

NOTICE OF MEETING



CITY OF BRANSON

BOARD OF APPEALS

Regular Meeting – Thursday, November 7, 2013 – 1:00 p.m.
Council Chambers – Branson City Hall – 110 W. Maddux St.

Where Values are the Difference

NOVEMBER: INTEGRITY

Doing the right thing, even when no one is looking

**CITY OF BRANSON
BOARD OF APPEALS AGENDA**

November 7, 2013
1:00 P.M.
Council Chambers

BOARD BUSINESS

1. **Roll Call**
2. **Approve Agenda**
 - A. **November 7, 2013**
3. **Approve Minutes**
 - A. **May 23, 2012**
4. **Election of Chairperson and Vice-Chairperson**
5. **Request for an Appeal of the Order of Abatement Issued to Inn-2, LLC for the Property Located at 1944 W. State Highway 76, Branson, Missouri.
Project No. 13-30.1 (13-03000001)**
Applicant: Inn-2, LLC

[Appeals Application]

ADJOURNMENT

Where Values are the Difference

NOVEMBER: INTEGRITY

Doing the right thing, even when no one is looking

CITY OF BRANSON BUILDING CODE BOARD OF APPEALS
May 23, 2012 – MINUTES

The Board met on Wednesday May 23, 2012 at 10:00 a.m. in the Fishbowl Conference Room at City Hall.

BOARD MEMBERS PRESENT: Members Houge, Beanland, Michel, Oney, and Johnson.

ALSO PRESENT: Jim Lawson, Director of Planning & Development
 Tim Bonner, Building Division Supervisor
 Stephenie Schultz, Office Specialist
 Joel Hornickel, Senior Planner
 Randy Fogle, Division Chief of Technical Services, Branson
 Fire/Rescue, and
 Summer Peterson, Permit Technician

COMMISSION BUSINESS

Jim Lawson, Director, welcomed everyone and explained the purpose of the meeting was to familiarize the members of their duties as Board of Appeals members. Each member was introduced and gave a brief personal background description. Director Lawson also had staff introduce themselves.

ADOPTION OF MINUTES:

Director Lawson stated that there were minutes to approve from the last meeting on October 11, 2007. Due to the fact three of the five current members were not on the Board at the time of that meeting and would not be able to approve the minutes, He asked if there was a motion to adopt the minutes.

MOTION:

Motion by Commissioner Houge to adopt the minutes; Commissioner Beanland seconded the motion.

AYES: Commissioners Houge, Beanland, Michel, Oney, and Johnson.

NOES: None

ABSTAIN: None

ABSENT: None

Motion carried 5-0

Director Lawson reviewed the code referencing Building Code Board of Appeals. Explanation was given on what occurs when an applicant applies to go before the Board of Appeals. Explanation was also given regarding how meetings are scheduled, how information sent to members and staff interpretation of information when a meeting is called.

Dangerous Building Code: Director Lawson explained the Dangerous Building Code ordinance citing the Board of Appeals will be called for an appeal against this ordinance or when a judgment has been made regarding the ordinance.

Randy Fogle explained to the members that the fire sprinkler concerns should be the only fire issue outside of the Building Code.

Tim Bonner spoke of the local amendments the City has to the International Building Code stating they are all listed in the City of Branson Municipal Code. For reference: Building Code is Chapter 20 and Fire Code is Chapter 38.

Commissioner Houge asked if we had adopted the 2009 Codes. Mr. Bonner explained we were currently operating under the 2009 IBC Codes and are looking at moving towards the 2012 IBC Codes.

Commissioner Oney asked how long Building Code Board of Appeals terms are. Director Lawson and Stephenie Schultz explained they are five (5) year terms with the Mayor reappointing.

Director Lawson identified that a chairperson would be elected at the next scheduled meeting.

ADJOURNMENT

Commissioner Michel motioned to adjourn, Commissioner Oney seconded.

Director Lawson adjourned the meeting at 10:24 a.m.

Gerald Oney, Chairperson

Date

Summer Peterson, Office Assistant II

Date

**Branson Board of Appeals
Action Memorandum
Project No. 13-30.1 (13-03000001)**

LOCATION: 1944 WEST STATE HIGHWAY 76

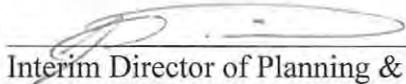
OWNER/APPLICANT: INN-2, LLC

ITEM/SUBJECT: REQUEST FOR AN APPEAL OF THE ORDER OF ABATEMENT ISSUED TO INN-2, LLC FOR THE PROPERTY LOCATED AT 1944 WEST STATE HIGHWAY 76, BRANSON, MISSOURI.

DATE: OCTOBER 31, 2013

INITIATING DEPARTMENT: PLANNING & DEVELOPMENT

APPROVED BY:


Interim Director of Planning & Development

Nov. 4, 2013
Date

An application to the Building Code Board of Appeals has been received from Inn-2, LLC (hereafter "Applicant") by and through its agent and attorney, Robert Paulson, requesting an appeal from an order issued by the Director of Planning of Zoning concerning a finding of nuisance and order of abatement. (See attached Exhibit 1.1-1.10). The building in question is located on property found at 1944 West State Highway 76 which is located south of West State Highway 76, east of Forsyth Street, North of Frank Rea Boulevard and Scott Boulevard and west of Fall Creek Road. (See attached Exhibit 2.1-2.2 for an overhead map of the property on which the subject building sits.) The property is zoned C commercial and contains an existing structure within approximately 3.5 acres more or less, and is commonly referred to as "J.R.'s Motor Inn."

There were two buildings located on the subject property. On February 29, 2012, an EF-2 tornado damaged the Applicant's two buildings. The rear building was substantially damaged and the owner applied for and received a permit to demolish that building on April 17, 2012. On September 8, 2012, a fire further damaged the front building, which served as an office and living quarters, including a portion of the roof and trusses. (See attached Exhibits 5.1-5.8 and 6.1-6.10, attached to this staff report, which contain City of Branson Fire and Rescue Investigative Reports prepared by Dennis Brunner and Christopher Morgan).

On January 7, 2013 a structural engineer, hired by the City, from Pinnacle Design Consultants inspected the structure due to the tornado and fire issues and determined that "a dangerous condition" exists and the building is in an "unstable condition." (Engineer's letter attached hereto as Exhibit 4.1-4.5). The structure was posted on January 11, 2013, by inspector Keith Crawford as a dangerous building as required by Section 22-202 of the Branson Municipal Code. (See attached Exhibit 16.1, a photograph of the posting on the

building taken by inspector Crawford). Based on the inspection performed by Ronald Hamme, P.E. of Pinnacle Design Consultants, a Letter of Declaration dated January 14, 2013, was sent to Inn-2, LLC by Inspector Keith Crawford, notifying the owner the structure had been officially declared as a dangerous building as required by Section 22-202 of the Branson Municipal Code. (See attached Exhibit 7.1). A Notice and Order, required by Section 22-205 of the Branson Municipal Code was mailed out on February 15, 2013, and sent to Inn-2, LLC by Director Jim Lawson. (See attached Exhibit 8.1-8.2). Additional letters were sent to parties that appeared to have an interest in the building as required by Section 22-205 of the Branson Municipal Code on March 14, 2013. These parties included Leisuretek, LTD, Inc., Brad Poppie, Robert Walford, Robert Paulson and Rocky Mountain Management, LLC. (See attached Exhibits 9.1-9.4, 10.1-10.4, 11.1-11.5, 12.1-12.4, and 14.1-14.5).

Since it appeared to the City Staff that compliance with the issues addressed in the Notice and Order had not been achieved, a hearing, as provided by 22-208 of the Branson Municipal Code, was posted on July 15, 2013, scheduled for July 26, 2013, and mailed to multiple parties with a possible interest in the building. (See attached Exhibit 15.1-15.4). At that hearing, various attorneys were present to represent various interests in the subject property. None of the parties argued that the building was not a dangerous structure or nuisance, but instead, who was responsible for the demolition process and the building itself. The current owner of record, according to Taney County Assessor is Inn-2 LLC (See attached Exhibit 18.1).

On September 13, 2013, a Finding of Nuisance and Order of Abatement prepared by interim Planning Director Joel Hornickel and based on the July 26th hearing, and required by the Branson Municipal Code in Section 22-208 was sent to interested parties. (See attached Exhibit 3.1-3.5). The Notice and Order listed a number of violations of the Branson Municipal Code that exist in the current state of the building still located at 1944 West State Highway 76, as well as detailing the finding in various reports concerning the structural integrity of the building, and the fact that it remains, in situ, as a dangerous building.

Amongst the findings, the interim Planning Director found that:

- The facts as stated in the City of Branson Fire & Rescue Investigation reports are true (See Attached hereto Exhibits 5.1-5.8 and 6.1-6.10).
- Inn-2, LLC had formal and sufficient notice of the July 26, 2013 hearing (Exhibit 15.1-15.4).
- The Structural Engineer's report and conclusions are taken as true (Exhibit 4.1-4.5).
- The Building Inspector found that due to a combination of the February 29, 2012 tornado and the fire event on September 8, 2012, the main structure contained the following conditions: portions of the roof and second floor ceiling joists/trusses sustained heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof; drywall from the ceiling and walls were fallen down on the floor; heavy damage from smoke and heat was found on the ceiling and down the walls in the hallway area and one of the bedrooms; the building had been exposed to the elements and all of the interior finishes have been compromised; the mechanical and electrical systems have also been damaged; the entrance canopy is missing the two end columns; and trash and debris were found inside and outside of the structure. (Exhibit 3.2)
- The Notice and Order was issued on a reasonable basis and was within the standards set forth in Chapter 22 of the Branson Municipal Code.
- Inn-2, LLC, DBA: JR's Motor Inn, P.O. Box 2635, is listed as the owner of the property according to the records of the Taney County Missouri Assessor's Office.

The conclusion of the interim Planning Director, after hearing the evidence in the attached reports to the Notice, and evidence from City Staff as well as all interested parties, was that the building was a dangerous one and that the building be demolished and the debris removed, along with other issues that needed to be resolved to bring the property into compliance with the Branson Municipal Codes Chapter 22 and 58, and the 2009 International Property Maintenance Code. Also, the interim Planning Director ruled that these measures be taken within 30-days from the receipt of the notice. (See attached Exhibit 3.5).

In response to this order, the Applicant submitted a request to the Building Code Board of Appeals on October 11, 2013 for a review of the matter. (See attached Exhibit 1.1). The Applicant was to provide “a detailed description of the factual and legal grounds for the appellant’s appeal” according to Branson Municipal Code, Section 22-208.

This Applicant has a right to appeal the ruling of the Planning and Zoning Director to this Body under the provisions of Branson Municipal Code, Section 22-209(1), that hearing is to be held under the auspices of Section 22-209 of the Branson Municipal Code. This section of Code is attached to this staff report below.

Relevant Sections of Code:

Branson Municipal Code Section 22-202. – Duties of inspectors.

Inspectors shall have the following duties under this article to:

- (1) *Inspect, as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special, or miscellaneous occupancy buildings for the purpose of determining whether any conditions exist that gives the inspector reasonable grounds to believe that any such building is unsafe or dangerous.*
- (2) *Inspect any building, wall, or structure about which complaints are filed by any person to the effect that a building, wall, or structure is or may be existing in violation of this article, and the inspectors determine that there are reasonable grounds to believe that such building is unsafe or dangerous.*
- (3) *Inspect any building, wall, or structure reported by the fire or police departments of the city as probably existing in violation of this article.*
- (4) *Immediately report to the director any building or structure that the inspector finds to be a dangerous building. The director may direct the inspector to post on such building or structure written notice that reads substantially as follows:*

"This building has been found to be a dangerous building by the City of Branson. This notice shall remain on this building or property until it is repaired, vacated, or demolished, and the property cleaned in accordance with the notice that has been given the owner, occupant, lessee, mortgagee or agent of this building, and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of Taney County, Missouri. It is unlawful to remove this notice until such notice is complied with."

Provided, however, that the order and the posting of said notice shall not be construed to deprive all persons entitled thereto by this article to the notice and hearing prescribed herein.

- (5) *Immediately report to the director any noncompliance with any notice and order, or failure to proceed continuously with work pursuant to such notice and order without unnecessary delay.*
- (6) *Appear at all hearings and appeals, and testify as to the conditions of any building or structure that falls under the purview of this article.*
- (7) *Entry. When it is necessary to make an inspection to enforce the provisions of this article, or when there is reasonable cause to believe that there exists in a building or structure a condition that is contrary to or in violation of this article, the inspector may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this article. However, if such building or structure is occupied that credentials be presented to the occupant and entry requested. If such building or structure is unoccupied, vacant, or abandoned, the inspector shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises, and request entry. If no consent is given to enter or*

inspect any building or structure, the inspector shall notify the director who may request an administrative search warrant, as provided in this Municipal Code.

Branson Municipal Code Section 22-205. - Notice and order.

- (1) *Commencement of proceedings. When a building or structure has been inspected and has been determined to be a dangerous building, the director shall commence proceedings to cause the repair, vacation, or demolition thereof.*
- (2) *Notice and order. The director shall issue a notice and order directed to the owner(s) of record for the building or structure, and all interested parties thereof.*

The notice and order shall contain:

- a. The street address and legal description sufficient for the accurate identification of the premises upon which the building or structure is located.*
- b. A statement that an inspection revealed that the building or structure is a dangerous building, with a concise description of the conditions found to render this conclusion.*
- c. A statement of the remedial action(s) required to be taken as determined by the director.*

Such statement of remedial action shall include direction concerning the following:

- 1. The owner must vacate, vacate and repair, or vacate and demolish said building or structure, and clean the lot or property on which the building or structure is located in accordance with the terms of the notice and of this article.*
- 2. The occupant or lessee must vacate said building or have it repaired in accordance with the notice and remain in possession.*
- 3. The mortgagee, agent, or other persons having an interest in said building or structure, as shown by the land records of the Recorder of Deeds of Taney County may, at his/her own risk, repair, vacate, or demolish the building, and clean the property or have such work done.*

Provided that any person notified under this subsection to repair, vacate, or demolish any building or clean the property shall be given such reasonable time not exceeding 30 days to begin compliance with such notice and order, without unnecessary delay. If it is necessary to obtain a building permit in order to comply with any notice and order, and the person has submitted a complete request to the city for such permit, the time for the city to issue such permit shall not be included for purposes of determining whether the person is proceeding without "unnecessary delay."

- (3) *Service of notice and order. The notice and order shall be sent via both first class regular mail (postage prepaid) and certified mail (postage prepaid) return receipt requested to the owner(s) of record and all interested parties. Notice sent via the U.S. Postal Service shall be effective as of the date of mailing. If the director learns that neither the regular mailed notice nor the certified mailed notice was received by the recipient (for any reason other than refusal), the director may attempt to have such party personally served with such notice.*

If any person or interested party does not receive such notice, for whatever reason, such fact shall not invalidate any proceedings hereunder as to any other person duly served nor relieve any such person from any duty or obligation imposed by the provisions of this article. Mail returned by the U.S. Postal Service marked "refused" shall constitute proof of service.

If service cannot be had by either personal service or mail, then service may be had by publication in a newspaper qualified to publish legal notices, for two successive weeks.

- (4) *Emergency powers authorized. In any case where it reasonably appears that there is an immediate danger to the health, safety or welfare of any person, the director shall take measures to secure the structure and then take steps to vacate, repair or demolish the dangerous building or structure.*

Municipal Code Section 22-208. - Failure to comply with notice and order.

- (1) *Upon receipt of a report from the inspector indicating failure by the owner(s) or any interested party to commence work as required by the notice and order within the time specified by this article or upon failure to proceed continuously with work without unnecessary delay, the director shall hold a hearing giving the owner and interested parties full and adequate hearing on the matter. Such hearing shall be recorded in accordance with RSMo 536.130, and shall be considered a contested case for purposes of judicial review.*
- (2) *Written notice of such hearing shall be given at least ten days in advance of such hearing (in accordance with subsection 22-205(3) of this article) directing the owner(s) and interested parties to appear before the*

director on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the notice and order.

- (3) Any party may be represented by counsel and all parties shall have an opportunity to be heard.
- (4) The director shall make written findings of fact from the evidence offered at said hearing as to whether or not the building or structure in question is a dangerous building as defined in this article.
- (5) If the evidence supports a finding based upon competent and substantial evidence that the building or structure is a dangerous building, the director shall issue a written order of abatement based on such findings of fact, commanding the owner(s) or other responsible party, to repair, vacate, board, or demolish any building or structure found to be a dangerous building and to clean the property. Provided that any person so notified, shall have the privilege of either vacating and repairing said building or structure (if such repair will comply with the ordinances of the city) or may vacate and demolish said dangerous building at his own risk to prevent the city from acquiring a lien against the land where the dangerous building stands. If the evidence does not support a finding that a building or structure is a dangerous building, no order shall be issued.
- (6) The written order of abatement from the director shall be delivered, by person or mail, to each party of the hearing, or their attorney of record. In addition, copies of the order shall be posted in a conspicuous place in the office of the director for a period of 30 days from the date of issuance. The order shall state a reasonable time, to be no less than 30 days from the date of issuance, within which to comply with the order, and shall further provide that if the work is not substantially completed within 30 days of the issuance of the order, the city may, by its own employees or by contractor, perform the work necessary to bring the building into compliance with the director's order with costs levied to the property owner, or by a lien placed upon the property.

Branson Municipal Code Section 22-209. - Appeals from the decision of the director.

- (1) Any owner or interested party aggrieved by an order of abatement may appeal such order to the board of appeals. To be effective, such appeal shall conform with the requirements of this section and shall be received by the city clerk no later than 30 days after the written order of abatement has been issued. For purposes of an appeal of an order of abatement, such appeal shall be considered a rehearing.
- (2) An appeal filed pursuant to this section shall include the following information:
 - a. The name and mailing address of the person requesting the appeal (referred to herein as the "appellant");
 - b. A description of the order that he/she is appealing (including a copy of such order);
 - c. A description of the appellant's interest in the property (e.g., ownership, leasee, mortgagee, etc.), and a description of how the order may affect such interest;
 - d. A detailed description of the factual and legal grounds for the appellant's appeal;
 - e. Payment of costs for the planning and development department to schedule and give notice of appellant's hearing;
 - f. The common street address or legal description of the affected property.
- (3) Upon request of the appellant, the board of appeals may stay enforcement of any order of abatement, pending the board's review of the appeal and final action related thereto.
- (4) Upon submission of a timely appeal that conforms with the above-stated requirements, the hearing of such appeal shall be scheduled to take place before the board of appeals within 30 days of the filing of such appeal, and notice of such fact shall be provided to the appellant at the mailing address that he/she provided. Such notice shall also be sent to other interested parties, as defined by this article. The board of appeals shall be provided with copies of any and all notices, orders, briefs, and documents provided by appellant.
- (5) Unless waived by the appellant (either via formal waiver or failure to timely object), the hearing before the board of appeals shall be recorded (via a method capable of transcription) and include:
 - a. A brief submitted by the director, outlining the basis for the order of abatement.
 - b. Any and all evidence that either the city or the appellant wishes to submit, which the board deems relevant to the question of the validity of the director's order of abatement;
 - c. Any and all testimony, given under oath, that either the city or the appellant wishes to submit, which the board deems relevant to the question of the validity of the director's order of abatement. Parties shall have the right to cross-examine any witness providing testimony;

d. Any party may request additional procedures not specifically outlined herein and the board of appeals shall consider and timely rule on such requests. Any and all exhibits presented at such hearing shall be made available to adverse parties prior to the hearing.

(6) The board of appeals shall make a ruling, based upon competent and substantial evidence, either affirming or reversing (in part or in whole) the director's order of abatement (in accordance with [section 22-206](#)). The board shall provide the appellant a copy of a finding of fact and conclusions of law for the board's decision within 15 days of the conclusion of the hearing.

(7) The board of appeals may establish additional procedures to fulfill the purpose of this section.

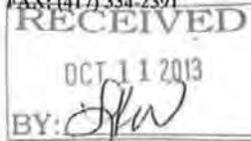
(Ord. No. 2011-004, § 1, 1-11-2011)

ATTACHED INFORMATION:

- Exhibit 1: Board of Adjustment Application
- Exhibit 2: Vicinity Maps
- Exhibit 3: Finding of Facts Dated September 13, 2013
- Exhibit 4: Structural Engineer's Report
- Exhibit 5: Fire Investigation Report
- Exhibit 6: Fire Investigation Report
- Exhibit 7: Letter of Declaration Dated January 14, 2013
- Exhibit 8: Notice and Order Dated February 15, 2013
- Exhibit 9: Notice and Order Leisuretek Dated March 14, 2013
- Exhibit 10: Notice and Order Brad Poppie Dated March 14, 2013
- Exhibit 11: Notice and Order Robert Walford Dated March 14, 2013
- Exhibit 12: Notice and Order Robert Paulson Dated March 14, 2013
- Exhibit 13: Title Search Dated March 15, 2013
- Exhibit 14: Notice and Order Rocky Mountain Management Dated March 14, 2013
- Exhibit 15: Notice of Hearing Dated July 15, 2013
- Exhibit 16: Dangerous Building Posting Dated January 11, 2013
- Exhibit 17: Notice and Order Posting Dated February 15, 2013
- Exhibit 18: Taney County Tax Record



CITY OF BRANSON
PLANNING & DEVELOPMENT
110 W MADDUX ST, SUITE 215
PHONE: (417) 337-8547
FAX: (417) 334-2391



FOR OFFICE USE ONLY: Permit No. 13-30.1
FEE: \$100.00 (Non-Refundable)
DATE & INITIALS: 10/11/13
PAYMENT TYPE: CASH
 CHECK # 1094
 CREDIT CARD REF # _____
PUBLIC NOTICE DATE: _____
PUBLIC HEARING DATE: _____

**Building Code
Board of Appeals**

Applicant Name (Please Print): Tru-2, LLC
Applicant Address: 101 State Drive, Hollister, MO
Phone Number: 417-335-2335 Fax Number: 417-335-2119 Email: _____
Permit #: _____
Permit Street Address: see append.

REQUIRED INFORMATION TO BE INCLUDED BEFORE APPLICATION WILL BE ACCEPTED

- Please attach a copy of the inspection and/or letter that was denied.
- Please provide code sections affected by your request.
- Please provide a detailed description or reasoning of request. (Please use the attached sheet and additional sheets if necessary.)

Applicant Requests:

(Please check any that apply)

- The code was incorrectly interpreted.
- The provisions of the code do not fully apply.
- An equally good or better form of construction exists.

PROPERTY OWNER/AGENT INFORMATION

Owner's Name (Please Print): _____
Owner's Address: _____
Phone Number: _____ Fax Number: _____ Email: _____
Owner's Signature: _____
Agent's Name (Please Print): _____
Agent's Address: _____
Phone Number: _____ Fax Number: _____ Email: _____
Agent's Signature: _____

Exhibit 1.2

CITY OF BRANSON BUILDING CODE BOARD OF APPEALS/OCTOBER 1, 1998

**CITY OF BRANSON
BUILDING CODE BOARD OF APPEALS**

RULES OF PROCEDURE

A Building Code Board of Appeals Resolution

WHEREAS, the City of Branson has appointed a Building Code Board of Appeals; and,

WHEREAS, said Building Code Board of Appeals in an organizational meeting held October 1998, promulgated the rules of procedure as follows:

Section 98 100.0 DENIAL OF PERMIT OR REJECTION OF INSPECTION.

Upon denial to issue a building permit by the Building Official, or by his authorized designated deputy, the owner, or his duly authorized agent, shall have the right to appeal to the Building Code Board of Appeals.

Section 98 101.0 FILING OF APPEAL. The Planning & Development Department shall maintain a supply of appropriate forms on which to file an appeal. Notice of appeal must be filed, by the owner, or his duly authorized agent, in writing, with the Planning & Development Department.

Section 98 101.1 MEETINGS. Meeting shall be held at the call of the chairperson within ten days of the filing of the appeal and at other such times as the Building Code Board of Appeals may determine. All meetings shall be open to the public. The board shall hear the code official, the appellant, or his duly authorized agent, and any person whose interests are affected. Three (3) members of the Board shall constitute a quorum. A concurring vote of three members of the board is required to modify or reverse the decision of the Code Official. No action may be taken by the board if a quorum is not present, the hearing will be postponed to the next meeting, not to exceed thirty (30) days from the time the appeal was initially considered. Appellant shall have the right to request a postponement of any hearing when all five members are not present.

Section 98 102.0 CONTENTS OF APPEAL. Basic factual information is needed, such as the date on which the appeal is filed and the specific kind of relief sought. The burden of specificity is upon the owner, or his duly authorized agent. Architectural or engineering help should be used if necessary to convey the intent of the appeal. The appeal must inform the board why they, as a jurisdictional body, have the power to address this particular question. Such power must be allowed by law. The board cannot relax Fire or Life Safety Codes, or the intent of the Code.

Exhibit 1.3

CITY OF BRANSON BUILDING CODE BOARD OF APPEALS/OCTOBER 1, 1998

Section 98 103.0 **CONDITIONS FOR RELIEF.** A modification or reversal of the Building Official shall find one of the following conditions:

- That the code was incorrectly interpreted.
- That the provisions of the code do not fully apply.
- That in the opinion of the Board, an equally good or better form of construction exists.

Relief should be granted only when an alternate method or material demonstrates compliance to the intent of the Codes.

Section 98 104.0 **COURT REVIEW.** If the appellant wishes to appeal the decision of the Building Code Board of Appeals, they shall have sixty (60) days which to do so to the appropriate court. If no appeal is made within sixty (60) days, the case is closed.

Section 98 105.0 **ORDERS AND DECISIONS.** The decision of the Board shall be by resolution, setting out findings and conclusions of the Board and shall specify as precisely as possible, the exact reason or reasons upon which the decision is based. The Building Official shall take immediate action in accordance with the decision.

BE IT THEREFORE RESOLVED, that the Building Code Board of Appeals for the City of Branson hereby adopts these **RULES OF PROCEDURE.**

DONE THIS 12th DAY OF OCTOBER 1998, BY THE BUILDING CODE BOARD OF APPEALS FOR THE CITY OF BRANSON, MISSOURI.


GERALD ONEY, CHAIRMAN OF THE BOARD OF APPEALS


JON PARISH, CERTIFIED BUILDING OFFICIAL

Exhibit 1.4

**BEFORE THE BUILDING CODE BOARD OF APPEALS
CITY OF BRANSON, MISSOURI**

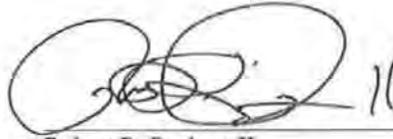
COMES NOW INN-2, LLC by and through counsel, Robert R. Paulson II, and respectfully appeals the Finding of Nuisance and Order of Abatement of Joel Hornickel, Interim Director of Planning and Development that was entered on September 12, 2013, on the following grounds:

1. The findings of fact, conclusions of law, and Order were not supported by substantial and competent evidence;
2. The findings of fact, conclusions of law, and Order were against the weight of the evidence;
3. A copy of the Findings, Conclusions and Order appealed from is attached hereto as Exhibit "A";
4. Appellant is prepared to deposit the amount necessary to appeal to this board upon request of the amount required, or it has already deposited said amount with the City of Branson;
5. The entity making this appeal is INN-2, LLC which the Taney County Recorder's Office shows as the owner of the present property; INN-2, LLC may be contacted by mailing to its attorney of record at P.O. Box 6422, Branson, Missouri 65615 and its Registered Agent of record is Gary Allman, 101 State Drive, Hollister, Missouri.
6. INN-2, LLC is currently in a dispute in Taney County Case No. 12AF-CC01073, regarding the respective interests, ownership and otherwise held by INN-2, LLC, Colorado Investment Properties, LLC and Rocky Mountain Management, LLC;
7. The interests of INN-2, LLC in the property commonly known as JRs Motor Inn, located at 1944 West Highway 76 in Branson, Missouri, will potentially be effected by diminishing the value of the property, in the event that the property is not actually unsafe, and unusable;

WHEREFORE, Appellant prays this court reverse the findings of fact, conclusions of law and Order of Joel Hornickel, dated September 12, 2013.

Respectfully submitted,

Exhibit 1.5



Robert R. Paulson II
Missouri Bar #40243
P.O. Box 6422
Branson, Missouri 65615
Phone: 417-335-2355
Email: bobbpaulson58@gmail.com
Attorney for Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon Rocky Mountain Management, LLC by sending a copy to its attorney of record, Andrew Bennett at P.O. Box 10009, Springfield, MO 65808, on this the 11th day of October, 2013.



Robert R. Paulson II

Exhibit "A"

**FINDING OF NUISANCE AND
ORDER OF ABATEMENT**

COPY

September 12, 2013

*SENT VIA FIRST CLASS REGULAR MAIL AND
CERTIFIED MAIL, RETURN RECEIPT REQUESTED ARTICLE NUMBERS 7011 3500 0001 5441 0312 and
7011 3500 0001 5441 0329*

Inn-2 LLC
dba Jr's Motor Inn
P.O. Box 2635
Springfield, MO 65801

Rocky Mountain Management, LLC
c/o Brad Poppie
3350 Ashworth
Littleton, CO 80126

RE: PROPERTY LOCATED: 1944 W. STATE HIGHWAY 76, BRANSON, MO

Dear Owner:

On July 26, 2013, violations of the City of Branson Municipal Code (hereafter called "Code"), Chapter 22, the Dangerous Building Ordinance, were found with respect to the property with the address referenced above. The property is legally described on EXHIBIT "1", attached hereto. By letter dated February 15, 2013, you were given notice of the existence of said violations and were ordered to correct the conditions constituting said violations by no later than thirty (30) days after receiving said Notice and Order. However, you have failed to correct the conditions constituting said violations. A copy of the Notice and Order containing a description of the conditions that constitute said violations is on file in the Planning and Development Department located at 110 West Maddux, Suite 215, Branson, Missouri.

By letter dated July 15, 2013, you were given notice the Director of Planning and Development would convene a hearing on this matter. A copy of said Notice of Hearing is on file in the Planning and Development Department located at 110 West Maddux Street, Suite 215, Branson, Missouri.

Pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development convened a hearing on this matter at 10:00 a.m. on July 26, 2013. The City of Branson (hereafter called "City") was represented by the City's attorney of record, William Duston. Mr. Duston presented exhibits, all of which were admitted into evidence of the hearing. Robert Paulson, legal counsel and representative for Inn-2, LLC, provided comments concerning the property and the administrative action. Andrew Bennett, legal counsel and representative for Rocky Mountain Management LLC, provided comments concerning the property and the administrative action. Upon conclusion of the evidence, the matter was taken under advisement. Now on this date, after review of the evidence and the Code, the Interim Director of Planning and Development makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

On the basis of competent and substantial evidence presented at said hearing, and pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development finds as follows:

Exhibit 1.7

1. The facts as stated in City of Branson Fire & Rescue Investigation reports, which are attached hereto as **EXHIBIT "2" and "3"**, are true. No objection was made to these reports.
2. The Interim Director of Planning and Development also finds that INN-2, LLC had formal and sufficient notice of the July 26, 2013 hearing. No objection was made to these reports.
3. Structural Engineer Ronald Hamme's report and conclusions (**EXHIBIT "4"**) are taken as true. No objection was made to his report.
4. The building inspector found that due to a combination of a tornado event which occurred on February 29, 2012 and a fire event which occurred on September 8, 2012, the main structure on the property contained the following conditions: portions of the roof and second floor ceiling joists/trusses sustained heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof; drywall from the ceiling and walls were fallen down on the floor; heavy damage from smoke and heat was found on the ceiling and down the walls in the hallway area and one of the bedrooms; the building has been exposed to the elements and all of the interior finishes have been compromised; the mechanical and electrical systems have also been damaged; the entrance canopy is missing the two end columns; and trash and debris were found inside and outside of the structure. Based on these findings the structure has the following conditions which make it a "Dangerous Building" as defined in Section 22-200:
 - (3) the floor or the roof is overloaded or of insufficient strength to be reasonably safe for the purpose used; and
 - (4) portions, members, or appurtenances thereof have been damaged so that the structural strength or stability of any portion of the structure/building threatens the life, health, safety, or property of the occupants or public; and
 - (5) portions, members, appurtenances, or ornamentation thereof, is of insufficient strength or stability so that it threatens the life, health, safety, or property of the occupants or public; and
 - (6) the building or structure, or any portion thereof is likely to partially or completely collapse; and
 - (7) the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public; and
 - (9) the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings; and

Exhibit 1.8

(10) the building or structure has been so damaged (for whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public; and

(13) the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public, as further described below:

- a. Branson Municipal Code, Chapter 58-294(1)(2)(3) – Accumulation of rubbish
- b. Branson Municipal Code, Chapter 58-294(2) – Standing water / breeding mosquitos
- c. 2009 International Property Maintenance Code, Section 108.1.1 – Unsafe structures
- d. 2009 International Property Maintenance Code, Section 108.1.3 – Structures unfit for human occupancy
- e. 2009 International Property Maintenance Code, Section 108.1.5 – Dangerous structures
- f. 2009 International Property Maintenance Code, Section 301.3 – Vacant structures and land
- g. 2009 International Property Maintenance Code, Section 302.7 – Lack of maintenance of accessory structure
- h. 2009 International Property Maintenance Code, Section 304.1.1 – Exterior structure; unsafe conditions
- i. 2009 International Property Maintenance Code, Section 304.2 – Exterior structure; lack of protective treatments
- j. 2009 International Property Maintenance Code, Section – 304.6 – Exterior walls
- k. 2009 International Property Maintenance Code, Section 304.7 – Roofs and drainage
- l. 2009 International Property Maintenance Code, Section 304.13 – Window and door frames
- m. 2009 International Property Maintenance Code, Section 304.13.1 – Window glazing
- n. 2009 International Property Maintenance Code, Section 304.15 – Doors
- o. 2009 International Property Maintenance Code, Section 305.1 – Interior structure; lack of maintenance
- p. 2009 International Property Maintenance Code, Section 305.3 – Interior surfaces

Exhibit 1.9

- q. 2009 International Property Maintenance Code, Section 305.4 – Stairs and walking surfaces
 - r. 2009 International Property Maintenance Code, Section 305.6 – Interior doors
 - s. 2009 International Property Maintenance Code, Section 306.1 – Structural components
 - t. 2009 International Property Maintenance Code, Section 603.1 – Mechanical appliances
 - u. 2009 International Property Maintenance Code, Section 604.1 – Electrical facilities
 - v. 2009 International Property Maintenance Code, Section 605.1 – Electrical equipment
- (15) the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease; and
- (16) the building or structure is determined to be a fire hazard.

The City of Branson, its inspectors, employees and agents have properly followed and complied with all of the procedures required under Chapter 22 of the Branson Municipal Code. Inn-2 LLC has not complied with the Notice and Order issued February 15, 2013 by bringing the structure into compliance with the City's building codes, regulations and ordinances.

5. The Notice and Order was issued on a reasonable basis and is within the standards set forth in Chapter 22 of the Branson Municipal Code.
6. INN-2 LLC, DBA: JR's Motor Inn, P.O. Box 2635, is listed as the owner of said property according to the records of the Taney County Missouri Assessor's Office.
7. The Interim Director of Planning and Development properly has jurisdiction over the matter.

CONCLUSIONS OF LAW

1. Fourth Class cities are given the power to pass ordinances for the prevention and abatement of nuisances by Missouri Statute 79.370. *State ex. Rel Daniels v. Kasten*, 382 S.W.2d 714 (Mo.App. 1964), held that this statute applies nuisance to situations that already exist.
2. The structure's conditions violate the following subsections of Branson Municipal Code Sections 22-200 (definition of "Dangerous Building" as explained in Paragraph 4 of the Findings of Fact above), 58-294(1)-(3), and Sections 108, 301, 302, 304, 305, 306, 603, 604 and 605 of the 2009 International Property Maintenance Code (IPMC), as adopted by Section 22-181 of the Code, and is, therefore, a dangerous building under the terms of the Code.
3. The City has adopted Sections 22-200 of the Branson Municipal Code under the authority granted to the City by the State Legislature to address Dangerous Buildings.

Exhibit 1.10

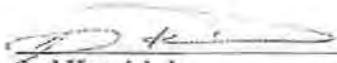
ORDER

You are hereby ordered to vacate the structure and abate all of the conditions that constitute violations of Chapter 22, the 2009 International Property Maintenance Code and Chapter 58 (as described above) by demolishing the structure, removing and properly disposing of all building materials, and removing and disposing of all contents of said building debris in compliance with Chapter 22 and all other provisions of the Code. The exterior property must be cleared of all rubbish. All such work of abatement must be substantially completed within thirty (30) days from the receipt of this notice.

In the event you fail to substantially complete the abatement work in compliance herewith within thirty (30) days, the City may cause all such abatement work to be completed at your expense. You will receive an invoice from the City of Branson for the demolition and associated costs. If the invoice is not paid within thirty (30) days, the matter will be turned over to the Branson City Clerk's office and either a special tax bill will be issued to you for the costs associated therewith (as more particularly described in Section 22-215 of the Code) and/or such other appropriate actions as provided by law. If the City Clerk issues a special tax bill, said tax bill shall be a lien against the Property as well as a personal debt obligation owed by you to the City

Please be advised that, pursuant to Section 22-209 of the Code, you may have the right to appeal from these findings, and this order, to the Building Code Board of Appeals within thirty (30) days from receipt of this order.

IT IS SO ORDERED.



Joel Hornickel
Interim Director of Planning and Development

9/12/13
Date

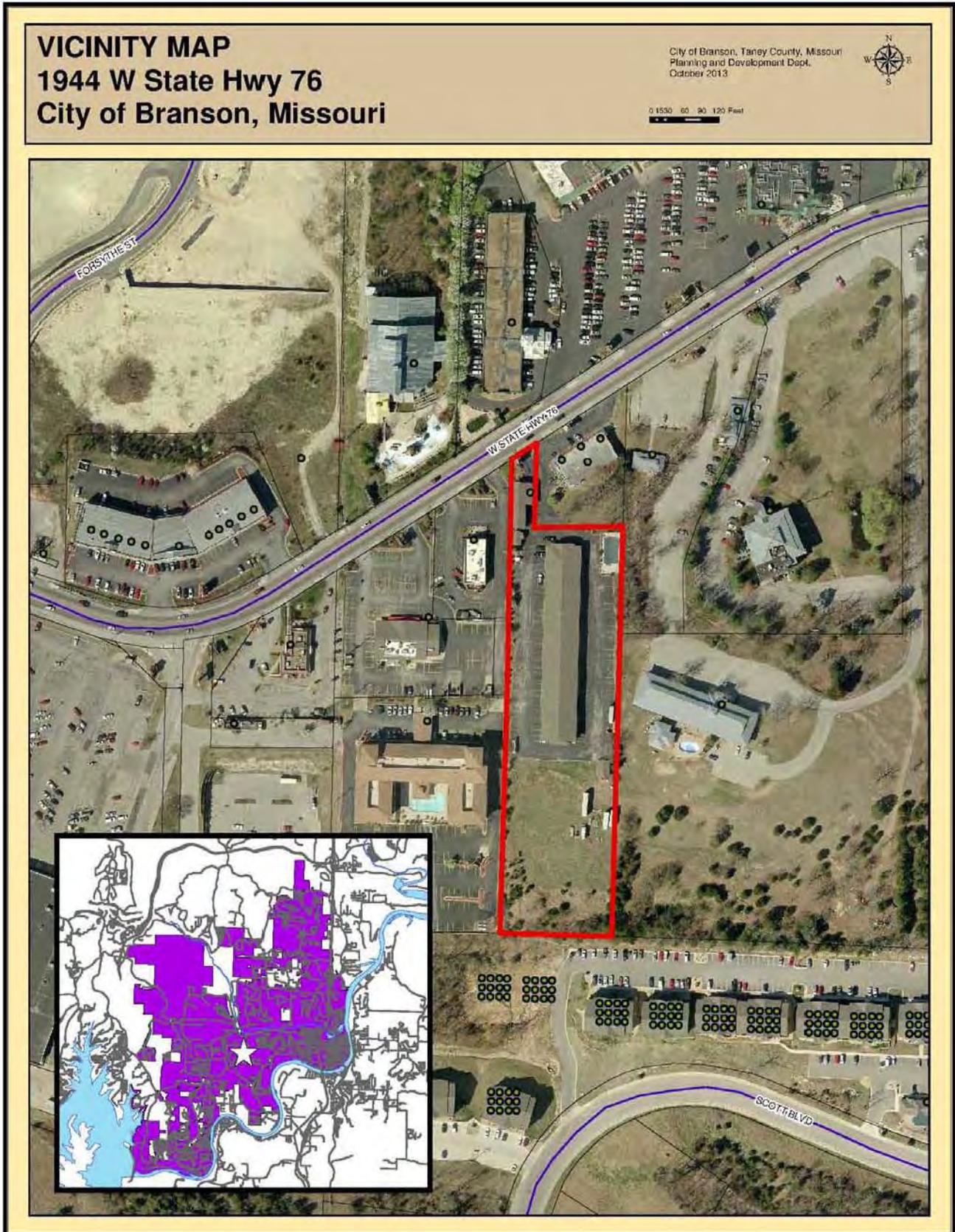
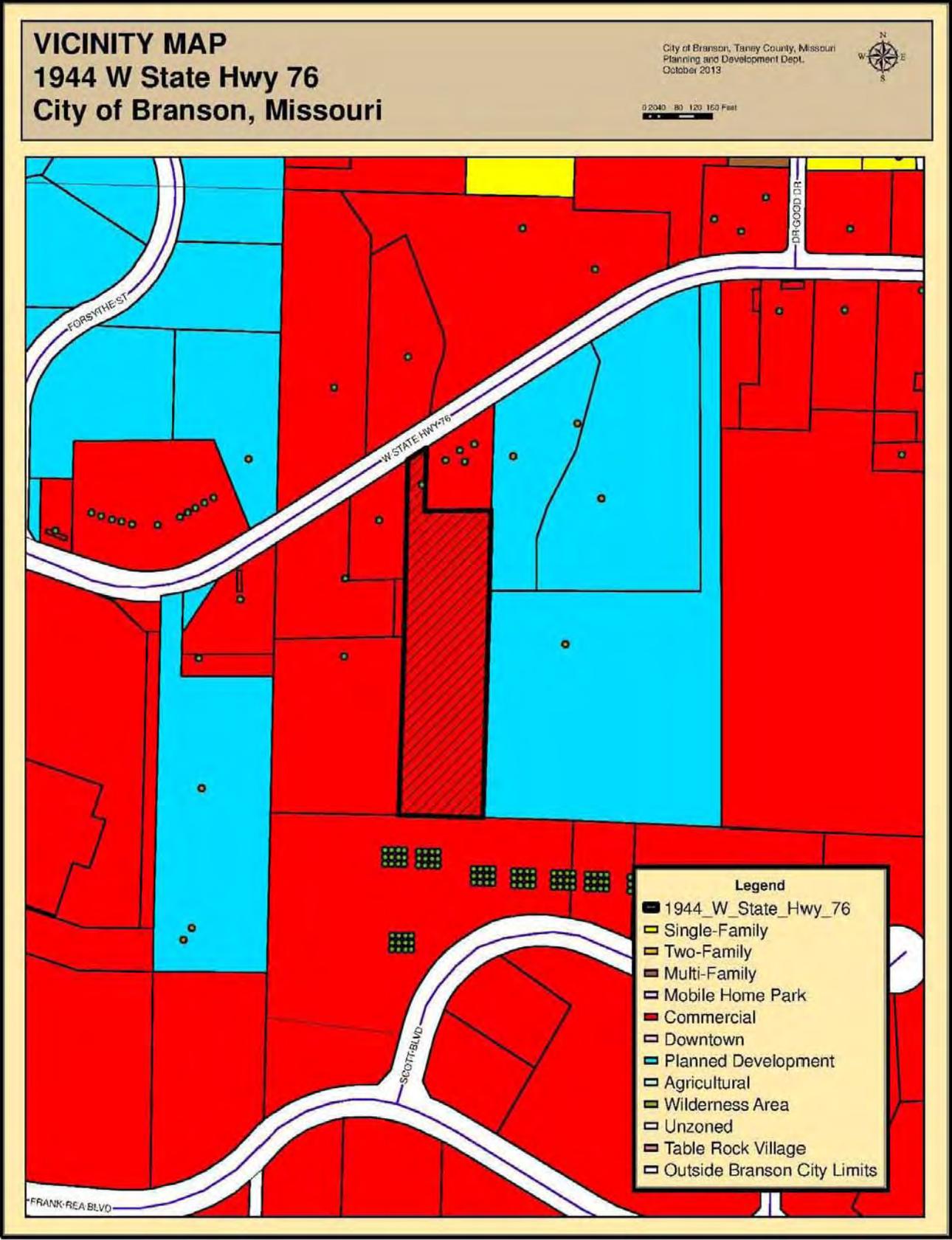


Exhibit 2.2



**FINDING OF NUISANCE AND
ORDER OF ABATEMENT**

COPY

September 13, 2013

*SENT VIA FIRST CLASS REGULAR MAIL AND
CERTIFIED MAIL, RETURN RECEIPT REQUESTED ARTICLE NUMBERS 7011 3500 0001 5441 0305 and
7011 3500 0001 5441 0299*

Inn-2 LLC
dba Jr's Motor Inn
P.O. Box 2635
Springfield, MO 65801

Rocky Mountain Management, LLC
c/o Brad Poppie
3350 Ashworth
Littleton, CO 80126

RE: PROPERTY LOCATED: 1944 W. STATE HIGHWAY 76, BRANSON, MO

Dear Owner:

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Pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development convened a hearing on this matter at 10:00 a.m. on July 26, 2013. The City of Branson (hereafter called "City") was represented by the City's attorney of record, William Duston. Mr. Duston presented exhibits, all of which were admitted into evidence of the hearing. Robert Paulson, legal counsel and representative for Inn-2, LLC, provided comments concerning the property and the administrative action. Andrew Bennett, legal counsel and representative for Rocky Mountain Management LLC, provided comments concerning the property and the administrative action. Upon conclusion of the evidence, the matter was taken under advisement. Now on this date, after review of the evidence and the Code, the Interim Director of Planning and Development makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

On the basis of competent and substantial evidence presented at said hearing, and pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development finds as follows:

Exhibit 3.2

1. The facts as stated in City of Branson Fire & Rescue Investigation reports, which are attached hereto as **EXHIBIT "2" and "3"**, are true. No objection was made to these reports.
2. The Interim Director of Planning and Development also finds that INN-2, LLC had formal and sufficient notice of the July 26, 2013 hearing. No objection was made to these reports.
3. Structural Engineer Ronald Hamme's report and conclusions (**EXHIBIT "4"**) are taken as true. No objection was made to his report.
4. The building inspector found that due to a combination of a tornado event which occurred on February 29, 2012 and a fire event which occurred on September 8, 2012, the main structure on the property contained the following conditions: portions of the roof and second floor ceiling joists/trusses sustained heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof; drywall from the ceiling and walls were fallen down on the floor; heavy damage from smoke and heat was found on the ceiling and down the walls in the hallway area and one of the bedrooms; the building has been exposed to the elements and all of the interior finishes have been compromised; the mechanical and electrical systems have also been damaged; the entrance canopy is missing the two end columns; and trash and debris were found inside and outside of the structure. Based on these findings the structure has the following conditions which make it a "Dangerous Building" as defined in Section 22-200:
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 - (5) portions, members, appurtenances, or ornamentation thereof, is of insufficient strength or stability so that it threatens the life, health, safety, or property of the occupants or public; and
 - (6) the building or structure, or any portion thereof is likely to partially or completely collapse; and
 - (7) the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public; and
 - (9) the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings; and

Exhibit 3.3

(10) the building or structure has been so damaged (for whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public; and

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- k. 2009 International Property Maintenance Code, Section 304.7 – Roofs and drainage
- l. 2009 International Property Maintenance Code, Section 304.13 – Window and door frames
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- n. 2009 International Property Maintenance Code, Section 304.15 – Doors
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Exhibit 3.4

- q. 2009 International Property Maintenance Code, Section 305.4 – Stairs and walking surfaces
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- (16) the building or structure is determined to be a fire hazard.

The City of Branson, its inspectors, employees and agents have properly followed and complied with all of the procedures required under Chapter 22 of the Branson Municipal Code. Inn-2 LLC has not complied with the Notice and Order issued February 15, 2013 by bringing the structure into compliance with the City's building codes, regulations and ordinances.

5. The Notice and Order was issued on a reasonable basis and is within the standards set forth in Chapter 22 of the Branson Municipal Code.
6. INN-2 LLC, DBA: JR's Motor Inn, P.O. Box 2635, is listed as the owner of said property according to the records of the Taney County Missouri Assessor's Office.
7. The Interim Director of Planning and Development properly has jurisdiction over the matter.

CONCLUSIONS OF LAW

1. Fourth Class cities are given the power to pass ordinances for the prevention and abatement of nuisances by Missouri Statute 79.370. *State ex. Rel Danfels v. Kasten*, 382 S.W.2d 714 (Mo.App. 1964), held that this statute applies nuisance to situations that already exist.
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3. The City has adopted Sections 22-200 of the Branson Municipal Code under the authority granted to the City by the State Legislature to address Dangerous Buildings.

Exhibit 3.5

ORDER

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Please be advised that, pursuant to Section 22-209 of the Code, you may have the right to appeal from these findings, and this order, to the Building Code Board of Appeals within thirty (30) days from receipt of this order.

IT IS SO ORDERED.


Joel Hornickel
Interim Director of Planning and Development

7/12/13
Date

EXHIBIT 1.

Hogan Land Title
INFORMATIONAL TITLE REPORT

Report No.: 1303306

1. Effective date: **March 15, 2013 at 08:00 AM**
2. The estate or interest in the land described or referred to in this Report is Fee Simple.
3. Title to the Fee Simple estate or interest in the land as of the Effective Date vested in:

INN-2, LLC

4. The land referred to in this Report is situated in the County of TANEY, State of Missouri, and is described as follows:

ALL THAT PART OF PLOT TWO (2) OF LOT NINE (9) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION SIX (6), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWENTY-ONE (21) WEST, EXCEPT THAT PART DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SAID PLOT TWO (2); THENCE SOUTH 256.91 FEET; THENCE WEST 160 FEET; THENCE NORTH 150 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF MISSOURI STATE HIGHWAY #76; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY 192.43 FEET TO THE POINT OF BEGINNING, INI TANEY COUNTY, MISSOURI.

Hogan Land Title Company
1605 E. Sunshine
Springfield, MO 65804
Tel 417 882-3000
www.hoganltd.com

(1303306.PFD/1303306/13)

Exhibit 3.7

INFORMATIONAL TITLE REPORT

(ITEMS OF RECORD)

Report Number: 1303308

The following items are disclosed by the public record of the County reflected on this report. These items are being shown for informational purposes only:

1. The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid for the year 2013 and all subsequent years.
Tax ID# 17-3.0-06-002-006-014.000 VL: \$470,600 TX: \$23,692.83
2. Water Line Easement as set out in Book 238, at Page 958, Recorder's Office, TANEY County, Missouri.
3. Easement as set out in Book 268, at Page 915, Recorder's Office, TANEY County, Missouri.
4. Easement as set out in Book 268, at Page 916, Recorder's Office, TANEY County, Missouri.
5. Memorandum of Agreement to TCA Cable TV of Missouri as set out in Book 419, at Page 055, Recorder's Office, TANEY County, Missouri.
6. Notes of Lis Pendens for Case #10AF-CC00768, satisfaction of Judgment filed November 28, 2011, as set out in Book 2010, at Page 47029, Recorder's Office, TANEY County, Missouri.
7. Financing Statement between J.R.'S MOTOR INN, INC., A MISSOURI CORPORATION, Debtor and GREAT SOUTHERN BANK, Secured Party, filed APRIL 24, 2002, in Book 397, at Page 6715, Recorder's Office, TANEY County, Missouri; AND AMENDMENT recorded in Book 2012, at Page 24231, Recorder's Office, TANEY County, Missouri.
8. Notice of Lis Pendens filed January 2, 2013 in Book 2013, at Page 00001, Recorder's Office, TANEY County, Missouri.
9. The liability of the Company under this Informational report shall not exceed \$1000.
10. NOTE: This Report is not an opinion of title, nor is it a commitment to insure title. This Report is furnished for reference purposes only and should not be relied upon as a commitment to insure title to the premises herein described. If title insurance coverage is desired, application should be made through this office for a title insurance commitment in an amount to be agreed upon, and the prospective insureds must be identified.

Hogan Land Title Company
1805 E. Sunshine
Springfield, MO. 65804
Tel 417 882-3000
www.hoganlto.com

(1303308.PFD/1303306/13)

Exhibit 3.8



CITY OF BRANSON FIRE & RESCUE
INVESTIGATION REPORT



EXHIBIT 2.

Incident Number: 12-2454		Case Name: JR's Motor Inn	
Street Address: 1944 W. Highway 76			
City: Branson		County: Taney	
Date/Occurrence: 9/8/12	Time: 0409	Day: Saturday	
Date/Requested: 9/8/12	Time: 0500	Day: Saturday	
Weather at Occurrence: Clear, Cool			
CAUSE/TYPE: Undetermined			Total Loss: \$56,188.00
Utilities in Service: Electricity: Natural Gas: LP-gas: Wood: Fuel oil: None: X			
STATUS: Closed: Confidential: Criminal Info: Warrant App.:		Unclassified: X Non-Criminal:	
ARRESTS:		OFFENSE:	
Construction Type:	Fire-Resistive: Heavy timber:	Noncombustible: Wood frame: X	Ordinary: Vehicle: Levels: 2
Occupancy Type:	Assembly: Ambulatory health care: Residential board & care: Storage:	Educational: Detention/Correctional: Mercantile: Mixed:	Day care: Residential: Motel Business: Industrial: Other:
Estimated loss: \$56,188.00	Occupied: Vacant: X	Smoke detectors present: Unknown	
Fatalities/Injuries:	No. Civilian Fatalities: No. Civilian Injuries:	No. Fire Fighter Fatalities: No. Fire Fighter Injuries:	
Copies to: (Enter agency names)	Police Dept.	Building Dept.	
	State Fire Marshal	Health Dept.	
	Other:		
Assisting Investigator(s):	Investigator: Investigator:	Investigator: Investigator:	
Investigator: Dennis Brunner		Technical Services Division Chief: Randy Fogle	

Exhibit 3.9

Owner #1		Owner and Occupant same:					
<i>First:</i> Brad				<i>Last:</i> Popple			
<i>Address:</i> 3350 Ashworth Ave.							
<i>City:</i> Highland Ranch		<i>State:</i> CO	<i>Phone:</i> 720-982-2000		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/ DLN:</i>	
<i>Occupation:</i> Doctor				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>	<i>Company</i>			<i>Agency</i>		
<i>Structure:</i>	Uninsured						
<i>Contents:</i>	Uninsured						

Owner #2							
<i>First:</i>				<i>Last:</i>			
<i>Address:</i>							
<i>City:</i>		<i>State:</i>	<i>Phone:</i>		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/ DLN:</i>	
<i>Occupation:</i>				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>	<i>Company</i>			<i>Agency</i>		
<i>Structure:</i>							
<i>Contents:</i>							

Owner #3							
<i>First:</i>				<i>Last:</i>			
<i>Address:</i>							
<i>City:</i>		<i>State:</i>	<i>Phone:</i>		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/ DLN:</i>	
<i>Occupation:</i>				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>	<i>Company</i>			<i>Agency</i>		
<i>Structure:</i>							
<i>Contents:</i>							



CITY OF BRANSON FIRE & RESCUE
CASE ACTIVITY REPORT



Incident Number: 12-2454	Date: 9/8/12
Case Name: JR's Motor Inn	
Case Activity: Fire Investigation	Date of Activity: 9/8/12

Exterior Examination

An examination of the A-Side of the structure revealed no damage from fire, smoke or heat. An examination of the B-Side of the structure revealed moderate damage from fire and smoke on the second floor only. Minor damage was noted above a walk door located to the front of the building on the second floor of the B-Side due to smoke and heat exiting the doorway. Moderate damage from fire and heat was noted above a window located in the center of the second floor of the B-Side. Moderate to heavy damage was noted all around a window located on the second floor of the B-Side near the B-C corner with heavy damage to the soffit and eave area of the roof.

An Examination of the C-Side of the structure revealed minor to moderate damage from fire and smoke on the second floor and extending down a stairway to the first floor. Minor to moderate damage was noted all around a window located on the C-Side near the C-B corner and extended down along the stairway.

An examination of the D-Side of the structure revealed minor damage from fire and smoke. The damage was confined to an area above a second floor window on the D-Side near the D-C corner.

Interior Examination

The Interior examination began in the first floor office and breakfast room. No damage from fire or smoke was found on this floor.

The second floor living quarters examination began in the living room/kitchen area. Heavy damage from smoke and heat was found on the ceiling and down the walls. A line of demarcation was found to within 24" of the floor in these rooms.

An examination of the hallway leading from the living room to the bedrooms revealed heavy damage from smoke and heat. Most of the drywall from the ceiling and walls in this area had fallen down on the floor. The ceiling joist/trusses in this area were undamaged on the bottom side and had minor to moderate damage from fire on the top side. The wall studs had little damage.

Bedroom #2 was located off of the hallway. An examination of this room revealed heavy damage from heat and smoke. Most of the drywall from the ceiling and walls in the room had fallen down on the floor. Moderate damage from fire was found which was confined to the top side of the ceiling joist/trusses and extended into the truss members and the decking on the underside of the roof. The bottom side of the ceiling joists/trusses and wall studs had little damage from fire. A mattress and box springs was found in this room and had been consumed by fire.

Bedroom #1 was located at the end of the hallway. An examination of this room revealed heavy damage from heat and smoke with minor to moderate damage from fire. The drywall from the ceiling and walls in this room had fallen down on the floor. A mattress and box springs was found on the floor of this room and had been consumed by fire. The wall studs in this room revealed minor to moderate damage from fire. The ceiling joists/trusses had heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof. The fire had self-vented out of the roof in this area.



CITY OF BRANSON FIRE & RESCUE
CASE ACTIVITY REPORT



<i>Incident Number:</i> 12-2454	<i>Date:</i> 9/8/12
<i>Case Name:</i> JR's Motor Inn	
<i>Case Activity:</i> Fire Investigation (continued)	<i>Date of Activity:</i> 9/8/12

Conclusion

No utilities were present in the structure at the time of the fire.

The cause of the fire is UNDETERMINED at this time. Possible contributing factors include:

- The building was unoccupied at the time of the fire but was unsecured from trespass by any individuals.
- Severe thunderstorms with intense cloud to ground lightning were present in the area from 1730-1800 and again from 1900-1930, prior to the fire being discovered.

Due to the lack of damage to the floor and wall components in the living quarters and the heavy fire damage to the roof components, particularly the lack of damage to the underside of the ceiling joist members while the top side of the members sustained heavy damage, the point of origin has been determined to likely be in the attic area, possibly above bedroom #1.

<i>Copies to:</i>	
<i>Investigator:</i> Dennis Brunner	<i>Technical Services Division Chief:</i> Randy Fogle



CITY OF BRANSON FIRE & RESCUE
CASE ACTIVITY REPORT



Incident Number: 12-2454	Date: 9/8/12
Case Name: JR's Motor Inn	
Case Activity: Fire Report	Date of Activity: 9/8/12

Units responded at 0409 to a structure fire at JR's Motor Inn. I was requested by Fire Chief Martin to respond for investigation at 0500. I arrived on scene at 0514 and met with the incident commander Captain Chris Morgan. He stated that the fire was out and crews were performing salvage and overhaul and that that task should be completed shortly. Upon completion, I investigated the exterior of the structure and then investigated the first floor office area. I then went upstairs to the living quarters for investigation. The fire was confined to the upstairs living quarters with minor to moderate exterior damage from fire above several windows and a doorway on the second floor.

The living quarters area sustained heavy damage from heat and fall down of debris. The fire damage was mainly confined to the roof structure components above both bedrooms and the bathroom. No evidence of a point of origin could be located in the living area due to lack of burning. The roof structure components sustained the heaviest damage from fire indicating a likely point of origin as the attic area. No utilities were present in the building at the time of the fire. Severe thunderstorms with intense cloud to ground lightning were present in the area from 1730-1800 and again from 1900-1930, per the National Weather Service in Springfield Missouri. No cause of the fire could be determined.

Copies to:	
Investigator: Dennis Brunner	Technical Services Division Chief: Randy Fogle

Exhibit 3.13

CITY OF BRANSON FIRE & RESCUE	
<i>PHOTO LOG</i>	
Incident Number: 12-2454	Case Name: JR's Motor Inn
Location: 1944 W. Highway 76	Date of Incident: 9/8/12
Camera: Panasonic Lumix FZ35	Date of Photos: 9/8/12
Investigator: Dennis Brunner	Photos Saved As: 12-2454Photos

Photo #	Subject	Camera Direction
223	A-Side	S
226	B-Side	W
233	B-C Corner	NW
235	D-Side	E
236	Electrical Meter	E
237	C-Side	E
239	Living Room	W
240	Kitchen	S
241	Line of demarcation in living room	W
242	Line of demarcation in living room	W
244	Bedroom #2	E
245	Hallway	S
246	Bathroom	S
247	Mattress & box springs in master bedroom	SW
248	Roof damage in master bedroom	S
249	Corner of master bedroom under heaviest damage to roof structure	SE
250	Roof damage in master bedroom	SW
251	Mattress & box springs in master bedroom	SW
252	Area under heaviest damage to roof structure in master bedroom	SE
254	Roof damage in master bedroom	S
255	Roof damage in master bedroom	S

Exhibit 3.14

<i>Photo #</i>	<i>Subject</i>	<i>Camera Direction</i>
258	Fire damage to top plate in corner of master bedroom	SE
261	Wall studs below possible point of origin	SE
263	Wall studs below possible point of origin	SE
264	Wall Studs	E
265	Roof components in master bedroom	E
267	V-Pattern in hallway	S
29.		
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Exhibit 3.15



P1010223



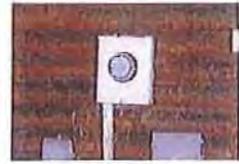
P1010226



P1010233



P1010235



P1010236



P1010237



P1010239



P1010240



P1010241



P1010242



P1010244



P1010245



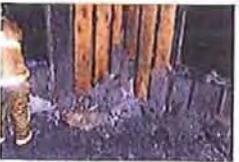
P1010246



P1010247



P1010248



P1010249



P1010250



P1010251



P1010252



P1010254



P1010255



P1010258



P1010261



P1010262



P1010263



P1010264



P1010265



P1010267



**CITY OF BRANSON FIRE & RESCUE
INVESTIGATION REPORT**



INCIDENT NUMBER: 12-2454

CASE NAME: JR's Motor Inn LOCATION: 1944 W. Highway 76 COUNTY: Taney

DATE/Occurrence: 9/8/12 Time: 0409 Day: Saturday Weather: Clear, Cool

Date/Requested: 9/8/12 Time: 0500 Day: Saturday

CAUSE: Undertermined **OFFENSE:**

STATUS: Closed Criminal Inf. Confidential # of Arrest(s) Cleared by other:
Non-Criminal Unclassified X

Utilities: Electricity Natural Gas Fuel Oil L.P Gas Wood None X

Owner

First: Brad Last: Poppie Address: 3350 Ashworth Ave.
City: Highland Ranch State: CO Phone #: 720-982-2000 Race: Sex: Age: DOB:
POB: Marital Status: DLN:
Occupation: Employer:
DBA:

Occupant

First: Unoccupied Last: Address:
City: State: Phone #: Race: Sex: Age: DOB:
POB: Marital Status: DLN:
Occupation: Employer:
DBA:

Construction

Construction Type: Wood Frame Levels: 2 Occupied: No
Occupancy Type: Motel Estimated Loss: \$56,188.00

Injuries Civilian: # Injuries FF: #Deaths Civilian: #Death FF:
Smoke Detectors Present: Unknown Smoke Detectors Operational: Unknown

Insurance: Amount Company Agency
Structure:
Contents:

Police/Sheriff: Fire Department:

Copies to:

Exhibit 3.17

A VFD # <u>10702</u> * state <u>MO</u> * MM <u>09</u> DD <u>08</u> YYYY <u>2012</u> * Station <u>1</u> Incident Number <u>12-0002454</u> * Exposure <u>000</u> *		<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS -1 Basic
B Location* <input type="checkbox"/> Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section B "Alternative Location Specification". Use only for Wildland fires. Census Tract <u> </u> - <u> </u>			
<input checked="" type="checkbox"/> Street address <u>1944</u> <u>W</u> <u>STATE HWY 76</u> <u>HWY</u> number/milepost Prefix Street or Highway Street Type Suffix <input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Near of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions Apt./suite/Room <u> </u> City <u>BRANSON</u> State <u>MO</u> Zip code <u>65616</u> Cross street or directions, as applicable			
C Incident Type * <u>111</u> Building fire Incident Type		E1 Date & Times Midnight is 0000 Check boxes if dates are the same as Alarm <input type="checkbox"/> Alarm * <u>09</u> <u>08</u> <u>2012</u> <u>04:09:00</u> Date: Month Day Year Hr Min Sec ARRIVAL required, unless canceled or did not arrive <input checked="" type="checkbox"/> Arrival * <u>09</u> <u>08</u> <u>2012</u> <u>04:14:15</u> CONTROLLED optional, except for wildland fires <input type="checkbox"/> Controlled LAST UNIT (REQUIRED, required except for wildland fires) <input checked="" type="checkbox"/> Last Unit Cleared <u>09</u> <u>08</u> <u>2012</u> <u>06:58:32</u>	
D Aid Given or Received* 1 <input checked="" type="checkbox"/> Mutual aid received <u>10701</u> <u>MO</u> their VFD Their State 2 <input type="checkbox"/> Automatic aid conv. 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given <u>12-1458</u> their Incident Number 5 <input type="checkbox"/> Other aid given N <input type="checkbox"/> None		E2 Shift & Alarms Local Option <u>A</u> <u>02</u> <u>102</u> Shift or Alarm District Platoon E3 Special Studies Local Option Special Study Yes <u> </u> Special Study Value <u> </u>	
F Actions Taken * <u>11</u> Extinguishment by fire Primary Action Taken (1) <u>12</u> Salvage & overhaul Additional Action Taken (2) <u>86</u> Investigate Additional Action Taken (3)		G1 Resources * <input checked="" type="checkbox"/> Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression <u>0003</u> <u>0010</u> EMS <u> </u> Other <u>0004</u> <u>0007</u> <input type="checkbox"/> Check box if resource counts include aid received resources.	
		G2 Estimated Dollar Losses & Values LOSSES: required for all fires if known. Optional for non fires. None Property \$ <u> </u> <u>054</u> <u>188</u> Contents \$ <u> </u> <u>002</u> <u>000</u> PRE-INCIDENT VALUE: optional Property \$ <u> </u> <u>216</u> <u>752</u> Contents \$ <u> </u> <u>002</u> <u>000</u>	
Completed Modules <input checked="" type="checkbox"/> Fire-2 <input checked="" type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Gas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input checked="" type="checkbox"/> Apparatus-9 <input checked="" type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		H1 Casualties None Deaths Injuries Fire <u> </u> <u> </u> Service <u> </u> <u> </u> Civilian <u> </u> <u> </u> H2 Detector Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown	
		H3 Hazardous Materials Release N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: also mark, as location or tank action 2 <input type="checkbox"/> Propane gas: cut th. tank (see in back P&G grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel burning equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: home/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: special hazard action required or spill > 55gal. Please complete the NFIRS form	
		I Mixed Use Property NN <input type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly use 20 <input type="checkbox"/> Education use 33 <input type="checkbox"/> Medical use 40 <input type="checkbox"/> Residential use 51 <input type="checkbox"/> Row of stores 53 <input type="checkbox"/> Enclosed mall 58 <input type="checkbox"/> Bus. & Residential 59 <input type="checkbox"/> Office use 60 <input type="checkbox"/> Industrial use 63 <input type="checkbox"/> Military use 65 <input type="checkbox"/> Farm use 00 <input type="checkbox"/> Other mixed use	
J Property Use* Structures 131 <input type="checkbox"/> Church, place of worship 161 <input type="checkbox"/> Restaurant or cafeteria 162 <input type="checkbox"/> Bar/Tavern or nightclub 213 <input type="checkbox"/> Elementary school or kindergarten 215 <input type="checkbox"/> High school or junior high 241 <input type="checkbox"/> College, adult education 311 <input type="checkbox"/> Care facility for the aged 331 <input type="checkbox"/> Hospital Outside 124 <input type="checkbox"/> Playground or park 655 <input type="checkbox"/> Crops or orchard 669 <input type="checkbox"/> Forest (timberland) 807 <input type="checkbox"/> Outdoor storage area 919 <input type="checkbox"/> Dump or sanitary landfill 931 <input type="checkbox"/> Open land or field 341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input type="checkbox"/> 1- or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarding house 449 <input checked="" type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales 936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway 539 <input type="checkbox"/> Household goods, sales, repairs 579 <input type="checkbox"/> Motor vehicle/boat sales/repair 571 <input type="checkbox"/> Gas or service station 599 <input type="checkbox"/> Business office 615 <input type="checkbox"/> Electric generating plant 629 <input type="checkbox"/> Laboratory/science lab 700 <input type="checkbox"/> Manufacturing plant 819 <input type="checkbox"/> Livestock/poultry storage (barn) 882 <input type="checkbox"/> Non-residential parking garage 891 <input type="checkbox"/> Warehouse 981 <input type="checkbox"/> Construction site 984 <input type="checkbox"/> Industrial plant yard Lookup and enter a Property Use code only if you have NOT checked a Property Use box: Property Use <u>449</u> Hotel/motel, commercial NFIRS-1 Revision 03/11/99			

10702 09/08/2012 12-0002454

K1 Person/Entity Involved		Business name (if applicable)		Area Code		Phone Number			
Local Option									
<input type="checkbox"/> Check this box if same address as incident location. Then skip the three duplicate address lines.	Mr., Ms., Mrs. First Name		MI	Last Name		Suffix			
	Number	Prefix	Street or Highway		Street Type		Suffix		
	Post Office Box		Apt./Suite/Room		City				
	State	Zip Code							
	<input type="checkbox"/> More people involved? Check this box and attach Supplemental Forms (NFIRS-19) as necessary								
K2 Owner		Business name (if applicable)		Area Code		Phone Number			
Local Option									
<input type="checkbox"/> Same as person involved? Then check this box and skip the rest of this section.	<input type="checkbox"/> Check this box if same address as incident location. Then skip the three duplicate address lines.	Mr., Ms., Mrs. First Name		MI	Last Name		Suffix		
		Number	Prefix	Street or Highway		Street Type		Suffix	
		Post Office Box		Apt./Suite/Room		City			
		State	Zip Code						
L Remarks									
Local Option									
09/08/2012 08:30:45 cmorgan									
<p>Engine 1, Truck 2 and Engine 3 responded emergency to a report of a commercial structure fire with fire showing from the roof. Upon arrival, Engine 1 reported heavy flames showing from the Bravo/Charlie corner, requested a 2nd alarm, to backfill all stations, established command and was out for fire attack. Firefighter Privetta was advised to pull the 2 1/2" 200' hand line and initiate an indirect fire attack on the Charlie side while Captain Morgan completed a 360° visual and established a command post. Engine 3 was advised to establish a water supply, park on the Delta side and to pull an attack line to the second floor to initiate an interior attack on the second floor and was assigned Division 2. Engine 3 also supplied water to Engine 1. A second attack line was pulled off of Engine 1 to assist with fire attack. Truck 2 arrived and was placed on the Alpha/Bravo corner and was advised to ladder the roof to initiate vertical ventilation and was assigned the Vent Group designation. Ground ladders were thrown to the second floor for egress points. After the fire was extinguished, WTCPPD personnel assisted with overhaul procedures. Once the overhaul was complete, Fire Marshal Brunner initiated his investigation (See investigation report for determination). All fire units cleared the scene.</p>									
L Authorization									
<input type="checkbox"/> CMORGAN Officer in charge IO		MORGAN, CHRISTOPHER E Signature		CP Position or rank		A1 Assignment		09 08 2012 Month Day Year	
<input checked="" type="checkbox"/> CMORGAN Check box if same as Officer making report IO in charge.		MORGAN, CHRISTOPHER E Signature		CP Position or rank		A1 Assignment		09 08 2012 Month Day Year	

Exhibit 3.19

A FDIA * <u>10702</u> State * <u>MO</u> Incident date * MM <u>09</u> DD <u>08</u> YYYY <u>2012</u> Station <u>1</u> Incident Number * <u>12-0002454</u> Exposure * <u>000</u>		<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS -2 Fire
B Property Details B1 <u>0001</u> <input type="checkbox"/> Not Residential <i>Estimated Number of residential living units in building of origin whether or not all units became involved</i>		C On-Site Materials or Products <input checked="" type="checkbox"/> None <i>Complete if there were any significant amounts of commercial, industrial, energy or agricultural products or materials on the Property, whether or not they became involved</i> Enter up to three codes. Check one or more boxes for each code entered.	
B2 <u>001</u> <input type="checkbox"/> Buildings not involved <i>Number of buildings involved</i>		On-site material (1) <u>NNN</u> <u>None</u> On-site material (2) _____ On-site material (3) _____	
B3 _____ <input checked="" type="checkbox"/> None <i>Acres burned (outside fires) <input type="checkbox"/> Less than one acre</i>		1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service 1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service 1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service	
D Ignition D1 <u>74</u> <u>Attic: vacant, crawl</u> <i>Area of fire origin *</i>		E1 Cause of Ignition <input type="checkbox"/> Check box if this is an exposure report. Skip to section G	
D2 <u>UU</u> <u>Undetermined</u> <i>Heat source *</i>		1 <input type="checkbox"/> Intentional 2 <input type="checkbox"/> Unintentional 3 <input type="checkbox"/> Failure of equipment or heat source 4 <input type="checkbox"/> Act of nature 5 <input type="checkbox"/> Cause under investigation U <input checked="" type="checkbox"/> Cause undetermined after investigation	
D3 <u>17</u> <u>Structural member or</u> <i>Item first ignited *</i> 1 <input type="checkbox"/> Check box if fire spread was confined to object of origin		E2 Factors Contributing To Ignition <input checked="" type="checkbox"/> None <u>NN</u> <u>None</u> Factor contributing to ignition (1) _____ Factor contributing to ignition (2) _____	
D4 <u>63</u> <u>Sawn wood, including</u> <i>Type of material first ignited</i> <input type="checkbox"/> Required only if item first ignited code is 00 or <70		E3 Human Factors Contributing To Ignition Check all applicable boxes 1 <input type="checkbox"/> Asleep <input checked="" type="checkbox"/> None 2 <input type="checkbox"/> Possibly impaired by alcohol or drugs 3 <input type="checkbox"/> Unattended person 4 <input type="checkbox"/> Possibly mental disabled 5 <input type="checkbox"/> Physically disabled 6 <input type="checkbox"/> Multiple persons involved 7 <input type="checkbox"/> Age was a factor Estimated age of person involved _____ 1 <input type="checkbox"/> Male 2 <input type="checkbox"/> Female	
F1 Equipment Involved In Ignition <input checked="" type="checkbox"/> None if Equipment was not involved, skip to Section G <u>NNN</u> <u>None</u> <i>Equipment involved</i> Brand _____ Model _____ Serial # _____ Year _____		F2 Equipment Power _____ <i>Equipment Power Source</i> F3 Equipment Portability 1 <input type="checkbox"/> Portable 2 <input type="checkbox"/> Stationary <i>Portable equipment normally can be moved by one person, is designed to be used in multiple locations, and requires no tools to install.</i>	
G Fire Suppression Factors Enter up to three codes. <input checked="" type="checkbox"/> None <u>NNN</u> <u>None</u> Fire suppression factor (1) _____ Fire suppression factor (2) _____ Fire suppression factor (3) _____			
H1 Mobile Property Involved <input checked="" type="checkbox"/> None 1 <input type="checkbox"/> Not involved in ignition, but burned 2 <input type="checkbox"/> Involved in ignition, but did not burn 3 <input type="checkbox"/> Involved in ignition and burned		H2 Mobile Property Type & Make <u>NN</u> <u>None</u> <i>Mobile property type</i> _____ <i>Mobile property make</i> _____ _____ _____ Mobile property model _____ Year _____ License Plate Number _____ State _____ VIN Number _____	
Local Use <input type="checkbox"/> Pre-Fire Plan Available <i>Some of the information presented in this report may be based upon reports from other Agencies</i> <input type="checkbox"/> Arson report attached <input type="checkbox"/> Police report attached <input type="checkbox"/> Coroner report attached <input type="checkbox"/> Other reports attached		NFIRS-2 Revision 01/19/99	

I1 Structure Type * If fire was in enclosed building or a portable/mobile structure complete the rest of this form 1 <input checked="" type="checkbox"/> Enclosed Building 2 <input type="checkbox"/> Portable/mobile structure 3 <input type="checkbox"/> Open structure 4 <input type="checkbox"/> Air supported structure 5 <input type="checkbox"/> Tent 6 <input type="checkbox"/> Open platform (e.g. piers) 7 <input type="checkbox"/> Underground structure (work areas) 8 <input type="checkbox"/> Connective structure (e.g. bridges) 0 <input type="checkbox"/> Other type of structure		I2 Building Status * 1 <input type="checkbox"/> Under construction 2 <input type="checkbox"/> Occupied & operating 3 <input type="checkbox"/> Idle, not routinely used 4 <input type="checkbox"/> Under major renovation 5 <input checked="" type="checkbox"/> Vacant and secured 6 <input type="checkbox"/> Vacant and unsecured 7 <input type="checkbox"/> Being demolished 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined		I3 Building * Height Count the ROOF as part of the highest story [002] Total number of stories at or above grade [] Total number of stories below grade		I4 Main Floor Size* NFIRS-3 Structure Fire [] , [001] , [748] Total square feet OR [] , [] BY [] , [] Length in feet Width in feet	
J1 Fire Origin * [002] <input type="checkbox"/> Below Grade Story of fire origin		J3 Number of Stories Damaged By Flame Count the ROOF as part of the highest story [] Number of stories w/ minor damage (1 to 24) (flame damage) [001] Number of stories w/ significant damage (25 to 49) (flame damage) [] Number of stories w/ heavy damage (50 to 74) (flame damage) [] Number of stories w/ extreme damage (75 to 100) (flame damage)		K Material Contributing Most To Flame Spread <input type="checkbox"/> Check if no flame spread OR same as material first ignited OR unable to determine Skip To Section L K1 [] [] Item contributing most to flame spread K2 [] [] Type of material contributing most of flame spread Required only if item code is 00 or 70			
J2 Fire Spread * 1 <input type="checkbox"/> Confined to object of origin 2 <input type="checkbox"/> Confined to room of origin 3 <input type="checkbox"/> Confined to floor of origin 4 <input checked="" type="checkbox"/> Confined to building of origin 5 <input type="checkbox"/> Beyond building of origin		L1 Presence of Detectors * (In area of the fire) N <input checked="" type="checkbox"/> None Present Skip to section M 1 <input type="checkbox"/> Present U <input type="checkbox"/> Undetermined		L3 Detector Power Supply 1 <input type="checkbox"/> Battery only 2 <input type="checkbox"/> Hardwire only 3 <input type="checkbox"/> Plug in 4 <input type="checkbox"/> Hardwire with battery 5 <input type="checkbox"/> Plug in with battery 6 <input type="checkbox"/> Mechanical 7 <input type="checkbox"/> Multiple detectors & power supplies 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined			
L2 Detector Type 1 <input type="checkbox"/> Smoke 2 <input type="checkbox"/> Heat 3 <input type="checkbox"/> Combination smoke - heat 4 <input type="checkbox"/> Sprinkler, water flow detection 5 <input type="checkbox"/> More than 1 type present 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined		L4 Detector Operation 1 <input type="checkbox"/> Fire too small to activate 2 <input type="checkbox"/> Operated (Complete Section L5) 3 <input type="checkbox"/> Failed to Operate (Complete Section L6) U <input type="checkbox"/> Undetermined		L5 Detector Effectiveness Required if detector operated 1 <input type="checkbox"/> Alerted Occupants, occupants responded 2 <input type="checkbox"/> Occupants failed to respond 3 <input type="checkbox"/> There were no occupants 4 <input type="checkbox"/> Failed to alert occupants U <input type="checkbox"/> Undetermined			
M1 Presence of Automatic Extinguishment System * N <input checked="" type="checkbox"/> None Present Complete rest of Section M 1 <input type="checkbox"/> Present		M3 Automatic Extinguishment System Operation Required if fire was within designed range 1 <input type="checkbox"/> Operated & effective (Go to M4) 2 <input type="checkbox"/> Operated & not effective (M4) 3 <input type="checkbox"/> Fire too small to activate 4 <input type="checkbox"/> Failed to operate (Go to M5) 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined		M5 Automatic Extinguishment System Failure Reason Required if system failed 1 <input type="checkbox"/> System shut off 2 <input type="checkbox"/> Not enough agent discharged 3 <input type="checkbox"/> Agent discharged but did not reach fire 4 <input type="checkbox"/> Wrong type of system 5 <input type="checkbox"/> Fire not in area protected 6 <input type="checkbox"/> System components damaged 7 <input type="checkbox"/> Lack of maintenance 8 <input type="checkbox"/> Manual Intervention 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined			
M2 Type of Automatic Extinguishment System * Required if fire was within designed range of AES 1 <input type="checkbox"/> Wet pipe sprinkler 2 <input type="checkbox"/> Dry pipe sprinkler 3 <input type="checkbox"/> Other sprinkler system 4 <input type="checkbox"/> Dry chemical system 5 <input type="checkbox"/> Foam system 6 <input type="checkbox"/> Halogen type system 7 <input type="checkbox"/> Carbon dioxide (CO ₂) system 0 <input type="checkbox"/> Other special hazard system U <input type="checkbox"/> Undetermined		M4 Number of Sprinkler Heads Operating Required if system operated [] Number of sprinkler heads operating		NFIRS-3 Revision 01/19/99			

Exhibit 3.21

A										NFIRS - 9 Apparatus or Resources			
FDID * <u>10702</u>		State * <u>MO</u>		MM <u>9</u> DD <u>8</u> YYYY <u>2012</u>		Station <u>1</u>		Incident Number * <u>12-0002454</u>		Exposure * <u>000</u>		<input type="checkbox"/> Delete	<input type="checkbox"/> Change
B Apparatus or * Resource		Date and Times : Check if same as alarm date Month Day Year Hour Min					Sent <input checked="" type="checkbox"/>	Number of * People	Use Check ONE box for each apparatus to indicate its main use at the incident.		Actions Taken		
<u>1</u>	ID <u>C1</u> Type <u>92</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:15</u>	<input checked="" type="checkbox"/>	<u>1</u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:18</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:54</u>							
<u>2</u>	ID <u>E1</u> Type <u>11</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:09</u>	<input checked="" type="checkbox"/>	<u>3</u>	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:14</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:58</u>							
<u>3</u>	ID <u>E3</u> Type <u>11</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:09</u>	<input checked="" type="checkbox"/>	<u>4</u>	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:17</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:44</u>							
<u>4</u>	ID <u>E30</u> Type <u>11</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:47</u>	<input checked="" type="checkbox"/>	<u>2</u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:53</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>05:49</u>							
<u>5</u>	ID <u>EM1</u> Type <u>92</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>05:13</u>	<input checked="" type="checkbox"/>	<u>1</u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>05:17</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:58</u>							
<u>6</u>	ID <u>POV</u> Type <u>99</u>	Dispatch <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:09</u>	<input checked="" type="checkbox"/>	<u>3</u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:14</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:58</u>							
<u>7</u>	ID <u>T2</u> Type <u>13</u>	Dispatch <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:09</u>	<input checked="" type="checkbox"/>	<u>3</u>	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>04:17</u>							
		Clear <input checked="" type="checkbox"/>	<u>9</u>	<u>8</u>	<u>2012</u>	<u>06:25</u>							
<u>8</u>	ID <u> </u> Type <u> </u>	Dispatch <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<u> </u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>							
		Clear <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>							
<u>9</u>	ID <u> </u> Type <u> </u>	Dispatch <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<u> </u>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		Arrival <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>							
		Clear <input type="checkbox"/>	<u> </u>	<u> </u>	<u> </u>	<u> </u>							

Type of Apparatus or Resources		
Ground Fire Suppression	Marine Equipment	More Apparatus? Use Additional Sheets
11 Engine	51 Fire boat with pump	
12 Truck or aerial	52 Boat, no pump	
13 Quint	50 Marine apparatus, other	
14 Tanker & pumper combination	Support Equipment	
16 Brush truck	61 Breathing apparatus support	
17 ARF (Aircraft Rescue and Firefighting)	62 Light and air unit	
10 Ground fire suppression, other	60 Support apparatus, other	
Heavy Ground Equipment	Medical & Rescue	
21 Dozer or plow	71 Rescue unit	
22 Tractor	72 Urban Search & rescue unit	
24 Tanker or tender	73 High angle rescue unit	
20 Heavy equipment, other	75 BLS unit	
Aircraft	76 ALS unit	
41 Aircraft: fixed wing tanker	70 Medical and rescue unit, other	
42 Helitanker		
43 Helicopter		
40 Aircraft, other		
		Other
		91 Mobile command post
		92 Chief officer car
		93 HazMat unit
		94 Type 1 hand crew
		95 Type 2 hand crew
		99 Privately owned vehicle
		00 Other apparatus/resource
		NR None
		UU Undetermined

NFIRS-9 Revision 11/17/98

Exhibit 3.22

A																	
FDID *		MO *		MM DD YYYY		Station		Incident Number *		Exposure *		Delete <input type="checkbox"/>		NFIRS - 10 Personnel			
10702		MO		9 8 2012		1		12-0002454		000		<input type="checkbox"/>					
B Apparatus or Resource *										Date and Times		Sent	Number of *	Use		Actions Taken	
Use codes listed below										Check if same as alarm data		<input checked="" type="checkbox"/>	People	Check ONE box for each apparatus to indicate its main use at the incident.		List up to 4 actions for each apparatus and each personnel.	
										Month Day Year Hours/mins							
1	ID	C1	Dispatch	<input type="checkbox"/>	9	8	2012	04:15	Sent	<input checked="" type="checkbox"/>	1	<input type="checkbox"/>	Suppression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Type	92	Arrival	<input type="checkbox"/>	9	8	2012	04:18		<input checked="" type="checkbox"/>		<input type="checkbox"/>	EMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Clear	<input checked="" type="checkbox"/>	9	8	2012	06:54						<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken										
TMARTIN	MARTIN, THEODORE	FC	<input checked="" type="checkbox"/>														
2	ID	E1	Dispatch	<input type="checkbox"/>	9	8	2012	04:09	Sent	<input checked="" type="checkbox"/>	3	<input checked="" type="checkbox"/>	Suppression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Type	11	Arrival	<input type="checkbox"/>	9	8	2012	04:14		<input checked="" type="checkbox"/>		<input type="checkbox"/>	EMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Clear	<input checked="" type="checkbox"/>	9	8	2012	06:58						<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken										
CMORGAN	MORGAN, CHRISTOPHER	CP	<input checked="" type="checkbox"/>														
JGAGNEPAIN	GAGNEPAIN, JASON	ENG	<input checked="" type="checkbox"/>														
ZPRIVETTE	PRIVETTE, ZACHARY	FF	<input checked="" type="checkbox"/>														
3	ID	E3	Dispatch	<input type="checkbox"/>	9	8	2012	04:09	Sent	<input checked="" type="checkbox"/>	4	<input checked="" type="checkbox"/>	Suppression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Type	11	Arrival	<input type="checkbox"/>	9	8	2012	04:17		<input checked="" type="checkbox"/>		<input type="checkbox"/>	EMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Clear	<input checked="" type="checkbox"/>	9	8	2012	06:44						<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken										
DGREGORY	GREGORY, DONALD	FF	<input checked="" type="checkbox"/>														
DHEMBREE	HEMBREE, DARRYL	ENG	<input checked="" type="checkbox"/>														
DORLE	ORLE, DOUGLAS	CP	<input checked="" type="checkbox"/>														
RIVEY	IVEY, RICHARD	FF	<input checked="" type="checkbox"/>														

Exhibit 3.23

A															
10702 *		MO *		MM DD YYYY 9 8 2012		1		12-0002454 *		000		<input type="checkbox"/> Delete		NFIRS - 10 Personnel	
10702 *		MO *		MM DD YYYY 9 8 2012		1		12-0002454 *		000		<input type="checkbox"/> Delete		NFIRS - 10 Personnel	
B Apparatus or Resource *		Date and Times				Sent	Number of *	Use	Actions Taken						
Use codes listed below		Check if extra as alarm date				<input checked="" type="checkbox"/>	People	Check ONE box for each apparatus to indicate its main use at the incident.	List up to 4 actions for each apparatus and each personnel.						
1 ID E30		Dispatch	9 8 2012	04:47	Sent	2	<input type="checkbox"/> Suppression								
Type 11		Arrival	9 8 2012	04:53	<input checked="" type="checkbox"/>		<input type="checkbox"/> EMS								
		Clear	<input checked="" type="checkbox"/> 9 8 2012	05:49			<input checked="" type="checkbox"/> Other								
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken								
JWHITWORTH PHARKINS	WHITWORTH, JERRY HARKINS, PAUL	FF CP	<input checked="" type="checkbox"/>	X X											
2 ID EM1		Dispatch	9 8 2012	05:13	Sent	1	<input type="checkbox"/> Suppression								
Type 92		Arrival	9 8 2012	05:17	<input checked="" type="checkbox"/>		<input type="checkbox"/> EMS								
		Clear	<input checked="" type="checkbox"/> 9 8 2012	06:58			<input checked="" type="checkbox"/> Other								
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken								
DBRUNNER	BRUNNER, CARL	EM	<input checked="" type="checkbox"/>	X											
3 ID POV		Dispatch	<input checked="" type="checkbox"/> 9 8 2012	04:09	Sent	3	<input type="checkbox"/> Suppression								
Type 99		Arrival	<input checked="" type="checkbox"/> 9 8 2012	04:14	<input checked="" type="checkbox"/>		<input type="checkbox"/> EMS								
		Clear	<input checked="" type="checkbox"/> 9 8 2012	06:58			<input checked="" type="checkbox"/> Other								
Personnel ID	Name	Rank or Grade	Attend	Action Taken	Action Taken	Action Taken	Action Taken								
DBISHOP MWATKINS RDERRY	BISHOP, DANA WATKINS, MORGAN DERRY, RONALD	VOLUNTEER R FF VOLUNTEER R	<input checked="" type="checkbox"/>	X X X											

NFIRS-10 Revision 11/17/98

10702 08/09/2012 12-0002454

Exhibit 3.24

A		FDID * 10702	State * MO	MM 9	DD 8	YYYY 2012	Station 1	Incident Number * 12-0002454	Exposure * 000	<input type="checkbox"/> Delete	<input type="checkbox"/> Change	NFIRS - 10 Personnel
B Apparatus or Resource *		Date and Times Check if same as alarm date				Sent <input checked="" type="checkbox"/>	Number of * People	Use Check one box for each apparatus to indicate its main use at this incident.	Actions Taken List up to 4 actions for each apparatus and each personnel.			
Use codes listed below		Month	Day	Year	Hours/mins							
1	ID T2 Type 13	Dispatch <input type="checkbox"/>	9	8	2012	04:09	Sent <input checked="" type="checkbox"/>	3	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other			
Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken					
DETZ	DETZ, DAVID	CP	X									
DHALL	HALL, DUSTIN	FF	X									
NJONES	JONES, NATHANAEL	ENG	X									
2	ID Type	Dispatch <input type="checkbox"/>					Sent <input type="checkbox"/>		<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other			
Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken					
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
3	ID Type	Dispatch <input type="checkbox"/>					Sent <input type="checkbox"/>		<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other			
Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken					
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									
			<input type="checkbox"/>									

Exhibit 3.25

A	10702 <small>TOWN *</small>	MO <small>State *</small>	MM DD 9 8 <small>Incident Date *</small>	YYYY 2012	1 <small>Station</small>	12-0002454 <small>Incident Number *</small>	000 <small>Exposure *</small>	<input type="checkbox"/> Delete <input type="checkbox"/> Change	Insurance and \$Loss
B Estimated Dollar Loss & Value									
	Pra-Incident Value	Estimated Loss	Insured Amount	Settlement Amount					
Buildings	\$216,752.00	\$54,188.00	\$0.00	\$0.00					
Vehicles	\$0.00	\$0.00	\$0.00	\$0.00					
Contents	\$2,000.00	\$2,000.00	\$0.00	\$0.00					
C Insurance Company									
Business name if applicable					Contact Name				
Street or Highway									
Post office box					City				
State		Zip Code			Phone Number				
Agent Name									
Policy Number					<input type="checkbox"/> Buildings <input type="checkbox"/> Vehicles <input type="checkbox"/> Contents <small>Policy Coverage</small>				

Exhibit 3.26

EXHIBIT 4.



January 11th, 2013

Keith Crawford
Planning & Development Department
110 W. Maddux
Suite 215
Branson MO 65616

Re: JR's Motor Inn 1944 West 76 Branson MO

Dear Mr. Crawford:

On January 7th, 2013, I inspected the above referenced property with respect to the overall condition of the structure due to damage from an earlier tornado and a more recent fire.

The following photos show the exterior of the hotel.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 3.27

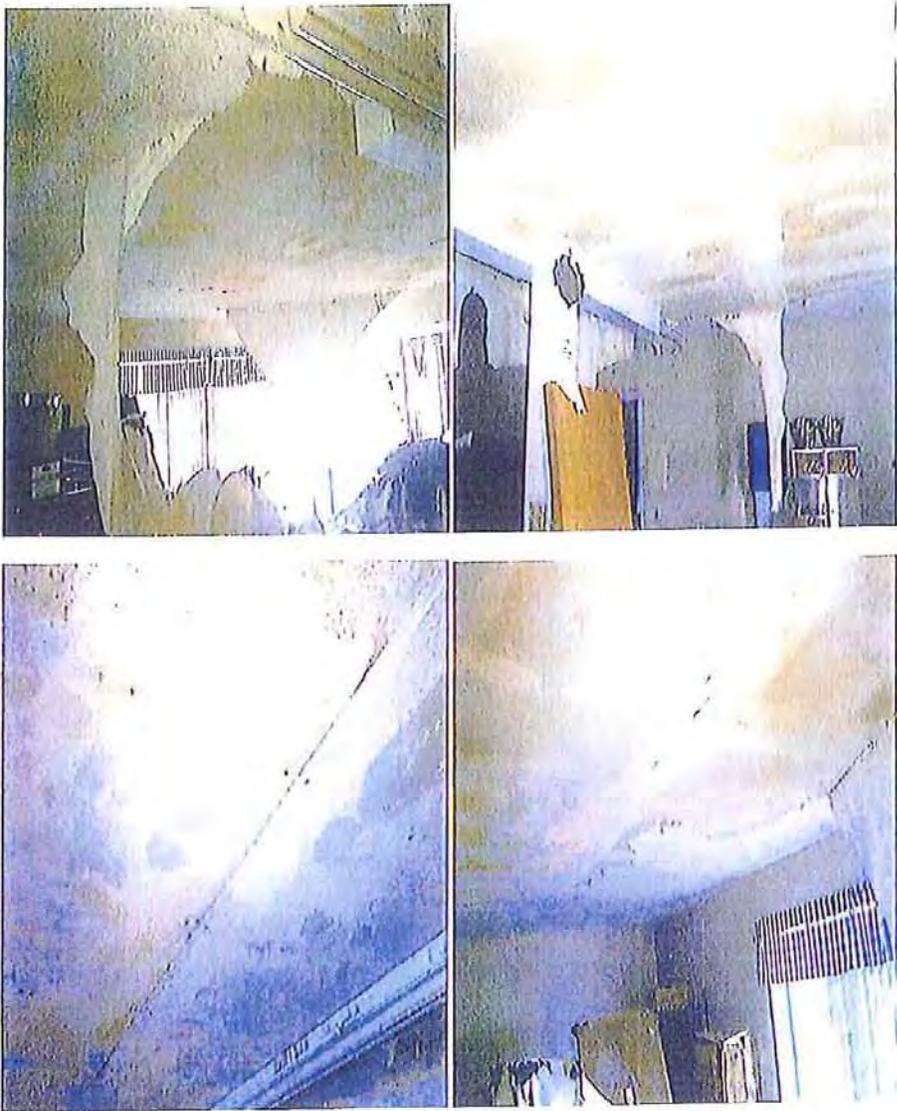
As evident in the photos, this hotel has sustained major damage from a recent fire. The following photos show some of the interior damage.



2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001

Exhibit 3.28

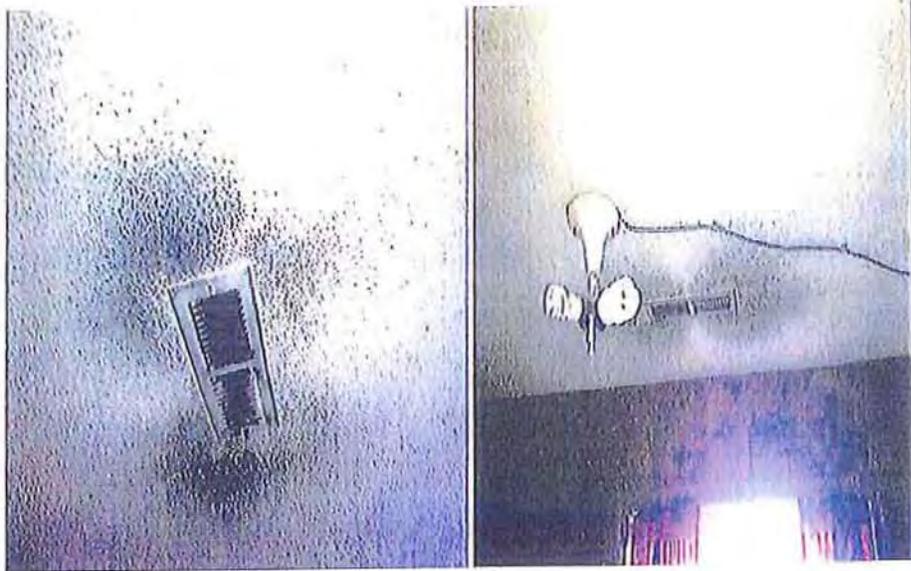
This is a two story wood framed structure that has sustained major fire damage for approximately 1/2 of the structure. In addition to this damage, this structure has been exposed to the elements and all of the interior finishes have been compromised. The following photos show this.



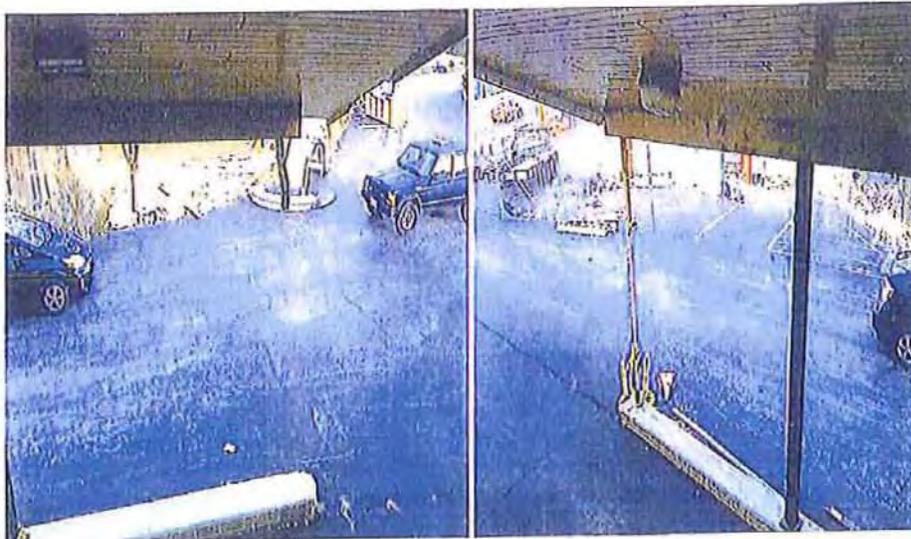
**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 3.29

The mechanical and electrical systems have also been compromised. The following photos show this ductwork.



The following photos show the entrance canopy.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 3.30

This canopy is missing the two end columns. This creates a dangerous condition and creates an unstable condition.

Summary:

This is a dangerous building, the building itself is unstable and could partially collapse any time. This creates a life safety concern to any one on the property. Due to the scope of work involved in rehabilitating this structure properly, it is most cost effective to demolish this building.

If you have any questions, please feel free to contact me.

Sincerely,



Ronald Hamme, P.E.

Pinnacle Design Consultants



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 4.1

Exhibit A



January 11th, 2013

Keith Crawford
Planning & Development Department
110 W. Maddux
Suite 215
Branson MO 65616

Re: JR's Motor Inn 1944 West 76 Branson MO

Dear Mr. Crawford:

On January 7th, 2013, I inspected the above referenced property with respect to the overall condition of the structure due to damage from an earlier tornado and a more recent fire.

The following photos show the exterior of the hotel.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 4.2

As evident in the photos, this hotel has sustained major damage from a recent fire. The following photos show some of the interior damage.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 4.3

This is a two story wood framed structure that has sustained major fire damage for approximately ½ of the structure. In addition to this damage, this structure has been exposed to the elements and all of the interior finishes have been compromised. The following photos show this.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 4.4

The mechanical and electrical systems have also been compromised. The following photos show this ductwork.



The following photos show the entrance canopy.



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 4.5

This canopy is missing the two end columns. This creates a dangerous condition and creates an unstable condition.

Summary:

This is a dangerous building, the building itself is unstable and could partially collapse any time. This creates a life safety concern to any one on the property. Due to the scope of work involved in rehabilitating this structure properly, it is most cost effective to demolish this building.

If you have any questions, please feel free to contact me.

Sincerely,



Ronald Hamme, P.E.

Pinnacle Design Consultants



**2025 W. SUNSHINE ST. STE. 124
SPRINGFIELD, MO 65807
417-731-3001**

Exhibit 5.1



CITY OF BRANSON FIRE & RESCUE
INVESTIGATION REPORT



Exhibit **B**

Incident Number: 12-2454	Case Name: JR's Motor Inn
Street Address: 1944 W. Highway 76	
City: Branson	County: Taney

Date/Occurrence: 9/8/12	Time: 0409	Day: Saturday
Date/Requested: 9/8/12	Time: 0500	Day: Saturday
Weather at Occurrence: Clear, Cool		

CAUSE/TYPE: Undetermined	Total Loss: \$56,188.00
---------------------------------	--------------------------------

Utilities in Service:	Electricity:	Natural Gas:	LP-gas:	Wood:	Fuel oil:	None: <input checked="" type="checkbox"/> X
------------------------------	--------------	--------------	---------	-------	-----------	---

STATUS:	Closed:	Confidential:	Criminal Info:	Warrant App.:
	Unclassified: <input checked="" type="checkbox"/> X	Non-Criminal:		

ARRESTS:	OFFENSE:
-----------------	-----------------

Construction Type:	Fire-Resistive: Heavy timber:	Noncombustible: Wood frame: <input checked="" type="checkbox"/> X	Ordinary: Vehicle:	Levels: 2
Occupancy Type:	Assembly: Ambulatory health care: Residential board & care: Storage:	Educational: Detention/Correctional: Mercantile: Mixed:	Day care: Residential: Motel Business: Other:	Health care: Industrial:
Estimated loss: \$56,188.00	Occupied: Vacant: <input checked="" type="checkbox"/> X	Smoke detectors present: Unknown		
Fatalities/Injuries:	No. Civilian Fatalities: No. Civilian Injuries:	No. Fire Fighter Fatalities: No. Fire Fighter Injuries:		

Copies to: (Enter agency names)	Police Dept.	Building Dept.
	State Fire Marshal	Health Dept.
	Other:	

Assisting Investigator(s):	Investigator:	Investigator:
	Investigator:	Investigator:

Investigator: Dennis Brunner	Technical Services Division Chief: Randy Fogle
--	--

Exhibit 5.2

Owner #1		Owner and Occupant same:					
<i>First:</i> Brad				<i>Last:</i> Poppie			
<i>Address:</i> 3350 Ashworth Ave.							
<i>City:</i> Highland Ranch		<i>State:</i> CO	<i>Phone:</i> 720-982-2000		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/DLN:</i>	
<i>Occupation:</i> Doctor				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>		<i>Company</i>			<i>Agency</i>	
<i>Structure:</i>	Uninsured						
<i>Contents:</i>	Uninsured						

Owner #2							
<i>First:</i>				<i>Last:</i>			
<i>Address:</i>							
<i>City:</i>		<i>State:</i>	<i>Phone:</i>		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/DLN:</i>	
<i>Occupation:</i>				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>		<i>Company</i>			<i>Agency</i>	
<i>Structure:</i>							
<i>Contents:</i>							

Owner #3							
<i>First:</i>				<i>Last:</i>			
<i>Address:</i>							
<i>City:</i>		<i>State:</i>	<i>Phone:</i>		<i>Race:</i>	<i>Sex:</i>	<i>Age:</i>
<i>DOB:</i>		<i>POB:</i>		<i>Marital Status:</i>		<i>SSN/DLN:</i>	
<i>Occupation:</i>				<i>Employer:</i>			
<i>DBA:</i>							
<i>Insurance</i>	<i>Amount</i>		<i>Company</i>			<i>Agency</i>	
<i>Structure:</i>							
<i>Contents:</i>							



CITY OF BRANSON FIRE & RESCUE
CASE ACTIVITY REPORT



Incident Number: 12-2454	Date: 9/8/12
Case Name: JR's Motor Inn	
Case Activity: Fire Investigation	Date of Activity: 9/8/12

Exterior Examination

An examination of the A-Side of the structure revealed no damage from fire, smoke or heat.
 An examination of the B-Side of the structure revealed moderate damage from fire and smoke on the second floor only. Minor damage was noted above a walk door located to the front of the building on the second floor of the B-Side due to smoke and heat exiting the doorway. Moderate damage from fire and heat was noted above a window located in the center of the second floor of the B-Side. Moderate to heavy damage was noted all around a window located on the second floor of the B-Side near the B-C corner with heavy damage to the soffit and eave area of the roof.
 An Examination of the C-Side of the structure revealed minor to moderate damage from fire and smoke on the second floor and extending down a stairway to the first floor. Minor to moderate damage was noted all around a window located on the C-Side near the C-B corner and extended down along the stairway.
 An examination of the D-Side of the structure revealed minor damage from fire and smoke. The damage was confined to an area above a second floor window on the D-Side near the D-C corner.

Interior Examination

The interior examination began in the first floor office and breakfast room. No damage from fire or smoke was found on this floor.
 The second floor living quarters examination began in the living room/kitchen area. Heavy damage from smoke and heat was found on the ceiling and down the walls. A line of demarcation was found to within 24" of the floor in these rooms.
 An examination of the hallway leading from the living room to the bedrooms revealed heavy damage from smoke and heat. Most of the drywall from the ceiling and walls in this area had fallen down on the floor. The ceiling joist/trusses in this area were undamaged on the bottom side and had minor to moderate damage from fire on the top side. The wall studs had little damage.
 Bedroom #2 was located off of the hallway. An examination of this room revealed heavy damage from heat and smoke. Most of the drywall from the ceiling and walls in the room had fallen down on the floor. Moderate damage from fire was found which was confined to the top side of the ceiling joist/trusses and extended into the truss members and the decking on the underside of the roof. The bottom side of the ceiling joists/trusses and wall studs had little damage from fire. A mattress and box springs was found in this room and had been consumed by fire.
 Bedroom #1 was located at the end of the hallway. An examination of this room revealed heavy damage from heat and smoke with minor to moderate damage from fire. The drywall from the ceiling and walls in this room had fallen down on the floor. A mattress and box springs was found on the floor of this room and had been consumed by fire. The wall studs in this room revealed minor to moderate damage from fire. The ceiling joists/trusses had heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof. The fire had self-vented out of the roof in this area.

Exhibit 5.4



CITY OF BRANSON FIRE & RESCUE

CASE ACTIVITY REPORT



Incident Number: 12-2454	Date: 9/8/12
Case Name: JR's Motor Inn	
Case Activity: Fire Investigation (continued)	Date of Activity: 9/8/12

Conclusion

No utilities were present in the structure at the time of the fire.

The cause of the fire is UNDETERMINED at this time. Possible contributing factors include:

- The building was unoccupied at the time of the fire but was unsecured from trespass by any individuals.
- Severe thunderstorms with intense cloud to ground lightning were present in the area from 1730-1800 and again from 1900-1930, prior to the fire being discovered.

Due to the lack of damage to the floor and wall components in the living quarters and the heavy fire damage to the roof components, particularly the lack of damage to the underside of the ceiling joist members while the top side of the members sustained heavy damage, the point of origin has been determined to likely be in the attic area, possibly above bedroom #1.

Copies to:	
Investigator: Dennis Brunner	Technical Services Division Chief: Randy Fogle

Exhibit 5.5



**CITY OF BRANSON FIRE & RESCUE
CASE ACTIVITY REPORT**



Incident Number: 12-2454	Date: 9/8/12
Case Name: JR's Motor Inn	
Case Activity: Fire Report	Date of Activity: 9/8/12

Units responded at 0409 to a structure fire at JR's Motor Inn. I was requested by Fire Chief Martin to respond for investigation at 0500. I arrived on scene at 0514 and met with the incident commander Captain Chris Morgan. He stated that the fire was out and crews were performing salvage and overhaul and that that task should be completed shortly. Upon completion, I investigated the exterior of the structure and then investigated the first floor office area. I then went upstairs to the living quarters for investigation. The fire was confined to the upstairs living quarters with minor to moderate exterior damage from fire above several windows and a doorway on the second floor.

The living quarters area sustained heavy damage from heat and fall down of debris. The fire damage was mainly confined to the roof structure components above both bedrooms and the bathroom. No evidence of a point of origin could be located in the living area due to lack of burning. The roof structure components sustained the heaviest damage from fire indicating a likely point of origin as the attic area. No utilities were present in the building at the time of the fire. Severe thunderstorms with intense cloud to ground lightning were preset in the area from 1730-1800 and again from 1900-1930, per the National Weather Service in Springfield Missouri. No cause of the fire could be determined.

Copies to:	
Investigator: Dennis Brunner	Technical Services Division Chief: Randy Fogle

Exhibit 5.6

CITY OF BRANSON FIRE & RESCUE	
<i>PHOTO LOG</i>	
<i>Incident Number:</i> 12-2454	<i>Case Name:</i> JR's Motor Inn
<i>Location:</i> 1944 W. Highway 76	<i>Date of Incident:</i> 9/8/12
<i>Camera:</i> Panasonic Lumix FZ35	<i>Date of Photos:</i> 9/8/12
<i>Investigator:</i> Dennis Brunner	Photos Saved As: 12-2454Photos

<i>Photo #</i>	<i>Subject</i>	<i>Camera Direction</i>
223	A-Side	S
226	B-Side	W
233	B-C Corner	NW
235	D-Side	E
236	Electrical Meter	E
237	C-Side	E
239	Living Room	W
240	Kitchen	S
241	Line of demarcation in living room	W
242	Line of demarcation in living room	W
244	Bedroom #2	E
245	Hallway	S
246	Bathroom	S
247	Mattress & box springs in master bedroom	SW
248	Roof damage in master bedroom	S
249	Corner of master bedroom under heaviest damage to roof structure	SE
250	Roof damage in master bedroom	SW
251	Mattress & box springs in master bedroom	SW
252	Area under heaviest damage to roof structure in master bedroom	SE
254	Roof damage in master bedroom	S
255	Roof damage in master bedroom	S

Exhibit 5.7

<i>Photo #</i>	<i>Subject</i>	<i>Camera Direction</i>
258	Fire damage to top plate in corner of master bedroom	SE
261	Wall studs below possible point of origin	SE
263	Wall studs below possible point of origin	SE
264	Wall Studs	E
265	Roof components in master bedroom	E
267	V-Pattern in hallway	S
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31.		
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Exhibit 5.8



P1010223



P1010226



P1010233



P1010235



P1010236



P1010237



P1010239



P1010240



P1010241



P1010242



P1010244



P1010245



P1010246



P1010247



P1010248



P1010249



P1010250



P1010251



P1010252



P1010254



P1010255



P1010258



P1010261



P1010262



P1010263



P1010264



P1010265



P1010267



CITY OF BRANSON FIRE & RESCUE INVESTIGATION REPORT



INCIDENT NUMBER: 12-2454

CASE NAME: JR's Motor Inn LOCATION: 1944 W. Highway 76 COUNTY: Taney

DATE/Occurrence: 9/8/12 Time: 0409 Day: Saturday Weather: Clear, Cool

Date/Requested: 9/8/12 Time: 0500 Day: Saturday

CAUSE: Undertermined **OFFENSE:**

STATUS: Closed Criminal Inf. Confidential # of Arrest(s) Cleared by other:
Non-Criminal Unclassified X

Utilities: Electricity Natural Gas Fuel Oil LP Gas Wood None X

Owner

First: Brad Last: Poppie Address: 3350 Ashworth Ave.
City: Highland Ranch State: CO Phone #: 720-982-2000 Race: Sex: Age: DOB:
POB: Marital Status: DLN:
Occupation: Employer:
DBA:

Occupant

First: Unoccupied Last: Address:
City: State: Phone #: Race: Sex: Age: DOB:
POB: Marital Status: DLN:
Occupation: Employer:
DBA:

Construction

Construction Type: Wood Frame Levels: 2 Occupied: No
Occupancy Type: Motel Estimated Loss: \$56,188.00

Injuries Civilian: # Injuries FF: #Deaths Civilian: #Death FF:
Smoke Detectors Present: Unknown Smoke Detectors Operational: Unknown

Insurance: Amount Company Agency
Structure:
Contents:

Police/Sheriff: Fire Department:

Copies to:

Exhibit 6.2

A		MM DD YYYY 10702 MO 09 08 2012	Station 1	Incident Number 12-0002454	Exposure 000	<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS -1 Basic
B Location*							
<input type="checkbox"/> Check this box to indicate that the address for this incident is provided by the Wildland Fire Module in Section 9 "Alternative Location Specification". Use only for Wildland Fires. Census Tract _____							
<input checked="" type="checkbox"/> Street address 1944 W STATE HWY 76 HWY Number/Zip/Post Prefix Street or Highway Street Type Suffix							
<input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions Apt./Suite/Room City State Zip Code BRANSON MO 65616 Cross street or directions, as applicable							
C Incident Type *		E1 Date & Times			E2 Shift & Alarms		
111 Building fire Incident Type		Midnight is 0000 Check boxes if dates are the same as Alarm Date. ALARM always required Alarm * 09 08 2012 04:09:00 ARRIVAL required, unless canceled or did not arrive Arrival * 09 08 2012 04:14:15 CONTROLLED Optional, except for wildland fires Controlled _____ LAST UNIT CLEARED, required except for wildland fires Last Unit Cleared 09 08 2012 06:58:32			Local Option A 02 102 Shift of Alarm District Platoon		
D Aid Given or Received*		E3 Special Studies					
1 <input checked="" type="checkbox"/> Mutual aid received 10701 MO 2 <input type="checkbox"/> Automatic aid recvd. Their FDID Their State 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given 12-1458 Their Incident Number 5 <input type="checkbox"/> Other aid given N <input type="checkbox"/> None		Special Studies Local Option Special Study ID# Special Study Value					
F Actions Taken *		G1 Resources *		G2 Estimated Dollar Losses & Values			
11 Extinguishment by fire Primary Action Taken (1) 12 Salvage & overhaul Additional Action Taken (2) 86 Investigate Additional Action Taken (3)		Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression 0003 0010 EMS Other 0004 0007 <input type="checkbox"/> Check box if resource counts include aid received resources.		LOSSES: Required for all fires if known. Optional for non fires. None Property \$ _____, 054, 188 Contents \$ _____, 002, 000 PRE-INCIDENT VALUE: Optional Property \$ _____, 216, 752 Contents \$ _____, 002, 000			
Completed Modules		H1* Casualties		H3 Hazardous Materials Release		I Mixed Use Property	
<input checked="" type="checkbox"/> Fire-2 <input checked="" type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Cas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input checked="" type="checkbox"/> Apparatus-9 <input checked="" type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		Deaths Injuries Fire Service _____ Civilian _____ H2 Detector Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown		N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: slow leak, no evacuation or HazMat actions 2 <input type="checkbox"/> Propane gas: <21 lb. tank (ex in home BBQ grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel heating equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: hood/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: Special HazMat solutions required or spill > 55gal., Please complete the HazMat form		NN <input type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly use 20 <input type="checkbox"/> Education use 33 <input type="checkbox"/> Medical use 40 <input type="checkbox"/> Residential use 51 <input type="checkbox"/> Row of stores 53 <input type="checkbox"/> Enclosed mall 58 <input type="checkbox"/> Bus. & Residential 59 <input type="checkbox"/> Office use 60 <input type="checkbox"/> Industrial use 63 <input type="checkbox"/> Military use 65 <input type="checkbox"/> Farm use 00 <input type="checkbox"/> Other mixed use	
J Property Use*		Structures					
131 <input type="checkbox"/> Church, place of worship 161 <input type="checkbox"/> Restaurant or cafeteria 162 <input type="checkbox"/> Bar/Tavern or nightclub 213 <input type="checkbox"/> Elementary school or kindergarten 215 <input type="checkbox"/> High school or junior high 241 <input type="checkbox"/> College, adult education 311 <input type="checkbox"/> Care facility for the aged 331 <input type="checkbox"/> Hospital		341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input type="checkbox"/> 1-or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarding house 449 <input checked="" type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales		539 <input type="checkbox"/> Household goods, sales, repairs 579 <input type="checkbox"/> Motor vehicle/boat sales/repair 571 <input type="checkbox"/> Gas or service station 599 <input type="checkbox"/> Business office 615 <input type="checkbox"/> Electric generating plant 629 <input type="checkbox"/> Laboratory/science lab 700 <input type="checkbox"/> Manufacturing plant 819 <input type="checkbox"/> Livestock/poultry storage (barn) 882 <input type="checkbox"/> Non-residential parking garage 891 <input type="checkbox"/> Warehouse		981 <input type="checkbox"/> Construction site 984 <input type="checkbox"/> Industrial plant yard Lookup and enter a Property Use code only if you have NOT checked a Property Use box: Property Use 449 Hotel/motel, commercial	
Outside 124 <input type="checkbox"/> Playground or park 655 <input type="checkbox"/> Crops or orchard 669 <input type="checkbox"/> Forest (timberland) 807 <input type="checkbox"/> Outdoor storage area 919 <input type="checkbox"/> Dump or sanitary landfill 931 <input type="checkbox"/> Open land or field		936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway					

Exhibit 6.3

K1 Person/Entity Involved		_____		_____ - _____ - _____		
Local Option		Business name (if applicable)		Area Code Phone Number		
<input type="checkbox"/> Check this box if same address as incident location. Then skip the three duplicate address lines.	Mr., Ms., Mrs. First Name		MI	Last Name		
	Number		Prefix	Street or Highway		
	Post Office Box		Apt./Suite/Room		City	
	State		Zip Code		Street Type Suffix	
	_____		_____		_____	
<input type="checkbox"/> More people involved? Check this box and Attach Supplemental Forms (NFIRS-1S) as necessary						
K2 Owner		_____		_____ - _____ - _____		
Local Option		Business name (if applicable)		Area Code Phone Number		
<input type="checkbox"/> Check this box if same address as incident location. Then skip the three duplicate address lines.	Mr., Ms., Mrs. First Name		MI	Last Name		
	Number		Prefix	Street or Highway		
	Post Office Box		Apt./Suite/Room		City	
	State		Zip Code		Street Type Suffix	
	_____		_____		_____	
L Remarks						
Local Option						
09/08/2012 08:30:45 cmorgan						
<p>Engine 1, Truck 2 and Engine 3 responded emergency to a report of a commercial structure fire with fire showing from the roof. Upon arrival, Engine 1 reported heavy flames showing from the Bravo/Charlie corner, requested a 2nd alarm, to backfill all stations, established command and was out for fire attack. Firefighter Privette was advised to pull the 2 1/2" 200' hand line and initiate an indirect fire attack on the Charlie side while Captain Morgan completed a 360* visual and established a command post. Engine 3 was advised to establish a water supply, park on the Delta side and to pull an attack line to the second floor to initiate an interior attack on the second floor and was assigned Division 2. Engine 3 also supplied water to Engine 1. A second attack line was pulled off of Engine 1 to assist with fire attack. Truck 2 arrived and was placed on the Alpha/Bravo corner and was advised to ladder the roof to initiate vertical ventilation and was assigned the Vent Group designation. Ground ladders were thrown to the second floor for egress points. After the fire was extinguished, WTCFPD personnel assisted with overhaul procedures. Once the overhaul was complete, Fire Marshal Brunner initiated his investigation (See investigation report for determination). All fire units cleared the scene.</p>						
L Authorization						
[CMORGAN]		[MORGAN, CHRISTOPHER E]		[CP]		
Officer in charge ID		signature		Position or rank		
[A1]		[09]		[08]		
Assignment		Month		Day		
[2012]		Year				
<input checked="" type="checkbox"/> Check box if same as Officer in charge.						
[CMORGAN]		[MORGAN, CHRISTOPHER E]		[CP]		
Member making report ID		Signature		Position or rank		
[A1]		[09]		[08]		
Assignment		Month		Day		
[2012]		Year				

Exhibit 6.4

A FDNR <input type="text" value="10702"/> * State <input type="text" value="MO"/> * Incident Date <input type="text" value="09"/> <input type="text" value="08"/> <input type="text" value="2012"/> * Station <input type="text" value="1"/> Incident Number <input type="text" value="12-0002454"/> * Exposure <input type="text" value="000"/> *		<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS -2 Fire
B Property Details B1 <input type="text" value="0001"/> <input type="checkbox"/> Not Residential Estimated Number of residential living units in building of origin whether or not all units became involved		C On-Site Materials or Products <input checked="" type="checkbox"/> None Complete if there were any significant amounts of commercial, industrial, energy or agricultural products or materials on the Property, whether or not they became involved. Enter up to three codes. Check one or more boxes for each code entered.	
B2 <input type="text" value="001"/> <input type="checkbox"/> Buildings not involved Number of buildings involved		On-site material (1) <input type="text" value="NNN"/> <input type="text" value="None"/> On-site material (2) <input type="text"/> <input type="text"/> On-site material (3) <input type="text"/> <input type="text"/>	
B3 <input type="text"/> <input checked="" type="checkbox"/> None Acres burned (outside fires) <input type="checkbox"/> Less than one acre		1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service 1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service 1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or service	
D Ignition D1 <input type="text" value="74"/> <input type="text" value="Attic: vacant, crawl"/> Area of fire origin *		E1 Cause of Ignition <input type="checkbox"/> Check box if this is an exposure report. Skip to section G. 1 <input type="checkbox"/> Intentional 2 <input type="checkbox"/> Unintentional 3 <input type="checkbox"/> Failure of equipment or heat source 4 <input type="checkbox"/> Act of nature 5 <input type="checkbox"/> Cause under investigation U <input checked="" type="checkbox"/> Cause undetermined after investigation	
D2 <input type="text" value="UU"/> <input type="text" value="Undetermined"/> Heat source *		E2 Factors Contributing To Ignition <input type="text" value="NN"/> <input type="text" value="None"/> <input checked="" type="checkbox"/> None Factor contributing to ignition (1) <input type="text"/> <input type="text"/> Factor contributing to ignition (2)	
D3 <input type="text" value="17"/> <input type="text" value="Structural member or"/> Item first ignited * <input type="checkbox"/> Check box if fire spread was confined to object of origin		E3 Human Factors Contributing To Ignition Check all applicable boxes 1 <input type="checkbox"/> Asleep <input checked="" type="checkbox"/> None 2 <input type="checkbox"/> Possibly impaired by alcohol or drugs 3 <input type="checkbox"/> Unattended person 4 <input type="checkbox"/> Possibly mental disabled 5 <input type="checkbox"/> Physically Disabled 6 <input type="checkbox"/> Multiple persons involved 7 <input type="checkbox"/> Age was a factor Estimated age of person involved <input type="text"/> 1 <input type="checkbox"/> Male 2 <input type="checkbox"/> Female	
D4 <input type="text" value="63"/> <input type="text" value="Sawn wood, including"/> Type of material first ignited Required only if item first ignited code is 00 or <70		F1 Equipment Involved In Ignition <input checked="" type="checkbox"/> None IF Equipment was not involved, skip to Section G <input type="text" value="NNN"/> <input type="text" value="None"/> Equipment involved Brand <input type="text"/> Model <input type="text"/> Serial # <input type="text"/> Year <input type="text"/>	
F2 Equipment Power <input type="text"/> <input type="text"/> Equipment Power Source		G Fire Suppression Factors Enter up to three codes. <input checked="" type="checkbox"/> None <input type="text" value="NNN"/> <input type="text" value="None"/> Fire suppression factor (1) <input type="text"/> <input type="text"/> Fire suppression factor (2) <input type="text"/> <input type="text"/> Fire suppression factor (3)	
F3 Equipment Portability 1 <input type="checkbox"/> Portable 2 <input type="checkbox"/> Stationary Portable equipment normally can be moved by one person, is designed to be use in multiple locations, and requires no tools to install.		H1 Mobile Property Involved <input checked="" type="checkbox"/> None 1 <input type="checkbox"/> Not involved in ignition, but burned 2 <input type="checkbox"/> Involved in ignition, but did not burn 3 <input type="checkbox"/> Involved in ignition and burned	
H2 Mobile Property Type & Make <input type="text" value="NN"/> <input type="text" value="None"/> Mobile property type <input type="text"/> <input type="text"/> Mobile property make		Local Use <input type="checkbox"/> Pre-Fire Plan Available Some of the information presented in this report may be based upon reports from other Agencies <input type="checkbox"/> Arson report attached <input type="checkbox"/> Police report attached <input type="checkbox"/> Coroner report attached <input type="checkbox"/> Other reports attached	
<input type="text"/> Mobile property model		<input type="text"/> Year	
<input type="text"/> <input type="text"/> License Plate Number State VIN Number		NFIRS-2 Revision 01/19/99	

Exhibit 6.5

I1 Structure Type * <small>If fire was in enclosed building or a portable/mobile structure complete the rest of this form</small> 1 <input checked="" type="checkbox"/> Enclosed Building 2 <input type="checkbox"/> Portable/mobile structure 3 <input type="checkbox"/> Open structure 4 <input type="checkbox"/> Air supported structure 5 <input type="checkbox"/> Tent 6 <input type="checkbox"/> Open platform (e.g. piers) 7 <input type="checkbox"/> Underground structure (work areas) 8 <input type="checkbox"/> Connective structure (e.g. fences) 0 <input type="checkbox"/> Other type of structure	I2 Building Status * 1 <input type="checkbox"/> Under construction 2 <input type="checkbox"/> Occupied & operating 3 <input type="checkbox"/> Idle, not routinely used 4 <input type="checkbox"/> Under major renovation 5 <input checked="" type="checkbox"/> Vacant and secured 6 <input type="checkbox"/> Vacant and unsecured 7 <input type="checkbox"/> Being demolished 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	I3 Building* Height <small>Count the ROOF as part of the highest story</small> [002] <small>Total number of stories at or above grade</small> [] <small>Total number of stories below grade</small>	I4 Main Floor Size* <small>NFIRS-3 Structure Fire</small> [] , [001] , [748] <small>Total square feet</small> OR [] , [] BY [] , [] <small>Length in feet Width in feet</small>
J1 Fire Origin * [002] <input type="checkbox"/> Below Grade <small>Story of fire origin</small> J2 Fire Spread * 1 <input type="checkbox"/> Confined to object of origin 2 <input type="checkbox"/> Confined to room of origin 3 <input type="checkbox"/> Confined to floor of origin 4 <input checked="" type="checkbox"/> Confined to building of origin 5 <input type="checkbox"/> Beyond building of origin	J3 Number of Stories Damaged By Flame <small>Count the ROOF as part of the highest story</small> [] Number of stories w/ minor damage (1 to 24% flame damage) [001] Number of stories w/ significant damage (25 to 49% flame damage) [] Number of stories w/ heavy damage (50 to 74% flame damage) [] Number of stories w/ extreme damage (75 to 100% flame damage)	K Material Contributing Most To Flame Spread <input type="checkbox"/> Check if no flame spread OR same as material first ignited OR unable to determine Skip To Section L K1 [] <small>Item contributing most to flame spread</small> K2 [] <small>Type of material contributing most of flame spread Required only if item contributing code is 00 or 90</small>	
L1 Presence of Detectors * <small>(In area of the fire)</small> N <input checked="" type="checkbox"/> None Present Skip to section M 1 <input type="checkbox"/> Present U <input type="checkbox"/> Undetermined	L3 Detector Power Supply 1 <input type="checkbox"/> Battery only 2 <input type="checkbox"/> Hardwire only 3 <input type="checkbox"/> Plug in 4 <input type="checkbox"/> Hardwire with battery 5 <input type="checkbox"/> Plug in with battery 6 <input type="checkbox"/> Mechanical 7 <input type="checkbox"/> Multiple detectors & power supplies 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	L5 Detector Effectiveness <small>Required if detector operated</small> 1 <input type="checkbox"/> Alerted Occupants, occupants responded 2 <input type="checkbox"/> Occupants failed to respond 3 <input type="checkbox"/> There were no occupants 4 <input type="checkbox"/> Failed to alert occupants U <input type="checkbox"/> Undetermined	
L2 Detector Type 1 <input type="checkbox"/> Smoke 2 <input type="checkbox"/> Heat 3 <input type="checkbox"/> Combination smoke - heat 4 <input type="checkbox"/> Sprinkler, water flow detection 5 <input type="checkbox"/> More than 1 type present 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	L4 Detector Operation 1 <input type="checkbox"/> Fire too small to activate 2 <input type="checkbox"/> Operated (Complete Section L5) 3 <input type="checkbox"/> Failed to Operate (Complete Section L6) U <input type="checkbox"/> Undetermined	L6 Detector Failure Reason <small>Required if detector failed to operate</small> 1 <input type="checkbox"/> Power failure, shutoff or disconnect 2 <input type="checkbox"/> Improper installation or placement 3 <input type="checkbox"/> Defective 4 <input type="checkbox"/> Lack of maintenance, includes cleaning 5 <input type="checkbox"/> Battery missing or disconnected 6 <input type="checkbox"/> Battery discharged or dead 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	
M1 Presence of Automatic Extinguishment System * N <input checked="" type="checkbox"/> None Present Complete rest of Section M 1 <input type="checkbox"/> Present	M2 Type of Automatic Extinguishment System * <small>Required if fire was within designed range of AES</small> 1 <input type="checkbox"/> Wet pipe sprinkler 2 <input type="checkbox"/> Dry pipe sprinkler 3 <input type="checkbox"/> Other sprinkler system 4 <input type="checkbox"/> Dry chemical system 5 <input type="checkbox"/> Foam system 6 <input type="checkbox"/> Halogen type system 7 <input type="checkbox"/> Carbon dioxide (CO ₂) system 0 <input type="checkbox"/> Other special hazard system U <input type="checkbox"/> Undetermined	M3 Automatic Extinguishment System Operation <small>Required if fire was within designed range</small> 1 <input type="checkbox"/> Operated & effective (Go to M4) 2 <input type="checkbox"/> Operated & not effective (M4) 3 <input type="checkbox"/> Fire too small to activate 4 <input type="checkbox"/> Failed to operate (Go to M5) 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	M5 Automatic Extinguishment System Failure Reason <small>Required if system failed</small> 1 <input type="checkbox"/> System shut off 2 <input type="checkbox"/> Not enough agent discharged 3 <input type="checkbox"/> Agent discharged but did not reach fire 4 <input type="checkbox"/> Wrong type of system 5 <input type="checkbox"/> Fire not in area protected 6 <input type="checkbox"/> System components damaged 7 <input type="checkbox"/> Lack of maintenance 8 <input type="checkbox"/> Manual Intervention 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined <small>NFIRS-3 Revision 01/19/99</small>
		M4 Number of Sprinkler Heads Operating <small>Required if system operated</small> [] <small>Number of sprinkler heads operating</small>	

Exhibit 6.6

A										NFIRS - 9 Apparatus or Resources			
FDID 10702		State MO		Incident Date 09/08/2012		Station 1		Incident Number 12-0002454		Exposure 000		<input type="checkbox"/> Delete <input type="checkbox"/> Change	
B Apparatus or * Resource		Date and Times <small>Check if same as alarm date</small>				Sent	Number of * People	Use <small>Check OWS box for each apparatus to indicate its main use at the incident.</small>		Actions Taken			
		Dispatch	Month	Day	Year	Hour	Min						
1	ID C1 Type 92	<input type="checkbox"/>	9	8	2012	04	15	<input checked="" type="checkbox"/>	1	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
2	ID E1 Type 11	<input type="checkbox"/>	9	8	2012	04	09	<input checked="" type="checkbox"/>	3	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
3	ID E3 Type 11	<input type="checkbox"/>	9	8	2012	04	09	<input checked="" type="checkbox"/>	4	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
4	ID E30 Type 11	<input type="checkbox"/>	9	8	2012	04	47	<input checked="" type="checkbox"/>	2	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
5	ID FM1 Type 92	<input type="checkbox"/>	9	8	2012	05	13	<input checked="" type="checkbox"/>	1	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
6	ID POV Type 99	<input checked="" type="checkbox"/>	9	8	2012	04	09	<input checked="" type="checkbox"/>	3	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
7	ID T2 Type 13	<input type="checkbox"/>	9	8	2012	04	09	<input checked="" type="checkbox"/>	3	<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
8	ID <input type="text"/> Type <input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	
9	ID <input type="text"/> Type <input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other	<input type="checkbox"/>	<input type="checkbox"/>	

Type of Apparatus or Resources

<p>Ground Fire Suppression</p> <ul style="list-style-type: none"> 11 Engine 12 Truck or aerial 13 Quint 14 Tanker & pumper combination 16 Brush truck 17 ARF (Aircraft Rescue and Firefighting) 10 Ground fire suppression, other <p>Heavy Ground Equipment</p> <ul style="list-style-type: none"> 21 Dozer or plow 22 Tractor 24 Tanker or tender 20 Heavy equipment, other <p>Aircraft</p> <ul style="list-style-type: none"> 41 Aircraft: fixed wing tanker 42 Helitanker 43 Helicopter 40 Aircraft, other 	<p>Marine Equipment</p> <ul style="list-style-type: none"> 51 Fire boat with pump 52 Boat, no pump 50 Marine apparatus, other <p>Support Equipment</p> <ul style="list-style-type: none"> 61 Breathing apparatus support 62 Light and air unit 60 Support apparatus, other <p>Medical & Rescue</p> <ul style="list-style-type: none"> 71 Rescue unit 72 Urban Search & rescue unit 73 High angle rescue unit 75 BLS unit 76 ALS unit 70 Medical and rescue unit, other 	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>More Apparatus? Use Additional Sheets</p> </div> <p>Other</p> <ul style="list-style-type: none"> 91 Mobile command post 92 Chief officer car 93 HazMat unit 94 Type 1 hand crew 95 Type 2 hand crew 99 Privately owned vehicle 00 Other apparatus/resource NN None UU Undetermined
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NFIRS-9 Revision 11/17/98

Exhibit 6.7

A		MM DD YYYY		FDID *		State *		Incident date *		Station		Incident Number *		Exposure *		<input type="checkbox"/> Delete <input type="checkbox"/> Change NFIRS - 10 Personnel	
FDID: 10702		MO		9 8		2012		1		12-0002454		000					
B Apparatus or Resource		Date and Times <small>Check if same as alarm date</small>						Sent	Number of People	Use			Actions Taken				
Use codes listed below		Month		Day		Year		Hours/mins		<input checked="" type="checkbox"/>		<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other			List up to 4 actions for each apparatus and each personnel. [] [] [] []		
1 ID C1 Type 92		Dispatch		9 8		2012		04:15		<input type="checkbox"/>		<input type="checkbox"/> Suppression <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Other			[] [] [] []		
		Arrival		9 8		2012		04:18		<input type="checkbox"/>	1						
		Clear		9 8		2012		06:54		<input checked="" type="checkbox"/>							
Personnel ID		Name				Rank or Grade		Attend	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken
TMARTIN		MARTIN, THEODORE				FC		X									
2 ID E1 Type 11		Dispatch		9 8		2012		04:09		<input type="checkbox"/>		<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other			[] [] [] []		
		Arrival		9 8		2012		04:14		<input type="checkbox"/>	3						
		Clear		9 8		2012		06:58		<input checked="" type="checkbox"/>							
Personnel ID		Name				Rank or Grade		Attend	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken
CMORGAN		MORGAN, CHRISTOPHER				CP		X									
JGAGNEPAIN		GAGNEPAIN, JASON				ENG		X									
ZPRIVETTE		PRIVETTE, ZACHARY				FF		X									
3 ID E3 Type 11		Dispatch		9 8		2012		04:09		<input type="checkbox"/>		<input checked="" type="checkbox"/> Suppression <input type="checkbox"/> EMS <input type="checkbox"/> Other			[] [] [] []		
		Arrival		9 8		2012		04:17		<input type="checkbox"/>	4						
		Clear		9 8		2012		06:44		<input checked="" type="checkbox"/>							
Personnel ID		Name				Rank or Grade		Attend	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken	Action Taken
DGREGORY		GREGORY, DONALD				FF		X									
DHEMBREE		HEMBREE, DARRYL				ENG		X									
DORLE		ORLE, DOUGLAS				CP		X									
RIVEY		IVEY, RICHARD				FF		X									

Exhibit 6.10

A	FDID * <input type="text" value="10702"/>	State * <input type="text" value="MO"/>	MM DD YYYY Incident Date * <input type="text" value="9"/> <input type="text" value="8"/> <input type="text" value="2012"/>	Station <input type="text" value="1"/>	Incident Number * <input type="text" value="12-0002454"/>	Exposure * <input type="text" value="000"/>	<input type="checkbox"/> Delete <input type="checkbox"/> Change	Insurance and \$Loss
B Estimated Dollar Loss & Value								
	Pre-Incident Value	Estimated Loss	Insured Amount	Settlement Amount				
Buildings	\$216,752.00	\$54,188.00	\$0.00	\$0.00				
Vehicles	\$0.00	\$0.00	\$0.00	\$0.00				
Contents	\$2,000.00	\$2,000.00	\$0.00	\$0.00				
C Insurance Company								
<input type="text"/>					<input type="text"/>			
Business name if applicable					Contact Name			
<input type="text"/>								
Street or highway								
<input type="text"/>					<input type="text"/>			
Post office box					City			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
State		zip code		Phone Number				
<input type="text"/>								
Agent Name								
<input type="text"/>					<input type="checkbox"/> Buildings <input type="checkbox"/> Vehicles <input type="checkbox"/> Contents			
Policy Number					Policy Coverage			



CITY OF BRANSON
Planning & Development

Exhibit D

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
 (417) 337-8549 • FAX (417) 334-2391

January 14, 2013

Inn-2 LLC
 dba: JR's Motor Inn
 PO Box 2635
 Springfield, MO 65801
 Attn: C.L. Carr

Dear Mr. Carr,

I would like to inform you that on January 11, 2013, the City of Branson officially declared the structure known as JR's Motor Inn, located at 1944 W. Hwy 76, Branson, as a dangerous building. On January 7, 2013, a representative of Pinnacle Design Consultants accompanied me onto said property to perform a structural inspection. His conclusion, as documented in a report dated January 11, 2013, states "This is a dangerous building, the building itself is unstable and could partially collapse any time. This creates a life safety concern to any one on the property. Due to the scope of work involved in rehabilitating this structure properly, it is most cost effective to demolish this building."

On January 11, 2013, the structures on the property were posted as dangerous buildings. Due to the un-protected condition of the property and the lack of structural integrity of these buildings, there is significant public life safety exposure. Therefore, you will need to fence off the property within fourteen (14) calendar days from receipt of this letter. If you do not fence the property within this time period, the City of Branson will have the property fenced. Additionally, the City's dangerous building abatement process will be initiated in accordance with Branson Municipal Code, Chapter 22, Article IX, Abatement of Dangerous Buildings. As part of that process, all costs incurred by the City, including the fencing, Title Search, debris removal, demolition, cleanup, etc., will be billed to you.

Thank you, in advance, for your cooperation. If you have any questions, please feel free to contact me at (417) 337-8527.

Regards,

Keith Crawford
 Code Enforcement Super

File# 12-0498

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X </p>	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Inn-2 LLC dba: JR's Motor Inn PO Box 2635 Springfield, MO 65801		W. Carr Jr	1-17-13
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
7011 2000 0002 6529 7015			
3. Service Type		<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> G.O.D.	
PS Form 3811, February 2004		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Domestic Return Receipt		102595-02-M-1	

"The City will encourage the qua



CITY OF **BRANSON**
Planning & Development

Exhibit €

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

Notice and Order

Pursuant to the City of Branson Municipal Code, Chapter 22, Article IX, the purpose of this Notice and Order is to inform you that on your property at 1944 W. Hwy 76, Branson (J.R.'s Motor Inn), there is a dangerous building, as determined by officials of the City of Branson. All Dangerous Buildings are declared a public nuisance and appropriate remedial action is required.

This property is further described as:

Parcel ID: 17-3.0-06-002-006-014.000
Brief Tax Description: PT PL 2 LT 9 NW4; City of Branson
Sec / Twp / Rng: 06/22/21
Deed Book / Page / Date: 2010-11387 (03/19/10)

Owner(s) of Record: *Inn-2 LLC*
dba: JR's Motor Inn
PO Box 2635
Springfield, MO 65801

On September 8, 2012, a fire severely damaged the main structure on the above described property. On January 7, 2013, representatives of the City of Branson inspected said property and found the structure to be a dangerous building. The conditions associated with the structure, as delineated in the City of Branson Municipal Code, Chapter 22, Article IX, Section 22-200, include, but are not limited to:

- portions, members, or appurtenances thereof have been damaged so that the structural strength or stability of any portion of the structure/building threatens the life, health, safety, or property of the occupants or public
- portions, members, appurtenances, or ornamentation thereof, are of insufficient strength or stability so that it threatens the life, health, safety, or property of the occupants or public
- the building or structure, or any portion thereof are likely to partially or completely collapse
- the floor or the roof is overloaded or of insufficient strength to be reasonably safe for the purpose used
- the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public
- the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings
- the building or structure has been so damaged (from whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public
- the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public
- the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease
- the building or structure is determined to be a fire hazard

Exhibit 8.2

Additionally, there is an accumulation of rubbish inside the structure and on the exterior property. Overall, these conditions pose a threat to the health, safety and welfare of the public.

In accordance with the 2009 International Property Maintenance Code and the Branson Dangerous Building ordinance, this structure has been declared a dangerous building and cannot be used for human occupancy. It exhibits such conditions that threaten the health, safety and welfare of the public. Therefore, such conditions shall be remedied by either repairing the structure or by demolishing the structure and then removing and properly disposing of all building materials and removing and disposing of all contents of said building. The property must be cleaned of all rubbish and debris.

You are hereby ordered to immediately vacate the structure due to the unsafe condition it imposes, and to begin such remedial actions, as described herein, **within thirty (30) days from receipt of this Notice and Order**, and to proceed continuously without unnecessary delay. A demolition permit must be obtained from the City of Branson Building Department prior to commencing work.

Failure to comply with this Notice and Order will result in a formal hearing before the Director of Planning and Development, and may result in further actions by the City, including, but not limited to, a written Order of Abatement and abatement of all violations by the City.

Issued by:


 Jim Lawson
 Director, Planning & Development

2/15/13
 Date

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Inn-2 LLC dba: JR's Motor Inn P.O. Box 2635 Springfield, MO 65801</p>	<p>D. Is delivery address different from Item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7012 3050 0001 9987 5182</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>



CITY OF BRANSON Planning & Development

Exhibit F

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

March 14, 2013

Leisuretek LTD, Inc.
c/o Gary W. Allman
101 State Drive, Ste. 100
Hollister, MO 65672

RE: NOTICE AND ORDER – 1944 W. STATE HIGHWAY 76, BRANSON, MO

Please find enclosed for your review a copy of a Notice and Order for JR's Motor Inn located at the above reference location.

If you are not a person of interest in this matter, please disregard.

Sincerely,

Jim Lawson
Director

JCL/ss

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also item 4 if Restricted Delivery is desired.
- Print your name and address on so that we can return the card to you on the front if space permits.
- Attach this card to the back of the envelope.

1. Article Addressed to:

Leisuretek LTD, Inc.
c/o Gary Allman
101 State Drive, Ste. 100
Hollister, MO 65672

2. Article Number
(Transfer from s) 70111 2

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

HOLLISTER MO 65672

OFFICIAL USE

Postage	\$ 0.66	0805
Certified Fee	\$3.10	12
Return Receipt Fee (Endorsement Required)	\$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.31	03/15/2013

Sent to LEISURETEK LTD % GARY ALLMAN
Street, Apt. No. or PO Box No. 101 STATE DR., STE 100
City, State, ZIP+4 HOLLISTER MO 65672

PS Form 3800, August 2006 See Reverse for Instructions

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15

Cc: Rocky Mountain Management LLC, 300-B East High Street, Jefferson City, MO 65101
Brad Poppie, 3350 Ashworth, Aurora, CO 80126
Robert Walford, 8227 S. Holly Street, Centennial, CO 80122
Robert Paulson, 106 Travis Trail, Branson, MO 65616



CITY OF **BRANSON**
Planning & Development

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

Notice and Order

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This property is further described as:

Parcel ID: 17-3.0-06-002-006-014.000
Brief Tax Description: PT PL 2 LT 9 NW4; City of Branson
Sec / Twp / Rng: 06/22/21
Deed Book / Page / Date: 2010-11387 (03/19/10)

Owner(s) of Record: Inn-2 LLC
dba: JR's Motor Inn
PO Box 2635
Springfield, MO 65801

COPY

On September 8, 2012, a fire severely damaged the main structure on the above described property. On January 7, 2013, representatives of the City of Branson inspected said property and found the structure to be a dangerous building. The conditions associated with the structure, as delineated in the City of Branson Municipal Code, Chapter 22, Article IX, Section 22-200, include, but are not limited to:

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- the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public
- the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings
- the building or structure has been so damaged (from whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public
- the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public
- the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease
- the building or structure is determined to be a fire hazard

Exhibit 9.3

Additionally, there is an accumulation of rubbish inside the structure and on the exterior property. Overall, these conditions pose a threat to the health, safety and welfare of the public.

In accordance with the 2009 International Property Maintenance Code and the Branson Dangerous Building ordinance, this structure has been declared a dangerous building and cannot be used for human occupancy. It exhibits such conditions that threaten the health, safety and welfare of the public. Therefore, such conditions shall be remedied by either repairing the structure or by demolishing the structure and then removing and properly disposing of all building materials and removing and disposing of all contents of said building. The property must be cleaned of all rubbish and debris.

You are hereby ordered to immediately vacate the structure due to the unsafe condition it imposes, and to begin such remedial actions, as described herein, **within thirty (30) days from receipt of this Notice and Order**, and to proceed continuously without unnecessary delay. A demolition permit must be obtained from the City of Branson Building Department prior to commencing work.

Failure to comply with this Notice and Order will result in a formal hearing before the Director of Planning and Development, and may result in further actions by the City, including, but not limited to, a written Order of Abatement and abatement of all violations by the City.

Issued by:

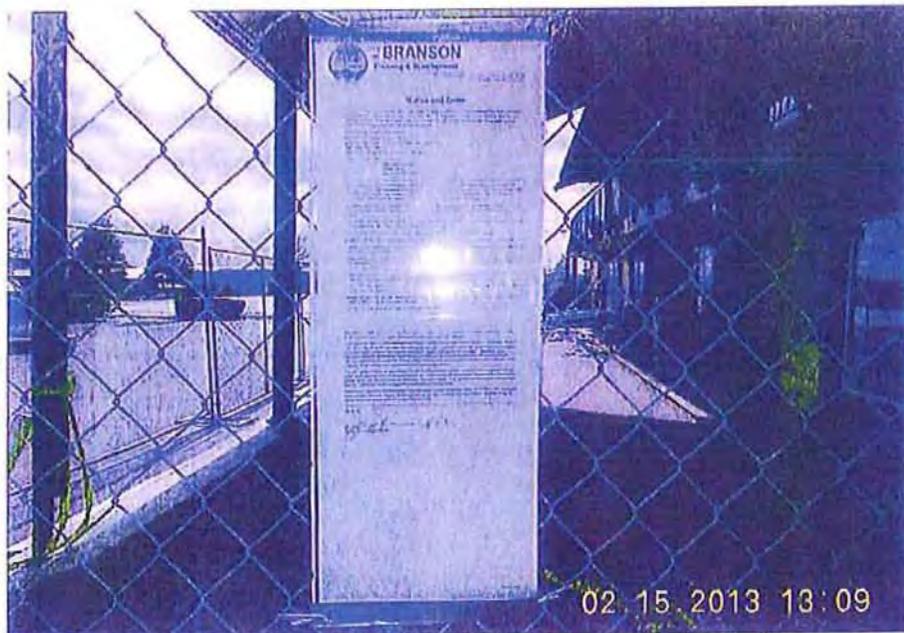


Jim Lawson
Director, Planning & Development

2/15/13

Date

Exhibit 9.4





CITY OF BRANSON Planning & Development

Exhibit 6

110 West Maddux St. • Suite 215 • Branson, Missouri 65816 (417) 337-8549 • FAX (417) 334-2391

March 14, 2013

Leisuretek LTD, Inc. c/o Gary W. Allman 101 State Drive, Ste. 100 Hollister, MO 65672

RE: NOTICE AND ORDER – 1944 W. STATE HIGHWAY 76, BRANSON, MO

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If you are not a person of interest in this matter, please disregard.

Sincerely,

Handwritten signature of Jim Lawson

Jim Lawson Director

JCL/ss

Cc: Rocky Mountain Management LLC, 300-B East High Street, Jefferson City, MO 65101 Brad Poppie, 3350 Ashworth, Aurora, CO 80126 Robert Walford, 8227 S. Holly Street, Centennial, CO 80122 Robert Paulson, 106 Travis Trail, Branson, MO 65616

U.S. Postal Service CERTIFIED MAIL RECEIPT. Includes postage fees table, recipient address (BRAD POPPIE, 3350 ASHWORTH, AURORA, CO 80126), and tracking number 7031 2000 0002 6529 7046.



CITY OF BRANSON
Planning & Development

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

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Parcel ID: 17-3.0-06-002-006-014.000
Brief Tax Description: PT PL 2 LT 9 NW4; City of Branson
Sec / Twp / Rng: 06/22/21
Deed Book / Page / Date: 2010-11387 (03/19/10)

Owner(s) of Record: *Inn-2 LLC*
dba: JR's Motor Inn
PO Box 2635
Springfield, MO 65801

COPY

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- the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public
- the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings
- the building or structure has been so damaged (from whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public
- the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public
- the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease
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Exhibit 10.3

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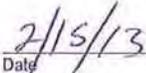
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Issued by:

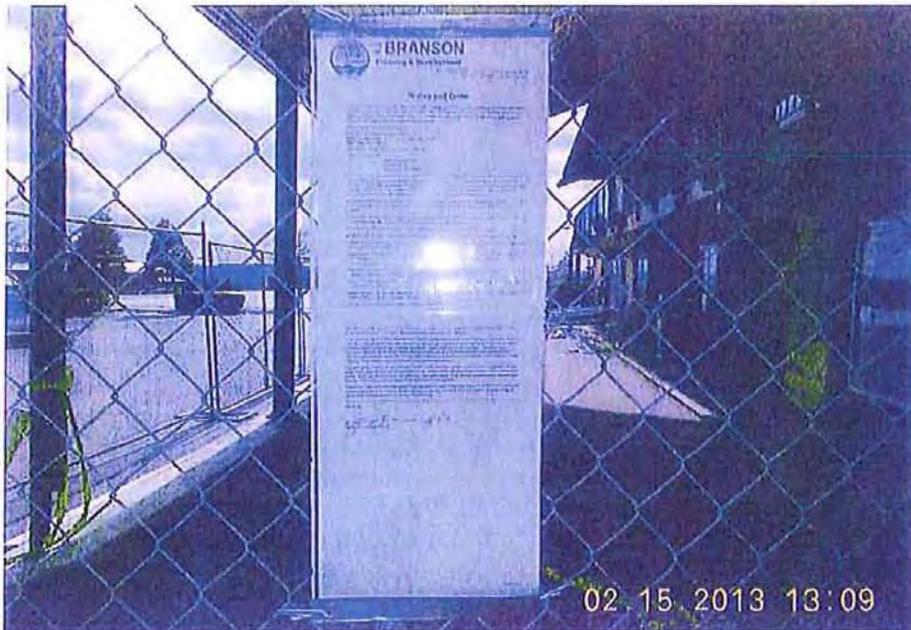


Jim Lawson
Director, Planning & Development



Date

Exhibit 10.4





CITY OF BRANSON

Planning and Development Dept.
110 W. Madalux St., Ste. 215
Branson, Missouri 65616

CERTIFIED MAIL



7011 2000 0002 6529 7046

neopost
03/15/2013
US POSTAGE

FIRST-CLASS MAIL
\$06.11⁰⁰



ZIP 65616
041L11223324

FIRST LETTER OF LAST NAME	LAST 2 NUMBERS OF DELIVERY ADDRESS
P	50
1ST NOTICE	3-27
2ND NOTICE	3-27
NO. DATED	4-6-13

Brad Poppie
3350 Ashworth
~~Aurora, CO 80126~~

Hibbler



1000

80126

U.S. POSTAGE PAID
BRANSON, MO
65616
MAR 15, 13
AMOUNT

\$0.20
0114578-12

NIXIE 802 DC 1 00 04/07/13

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

EC: 65616285965 *0249-06700-15-40

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brad Poppie
3350 Ashworth
Aurora, CO 80126

2. Article Number
(Transfer from se)

7011 2000 0002 6529 7046

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



CITY OF BRANSON Planning & Development

Exhibit 4

110 West Maddux St. • Suite 215 • Branson, Missouri 65616 (417) 337-8549 • FAX (417) 334-2391

March 14, 2013

Leisuretek LTD, Inc. c/o Gary W. Allman 101 State Drive, Ste. 100 Hollister, MO 65672

RE: NOTICE AND ORDER – 1944 W. STATE HIGHWAY 76, BRANSON, MO

Please find enclosed for your review a copy of a Notice and Order for JR's Motor Inn located at the above reference location.

If you are not a person of interest in this matter, please disregard.

Sincerely,

[Handwritten signature of Jim Lawson]

Jim Lawson Director

JCL/ss

Cc: Rocky Mountain Management LLC, 300-B East High Street, Jefferson City, MO 65101 Brad Poppie, 3350 Ashworth, Aurora, CO 80126 Robert Walford, 8227 S. Holly Street, Centennial, CO 80122 Robert Paulson, 106 Travis Trail, Branson, MO 65616

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) OFFICIAL USE Table with postage fees and recipient address: ROBERT WALFORD, 8227 S. HOLLY ST., CENTENNIAL, CO 80122



CITY OF BRANSON
Planning & Development

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

Notice and Order

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This property is further described as:

Parcel ID: 17-3.0-06-002-006-014.000
Brief Tax Description: PT PL 2 LT 9 NW4; City of Branson
Sec / Twp / Rng: 06/22/21
Deed Book / Page / Date: 2010-11387 (03/19/10)

Owner(s) of Record: Inn-2 LLC
dba: JR's Motor Inn
PO Box 2635
Springfield, MO 65801

COPY

On September 8, 2012, a fire severely damaged the main structure on the above described property. On January 7, 2013, representatives of the City of Branson inspected said property and found the structure to be a dangerous building. The conditions associated with the structure, as delineated in the City of Branson Municipal Code, Chapter 22, Article IX, Section 22-200, include, but are not limited to:

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- portions, members, appurtenances, or ornamentation thereof, are of insufficient strength or stability so that it threatens the life, health, safety, or property of the occupants or public
- the building or structure, or any portion thereof are likely to partially or completely collapse
- the floor or the roof is overloaded or of insufficient strength to be reasonably safe for the purpose used
- the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public
- the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings
- the building or structure has been so damaged (from whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public
- the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public
- the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease
- the building or structure is determined to be a fire hazard

Exhibit 11.3

Additionally, there is an accumulation of rubbish inside the structure and on the exterior property. Overall, these conditions pose a threat to the health, safety and welfare of the public.

In accordance with the 2009 International Property Maintenance Code and the Branson Dangerous Building ordinance, this structure has been declared a dangerous building and cannot be used for human occupancy. It exhibits such conditions that threaten the health, safety and welfare of the public. Therefore, such conditions shall be remedied by either repairing the structure or by demolishing the structure and then removing and properly disposing of all building materials and removing and disposing of all contents of said building. The property must be cleaned of all rubbish and debris.

You are hereby ordered to immediately vacate the structure due to the unsafe condition it imposes, and to begin such remedial actions, as described herein, **within thirty (30) days from receipt of this Notice and Order**, and to proceed continuously without unnecessary delay. A demolition permit must be obtained from the City of Branson Building Department prior to commencing work.

Failure to comply with this Notice and Order will result in a formal hearing before the Director of Planning and Development, and may result in further actions by the City, including, but not limited to, a written Order of Abatement and abatement of all violations by the City.

Issued by:


Jim Lawson
Director/Planning & Development

2/15/13
Date

Exhibit 11.4

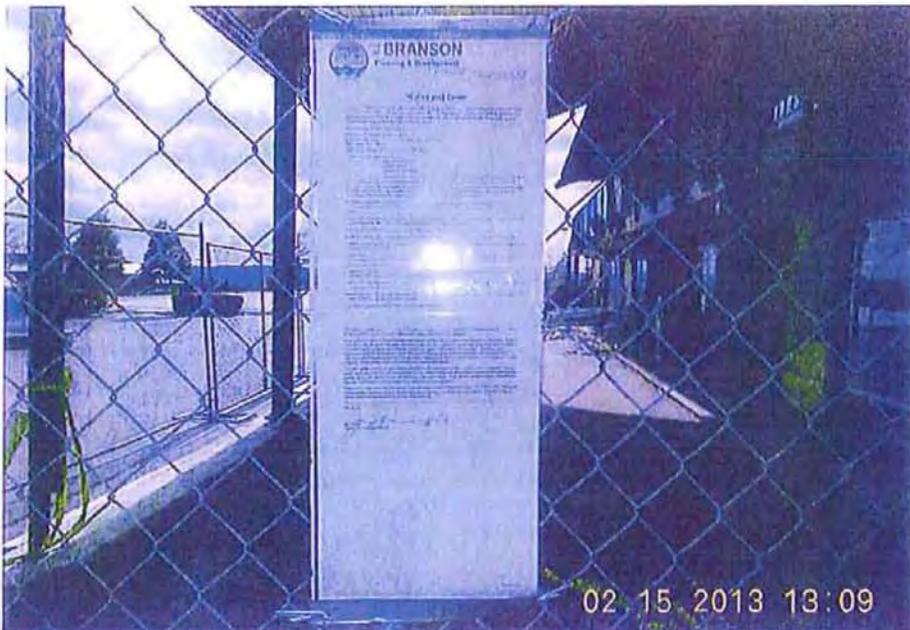


Exhibit 11.5

CITY OF BRANSON
 Planning and Development Dept.
 110 W. Maddux St., Ste. 215
 Branson, Missouri 65616



Robert Walford
 8227 S. Holly Street
 Centennial, CO 80122



U.S. POSTAL
 PAID
 BRANSON, MO
 65616
 MAR 15, 2013
 AMOUNT
\$7.20

1000

6
 1ST N
 2ND N
 RE'JR

NIXIE 802 DE I 00 04/18/13

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

BC: 65616285965 *0249-06707-15-40

601288416@8391

OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Robert Walford 8227 S. Holly Street Centennial, CO 80122</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from ser) 7011 2000 0002 6529 7039</p>	



CITY OF BRANSON
Planning & Development

Exhibit I

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
 (417) 337-8549 • FAX (417) 334-2391

March 14, 2013

Leisuretek LTD, Inc.
 c/o Gary W. Allman
 101 State Drive, Ste. 100
 Hollister, MO 65672

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com.
 BRANSON MO 65616

Postage	\$ 0.66	0805
Certified Fee	\$ 3.10	12
Return Receipt Fee (Endorsement Required)	\$ 2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.31	03/15/2013

7011 2000 0002 6529 7022

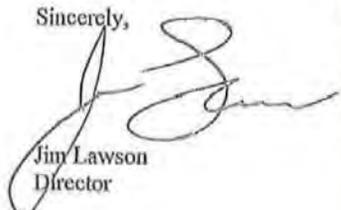
Sent To: **ROBERT PAULSON**
 Street, Apt. No., or PO Box No.: **106 TRAVIS TRAIL**
 City, State, ZIP+4: **BRANSON MO 65616**

PS Form 3809, August 2006 See Reverse for Instructions

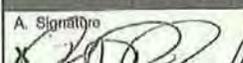
RE: NOTICE AND ORDER – 1944 W. STATE HIGHWAY 76, BRANSON, MO

Please find enclosed for your review a copy of a Notice and Order for JR's Motor Inn located at the above reference location.

If you are not a person of interest in this matter, please disregard.

Sincerely,

 Jim Lawson
 Director

 JCL/ss

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<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Robert R Paulson</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Robert Paulson 106 Travis Trail Branson, MO 65616</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article No. (Transfer): 7011 2000 0002 6529 7022</p>	

Cc: Rocky Mountain Management LLC, 300-B East High Street, Jefferson City, MO 65101
 Brad Poppie, 3350 Ashworth, Aurora, CO 80126
 Robert Walford, 8227 S. Holly Street, Centennial, CO 80122
 Robert Paulson, 106 Travis Trail, Branson, MO 65616



CITY OF BRANSON
Planning & Development

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

Notice and Order

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Parcel ID: 17-3.0-06-002-006-014.000
Brief Tax Description: PT PL 2 LT 9 NW4; City of Branson
Sec / Twp / Rng: 06/22/21
Deed Book / Page / Date: 2010-11387 (03/19/10)

Owner(s) of Record: Inn-2 LLC
dba: JR's Motor Inn
PO Box 2635
Springfield, MO 65801

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Exhibit 12.3

Additionally, there is an accumulation of rubbish inside the structure and on the exterior property. Overall, these conditions pose a threat to the health, safety and welfare of the public.

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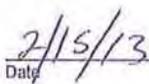
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Issued by:

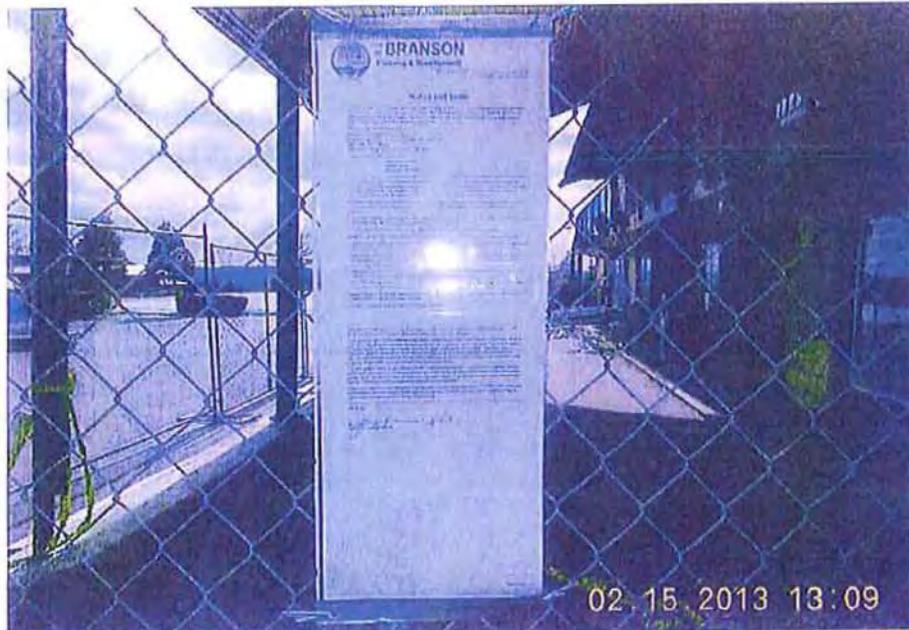


Jim Lawson
Director, Planning & Development



Date

Exhibit 12.4



Hogan Land Title
INFORMATIONAL TITLE REPORT

Report No.: 1303306

1. Effective date: **March 15, 2013 at 08:00 AM**
2. The estate or interest in the land described or referred to in this Report is Fee Simple.
3. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:
INN-2, LLC

4. The land referred to in this Report is situated in the County of TANEY, State of Missouri, and is described as follows:

ALL THAT PART OF PLOT TWO (2) OF LOT NINE (9) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION SIX (6), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE TWENTY-ONE (21) WEST, EXCEPT THAT PART DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SAID PLOT TWO (2); THENCE SOUTH 256.91 FEET; THENCE WEST 160 FEET; THENCE NORTH 150 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF MISSOURI STATE HIGHWAY #76; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY 192.43 FEET TO THE POINT OF BEGINNING, INI TANEY COUNTY, MISSOURI.

Hogan Land Title Company
1605 E. Sunshine
Springfield, MO 65804
Tel 417 882-3000
www.hoganltitle.com

(1303306.PFD/1303306/13)

Exhibit 13.2

INFORMATIONAL TITLE REPORT

(ITEMS OF RECORD)

Report Number: 1303300

The following items are disclosed by the public record of the County reflected on this report. These items are being shown for informational purposes only:

1. The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid for the year 2013 and all subsequent years.

Tax ID# 17-3.0-06-002-006-014.000 VL: \$470,600 TX: \$23,692.83
2. Water Line Easement as set out in Book 238, at Page 958, Recorder's Office, TANEY County, Missouri.
3. Easement as set out in Book 268, at Page 915, Recorder's Office, TANEY County, Missouri.
4. Easement as set out in Book 268, at Page 916, Recorder's Office, TANEY County, Missouri.
5. Memorandum of Agreement to TCA Cable TV of Missouri as set out in Book 419, at Page 055, Recorder's Office, TANEY County, Missouri.
6. Notes of Lis Pendens for Case #10AF-CC00768, satisfaction of Judgment filed November 28, 2011, as set out in Book 2010, at Page 47029, Recorder's Office, TANEY County, Missouri.
7. Financing Statement between J.R.'S MOTOR INN, INC., A MISSOURI CORPORATION, Debtor and GREAT SOUTHERN BANK, Secured Party, filed APRIL 24, 2002, in Book 397, at Page 6715, Recorder's Office, TANEY County, Missouri; AND AMENDMENT recorded in Book 2012, at Page 24231, Recorder's Office, TANEY County, Missouri.
8. Notice of Lis Pendens filed January 2, 2013 in Book 2013, at Page 00001, Recorder's Office, TANEY County, Missouri.
9. The liability of the Company under this informational report shall not exceed \$1000.
10. **NOTE: This Report is not an opinion of title, nor is it a commitment to insure title. This Report is furnished for reference purposes only and should not be relied upon as a commitment to insure title to the premises herein described. If title insurance coverage is desired, application should be made through this office for a title insurance commitment in an amount to be agreed upon, and the prospective insureds must be identified.**

Hogan Land Title Company
1805 E. Sunshine
Springfield, MO. 65804
Tel 417 882-3000
www.hoganfile.com

(1303306.PFD/1303306/13)



CITY OF BRANSON
Planning & Development

Exhibit k

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

March 14, 2013

Leisuretek LTD, Inc.
c/o Gary W. Allman
101 State Drive, Ste. 100
Hollister, MO 65672

7011 2000 0002 6529 7848

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

JEFFERSON CITY MO 65101

OFFICIAL USE

Postage	\$ 40.66	0805
Certified Fee	3.10	12
Return Receipt Fee (Endorsement Required)	2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	10.00	
Total Postage & Fees	\$ 66.31	03/15/2013

Sent To
Rocky Mtn Management LLC
Street, Apt. No.
or PO Box No. 300-B EAST HIGH ST
City, State, ZIP+4
JEFFERSON CITY MO 65101

PS Form 3800, August 2006 See Reverse for Instructions

RE: NOTICE AND ORDER – 1944 W. STATE HIGHWAY 76, BRANSON, MO

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Sincerely,

Jim Lawson
Director

JCL/ss

Cc: Rocky Mountain Management LLC, 300-B East High Street, Jefferson City, MO 65101
Brad Poppie, 3350 Ashworth, Aurora, CO 80126
Robert Walford, 8227 S. Holly Street, Centennial, CO 80122
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CITY OF BRANSON
Planning & Development

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(417) 337-8549 • FAX (417) 334-2391

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Exhibit 14.3

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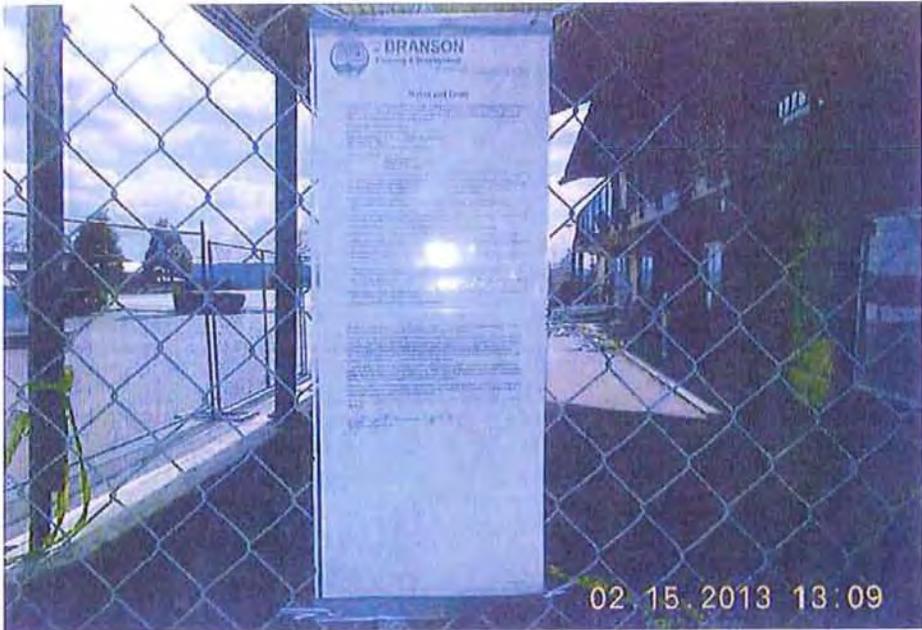
Issued by:



Jim Lawson
Director, Planning & Development

2/15/13
Date

Exhibit 14.4





CITY OF **BRANSON**

Planning and Development Dept.
110 W. Maddux St., Ste. 215
Branson, Missouri 65616

CERTIFIED MAIL™



7011 2000 0002 6529 7848

PC

neopost®
03/15/2013
US POSTAGE

FIRST-CLASS MAIL
\$06.11⁹



ZIP 65616
047L11223324

Rocky Mountain Management LLC
300-B East High Street
Jefferson City, MO 65101



U.S. POSTAGE
PAID
BRANSON, MO
65616
MAR 15, 2013
AMOUNT

\$0.20
000-65678-12

MIKE
MAIL ROOM
AT (COMP TO G - HQ) BRONX
USABLE TO FORWARD
RC: 65616285965 70249-06729-13-40
65616285965

65101000213 70249-06729-13-40

PLEASE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rocky Mountain Management LLC
300-B East High Street
Jefferson City, MO 65101

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number 7011 2000 0002 6529 7848
(Transfer from service)



CITY OF **BRANSON**
Planning & Development

Exhibit 1

COPY

110 West Maddux St. • Suite 215 • Branson, Missouri 65616
(417) 337-8549 • FAX (417) 334-2391

NOTICE OF HEARING
CITY OF BRANSON

July 15, 2013

INN-2 LLC
Dbas: JR's Motor Inn
P. O. Box 2635
Springfield, MO 65801

HEARING DATE:	July 26, 2013
HEARING TIME:	10:00 a.m.
HEARING PLACE:	City Hall 110 W. Maddux St. Council Chambers Branson, MO 65616

NOTICE AND ORDER DATED: February 15, 2013
 COMPLIANCE DATE: March 22, 2013
 VIOLATION ADDRESS: 1944 W. State Highway 76, Branson, MO
 ORIGINAL INSPECTION DATE: January 7, 2013

ATTENTION RESPONSIBLE PARTY/PROPERTY OWNER

The Director of Planning and Development has determined that full compliance with the above referenced "Notice and Order" has not been achieved as of the "Compliance Date." Therefore, pursuant to Section 22-208 of the City of Branson Municipal Code, a hearing has been scheduled on **July 26, 2013, at 10:00 a.m.** The Hearing will be held at City Hall, 110 W. Maddux Street, Council Chambers, Branson, Missouri.

You are requested to appear before the Director of Planning and Development of the City of Branson to show cause why the buildings, sign structures, and pool located at 1944 W. State Highway 76, Branson, MO, reported to be dangerous should not be repaired or demolished in accordance with the Notice and Order dated February 15, 2013.

Exhibit 15.2

Any party may be represented by counsel and will have the opportunity to be heard.

City inspector(s) will present their evidence stipulating that the building(s) should be declared dangerous. The Director will make written findings of fact from the evidence offered whether or not the building(s) or structure(s) in question is a dangerous building(s).

If the evidence supports a finding based upon competent and substantial evidence that the building(s) or structure(s) is a dangerous building, the Director shall issue a written order of abatement based on such findings of fact, commanding the owner(s) or other responsible party, to repair, vacate, board, or demolish any building(s) or structure(s) found to be a dangerous building and to remove all debris and rubbish from the property.

Provided that any person so notified, shall have the privilege of either vacating and repairing said building(s) or structure(s) (if such repair will comply with the ordinances of the city) or may vacate and demolish said dangerous building(s) at his own risk to prevent the city from acquiring a lien against the land where the dangerous building(s) stands. If the evidence does not support a finding that a building(s) or structure(s) is a dangerous building(s), no order shall be issued.


JIM LAWSON
Director of Planning and Development
City of Branson

7/12/13
DATE

7011 2000 0002 6529 7992

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

BRANSON MO 65616

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 ROBERT PAULSON, CITY AT LAW
 Street, Apt. No., or PO Box No. 106 TRAVIS TRAIL
 City, State, ZIP+4 BRANSON MO 65616

PS Form 3800, August 2006 See Reverse for Instructions

7011 2000 0002 6529 7978

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CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

JEFFERSON CITY MO 65101

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 ROCKY MTL. MANAGEMENT, LLC
 Street, Apt. No., or PO Box No. 300-B EAST HIGH ST.
 City, State, ZIP+4 JEFFERSON CITY, MO 65101

PS Form 3800, August 2006 See Reverse for Instructions

7011 2000 0002 6529 8005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

LITTLETON CO 80122

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 ROBERT WALFORD
 Street, Apt. No., or PO Box No. 822-1 S. HOLLY ST.
 City, State, ZIP+4 CENTENNIAL, CO 80122

PS Form 3800, August 2006 See Reverse for Instructions

7011 2000 0002 6529 8012

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For delivery information visit our website at www.usps.com

LITTLETON CO 80126

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 BRAD POEDIE
 Street, Apt. No., or PO Box No. 3502 ASHWORTH AVE
 City, State, ZIP+4 AURORA, CO 80126

PS Form 3800, August 2006 See Reverse for Instructions

7011 3500 0001 5441 2514

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

SPRINGFIELD MO 65801

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 INN-2 LLC
 Street, Apt. No., or PO Box No. P.O. BOX 2635
 City, State, ZIP+4 SPRINGFIELD, MO 65801

PS Form 3800, August 2006 See Reverse for Instructions

7011 2000 0002 6529 7985

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

HOLLISTER MO 65672

Postage	\$ 0.46	0805
Certified Fee	\$ 3.10	09 Postmark Here
Return Receipt Fee (Endorsement Required)	\$ 2.55	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.11	07/15/2013

Sent To
 LEISURETEK LTD, INC. c/o GARY ALLMAN
 Street, Apt. No., or PO Box No. 1DDSTATE DR. STE 100
 City, State, ZIP+4 HOLLISTER, MO 65672

PS Form 3800, August 2006 See Reverse for Instructions

Exhibit _____

Exhibit 15.4

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>Theresa Sarnard</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) <i>Theresa Sarnard</i> C. Date of Delivery</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Leisuretek LTD, Inc. c/o Gary Allman 101 State Drive, Ste. 100 Hollister, MO 65672</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from serv.) 7011 2000 0002 6529 7985</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-11</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>Jennifer Knight</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) <i>Jennifer Knight</i> C. Date of Delivery <i>7-16-13</i></p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Inn 2 LLC P.O. Box 2635 Springfield, MO 65801</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from ser) 7011 3500 0001 5441 2514</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1640</p>	

Exhibit 16

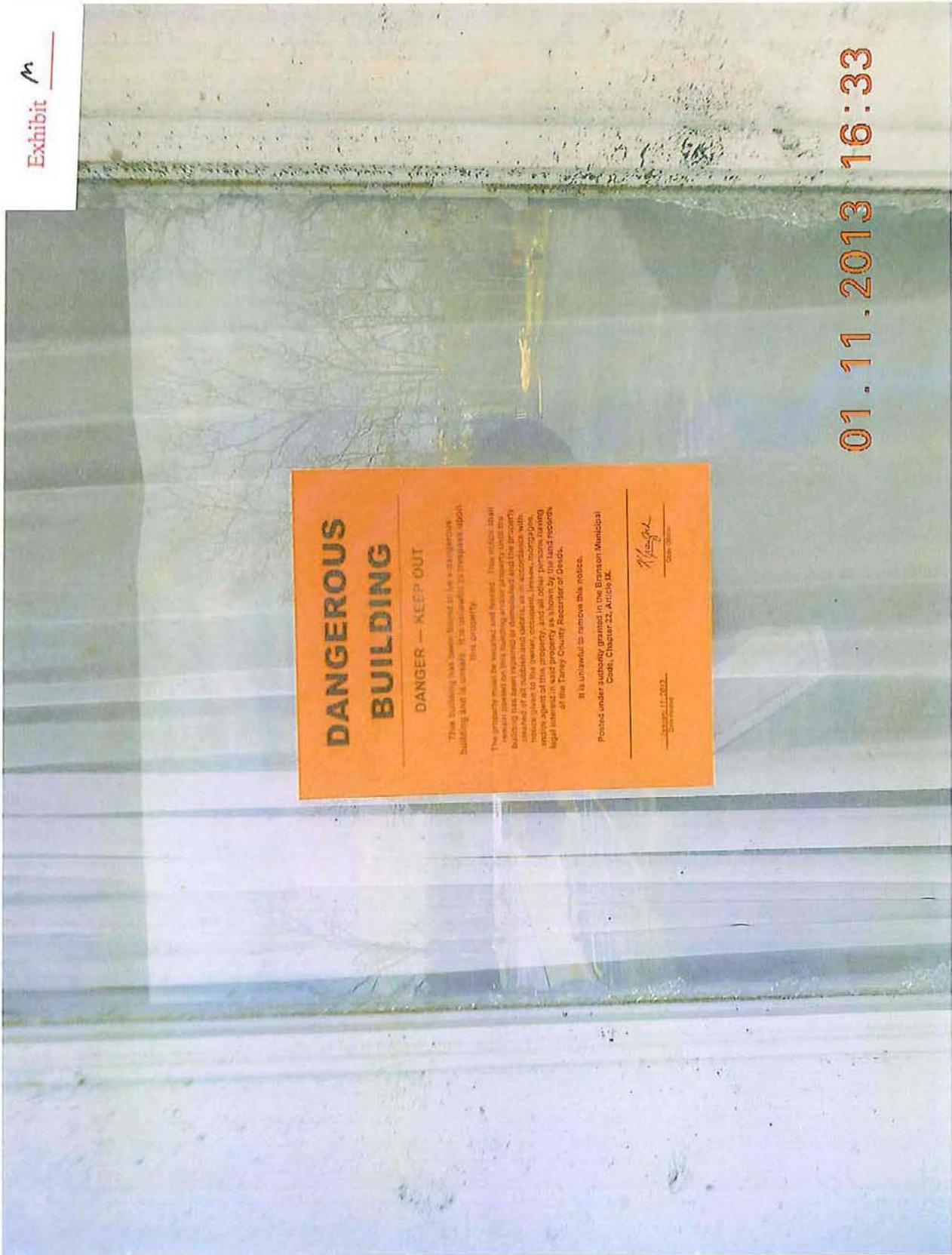
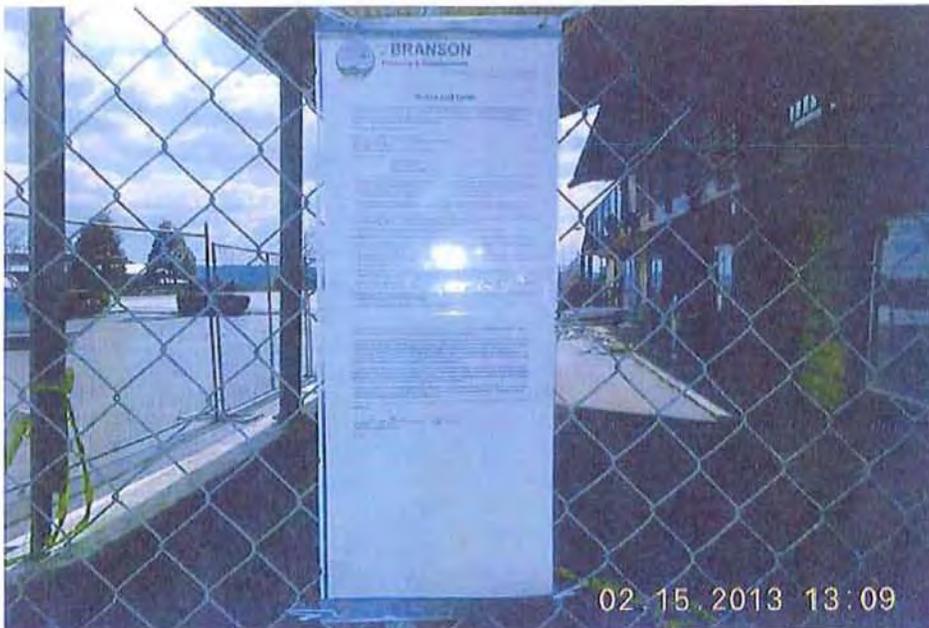
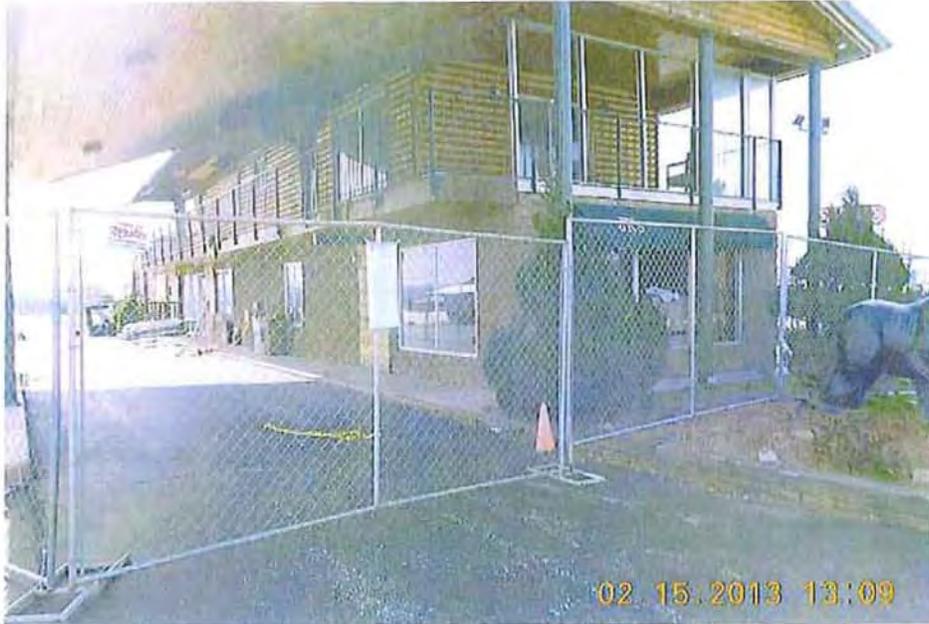


Exhibit 17.1

Exhibit N



Taney County, MO



Date Created: 10/29/2013

Parcel
Parcel ID 17-3.0-06-002-006-014.000
Property Address 1944 W STATE HWY 76
Tax Code 4CXB
Sec/Twp/Rng 06/22/21
Brief Tax Description PT PL 2 LT 9 NW4; CITY OF BRANSON
(Note: Not to be used on legal documents)
School District Branson
Fire District N/A
City Branson
Deed Book/Page/Date 2010-11387 (03/19/10)

Owner
 INN-2 LLC
 DBA: JR'S MOTOR INN
 PO BOX 2635
 SPRINGFIELD, MO 65801

Land
Lot Dimensions 47 X 841 IRR
Lot Area 3.5 Acres

Improvements

Number	Description	Year Built	Base Area	Adjusted Area
1-6	Asphalt Paving	1982	52580	52580
1-7	Concrete Paving	1982	1844	1844
2-2	Office	1985	288	306

Valuation

	Improvements	Land	Total	Assessed Total
Residential	\$0	\$0	\$0	\$0
Agricultural	\$0	\$0	\$0	\$0
Commercial	\$42,801	\$257,960	\$300,761	\$96,240
Total				\$96,240

No data available for the following modules: Photos. [Click here for help.](#)

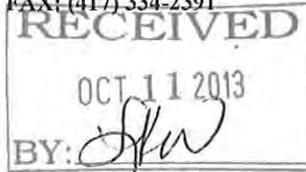
Disclaimer: Taney County makes every effort to produce and publish the most current and accurate information possible. This data is provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, merchantability, and fitness for or the appropriateness for use rests solely on the requester. Taney County makes no warranties, expressed or implied, as to the use of the data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and is in a constant state of maintenance, correction, and update.

Last Data Upload: 10/29/2013 2:49:45 AM





CITY OF BRANSON
PLANNING & DEVELOPMENT
 110 W MADDUX ST, SUITE 215
 PHONE: (417) 337-8547
 FAX: (417) 334-2391



FOR OFFICE USE ONLY: Permit No. 13-30.1
 FEE: **\$100.00** (Non-Refundable)
 DATE & INITIALS: for 10/11/13
 PAYMENT TYPE: CASH _____
 CHECK # 1094
 CREDIT CARD REF # _____
 PUBLIC NOTICE DATE: _____
 PUBLIC HEARING DATE: _____

**Building Code
 Board of Appeals**

Applicant Name (Please Print): Inn-2, LLC
 Applicant Address: 101 State Drive, Hollister, MO
 Phone Number: 417-335-2355 Fax Number: 417-335-2119 Email: _____
 Permit #: _____
 Permit Street Address: see appeal.

REQUIRED INFORMATION TO BE INCLUDED BEFORE APPLICATION WILL BE ACCEPTED

- X Please attach a copy of the inspection and/or letter that was denied.
- X Please provide code sections affected by your request.
- X Please provide a detailed description or reasoning of request. (Please use the attached sheet and additional sheets if necessary.)

Applicant Requests:
 (Please check any that apply)
 The code was incorrectly interpreted.
 The provisions of the code do not fully apply.
 An equally good or better form of construction exists.

PROPERTY OWNER/AGENT INFORMATION

Owner's Name (Please Print): _____
 Owner's Address: _____
 Phone Number: _____ Fax Number: _____ Email: _____
 Owner's Signature: _____
 Agent's Name (Please Print): _____
 Agent's Address: _____
 Phone Number: _____ Fax Number: _____ Email: _____
 Agent's Signature: _____

**CITY OF BRANSON
BUILDING CODE BOARD OF APPEALS
RULES OF PROCEDURE**

A Building Code Board of Appeals Resolution

WHEREAS, the City of Branson has appointed a Building Code Board of Appeals; and,

WHEREAS, said Building Code Board of Appeals in an organizational meeting held October 1998, promulgated the rules of procedure as follows:

Section 98 100.0 **DENIAL OF PERMIT OR REJECTION OF INSPECTION.** Upon denial to issue a building permit by the Building Official, or by his authorized designated deputy, the owner, or his duly authorized agent, shall have the right to appeal to the Building Code Board of Appeals.

Section 98 101.0 **FILING OF APPEAL.** The Planning & Development Department shall maintain a supply of appropriate forms on which to file an appeal. Notice of appeal must be filed, by the owner, or his duly authorized agent, in writing, with the Planning & Development Department.

Section 98 101.1 **MEETINGS.** Meeting shall be held at the call of the chairperson within ten days of the filing of the appeal and at other such times as the Building Code Board of Appeals may determine. All meetings shall be open to the public. The board shall hear the code official, the appellant, or his duly authorized agent, and any person whose interests are affected. Three (3) members of the Board shall constitute a quorum. A concurring vote of three members of the board is required to modify or reverse the decision of the Code Official. No action may be taken by the board if a quorum is not present, the hearing will be postponed to the next meeting, not to exceed thirty (30) days from the time the appeal was initially considered. Appellant shall have the right to request a postponement of any hearing when all five members are not present.

Section 98 102.0 **CONTENTS OF APPEAL.** Basic factual information is needed, such as the date on which the appeal is filed and the specific kind of relief sought. The burden of specificity is upon the owner, or his duly authorized agent. Architectural or engineering help should be used if necessary to convey the intent of the appeal. The appeal must inform the board why they, as a jurisdictional body, have the power to address this particular question. Such power must be allowed by law. The board cannot relax Fire or Life Safety Codes, or the intent of the Code.

Section 98 103.0 **CONDITIONS FOR RELIEF.** A modification or reversal of the Building Official shall find one of the following conditions:

- That the code was incorrectly interpreted.
- That the provisions of the code do not fully apply.
- That in the opinion of the Board, an equally good or better form of construction exists.

Relief should be granted only when an alternate method or material demonstrates compliance to the intent of the Codes.

Section 98 104.0 **COURT REVIEW.** If the appellant wishes to appeal the decision of the Building Code Board of Appeals, they shall have sixty (60) days which to do so to the appropriate court. If no appeal is made within sixty (60) days, the case is closed.

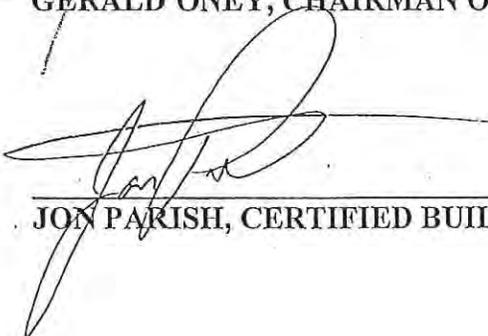
Section 98 105.0 **ORDERS AND DECISIONS.** The decision of the Board shall be by resolution, setting out findings and conclusions of the Board and shall specify as precisely as possible, the exact reason or reasons upon which the decision is based. The Building Official shall take immediate action in accordance with the decision.

BE IT THEREFORE RESOLVED, that the Building Code Board of Appeals for the City of Branson hereby adopts these **RULES OF PROCEDURE.**

DONE THIS 12th DAY OF OCTOBER 1998, BY THE BUILDING CODE BOARD OF APPEALS FOR THE CITY OF BRANSON, MISSOURI.



GERALD ONEY, CHAIRMAN OF THE BOARD OF APPEALS



JON PARISH, CERTIFIED BUILDING OFFICIAL

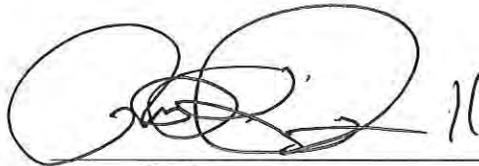
**BEFORE THE BUILDING CODE BOARD OF APPEALS
CITY OF BRANSON, MISSOURI**

COMES NOW INN-2, LLC by and through counsel, Robert R. Paulson II, and respectfully appeals the Finding of Nuisance and Order of Abatement of Joel Hornickel, Interim Director of Planning and Development that was entered on September 12, 2013, on the following grounds:

1. The findings of fact, conclusions of law, and Order were not supported by substantial and competent evidence;
2. The findings of fact, conclusions of law, and Order were against the weight of the evidence;
3. A copy of the Findings, Conclusions and Order appealed from is attached hereto as Exhibit "A";
4. Appellant is prepared to deposit the amount necessary to appeal to this board upon request of the amount required, or it has already deposited said amount with the City of Branson;
5. The entity making this appeal is INN-2, LLC which the Taney County Recorder's Office shows as the owner of the present property; INN-2, LLC may be contacted by mailing to its attorney of record at P.O. Box 6422, Branson, Missouri 65615 and its Registered Agent of record is Gary Allman, 101 State Drive, Hollister, Missouri.
6. INN-2, LLC is currently in a dispute in Taney County Case No. 12AF-CC01073, regarding the respective interests, ownership and otherwise held by INN-2, LLC, Colorado Investment Properties, LLC and Rocky Mountain Management, LLC;
7. The interests of INN-2, LLC in the property commonly known as JRs Motor Inn, located at 1944 West Highway 76 in Branson, Missouri, will potentially be effected by diminishing the value of the property, in the event that the property is not actually unsafe, and unusable;

WHEREFORE, Appellant prays this court reverse the findings of fact, conclusions of law and Order of Joel Hornickel, dated September 12, 2013.

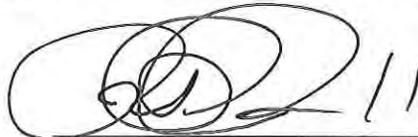
Respectfully submitted,



Robert R. Paulson II
Missouri Bar #40243
P.O. Box 6422
Branson, Missouri 65615
Phone: 417-335-2355
Email: bobpaulson58@gmail.com
Attorney for Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon Rocky Mountain Management, LLC by sending a copy to its attorney of record, Andrew Bennett at P.O. Box 10009, Springfield, MO 65808, on this the 11th day of October, 2013.



Robert R. Paulson II

Exhibit "A"

FINDING OF NUISANCE AND
ORDER OF ABATEMENT

COPY

September 12, 2013

SENT VIA FIRST CLASS REGULAR MAIL AND
CERTIFIED MAIL, RETURN RECEIPT REQUESTED ARTICLE NUMBERS 7011 3500 0001 5441 0312 and
7011 3500 0001 5441 0329

Inn-2 LLC
dba Jr's Motor Inn
P.O. Box 2635
Springfield, MO 65801

Rocky Mountain Management, LLC
c/o Brad Poppie
3350 Ashworth
Littleton, CO 80126

RE: PROPERTY LOCATED: 1944 W. STATE HIGHWAY 76, BRANSON, MO

Dear Owner:

On July 26, 2013, violations of the City of Branson Municipal Code (hereafter called "Code"), Chapter 22, the Dangerous Building Ordinance, were found with respect to the property with the address referenced above. The property is legally described on EXHIBIT "1", attached hereto. By letter dated February 15, 2013, you were given notice of the existence of said violations and were ordered to correct the conditions constituting said violations by no later than thirty (30) days after receiving said Notice and Order. However, you have failed to correct the conditions constituting said violations. A copy of the Notice and Order containing a description of the conditions that constitute said violations is on file in the Planning and Development Department located at 110 West Maddux, Suite 215, Branson, Missouri.

By letter dated July 15, 2013, you were given notice the Director of Planning and Development would convene a hearing on this matter. A copy of said Notice of Hearing is on file in the Planning and Development Department located at 110 West Maddux Street, Suite 215, Branson, Missouri.

Pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development convened a hearing on this matter at 10:00 a.m. on July 26, 2013. The City of Branson (hereafter called "City") was represented by the City's attorney of record, William Duston. Mr. Duston presented exhibits, all of which were admitted into evidence of the hearing. Robert Paulson, legal counsel and representative for Inn-2, LLC, provided comments concerning the property and the administrative action. Andrew Bennett, legal counsel and representative for Rocky Mountain Management LLC, provided comments concerning the property and the administrative action. Upon conclusion of the evidence, the matter was taken under advisement. Now on this date, after review of the evidence and the Code, the Interim Director of Planning and Development makes the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

On the basis of competent and substantial evidence presented at said hearing, and pursuant to Section 22-208 of the Code, the undersigned Interim Director of Planning and Development finds as follows:

1. The facts as stated in City of Branson Fire & Rescue Investigation reports, which are attached hereto as **EXHIBIT "2" and "3"**, are true. No objection was made to these reports.
2. The Interim Director of Planning and Development also finds that INN-2, LLC had formal and sufficient notice of the July 26, 2013 hearing. No objection was made to these reports.
3. Structural Engineer Ronald Hamme's report and conclusions (**EXHIBIT "4"**) are taken as true. No objection was made to his report.
4. The building inspector found that due to a combination of a tornado event which occurred on February 29, 2012 and a fire event which occurred on September 8, 2012, the main structure on the property contained the following conditions: portions of the roof and second floor ceiling joists/trusses sustained heavy damage from fire extending upward into all the members of the trusses and into the decking on the underside of the roof; drywall from the ceiling and walls were fallen down on the floor; heavy damage from smoke and heat was found on the ceiling and down the walls in the hallway area and one of the bedrooms; the building has been exposed to the elements and all of the interior finishes have been compromised; the mechanical and electrical systems have also been damaged; the entrance canopy is missing the two end columns; and trash and debris were found inside and outside of the structure. Based on these findings the structure has the following conditions which make it a "Dangerous Building" as defined in Section 22-200:

(3) the floor or the roof is overloaded or of insufficient strength to be reasonably safe for the purpose used; and

(4) portions, members, or appurtenances thereof have been damaged so that the structural strength or stability of any portion of the structure/building threatens the life, health, safety, or property of the occupants or public; and

(5) portions, members, appurtenances, or ornamentation thereof, is of insufficient strength or stability so that it threatens the life, health, safety, or property of the occupants or public; and

(6) the building or structure, or any portion thereof is likely to partially or completely collapse; and

(7) the building or structure, or any portion thereof, is so unsafe for the purpose for which it is being used, so as to threaten the life, health, or safety of the occupants or public; and

(9) the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings; and

(10) the building or structure has been so damaged (for whatever cause) so as to become dangerous to life, safety, or the general health and welfare of the occupants or the public; and

(13) the building or structure is in violation of the city's building regulations or adopted code, or any other laws or ordinances that protects the life, health, and safety of the occupants or public, as further described below:

- a. Branson Municipal Code, Chapter 58-294(1)(2)(3) – Accumulation of rubbish
- b. Branson Municipal Code, Chapter 58-294(2) – Standing water / breeding mosquitos
- c. 2009 International Property Maintenance Code, Section 108.1.1 – Unsafe structures
- d. 2009 International Property Maintenance Code, Section 108.1.3 – Structures unfit for human occupancy
- e. 2009 International Property Maintenance Code, Section 108.1.5 – Dangerous structures
- f. 2009 International Property Maintenance Code, Section 301.3 – Vacant structures and land
- g. 2009 International Property Maintenance Code, Section 302.7 – Lack of maintenance of accessory structure
- h. 2009 International Property Maintenance Code, Section 304.1.1 – Exterior structure; unsafe conditions
- i. 2009 International Property Maintenance Code, Section 304.2 – Exterior structure; lack of protective treatments
- j. 2009 International Property Maintenance Code, Section – 304.6 – Exterior walls
- k. 2009 International Property Maintenance Code, Section 304.7 – Roofs and drainage
- l. 2009 International Property Maintenance Code, Section 304.13 – Window and door frames
- m. 2009 International Property Maintenance Code, Section 304.13.1 – Window glazing
- n. 2009 International Property Maintenance Code, Section 304.15 – Doors
- o. 2009 International Property Maintenance Code, Section 305.1 – Interior structure; lack of maintenance
- p. 2009 International Property Maintenance Code, Section 305.3 – Interior surfaces

- q. 2009 International Property Maintenance Code, Section 305.4 – Stairs and walking surfaces
 - r. 2009 International Property Maintenance Code, Section 305.6 – Interior doors
 - s. 2009 International Property Maintenance Code, Section 306.1 – Structural components
 - t. 2009 International Property Maintenance Code, Section 603.1 – Mechanical appliances
 - u. 2009 International Property Maintenance Code, Section 604.1 – Electrical facilities
 - v. 2009 International Property Maintenance Code, Section 605.1 – Electrical equipment
- (15) the building or structure is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease; and
- (16) the building or structure is determined to be a fire hazard.

The City of Branson, its inspectors, employees and agents have properly followed and complied with all of the procedures required under Chapter 22 of the Branson Municipal Code. Inn-2 LLC has not complied with the Notice and Order issued February 15, 2013 by bringing the structure into compliance with the City's building codes, regulations and ordinances.

5. The Notice and Order was issued on a reasonable basis and is within the standards set forth in Chapter 22 of the Branson Municipal Code.
6. INN-2 LLC, DBA: JR's Motor Inn, P.O. Box 2635, is listed as the owner of said property according to the records of the Taney County Missouri Assessor's Office.
7. The Interim Director of Planning and Development properly has jurisdiction over the matter.

CONCLUSIONS OF LAW

1. Fourth Class cities are given the power to pass ordinances for the prevention and abatement of nuisances by Missouri Statute 79.370. *State ex. Rel Daniels v. Kasten*, 382 S.W.2d 714 (Mo.App. 1964), held that this statute applies nuisance to situations that already exist.
2. The structure's conditions violate the following subsections of Branson Municipal Code Sections 22-200 (definition of "Dangerous Building" as explained in Paragraph 4 of the Findings of Fact above), 58-294(1)-(3), and Sections 108, 301, 302, 304, 305, 306, 603, 604 and 605 of the 2009 International Property Maintenance Code (IPMC), as adopted by Section 22-181 of the Code, and is, therefore, a dangerous building under the terms of the Code.
3. The City has adopted Sections 22-200 of the Branson Municipal Code under the authority granted to the City by the State Legislature to address Dangerous Buildings.

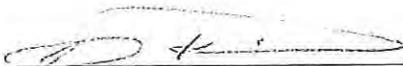
ORDER

You are hereby ordered to vacate the structure and abate all of the conditions that constitute violations of Chapter 22, the 2009 International Property Maintenance Code and Chapter 58 (as described above) by demolishing the structure, removing and properly disposing of all building materials, and removing and disposing of all contents of said building debris in compliance with Chapter 22 and all other provisions of the Code. The exterior property must be cleared of all rubbish. All such work of abatement must be substantially completed within thirty (30) days from the receipt of this notice.

In the event you fail to substantially complete the abatement work in compliance herewith within thirty (30) days, the City may cause all such abatement work to be completed at your expense. You will receive an invoice from the City of Branson for the demolition and associated costs. If the invoice is not paid within thirty (30) days, the matter will be turned over to the Branson City Clerk's office and either a special tax bill will be issued to you for the costs associated therewith (as more particularly described in Section 22-215 of the Code) and/or such other appropriate actions as provided by law. If the City Clerk issues a special tax bill, said tax bill shall be a lien against the Property as well as a personal debt obligation owed by you to the City

Please be advised that, pursuant to Section 22-209 of the Code, you may have the right to appeal from these findings, and this order, to the Building Code Board of Appeals within thirty (30) days from receipt of this order.

IT IS SO ORDERED.



Joel Hornickel
Interim Director of Planning and Development

9/12/13
Date