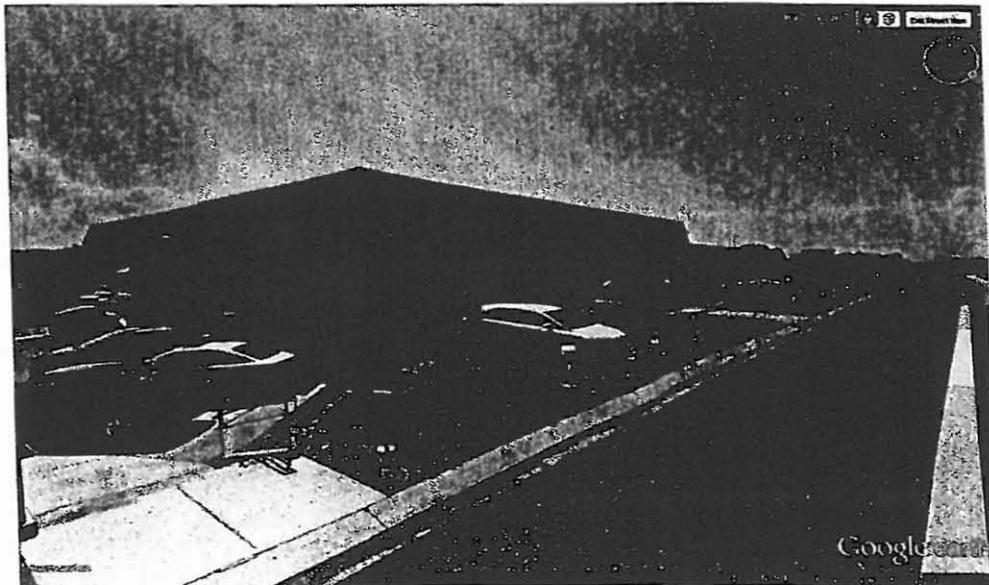
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2. The applicant must provide the City with an air filtration plan describing the filtration system and/or other method or methods to be used to minimize odors associated with the cultivation and sale of medical marijuana. Approval of said air filtration plan is subject to the approval of the City Building Inspector.
3. If the proposed conditional use is not established within one year of its approval, discontinued for at least one year, or replaced by another use of the land, the conditional use permit and all associated conditional use permits shall expire.
4. The applicant must comply with the reasonable requirements of all Trinidad Municipal Officials with respect to the establishment and operation of the proposed facility or facilities.



3019 Toupal Dr.



VIA EMAIL TRANSMISSION

January 13, 2015

City of Trinidad
135 North Animas Street
Trinidad, CO 81082

Re: Notarized Authorization for Retail License Application

Good Day:

Please find attached the notarized documents regarding the above referenced subject matter.

Feel free to contact me with any questions.

Sincerely,

Cynthia L. Genova
Chairman
Canna Company

Canna Company

3019 Toupal Drive, Trinidad, CO 81082
719.680.8087 www.canna.co.com

Howard M. Lackey
P.O. Box C
Raton, NM 87740
575-447-7034

City of Trinidad
135 North Animas Street
Trinidad, CO 81082

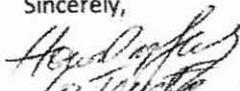
Re: 3019 Toupal Dive, Trinidad, CO 81082
Retail Marijuana Store, Retail Marijuana Cultivation Facility and Retail Marijuana Manufacturing

To Whom it May Concern:

I, Howard M. Lackey, am Co-Trustee of the John H. and Marcia M. Lackey Trust, owner of subject property located at 3019 Toupal Dive, Trinidad, CO 81082, and have full authority to act on behalf of said trust. I hereby authorize Canna Company to submit the license applications referenced above for said location.

Feel free to contact me with any questions you may have.

Sincerely,



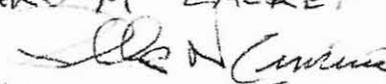
Howard M. Lackey

Co-Trustee

John H. and Marcia M. Lackey Trust

STATE OF NEW MEXICO
COUNTY OF COLFAX

SIGNED BEFORE ME ON JAN. 13, 2015 BY
HOWARD M. LACKEY

 NOTARY PUBLIC
MY COMMISSION EXPIRES 03-14-2017

LETTER OF INTENT

This Letter of Intent made on September 6, 2014 by and between Canna Company, Lessee, and the John H. Lackey and Marcia M. Lackey Trust, Lessor, and Howard M. Lackey, Trustee of said trust agree to enter into a Lease Agreement for property located at 3019 Toupal Drive, Trinidad, CO 81082.

Therefore, it is agreed that the following terms have been determined to be final for the purpose of the final lease document:

DEPOSIT: \$ [REDACTED] payable upon execution of this Letter of Intent, to be held in escrow and if permits are not obtained, said deposit shall be returned.

BASE RENT: \$ [REDACTED] payable on the first day of the month, beginning the first day of occupancy. Occupancy shall begin 30 days from the date of current Lessee (Phil Long Motors) vacates said property. A purchase option fee will be paid monthly in an amount of [REDACTED] per month with accelerated purchase option at no penalty.

OPTION:

- 1) Lessee shall have a first right of refusal to purchase property at an agreed upon time that is compatible with the Lessor's taxing requirements.

CONDITIONS:

- 1) Lessee shall obtain all permits and licensing required by city and state to operate a marijuana facility that allows for medicinal and recreational sales as well as infused products.
- 2) Lessee agrees to operate with all state and city laws and regulations so as not to create any unlawful activities.

Lessee and Lessor agree to construct and execute the Lease Agreement including purchase option within 14 days from the date of the executed Letter of Intent.

Howard M. Lackey, Trustee
John H. Lackey and Marcia M. Lackey Revocable Trust

Howard M. Lackey, Trustee
John H. Lackey and Marcia M. Lackey Revocable Trust
Date: 9/6/2014

Cynthia L. Genova, Executive Vice President
Canna Company

Cynthia L. Genova
Date: 9/6/14



APPENDIX E

Contents:

1. Legal Possession of Property Lease Agreement
2. Legal Description

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

**THIS LEASE HAS IMPORTANT LEGAL CONSEQUENCES.
THE PARTIES SHOULD CONSULT LEGAL COUNSEL BEFORE SIGNING.**

**COMMERCIAL LEASE
(NNN)**

This Commercial Lease (the "Lease") is made on 10/1/14 (date) and is entered into by and between Landlord (as defined below) and Tenant (as defined below). In consideration of the payment of the Rent (as defined below); all costs, charges, and expenses which Tenant assumes, agrees, or is obligated to pay to Landlord pursuant to the Lease (the "Additional Rent"); and the performance of the promises by Tenant set forth below, Landlord hereby leases to Tenant, and Tenant hereby accepts, the Premises (as defined below), subject to the terms and provisions set forth in the Lease.

PARTIES, PREMISES, AND DEFINED TERMS

1. **Landlord:** *The John H. and Marcia M. Lackey, Revocable Trust, a(n) Revocable Trust [Individual, Company, or Type of Entity]* (the "Landlord").

2. **Tenant:** *Canna Company, a(n) Colorado Corporation [Individual, Company, or Type of Entity]* (the "Tenant").

3. **Premises:** Landlord is the owner of certain real estate legally described as *3019 Toupal Drive, see attached legal description in Las Animas County, Trinidad [insert county], Colorado* (the "Real Estate"). The Real Estate is improved with a *all utilities and warehouse office building [insert description of building, or buildings]* (the "Improvements") (the Real Estate and the Improvements are collectively referred to as the "Property"). Landlord hereby leases and demises to Tenant the following described portion of the Property:

Address *3019 Toupal Drive, Suite N/A*, consisting of *16,500 m/l* square feet (the "Premises").

4. **Term:** Landlord Leases the Premises to Tenant from twelve o'clock noon on the *1st* day of *January, 2015* and until 11:59 p.m. on the *15th* day of *March, 2018* (the "Term"). Subject to Tenant's performance of all obligations under the Lease, including, without limitation, payment of Rent and Additional Rent, Tenant shall enjoy quiet possession of the Premises.

5. **Rent:** Rental for the first year of the Term is *[REDACTED]* payable in equal installments of *[REDACTED]* in advance to Landlord on the first day of each calendar month for that month's rental before twelve o'clock noon, without notice (the "Rent"). Unless otherwise provided in the Lease, all payments due under the Lease, including Additional Rent, shall be mailed, or delivered to Landlord at the following address: *PO Box 776, Trinidad CO, 81082*. If the Term does not begin on the first day of the month, the Rent shall be prorated accordingly. Rent for subsequent years of the Term shall shall not be increased. In the event Rent is subject to increase, it shall be increased on the following basis: *n/a*.

6. **Option:** Tenant shall shall not have the option to extend the Term, pursuant to the terms and conditions contained herein, for an additional *3 year* period (the "Option"). In the event Tenant desires to exercise the Option, Tenant shall, at least *30* days before expiration of the Term, provide Landlord with written notice of its intent to exercise the Option. Rent shall be adjusted and payable as follows: *to be agreed upon by the parties*. The option shall only be exercisable provided that no Tenant Defaults currently exist and that no Tenant Defaults have occurred over the Term of the Lease which have not been cured by Tenant as provided by the Lease.

7. **Security Deposit:** Prior to occupying the Premises, Tenant shall keep on deposit with Landlord a security, cleaning, and damage deposit in the amount of *[REDACTED]* as security for the return of the Premises at the expiration of the Term in as good condition as when Tenant entered the Premises, normal wear and tear excepted, as well as the faithful, timely, and complete performance of all other terms, conditions, and covenants of the Lease (the "Security Deposit").

8. **Use:** The Premises shall be used for *marijuana sales, cultivation facility and processing in accordance with site specific license issued by the State of Colorado*, provided this use conforms with applicable zoning regulations. Tenant shall not, without the prior written consent of Landlord, permit the Premises to be used for any other purpose.

9. **Utilities/Additional Rent:** Tenant shall pay all of the utilities for the Premises indicated in this Paragraph 9 as Additional Rent and shall pay Tenant's Pro Rata Share of all other items in this Paragraph 9 as Additional Rent. Tenant's pro rata share of costs for purposes of the Lease shall be -0-% ("**Tenant's Pro Rata Share**"). Tenant's Pro Rata Share is determined as a proportion of the whole of the improvements upon the Property, the denominator of which is the number of the square feet available to rent as determined by the Landlord and excluding common areas, and the numerator of which shall be the same square footage as the Premises.

a. **Utilities:** Tenant shall be responsible for paying the following utilities on the Premises: Electric Gas Water Sewer Phone Cable/ Satellite T.V. Internet Access Refuse Disposal Other *Security*. If the Premises does not share meter facilities for utilities and if the utility or utilities are not provided as part of the CAM Costs (as defined below), tenant shall contract directly with all utility providers and all utility payments shall be directed to the respective utility providers. If the Premises shares meter facilities for utilities, the charges shall be allocated to each tenant by Landlord based upon a reasonable basis and shall be payable to the Landlord as Additional Rent.

b. **CAM Costs:** Tenant shall be responsible for paying Tenant's Pro Rata Share of the annual common area operation and maintenance costs of the Property ("**CAM Costs**"). CAM Costs are all expenditures made by Landlord to operate and maintain the Property, including, but not limited to, utilities (electric, gas, water, and sewer), repairs, replacement costs (due to ordinary and extraordinary wear and tear or catastrophe), trash and snow/ice removal (including removal from parking areas, abutting roadways, and walkways), landscaping and lawn maintenance, painting, sign installation and maintenance, repair and replacement of utility systems, depreciation of machinery and equipment used in such repair and replacement, and cost of all personnel to implement such services. The foregoing list of items is provided for illustrative purposes only and shall not be deemed a full, complete, or exhaustive list of all possible CAM Costs.

c. **Tax Costs:** Tenant shall be responsible for paying Tenant's Pro Rata Share of annual taxes, assessments, and governmental charges relative to the Property ("**Tax Costs**"). The Tax Costs shall include, but not be limited to, all federal, state, county, municipal, or other governmental or quasi-governmental taxes or assessments levied upon, charged against, or assessed in connection with the use of the Property. Tax Costs shall not include state, or federal income taxes owed by Landlord.

d. **Landlord's Insurance Costs:** The Landlord shall procure and maintain such fire and casualty, loss of rents, and liability insurance on the Property as it deems proper and appropriate ("**Insurance Costs**"). Tenant shall be responsible for paying Tenant's Pro Rata Share of Insurance Costs. Such insurance shall not be required to cover any of the Tenant's property and the Tenant shall have no interest in any of the proceeds of such insurance.

10. **Payment of Additional Rent:** All Additional Rent shall be paid by Tenant to Landlord in equal monthly installments concurrent with the Rent. Payments of Additional Rent shall be calculated as follows: on, or before the commencement date of this Term, Landlord shall give Tenant a statement of the estimated annual CAM Costs, Tax Costs, and Insurance Costs for the Property ("**Estimate of Costs**"). Tenant shall pay Additional Rent to Landlord based upon the Estimate of Costs divided by twelve (12). The Estimate of Costs shall be the basis of such Additional Rent calculated until Tenant is notified by Landlord of a change thereof. Within ninety (90) days of the end of each calendar year, Landlord shall compute actual CAM Costs, Tax Costs, and Insurance Costs for the preceding year (the "**Actual Costs**"). Landlord shall provide Tenant with a statement of Actual Costs. In the event that Tenant's payment of Additional Rent for said calendar year totals less than the Tenant's pro-rata share of the Actual Costs, Tenant shall be obligated to pay Landlord, within ten (10) days of receipt of statement, the difference between Tenant's pro-rata share of Actual Costs and the Additional Rent actually paid for said calendar year. In the event Tenant's Additional Rent actually paid for said calendar year exceeds Tenant's pro-rata share of Actual Costs, such excess shall be credited to Tenant's account. The Actual Costs of the prior calendar year shall be used for the purpose of calculating the Estimate of Costs for the then current year.

11. **Late Payments:** If any Rent, Additional Rent, or other payment is received later than 7 days after the date when due, the parties agree that Additional Rent in the amount of one percent (1%) of the outstanding sums shall also be due and payable. The addition of such amount and the collection thereof shall not operate to waive any other rights of Landlord for nonpayment of Rent, or for any other reason.

12. **Repairs and Maintenance of the Premises:** The Landlord Tenant shall maintain the foundation, exterior walls, and roof of the Improvements in good repair. The Landlord Tenant agrees to keep all the other improvements (including plate glass and other windows, window frames, and doors) upon the Premises repaired and maintained in good order as described in the Lease. The Landlord Tenant shall properly irrigate and

care for all trees, shrubbery, and lawn and the Landlord Tenant shall keep all driveways, sidewalks, and parking areas on the Premises free and clear of ice and snow.

13. **Parking:** For the Term, Landlord grants to Tenant and its employees and invitees, at no additional charge, a Parking License. The Parking License is a non-exclusive license for the use of *all* parking spaces upon the Property (the "**Parking License**"). The Parking License shall be effective for the term of the Lease as defined below. Landlord and Tenant shall shall not designate specific spaces for the Parking License prior to commencement of the Term.

PREMISES

14. **Common Areas:** The common areas are all areas outside of the Premises upon the Property designated by Landlord for common use of Tenant, its employees, licensees, invitees, contractors, and Landlord (the "**Common Areas**"). Landlord grants to Tenant, its employees, licensees, invitees and contractors a non-exclusive license over such Common Areas of the Property necessary to the use and occupancy of the Premises and Parking License (the "**Common Area License**"). Said License shall be effective for the Term of the Lease. Tenant shall not use Common Areas for any type of storage, or parking of trucks, trailers, or other vehicles without the advance written consent of Landlord. All parking and Common Areas of Property shall at all times be subject to the management of Landlord, and are not part of the Premises. All use of the Common Areas shall be at the sole risk of Tenant, and Landlord is not liable for any damages, or injuries occasioned by such use. Landlord shall have the right, power, and authority to compile, promulgate, change, and modify all rules and regulations that it may, in its sole discretion, deem necessary for use of the Common Areas. Tenant agrees to abide by and conform with all rules and regulations pertaining to such Common Areas. Landlord shall have the right to construct, maintain, and operate lighting facilities; to police and from time to time change the area, location, and arrangement of the Common Areas and facilities; to restrict employee parking to certain areas; to temporarily close all, or any portion of the Common Areas; to discourage non-customer parking; and to do and perform any and all such other acts in and to said Common Areas and facilities as Landlord shall determine in its sole and absolute discretion.

15. **Condition of Premises and Representations:** Tenant is familiar with the physical condition of the Premises and the Property. Except as may otherwise be provided in the Lease, Landlord makes no representations, or warranties as to the physical condition of the Premises, or the Property, or their suitability for Tenant's intended use. In the event that Landlord agrees to provide any renovations, build-out, or any other labor and materials for the improvement of the Premises, or any allowance for improvements to be effected by Tenant, such work, or allowance shall be specified and agreed to between the parties in a separate document appended to this Lease and which shall constitute a part of this Lease ("**Work Letter**"). Other than the work, if any, to be performed pursuant to Tenant's Work Letter, the Premises are rented "as is," in current condition, and all warranties are hereby expressly disclaimed. Landlord makes no representations, or warranties as to the suitability of the Premises for Tenant's intended use. Landlord further makes no representations, or warranties as to whether Tenant's intended use will necessitate changes, or alterations to the Premises in order to comport with local, state, or federal laws and regulations. Such laws and regulations include, but are not limited to: health code regulations, access regulations (including, but not limited to, the Americans with Disabilities Act), and zoning regulations. Tenant understands and agrees that in the event actions, alterations, or improvements are required in order to bring the Premises into compliance with any local, state, or federal laws and regulations because of Tenant's intended use, Tenant shall be solely responsible for any and all associated costs and expenses relative thereto. Tenant further indemnifies and agrees to hold Landlord harmless from any and all claims and liabilities that may arise by virtue of Tenant's use of the Premises in violation of any local, state, or federal laws and regulations.

16. **Check-In Inspection:** Landlord and Tenant may conduct an inspection of the Premises at the time of possession. A check-in inspection sheet may be completed at that time and the information contained therein shall be sufficient and satisfactory proof of the condition of the Premises at the time of possession, should a subsequent dispute arise at a later date as to the condition of the Premises at the time of move-in.

17. **Use of Premises:** Tenant, in consideration of the leasing of the Premises, agrees as follows:

a. **Use of Premises:** To use and occupy the Premises solely as and for the use specified in Paragraph 8 of the Lease. Landlord's consent to the aforementioned use is not an assurance, or warranty that the Premises' attributes are sufficient for Tenant's use. Tenant represents and warrants that it has conducted sufficient due diligence to assure itself that the Premises are suitable for its use, and that such use is permitted by applicable law. Landlord expressly reserves its right to lease space within the Property as it sees fit, unless explicitly prohibited by other

provisions in the Lease. Landlord's demise of the Premises to Tenant does not preclude Landlord from leasing other parts of the Property to other tenants who may be viewed objectively, or subjectively as competing with Tenant.

b. Signage: Tenant shall be permitted to erect a sign or signs upon the Premises, provided all signage is in compliance with size and other requirements of Landlord and as may be set forth by applicable ordinances and regulations including, but not limited to, sign and design ordinances. All signage shall conform to aesthetic and design criteria, themes, and standards of the Property and the Improvements. Additionally, Landlord may provide signage space on a common, or community sign located on the Property.

c. Vacancy: It will be deemed a Default of the Lease if the Premises are left vacant and unoccupied for over thirty (30) days. In addition to other remedies contained in the Lease, the Landlord may, without being obligated to do so, and without terminating the Lease, retake possession of the Premises and relet, or attempt to relet them for such rent and upon such conditions as the Landlord deems best, making such changes and repairs as may be required, giving credit for the amount of rent so received, less all expenses of such changes and repairs. Tenant shall be liable for the balance of the Rent and Additional Rent herein reserved until the expiration of the Term.

d. Legal Compliance: Tenant and its licensees and invitees shall comply with and abide by all federal, state, county, and municipal laws and ordinances in connection with the occupancy and use of the Premises. Tenant and its licensees and invitees may not possess, or consume alcoholic beverages on the Premises unless they are of legal age. No alcoholic beverages shall be sold upon the Premises unless proper licenses have been obtained. No illegal drugs or controlled substances (unless specifically prescribed by a physician for a specific person occupying or present upon the Premises) shall be permitted upon the Premises. Tenant hereby covenants and agrees to use its reasonable efforts to prevent and preclude its employees, guests, invitees, etc. from the aforementioned illegal conduct. Tenant and its licensees and invitees shall not use the Premises in any way that may result in an increase of the rate or cost to the Landlord to insure the Property. No hazardous or dangerous activities are permitted upon the Premises.

e. Additional Prohibitions: Neither Tenant nor its subtenants, licensees, volunteers, employees, guests, or invitees shall act in any manner that would interfere with, or be a nuisance to, other subtenants, occupants, or invitees of the Premises, or adjacent property owners, or adjacent tenants, or that would interfere with those other parties' quiet enjoyment of their premises. Said prohibition includes, but is not limited to, loud noises, loud music, noxious or unpleasant odors, and disruptive behavior or actions. Tenant shall not permit any portion of the Premises to be used in a manner that may endanger the person or property of Landlord, co-tenants, or any person living on or near the Premises. Tenant shall keep all portions of the Premises in a clean, safe, sanitary, and habitable condition.

f. Pets and Animals: Pets or animals shall shall not be permitted upon the Premises.

g. Storage/Trash: Tenant shall store all personal property entirely within the Premises. Tenant shall store all trash and refuse in adequate containers within the Premises, which Tenant shall maintain in a neat and clean condition, or within designated Common Areas so as not to be visible to members of the public in, or about the Property, and so as not to create any health or fire hazard.

h. Hazardous Material Prohibited: Tenant shall not cause or permit any hazardous material to be brought upon, kept or used in, or about the Premises by Tenant, its agents, employees, contractors, or invitees. If Tenant breaches the obligations stated in the preceding sentence, or if the presence of hazardous material on the Premises caused, or permitted by Tenant results in contamination of the Premises, or if contamination of the Premises by hazardous material otherwise occurs for which Tenant is responsible to Landlord for resulting damage, then Tenant shall indemnify, defend, and hold Landlord harmless from any and all resulting claims, judgments, damages, penalties, fines, costs, liabilities, or losses.

i. Quiet Enjoyment: Landlord agrees that upon Tenant paying the Rent and performing Tenant's obligations under the Lease, Tenant shall peacefully and quietly have, hold, and enjoy the Premises throughout the Term or until the Lease is terminated pursuant to its terms. Landlord shall not be responsible for the acts or omissions of any other tenant or third party that may interfere with Tenant's use and enjoyment of the Premises. In the event of any transfer or transfers of Landlord's interest in the Premises or in the Property, other than a transfer for security purposes only, the Landlord shall be automatically relieved of any and all obligations and liabilities accruing from and after the date of such transfer.

j. Rules and Regulations: Landlord shall provide Tenant with a copy of all rules and regulations affecting the Premises, and Tenant shall abide by all such rules and regulations.

18. Subletting or Assignment: Tenant shall not sublet the Premises or any part thereof, nor assign the Lease or any interest therein, without the prior written consent of Landlord. Such consent shall be at the sole discretion of Landlord. As a condition of assignment or sublease, Landlord may require the continued liability of Tenant or a separate personal guaranty by Tenant or its principal. If Tenant is a corporation, limited liability company, or other entity that is not a natural person, any change in ownership of more than thirty percent (30.0%) (over any period) of the ownership interest shall be deemed an assignment of the Lease. In the event an assignment or sublease is permitted, all payments from assignee or sublessee shall be made directly by said party to Landlord, and not through Tenant.

19. Surrender of Premises: Tenant will return the Premises to Landlord at the expiration of the Term in as good order and repair as when Tenant took possession, loss by casualty and normal wear and tear excepted. Any deterioration or damage caused by accident, abuse, carelessness, or negligence shall not be considered normal wear and tear. In the event that Tenant fails to redeliver the Premises in appropriate condition, Landlord may restore the Premises to appropriate condition, including repair, replacement, and cleaning. The cost of any work necessitated shall be deducted from the Security Deposit; if the Security Deposit is insufficient to cover work performed, Tenant shall be obliged to pay the additional balance.

20. Removal of Fixtures/Redelivery: Tenant shall remove, at the termination of the Lease, provided Tenant is not in Default, Tenant's moveable trade fixtures and other items of personal property that are not permanently affixed to the Premises. Tenant shall remove the alterations and additions and signs made by Tenant as Landlord may request and repair any damage caused by such removal. Tenant shall peaceably yield up the Premises and all alterations and additions thereto (except such as Landlord has requested Tenant to remove); and all fixtures, furnishings, floor coverings, and equipment that are permanently affixed to the Premises which shall thereupon become the property of the Landlord. Any personal property of Tenant not removed within five (5) days following such termination shall, at Landlord's option, become the property of Landlord.

PAYMENTS

21. Payments/Dishonored Checks: Payments shall be deemed received when actually delivered to, and received by, Landlord at the payment location. Dishonored checks and any checks received late in the mail will be treated as late payments. Additional bank and handling charges may also be assessed in the event of a dishonored check. The foregoing items shall be deemed Additional Rent. Landlord may require Tenant to replace such dishonored check with a money order, cashier's check, or other good funds. Landlord may further require that all subsequent payments after a dishonored check be paid with a money order, cashier's check, or other good funds.

22. Partial Payment: If any partial payment is made by Tenant, it shall be allocated first to the payment of Additional Rent, including, without limitation, utilities (if applicable) and other expenses; and second to unpaid Rent. Acceptance by Landlord of any partial payment shall not waive the right of Landlord to require immediate payment of the unpaid balance of Rent or waive or affect Landlord's rights to institute legal proceedings including, without limitation, an eviction action.

23. No Offset: No assent, express or implied, to any Default of any one or more of the agreements hereof shall be deemed or taken to be a waiver of any succeeding or other Default. The covenants set forth in the Lease are independent. Tenant shall have no right to withhold or set off any Rent due Landlord.

24. Joint and Several Obligations of Tenant: In the event more than one person comprises Tenant, it is expressly understood and agreed that each person comprising Tenant is jointly and severally liable for any and all obligations of Tenant in the Lease. This means that all persons comprising Tenant are each, together and separately, responsible for all of Tenant's obligations. Landlord may, at its option, determine whom to hold responsible.

SECURITY DEPOSIT

25. Security Deposit:

a. Security Deposit: To secure the faithful performance by Tenant of all of Tenant's covenants, conditions, and agreements in the Lease to be observed and performed, Tenant shall deposit with Landlord the Security Deposit prior to commencement of the Lease. The Security Deposit may also be used in the event of termination of the Lease by re-entry, eviction, or otherwise.

b. Application of Security Deposit: The parties agree: (1) that the Security Deposit or any portion thereof, may be applied to the curing of any Default that may exist, and/or payment of subsequent damages and costs incurred by Landlord, without prejudice to any other remedy or remedies that the Landlord may have on account thereof, and upon such application Tenant shall pay Landlord on demand the amount so applied, which shall be added to the Security Deposit so it will be restored to its original amount; (2) that should the Premises be conveyed by Landlord, the Security Deposit or any portion thereof may be turned over to Landlord's grantee, and if the Security Deposit is turned over, Tenant agrees to look to such grantee for such application or return; (3) that Landlord shall not be obligated to hold Security Deposit as a separate fund; (4) that should the Rent be increased, the Security Deposit shall be increased in the same proportion within thirty (30) days of such Rent increase; and (5) that should a Default occur, Landlord may, as an additional remedy, increase the Security Deposit at its sole discretion.

c. Return of Security Deposit: If Tenant shall perform all of its respective covenants and agreements in the Lease, the Security Deposit, or the portion thereof not previously applied pursuant to the provisions of the Lease, together with a statement, shall be returned to Tenant without interest, no later than sixty (60) days after the expiration of the Term, or any renewal or extension thereof (or such earlier time if required by applicable law), provided Tenant has vacated the Premises and surrendered possession thereof to Landlord.

REPAIRS AND MAINTENANCE

26. Improvements, Repairs, and Maintenance: Subject to the limitations set forth in Paragraphs 27 and 28 below, either Landlord or Tenant, as specified in Paragraph 12 above, shall be responsible for the cost and condition of the respective improvements, repairs, and maintenance relating to all structural components, interior and exterior walls, floors, ceiling, roofs, sewer connections, plumbing, wiring, appliances, and glass used in connection with the Premises.

27. Landlord's Limited Responsibility: In the event Paragraph 12 of the Lease provides for Landlord's responsibility for certain repair and maintenance, Landlord shall be responsible for: (i) any repairs, replacements, restorations, or maintenance that have been necessitated by reason of ordinary wear and tear, and (ii) any repairs, replacements, restorations, or maintenance that have been necessitated by sudden natural forces, or acts of God, or by fire not caused by Tenant. The cost of any maintenance, repairs, or replacements necessitated by the act, neglect, misuse, or abuse of Tenant, its agents, employees, customers, licensees, invitees, or contractors shall be paid by Tenant to Landlord promptly upon billing. Landlord shall use reasonable efforts to cause any necessary repairs to be made promptly; provided, however, that Landlord shall have no liability whatsoever for any delays in causing such repairs to be made, including, without limitation, any liability for injury to or loss of Tenant's business, nor shall any delays entitle Tenant to any abatement of Base and Additional Rent or damages, or be deemed an eviction of Tenant in whole or in part.

28. Tenant's Allowed Responsibilities: In the event Paragraph 12 of the Lease provides for Landlord's responsibility for certain repair and maintenance, Tenant shall not perform or contract with third parties to perform any repairs of any kind upon the Premises or structure upon which the Premises are located. In the event any repair that is the responsibility of Landlord becomes necessary, Tenant shall notify Landlord as soon as possible, and allow reasonable time for the work to be completed. Any unauthorized work performed or contracted for by Tenant will be at the sole expense of Tenant.

29. Tenant's Duty to Repair: In the event Paragraph 12 of the Lease provides for Tenant's responsibility for certain repair and maintenance, Tenant shall, at Tenant's sole cost and expense, maintain the Premises, including, but not limited to, the plumbing, exterior plate glass, other windows, and window frames, electric wiring, HVAC equipment, fixtures, appliances, and interior walls, doorways, and appurtenances belonging thereto installed for the use or used in connection with the Premises (and including the foundation, exterior walls, and roof of the Improvements, if so provided in Paragraph 12). Tenant shall, at Tenant's own expense, make as and when needed all repairs to the Premises and to all such equipment, fixtures, appliances, and appurtenances necessary to keep the same in good order and condition. Tenant repairs shall include all replacements, renewals, alterations, and betterments (the "Tenant Repairs"). All Tenant Repairs shall be equal or better in quality and class to the original work. In the event Tenant fails to complete Tenant Repairs, Landlord may obtain them and bill Tenant for such work as Additional Rent.

30. Tenant Improvements: Unless otherwise provided in the Work Letter, Tenant shall be solely responsible for any and all improvements and alterations within the Premises necessary for Tenant's intended use of the Premises, including, but not limited to, electrical wiring, HVAC, plumbing, framing, drywall, flooring, finish work,

telephone systems, wiring, and fixtures necessary to finish the Premises to a condition suitable for Tenant's use (the "Tenant Work").

31. Improvements/Prior Landlord Consent: Tenant agrees to submit to Landlord complete plans and specifications, including engineering, mechanical, and electrical work covering any and all contemplated Tenant Work, if applicable, and any subsequent improvements or alterations of the Premises. The plans and specifications shall be in such detail as Landlord may require, and in compliance with all applicable statutes, ordinances, regulations, and codes. As soon as reasonably feasible thereafter, Landlord shall notify Tenant of any failures of Tenant's plans to meet with Landlord's approval. Tenant shall cause Tenant's plans to be revised to the extent necessary to obtain Landlord's approval. Tenant shall not commence any Tenant Work, or any other improvements, or alterations of Premises until Landlord has approved Tenant's plans.

32. Tenant Work and Repairs/Compliance with Codes/Mechanic Liens: Tenant shall procure all necessary permits before undertaking Tenant Work or Tenant Repairs. Tenant shall perform all Tenant Work or Tenant Repairs in a good and workmanlike manner. Tenant shall use materials of good quality and perform Tenant Work or Tenant Repairs only with contractors previously approved of in writing by Landlord. Tenant shall comply with all laws, ordinances, and regulations, including, but not limited to, building, health, fire, and safety codes. Tenant hereby agrees to hold Landlord and Landlord's agents harmless and indemnified from all injury, loss, claims, or damage to any person or property (including the cost for defending against the foregoing) occasioned by, or growing out of Tenant Work or Tenant Repairs. Tenant shall promptly pay when due the entire cost of any Tenant Work or Tenant Repairs on the Premises undertaken by Tenant, so that the Premises shall at all times be free of liens for labor and materials. Tenant hereby agrees to indemnify, defend, and hold Landlord harmless of and from all liability, loss, damages, costs, or expenses, including reasonable attorneys' fees, incurred in connection with any claims of any nature whatsoever for work performed for, or materials, or supplies furnished to Tenant, including lien claims of laborers, materialmen, or others. Should any such liens be filed or recorded against the Premises or the Improvements with respect to work done for, or materials supplied to, or on behalf of Tenant, or should any action affecting the title thereto be commenced, Tenant shall cause such liens to be released of record within five (5) days after notice thereof. If Tenant desires to contest any such claim of lien, Tenant shall nonetheless cause such lien to be released of record by the posting of adequate security with a court of competent jurisdiction as may be provided by Colorado's mechanic's lien statutes. If Tenant shall be in default in paying any charge for which such mechanic's lien or suit to foreclose such lien has been recorded or filed and shall not have caused the lien to be released as aforesaid, Landlord may (but without being required to do so) pay such lien or claim and any associated costs, and the amount so paid, together with reasonable attorneys' fees incurred in connection therewith, shall be immediately due from Tenant to Landlord as Additional Rent.

33. Common Area Maintenance: Landlord shall use reasonable efforts to maintain and repair Common Areas of Property, including walks and parking lots. The cost of any maintenance, repairs, or replacements necessitated by the act, neglect, misuse, or abuse by Tenant, its employees, licensees, invitees, or contractors shall be paid by Tenant to Landlord. Landlord shall use reasonable efforts to cause any necessary repairs to be made promptly; provided, however, that Landlord shall have no liability whatsoever for any delays in causing such repairs to be made, including, without limitation, any liability for injury to or loss of Tenant's business, nor shall any delays entitle Tenant to any abatement of Rent or damages, or be deemed an eviction of Tenant in whole or in part.

34. Keys/Locks: Tenant shall not place any additional locks upon the Premises, including, but not limited to, exterior and interior doors. Tenant shall not cause any of the locks or cylinders therein to be changed or re-keyed.

35. Waste/Rubbish Removal: Tenant shall not lay waste to the Premises. Tenant shall not perform any action or practice that may injure the Premises or Property. Tenant shall keep the Premises and the Property surrounding the Premises free and clear of all debris, garbage, and rubbish. Unless otherwise provided for in the Lease, Tenant shall be responsible for contracting for and paying for trash and debris removal required by Tenant's use of the Premises.

DEFAULT, NOTICE AND REMEDIES

36. Default: If Tenant is in arrears in the payment of any installment of Rent, any Additional Rent, or any portion thereof, or is in violation of any other covenants or agreements set forth in the Lease (a "Default") and the Default remains uncorrected for a period of three (3) days after Landlord has given written notice thereof pursuant to applicable law, then Landlord may, at Landlord's option, undertake any of the following remedies without limitation: (a) declare the Term of the Lease ended; (b) terminate Tenant's right to possession of the Premises and reenter and repossess the Premises pursuant to applicable provisions of the Colorado Forcible Entry and Unlawful Detainer statute; (c) recover all present and future damages, costs, and other relief to which Landlord is entitled; (d) pursue Landlord's

lien remedies; (e) pursue breach of contract remedies; and (f) pursue any and all available remedies in law or equity. In the event possession is terminated by reason of a Default prior to expiration of the Term, Tenant shall remain responsible for the Rent and Additional Rent, subject to Landlord's duty to mitigate such damages. Pursuant to §§ 13-40-104(d.5) and (e.5), and 13-40-107.5, C.R.S., hereby incorporated by reference, in the event repeated or substantial Defaults(s) under the Lease occur, Landlord may terminate Tenant's possession upon a written Notice to Quit, without a right to cure. Upon such termination, Landlord shall have available any and all of the remedies listed above.

37. Abandonment: In the event of an abandonment of the Premises, Landlord may, without being obligated to do so and without terminating the Lease, retake possession of the Premises and exercise any of the remedies contained in Paragraph 38 below.

38. Re-Entry: In the event of re-entry by Landlord as a result of abandonment or a Default by Tenant:

a. Tenant shall be liable for damages to Landlord for all loss sustained, including, without limitation, the balance of the Rent and Additional Rent, court costs, and reasonable attorneys' fees;

b. Tenant's personal property and the personal property of any guest, invitee, licensee, or occupant may be removed from the Premises and left on the street or alley, or, at Landlord's option, it may be removed and stored, or disposed of at Landlord's sole discretion. Landlord shall not be deemed a bailee of the property removed and Landlord shall not be held liable for the property. Tenant shall indemnify Landlord for any expense in defending against any claim by Tenant or third party and for any legal expense, cost, fine, or judgment awarded to a third-party as a result of Landlord's action under the term of the Lease;

c. Landlord may attempt to relet the Premises for such rent and under such terms as Landlord believes appropriate;

d. Landlord may enter the Premises, clean and make repairs, and charge Tenant accordingly;

e. Any money received by Landlord from Tenant shall be applied first to Rent, Additional Rent, and other payments due; and

f. Tenant shall surrender all keys and peacefully surrender and deliver up possession of the Premises.

INSURANCE AND INDEMNIFICATION

39. Negligent Damages: Tenant shall be responsible for and reimburse Landlord for any and all damages to the Premises or Property and persons and property therein caused by the negligent, grossly negligent, reckless, or intentional acts of itself, its employees, agents, invitees, licensees, or contractors.

40. Liability Indemnification/Insurance: Tenant shall hold Landlord, Landlord's agents, and their respective successors and assigns, harmless and indemnified from all injury, loss, claims, or damage to any person or property while on the Premises, or any other part of the Property, or arising in any way out of Tenant's business, which is occasioned by a negligent, intentional, or reckless act, or omission of Tenant, its employees, agents, invitees, licensees, or contractors. Tenant shall maintain public liability insurance insuring Landlord and Landlord's agents, as their interest may appear, against all claims, demands, or actions for injury to or death in an amount of not less than one million dollars (\$1,000,000) arising out of any one occurrence, made by, or on behalf of any person, firm, or corporation, arising from, related to, or connected with the conduct and operation of Tenant's business, including, but not limited to, events on the Premises and anywhere upon the Property. Tenant shall also obtain coverage in the amount of one million dollars (\$1,000,000) per occurrence covering Tenant's contractual liability under the aforesaid indemnification clauses.

41. Fire/Casualty Insurance: Tenant shall maintain plate glass insurance covering all exterior plate glass in the Premises, fire, extended coverage, vandalism, and malicious mischief insurance and such other insurance as Tenant may deem prudent, covering all of Tenant's stock in trade, fixtures, furniture, furnishings, floor coverings, and equipment in the Premises.

42. Insurance Requirements: All of Tenant's insurance related to the Premises and the Property shall be in the form and from responsible and well-rated companies satisfactory to Landlord, shall name Landlord as an additional insured thereunder, and shall provide that the insurance will not be subject to cancellation, termination, or change except after at least thirty (30) days prior written notice to Landlord. The policies or duly executed certificates for such insurance shall be provided to Landlord prior to commencement of Term and upon request of Landlord.

43. Waiver of Liability: Landlord and Landlord's agents and employees shall not be liable for, and Tenant waives all claims for, damage to property sustained by Tenant, employees, agents or contractors, or any other person claiming through Tenant, resulting from any accident in or upon the Premises or the Property of which they shall be a part, including, but not limited to, claims for damage resulting from: (1) any equipment or appurtenances becoming out of repair; (2) Landlord's failure to keep the Property or the Premises in repair; (3) injury done or occasioned by wind, water, or other act of God; (4) any defect in, or failure of, plumbing, heating, or air-conditioning equipment, electric wiring, or installation thereof, gas, water and steam pipes, stairs, porches, railings, or walks; (5) broken glass; (6) the backing-up of any sewer pipe, or downspout; (7) the bursting, leaking, or running of any tank, tub, sink, sprinkler system, water closet, waste pipe, drain, or any other pipe or tank in, upon, or about the Property or Premises; (8) the escape of steam, or hot water; (9) water, snow, or ice being upon, or coming through the roof, skylight, doors, stairs, walks, or any other place upon, or near such Property, or the Premises, or otherwise; (10) the falling of any fixtures, plaster, or stucco; (11) fire or other casualty; and (12) any act, omission, or negligence of co-Tenants, or of other persons or occupants of the Property, or of adjoining or contiguous buildings, or of adjacent or contiguous property.

44. Third-Party Liability: Landlord shall not be liable to Tenant for any damage by or from any act or negligence of any co-tenant or other occupant of the Improvements, or by any owner or occupant of adjoining or contiguous property. Landlord shall not be liable for any injury or damage to persons or property resulting in whole or in part from the criminal activities of others. To the extent not covered by normal fire and extended coverage insurance, Tenant agrees to pay for all damage to the Improvements.

45. Landlord Insurance: Insurance shall be procured by Landlord in accordance with its sole discretion. All awards and payments thereunder shall be the property of the Landlord, and Tenant shall have no interest in the same. Notwithstanding the foregoing, Landlord agrees to obtain building liability and hazard insurance required to be carried for the Property and Premises and adequate hazard insurance, which covers replacement cost of the Property and Premises.

46. Indemnification Fees and Costs: In case any claim, demand, action, or proceeding is made or brought against Landlord, its agents, or employees, by reason of any obligation on Tenant's part to be performed under the terms of the Lease or arising from any act of negligence of Tenant or its agents or employees, or which gives rise to Tenant's obligation to indemnify Landlord, Tenant shall be responsible for all costs and expenses, including, but not limited to, reasonable attorneys' fees incurred in defending or prosecution of the same, as applicable.

OTHER PROVISIONS

47. Destruction, or Condemnation of Premises: Landlord's and Tenant's duties and responsibilities are as follows when destruction or condemnation of the Premises occurs:

a. Partial Destruction of the Premises: In case of partial destruction of the Premises by fire, or other casualty, Landlord at its discretion may repair the Premises with reasonable dispatch after notice of said partial destruction. Tenant shall remain responsible for payment of Rent. Subparagraph (d) of this Paragraph shall apply if Landlord determines that the partial destruction will not be repaired.

b. Premises Untenable: If the Premises are made totally untenable by fire, the elements, or other casualty, or if the building in which the Premises are located is partially destroyed to the point where Landlord, within a reasonable time, decides not to rebuild, or repair, then Subparagraph (d) of this Paragraph shall apply.

c. Condemnation: If the whole or part of the Premises are taken by any authority for any public or quasi-public use, or purpose, then Subparagraph (d) of this Paragraph shall apply. All damages and compensation awarded for any taking shall be the sole property of Landlord.

d. Termination of Term: Tenant agrees that if Landlord decides not to repair, or rebuild the Premises where the destruction has occurred as described in Subparagraphs (a) and (b) of this Paragraph, the Term hereby granted by the Lease shall cease and the Rent and Additional Rent shall be prorated and payable up to the time of the cessation of the Term. A refund will be given for the balance of any Rent paid in advance for which Tenant did not have use of the Premises due to the cessation of the Term under the conditions of this Paragraph. Where the Premises have been taken due to condemnation as described in Subparagraph (c) of this Paragraph, the Term of the Lease shall cease and terminate upon the date that possession of the Premises is taken by the authority. Rent and Additional Rent shall be prorated and payable up to the time of the cessation of the Term. Tenant shall not hold Landlord liable for any damages as a result of any of the acts or events described in this subparagraph.

59. **Heirs, Assigns, Successors:** The Lease is binding and inures to the benefit of the heirs, assigns, and successors in interest to the parties, subject to the restrictions on assignment in Paragraph 18.

60. **Time of the Essence:** Time is of the essence of the Lease, and each and all of its provisions.

61. **No Reservation of Option:** Submission of this instrument for examination or signature by Tenant does not constitute a reservation of or option for lease, and is not effective as a lease or otherwise until execution and delivery by both Lessor and Tenant.

62. **Credit Reports:** Tenant hereby grants Landlord permission to obtain from time to time investigative consumer reports to ascertain the creditworthiness of Tenant and Tenant's guarantors, if applicable.

63. **Corporate Authorization:** If Tenant is a corporation, each individual executing the Lease on behalf of the corporation represents and warrants that he is duly authorized to execute and deliver the Lease on behalf of said corporation in accordance with a duly adopted resolution of the Board of Directors of the corporation and that the Lease is binding upon the corporation in accordance with its terms. Lessee agrees to provide Landlord with such a resolution within five (5) days of the execution of the Lease.

64. **Severability:** If any term, covenant, condition, or provision of the Lease, or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of the Lease, or the application of such term, or provision to persons, or circumstances other than those to which it is held invalid, or unenforceable, shall not be affected thereby, and each provision of the Lease shall be valid and shall be enforced to the fullest extent permitted by law.

65. **Lead-Based Paint Disclosure Rule:** Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Tenant must also receive a federally approved pamphlet on lead poisoning prevention. In the event the Premises were constructed before 1978, Landlord shall comply with the Lead-Based Paint Disclosure, 42 U.S.C. § 4852d.

66. **Other Applicable Laws:** Federal, state, county, or municipal laws and ordinances may affect the Premises, the Lease, and Landlord/Tenant relationship that are not specifically addressed in the Lease. Landlord and Tenant should consult legal counsel prior to execution of the Lease to ascertain such information.

67. **ADA Compliance:** Tenant shall not cause or permit any violation of the Americans with Disabilities Act (the "ADA") to occur on, or about the Premises by Tenant, its agents, employees, contractors or invitees. Tenant shall indemnify, defend and hold Landlord harmless from any and all claims, judgments, damages, penalties, fines, costs, liabilities, or losses (including, without limitation, diminution in value of the Premises, damages for the loss or restriction of use of rentable or usable space, damages arising from any adverse impact on marketing of space, and sums paid in settlement of claims, attorneys' fees, consultation fees and expert fees) that arise during or after the Term as a result of such violation. This indemnification of Landlord by Tenant includes, without limitation, costs incurred in connection with any investigation of site conditions or any remedial work required by any federal, state, or local governmental agency or political subdivision because of any ADA violation present on or about the Premises. Tenant shall be permitted to make such alterations to the Premises as may be necessary to comply with the ADA, at Tenant's sole expense and upon the prior written consent of Landlord. Without limiting the foregoing, if the presence of any ADA violation on the Premises caused or permitted by Tenant results in remedial work on the Premises, Tenant shall promptly take all actions at its sole expense as are required by any authority to comply with the ADA; provided that Landlord's consent to such actions shall first be obtained, which shall not be reasonably withheld.

68. **Additional Provisions:** In the event that there are any additional agreements between the parties or provisions with respect to the Premises, an Addendum may be attached to the Lease, which shall be incorporated by this reference as a part of the Lease. An Addendum containing additional provisions is is not attached. The Lease and the attached Addendum constitute the entire agreement between the parties.

Tenant shall have the option to take possession of property 30 days from the date of the current tenants vacating of said property, when existing tenants vacate the premises. Tenant shall apply for and obtain all state and local permits and licenses. This lease is contingent upon Tenant's license approval. Landlord agrees to clean and prepare building and surrounding grounds so as its' use is compatible with the Tenant.

THE PARTIES SHOULD INITIAL EACH PAGE OF THE LEASE AND SIGN BELOW. EACH PARTY SHOULD RECEIVE A SIGNED COPY OF THE LEASE AND ANY ADDENDA.

TENANT:

LANDLORD:

Canna Company, a(n)

John H. & Marcia M. Lackey Revocable Trust, a(n)

Colorado Corporation
[Individual or Type of Entity]

Trust
[Individual or Type of Entity]

By: Cynthia L. Genova
Cynthia L. Genova

By: Howard Lackey
Howard Lackey

Its: Chairperson / PRESIDENT

Its: Co-trustee

Or

Or

[Signature of Individual]

[Signature of Individual]

Date: _____

Date: _____

GUARANTOR (if applicable):

[Signature]

[Print Name]

Date: _____



Legal Description

The subject property is legally described as follows:

A parcel of land located in the Southwest Quarter of the Southwest Quarter (SW/4SW/4) of Section 25, and in the Southeast Quarter of the Southeast Quarter (SE/4SE/4) of Section 26, Township 33 South, Range 64 West of the 6th P.M., County of Las Animas, State of Colorado, containing 6.0-acres, more or less and being more particularly described as follows:

Beginning at the Southwest corner of Section 25, which is marked by a 2" iron pin set by Frank R. Drexel, LS Number 2149, thence North 22 Degrees 3 Minutes 25 Seconds east, a distance of 621.56 feet to a point, which is the Southeast corner of this tract of land, and which is marked by an iron pin with an aluminum cap with the notation "RLS9480"; thence North 15 Degrees 16 Minutes 10 seconds East and running along the West right of way line of Interstate 25, to the intersection with the South right of way line of Las Animas County Road No. 69.1, being a distance of 422.95 feet more or less, said point being marked with an iron pin containing the notation on an aluminum cap "RLS10382"; thence westerly along the South right of way line of said County Road, North 88 Degrees 32 Minutes 20 Seconds West, a distance of 612.05 feet to a point; thence South 2 Degrees 5 Minutes 10 Seconds West, a distance of 405.25 feet to a point; thence South 87 Degrees 54 Minutes 50 Seconds East to the point and place of beginning, being a distance of 515.80 feet, being the Southeast corner of the said tract of land.

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087



APPENDIX D

Contents:

1. Detail List of Loans and Financial Obligations

Detail Page 6, Question 10

Promissory note to PEG Industries

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

PROMISSORY NOTE

For value received, I or we, promise to pay to the order of

PEG Industries, Inc.
500 Garrison Street
Lakewood, CO 80226
303.241.7065

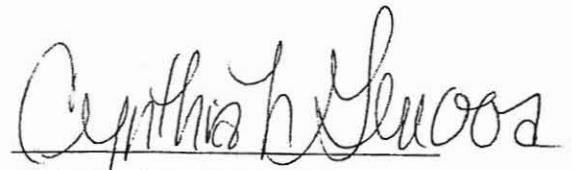
Loan No: Cynthia Genova Loan
Origination Date October 14, 2014
Amount \$ 30,000.00
6% Interest Only Until due December 31, 2016

in lawful money of the United States of America the amount of Thirty thousand dollars (\$30,000.00) with interest at the rate of Six percent (6%) annual percentage rate.

Payments of interest shall be billed to Genova monthly and be due by the 15th day of the month, beginning July 15, 2015. Principal and interest shall be payable at 500 Garrison Street, Lakewood, Colorado, 80226. The principal amount set forth above shall be due no later than December 31, 2016. If any interest payment required by the terms of this Note is not paid when due, the entire amount of that interest payment can immediately be added to the principal amount outstanding. Genova may prepay the principal amount outstanding under this Note, in whole or in part, at any time without penalty. Any partial prepayment shall be applied against the principal amount outstanding and shall not postpone the due date of any interest payments or change the due date for the principal amount remaining. The makers and endorsers of this note guarantee payment thereof and hereby severally waive presentment, notice of dishonor, protest, and diligence in bringing suit against any party hereto for the principal amount.

With the execution of the Promissory Note, Thirty Thousand dollars (\$30,000.00) shall be loaned to Borrower.

Dated: 10/15/14


CYNTHIA L. GENOVA

PROMISSORY NOTE

For value received, I or we, promise to pay to the order of

PEG Industries, Inc.
500 Garrison Street
Lakewood, CO 80226

303.241.7065

Loan No: Cynthia Genova Loan
Origination Date October 14, 2014
Amount \$ 30,000.00

6% Interest Only Until due December 31, 2016

in lawful money of the United States of America the amount of Thirty thousand dollars (\$30,000.00) with interest at the rate of Six percent (6%) annual percentage rate.

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With the execution of the Promissory Note, Thirty Thousand dollars (\$30,000.00) shall be loaned to Borrower.

Dated: 10/15/14

Cynthia L. Genova
CYNTHIA L. GENOVA

Instructions: Please print this document for your records.

COLORADO BUSINESS EXPRESS

COLORADO DEPT OF REVENUE

Thank you for registering with the Colorado Department of Revenue!
Your electronic application has been received.
You will receive your Sales Tax License and/or Wage Withholding information in the mail in the next 10 business days.

You may use this receipt as a temporary Sales Tax License in the interim.

Filing Information

Your filing information is as follows:

Date: 10/13/2014 18:11
Name: Canna Company
Address: 8210 Cherry Blossom Dr
Windsor, CO 80550-8038

Sales Tax Account Number: 30460950
Sales Tax Filing Frequency: \$300/month or more (Monthly)
Wage Withholding Account Number: 30460950
Wage Withholding Filing Frequency: \$1-\$6,999/Year - Quarterly

Websites

State of Colorado: www.colorado.gov
Colorado Department of Revenue: www.colorado.gov/revenue
Colorado Department of Revenue Online Customer Support Site:
revenuestateco.custhelp.com
File and pay your sales tax online: www.colorado.gov/RevenueOnline
Register to pay by EFT: www.colorado.gov/revenue/eft

Please wait 2-3 business days while we validate your registration before attempting to access your account in Revenue Online. You will receive your license(s) in the mail within 10 business days. If you do not already have access to Revenue Online, you may use information from that letter to sign-up.

Address Change or Business Closure Form (DR 1102) Instructions

The address change or closure form must be used to notify the department of name/address changes, or to notify the department that you are no longer liable for Colorado sales tax, withholding tax or retailer's use tax. You can close your account online at www.Colorado.gov/RevenueOnline File this form now through Revenue Online. Visit www.Colorado.gov/RevenueOnline

Revenue Online allows convenient and secure access to conduct business with the Department of Revenue. To learn more about Revenue Online, choose the "Help Link" in the upper left hand corner of the login screen. The "Help Link" gives detailed information of the services available. Third party login access information is included in the list of services.

Change in Ownership

If there has been a change in ownership and you are the new owner, you must complete a Sales Tax / Wage Withholding Account Application (CR 0100) for a new account to be established.

FEIN

This is your Federal employer identification number. Please enter your Federal employer identification number.

Note: A new FEIN will require a new Department of Revenue account. Please fill out a Sales Tax / Wage Withholding Account Application (CR 0100).

Change of Name/Address

Use the right hand block to change any portion of your name/ address. Mail the completed form to the Department of Revenue. If you have changed jurisdiction and are filing a sales tax return please download a single flat DR 0100 form our Web site at www.TaxColorado.com so that you may collect and remit the correct sales tax for your new location. Once the department has received your Address Change or Business Closure Form, you will first receive a single flat DR 0100 return and then a coupon book the following month. If you elect to file electronically, you will not receive a flat or a coupon book. See the DR 1002 available on our Web site to verify the tax rates applicable to your new address location. If you are changing a corporate name, you must include the Amended Articles of Incorporation from the Secretary of State's Office.

Important

DO NOT make changes to the name and address on your returns after you have notified the Department on the Address Change or Closure Form.

Date of Closure

Check the appropriate tax type box and indicate the date your account should be closed. This box should be checked ONLY if:

1. Your business was sold or discontinued.
2. You are no longer liable for the tax indicated.
3. The structure of your business changed and a new Federal Employer I.D. Number (FEIN) was issued.
4. Your corporation merged into another corporation.

Mail to and make checks payable to:

Department of Revenue
 Denver, CO 80261-0009



Photocopy for your records.

Cut here and send only the coupon below. Help us save time and your tax dollars.

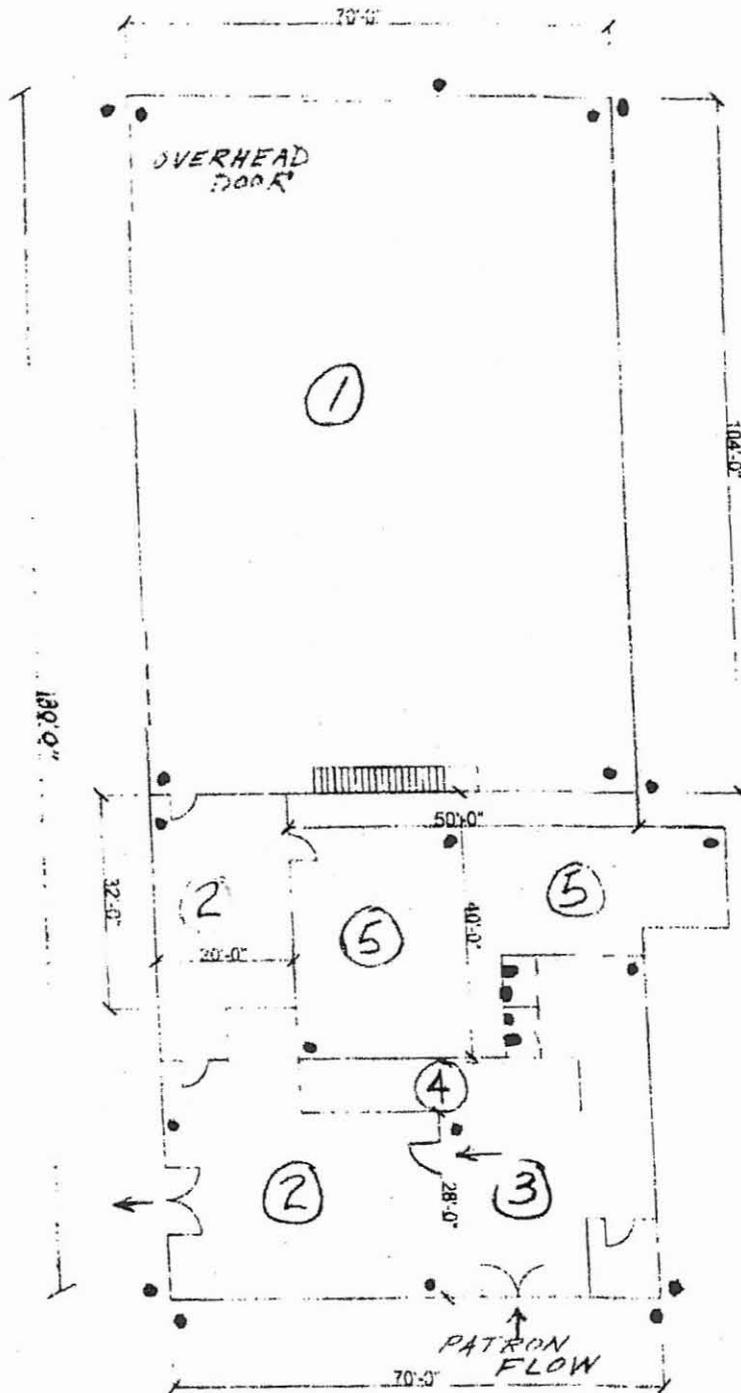
DR 1102 (08/30/13) COLORADO DEPARTMENT OF REVENUE www.TaxColorado.com		Address Change or Business Closure Form	
Use this form to notify the department of name and/or address changes or to notify the department that you want to close your account		Account Number 30460950-0001	FEIN [REDACTED]
Date account closed: (MM/DD/YY) Ⓢ	<input type="checkbox"/> Withholding Tax Date (MM/DD/YY) Ⓢ <small>(Last Day of Payroll)</small>	<input type="checkbox"/> Sales Tax Date (MM/DD/YY) Ⓢ <small>(Last Day of Sales)</small>	<input checked="" type="checkbox"/> Entire Account Date (MM/DD/YY) Ⓢ
		<input type="checkbox"/> Other Date (MM/DD/YY) Ⓢ	
Previous Name and Address (Address Change Only)		New Name and Address (Address Change Only)	
Last Name Address 8210 Cherry Blossom Dr City Windsor State CO		Last Name Address 3019 Toupal Drive City Trinidad County Las Animas State CO	
Zip 80550 Telephone 7196808087		Zip 81082 Telephone (719) 680-8087	
<input type="checkbox"/> Mailing Address		<input checked="" type="checkbox"/> Physical Address	
<input type="checkbox"/> Both		<input checked="" type="checkbox"/> Inside City	
		<input type="checkbox"/> Outside City	
Mail to: Colorado Department of Revenue Denver, Colorado 80261-0009		Note: If your retail business location changes during a filing period you must file a separate sales tax return for the taxes collected at each location Authorized Signature	



BUILDING
INTERIOR



● INDICATES
CAMERA POD
LOCATION



1. Cultivation area, Licensed Employee Only
2. Sales Area, Registered Customer Only
3. Waiting area, Open Area
4. Office, Storage and Packaging, Licensed Employee Only
5. Storage and Packaging, Licensed Employee Only

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Page 1 of 2

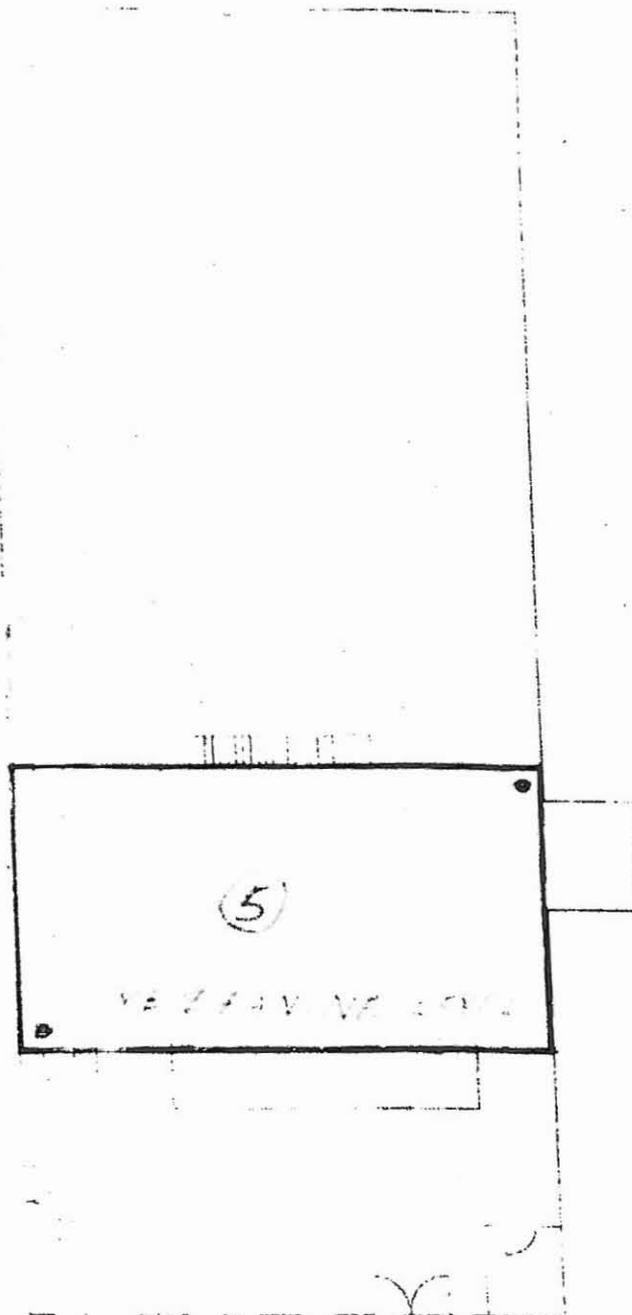
Prepared by:

CannaCo
8210 Cherry Blossom Dr
Windsor, CO 80550
719.680.8087
September 7, 2014

BUILDING
INTERIOR



• INDICATES
CAMERA
LOCATION



1. Cultivation area, Licensed Employee Only
2. Sales Area, Registered Customer Only
3. Waiting area, Open Area
4. Office, Storage and Packaging, Licensed Employee Only
5. Storage and Packaging, Licensed Employee Only

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Dr
Windsor, CO 80550
719.680.8087
September 7, 2014



APPENDIX F

Contents:

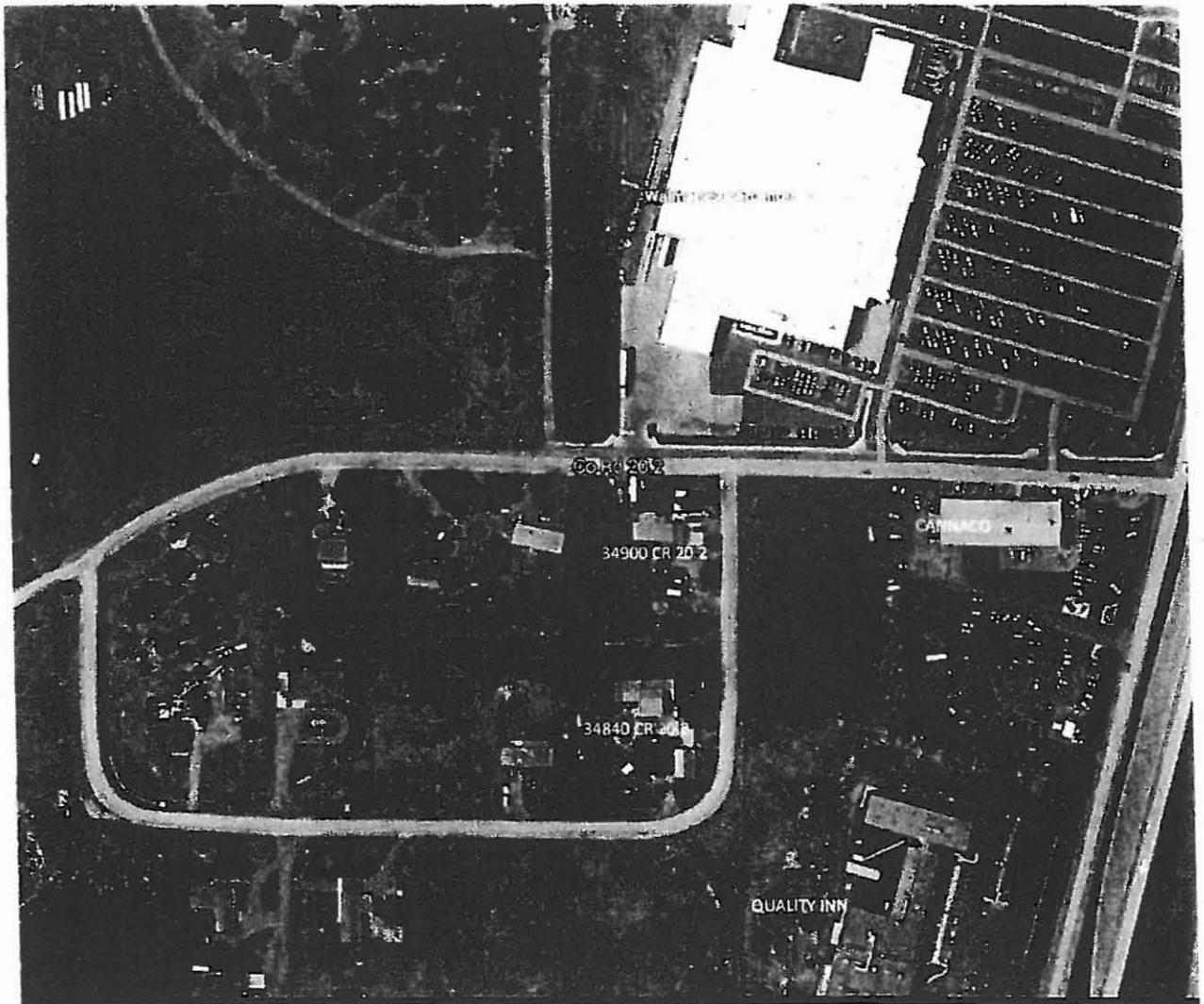
1. Aerial Photograph of Site
2. Plot Plan
3. Building Interior
4. Site Overview

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

SITE AERIAL IMAGE



CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087
September 7, 2014

11/20/2011

34980
CR 20.2

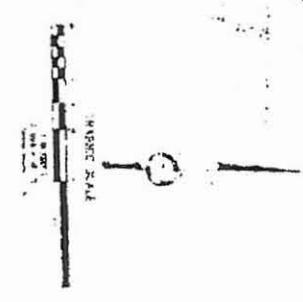
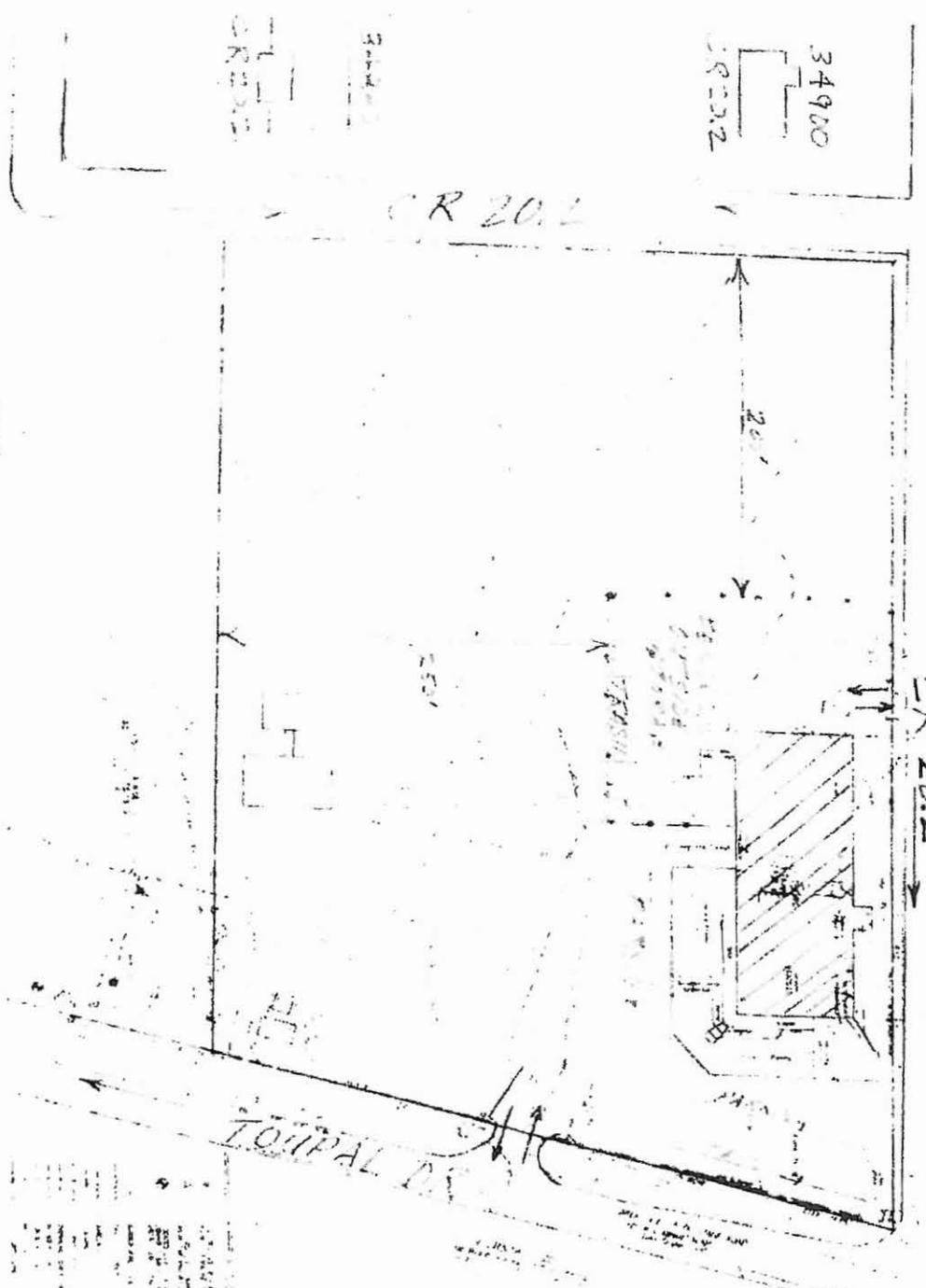
CR 20.2

CR 20.2

TOUVAL DR

QUALITY

7/15/2011 2:50 PM



PROPERTY
 OWNER
 ADDRESS
 CITY
 STATE
 ZIP
 COUNTY
 TAX MAP
 PLAT
 DATE
 AREA
 VALUE
 TAXES
 NOTES
 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.



The current facility located at 3019 Toupal Drive, Trinidad, Colorado is ideal for the proposed business. The facility has developed infrastructure in place and modifications to utility services are not required. The retail operations will be conducted very much as current operations are with the east retail area and waiting room occupying this area. The cultivation area will operate in a semi-isolated, much less trafficked, secure environment that is currently the service area. The fenced area to the west will isolate and secure the refuse disposal area and outside storage if required.

Utilities: No change in service.

Traffic Pattern: No change, may see increased volume.

Parking: No change, ample parking available on site. Estimated 64 parking space minimally available.

Snow removal: Subcontracted to local service or managed by staff on site.

Buffer zone: West fence line is located approximately 200 foot to CR 20.2. The south fence line is located 250 foot from the south abutting property, which is the only shared property line. To the north is CR 20.2 and the south end of the WalMart parking lot. To the east is Toupal Drive, Exit 11 highway exit ramp and Interstate 25.

Noise: It is estimated that the noise level will not vary significantly from present levels.

Odor: Odor control will be initiated as necessary. The facility will use carbon scrubbing, ozone generators and/or mechanical methods to control odors.

Security: The area will be monitored 24 hours per day, seven days per week with state of the art security surveillance, motion detection, contact closure alarms, and infra red technology. The cameras will cover the entire three acre facility, entrances, exits, and building interior. On site security services personnel will be on site as required by operations. This plan will enhance the overall security of the immediate area, Toupal Drive and County Road 20.2.

Panhandling, loitering, extended parking and overnight parking are strictly prohibited on site. Signs will be posted as such and the area patrolled by a marked security vehicle.

Visual Impact: The visual impact of the area will be minimal. The façade and exterior will largely remain the same. The sign will occupy the same footprint.

CannaCo will only operate a professional, clean and organized work environment.

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087
September 7, 2014



8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

VIA HAND DELIVERY

December 5, 2014

City of Trinidad
135 N. Animas St.
P.O. Box 880
Trinidad, CO 81082

RE: Cannaco Marijuana Store Application
Cannaco Marijuana Cultivation Facility Application

Good day:

Cannaco hereby requests processing of the applications referenced above and appreciates the City of Trinidad's expeditious handling of this matter.

Please find attached the following:

1. Trinidad Application for Retail Store
2. Trinidad Application for Marijuana Cultivation Facility
3. Individual History Record of Cynthia L. Genova
4. Payment in amount of \$10,000.00 for application and license fee
5. Copy of Colorado Department of Revenue Retail Store License Application and attachments
6. Copy of Colorado Department of Revenue Retail Cultivation License Application and attachments

The payment has been calculated based upon the following:

| | |
|------------------------------------|------------------|
| Retail store application fee | \$ 2500.00 |
| Retail cultivation application fee | 2500.00 |
| Retail store license fee | 2500.00 |
| Retail cultivation license fee | 2500.00 |
| Square foot Cultivation fee | 5000.00 |
| Less amount forwarded by MED | <u>(5000.00)</u> |
| Amount due | \$10,000.00 |

* Please also accept this letter as confirmation of Cannaco's intent to enter into a Security and Alarm System Contract operated by an off-site, bonded and insured central alarm monitoring company. Cannaco will execute this contract and install the system as soon as Cannaco can physically have possession of the property.



cannaco

8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

Cannaco sincerely appreciates the City of Trinidad's hard work and efforts in accomplishing the task at hand. We look forward to operating our business in the City of Trinidad and sustaining a mutually beneficial relationship.

Thank you again.

Best Regards,

Cynthia L. Genova
Chair Woman
Canna Company



VIA EMAIL TRANSMISSION

January 13, 2015

City of Trinidad
135 North Animas Street
Trinidad, CO 81082

Re: 3019 Toupal Drive Site Lighting Plan
3019 Toupal Drive Site Surveillance Camera Plan

Good Day:

Please find attached the site plans regarding the above referenced subject matter.

Feel free to contact me with any questions.

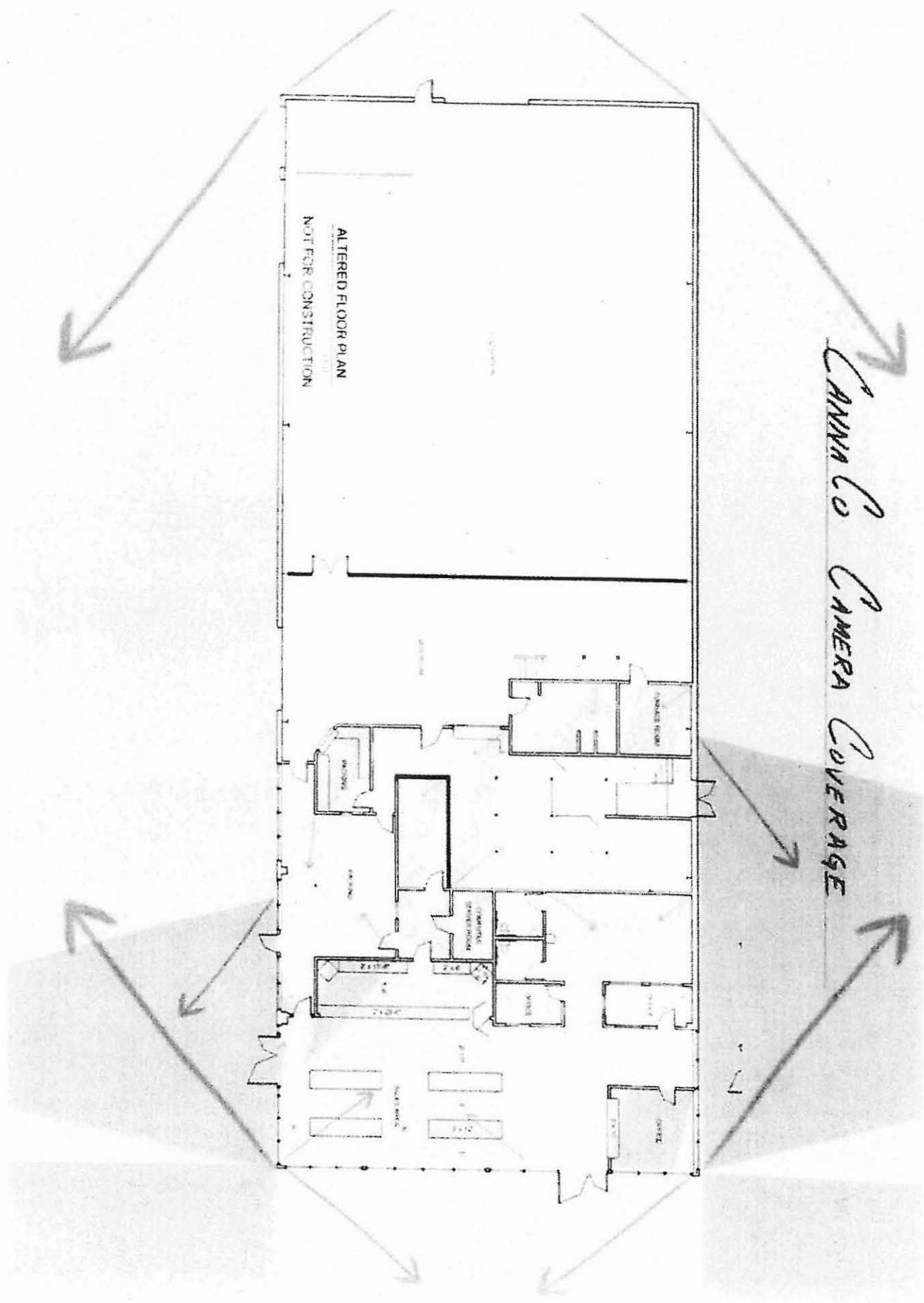
Sincerely,

Cynthia L. Genova
Chairman
Canna Company

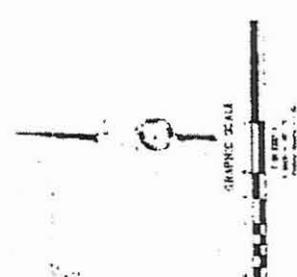
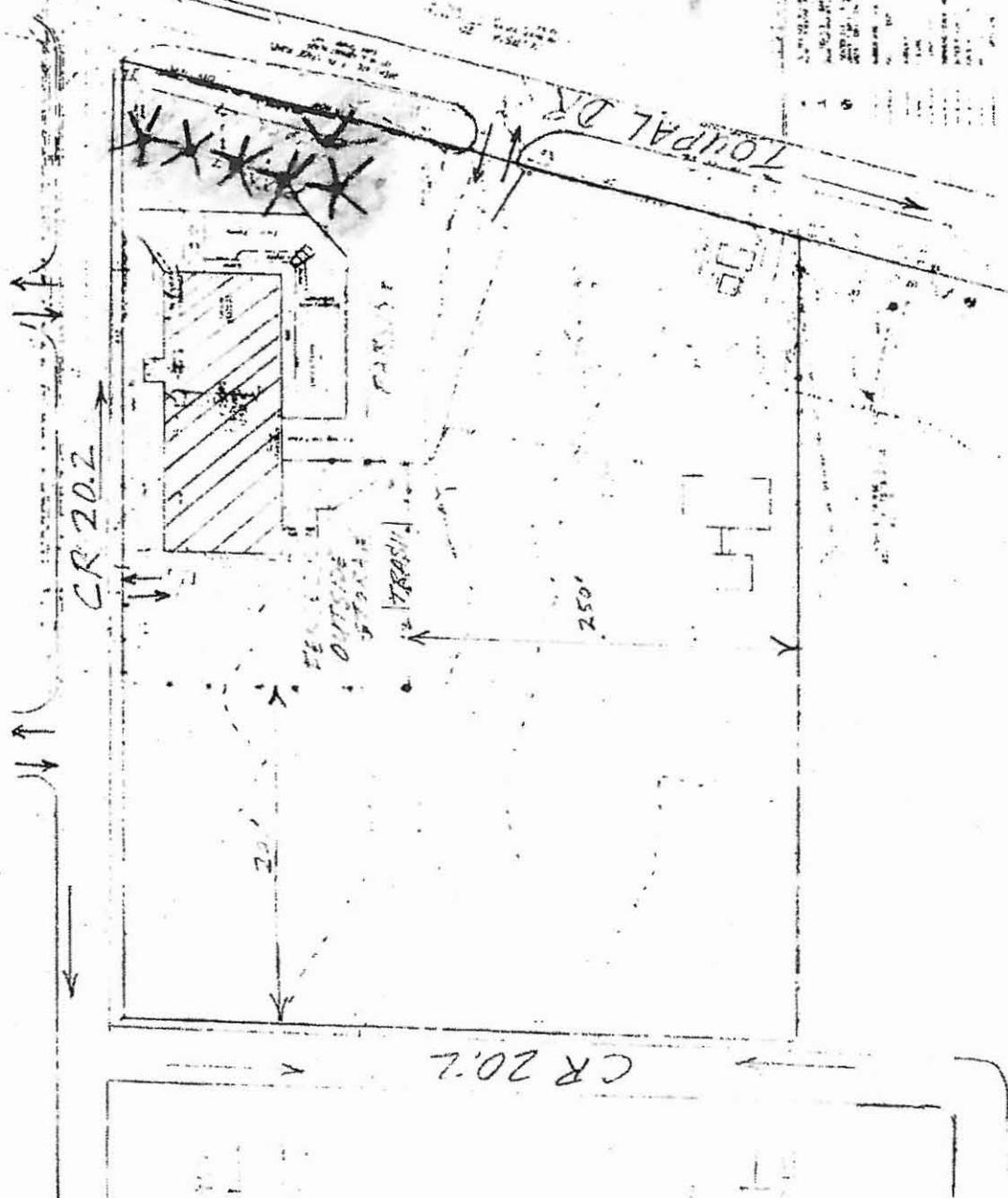
Canna Company
3019 Toupal Drive, Trinidad, CO 81082
719.680.8087 www.canna.co.com

ALTERED FLOOR PLAN
NOT FOR CONSTRUCTION

CANNA Co CAMERA COVERAGE



WALMART



CANNA CO



BUILDING FOOTPRINT
LIGHT POSTS

| NO. | DESCRIPTION | DATE | BY | SCALE |
|-----|-------------|----------|-----------------|----------|
| 1 | PRELIMINARY | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 2 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 3 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 4 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 5 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 6 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 7 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 8 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 9 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 10 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 11 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 12 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 13 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 14 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 15 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 16 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 17 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 18 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 19 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 20 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 21 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 22 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 23 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 24 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 25 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 26 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 27 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 28 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 29 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 30 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 31 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 32 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 33 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 34 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 35 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 36 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 37 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 38 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 39 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 40 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 41 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 42 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 43 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 44 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 45 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 46 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 47 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 48 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 49 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |
| 50 | REVISED | 11/15/05 | J. M. [unclear] | 1" = 40' |

TRAFFIC FLOW

QUALITY .11

CR 20.2

250'

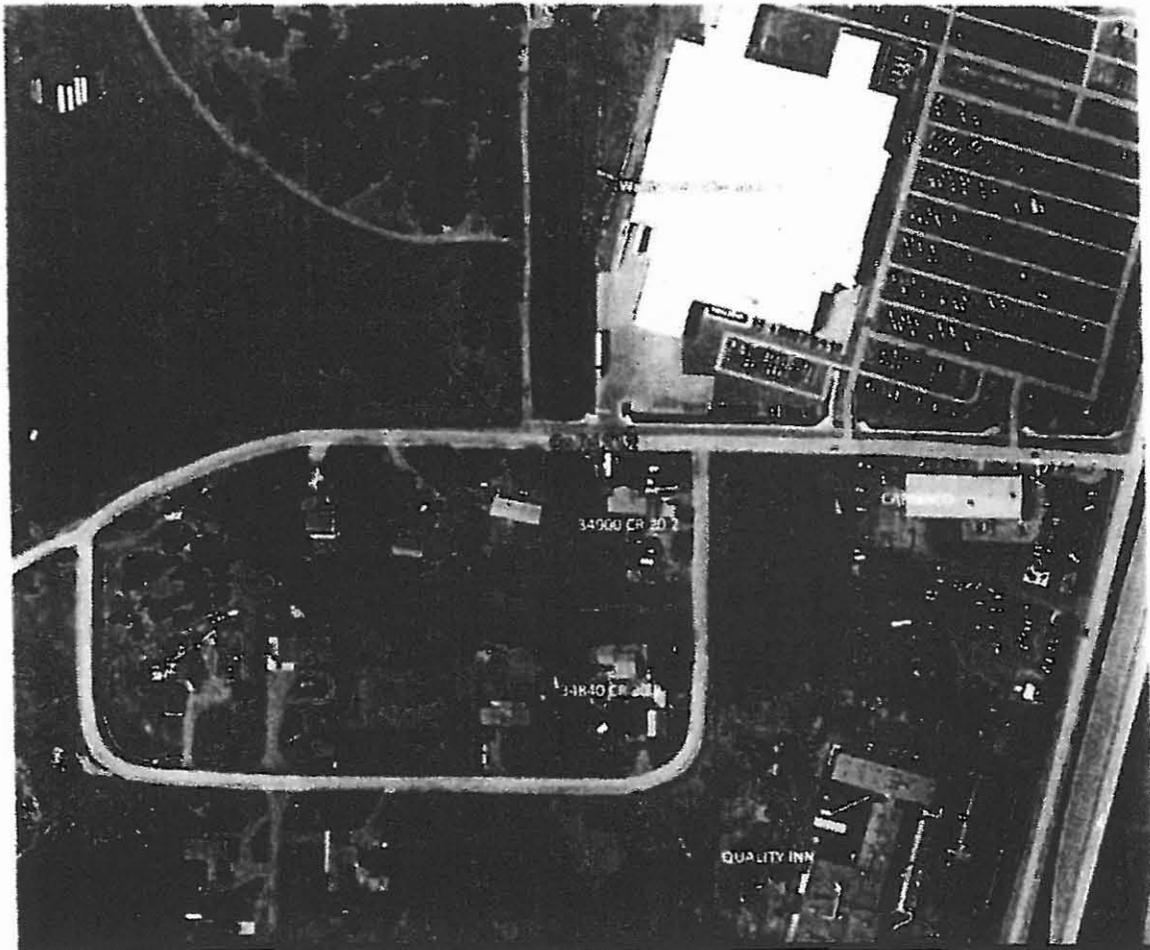
20'

OUTSIDE STORAGE

TRASH

TOPPAL DR

SITE AERIAL IMAGE



CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by: **CannaCo**
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087
September 7, 2014



Individual History Record
City of Trinidad, Colorado

**CONFIDENTIAL INFORMATION
NOT FOR PUBLIC DISCLOSURE**

PLEASE PRINT CLEARLY IN BLACK INK

To be completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company *MANAGING* members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers and employees of a Medical Marijuana License.

NOTICE: This individual history record provides basic information which is necessary for the licensing authority investigation. All questions must be answered in their entirety or your application may be delayed or not processed. EVERY answer you give will be checked for its truthfulness. A deliberate falsehood or omission will jeopardize the application as such falsehood within itself constitutes evidence regarding the character of the applicant.

1. Owner/Company Name CANNA COMPANY
 2. D/B/A (Doing Business As) CANNA Co
 3. Business address 3019 TOUPAL DR TRINIDAD CO 81082
 4. Business License # PENDING

5. Your Full Name (last, first, middle)
GENOVA CYNTHIA LOUISE

6. List any other names you have used

7. Mailing address (If different from residence)

8. Phone
719-680-8087

9. List All Other Medical Marijuana Licenses issued to Applicant (Attach separate sheet if necessary)
NONE

Location

10. Identify Medical Marijuana Optional Premise License, license number, and issuer of said license.
NONE

11. List all residence addresses below. Include current and previous addresses for the past five years.

| | STREET AND NUMBER | CITY, STATE, ZIP | FROM | TO |
|----------|-------------------|--------------------------|-------------|----------------|
| Current | <u>[REDACTED]</u> | <u>LAKWOOD, CO 80226</u> | <u>1998</u> | <u>PRESENT</u> |
| Previous | _____ | _____ | _____ | _____ |
| | _____ | _____ | _____ | _____ |

12. List all current and former employers or businesses engaged in within the last five years (Attach separate sheet if necessary)

| NAME OF EMPLOYER | ADDRESS (STREET, NUMBER, CITY, STATE, ZIP) | POSITION HELD | FROM | TO |
|------------------|--|---------------|------|---------|
| OGESC | 500 GARRISON ST LAKEWOOD CO 80226 | CUST SERV | 2013 | PRESENT |
| JEFFCO SCHOOLS | 1829 DENVER WEST BLVD GOLDEN CO 80401 | EDUCATOR | 1999 | 2013 |

13. List the name(s) of relatives working in or holding a financial interest in the Colorado Medical Marijuana Industry.

| NAME OF RELATIVE | RELATIONSHIP TO YOU | POSITION HELD | NAME OF LICENSEE |
|------------------|---------------------|---------------|------------------|
| NONE | | | |

NONE

14. Have you ever applied for, held, or had an interest in a State of Colorado Medical Marijuana License, or loaned money, furniture or fixtures, equipment or inventory, to any Medical Marijuana licensee? If yes, answer in detail. YES NO

NONE

15. Have you ever received a violation notice suspension or revocation, for a law violation, or have you applied for or been denied a Medical Marijuana License anywhere in the U.S.? If yes, explain in detail. YES NO

NONE

16. 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? Include all arrests. If yes, explain in detail; include date, charge and disposition. YES NO

NONE

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

NONE

18. Have you ever had any STATE issued licenses suspended, revoked, or denied including a drivers license? If yes, explain in detail. YES NO

NONE

I fully understand that the Trinidad Police Department conducts a background investigation of all applicants (using this application for its beginning point), who are being considered for a Medical Marijuana License. This investigation includes, but is not limited to, an investigation of past employment, financial stability, driving records and character. I hereby waive any and all rights that I may have to examine, review, or inspect any documents or information of whatever kind, form or nature, obtained in the course of the background investigation.

I hereby authorize any person who is contacted by the Trinidad Police Department's personnel to release any information to the Trinidad Police Department pertaining to the background investigation.

I also understand hereby that this application and any and all papers and other exhibits submitted by me or any person, government agency, former employer, private business, or any other individual or group of individuals become, upon submission to the Trinidad Police Department, the property of the City of Trinidad, State of Colorado, and can not and will not be returned to me under any circumstances whatsoever, and will not be disclosed to me.

I authorize the Trinidad Police Department to release any information or documents collected during the application process to any person or entity lawfully empowered to obtain this information or documents.

I further agree to release and hold harmless any person releasing such information to the Trinidad Police Department from any and all liability or claims that I may have against that person arising out of the release of such information.

I further agree to release and hold harmless the City of Trinidad, its elected officials, officers, agents and employees from any and all liability or claims which I may have arising out of the disclosure of such information to the Trinidad Police Department for use by the Trinidad Police Department in the consideration of my application for a Medical Marijuana License, the disclosure or release of any information or documents by the Trinidad Police Department or agents thereof collected during the application process to any person or entity lawfully empowered to obtain such information or documents.

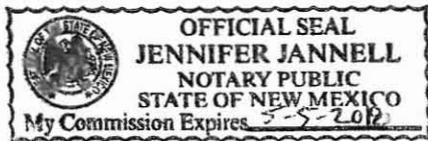
This Affidavit is made for purposes of inducing the Local Medical Marijuana Licensing Authority of the City of Trinidad, Colorado, to approve the aforementioned Medical Marijuana license application. This Affidavit is made with the knowledge and consent by me; and if this Affidavit for any reason proves to be false, the Trinidad Medical Marijuana Authority may revoke the license previously issued to me in reliance upon this Affidavit and said revocation may be accomplished without the necessity of any hearing.

Cynthia L. Genova
Signature of Applicant

The foregoing Affidavit was subscribed and sworn to before me this 5 day of December, 2014, by Cynthia L. Genova

Witness my hand and official seal.

My commission expires 5-5-2018



Jennifer Jannell
Notary Public

Owner/Manager Approval (Required)

I, CYNTHIA L. GENOVA, Owner/Manager of CANNA Co
Owner or Manager's Name Printed Here Business Name Printed Here

acknowledge and approve the submittal of an application for CYNTHIA L. GENOVA
Applicant's Printed Name Here



Trinidad Police Department

2309 E Main St.

Trinidad, Co 81082

(719) 846-4441 (719) 846-3728 (fax)

To Audra Garrett
From Det Sgt Phil Martin
January 13, 2015

A handwritten signature in black ink, appearing to be "Phil Martin", is written over the text of the letterhead.

RE: Cynthia Louise Genova

To Whom It May concern:

A check of various public data bases has been conducted. This agency found NO RECORD for the above listed applicant. ~~The applicants fingerprint results are also attached to this letter~~

If further information is required, please feel free to contact this agency

Colorado Marijuana Licensing Authority Retail Business License Application

| License Types & Fees (See Application Checklist for details on license types and fees.) | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Retail Marijuana Store

<input type="checkbox"/> Retail Marijuana Cultivation

<input type="checkbox"/> Retail Marijuana Test Facility | <input type="checkbox"/> Tier 1 = 3600 or fewer plants

<input type="checkbox"/> Tier 2 = 3601 – 6000 plants

<input type="checkbox"/> Tier 3 = 6001–10200 plants | <input type="checkbox"/> Retail Marijuana Products Manufacturer

<input type="checkbox"/> Conversion

<input type="checkbox"/> Retail/Medical Marijuana Combined Use | |
| Applicant's Legal Business Name (Please Print)
Canna Company | | Marijuana License Number (Assigned by Division) | |
| Trade Name (DBA) (Provide Trade Name Registration)
CannaCo | | Website Address
www.canna.co.com | |
| Physical Address | | | |
| Street Address of Marijuana Business
3019 Toupal Dr | | | City
Trinidad |
| Business Phone Number
(719) 680-8087 | | | Business Fax Number |
| Business Phone Number | | | Email Address
josh@canna.co.com |
| Mailing Address (if different from Business Address) | | | |
| Address
8210 Cherry Blossom Dr | | City
Windsor | State
CO |
| Primary Contact Person for Business
Joshua Bleem | | Title
GENERAL MANAGER | Primary Contact Phone Number
(719) 680-8087 |
| Primary Contact Address (city, state ZIP)
8210 Cherry Blossom Dr, Windsor, CO 80550 | | NTD
10/20/14 | Primary Contact Fax Number |
| Federal Taxpayer ID | | Colorado Sales Tax License #
30460950 | Email Address
josh@canna.co.com |
| Type of Business Structure | | | |
| <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company
<input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Publicly Traded Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Other _____ | | | |
| State of Incorporation or Creation of Business Entity
Colorado | | | Date
08/23/2014 |
| Date of Qualification to Conduct Business in Colorado (Provide Certificate of Good Standing from the Colorado Secretary of State's Office)
08/23/2014 | | | |
| If a Corporation, List all States Where the Corporation is Authorized to Conduct Business
Colorado | | | |
| List all Trade Names used by the Business Entity (other than above)
N/A | | | |
| Attach copies of all articles of incorporation, bylaws, articles of organization, or a true copy of any partnership or trust agreement, including any and all amendments to such.

If a corporation, attach copies of all annual and bi-annual reports, SEC filings, if any, and all minutes from all corporate meetings for the past 12 months. | | | |

| | | | |
|--|--|--|--|
| 1. Is 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) or manager under the age of twenty-one years? | Yes No
<input type="checkbox"/> <input checked="" type="checkbox"/> | | |
| 2. Has 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) or manager ever (in Colorado or any other state);
(a) been denied a privileged license (ie: Liquor, Gaming, Racing and Marijuana)? <input type="checkbox"/> <input checked="" type="checkbox"/>
(b) had a privileged license (ie: Liquor, Gaming, Racing and Marijuana) suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/>
(c) had interest in another entity that had a privileged (ie: Liquor, Gaming, Racing and Marijuana) license denied, suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered yes to 2a, b or c, explain in detail on a separate sheet. | | | |
| 3. Has a Marijuana 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 current or former financial interest in said business including any loans to or from a licensee. <input type="checkbox"/> <input checked="" type="checkbox"/> | | | |
| 4. Does the applicant have legal possession of the premises by virtue of ownership, lease or other arrangement? Attach all documentation showing legal possession. Deed, Title, sale or lease agreements etc.
<input type="checkbox"/> Ownership <input checked="" 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: | | | |
| Landlord
John H & Marsha M Lackey Trust | Tenant
Canna Company | | |
| Expires | | | |
| Attach a diagram of the premises to be licensed and outline or designate the area (including dimensions) which shows the limited access areas, walls, partitions, entrances, exits and what each room shall be utilized for in this business, including security equipment locations. This diagram should be no larger than 8 1/2" X 11". (It does not have to be to scale) | | | |
| 5. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies, trusts), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money or profits from this business. Attach a separate sheet if necessary. | | | |
| Name | Date of Birth | FEIN OR SSN | Interest |
| N/A | | | |
| | | | |
| | | | |
| | | | |
| 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. | | | |
| Local Licensing Authority (To be filled out by Applicant) | | | |
| Local Licensing Authority/Department
City of Trinidad | | Address
135 North Animas Street, Trinidad, CO 81082 | |
| Local Licensing Authority contact name
Audra Garrett/City Clerk | | Contact Phone
(719) 846-9843 | Contact Email
audra.garrett@trinidad.co.gov |
| 6. Has the Applicant filed for a retail marijuana cultivation? | | | Yes No
<input checked="" type="checkbox"/> <input type="checkbox"/> |
| What City or County? (Fill out a separate and complete application) | | | |
| 7. Does the Retail Applicant have evidence of a good and sufficient bond in the amount of \$5000.00 in accordance with 12-43.4-303 C.R.S. (Include evidence with application)? | | | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| Printed Legal Business Name
Canna Company | | Printed Trade Name (DBA)
CannaCo | |

| | | | |
|--|-------------------------|--|--|
| 1. Is 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) or manager under the age of twenty-one years? | | Yes No
<input type="checkbox"/> <input checked="" type="checkbox"/> | |
| 2. Has 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) or manager ever (in Colorado or any other state);
(a) been denied a privileged license (ie: Liquor, Gaming, Racing and Marijuana)?
(b) had a privileged license (ie: Liquor, Gaming, Racing and Marijuana) suspended or revoked?
(c) had interest in another entity that had a privileged (ie: Liquor, Gaming, Racing and Marijuana) license denied, suspended or revoked? | |
<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> <input checked="" type="checkbox"/> | |
| If you answered yes to 2a, b or c, explain in detail on a separate sheet. | | | |
| 3. Has a Marijuana 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 current or former financial interest in said business including any loans to or from a licensee. | |
<input type="checkbox"/> <input checked="" type="checkbox"/> | |
| 4. Does the applicant have legal possession of the premises by virtue of ownership, lease or other arrangement? Attach all documentation showing legal possession. Deed, Title, sale or lease agreements etc.
<input type="checkbox"/> Ownership <input checked="" 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: | | | |
| Landlord
John H & Marsha M Lackey Trust | Tenant
Canna Company | Expires | |
| Attach a diagram of the premises to be licensed and outline or designate the area (including dimensions) which shows the limited access areas, walls, partitions, entrances, exits and what each room shall be utilized for in this business, including security equipment locations. This diagram should be no larger than 8 1/2" X 11". (It does not have to be to scale) | | | |
| 5. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies, trusts), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money or profits from this business. Attach a separate sheet if necessary. | | | |
| Name | Date of Birth | FEIN OR SSN | Interest |
| N/A | | | |
| | | | |
| | | | |
| | | | |
| 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. | | | |
| Local Licensing Authority (To be filled out by Applicant) | | | |
| Local Licensing Authority/Department
City of Trinidad | | Address
135 North Animas Street, Trinidad, CO 81082 | |
| Local Licensing Authority contact name
Audra Garrett/City Clerk | | Contact Phone
(719) 846-9843 | Contact Email
audra.garrett@trinidad.co.gov |
| 6. Has the Applicant filed for a retail marijuana cultivation? | | Yes No
<input checked="" type="checkbox"/> <input type="checkbox"/> | |
| What City or County? (Fill out a separate and complete application)
Trinidad Colorado | | | |
| 7. Does the Retail Applicant have evidence of a good and sufficient bond in the amount of \$5000.00 in accordance with 12-43.4-303 C.R.S. (Include evidence with application)? | | <input checked="" type="checkbox"/> <input type="checkbox"/> | |
| Printed Legal Business Name
Canna Company | | Printed Trade Name (DBA)
CannaCo | |

Ownership Structure

List all persons and/or entities with any ownership interest, and all officers and directors, whether they have ownership interest or not. If an entity (corporation, partnership, LLC, etc.) has interest, list all persons associated with such entity, their ownership in the entity, and their effective ownership in the license. List all parent, holding or other intermediary business interest. An Associated Key License Application form must be submitted for all persons in a privately held company or a publicly traded corporation, and all officers and directors.

ATB
10/20/14
J
02/20/14

| | | | | | | | | | |
|--|--|--------------------------------------|--|--|--|------------------------------|--------------------------------------|--|--|
| Name
Cynthia Genova | | Title
Chair Person | | SSN/FEIN
[REDACTED] | | DOB
[REDACTED] | | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address
[REDACTED] | | City
Lakewood | | State
CO | | ZIP
80226 | | Phone Number
[REDACTED] | |
| Business Associated with (Parent business or sub-entity)
Canna Company | | | | Own. % Business Associated with
100 | | | Effective Own. % in Applicant
100 | | |
| Name
Joshua Bleem | | Title
President | | SSN/FEIN
[REDACTED] | | DOB
[REDACTED] | | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address
[REDACTED] | | City
Windsor | | State
CO | | ZIP
80550 | | Phone Number
[REDACTED] | |
| Business Associated with (Parent business or sub-entity)
Canna Company | | | | 0 | | | 0 | | |
| Name
[REDACTED] | | Title
VP/Sec/Treasurer | | SSN/FEIN
[REDACTED] | | DOB
[REDACTED] | | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address
[REDACTED] | | City
Windsor | | State
CO | | ZIP
80550 | | Phone Number
[REDACTED] | |
| Business Associated with (Parent business or sub-entity)
Canna Company | | | | 0 | | | 0 | | |
| Name | | Title | | SSN/FEIN | | DOB | | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address | | City | | State | | ZIP | | Phone Number | |
| Business Associated with (Parent business or sub-entity) | | | | Own. % Business Associated with | | | Effective Own. % in Applicant | | |
| Name | | Title | | SSN/FEIN | | DOB | | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address | | City | | State | | ZIP | | Phone Number | |
| Business Associated with (Parent business or sub-entity) | | | | Own. % Business Associated with | | | Effective Own. % in Applicant | | |
| Name | | Title | | SSN/FEIN | | DOB | | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address | | City | | State | | ZIP | | Phone Number | |
| Business Associated with (Parent business or sub-entity) | | | | Own. % Business Associated with | | | Effective Own. % in Applicant | | |
| Name | | Title | | SSN/FEIN | | DOB | | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Address | | City | | State | | ZIP | | Phone Number | |
| Business Associated with (Parent business or sub-entity) | | | | Own. % Business Associated with | | | Effective Own. % in Applicant | | |
| Are there any outstanding options and warrants?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *If YES, attach list of persons with outstanding options and warrants | | | | | | | | | |
| Are there any other persons, other than those listed in the Ownership Structure, including but not limited to suppliers, lenders and landlords, who will receive, directly or indirectly, any compensation or rents based upon a percentage or share of gross proceeds or income of the Marijuana business?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *If YES, attach list of persons | | | | | | | | | |

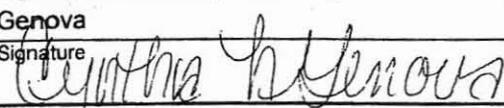
| | |
|---|---|
| Printed Legal Business Name
Canna Company | Printed Trade Name (DBA)
CannaCo |
| 1. Has the applicant, the applicant's parent company or any other intermediary business entity ever applied for a Marijuana license in this or any other jurisdiction, foreign or domestic, whether or not the license was ever issued? If YES, provide details on a separate sheet, including jurisdiction, type of license, license number, and dates license held or applied for. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Has the applicant, the applicant's parent company or any other intermediary business entity ever been denied a Marijuana license, withdrawn a Marijuana license or had any disciplinary action taken against any Marijuana license that they have held in this or any other jurisdiction, foreign or domestic? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Financial History | |
| 1. Is the applicant, the applicant's parent company or any other intermediary business entity delinquent in the payment of any judgments or tax liabilities due to any governmental agency anywhere? If YES, provide details on a separate sheet and attach any documents to prove settlement or resolution of the delinquency. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Has the applicant, the applicant's parent company or any other intermediary business entity filed a bankruptcy petition in the past 5 years, had such a petition filed against it, or had a receiver, fiscal agent, trustee, reorganization trustee or similar person appointed for it? If YES, provide details on a separate sheet and attach any documents from the bankruptcy court. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Is the applicant, the applicant's parent company or any other intermediary business entity currently a party to, or has it ever been a party to, in any capacity, any business trust instrument? If YES, provide details on a separate sheet. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Has a complaint, judgment, consent decree, settlement or other disposition related to a violation of federal, state or similar foreign antitrust, trade or security law or regulation ever been filed or entered against the applicant, the applicant's parent company or any other intermediary business entity? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Has the applicant, the applicant's parent company or any other intermediary business entity been a party to a lawsuit in the past 5 years, either as a plaintiff or defendant, complainant or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 6. Has the applicant, the applicant's parent company or any other intermediary business entity filed a business tax return in the past two years? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Has the applicant, the applicant's parent company or any other intermediary business entity completed financial statements, either audited or unaudited, in the past two years? If YES, attach all financial statements completed in the past two years. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 8. Has any interest or share in the profits of the sale of Marijuana been pledged or hypothecated as security for a debt or deposited as a security for the performance of an act or to secure the performance of a contract? If YES, provide details on a separate sheet. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 9. Attach a list detailing the operating and investment accounts for this business, including financial institution name, address, telephone number, and account number for each account. | |
| 10. Attach a list detailing each outstanding loan and financial obligation obtained for use in this business, including creditor name, address, phone number, loan number, loan amount, loan terms, date acquired, and date due. | |
| Person who maintains Applicant's business records
Lynn Bleem | Title
VP/Sec/Treasurer |
| Address
8210 Cherry Blossom Dr, Windsor, CO 80550 | Phone Number
(970) 238-0473 |
| Person who prepares Applicant's tax returns, government forms & reports
Troy Smith | Title
Accountant |
| Address
324 N. San Dimas Avenue, San Dimas, CA 91773 | Phone Number
(909) 305-1762 |
| Location of financial books and records for Applicant's business
Trinidad Colorado | |

2
12/20/14

Affirmation & Consent

I, Cynthia Genova, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Marijuana Business License Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial or revocation of the license. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana License, and for 90 days following the expiration or surrender of such Marijuana license. Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Print Full Legal Agent Name clearly below:

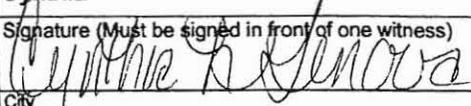
| | | | |
|--|--|--|--|
| Applicant's Business Name
Canna Company | | Trade Name (DBA)
CannaCo | |
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise | |
| Signature
 | | Date
10/12/14 | |

Investigation Authorization Authorization to Release Information

I, Cynthia Genova, as an authorized agent for the applicant, hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigatory Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigatory Agencies to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws.

The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Print Full Legal Name of Authorized Agent clearly below:

| | | | |
|--|--|-----------------------------------|--|
| Applicant's Business Name
Canna Company | | Trade Name (DBA)
CannaCo | |
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise | |
| Legal Agent Title
Chair Person | Signature (Must be signed in front of one witness)
 | | |
| Date (MM/DD/YY)
10/12/2014 | City
Denver | State
CO | |
| Witness 1 Signature
 | | | |

Applicant's Request to Release Information

| | |
|-----|--|
| TO: | FROM: (Applicant's Printed Name)
Cynthia Genova |
|-----|--|

1. I/We hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the Marijuana Enforcement Division whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege.
2. I/We hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the Marijuana Enforcement Division to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
3. I/We hereby authorize and request the Colorado Department of Revenue to permit a duly appointed agent of the Marijuana Enforcement Division to obtain, receive, review, copy, discuss and use any such tax information or documents relating to or concerning the above named applicant, whether or not such information or documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
4. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/we hereby authorize and request that a duly appointed agent of the Marijuana Enforcement Division be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but no limited to past loan information, notes co-signed by me/ us, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets.
5. I/We do hereby make, constitute, and appoint any duly appointed agent of the Colorado Marijuana Enforcement Division, my/our true and lawful attorney in fact for me/us in my/our name, place, stead, and on my/our behalf and for my/our use and benefit:
 - (a) To request, review, copy sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I/we might;
 - (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request;
 - (c) To place the name of the agent presenting this request in the appropriate location on this request.
6. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I/we might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.
7. This power of attorney ends twenty-four (24) months from the date of execution.
8. The above named applicant has filed with the Colorado Marijuana Licensing Authority an application for a Marijuana license. Said applicant understands that it is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. Said applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application.
9. I/We do, for myself/ourselves, my/our heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner or actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request.
10. I/We agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees arising out of or by reason of complying with this request.
11. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original.

Print Full Legal Name of Authorized Agent clearly below:

| | | |
|---|--|-----------------------------------|
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise |
| Legal Agent Title
Chair Person | Signature (Must be signed in front of one witness)
 | |
| Date (MM/DD/YY)
10/12/2014 | City
Denver | State
CO |
| Witness 1 Signature
 | | |
| Signature of Marijuana Enforcement Division agent presenting this request | | Date |

Retail Marijuana Application Checklist:

Revised: June 10, 2014

All applications for conversion or combined use will be treated as new applications requiring all the documents listed below and any others requested by the MED investigators. Once a retail application is submitted, MED will not accept any Changes of Ownership until the license is issued.

X MED will only accept business applications from owners. Managers cannot submit new applications on behalf of the owners. *LEED LYNN + JOSH RUSSELL*

= MED Retail Marijuana License Application Form – DR8548 (On the MED website)
Two (2) complete copies of this application will be required for EACH Retail Store, Cultivation, Marijuana Products Manufacturer or Testing Facility. One (1) copy for the MED and one (1) copy for the Local Licensing Authority.

= Two (2) checks or money orders for each license being applied for. One check made out to the MED (DOR) and one made out to the proper local authority. The application requires you to provide the name of the local authority, a contact name, address, email and phone number so MED can forward the Local Authority the application and fees. Checks will only be accepted from accounts in the business name or in the name of one of the owners. We cannot accept checks from holding companies. Failure to provide Local Authority information and fees will deem the application incomplete.

X LLC's must provide an Operating Agreement and Corporations must provide Articles of Incorporation and Bylaws fully executed and signed by all parties.

X Copy of a current "Certificate of Good Standing" from the Colorado Secretary of State.

X Copy of your current, amended or new lease, in the name of the business, fully executed and signed, for the location the business will be located even if it is the same location as your current Medical Center, OPC or MIP. If you have fully executed and signed a sub-lease then you must also provide a copy of the master lease. If you have a contingency clause it must take effect immediately upon MED approval.

X Floor plans of each facility, to scale, on 8.5 X 11 inch paper. These drawings, at a minimum, will indicate all walls, fixtures in sales area, entrances, exits, safes, storage areas, locations of cameras, DVR(s) and security room(s). Clearly identify the licensed premise area(s).

X Retail Marijuana Sales Tax Bond on the approved State form. You cannot use your existing Medical Bond for your Retail Store. (On the MED website)

Questions for Taxpayer Service Division: Marijuana Hotline 303-205-8287.

X Copy of the current Marijuana State Tax License, if it exists.

X You will be required to sign an Ownership, Funding and Limitation of Ownership Change Agreement. If you are applying for combined use of the same facility for both a Medical Marijuana Center and Retail Marijuana Store you will be required to sign a Letter of Understanding that you cannot sell Medical Marijuana to anyone under the age of Twenty-One (21) years. (These forms will be provided by MED at time of application.)

X Payment of fees

MED will not accept an incomplete application. MED will consider an application incomplete if the required documents are not submitted or the application is not completely filled out and executed, to include the appropriate number of copies. Businesses submitting incomplete applications and fees will be rescheduled for a later date.

RETAIL APPLICANT OWNERSHIP AND FUNDING CERTIFICATION:

On behalf of the Applicant, I certify under the penalty of perjury that on the date signed:

The ownership described above is accurate and complete and includes *all* shareholders or other owners and members of business entities no matter how slight the ownership interest.

The list of associated persons above is complete and includes *all* corporate or company officers, directors (including outside or independent directors), partners, and all persons who have the ability to exercise control over the management policies of the applicant, together with their accurate titles or positions. *Note:* Business entities which own the applicant entity, in whole or in part, must be detailed ownership in the same manner as the applicant.

On behalf of the Applicant, I certify under the penalty of perjury that on the date signed:

All investments and funds used to start and or finance this Applicant's business have been disclosed and accurately reported. These investments and funds were obtained from fully disclosed, legal and legitimate sources. These investments and funds are not involved in any criminal or money-laundering activity and the funds are clear and not derived from any illegal activities.

Upon signature below the applicant also understands and agrees that no change of ownership or change of location will be accepted by the State Licensing Authority, Marijuana Enforcement Division until such time as the applicant is approved for licensing.

| | | |
|-------------------------|----------------------|-----------------|
| <u>Cynthia Genova</u> | <u>Chairperson</u> | <u>10/20/14</u> |
| Signature | Title or Position | Date |
| <u>Cynthia L Genova</u> | <u>Canna Company</u> | _____ |
| Typed or Printed Name | Business Name | License # |

| | | |
|-----------|-------------------|-------|
| _____ | _____ | _____ |
| Signature | Title or Position | Date |

| | | |
|-----------------------|---------------|-----------|
| _____ | _____ | _____ |
| Typed or Printed Name | Business Name | License # |

| | | |
|-----------|-------------------|-------|
| _____ | _____ | _____ |
| Signature | Title or Position | Date |

| | | |
|-----------------------|---------------|-----------|
| _____ | _____ | _____ |
| Typed or Printed Name | Business Name | License # |

| | | |
|--------------|-------------|-----------------|
| <u>_____</u> | <u>C.I.</u> | <u>10.20.14</u> |
| Witnessed By | Title | Date |

RETAIL



COLORADO
Department of Revenue
Enforcement Division - Marijuana

Colorado Business Retail Marijuana License Application

COPY

Marijuana Enforcement Division

Colorado Marijuana Enforcement Division

Retail Business License Application Instructions

APPLICATION CHECKLIST

1 Application Fully Completed

Type or clearly print an answer to every question. If a question does not apply to you, indicate so with an N/A. If you are unsure if a question applies to you or what information the form is asking you to provide, contact any Marijuana Enforcement Division office to seek clarification. If the available space is insufficient, continue on a separate sheet and precede each answer with the appropriate title. A separate application is required for EACH license type.

2 All Forms Signed & Attached

The following accompanying forms must be signed and returned with the application:

- Affirmation & Consent
- Investigation Authorization/Authorization to Release Information
- Applicant's Request to Release Information

3 All Requested Information Attached (Other forms may be made available and may be required at time of application)

The following information requested on the application must be attached, if applicable:

- Trade Name Registration
- Certificate of Good Standing from the Colorado Secretary of State's Office
- Certified Copy of Articles of Incorporation, including amendments for corporations
- Articles of Organization, including amendments and operating agreement for LLC
- ~~Partnership Agreement, or operating/shareholder agreements~~
- If corp., annual and bi-annual reports and meeting minutes from past 12 months
- All applicable information requested on page 6
- Documentation showing legal possession of the premise to be licensed
- Diagram of premise to be licensed (described on page 4, question 4) including security drawing
- Copies of notes, security instruments, etc., (detailed on page 4, question 5 and page 6, question 8)
- Explanation detailing the funding sources used to finance the applicant business
- List of financial institution accounts as detailed on page 6, question 9
- Copy of sales tax and/or wholesale license

Note: The Marijuana Enforcement Division reserves the right to request additional information and documentation throughout the course of the background investigation.

4 Application and License Fees

See fee table on website.

Retail Marijuana license application fees are split between the Marijuana Enforcement Division (MED) and the Local Licensing Authority. In order for the State to accept this application, both the State and Local fees must be paid at the time the application is accepted by MED. This will require two (2) checks or money orders; one made payable to DOR and one made payable to the Local Licensing Authority, for EACH License. You are responsible for knowing who your Local Licensing Authority is.

5 Bring in Application (BY APPOINTMENT ONLY)

Bring in application and all attachments to: Marijuana Enforcement Division
455 Sherman Street, Suite 390
Denver, CO 80203

Colorado Marijuana Licensing Authority Retail Business License Application

| License Types & Fees (See Application Checklist for details on license types and fees.) | | | |
|--|--|--|---------------------------|
| <input type="checkbox"/> Retail Marijuana Store

<input checked="" type="checkbox"/> Retail Marijuana Cultivation

<input type="checkbox"/> Retail Marijuana Test Facility | <input checked="" type="checkbox"/> Tier 1 = 3600 or fewer plants
<i>178 10/20/14</i>
<input checked="" type="checkbox"/> Tier 2 = 3601 - 6000 plants

<input type="checkbox"/> Tier 3 = 6001-10200 plants | <input type="checkbox"/> Retail Marijuana Products Manufacturer

<input type="checkbox"/> Conversion

<input type="checkbox"/> Retail/Medical Marijuana Combined Use | |
| Applicant's Legal Business Name (Please Print)
Canna Company | | Marijuana License Number (Assigned by Division) | |
| Trade Name (DBA) (Provide Trade Name Registration)
CannaCo | | Website Address
www.canna.co.com | |
| Physical Address | | | |
| Street Address of Marijuana Business
3019 Toupal Dr | | | City
Trinidad |
| Business Phone Number
(719) 680-8087 | | | State
CO |
| Business Fax Number | | Email Address
josh@canna.co.com | |
| ZIP
81082 | | | |
| Mailing Address (if different from Business Address) | | | |
| Address
8210 Cherry Blossom Dr | | | City
Windsor |
| State
CO | | | ZIP
80550 |
| Primary Contact Person for Business
Joshua Bleem | | Title
GENERAL MANAGER | |
| Primary Contact Address (city, state ZIP)
8210 Cherry Blossom Dr, Windsor, CO 80550 | | Primary Contact Phone Number
(719) 680-8087 | |
| Primary Contact Fax Number | | Email Address
josh@canna.co.com | |
| Federal Taxpayer ID
[REDACTED] | | Colorado Sales Tax License #
30460950 | |
| Type of Business Structure | | | |
| <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company
<input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Publicly Traded Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Other _____ | | | |
| State of Incorporation or Creation of Business Entity
Colorado | | | Date
08/23/2014 |
| Date of Qualification to Conduct Business in Colorado (Provide Certificate of Good Standing from the Colorado Secretary of State's Office)
08/23/2014 | | | |
| If a Corporation, List all States Where the Corporation is Authorized to Conduct Business
Colorado | | | |
| List all Trade Names used by the Business Entity (other than above)
N/A | | | |
| Attach copies of all articles of incorporation, bylaws, articles of organization, or a true copy of any partnership or trust agreement, including any and all amendments to such.

If a corporation, attach copies of all annual and bi-annual reports, SEC filings, if any, and all minutes from all corporate meetings for the past 12 months. | | | |

| | | | |
|--|-------------------------|--|--|
| 1. Is 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) or manager under the age of twenty-one years? | | Yes No
<input type="checkbox"/> <input checked="" type="checkbox"/> | |
| 2. Has 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) or manager ever (in Colorado or any other state);
(a) been denied a privileged license (ie: Liquor, Gaming, Racing and Marijuana)? <input type="checkbox"/> <input checked="" type="checkbox"/>
(b) had a privileged license (ie: Liquor, Gaming, Racing and Marijuana) suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/>
(c) had interest in another entity that had a privileged (ie: Liquor, Gaming, Racing and Marijuana) license denied, suspended or revoked? <input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered yes to 2a, b or c, explain in detail on a separate sheet. | | | |
| 3. Has a Marijuana 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 current or former financial interest in said business including any loans to or from a licensee. | | <input type="checkbox"/> <input checked="" type="checkbox"/> | |
| 4. Does the applicant have legal possession of the premises by virtue of ownership, lease or other arrangement? Attach all documentation showing legal possession. Deed, Title, sale or lease agreements etc.
<input type="checkbox"/> Ownership <input checked="" 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: | | | |
| Landlord
John H & Marsha M Lackey Trust | Tenant
Canna Company | Expires
15 MAR 2018 | |
| Attach a diagram of the premises to be licensed and outline or designate the area (including dimensions) which shows the limited access areas, walls, partitions, entrances, exits and what each room shall be utilized for in this business, including security equipment locations. This diagram should be no larger than 8 1/2" X 11". (It does not have to be to scale) | | | |
| 5. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies, trusts), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money or profits from this business. Attach a separate sheet if necessary. | | | |
| Name | Date of Birth | FEIN OR SSN | Interest |
| N/A | | | |
| | | | |
| | | | |
| | | | |
| 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. | | | |
| Local Licensing Authority (To be filled out by Applicant) | | | |
| Local Licensing Authority/Department
City of Trinidad | | Address
135 North Animas Street, Trinidad, CO 81082 | |
| Local Licensing Authority contact name
Audra Garrett/City Clerk | | Contact Phone
(719) 846-9843 | Contact Email
audra.garrett@trinidad.co.gov |
| 6. Has the Applicant filed for a retail marijuana cultivation? | | Yes No
<input type="checkbox"/> <input checked="" type="checkbox"/> | |
| What City or County? (Fill out a separate and complete application)
Trinidad Colorado | | | |
| 7. Does the Retail Applicant have evidence of a good and sufficient bond in the amount of \$5000.00 in accordance with 12-43.4-303 C.R.S. (Include evidence with application)? | | <input checked="" type="checkbox"/> <input type="checkbox"/> | |
| Printed Legal Business Name
Canna Company | | Printed Trade Name (DBA)
CannaCo | |

Ownership Structure

List all persons and/or entities with any ownership interest, and all officers and directors, whether they have ownership interest or not. If an entity (corporation, partnership, LLC, etc.) has interest, list all persons associated with such entity, their ownership in the entity, and their effective ownership in the license. List all parent, holding or other intermediary business interest. An Associated Key License Application form must be submitted for all persons in a privately held company or a publicly traded corporation, and all officers and directors.

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10/20/14

J
10/20/14

| | | | | |
|---|--|--------------------------------------|-------------------|---|
| Name
Cynthia Genova | Title
Chair Person | SSN/FEIN
[REDACTED] | DOB
[REDACTED] | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Address
[REDACTED] | City
Lakewood | State
CO | ZIP
80226 | Phone Number
(303) 241-7067 |
| Business Associated with (Parent business or sub-entity)
Canna Company | Own. % Business Associated with
100 | Effective Own. % in Applicant
100 | | |

| | | | | |
|---|--------------------------------------|------------------------------------|-------------------|---|
| Name
Joshua Bleem | Title
President | SSN/FEIN
[REDACTED] | DOB
[REDACTED] | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Address
[REDACTED] | City
Windsor | State
CO | ZIP
80550 | Phone Number
[REDACTED] |
| Business Associated with (Parent business or sub-entity)
Canna Company | Own. % Business Associated with
0 | Effective Own. % in Applicant
0 | | |

| | | | | |
|---|--------------------------------------|------------------------------------|-------------------|---|
| Name
Lynn Bleem | Title
VP/Sec/Treasurer | SSN/FEIN
[REDACTED] | DOB
[REDACTED] | App submitted?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Address
[REDACTED] | City
Windsor | State
CO | ZIP
80550 | Phone Number
[REDACTED] |
| Business Associated with (Parent business or sub-entity)
Canna Company | Own. % Business Associated with
0 | Effective Own. % in Applicant
0 | | |

| | | | | |
|--|---------------------------------|-------------------------------|-----|--|
| Name | Title | SSN/FEIN | DOB | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No |
| Address | City | State | ZIP | Phone Number |
| Business Associated with (Parent business or sub-entity) | Own. % Business Associated with | Effective Own. % in Applicant | | |

| | | | | |
|--|---------------------------------|-------------------------------|-----|--|
| Name | Title | SSN/FEIN | DOB | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No |
| Address | City | State | ZIP | Phone Number |
| Business Associated with (Parent business or sub-entity) | Own. % Business Associated with | Effective Own. % in Applicant | | |

| | | | | |
|--|---------------------------------|-------------------------------|-----|--|
| Name | Title | SSN/FEIN | DOB | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No |
| Address | City | State | ZIP | Phone Number |
| Business Associated with (Parent business or sub-entity) | Own. % Business Associated with | Effective Own. % in Applicant | | |

| | | | | |
|--|---------------------------------|-------------------------------|-----|--|
| Name | Title | SSN/FEIN | DOB | App submitted?
<input type="checkbox"/> Yes <input type="checkbox"/> No |
| Address | City | State | ZIP | Phone Number |
| Business Associated with (Parent business or sub-entity) | Own. % Business Associated with | Effective Own. % in Applicant | | |

Are there any outstanding options and warrants?
 Yes No *If YES, attach list of persons with outstanding options and warrants

Are there any other persons, other than those listed in the Ownership Structure, including but not limited to suppliers, lenders and landlords, who will receive, directly or indirectly, any compensation or rents based upon a percentage or share of gross proceeds or income of the Marijuana business?
 Yes No *If YES, attach list of persons

| | |
|---|---|
| Printed Legal Business Name
Canna Company | Printed Trade Name (DBA)
CannaCo |
| 1. Has the applicant, the applicant's parent company or any other intermediary business entity ever applied for a Marijuana license in this or any other jurisdiction, foreign or domestic, whether or not the license was ever issued? If YES, provide details on a separate sheet, including jurisdiction, type of license, license number, and dates license held or applied for. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Has the applicant, the applicant's parent company or any other intermediary business entity ever been denied a Marijuana license, withdrawn a Marijuana license or had any disciplinary action taken against any Marijuana license that they have held in this or any other jurisdiction, foreign or domestic? If YES, provide details on a separate sheet, including jurisdiction, type of action, and date of action. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Financial History | |
| 1. Is the applicant, the applicant's parent company or any other intermediary business entity delinquent in the payment of any judgments or tax liabilities due to any governmental agency anywhere? If YES, provide details on a separate sheet and attach any documents to prove settlement or resolution of the delinquency. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Has the applicant, the applicant's parent company or any other intermediary business entity filed a bankruptcy petition in the past 5 years, had such a petition filed against it, or had a receiver, fiscal agent, trustee, reorganization trustee or similar person appointed for it? If YES, provide details on a separate sheet and attach any documents from the bankruptcy court. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Is the applicant, the applicant's parent company or any other intermediary business entity currently a party to, or has it ever been a party to, in any capacity, any business trust instrument? If YES, provide details on a separate sheet. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Has a complaint, judgment, consent decree, settlement or other disposition related to a violation of federal, state or similar foreign antitrust, trade or security law or regulation ever been filed or entered against the applicant, the applicant's parent company or any other intermediary business entity? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Has the applicant, the applicant's parent company or any other intermediary business entity been a party to a lawsuit in the past 5 years, either as a plaintiff or defendant, complainant or respondent, or in any other fashion, in this or any other country? If YES, provide details on a separate sheet and attach any documents to prove the settlement of any of these issues. Include any items currently under formal dispute or legal appeal. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 6. Has the applicant, the applicant's parent company or any other intermediary business entity filed a business tax return in the past two years? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Has the applicant, the applicant's parent company or any other intermediary business entity completed financial statements, either audited or unaudited, in the past two years? If YES, attach all financial statements completed in the past two years. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 8. Has any interest or share in the profits of the sale of Marijuana been pledged or hypothecated as security for a debt or deposited as a security for the performance of an act or to secure the performance of a contract? If YES, provide details on a separate sheet. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 9. Attach a list detailing the operating and investment accounts for this business, including financial institution name, address, telephone number, and account number for each account. | |
| 10. Attach a list detailing each outstanding loan and financial obligation obtained for use in this business, including creditor name, address, phone number, loan number, loan amount, loan terms, date acquired, and date due. | |
| Person who maintains Applicant's business records
Lynn Bleem | Title
VP/Sec/Treasurer |
| Address
8210 Cherry Blossom Dr, Windsor, CO 80550 | Phone Number
(970) 238-0473 |
| Person who prepares Applicant's tax returns, government forms & reports
Troy Smith | Title
Accountant |
| Address
324 N. San Dimas Avenue, San Dimas, CA 91773 | Phone Number
(909) 305-1762 |
| Location of financial books and records for Applicant's business
Trinidad Colorado | |

2
12/14

Affirmation & Consent

I, Cynthia Genova, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Marijuana Business License Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Marijuana license by the State Licensing Authority. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial or revocation of the license. I am voluntarily submitting this application to the Colorado Marijuana Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a Colorado Marijuana License, and for 90 days following the expiration or surrender of such Marijuana license. Note: If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Print Full Legal Agent Name clearly below:

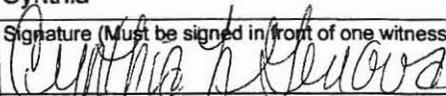
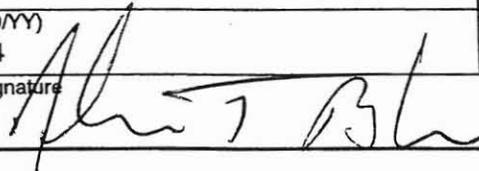
| | | | |
|--|-----------------------------------|-----------------------------------|------------------|
| Applicant's Business Name
Canna Company | | Trade Name (DBA)
CannaCo | |
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise | |
| Signature
<i>Cynthia Genova</i> | | | Date
10/12/14 |

Investigation Authorization Authorization to Release Information

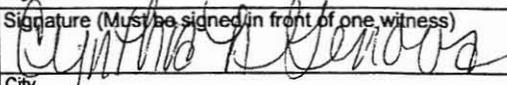
I, Cynthia Genova, as an authorized agent for the applicant, hereby authorize the Colorado Marijuana Licensing Authority, the Marijuana Enforcement Division, (hereafter, the Investigatory Agencies) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigatory Agencies to provide any and all such information deemed necessary by the Investigatory Agencies. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigatory Agencies a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigatory Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigatory Agencies to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigatory Agencies to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws.

The Investigatory Agencies reserve the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigatory Agencies may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to the State of Colorado, Investigatory Agencies, and other agents or employees of the State of Colorado for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings, and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigatory Agencies, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

Print Full Legal Name of Authorized Agent clearly below:

| | | |
|--|--|-----------------------------------|
| Applicant's Business Name
Canna Company | | Trade Name (DBA)
CannaCo |
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise |
| Legal Agent Title
Chair Person | Signature (Must be signed in front of one witness)
 | |
| Date (MM/DD/YY)
10/12/2014 | City
Denver | State
CO |
| Witness 1 Signature
 | | |

Applicant's Request to Release Information

| | | |
|--|--|-----------------------------------|
| TO: | FROM: (Applicant's Printed Name)
Cynthia Genova | |
| <ol style="list-style-type: none"> 1. I/We hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the Marijuana Enforcement Division whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege. 2. I/We hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the Marijuana Enforcement Division to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege. 3. I/We hereby authorize and request the Colorado Department of Revenue to permit a duly appointed agent of the Marijuana Enforcement Division to obtain, receive, review, copy, discuss and use any such tax information or documents relating to or concerning the above named applicant, whether or not such information or documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege. 4. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/we hereby authorize and request that a duly appointed agent of the Marijuana Enforcement Division be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but not limited to past loan information, notes co-signed by me/us, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets. 5. I/We do hereby make, constitute, and appoint any duly appointed agent of the Colorado Marijuana Enforcement Division, my/our true and lawful attorney in fact for me/us in my/our name, place, stead, and on my/our behalf and for my/our use and benefit: <ol style="list-style-type: none"> (a) To request, review, copy sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I/we might; (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request; (c) To place the name of the agent presenting this request in the appropriate location on this request. 6. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I/we might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted. 7. This power of attorney ends twenty-four (24) months from the date of execution. 8. The above named applicant has filed with the Colorado Marijuana Licensing Authority an application for a Marijuana license. Said applicant understands that it is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. Said applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application. 9. I/We do, for myself/ourselves, my/our heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner or actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request. 10. I/We agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees arising out of or by reason of complying with this request. 11. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original. | | |
| Print Full Legal Name of Authorized Agent clearly below: | | |
| Legal Agent Last Name (Please Print)
Genova | Legal Agent First Name
Cynthia | Legal Agent Middle Name
Louise |
| Legal Agent Title
Chair Person | Signature (Must be signed in front of one witness)
 | |
| Date (MM/DD/YY)
10/12/2014 | City
Denver | State
CO |
| Witness 1 Signature
 | | |
| Signature of Marijuana Enforcement Division agent presenting this request | | Date |

Retail Marijuana Application Checklist:

Revised: June 10, 2014

All applications for conversion or combined use will be treated as new applications requiring all the documents listed below and any others requested by the MED investigators. Once a retail application is submitted, MED will not accept any Changes of Ownership until the license is issued.

X MED will only accept business applications from owners. Managers cannot submit new applications on behalf of the owners. - *MEMO JOSH + LYNN PRESENT*

- = MED Retail Marijuana License Application Form – DR8548 (On the MED website)
Two (2) complete copies of this application will be required for EACH Retail Store, Cultivation, Marijuana Products Manufacturer or Testing Facility. One (1) copy for the MED and one (1) copy for the Local Licensing Authority.
- = **Two (2) checks or money orders for each license being applied for. One check made out to the MED (DOR) and one made out to the proper local authority.** The application requires you to provide the name of the local authority, a contact name, address, email and phone number so MED can forward the Local Authority the application and fees. Checks will only be accepted from accounts in the business name or in the name of one of the owners. We cannot accept checks from holding companies. Failure to provide Local Authority information and fees will deem the application incomplete.

X LLC's must provide an Operating Agreement and Corporations must provide Articles of Incorporation and Bylaws fully executed and signed by all parties.

X Copy of a current "Certificate of Good Standing" from the Colorado Secretary of State.

X Copy of your current, amended or new lease, **in the name of the business**, fully executed and signed, for the location the business will be located even if it is the same location as your current Medical Center, OPC or MIP. If you have fully executed and signed a sub-lease then you must also provide a copy of the master lease. If you have a contingency clause it must take effect immediately upon MED approval.

X Floor plans of each facility, **to scale**, on 8.5 X 11 inch paper. These drawings, at a minimum, will indicate all walls, fixtures in sales area, entrances, exits, safes, storage areas, locations of cameras, DVR(s) and security room(s). Clearly identify the licensed premise area(s).

X Retail Marijuana Sales Tax Bond on the approved State form. You cannot use your existing Medical Bond for your Retail Store. (On the MED website)
Questions for Taxpayer Service Division: Marijuana Hotline 303-205-8287.

X Copy of the current Marijuana State Tax License, if it exists.

X You will be required to sign an Ownership, Funding and Limitation of Ownership Change Agreement. If you are applying for combined use of the same facility for both a Medical Marijuana Center and Retail Marijuana Store you will be required to sign a Letter of Understanding that you cannot sell Medical Marijuana to anyone under the age of Twenty-One (21) years. (These forms will be provided by MED at time of application.)

X Payment of fees

MED will not accept an incomplete application. MED will consider an application incomplete if the required documents are not submitted or the application is not completely filled out and executed, to include the appropriate number of copies. Businesses submitting incomplete applications and fees will be rescheduled for a later date.



NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company, Inc. d/b/a/ CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Store license at this location.

Hearing on application will be held on Tuesday, January 20, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By order of the Trinidad City Council.

CITY OF TRINIDAD, COLORADO

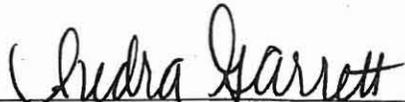


Audra Garrett, City Clerk

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of December, 2014, I mailed the Notice of Public Hearing by first-class mail, postage pre-paid to:

Canna Company, Inc.
CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9898



Audra Garrett, City Clerk



NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company, Inc. d/b/a/ CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Cultivation Facility license at this location.

Hearing on application will be held on Tuesday, January 20, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By order of the Trinidad City Council.

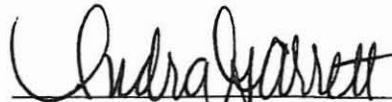
CITY OF TRINIDAD, COLORADO


Audra Garrett, City Clerk

CERTIFICATE OF MAILING

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Canna Company, Inc.
CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
Certified Mail #7014 2120 0004 1880 9911


Audra Garrett, City Clerk

PROOF OF PUBLICATION

STATE OF COLORADO
COUNTY OF LAS ANIMAS} SS

Krysta E. Toci, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general circulation complying with all of the requirements of Articles I to VII, Chapter 130, 1935, Colorado Statutes Annotated, and all other laws of said State, and that said legal / notice has been so published for the period of time prescribed in said newspaper proper and not a supplement.

The attached Notice was published in said newspaper in its issue(s) dated

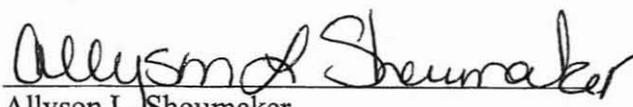
56545

December 30, 2014



Krysta E. Toci

Subscribed and sworn to before me this
30 day of December
A. D., 2014.


Allyson L. Sheumaker

My commission expires on August 26, 2015



My Comm. Expires August 26, 2015

NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company, Inc. d/b/a/ CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Store license at this location.

Hearing on application will be held on Tuesday, January 20, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

Published: December 30, 2014

56545

PROOF OF PUBLICATION

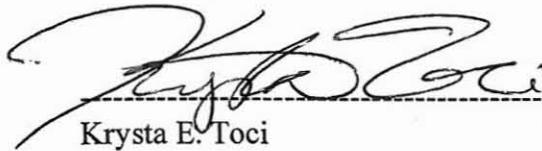
STATE OF COLORADO
COUNTY OF LAS ANIMAS } SS

Krysta E. Toci, of lawful age, being first duly sworn upon oath, deposes and says that she is the authorized agent of The Chronicle-News, daily newspaper of general circulation which is published and circulated in the City of Trinidad, Las Animas County, Colorado, that said newspaper is a newspaper of general circulation complying with all of the requirements of Articles I to VII, Chapter 130, 1935, Colorado Statutes Annotated, and all other laws of said State, and that said legal / notice has been so published for the period of time prescribed in said newspaper proper and not a supplement.

The attached Notice was published in said newspaper in its issue(s) dated

56546

December 30, 2014



Krysta E. Toci

Subscribed and sworn to before me this
30 day of December,
A. D., 2014.



Allyson L. Sheumaker

My commission expires on August 26, 2015



My Comm. Expires August 26, 2015

NOTICE OF PUBLIC HEARING

PURSUANT TO THE MARIJUANA LAWS OF COLORADO, PURSUANT TO THE MARIJUANA LAWS OF COLORADO, Canna Company, Inc. d/b/a CannaCo, 3019 Toupal Drive, Trinidad, CO, has requested the licensing officials of the City of Trinidad to grant a new Retail Marijuana Cultivation Facility license at this location.

Hearing on application will be held on Tuesday, January 20, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 135 N. Animas Street, Trinidad, CO.

Date of Application: December 16, 2014.

Officers: Cynthia L. Genova, 500 Garrison Street, Lakewood, CO 80226

Remonstrances may be filed with the City Clerk's Office, 135 N. Animas, Trinidad, CO.

Dated this 22nd day of December, 2014.

By Order of the Trinidad City Council
Audra Garrett, City Clerk

Published: December 30, 2014

56546

STATE OF COLORADO)

COUNTY OF LAS ANIMAS) SS

CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, Canna Company, Inc., d/b/a CannaCo, 3019 Toupal Drive, Trinidad, Colorado, which business has applied for a new Retail Marijuana Cultivation Facility license at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the 5th day of January, 2016

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 5th day of January, 2016

(SEAL)

CITY OF TRINIDAD, COLORADO

Audra Garrett
Audra Garrett, City Clerk

STATE OF COLORADO)
COUNTY OF LAS ANIMAS) SS
CITY OF TRINIDAD)

CERTIFICATE OF POSTING

I, Audra Garrett, City Clerk of the City of Trinidad, Colorado, do hereby certify that pursuant to the laws of the State of Colorado, Canna Company, Inc., d/b/a CannaCo, 3019 Toupal Drive, Trinidad, Colorado, which business has applied for a new Retail Marijuana Store license at said location, was duly posted for not less than ten continuous days, with the first day of posting occurring on the

5th day of January, 2015

WITNESS, my hand and the official seal of the City of Trinidad, Colorado, this 5th day of January, 2015.

CITY OF TRINIDAD, COLORADO

(SEAL)

Audra Garrett
Audra Garrett, City Clerk

12/22/14

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Canna Company, Inc.

dba: CannaCo

Address: 3019 Toupal Drive

Type of License: Retail Marijuana Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 20, 2015, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: Final inspection needed after
remodel & before opening

12/29/14
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015

12/22/14

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Canna Company, Inc.

dba: CannaCo

Address: 3019 Toupal Drive

Type of License: Retail Marijuana Cultivation Facility

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: January 20, 2015, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: final inspection needed after
remodel & before opening

12-29-14
Date

[Signature]
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015

12/22/14

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Canna Company, Inc.

dba: CannaCo

Address: 3019 Toupal Drive

Type of License: Retail Marijuana Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT

COUNCIL MEETING DATE: January 20, 2015, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: no plans as of yet

1-9-15
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015

12/22/14

DEPARTMENTAL INSPECTION REPORT
3.2% BEER (FERMENTED MALT BEVERAGE)
OR LIQUOR LICENSE

Applicant: Canna Company, Inc.

dba: CannaCo

Address: 3019 Toupal Drive

Type of License: Retail Marijuana Cultivation Facility

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 20, 2015, 7:00 p.m.

DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS: SAMI

1-9-15
Date

Ch
Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015

12/22/2014

**DEPARTMENTAL INSPECTION REPORT
MARIJUANA LICENSE**

Applicant's Name: Canna Company, Inc.

DBA: CannaCo

Business Address: 3019 Toupal Drive

Type of License: Retail Marijuana Store

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE: January 20, 2015

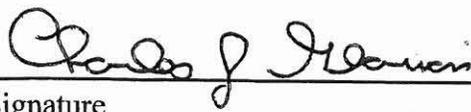
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

This building is under renovation/construction. An additional inspection MUST be completed by this department at the completion of the renovation/construction.

12-29-14
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015

12/22/2014

DEPARTMENTAL INSPECTION REPORT MARIJUANA LICENSE

Applicant's Name: Canna Company, Inc.

DBA: CannaCo

Business Address: 3019 Toupal Drive

Type of License: Retail Marijuana Cultivation Facility

Renewal Transfer Change of Location New Special Event

FOR CONSIDERATION AT
COUNCIL MEETING DATE:

January 20, 2015

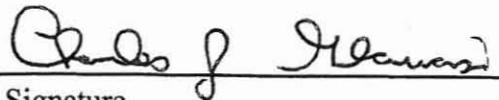
DEPARTMENT REVIEW

DEPARTMENT: FIRE / INSPECTION / POLICE / HEALTH DEPARTMENT

COMMENTS:

This building is under renovation/construction. An additional inspection MUST be completed by this department at the completion of the renovation/construction.

12-29-14
Date


Signature

RETURN TO THE CITY CLERK'S OFFICE BEFORE: January 10, 2015



COLORADO

Department of Transportation

Transportation Systems
Management & Operations

Region 2 Traffic Section
905 Erie Ave., P.O. Box 538
Pueblo, Colorado 81002
(719) 546-5407 Fax:(719) 562-5523

December 17, 2014

ATTN: Cynthia Genova
Canna Company
8210 Cherry Blossom Drive
Windsor, CO 80550

RE: State Highway Access Permit No. 214066, Located on Highway 25, Milepost 11.3, in Las Animas County

Dear Cynthia,

The Colorado Department of Transportation (CDOT) has received your signed permit and application fee. A copy of the issued permit enclosed. CDOT has issued a Notice to Proceed for this permit since the permit did not require any additional construction of the access. Please keep a copy of the access permit and the notice to proceed for your files.

If you have any questions or need more information, please contact me at the office listed above.

Respectfully,

Valerie Sword
Region 2 Access Manager

XC: City of Trinidad
Karami
Hu
Vanmatre/Patrol 1
Johnson/file



| | | |
|--|--------------------|-------------------|
| COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS CODE
NOTICE TO PROCEED | CDOT Permit No. | 214066 |
| | SH/SMP | 25 A / 11.300 / L |
| | Local Jurisdiction | Trinidad |

| | |
|--|--|
| Permittee(s):
John H. & Marcia L. Lackey Rev. Trust
Howard M. Lackey
3019 Toupal Drive
Trinidad, CO 81082 | Applicant:
Canna Company
Cynthia Genova
8210 Cherry Blossom Drive
Windsor, CO 80550 |
|--|--|

The permittee is hereby authorized to proceed with access construction within state highway right-of-way in accordance with the above referenced State Highway Access Permit and this Notice to Proceed.

This Notice to Proceed is valid only if the referenced Access Permit has not expired. Access Permits expire one year from date of issue if not under construction, or completed. Access Permits may be extended in accordance with Section 2.3(11)(d), of the Access Code.

Adequate advance warning is required at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permittee or applicant shall notify the Department prior to commencing construction as indicated on the Access Permit.

Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.

This Notice to Proceed is conditional. The following items shall be addressed prior to or during construction as appropriate.

No new construction is required, all terms and conditions have been met.

Municipality or County Approval (When the appropriate local authority retains issuing authority)

| | | |
|-----------|-------|------|
| By
(X) | Title | Date |
|-----------|-------|------|

This Notice is not valid until signed by a duly authorized representative of the Department
Colorado Department of Transportation

| | | |
|---------------------------------|----------------------------|--------------------|
| By
(X) <i>Valerie Howard</i> | Title
<i>Access Mgr</i> | Date
12/17/2014 |
|---------------------------------|----------------------------|--------------------|

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger

highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element falls within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the

right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

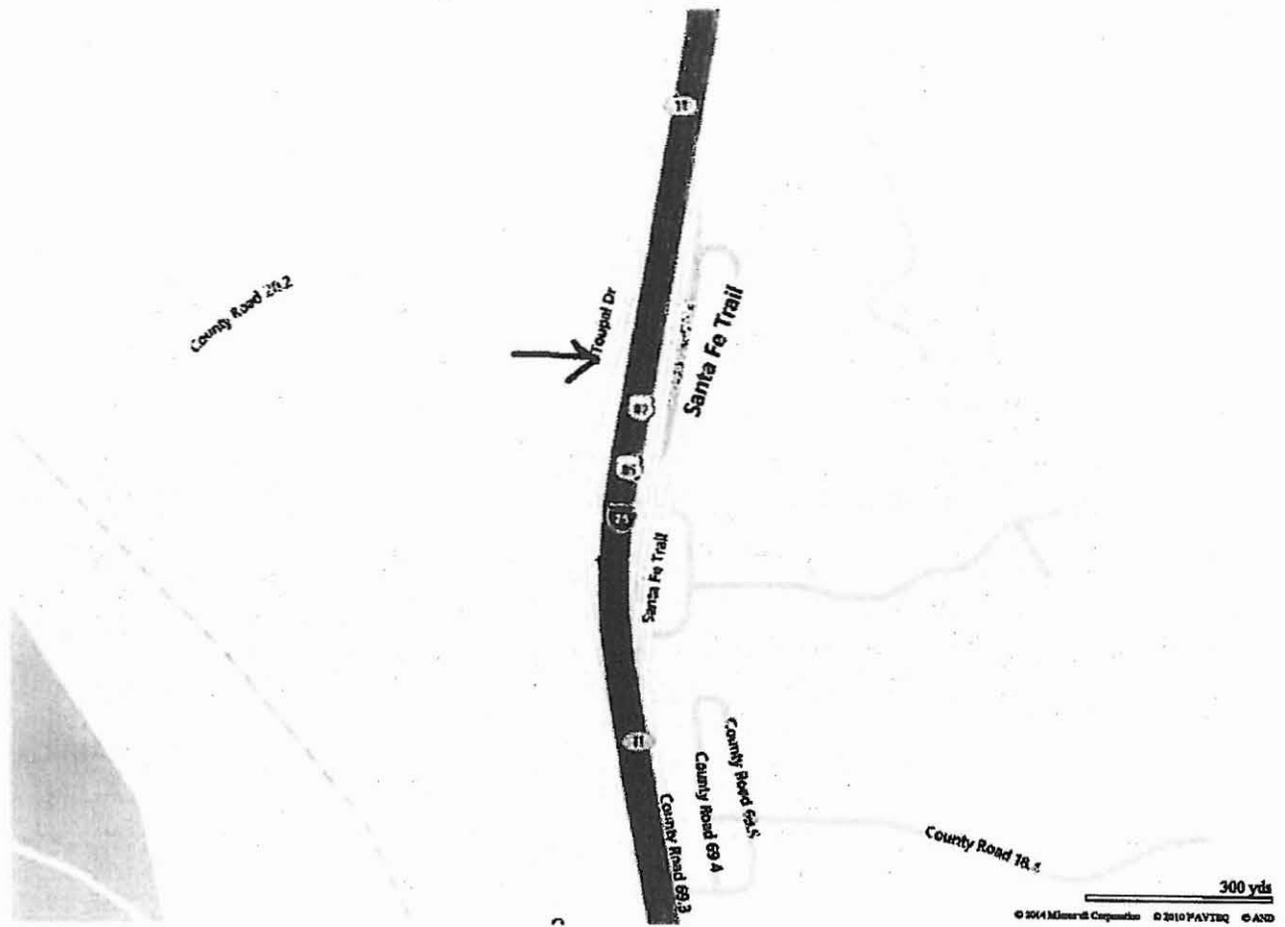
State Highway Access Permit

Attachment to Permit No. 214066 - Additional Terms and Conditions

1

1. A NOTICE TO PROCEED TO CONSTRUCTION, CDOT Form 1265, is required before beginning the construction of the access or any activity in the highway right-of-way. The Notice to Proceed to Construction will be issued upon receipt of this signed permit with appropriate fee.
2. The access is located on the west side of State Highway 25FR, a distance of 1584 feet north from milepost 11 or approximately milepost 11.3.
3. This section of highway is a Category FR highway.
4. This Access Permit is issued to allow access to State Highway 25FR for a change in use of the property. The previous use of the access was to serve a Toyota car dealership. The access will now serve a marijuana cultivation and retail sales operation.
5. No new construction or improvements are required by the issuance of this Access Permit.
6. The following criteria were used to establish this Access Permit:
 - a. The Application for Access Permit (CDOT Form 137) dated October 23, 2014 and accepted by the regional office on October 27, 2014 and all attachments.
 - b. State Highway Access Code, Volume 2, CCR-601-1; Effective date August 31, 1998
 - c. The State Highway Access Category Assignment Schedule, as revised.
 - d. The Colorado Department of Transportation (CDOT) M&S Standard Plans
 - e. Vicinity Map
 - f. Standard Special Provision - Compliance with NCHRP 350 Crashworthiness Certification for Work Zone Traffic Control Devices.
7. Permittee shall comply with the requirements of Title II of the ADA, applicable federal regulations and the ADAAG (ADA Access Guidelines).
8. This Access Permit is issued in accordance with the 1998 State Highway Access Code (2CCR 601-1), and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
9. If necessary, minor changes, corrections and/or additions to the Permit may be ordered by the Department Inspector, other Department representative, or the local authority, to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the permit must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.
10. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the Permit by the Department and/or Issuing Authority.
11. This access will be allowed a full movement. However, left turn movements in and out of this access may be prohibited at some future date.
12. Any additional permits and clearances required by other Federal, State, Local Government Agencies or Ditch Companies is the responsibility of the Permittee and/or Applicant.
13. The Permittee is responsible for obtaining any necessary additional federal, state and/or local government agency permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.

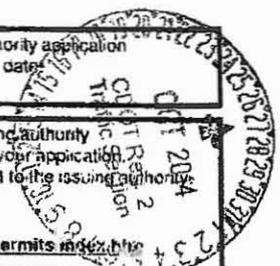
14. The Annual Average Daily Traffic (AADT) volumes approved for this access shall not exceed 100 trips. If in the future, the traffic volumes increase by greater than 20% of the permitted number, the permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.
15. All access permit requirements shall be met prior to the herein-authorized use of this access.
16. Additional CDOT permits are required for work involving water, sanitary sewer, gas, electrical, telephone and landscaping within the right-of-way.
17. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Planting of tree(s), which will be over 4 inches in caliper at maturity, will not be allowed within 30 feet of the edge of the traveled way. All other objects shall not exceed a total height of thirty inches from the top of final grade. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.
18. An access that has a gate across it shall be designed so that the longest vehicle using it can clear the roadway when the gate is closed.
19. Installation of any traffic control device necessary for the safe and proper operation and control of the access shall be required by the permit at the cost of the Permittee.
 - a. All traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the M.U.T.C.D.
 - b. Prior to removing any existing highway signs within the limits of the construction activities, the Permittee must contact Mr. Gary Garcia with the Department. Mr. Garcia can be contacted at (719) 546- 5767.
20. The access width, for an access without curbs, shall be measured exclusive of the radii or flares. The width of any non-traversal median is not counted as part of the access width. Only the travel portion is measured.
21. The surface width of the access shall be 30 feet at the ROW line.
22. All discharges to the CDOT highway drainage system must comply with the applicable provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations, and are subject to inspection by the CDOT and CDPHE. CDOT recommends this development devise and implement a permanent plan for periodic removal and disposal of sediment from detention facilities and for maintenance of development detention facilities. Attached is the CDOT Environmental Clearances Information Summary listing some of the more commonly encountered environmental permits/clearances that may apply to activities and contacts for questions regarding these permits/clearances.
23. The highway drainage system is for the protection of the state highway right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirement of abutting or other properties beyond undeveloped historical flow. Drainage to the state highway right-of-way shall not exceed the undeveloped historical rate of flow.
24. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
25. CDOT retains the right to perform any necessary maintenance work in this area.
26. A "Notice to Proceed" (CDOT Form 1265) is required to complete the access permitting process, even when construction is not required.



Vicinity Map
Access Permit # 214066

**COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION**

Issuing authority application acceptance date:



Instructions:
 - Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
 - Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
 - Complete this form (some questions may not apply to you) and attach all necessary documents and submit it to the issuing authority.
 - Submit an application for each access affected.
 - If you have any questions contact the issuing authority.
 - For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>

Please print or type

| | | | |
|--|--------------------------------|--|---|
| 1) Property owner (Permittee)
John H. Lackey and Marcia Lackey Rev Trust | | 2) Applicant or Agent for permittee (if different from property owner)
Canna Company | |
| Street address
3019 Toupal Drive | | Mailing address
8210 Cherry Blossom Drive | |
| City, state & zip
Trinidad, CO 81082 | Phone #
575-447-7034 | City, state & zip
Windsor, CO 80550 | Phone # (required)
719-680-8087 |
| E-mail address | | E-mail address (available)
josh@canna.co.com | |
| 3) Address of property to be served by permit request:
3019 Toupal Drive | | | |
| 4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one?
See attache | | | |
| 5) What State Highway are you requesting access from?
I-25 Frontage Rd | | 6) What side of the highway?
<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W | |
| 7) How many feet is the proposed access from the nearest mile post?
700 feet <input type="checkbox"/> N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: MM 11 | | How many feet is the proposed access from the nearest cross street?
228 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: Pinon Ridge Rd | |
| 8) What is the approximate date you intend to begin construction? | | | |
| 9) Check here if you are requesting a:
<input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated)
<input checked="" type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> improvement to existing access
<input type="checkbox"/> relocation of an existing access (provide detail): | | | |
| 10) Provide existing property use
Auto Dealership | | | |
| 11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest?
<input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copy: date or permit date: | | | |
| 12) Does the property owner own or have any interests in any adjacent property?
<input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe: | | | |
| 13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property?
<input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points. | | | |
| 14) If you are requesting agricultural field access - how many acres will the access serve?
No | | | |
| 15) If you are requesting commercial or industrial access please indicate the types and number of business and provide the floor area square footage of each. | | | |
| business land use | | square footage | business square footage |
| Retail sales | | 13,500 | |
| 16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units? | | | |
| type | | number of units | type number of units |
| 17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts. | | | |
| Indicate if your counts are:
<input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes. | | | |
| # of vehicles per hour of 20 hr | | # of vehicles per day (average) | # of vehicles per day (peak hour volume) |
| 5 | | 0 | 0 |
| | | Total count of all vehicles | |
| | | 100 | |

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- | | |
|--|---|
| a) Property map indicating other access, bordering roads and streets. | e) Subdivision, zoning or development plan. |
| b) Highway and driveway plan profile. | f) Proposed access design. |
| c) Drainage plan showing impact to the highway right-of-way. | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies. |
| | i) Proof of ownership. |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage <http://www.dot.state.co.us/environmental/Forms.asp>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

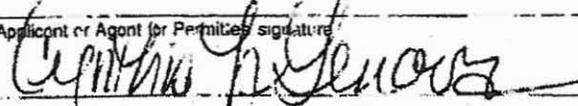
Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.

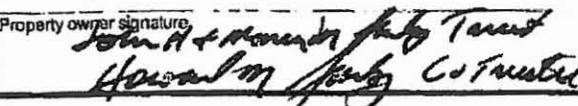
If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

| Applicant or Agent for Permittee signature | Print name | Date |
|---|-----------------------------|------------|
|  | Cynthia L. Genova, Chairman | 10/23/2014 |

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

| Property owner signature | Print name | Date |
|---|---------------------------|------------|
|  | Howard Lackey, Co-Trustee | 10/23/2014 |

CYNTHIA GENOVA
719-680-8087

099

12/15/14

28-71020 2820

Pay to the order of CDOT \$100-
ONE HUNDRED

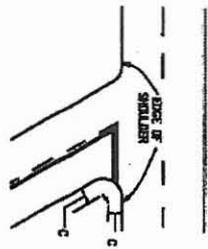
Wells Fargo Bank N.A.
Colorado
wellsfargo.com

PERMIT 214066

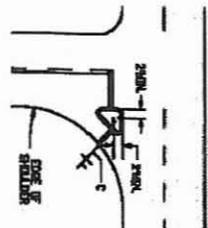
Cynthia Genova

00099

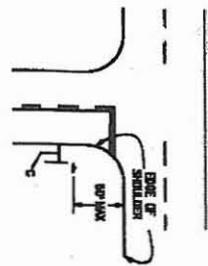




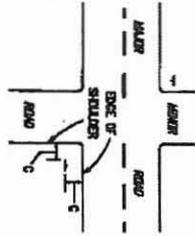
SHARP ANGLE INTERSECTION



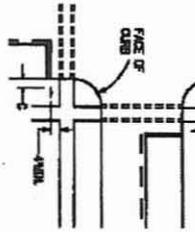
STAGGERED YIELD INTERSECTION



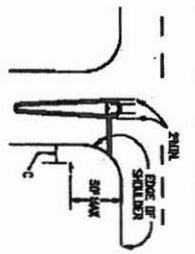
WIDE T-JUNCTION INTERSECTION



MINOR CROSSROAD

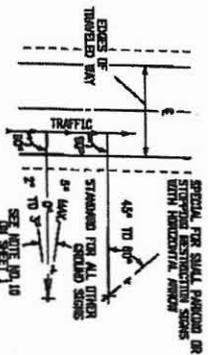


URBAN INTERSECTION



DRIVEWAY T-JUNCTION

TYPICAL LOCATIONS-STOP SIGNS AND YIELD SIGNS



STOP SIGNS PLACED AT AN ANGLE TO THE ROAD SHOULD BE PLACED 50 FT FROM THE CORNER OF THE INTERSECTION. SIGNS PLACED AT AN ANGLE SHOULD GENERALLY BE TURNED TOWARD THE ROAD.

ANGULAR PLACEMENT

PLACEMENT TABLES

| LATERAL PLACEMENT | | VERTICAL PLACEMENT (HORIZONTAL) | |
|-------------------|--|---------------------------------|------------------------|
| KEY | ALL CLASSES OF STREETS AND HIGHWAYS | KEY | PROPORTION EXPRESSIONS |
| *A | UNDERLAY | D | 7'-0" OR NOTE NO. 10 |
| *B | 2'-0" & 4'-0" OR NOTE NO. 4 | E | 6'-0" |
| *C | SHOULDER WITH 10'-0" OR MORE CLEARANCE | F | 6'-0" OR NOTE NO. 10 |
| *D | SHOULDER WITH 10'-0" OR MORE CLEARANCE | G | 5'-0" |
| *E | SHOULDER WITH 10'-0" OR MORE CLEARANCE | H | 5'-0" |
| *F | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *G | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *H | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *I | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *J | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *K | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *L | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *M | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *N | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *O | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *P | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *Q | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *R | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *S | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *T | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *U | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *V | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *W | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *X | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *Y | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |
| *Z | SHOULDER WITH 10'-0" OR MORE CLEARANCE | | |

* SEE NOTE NO. 10 ON SHEET 1

| | | | |
|--|---------------------|--|-----------|
| Computer File Information | | Sheet Revisions | |
| Creation Date: 07/26/12 | Project: R04 | Date: | Comments: |
| Log Location: Denver | Initials: | | |
| Full Path: \\sds\shared\jls\log\07\26\12\07-26-12-01.dwg | | | |
| Drawing File Name: S-614-01.dwg | | | |
| CDI Ver: 12/20/2011 09:58:44 AM | Scale: 1/4" = 1'-0" | Units: English | |
| Colorado Department of Transportation
4201 East Arkansas Avenue
Denver, Colorado 80222
Phone: (303) 757-8443
Fax: (303) 757-8210 | | Safety & Traffic Engineering Branch
R04/AGN | |
| GROUND SIGN PLACEMENT | | STANDARD PLAN NO.
S-614-1 | |
| Issued By: Safety & Traffic Engineering Branch July 4, 2012 | | Sheet No. 2 of 2 | |

COLORADO DEPARTMENT OF TRANSPORTATION Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permitees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive - additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT - Please Review The Following Information Carefully - Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following individuals or agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information - (303) 692-2035
Water Quality Control Division (WQCD): (303) 692-3500
Environmental Permitting Website <http://www.cdphe.state.co.us/permits.asp>
- CDOT Water Quality Program Manager: Rick Willard (303) 757-9343 <http://www.coloradodot.info/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: Theresa Santangelo-Dreiling, (303) 512-5524
- Colorado Office of Archaeology and Historic Preservation: (303) 866-3395
- U.S. Army Corps of Engineers, District Regulatory Offices:
Omaha District (NE Colorado), Denver Office (303) 979-4120 <http://www.nwo.usace.army.mil/html/od-tl/tri-lakes.html>
Sacramento Dist. (Western CO), Grand Junction Office (970) 243-1199 <http://www.spk.usace.army.mil/cespk-co/regulatory/>
Albuquerque District (SE Colorado), Pueblo Reg. Office (719)-543-6915 <http://www.spa.usace.army.mil/reg/>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9854 <http://www.dot.state.co.us/Permits/>

Ecological Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat will require special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://coloradodot.info/programs/environmental/wildlife/guidelines>, or the Colorado Division of Wildlife website <http://wildlife.state.co.us/WildlifeSpecies/SpeciesOfConcern/>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHHP), Denver, to ascertain if historic or archaeological resources have previously been identified. Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are known to exist prior to the initiation of the permitted work or are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM. **Contact Information:** Contact the OAHHP for file search at (303) 866-3395.

Paleontological Resources - The applicant must request a fossil locality file search through the University of Colorado Museum, Boulder, and the Denver Museum of Nature and Science to ascertain if paleontological resources have been previously identified. Inventory of the permit area by a qualified paleontologist may be necessary, per the recommendation of CDOT. If fossils are encountered during the permitted work, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. **Contact Information:** Contact the CDOT Paleontologist at (303) 757-9632.

Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed. **Contact Info:** Andy Flurkey, CDOT Hazardous Materials Project Manager, (303) 512-5520.

Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions. **Contact Info:** CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information **concerning clearance on CDOT projects** is available from the CDOT Asbestos Project Manager (303) 512-5519, or Theresa Santangelo-Dreiling, Property Management Supervisor (303) 512-5524.

Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact Information:** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 989-6748. Colorado Public Utilities Commission. (303) 894-2868

Discharge of Dredged or Fill Material - 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD - Corps of Engineers 404 Permits are required for the discharge of dredged or fill materials into waters of the United States, including wetlands. There are various types of 404 Permits, including Nationwide Permits, which are issued for activities with relatively minor impacts. For example, there is a Nationwide Permit for Utility Line Activities (NWP #12). However, depending upon the specific circumstances, it is possible that either a "General" or "Individual" 404 permit would be required. If an Individual 404 Permit is required, Section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project, and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project. The Colorado Division of Wildlife (CDOW) application, as per guidelines agreed upon by CDOT and CDOW, can be accessed at <http://www.coloradodot.info/programs/environmental/wildlife/guidelines>.

Stormwater Construction Permit (SCP) and Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from construction sites disturbing one acre or more - or certain types of industrial facilities, such as concrete batch plants - requires a CDPS Stormwater Construction Permit. **Contact Information:** For Utility/Special Use activities being performed in conjunction and coordination with a CDOT highway construction contract, please contact the CDOT Water Quality Program Manager at (303) 757-9343. Otherwise, contact the CDPHE Water Quality Control Division at (303) 692-3500. Website: <http://www.cdphe.state.co.us/wq/PermitsUnit/index.html>.

Construction Dewatering (Discharge or Infiltration) - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering Discharge Permit. **Contact Information:** For Construction Dewatering Discharge Permits, contact the CDPHE WQCD at (303) 692-3500. For Dewatering Application and Instructions, see Section 3 at the CDPHE website: <http://www.cdphe.state.co.us/wq/PermitsUnit/FORMSAndApplications/Appsandformsnewpage.htm>

Municipal Separate Storm Sewer System (MS4) Discharge Permit - Discharges from the storm sewer systems of larger municipalities, and from the CDOT highway drainage system that lies within those municipalities, are subject to MS4 Permits issued by the CDPHE WQCD. For facilities that lie within the boundaries of a municipality that is subject to an MS4 permit, the owner of such facility should contact the municipality regarding stormwater related clearances that may have been established under that municipality's MS4 permit. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations Permit # COS-000005 (<http://www.coloradodot.info/programs/environmental/water-quality/documents/CDOT%20MS4%20Permit.doc/view>) and COR-030000 (<http://www.cdphe.state.co.us/wq/PermitsUnit/PERMITS/SWpermitsrats/SWConstructionPermit.pdf>). Discharges are subject to inspection by CDOT and CDPHE. Contact the CDPHE Water Quality Control Division at (303) 692-3500 for a listing of municipalities required to obtain MS4 Permits, or go to <http://www.cdphe.state.co.us/wq/permitsunit/MS4/MS4Permittees.pdf>.

General Prohibition - Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment. Allowable non-stormwater discharges can be found at <http://www.coloradodot.info/programs/environmental/water-quality/glossary.htm#AllowableDischarge>. **Contact Information:** Contact the CDOT Water Quality Program Manager at (303) 757-9343, or the Colorado Department of Public Health and Environment, Water Quality Control Division at (303) 692-3500.

General Authorization - Allowable Non-Stormwater Discharges - Unless otherwise identified by CDOT or the WQCD as significant sources of pollutants to the waters of the State, the following discharges to stormwater systems are allowed without a Colorado Discharge Permit System permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from fire fighting activities. **Contact Information:** The CDOT Water Quality Program Manager or the CDPHE Water Quality Control Division (telephone #'s listed above).

Erosion and Sediment Control Practices - For activities requiring a Stormwater Construction Permit, erosion control requirements will be specified through that permit. In those situations where a stormwater permit is not required, all reasonable measures should be taken in order to minimize erosion and sedimentation according to CDOT 208 specifications. In either case, the CDOT Erosion Control and Stormwater Quality Guide (most recent version) should be used to design erosion controls and to restore disturbed vegetation. **Contact Information:** The CDOT Erosion Control and Stormwater Quality Guide may be obtained from the Bid Plans Office at (303) 757-9313 or from: <http://www.dot.state.co.us/environmental/envWaterQual/wqms4.asp>

Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes", and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being

separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). **Contact Information:** Contact the CDOT / CDPHE Liaison or CDOT Water Quality Program Manager.

Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall only be performed as specified by the CDOT Environmental Program and shall be in accordance to CDOT specifications and guidelines. **Contact Information:** Contact the CDOT Water Quality Program Manager at (303) 757-9343. Website: <http://www.coloradodot.info/programs/environmental/water-quality/revised-m-standards>; refer to the link *Revision of Sections 101, 107, 208, 213 and 620 Water Quality Control One or More Acres of Disturbance* for additional guidance.

Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4446 (4H2O), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608.

About This Form - Questions or comments about this Information Summary may be directed to Alex Karami, CDOT Safety & Traffic Engineering, Utilities Unit, at (303) 757-9841, alex.karami@dot.state.co.us.



APPENDIX G

EXPLANATION OF CORPORATE FUNDING

The founding shareholder, Cynthia L. Genova, of the Canna Corporation will seed the company with \$100,000.00 in startup capital as an equity contribution.

Additional capital is being raised by selling capital stock in the company. The company intends to raise an additional \$300,000.00 to \$400,000.00. All shareholder contributions will be transparent and subject to approval of the shareholder interest by MED.

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087



APPENDIX A

Contents:

1. Trade Name Registration
2. Certificate of Good Standing
3. Certified of Articles of Incorporation
4. Certified Amendments of Incorporation
5. Copy of Federal Identification Number Assignment
6. Copy of Colorado Sales Tax License

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

(The following statement is adopted by marking the box.)

The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual) Bleem Joshua Thomas
(Last) (First) (Middle) (Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address 8210 Cherry Blossom Drive
(Street number and name or Post Office Box information)

Windsor CO 80550
(City) (State) (ZIP Postal Code)
United States.
(Province - if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. The classes of shares and number of shares of each class that the corporation is authorized to issue are as follows.

The corporation is authorized to issue 200,000 common shares that shall have unlimited voting rights and are entitled to receive the net assets of the corporation upon dissolution.

Information regarding shares as required by section 7-106-101, C.R.S., is included in an attachment.

6. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains additional information as provided by law.

7. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm dd yy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

8. The true name and mailing address of the individual causing the document to be delivered for filing are

Bleem _____ Joshua _____
(First) (Last) (Middle) (Suffix)
8210 Cherry Blossom Drive _____
(Street number and name or Post Office Box information)
Windsor _____ CO 80550
(City) (State) (ZIP-Postal Code)
United States _____
(Province - if applicable) (Country)

(if the following statement applies, adapt the statement by marking the box and include an attachment.)

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

8. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

Bleem Joshua
(Last) (First) (Middle) (Suffix)
8210 Cherry Blossom Drive
(Street name and number or Post Office information)
Windsor CO 80550
(City) (State) (Postal-Zip Code)
United States
(Province - if applicable) (Country - if not US)

The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box and include an attachment stating the name and address of such individuals.

Disclaimer:

This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

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

Canna Company

is a **Corporation** formed or registered on 08/23/2014 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 20141506825.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/09/2014 that have been posted, and by documents delivered to this office electronically through 10/12/2014 @ 12:55:21.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 10/12/2014 @ 12:55:21 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8980368.



A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

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

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site 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 Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us>, by clicking on "Certificates" and then "Certificate Confirmation" 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 Web site, <http://www.sos.state.co.us>, click Business Center and select "Frequently Asked Questions."



Colorado Secretary of State
 Date and Time: 09/07/2014 10:37 PM
 ID Number: 20141548028
 Document number: 20141548028
 Amount Paid: \$20.00

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Trade Name of a Reporting Entity

filed pursuant to §7-71-103 and §7-71-107 of the Colorado Revised Statutes (C.R.S)

1. For the reporting entity delivering this statement, its ID number, true name, form of entity and the jurisdiction under the law of which it is formed are

| | |
|----------------|--|
| ID Number | <u>20141506825</u>
<small>(Colorado Secretary of State ID number)</small> |
| True name | <u>Canna Company</u> |
| Form of entity | <u>Corporation</u> |
| Jurisdiction | <u>Colorado</u> |

2. The trade name under which such entity transacts business or conducts activities or contemplates transacting business or conducting activities in this state is

CannaCo

3. A brief description of the kind of business transacted or activities conducted or contemplated to be transacted or conducted in this state under such trade name is

Wholesale and retail sales

4. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

5. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)
 The delayed effective date and, if applicable, time of this document are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

6. The true name and mailing address of the individual causing this document to be delivered for filing are

Bleem Joshua
(Last) (First) (Middle) (Suffix)
8210 Cherry Blossom Drive
(Street number and name or Post Office Box information)
Windsor CO 80550
(City) (State) (Postal Zip Code)
United States
(Province - if applicable) (Country - if not US)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



APPENDIX B

Contents:

1. Minutes of First Board of Directors Meeting
2. Minutes of First Shareholders Meeting
3. Bylaws of Corporation
4. Resolution of Shareholders C Corp Status
5. Waiver of Notice Board of Directors Meeting
6. Waiver of Notice First Shareholders Meeting

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

Minutes of First Board of Directors Meeting Forever Green Limited

The first meeting of the board of directors of this Corporation was held on August 23, 2014, at 2:00 o'clock PM., at the offices of the corporation, located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550.

Present at the meeting were the following people:

Cynthia L Genova

Joshua T. Bleem

Lynn M. Bleem

all of whom are designated as directors of this corporation.

No other persons were present.

1. Cynthia L Genova was elected as the temporary chairperson of the board.
Lynn M. Bleem was elected as the temporary secretary of the board.
2. The chairperson announced that the meeting had been duly called by the incorporators of the corporation, called the meeting to order, and determined that a quorum was present.
3. The secretary then presented the Waiver of Notice of the meeting which was signed by all directors. Upon motion made and carried, the secretary was ordered to attach the Waiver of Notice to the minutes of this meeting.
4. The chairperson reported that the Articles of Incorporation had been duly filed with the State of Colorado on August 23, 2014, and that the incorporation was effective that same date.

Upon motion made and carried, a copy of the Articles of Incorporation was ordered to be attached to the minutes of this meeting.

5. Upon motion made and carried, the board of directors

RESOLVED that:

The individual acts of Joshua T. Bleem, the incorporator of this Corporation, which were taken on behalf of the corporation, are approved, ratified, and adopted as acts of the corporation.

6. The following persons were elected as officers of the corporation to serve until the first annual board of directors meeting:

Cynthia L Genova Executive Vice President

Joshua T. Bleem, President

Lynn M. Bleem, Vice President and Secretary/Treasurer

7. Upon motion made and carried, the board of directors

RESOLVED that:

The corporation shall change the name to Canna Company and is fully authorized to conduct business of the corporation with such name.

8. Upon motion made and carried, the board of directors

RESOLVED that:

The officers of this corporation are authorized and directed to pay all fees and expenses necessary for the organization of this corporation. The officers are also directed to procure and prepare the necessary books for corporate accounting.

9. Upon motion made and carried, the board of directors

RESOLVED that:

The president is authorized to open and maintain appropriate operating accounts and administer said financial matters. In addition, the president is further authorized, as may be required in day to day operations negotiate and execute appropriate financial instruments.

And further RESOLVED that:

The president of this corporation is authorized to execute any formal Bank Resolutions and documents which may be necessary to open such an account. A copy of the formal Bank Resolution for opening this account is hereby adopted and ordered to be attached to the minutes of this meeting.

And further resolved that:

The president is authorized to procure and execute all licenses and permits that may be required in the day to day operations of the Corporation.

10. A proposed Corporate Seal, Corporate Stock Certificate, and Corporate Stock Transfer Book were presented.

Upon motion made and carried, the board of directors

RESOLVED that:

The Seal, Stock Certificates, and Stock Transfer Book presented at this meeting are adopted and approved as the Seal, Stock Certificates, and Stock Transfer Book of this corporation. A specimen copy of the Stock Certificate is ordered to be attached to the minutes of this meeting.

11. A copy of the proposed bylaws of the corporation was presented at the meeting and read by each director.

Upon motion made and carried, the board of directors

RESOLVED that:

The proposed bylaws of this corporation are approved and adopted. A copy of these bylaws are ordered to be attached to the minutes of this meeting.

12. Upon motion made and carried, the board of directors

RESOLVED that:

The fiscal year of this corporation shall begin on January 1, and end on December 31.

This corporation shall report its income and expenses on a cash basis.

13. The following other business was conducted:

Upon motion made and carried, the board of directors

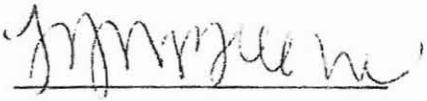
RESOLVED that:

The corporation shall register for the trade name:

CannaCo and is fully authorized to conduct business of the corporation with such trade name.

There being no further business, upon motion made and carried, the meeting was adjourned.

Dated this 23rd day of August, 2014

A handwritten signature in cursive script, appearing to read "Lynn M. Bleem", is written over a horizontal line.

Lynn M. Bleem Secretary of Corporation

Minutes of First Shareholders Meeting of CannaCo

The first meeting of the shareholders of this corporation was held on August 23, 2014, at 2:00 o'clock PM, at the offices of the corporation located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550.

Present were:

Cynthia L Genova Executive Vice President

Joshua T. Bleem, President

Lynn M. Bleem, Vice President Secretary/Treasurer

No other persons were present.

1. The president of this corporation called the meeting to order. The president determined that a quorum was present, either in person or by proxy, and that the meeting could conduct business.

The following shareholders were present in person:

| Name of Shareholder | Number of Shares |
|---------------------|------------------|
| Cynthia L. Genova | 60,000 |

All shareholders were present and accounted for.

2. The secretary reported that notice of the meeting had been properly given or waived by each shareholder in accordance with the bylaws.

Upon motion made and carried, the secretary was ordered to attach the appropriate Affidavit of Mailing of Notice or Waiver of Notice to the minutes of this meeting.

3. Cynthia L. Genova was then elected chairperson of this meeting.

4. The secretary read the minutes of the first meeting of the board of directors of this Corporation which was held on August 23, 2014.

Upon motion made and carried, the shareholders
RESOLVED that:

All acts taken and decisions made at the first meeting of the board of directors of this corporation are approved and ratified, specifically that the shareholders approve and ratify the adoption of the bylaws of this corporation and that the shareholders approve and ratify the election of the following persons as officers for the terms as stated in the minutes of the first meeting of the board of directors:

Cynthia L. Genova, Executive Vice President

Joshua T. Bleem, President

Lynn M. Bleem, Secretary/Treasurer

5. Upon motion made and carried, the shareholders
RESOLVED that:

The following persons are designated as the initial directors of this corporation in the Articles of Incorporation and the shareholders approve and ratify this designation of the following persons as directors of this corporation until the first annual meeting of the

shareholders of this corporation:

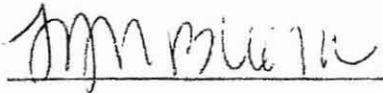
Cynthia L. Genova, Chairperson and Director

Josh Bleem, Director

Lynn Bleem, Director

There being no further business, upon motion made and carried, the meeting was adjourned.

Dated this 23rd day of August, 2014

A handwritten signature in cursive script, appearing to read "Lynn Bleem", is written over a horizontal line.

Lynn Bleem, Secretary of Corporation

Corporate Bylaws of Canna Company

Corporate Office and Registered Agent. The board of directors has the power to determine the location of the corporation's principal place of business and registered office, that need not be the same location. The board of directors also has the power to designate the corporation's registered agent, who may be an officer or director.

Date and Time of Shareholders Annual Meeting. The annual shareholders meeting will be held On August 23, 2:00 o'clock pm at the offices of the corporation located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550 This meeting is for the purpose of electing directors and for transacting any other necessary business. If this day is a legal holiday, the meeting will be held on the next day.

Shareholders Special Meetings. Special meetings of the shareholders may be called at any time and for any purpose. These meetings may be called by either the president or the board of directors or upon request of 25 percent of the shareholders of the corporation. The request for a special meeting must be made in writing that states the time, place, and purpose of the meeting. The request should be given to the secretary of the corporation who will prepare and send written notice to all shareholders of record who are entitled to vote at the meeting.

Place of Shareholders Meetings. The board of directors has the power to designate the place for shareholders meetings, unless a waiver of notice of the meeting signed by all shareholders designates the place for the meeting. If no place is designated, either by the board of directors or all of the shareholders, then the place for the meeting will be the principal office of the corporation.

Notice of Shareholders Meetings. Written notice of shareholders meetings must be sent to each shareholder of record entitled to vote at the meeting. The notice must be sent no less than 14 days nor more than 30 days before the date of the meeting. The notice should be sent to the shareholder's address as shown in the corporate stock transfer book. The notice will include the place, date, and time of the meeting. Notices for special meetings must also include the purpose of the meeting. When notices are sent, the secretary of the corporation must prepare an Affidavit of Mailing of Notices. Shareholders may waive notice of meetings if done in writing, except that attendance at a meeting is considered a waiver of notice of the meeting.

Shareholders Entitled to Notice, to Vote, or to Dividends. For the purpose of determining which shareholders are entitled to notice, to vote at meetings, or to receive dividends, the board of directors may order that the corporate stock transfer book be closed for 30 days prior to a meeting or the issuance of a dividend. The shareholders entitled to receive notice, vote at meetings, or receive dividends are those who are recorded in the stock transfer book upon the closing of the book. Instead of closing the book, the board of directors may also set a Record Date. The shareholders recorded in the stock transfer book at the close of business on the Record Date will be entitled to receive notice, vote at meetings, or receive dividends. A list of shareholders entitled to receive notice, vote at meetings, or receive dividends will be prepared by the secretary when necessary and provided to the officers of the corporation. Every shareholder who is entitled to receive notice, vote, or receive dividends is also entitled to examine this list and the corporate stock transfer book.

Shareholders Quorum. A quorum for a shareholders meeting will be a majority of the outstanding shares that are entitled to vote at the meeting, whether in person or represented by proxy. Once a

quorum, is present, business may be conducted at the meeting, even if shareholders leave prior to adjournment.

Shareholders Proxies. At all meetings of shareholders, a shareholder may vote by signed proxy or by power of attorney. To be valid, a proxy must be filed with the secretary of the corporation prior to the stated time of the meeting. No proxy may be valid for over 11 months, unless the proxy specifically states otherwise. Proxies may always be revocable prior to the meeting for which they are intended. Attendance at the meeting by a shareholder for which a proxy has been authorized always revokes the proxy.

Shareholders Voting. Each outstanding share of the corporation that is entitled to vote as shown on the stock transfer book will have one vote. The vote of the holders of a majority of the shares entitled to vote will be sufficient to decide any matter, unless a greater number is required by the Articles of Incorporation or by state law. Adjournment shall be by majority vote of those shares entitled to vote.

Shareholders Consent Resolutions. Any action that may be taken at a shareholders meeting may be taken instead without a meeting if a resolution is consented to, in writing, by all shareholders who would be entitled to vote on the matter.

Shareholders Cumulative Voting Rights. For the election of directors, each shareholder may vote in a cumulative manner, if desired. Cumulative voting will mean that if each shareholder has one vote per director to be elected, the shareholder may vote all votes for a single director or spread the votes among directors in any manner.

Powers of the Board of Directors. The affairs of the corporation will be managed by the board of directors. The board of directors will have all powers available under state law, including, but not limited to: the power to appoint and remove officers, agents, and employees; the power to change the offices, registered agent, and registered office of the corporation; the power to issue shares of stock; the power to borrow money on behalf of the corporation, including the power to execute any evidence of indebtedness on behalf of the corporation; and the power to enter into contracts on behalf of the corporation.

Number of Directors and Term of Office. The number of directors will be as shown in the Articles of Incorporation and may be amended. The number is currently three. Each director will hold office for one year(s) and will be elected at the annual meeting of the shareholders.

Date and Time of Annual Meeting of the Board of Directors. The annual board of directors Meeting will be held on August 23, at 2:00 o'clock pm. , at the offices of the corporation located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550. This meeting is for the purpose of appointing officers and for transacting any other necessary business. If this day is a legal holiday, the meeting will be held on the next day.

Special Meetings of the Board of Directors. Special meetings of the board of directors may be called at any time and for any purpose. These meetings may be called by either the president or the board of directors. The request for a special meeting must be made in writing that states the time, place, and purpose of the meeting. The request should be given to the secretary of the corporation who will prepare and send written notice to all directors.

Place of Board of Directors Meetings. The board of directors has the power to designate the place for directors meetings. If no place is designated, then the place for the meeting will be the principal office of the corporation.

Notice of Board of Directors Meetings. Written notice of board of directors meetings must be sent to each director. The notice must be sent no less than 14 days nor more than 30 days before the date of the meeting. The notice should be sent to the director's address as shown in the corporate records. The notice will include the place, date, and time of the meeting, and for special meetings, the purpose of the meeting. When notices are sent, the secretary of the corporation must prepare an Affidavit of Mailing of Notices. Directors may waive notice of meetings if done in writing, except that attendance at a meeting is considered a waiver of notice of the meeting.

Board of Directors Quorum. A quorum for directors meetings will be a majority of the directors. Once a quorum is present, business may be conducted at the meeting, even if directors leave prior to adjournment.

Board of Directors Voting. Each director will have one vote. The vote of a majority of the directors will be sufficient to decide any matter, unless a greater number is required by the Articles of Incorporation or state law. Adjournment shall be by majority vote.

Board of Directors Consent Resolutions. Any action that may be taken at a directors meeting may be taken instead without a meeting if a resolution is consented to, in writing, by all directors.

Removal of Directors. A director may be removed from office, with or without cause, at a special

meeting of the shareholders called for that purpose.

Filling Directors Vacancies. A vacancy on the board of directors may be filled by majority vote of the remaining directors, even if technically less than a quorum. A director elected to fill a remaining term will hold office until the next annual shareholders meeting.

Salaries of Directors. The salaries of the directors will be fixed by the board of directors and may be altered at any time by the board. A director may receive a salary even if he or she receives a salary as an officer.

Fiduciary Duty of Directors. Each director owes a fiduciary duty of good faith and reasonable care with regard to all actions taken on behalf of the corporation. Each director must perform his or her duties in good faith in a manner that he or she reasonably believes to be in the best interests of the corporation, using ordinary care and prudence.

Number of Officers. The officers of the corporation will include a president, vice-president, treasurer, and secretary. Any two (2) or more offices may be held by the same person.

Appointment and Terms of Officers. The officers of the corporation will be appointed by the directors at the first meeting of the board of directors. Each officer will hold office until death, resignation, or removal by the board of directors.

Removal of Officers. Any officer may be removed by the board of directors, with or without cause. Appointment of an officer does not create any contract rights for the officer.

Filling Officers Vacancies. A vacancy in any office for any reason may be filled by the board of directors for the unexpired term.

Duties of the President. The president is the principal executive officer of the corporation and is subject to control by the board of directors. The president will supervise and control all of the business and activities of the corporation. The president will preside at all shareholders and directors meetings, and perform any other duties as prescribed by the board of directors.

Duties of the Vice-President. If the president is absent, dies, or is incapacitated, the vice-president of operations will perform the duties of the president. When acting for the president, the vice-president will have all of the powers and authority of the president. The vice-president will also perform any other duties as prescribed by the board of directors.

Duties of the Secretary. The secretary will keep the minutes of all shareholders and directors meetings. The secretary will provide notices of all meetings as required by the bylaws. The secretary will be the custodian of the corporate records, corporate stock transfer book, and corporate seal. The secretary will keep a list of the addresses of all shareholders, directors, and officers. The secretary will sign, along with other officers, the corporation's stock certificates. The secretary will also perform any other duties as prescribed by the board of directors.

Duties of the Treasurer. The treasurer will be custodian of all corporate funds and securities. The treasurer will receive and pay out funds that are receivable or payable to the corporation from any source. The treasurer will deposit all corporate funds received into the corporate bank accounts as designated by the board of directors. The treasurer will also perform any other duties as prescribed by the board of directors.

Salaries of Officers. The salaries of the officers will be fixed by the board of directors and may be altered at any time by the board. An officer may receive a salary even if he or she receives a salary as a director.

Stock Certificates. Certificates that represent shares of ownership in the corporation will be in the form designated by the board of directors. Certificates will be signed by the president of the corporation. Certificates will be consecutively numbered. The name and address of the person receiving the issued shares, the certificate number, the number of shares, and the date of issue will be recorded by the secretary of the corporation in the corporate stock transfer book. Shares of the corporation's stock may only be transferred on the stock transfer book of the corporation by the holder of the shares in whose name they were issued as shown on the stock transfer book, or by his or her legal representative.

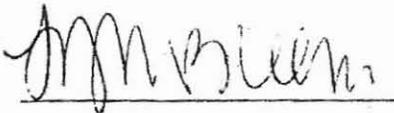
Financial Matters. The board of directors will determine the accounting methods and fiscal year of the corporation. All checks, drafts, or other methods for payment shall be signed by an officer determined by resolution of the board of directors. All notes, mortgages, or other evidence of indebtedness shall be signed by an officer determined by resolution of the board of directors. No money will be borrowed or loaned by the corporation unless authorized by a resolution of the board of directors. No contracts will be entered into on behalf of the corporation unless authorized by a resolution of the board of directors. No documents may be executed on behalf of the corporation unless authorized by a resolution of the board of directors. A board of directors resolution may be for specific instances or a general authorization.

Loans to Officers or Directors. The corporation may not lend any money to an officer or director

of the corporation unless the loan has been approved by a majority of the shares of all stock of the corporation, including those shares that do not have voting rights.

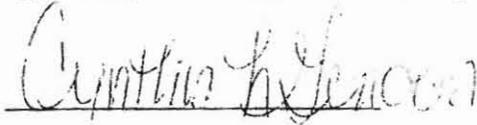
Amendments to the Bylaws. These bylaws may be amended in any manner by majority vote of the board of directors at any annual or special meeting. Any amendments by the board of directors are subject to approval by majority vote of the shareholders at any annual or special meeting.

Dated this 23rd day of August 2014



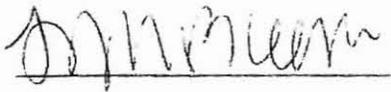
Lynn M. Bleem, Secretary of Corporation

Approved by the Board of Directors on August 23, 2014



Cynthia L. Genova, Chairperson of Board

Approved by the Shareholders on August 23, 2014



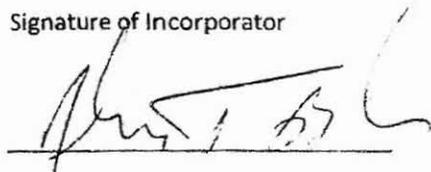
Lynn M. Bleem, Secretary of Corporation

Waiver of Notice of First Board of Director of Forever Green Limited

We, the undersigned incorporators of this corporation, waive any required notice and consent to the holding of the first meeting of the board of directors of this corporation on August 23, 2014, at 2:00 o'clock PM, at the offices of the corporation, located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550.

Dated this 23rd day of August, 2014

Signature of Incorporator

A handwritten signature in black ink, appearing to read "Joshua T. Bleem", is written over a horizontal line.

Joshua T. Bleem

Resolution of Shareholders C-Corporation Status of Canna Company

A special meeting of the shareholders of this corporation was duly called and held on August 23, 2014 at 2:00 PM o'clock, at the offices of the corporation Located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550. All of the shareholders of this corporation were present, in person or by proxy.

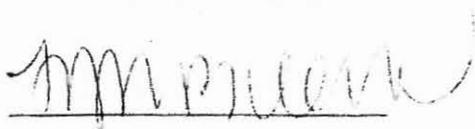
At the meeting it was decided, by unanimous vote, that it is in the best interests of the corporation that the corporation elect to be treated as a C-corporation under the provisions of Internal Revenue Code.

Therefore, it is unanimously

RESOLVED, that this corporation elects to be treated as an C-corporation under the provisions of Internal Revenue Code. The officers of this corporation are hereby authorized to perform all necessary acts to carry out this resolution.

The undersigned, Lynn M. Bleem, certifies that he or she is the duly elected secretary of this corporation and that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the shareholders that was held in accordance with state law and the bylaws of the corporation on August 23, 2014. I further certify that such resolution is now in full force and effect.

Dated this 23rd day of August, 2014

A handwritten signature in cursive script, appearing to read "Lynn M. Bleem", written over a horizontal line.

Lynn M. Bleem, Secretary of Corporation

Minutes Board of Directors Meeting

Canna Company

A meeting of the board of directors of this Corporation was held on October 20, 2014, at 2:00 O'clock PM, at the offices of the corporation, located at 8210 Cherry Blossom Drive, Windsor, Colorado, 80550.

Present at the meeting were the following people:

Cynthia L Genova, Chairperson

Joshua T. Bleem, President

Lynn M. Bleem, Secretary and Treasurer

all of whom are directors of this corporation.

No other persons were present.

1. A Waiver of Notice of the meeting which was signed by all directors was presented.

Upon motion made and carried, the secretary was ordered to attach the Waiver of Notice to the minutes of this meeting.

2. Joshua T. Bleem tendered his resignation as President/CEO and Director of this corporation

3. Lynn M. Bleem tendered her resignation as VP, Secretary, Treasurer and Director of this corporation

4. Cynthia L. Genova, the chairperson of the director meeting accepted the resignations. It was agreed that the resignations will take effect immediately.

5. Cynthia L. Genova accepted to fill the positions vacated by the resignations.

Upon motion made and carried, the board of directors

RESOLVED that:

The following person(s) were elected as officers of the corporation to serve until the first annual board of directors meeting:

Cynthia L. Genova Chairman and President

Cynthia L. Genova Secretary and Treasurer

There being no further business, upon motion made and carried, the meeting was adjourned.

Dated this 20th day of October, 2014



Cynthia L. Genova, Secretary of Corporation



APPENDIX C

Contents:

1. Detail List of Operating and Investment Accounts of Company

Detail Page 6, Question 9

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087



Detail List of Operating and Investment Accounts of Company

Operating Account

Cynthia L. Genova

[REDACTED]
Lakewood, CO 80226

Checking account
Account Number [REDACTED]

Wells Fargo Bank
420 Montgomery
San Francisco CA 94104
800.869.3557

Investment Account

None

CannaCo Facility
3019 Toupal Drive
Trinidad, CO 81082

Prepared by:

CannaCo
8210 Cherry Blossom Drive
Windsor, CO 80550
719.680.8087

STATE OF COLORADO

DEPARTMENT OF REVENUE
Marijuana Enforcement Division
455 Sherman Street Suite 390
Denver CO 80203



Town of Trinidad Licensing Authority
P.O. Box 880
Trinidad, CO 81082

John J. Hickenlooper
Governor

Barbara J. Brohl
Executive Director

Ron Kammerzell
Senior Enforcement
Director

December 23, 2014

Re: Issuance of Colorado Retail Marijuana Conditional License

Attached is a copy of the Colorado Retail Marijuana Conditional License/s. This copy is for your records and the original was sent to the license applicant.

This license is "Conditioned" upon Local Licensing Authority approval and the license applicant is prohibited from operating without both State and Local approval pursuant to Title 12, Article 43.3, Section 305.

Please notify the Marijuana Enforcement Division upon the issuance of the local license by providing a copy of the local license to:

shirley.grantham@state.co.us (the preferred method) or you may mail it to:

Marijuana Enforcement Division
455 Sherman Street, Suite 390
Denver, CO 80203
Attention: Licensing

Respectfully,

A handwritten signature in black ink that reads "W. Lewis Koski". The signature is written in a cursive style with a large, stylized "W" and "K".

W. Lewis Koski
Director

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Retail Marijuana Conditional License

CANNA COMPANY

CANNACO

3019 Toupal Drive, Trinidad, CO 81082

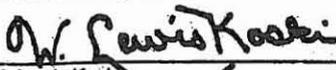
Retail Marijuana Store - 402R-00371

Effective Date of License: December 15, 2014

License Valid Through: 12/15/2015

This license is conditioned upon Local Authority approval, pursuant to section 12-43.4-304(1) C.R.S.

This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Article 43.4, as amended. A licensee shall not exercise any of the rights or privileges of this license until such time as all such Medical Marijuana and Medical Marijuana-Infused Product are fully transferred and declared in the MITS system as Retail Marijuana and Retail Marijuana Product, pursuant to Rule R211 & R309. This conditional license is nontransferable and shall be conspicuously posted in the place above described. This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203. In testimony whereof, I have hereunto set my hand.


W. Lewis Koski
Division Director


Barbara J. Broni, Executive Director

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Retail Marijuana Conditional License

CANNA COMPANY

CANNACO

3019 Toupal Drive, Trinidad, CO 81082

Retail Marijuana Cultivation Facility - 403R-00419

Effective Date of License: December 15, 2014

License Valid Through: 12/15/2015

This license is conditioned upon Local Authority approval, pursuant to section 12-43.4-304(1) C.R.S.

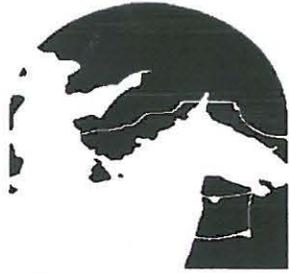
This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Article 43.4, as amended. A licensee shall not exercise any of the rights or privileges of this license until such time as all such Medical Marijuana and Medical Marijuana-Infused Product are fully transferred and declared in the MITS system as Retail Marijuana and Retail Marijuana Product, pursuant to Rule R211 & R309. This conditional license is nontransferable and shall be conspicuously posted in the place above described. This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203. In testimony whereof, I have hereunto set my hand.

W. Lewis Koski

W. Lewis Koski
Division Director

Barbara J. Broni

Barbara J. Broni, Executive Director



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY WORK SESSION:

February 3, 2015

PREPARED BY:

Audra Garrett, ACM/City Clerk

DEPT. HEAD SIGNATURE:

Audra Garrett

7

SUBJECT: Public hearing and second reading of an ordinance of the City Council of the City of Trinidad, Colorado, amending Article 11, Chapter 14, Section 14-201, Definitions, 14-201(y) "School" to offer the same protection to existing state-licensed daycare facilities as those offered to facilities meeting the school definition as it was originally adopted

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Consider approval of the ordinance on second reading.

SUMMARY STATEMENT: Municipalities are permitted to define school for purposes of marijuana licensing regulation.

EXPENDITURE REQUIRED: None

SOURCE OF FUNDS: N/A

POLICY ISSUE: Regulation of marijuana businesses

ALTERNATIVE: None

BACKGROUND INFORMATION:

The ordinance approving the regulation and licensing of medical marijuana licensing in the City of Trinidad provided a definition of "School" for local purposes which excluded daycare facilities among others.

The retail marijuana licensing and regulation ordinance simply refers to the definition of school contained in the medical marijuana licensing ordinance.

This ordinance would disallow marijuana businesses to locate within 1,000 feet of existing state-licensed daycare facilities.

7



CITY OF TRINIDAD, COLORADO

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, AMENDING ARTICLE 11, CHAPTER 14, SECTION 14-201, DEFINITIONS, 14-201(Y) "SCHOOL" TO OFFER THE SAME PROTECTION TO EXISTING STATE-LICENSED DAYCARE FACILITIES AS THOSE OFFERED TO FACILITIES MEETING THE SCHOOL DEFINITION AS IT WAS ORIGINALLY ADOPTED

WHEREAS, on March 4, 2014, the Trinidad City Council approved Ordinance No. 1955 which established regulations and licensing requirements for medical marijuana businesses within the City; and

WHEREAS, among the regulations established was a local definition of "School" which did not include state-licensed daycare facilities; and

WHEREAS, it is prudent to afford the existing state-licensed daycare facilities the same protection as those offered under the "School" definition.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that Article 11, Chapter 14, Section 14-201(y), Definitions, "Schools", is hereby repealed and re-enacted in its entirety as follows:

14-201. Definitions.

(y) "School" means a public or private preschool or a public or private elementary, middle, junior high, high school. "School" shall also mean and include any existing state-licensed daycare facility which existed as of the date of the adoption of this ordinance.

INTRODUCED BY COUNCILMEMBER MILES, READ AND ORDERED PUBLISHED, this 20th day of January, 2015.

FINALLY PASSED AND APPROVED this ____ day of _____, 2015.

EFFECTIVE DATE OF THIS ORDINANCE SHALL BE the ____ day of _____, 2015.

JOSEPH A. REORDA, Mayor

ATTEST:

DONA VALENCICH, Acting City Clerk



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: Appointment to the Arts and Culture Advisory Commission

PRESENTER: Audra Garrett, ACM City Clerk

RECOMMENDED CITY COUNCIL ACTION: Make an appointment to fill this board

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement has been made previously seeking applicants to fill the vacancy as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

A letter of interest was received from Michelle Goodall to fill this vacancy. She has served on the Commission previously.

ARTS AND CULTURE ADVISORY COMMISSION (7 members – matching Council terms)

Ord No. 1750 - 7 members appointed by entire City Council - effective 4/16/04

| <u>DATE APPOINTED</u> | <u>APPOINTEE</u> | <u>ADDRESS</u> | <u>PHONE #</u> | <u>TERM EXPIRES</u> |
|-----------------------|-------------------|-----------------------------|----------------|---------------------|
| 03/20/12 | Carol Potter | 403 N. Commercial, Unit 301 | 846-7386 | 01/05/2016 |
| 03/20/12 | Deborah Bernhardt | 1125 Obregon | 680-9048 | 01/05/2016 |
| 01/07/14 | Bonnie Canizaro | 721 Pine Street | 422-8035 | 01/02/2018 |
| 01/07/14 | Marilyn Leuszler | 2405 Desperado Dr. | 845-1433 | 01/02/2018 |
| 02/04/14 | Vacant | | | 01/02/2018 |
| 02/04/14 | Vilas Tonape | 801 Stonewall Ave. | 912-44-2745 | 01/02/2018 |

(2/4/14 – Bruce Leonard & Vilas Tonape appointed as ad-hoc members w/o voting rights until they attain one-year residency requirement)

CHAIRPERSON: Marilyn Leuszler

City Council Liaison – Carol Bolton

Michelle Goodall

1701 Santa Fe Trail. Trinidad Co. 81082 | (719) 859-0175 | photos@alockintime.com

January 7, 2015

City of Trinidad
Arts and Cultural Advisory Commission

Please accept this letter of interest in serving on the Arts and Cultural Commission.

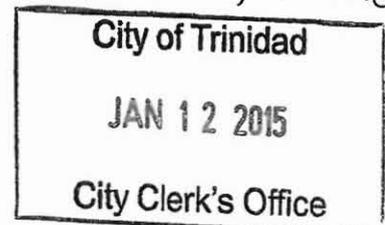
Being heavily involved in the arts community and wanting to help serve our community I feel I would be an asset to the Commission. I have served on the Commission in the past but had to step away due to my husbands health. Which is now vastly improved so I feel I can once again offer my time to serve.

I appreciate your consideration and would again welcome the opportunity.

Sincerely,

Michelle Goodall
A Lock in Time Photography

*verified registration
+ residency # 26*





COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: Appointment to the Tourism Board

PRESENTER: Audra Garrett, ACM City Clerk

RECOMMENDED CITY COUNCIL ACTION: Make an appointment to the board

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement was made seeking applicants to fill two vacancies as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

A letter of interest was received from Cy Michaels seeking reappointment. There is still one vacancy in the restaurant field.

CITY TOURISM BOARD (2 yr terms - 5 members - Council appointed)
Ordinance #1677 - 5 members appointed by Council

| <u>DATE APPOINTED</u> | <u>APPOINTEE</u> | <u>ADDRESS</u> | <u>PHONE #</u> | <u>TERM EXPIRES</u> |
|-----------------------|-----------------------|--------------------|-----------------------|---------------------|
| 02/05/13 | Vacant - restaurant | | | 02/10/2015 |
| 04/16/13 | Cy Michaels (lodging) | 2833 Toupal Dr. | 845-0102 | 02/10/2015 |
| 02/04/14 | Pat Patrick | 723 Willow St. | 846-4113 | 02/10/2016 |
| 02/04/14 | Susan Palmer | 218 E. Main Street | 422-8018/805-603-6181 | 02/10/2016 |
| 02/04/14 | Fred Vaugeois | 33059 Trail Ridge | 845-9213 | 02/10/2016 |

CHAIRPERSON: Pat Patrick
Council Liaison – Councilmember Liz Torres

CY MICHAELS

CYMICHAELS@ROCKETMAIL.COM 2833 TOUPAL DRIVE TRINIDAD 719-859-2277

1-12-15

Dear Honorable Mayor Reorda and City Council,

This is my letter of interest in being reappointed to the City of Trinidad's Tourism Board. I have always considered it an honor and privilege to serve the citizens of Trinidad by providing them with the best possible representation of tourism knowledge and information.

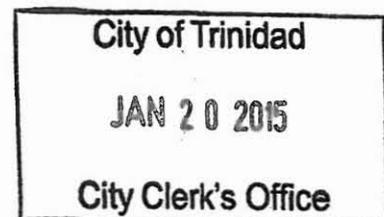
I bring a solid professional background from over 20+ years in the tourism industry in the Trinidad area. That experience includes leadership and organization development in three hotels, three restaurants and many other boards and organizations. In that period of time I have been able to attain National Recognition in awards that highlight our community through Holiday Inns, Best Westerns, Country Kitchens and La Quintas.

I am continuously excited about the people and the endeavors in the spirit of Trinidad. I hope my experience can continue to lend its self to helping shape our local Government to become more effective as we navigate through the constant state of change.

With Much Respect,



Cy Michaels



*Verified voter registration
& residency*



COUNCIL COMMUNICATION



CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: Appointment to the Parks & Recreation Advisory Committee

PRESENTER: Audra Garrett, ACM City Clerk

RECOMMENDED CITY COUNCIL ACTION: Make an appointment to the committee to fill board.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement was made seeking applicants to fill one vacancy as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

A letter of interest was received from Matthew Torrez seeking appointment. This appointment will fill the committee.

PARKS & RECREATION ADVISORY COMMITTEE (7 members- coincident with Council terms)

Home Rule Charter 8.6 - Ordinance #1749 - 7 members appointed by entire City Council - effective 4/16/04

| <u>DATE APPOINTED</u> | <u>APPOINTEE</u> | <u>ADDRESS</u> | <u>PHONE #</u> | <u>TERM EXPIRES</u> |
|-----------------------|--------------------|---------------------|----------------|---------------------|
| 01/07/14 | Cherie Kollander | 930 Park St. | 890-0290 | 01/02/2018 |
| 08/07/12 | Glenn T. Davis | 316 E. Third Street | 846-9142 | 01/05/2016 |
| 08/07/12 | Wayne Pritchard | 728 Tillotson | 242-7951 | 01/05/2016 |
| 09/19/12 | Peggy Westmoreland | 111 E. Topeka Ave. | 220-0628 | 01/05/2016 |
| 02/04/14 | Diane Beach | 410 W. Baca St. | 679-2102 | 02/02/2018 |
| 03/04/14 | Tim Crisler | 809 E. Third St. | 845-0000 | 01/02/2018 |
| --/--/-- | Vacant | | | 01/02/2018 |

City Council Liaison - Pat Fletcher (2/4/14)



January 22, 2015

City of Trinidad

To whom it may concern:

It has recently come to my attention that the City of Trinidad is looking to fill a spot on the Parks and Recreation board. I would like to be part of your pool of applicants to fill this spot.

I have been a resident of the City of Trinidad for almost three years; I am also registered to vote in the City of Trinidad. With my position in the community, I feel I have great experience with some of the situations the City has with their parks and recreation.

Thank you for taking the time to accept my letter of interest. You may reach me at the below locations.

Matthew A. Torrez
970-219-0915
matthew.torrez@trinidadstate.edu

*voter registration
residency verified -
509 W. Baca
66*



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: Appointments to the Board of Building Code Appeals

PRESENTER: Audra Garrett, ACM City Clerk

RECOMMENDED CITY COUNCIL ACTION: Make appointments to fill board.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement was made seeking applicants to fill two vacancies as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

Letters of interest were received from Wayne Pritchard and Sam Coker, both seeking reappointment. These reappointments will ensure a full board is seated.

BOARD OF BUILDING CODE APPEALS (3 members w/initial staggered terms 2/4/03; then all are 2 yr terms - Council Appointed)

Ordinance #1711 calls for appointment of 3 members – Ordinance #1949 changes the title of the Board to BOBCA and adds two alternates 12/2013

| DATE | APPOINTED | APPOINTEE | ADDRESS | PHONE # | TERM EXPIRES |
|----------|-----------|---|---------------------|--------------|--------------|
| 02/05/13 | | Sam Coker
Samdahvacman@gmail.com | 216 E. White | 719-250-8245 | 02/04/2015 |
| 02/05/13 | | Wayne L. Pritchard
Artstyle728@msn.com | 728 Tillotson | 242-7951 | 02/04/2015 |
| 02/04/14 | | Carl Goodall
(CHAIR)
Redrusty@comcast.net | 1701 Santa Fe Trail | 859-0523 | 02/04/2016 |

ALTERNATES – Jim Dunford and Jerome Begley to 2/4/2016

January 13, 2015

Mayor and City Council

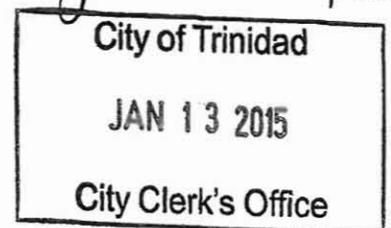
City of Trinidad

Please consider this as my application for reappointment to the Board of Building Code Appeals.

Thank you,


Wayne Pritchard

*Residency & voter
registration verified*



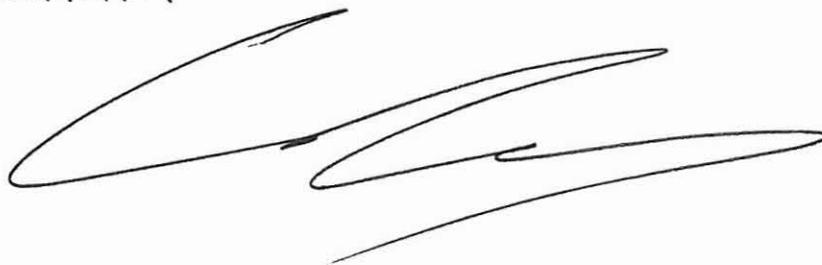
728 Jillettson

Rec 1/13/15

To the Mayor and City Council:

I Sam Colker would totally
Appreciate if I may be ReAppointed to
the Board of Appeals. I Feel
As it is My Duty to serve our
City, As A local Contractor.

THANK.



Verified voter registration
+ residency

City of Trinidad

JAN 27 2015

City Clerk's Office

SAM Colker
216 E White
Trinidad, CO 81082
719-250-8245



COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE: *Audra Garrett*

SUBJECT: Appointment to the Library Advisory Board

PRESENTER: Audra Garrett, ACM City Clerk

RECOMMENDED CITY COUNCIL ACTION: Make an appointment to fill board.

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: No

SOURCE OF FUNDS: N/A

POLICY ISSUE: Advertisement was made seeking applicants to fill one vacancy as required by ordinance

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

A letter of interest was received from Frank Hardy seeking reappointment.

LIBRARY ADVISORY BOARD (5 members, 3 year terms – Ord. 1912)

| <u>DATE APPOINTED</u> | <u>APPOINTEE</u> | <u>ADDRESS</u> | <u>PHONE #</u> | <u>TERM EXPIRES</u> |
|-----------------------|--------------------|----------------------------|----------------|---------------------|
| 03/20/12 | Frank E. Hardy | 409 Riata Dr. | 680-2929 | 01/05/2015 |
| 04/15/14 | Lawrence P. Kiefer | 105 E. 6 th St. | 422-8039 | 01/05/2018 |
| 04/15/14 | Marjorie A. Kiefer | 105 E. 6 th St. | 422-8039 | 01/05/2018 |
| 04/15/14 | Cherie Kollander | 930 Park St. | 890-0290 | 01/07/2016 |
| 04/15/14 | Olga Reorda | 415 W. Topeka | 846-6918 | 01/06/2017 |

City Council Liaison – Pat Fletcher (2/4/14)

LIBRARY BOARD POSITION

27 JAN 15

TO WHOM IT MAY CONCERN:

I WOULD LIKE TO CONTINUE MY PLACE
ON THE LIBRARY BOARD IF POSSIBLE.

I FEEL THAT MY EXPERIENCES WOULD
QUALIFY ME FOR THE POSITION AGAIN

THANKS FOR YOUR CONSIDERATION

Frank E Hardy

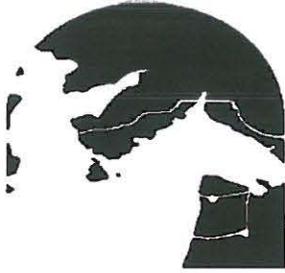
680-2929

verified voter registration
+ residency

City of Trinidad

JAN 27 2015

City Clerk's Office



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Tara Marshall
DEPT. HEAD SIGNATURE: *Tm*
OF ATTACHMENTS:

SUBJECT: Resolution appointing the Commissioners of the Trinidad Urban Renewal Authority

PRESENTER: Tara Marshall, City Management Intern

RECOMMENDED CITY COUNCIL ACTION: Recruitment of URA Commissioners

SUMMARY STATEMENT: Re-Activation of the Trinidad Urban Renewal Authority

- !! Step 1: Decide to re-activate URA that was established in 1964 (2013)
- !! Step 2: Hire a consultant to complete Conditions Survey, URA Plan and Impact Reports
- !! Step 3: Set survey boundary for Conditions Survey and begin survey
- !! Step 4: Send public notices of Conditions Survey and hold Public Meetings
- Step 5: Seat the Urban Renewal Authority

Decision #1: How many Commissioners will comprise the TURA? Must be an odd number between 5-11. THE RESOLUTION WAS PREPARED FOR SEVEN. Two (2) Commissioners are seated-David Barrack expires 2019, Cherrie Collander expires 2018

Decision #2: Is Council going to seat one of the Councilmembers on the TURA? COUNCIL SUGGESTED THEY WOULD NOT ASSUME A SEAT.

Decision #3: Interview prospective candidates and based on the number of slots open begin to consider your selections. EDWARD GRIEGO WILL BE INTERVIEWED 2/3/15.

Decision #4: Each selection you consider will need to be assigned a term. FOR A SEVEN (7) MEMBER BOARD TERMS WOULD EXPIRE IN 2016, 2017, 2018, 2019, 2020 - ACCORDING TO VOTE COUNT.

Decision #5: You will need to select a Chairman for the remainder of 2015. THE BALLOT HAS BEEN PREPARED ANTICIPATING THE SELECTION.

POLICY ISSUE: Seating the initial URA

| | |
|------------------|-----------------------------|
| Person 3 | 3 year term (2/3/18) |
| Person 4 | 2 year term (2/3/17) |
| Person 5 | 1 year term (2/3/16) |
| Cherie Kollander | 3 year term expiring 2/4/18 |
| David Barrack | 4 year term expiring 2/4/19 |

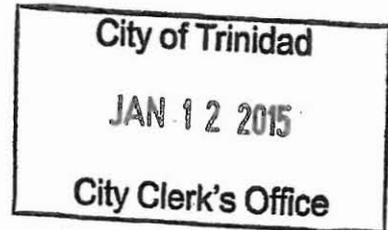
2. _____ shall serve as Chair of the Board of Commissioners for the first year of operations.

INTRODUCED, READ AND ADOPTED this 3rd day of February, 2015.

JOSEPH A. REORDA, Mayor

ATTEST:

AUDRA GARRETT, City Clerk



To: Trinidad City Council Members
Date: January 9, 2015
Re: Urban Renewal Board – Letter of Interest

Please accept this Letter of Interest as an application to become an Urban Renewal Commissioner. This particular Board or Commission, is of particular interest to me because I believe it is an important step into Trinidad's "next future" .

My qualifications are primarily centered on real estate, contract law, project management, construction and site analysis. Specifically these areas of education and hands on experience are as follows:

Construction: - For the last 12 years I have owned and operated Mountain Trail Home Sales, a residential sales and construction company. In that capacity I act as the fiduciary administrator for each customer's escrow and construction funds, change orders, on site contractor progression, local and state inspections and all warranty issues. In addition to sales, accounting and construction oversight, I assist with all architectural design issues with and for the customer. I have the ability to show the customer how they to visualize how they will live within the home they are planning.

Real Estate Broker – While my license is currently inactive due to time constraints that I have with my business, I have been licensed since 1976. During the 35+ years that I was a licensed agent, I maintained a high level of education in areas of ethics, professional standards and contract law. I am pleased and proud to say that in all the years I was actively involved in sales and listing I did not ever see the inside of the Division of Real Estate Hearing Room or courts.

Project Management- While living in Denver, prior to moving to Raton NM and Trinidad CO., I worked for Bartell and Company in Denver. Bartell is a commercial real estate development, sales, leasing and property management company. I worked as their tenant finish coordinator, tenant problem solver, lease procurer. Bartell and Company at that time managed well over 500,000 s.f. . Additionally I worked as a temp for Brookfield Properties, a Canadian company. Brookfield is the largest foreign owner of properties west of the Mississippi and at the time I worked for them, they owned and managed over 1M s.f. in downtown Denver. I worked in the leasing department and was in charge of lease updates, cataloging and , mapping of each high rise building. The buildings in downtown Denver that I was involved in included Colorado National Bank, the World Trade Center building and the Brookfield Tower.

Banking and Finance – In all phases of my 35 years in real estate and construction, I have developed a keen sense of financing, construction loans and loan underwriting. As part of the services I provide to customers I compile a contract pack for appraisers, loan approval, underwriting and loan disbursements for contractor payouts. This is the backbone of my business and it allows the customer freedom from dealing with contractors.

Community Involvement – Spanish Peaks Board of Realtors Secretary and President, Trinidad Las Animas County Economic Development Board member & President, Trinidad Community Foundation/Lipstick and Rouge Committee chairperson/ chief paint go-fer, Comcast Clean Up Days, Purgatoire River Anglers /Trout Unlimited

Thank you for reviewing my work experience; I hope you find it compatible with the requirements for a position on Trinidad's revived Urban Renewal Board.

Sincerely

Nancy Lackey

JOHN M. TARABINO
P. O. Box 777
Trinidad, CO 81082-0777
Fon & Fax: 719-846-7324
Email: TarabinoJM@GMail.Com.

January 6, 2015

City of Trinidad
Office of the City Manager
Ms. Audra Garrett
135 North Animas Street
Trinidad, CO 81082

Ms. Garrett:

I attended the January 5, 2015 Urban Renewal Authority Informational meeting held in the Trinidad City Council Chambers as a result of the Notice to Property Owners. I was very impressed with the presentation regarding the possibility of a new and expanded Urban Renewal Authority and the scope of possibilities within the community and the surrounding area.

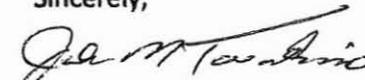
This letter is submitted as a Letter of Interest in serving on the proposed Board as a result of the information provided and the possibilities of participating in the described effort.

The expanded scope of the Authority, to include some areas adjoining The City of Trinidad, provides the proposed Board with a need to have broad experience and representation from ownership and operations, both from within the City of Trinidad and also the areas immediate adjoining the City. I meet both of those criteria and believe that I can contribute positively to the responsibilities of the Authority as both sides of the family have done for over 100 years.

In as much as this effort also represents an expanded effort at Economic Development, I am willing to vacate my Membership on that Board should that be required. I believe that I can make a greater contribution to the community thru the Trinidad Urban Authority as described at the January 5, 2015 informational session.

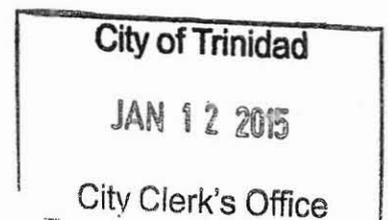
Enclosed is a copy of my most recent summary resume.

Sincerely,



John M. Tarabino

JT:pk
Enc:1
CC: Tara Marshall



SUMMARY RESUME

John M. Tarabino
PO Box 777
Trinidad, CO 81082-0777

Fon: 719-846-7324
Fax: 719-846-7324
Cell: TarabinoJM@GMail.Con

RELEVANT LIFE EXPERIENCES

Education:

| | |
|------------|---|
| Diploma: | Holy Trinity High School – Trinidad, CO |
| Degree: BA | Regis College (University)-Denver, CO |
| Degree: MA | University of Northern Colorado |

Professional Career:

State for Community Colleges and Occupational Education (Trinidad State Junior College)
Business Manager - 1 year
Administrative Vice President – 31 years
All institutional responsibilities excluding education and student

Tarabino Real Estate Company
Board/President/Secretary/Treasurer/Operations – 53 years
All operational activities

El Moro-Hoehne Pipeline Association
Office Manager - 2 years
Board/Secretary/Treasurer/Office Manager – 50 years

Military Participation:

Enlisted June 8, 1960 U. S. Army Reserve -173 Transportation Co., Trinidad, Co 81082
Company Clerk - Honorable Discharge June 30, 1966 - Sergeant E-5
Soldier of the Year –Pueblo Colorado Subsector by The Denver Post Newspaper

John M. Tarabino (2)

REVELANT LIFE EXPERIENCES

Community Participation:

Trinidad Community Concert Association – Board/Officer
Trinidad Historical Society – Board/Officer
Trinidad/Las Animas County Economic Development – Board/Officer
First National Bank in Trinidad – Board and Various Committees
Mount Carmel Health & Wellness Center - Board

Awards and Recognition:

Trinidad/Las Animas County – Chennoweth Award
National Council of Community Colleges Business Officials – Outstanding Regional Business Officer
National Council of Community Colleges Business Officials – Outstanding National Business Officer
Trinidad State Junior College Educational Foundation – Hall of Fame

Fini:

?

Cc: Tara Marshall

City of Trinidad

DEC 16 2014

City Clerk's Office

December 11, 2014

Mr. Joe Reorda, Mayor
and Council Members
135 North Animas Street
Trinidad, CO 81082

Re: Appointment to Urban Renewal Authority

Dear Mayor Reorda and fellow Council Members:

As a citizen concerned about the future of our historical downtown, I am asking you for the opportunity to serve as a member of the board for the revitalized authority referenced above. I think as a member that I would be able to contribute constructively to its operations.

In addition to my educational background, as a member, I could bring to the authority my experience as both a commercial property owner/developer as well as one who has previously served on various boards and Councils of the City.

I would appreciate this opportunity to serve our community. Thank you for your consideration.

Respectfully,

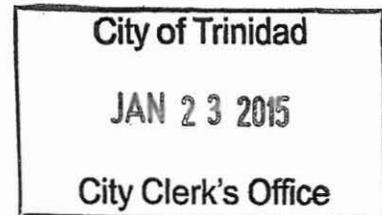


Bob Fabec

Jan-23-2015

Mayor Reorda &

Member of City Council



I am submitting my name for consideration as a member of the Trinidad Urban Renewal Authority.

I believe that my past experiences will be a good fit for the U.R.A

A businessman of 39 years. Trinidad Builders Supply

Past Board member of Huerfano and Las Animas Housing Resources

Member of TSJC Building Trades Advisory 18 years

Committee member and Fundraising Chairman for the 2014 Rural Philanthropy Days.

Currently, President of the Trinidad Community Foundation

I am a lifelong resident of Las animas County and have seen our community when it was a thriving. Like all lifelong citizens, I long to see our community thrive again. Trinidad has become a community of Historic buildings that face extinction if not attended to. We not only need to attend to these buildings but we also need to take a hard and decisive approach what to do with these blighted areas.

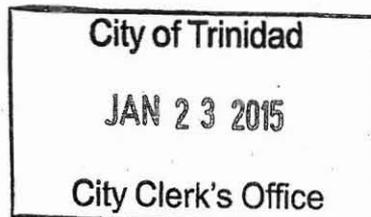
As a member, I will recommend and make decisions based on what is best for our community and will promote transparency of the organization in all its decisions.

Respectfully Submitted


Phil Rico



January 20, 2015



Ms. Tara Dawn Marshall
City of Trinidad
135 N. Animas St.
Trinidad, CO 81082

Dear Ms. Marshall:

Thank you very much for contacting me about the process of revitalizing the Trinidad Urban Renewal Authority. The Urban Renewal Authority has had a huge impact on the City and I believe it can again.

Harry Sayre and I used to discuss the Urban Renewal Authority and how it changed the economy and the scenery of our community. Many of the decisions made by the Commission in the past are still impacting the city today.

I am very interested in serving on the Trinidad Urban Renewal Authority Commission and look forward to seeing our community grow into a vibrant and healthy place. I feel that my finance background can be helpful in understanding the impact the Authority has in economic development.

Please, accept this letter of interest and the attached resume so that you might consider me for the commission.

Sincerely,

R. Michael McMillan
President

Enc.

Raymond Michael (Mike) McMillan

2615 Desperado Dr., Trinidad, CO 81082

Experience

Century Savings and Loan
Trinidad, CO 81082
October 1991 to Present

- President since May 2005
- Executive Vice President 1994 to 2005
- CFO 1991 to 1994

Prudential Insurance, Trinidad, CO
November 1989 to September 1991

- Insurance and Financial Product Sales

Trinidad National Bank, Trinidad, CO
March 1984 to November 1989

- Consumer, Real Estate and Commercial Lending

Self Employed Rancher, Branson, CO
March 2000 to March 2004

Federal Land Bank, Grand Junction and Lamar, CO
February 1979 to March 2000

- Real Estate Loan Officer

Self Employed Rancher, Phillipsburg, MT
May 1976 to February 1979

University of Colorado, Boulder, CO
Completed the Graduate School of Banking August 1989

Colorado State University, Fort Collins, CO
August 1974 to May 1976
BS Degree in Ag Economics

Northeastern Junior College, Sterling, CO
August 1973 to May 1974
AA Degree in Farm and Ranch Management

Trinidad State Junior College
August 1972 to May 1973

Interests

I enjoy helping the youth in our community. I am a member of the TSJC Education Foundation which raises funds and administers scholarships. I have served on the Las Animas County Fair Board and the Advisory Board of the TSJC Farm and Ranch Management Program. I served on the Trinidad/Las Animas County Chamber Board.

City of Trinidad

JAN 23 2015

City Clerk's Office

January 22, 2015

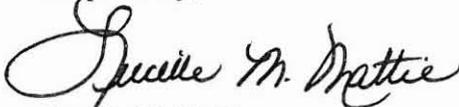
City Council
City of Trinidad
135 N. Animas Street
Trinidad, CO 81082

Members of City Council:

Please consider this my letter of interest in a seat on the Trinidad Urban Renewal Authority Board. I was born, raised and have lived most of my life in Las Animas county and Trinidad. My husband and I also raised our three children here. I have been employed by Century Savings and Loan Association for 40 years and feel my financial services background would be an asset to this board.

Being selected to serve as a director is an honor that should not be taken lightly. The continuing health and future viability of our city are greatly enhanced by interested, informed and vigilant board members. Each member should bring to the position particular skills and experience which will contribute to the composite judgment of the group and at the same time have ideas of their own and the courage to express them, sufficient time available to fulfill their responsibilities, and possess personal integrity. I believe that I have all those attributes and would appreciate your consideration of my request.

Respectfully,



Lucille M. Mattie
2607 Desperado Dr.
Trinidad, CO 81082

RESUME

Lucille Mattie
2607 Desperado Dr.
Trinidad, CO 81082

Education:

1972 - 1974 Trinidad State Junior College

Degree Earned: Associates in Applied Science
Data Processing

Certificates of Achievement: Rocky Mountain American Institute of Banking
Federal Compliance School

Professional Experience:

01/13 – Present Century Savings and Loan Association
Trinidad, Colorado
Member of the Board of Directors

05/10 –Present Century Savings and Loan Association
Trinidad, Colorado
Executive Vice-President Officer
Officer in charge of Data Processing
Loan Officer

01/07 – 05/10 Century Savings and Loan Association
Trinidad, Colorado
Executive Vice-President
Compliance Officer
Officer in charge of Data Processing

10/00 – 12/06 Century Savings and Loan Association
Trinidad, Colorado
Vice-President
Compliance Officer
Officer in charge of Data Processing

11/98 – 10/00 Century Savings and Loan Association
Trinidad, Colorado
Vice-President
Compliance Officer
Loan Officer

4/96 – 11/98 RDM, Inc.
Trinidad, Colorado
President R D M, Inc.
JCPenney Catalog Merchant
Sweet Dreams Candy and Gifts

4/75 – 4/96 Century Savings and Loan Association
Trinidad, Colorado
Assistant Vice-President
Data Processing Manager
Computer Operator
Teller

City of Trinidad

JAN 23 2015

City Clerk's Office

William D. Barns P.E.

7 First Street
Colorado Springs, CO 80906

148 First Street, Studio 8
Trinidad, CO 81082

January 23, 2015

City of Trinidad
135 North Animas Street
Trinidad, CO 81082

Attention: City Manager

Re: Trinidad Urban Renewal Authority

Greetings,

This is to formally express my interest in being considered for appointment to the board of directors for the re-establishment of the Trinidad Urban Renewal Authority.

I will provide my credentials and vision for this important community initiative under separate cover.

Sincerely,


William D. Barns

1/23

City of Trinidad

JAN 23 2015

City Clerk's Office

Edward L. Griego
715 E. 5th St
Trinidad, CO 81082
(719) 846-7013

January 23, 2015

City of Trinidad
135 N. Animas St.
Trinidad, CO 81082
Attn: AUDRA GARRETT

Re: Trinidad Urban Renewal Authority (TURA)

Audra:

Please be advised that I would like to place my name for consideration as a commissioner for the Trinidad Urban Renewal Authority (TURA).

As you may already know, the Urban Renewal Authority was revitalized a few years ago at which time I was appointed for a very short term. The purpose of the revitalization for the TURA was to dispose of certain properties in order to allow for development.

I believe that I have a background and experience which I could bring to the TURA to perform in an effective manner. I have been a Trinidad business owner for the past 40 years, owning and operating Griego Insurance Agency Inc. since 1975. I am a principal of The Griebach Corporation (Wendy's of Trinidad) which my family and I have operated since May 2000.

I am familiar with local government, having served on the City of Trinidad – City Council, Housing Authority of the City of Trinidad, City of Trinidad – Planning Commission as well as other boards and commissions both local and state.

In addition to my stake in Trinidad as a business owner, I have also owned several properties -present and past (commercial and residential). Therefore, I am aware and sensitive to issues related to responsible property ownership. That being said, I feel that there is an awareness of what local government must and should do to improve the visual appearance of the community. The aesthetic improvement will likely boost economic development efforts leading to other positive aspects for Trinidad.

I am a native of Trinidad and fortunately, or unfortunately, I am old enough to remember the areas of the city that were consumed by blight and neglect. Many of those areas were redeveloped and

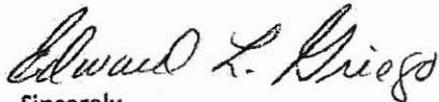
beautified as a result of action by the Trinidad Urban Renewal Authority beginning in the decade of the 1960's.

While not in the same condition of years past, our fair city has experienced some decline of its visual beauty and economic health. Many factors have contributed to these conditions and I feel that it is wise and prudent that the City of Trinidad begin the process of revitalization in order to create a positive atmosphere to its residents and others we hope to attract to Trinidad.

We have observed many changes in and around Trinidad, and experienced a variety of challenges. It is my hope that I can use the value of my observations and experiences to improve the City of Trinidad for those generations that will be the successor residents, property owners and business owners of our beloved Trinidad.

If further information regarding my background or character is required, please feel to contact me and I will provide additional information as needed.

I will be unavailable for the interviews scheduled for February 3rd due to prior commitments. Should this be an issue that would affect appointment, I will understand. In any case, I commend and fully support the initiative of the City Council for the revitalization of TURA.



Sincerely,
Edward L. Griego

EDWARD L. GRIEGO
715 E 5th ST.
TRINIDAD, CO 81082
(719) 846-7013

DATE OF BIRTH:
JULY 24, 1951

MARITAL STATUS:
MARRIED (Karen J. Griego)
(2) CHILDREN (Jean M. Incitti & Kathleen A. Griego)

EDUCATION:
TRINIDAD HIGH SCHOOL – GRADUATED 1969
TRINIDAD STATE JR. COLLEGE – GRADUATED 1972
(MAJOR – LAW ENFORCEMENT)

EMPLOYMENT:
1972 – 1975: TRINIDAD INDUSTRIAL BANK (BANKING / INSURANCE)
1973 TO 1978: CF&I STEEL CORP. – ALLEN MINE (UNDERGROUND COAL MINER)

1975 TO PRESENT: GRIEGO INSURANCE AGENCY, INC.
PRESIDENT / INSURANCE PRODUCER

1996 TO PRESENT: THE GRIEBACH CORPORATION / WENDY'S OF TRINIDAD
PRESIDENT / OWNER

COMMUNITY INVOLVEMENT

1984 – 1992 CITY OF TRINIDAD (CITY COUNCIL / MAYOR PROTEM 1984 – 1986)
1984 – 2006 HOUSING AUTHORITY OF THE CITY OF TRINIDAD (COMMISSIONER)
1998 – 2003 CITY OF TRINIDAD (ZONING & PLANNING COMMISSION – CHAIRMAN)
2001 – 2003 STATE OF COLORADO - CIVIL RIGHTS COMMISSION
2000-Present INTERNATIONAL BANK – TRINIDAD (BOARD OF DIRECTORS)

12-3-14

To whom it may concern:

My name is Carlos R. Lopez and I am a citizen here in Trinidad, CO. I was informed that there is a need for new members on the Urban Renewal Board and I would like to be considered for one of the openings.

I am a Trinidad native that left Trinidad in pursuit of my bachelor's degree from the University of Northern Colorado. I have a paralegal certificate as well from the Denver Career College.

I currently am running my family's businesses, Prospect Plaza Motel, Laundry, and Mini Storage as well as Lopez Enterprises.

I am a homeowner here in Trinidad, so I won't be going anywhere anytime soon. I look forward to helping my hometown re-build economically and attract others to visit, return or re-locate here to Trinidad.

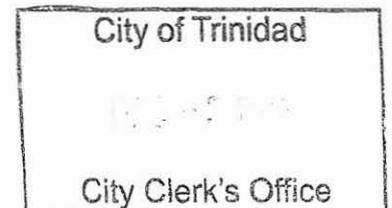
I look forward to any other correspondence and to a progressive Trinidad to come.

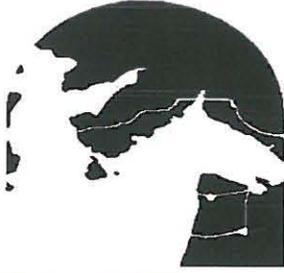
Thank you for your time and consideration.

Sincerely,



Carlos R. Lopez
Manager of Lopez Enterprises
108 W. 3rd St.
Trinidad, CO 81082
303-550-2175
carloslopez_25@yahoo.com





CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Tara Marshall
DEPT. HEAD SIGNATURE: 



SUBJECT: Consideration of Memorandum of Understanding between City of Trinidad and Department of Local Affairs regarding the Colorado Main Street Candidate Program for 2015

PRESENTER: Tara Marshall, City Management Intern

RECOMMENDED CITY COUNCIL ACTION: Motion to authorize the Mayor to sign the Memorandum of Understanding (MOU) between the City of Trinidad and Department of Local Affairs (DOLA) for the Colorado Main Street Candidate Program for 2015.

SUMMARY STATEMENT:

The MOU between the City of Trinidad and the Department of Local Affairs for the Main Street Program is effective for 2015 only. This MOU requires the City of Trinidad to dedicate staff time to attend certain identified trainings, respond to emails and phone calls from the Colorado State Main Street Coordinator and complete and file quarterly reports to DOLA. This MOU will expire on December 31, 2015.

The Colorado Main Street Candidate Program is designed to fit very well with the current Creative District efforts and with the combined reporting and training schedules, the City is able to participate in the Colorado Main Street Program without significant additional cost. Other benefits of the Colorado Main Street Candidate Program are the training received by staff and community volunteers in the areas of design, promotion, organization and economic restructuring and the use of a full time historic preservation architect to consult with the City on building and design codes. Finally, Trinidad will receive generous, free, statewide public relations about the City's revitalization efforts from the Department of Local Affairs.

EXPENDITURE REQUIRED: Travel/Meal/Hotel Expenses for trainings and a portion of the costs for the National Main Street Conference, which have been included in the Planning and Creative District budgets for 2014. Staff time to complete reporting and training responsibilities.

SOURCE OF FUNDS: Travel expenses from already established within the Planning and Welcome Center Budgets

POLICY ISSUE: City of Trinidad's participation in the Colorado Main Street Program



Memorandum of Understanding for Participation in the Colorado Department of
Local Affairs' Main Street Program

This Agreement is entered into and executed by the Colorado Department of Local Affairs (DOLA) and the City of Trinidad (Community).

I. Agreement

Whereas, this Agreement is for the purpose of said Community to participate in the Colorado Main Street Program; and

Whereas, DOLA administers the Colorado Main Street Program and provides technical assistance and training to selected communities; and

In consideration of the foregoing and of the mutual promises set forth herein, and intending to be legally bound, the parties hereto agree to the following specifics regarding the Colorado Main Street Program:

A. DOLA agrees to:

1. Act as liaison and facilitate communications between the Local Program, the Colorado Main Street Program, other Colorado communities, State agencies, non-profits, foundations, and the National Main Street Center, as they relate to the Local Main Street Program.
2. Provide training quarterly in person or over the internet.
3. Host at least one annual Main Street Boot Camp.
4. Conduct an annual year end assessment and accreditation review.
5. Review quarterly reports and compile reinvestment statistics.
6. Review annual work plans and provide feedback to Local Programs.
7. Publish a quarterly Main Street Newsletter, highlighting Local Programs, partners, trainings, and resources.
8. Facilitate and promote ongoing press and/or online coverage of the Colorado Main Street Program and its individual Local Programs, including maintaining the Colorado Main Street Website and Facebook page.
9. Make available mini-grants based on available funding to be used for planning, training and/or physical improvements.
10. Host monthly Main Street Managers' Think Tank conference calls.
11. As requested and available:
 - a. Facilitate a start-up/activation visit(s).
 - b. Facilitate annual work planning visit.
 - c. Conduct orientation for new board members and new program managers.

Memorandum of Understanding for Participation in the Colorado Department of
Local Affairs' Main Street Program

- d. Conduct and Resource Team visit and compile a report.
- e. Make a historic preservation architect available
- f. Provide scholarships to conferences and other training opportunities.
- g. Provide basic and advanced training and technical assistance in the Four Points.

B. Local Program agrees to:

- 1. Maintain an office with the necessary travel and operating budget for the Local Program.
- 2. Assist in local arrangements during on-site visits and technical assistance visits to the community.
- 3. Agree to acknowledge being an official Colorado Main Street Community and properly use the name, trademark and logo. Use the Colorado Main Street logo on all DOLA sponsored Main Street trainings, websites, reports and other materials.
- 4. Attend two of the four quarterly Main Street trainings hosted by DOLA.
- 5. Attend collectively (Local Program managers, volunteers, and/or board members) at least two of the following training opportunities in the year:
 - a. National Main Streets Conference
 - b. Main Street Boot Camp conducted by DOLA
 - c. Colorado Preservation Inc. Annual Conference
 - d. DCI Annual Conference
 - e. Downtown Colorado Inc. (DCI) Downtown Institutes
 - f. International Downtown Association Spring or Annual Conference
 - g. Colorado Brownfields Foundation Annual Conference
 - h. Economic Development Council of Colorado Spring or Fall Conference
 - i. Historic Preservation Commission Training
 - j. Sonoran Institute (various offerings)

The Local Program shall be responsible for the manager's travel costs and expenses associated with these meetings.

- 6. Provide ongoing training for your community and local volunteers.

Memorandum of Understanding for Participation in the Colorado Department of
Local Affairs' Main Street Program

7. Maintain a multi-year strategic plan that addresses the Four Points.
8. Host annual year end assessment and submit a completed year-end report.
9. Demonstrate a strong historic preservation ethic.
10. Submit required quarterly and annual reports using formats provided by DOLA on or before the identified deadlines. Failure to submit quarterly progress reports may jeopardize standings with the Colorado Main Street Program and the National Main Street Center resulting in a loss of Colorado Main Street Program services and funding.
11. Submit yearly event calendars and any updates throughout the year to DOLA.
12. Submit an annual work plan covering the Main Street Four-Points®.
13. Follow the Main Street Four-Point Approach® and Eight Guiding Principles as recommended by the National Main Street Center and the Colorado Main Street Program.
14. Demonstrate community awareness of the Local Program as well as support from the private and public sectors.
15. Present an annual "State of Main Street" report and/or presentation to the local elected body. Submit a copy of the report and/or meeting minutes to DOLA.
16. Host basic training for committees covering the Main Street Four Points®.

C. Community agrees to:

1. Maintain an ongoing and supportive relationship with the Local Program.
2. Work with DOLA and the Local Program to resolve any issues.
3. Act as the fiscal agent for all contracts or purchase orders from DOLA on behalf of the Local Program.

D. Local Program agrees to work towards the following benchmarks in 2015:

1. Work on organizational structure and committee formation that supports the Main Street Approach®.
2. Coordinate quarterly reporting with requirements of the CCI reporting in a way which will allow for compliance with Section B5.

E. Other conditions:

1. The term of this Agreement shall be for one year, beginning _____(Date) and ending December 31, 2015. It may be extended or revised only with the approval of the DOLA Main Street Coordinator, the President of the Board of the Local Program and the Mayor of the Community.
2. Notwithstanding any other provisions of this Agreement, if funds anticipated for continued fulfillment, at the time of the Agreement are, at any time, not forthcoming or insufficient, then DOLA shall have the right to amend or terminate this Agreement without penalty by giving the community not less than sixty (60) days written notice.
3. If the Local Program or Community fails to fulfill its obligations under this Agreement in a timely and proper manner, or if the community violates any terms of this Agreement, DOLA shall have the right to terminate this Agreement and withhold further services by giving the community not less than sixty (60) days written notice.

II. Representations and Warranties

All parties to this agreement represent and warrant (i) that they have no obligations, legal or otherwise, inconsistent with the terms of this Agreement, (ii) that the performance of the services called for by this Agreement does not and will not violate any applicable law, rule or regulation or any proprietary or other right of any third party, (iii) that the parties will not use in the performance of responsibilities under this Agreement any confidential information or trade secrets of any other person or entity and (iv) that neither party has entered into nor will enter into any agreement (whether oral or written) in conflict with this Agreement.

III. Entire Agreement and Notice

This Agreement contains the entire understanding of the parties and may not be amended without the specific written consent of all parties. Any notice given under this Agreement will be sufficient if it is in writing and if sent by certified or registered mail.

IV. Compliance with Law

In connection with his/her services rendered hereunder, all parties agree to abide by all federal, state, and local laws, ordinances and regulations.

Memorandum of Understanding for Participation in the Colorado Department of
Local Affairs' Main Street Program

V. Governing Law

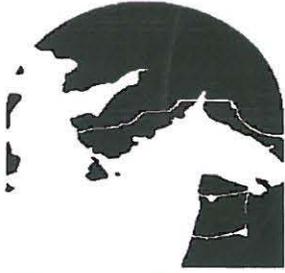
This Agreement will be construed in accordance with, and all actions arising hereunder will be governed by, the laws of the State of Colorado.

BY: _____
Mayor's Signature _____ Date _____

Print Name _____ Community _____

BY: _____
Representative _____ Date _____

Print Name _____ DOLA _____



CITY OF TRINIDAD, COLORADO
1876

COUNCIL COMMUNICATION

CITY COUNCIL MEETING: February 3, 2015
PREPARED BY: Audra Garrett, ACM/City Clerk
DEPT. HEAD SIGNATURE:

SUBJECT: Ratification of City Manager Employment Agreement with Gabriel Engeland

PRESENTER: Les Downs, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Ratification

SUMMARY STATEMENT: N/A

EXPENDITURE REQUIRED: Yes

SOURCE OF FUNDS: General Fund

POLICY ISSUE: Filling the vacancy of the City Manager

ALTERNATIVE: N/A

BACKGROUND INFORMATION:

- Attached is the signed City Manager Employment Agreement. It should be ratified by City Council.

EMPLOYMENT AGREEMENT

This Employment Agreement ("**Agreement**") is entered into this 23rd day of January, 2015, between the City of Trinidad, Colorado, a home rule municipal corporation of the County of Las Animas, State of Colorado (hereinafter, the "**City**"), and Gabriel Engeland, a natural person (hereinafter, "**Manager**").

RECITALS

WHEREAS, the City desires to employ the services of Manager as City Manager for the City of Trinidad, Colorado, and Manager desires to accept employment as City Manager for said City.

WHEREAS, it is the desire of both parties to formally establish certain conditions and benefits of employment for said Manager.

NOW, THEREFORE, in consideration of the respective rights and obligations set forth herein, the parties hereto agree as follows:

1. **Employment.** The City hereby employs Manager as City Manager ("**Manager**") for the City of Trinidad, Colorado, to provide the services described herein, subject to the terms, covenants, and conditions of this Agreement. Manager's employment as Manager for the City shall commence on February 23, 2015.
2. **Manager's Duties.**
 - (a) **Duties Prescribed by Charter.** In accordance with Chapter VI, § 6.5, of the Home Rule Charter for the City of Trinidad, Colorado (the "**Charter**"), Manager shall serve as the chief administrative officer of the City and shall be responsible to the City Council for all City affairs placed in his/her charge by the Charter, the City Council, or by law. Pursuant to the Charter, Manager shall have the following powers and duties:
 - (i) Be responsible for the enforcement of laws and ordinances for the City;
 - (ii) Hire, suspend, transfer, and remove City employees for cause, except as otherwise provided in this Charter;
 - (iii) Make appointments on the basis of executive and administrative ability, training, and experience related to the work which they are to perform;
 - (iv) Cause a proposed budget to be prepared annually and submit it to the City Council and be responsible for the administration of the budget after its adoption;
 - (v) Prepare and submit to the City Council as of the end of the fiscal year a complete report on finances and administrative activities of the City for the preceding year, and upon request of the City Council make written and verbal reports at any time concerning the affairs of the City;
 - (vi) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations to the City Council for adoption as he/she may deem necessary or expedient;
 - (vii) Exercise supervision and control over all executive and administrative departments, and recommend to the City Council any proposal he/she thinks advisable to establish, consolidate, or abolish administrative departments;

- (viii) Be responsible for the enforcement of all terms and conditions imposed in favor of the City in any contract or public utility franchise, and upon knowledge of any violation thereof, report the same to the City Council for such action and proceedings as may be necessary to enforce the same;
 - (ix) Attend Council meetings and participate in discussions with the Council in an advisory capacity;
 - (x) Establish a system of accounting and auditing for the City which shall reflect, in accordance with generally accepted accounting principles, the financial condition of the City;
 - (xi) Establish, subject to approval by the City Council, appropriate personnel rules and regulations governing officers and employees of the City; and
 - (xii) Perform such other duties as may be prescribed by the Home Rule Charter of the City, or by ordinance, or required of him/her by City Council which are not inconsistent with the City Charter.
- (b) Duties Prescribed by Ordinance. Pursuant to Article 4 of Chapter 2 of the Code of Ordinances of the City, Manager shall have the following additional duties:
- (i) Be responsible for the preparation of plans and specifications, estimating cost, advertising for bids, supervision, and approval of any public work or special improvement;
 - (ii) Establish and maintain proper relationships with other levels of government and public service agencies and conduct all business negotiations between them and the City, the nature of which does not require the personal attention of the elected officers of the City;
 - (iii) Act as an ex-officio member of all agencies, boards, commissions, and bureaus established by the City.

3. **Compensation.**

- (a) Salary. The *initial* base salary to be paid to Manager for his/her services as City Manager shall be One Hundred Three Thousand Dollars (\$103,000.00) annually, which shall be paid in equal installments every two weeks, or at such other intervals as may be set by the City. Such salary may be revised from time to time by appropriate action of the City Council at any time. Such salary, and all other monetary compensation, is subject to employer withholdings, e.g., for FICA, Medicare, any applicable occupational privilege tax, and any court-ordered deductions such as garnishments. Such salary may also be reduced by deductions that the Manager authorizes for insurance, retirement plan contributions, and other similar purposes. City Manager agrees that he will not seek or accept a pay increase unless or until all City employees are also granted an increase in pay.
- (b) Benefits. In addition to such base salary, Manager shall receive such other benefits as provided herein, including health and life insurance, social security, vacation and sick leave, and retirement plan benefits. Manager shall be allowed the opportunity to pursue a different retirement fund if allowable under the terms of City's Retirement Plan

Agreement. The City will make all reasonable accommodations that it can to allow Manager to pursue the plan of his choice.

- (c) Reassessment of Compensation Package. It is understood by the parties that Manager's compensation package may be re-assessed in the future based upon Manager's past performance and assumption of additional employment duties.

4. Professional and Educational Expenses. With the City Council's prior approval, the City shall reimburse Manager for professional and educational expenses reasonably and necessarily incurred in furtherance of the City's business and professional development.

5. Vacations, Holidays, and Leaves.

- (a) Vacation Leave. Manager shall accrue vacation leave in accordance with the following schedule:

| <u>Length of Employment</u> | <u>Accrual Rate</u> |
|--|------------------------|
| Less than five (5) years | 8 hours per month |
| Five (5) years to six (6) years | 8.666 hours per month |
| Six (6) years to seven (7) years | 9.333 hours per month |
| Seven (7) years to eight (8) years | 10 hours per month |
| Eight (8) years to nine (9) years | 10.666 hours per month |
| Nine (9) years to ten (10) years | 11.333 hours per month |
| Ten (10) years to eleven (11) years | 12 hours per month |
| Eleven (11) years to twelve (12) years | 12.686 hours per month |
| Twelve (12) years or longer | 13.333 hours per month |

Manager shall be encouraged to use accrued vacation leave for vacation purposes to avoid overwork and burnout. Therefore, Manager shall not carry more than forty (40) days (320 hours) of unused vacation leave at any one time. Any vacation time which would otherwise accrue above this ceiling shall be forfeited. Upon termination of this Agreement, Manager shall be compensated at the then-current rate of salary for earned non-forfeited vacation leave that remains unused at that time.

- (b) Holidays. The City currently recognizes the following holidays (as may be changed from time to time by the City Council):

| | |
|-------------------------------|---|
| • New Year's Day | January 1 st |
| • Martin Luther King, Jr. Day | Third Monday in January |
| • President's Day | Third Monday in February |
| • Good Friday | Last four hours of scheduled work shift |
| • Memorial Day | Last Monday in May |
| • Independence Day | July 4 th |
| • Labor Day | First Monday in September |
| • Columbus Day | Second Monday in October |
| • General Election Day | Tuesday following first Monday in November in even-numbered years |
| • Veteran's Day | November 11 th |
| • Thanksgiving Day | Fourth Thursday in November |
| • Friday after Thanksgiving | Fourth Friday in November |
| • Christmas Eve | Last four hours of scheduled work shift the day preceding Christmas |
| • Christmas Day | December 25 th |

- (c) **Sick/Health Leave.** The City currently recognizes the accrual of eight (8) hours of sick/health leave for each month of completed employment (as may be changed from time to time by the City Council). In any year in which Manager's unused accrued sick leave time exceeds eighty (80) days (640 hours) as of November 1st of said year, Manager shall be paid for those days exceeding eighty (80) (those hours exceeding 640) at fifty percent (50%) of his/her then-current rate of salary. At the time of termination of this Agreement, Manager shall not be compensated for accrued sick leave time, except for those days exceeding eighty (80) (those hours exceeding 640), which shall be compensated at fifty percent (50%) of his/her then-current rate of salary.
- (d) **Personal Leave.** The City currently recognizes four (4) work shifts per year of paid leave, (as may be changed from time to time by the City Council), known as personal leave days. The utilization of personal leave days shall be subject to the operational needs of the City. Any personal leave day not utilized by the end of the calendar year shall be forfeited.
6. **Professional Days.** It is recognized that Manager shall be allowed a certain amount of time during the course of the year for professional development. To this end, Manager shall be allowed up to twenty (20) professional days per year which shall not be applied to accrued vacation leave. Such days may be used for attendance at meetings of boards, committees, or groups of which he/she is a member, and at conferences and seminars that are related to his/her employment as City Manager. Attendance at any such meeting shall not be counted as use of a professional day if it is at the direction of the City Council or required by his/her official duties as City Manager.
7. **Voluntary Benefits.** Manager shall be eligible to participate in any insurance plan(s), retirement plan, or other voluntary employee benefits that the City chooses, from time to time, to offer its other employees, subject to the participation standards and other terms of any such voluntary benefit. The City is under no obligation to continue any voluntary benefit.
8. **Travel Expenses.** In addition to salary and benefits, Manager shall be reimbursed for travel expenses incurred for travel outside of Las Animas County in fulfillment of his/her duties as City Manager. However, a City vehicle will be provided for the City Manager's use.
9. **Dues and Subscriptions.** Subject to such amounts as may be budgeted, the City Council, at its sole discretion, agrees to pay the professional dues and subscriptions of Manager necessary for his/her continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for his/her continued professional participation, growth, and advancement and for the good of the City.
10. **Supplies, Equipment, and Facilities.** The City will provide Manager with such supplies, equipment, facilities, and services as are reasonably necessary for the performance of Manager's employment duties. The City's provision of any supplies, equipment, or facilities confers upon Manager no ownership interest in such supplies, equipment, or facilities, and will not obligate the City to continue providing supplies, equipment, and facilities. Manager's use of the City's property and equipment shall be consistent with the City's policies and standards.
11. **Moving Expenses.** The City will reimburse Manager expenses associated with moving to Trinidad at an amount mutually agreed upon by the parties.
12. **Probation and Annual Evaluation.** The City Manager shall be subject to a probation for the initial six month period of this contract, and will receive a performance evaluation at the conclusion thereof. Thereafter, the City Council shall, annually from that date, evaluate the professional performance of Manager. The procedure for such evaluation of Manager shall be at

the City Council's discretion, except that the City Council shall give the public the opportunity to provide written comment. The written evaluation of Manager shall not be made public. The City Council shall advise Manager of the criteria being used for the evaluation.

13. **Term of Agreement.** This agreement shall remain in full force and effect for three years, subject to the following:
- (a) **Termination.** In accordance with Chapter VI, § 6.2, of the City Charter, the City Manager shall be removable at the pleasure of the City Council by a majority vote of the City Council. Before the Manager may be removed, he/she shall, if he/she desires, be given a written statement of the reason(s) alleged for his/her removal and the right to be heard publicly thereon at a meeting of the City Council prior to the final vote on the question of his/her removal. In the event of Manager's termination, Manager shall be entitled to severance pay. The severance pay will be calculated, and Manager will earn, said severance pay as follows:
- Manager will be entitled to full severance pay upon the execution of this contract; full severance pay will be one-half of the Manager's salary, or \$51,500. Manager will be entitled to said severance pay if Manager is terminated by Council for any reason other than for cause during the first one year period of his contract. (For cause is defined in the Trinidad Municipal Charter as follows: [a] He is found guilty of a felony or any other crime involving moral turpitude; [b] He has a disability which interferes with the performance of his duties, and which is, or is likely to become of a permanent character; [c] He has willfully or persistently failed to perform his duties; [d] He is habitually intemperate.)
 - Manager will be entitled to one-quarter of the Manager's annual salary, or \$25,750, should the Manager be terminated by Council for any reason other than for cause after the first one-year period of his contract through the first two years of his tenure.
 - Manager will be entitled to one-eighth of the Manager's annual salary, or \$12,825, should the Manager be terminated by Council for any reason other than for cause after the first two-year period of his tenure with the City and throughout the remainder of his tenure.
- (b) **Resignation.** In the event of Manager's resignation from his position with the City, he/she shall give two (2) months' written notice in advance, or such lesser amount of advance notice as may otherwise be mutually agreed to in writing.
14. **Exclusivity of Employment.** During the term of this Agreement, Manager agrees to remain in the exclusive employ of the City and shall not become employed by any other employer. The term "employed" shall not be construed to include occasional teaching, writing, or consulting assignments performed on Manager's time off. However, Manager shall not engage in such teaching, writing, or consulting without the express prior approval of the City Council.
15. **Preservation of the City's Confidential Information.** Manager agrees to preserve the City's confidential information and customer records, as may be further specified in a separate Confidentiality and Conflict of Interest Agreement.
16. **Disability.** If Manager becomes permanently disabled or is otherwise unable to perform his/her duties because of illness, accident, injury, mental incapacity, or health for a period of four (4) successive weeks beyond any accrued sick leave, the City shall have option to terminate this Agreement.

17. **Residency Requirement.** Manager shall, within six (6) months of commencement of employment, reside within the corporate limits of the City of Trinidad.

18. **Notices.** All notices expressly required or permitted to be given by either party hereto shall be reduced to writing and mailed or personally delivered to:

- (a) If to the City: Mayor
City of Trinidad, Colorado
135 North Animas Street
P.O. Box 880
Trinidad, CO 81082

- (b) If to Manager: Gabriel Engeland

Said addresses may be changed by giving notice as aforesaid.

19. **General Provisions.**

- (a) **Entire Agreement.** This Agreement constitutes the entire agreement between the parties, and shall supersede all prior communications, representations, or agreements, either verbal or written, between the parties hereto.
- (b) **Effective Date.** This Agreement shall become effective commencing on the date first written above.
- (c) **Severability.** If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be deemed servable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties and/or their duly authorized officials have executed this Agreement.

THE CITY OF TRINIDAD, COLORADO

By: Joseph A. Reorda
Mayor

Dated: January 23, 2015

ATTEST:

Audra Garrett
AUDRA GARRETT, City Clerk

