



City of Ketchum
Planning & Building

Design Review Application

OFFICIAL USE ONLY
File Number:
Date Received:
By:
Pre-Application Fee Paid:
Design Review Fee Paid:
By:

Please submit your completed application electronically to: planningandzoning@ketchumidaho.org

APPLICANT INFORMATION			
Project Name: APPELLATION/SUN VALLEY	Phone: (650) 906-5636		
Owner: Harriman Ketchum Hotel, LLC	Mailing Address: P.O. Box 84		
Email: jack@waypointsunvalley.com	Sun Valley, ID 83353		
Architect/Representative: John C. Davis, AIA	Phone: (415) 391-1080, Ext. 103		
Email: davis@hwiarchitects.com	Mailing Address: Hornberger + Worstell, Inc.		
Architect License Number: AR-985003	170 Maiden Lane, Suite 700, San Francisco, CA 94108		
Engineer of Record: IMEG / Peter Monroe	Phone: (503) 274-1823		
Email: peter.d.monroe@imegcorp.com	Mailing Address: 1022 SW Salmon St., Suite 300		
Engineer License Number: Idaho 7227	Portland, OR, 97205		
Primary Contact Name and Phone Number: Jack Bariteau, Managing Member, (650) 906-5636			
PROJECT INFORMATION			
Legal Land Description: Lot 2, Block 83, Ketchum Townsite	Street Address: 300 River St. East		
Lot Area (Square Feet): 40,631 Sq. Ft.	Zoning District: Tourist (T)	RPK #:	
Overlay District: <input checked="" type="checkbox"/> Floodplain	<input type="checkbox"/> Avalanche	<input type="checkbox"/> Mountain	<input type="checkbox"/> None
Type of Construction: <input checked="" type="checkbox"/> New	<input type="checkbox"/> Addition	<input type="checkbox"/> Remodel	<input type="checkbox"/> Other
Anticipated Use: Hotel 79 Keys	Number of Residential Units: 12 Units		
GROSS FLOOR AREA			
	Proposed	Existing	
Basements	See Attached Table	Sq. Ft.	Sq. Ft.
1 st Floor		Sq. Ft.	Sq. Ft.
2 nd Floor		Sq. Ft.	Sq. Ft.
3 rd Floor		Sq. Ft.	Sq. Ft.
Mezzanine		Sq. Ft.	Sq. Ft.
Total	147,820 Sq. Ft.	N/A	Sq. Ft.
FLOOR AREA RATIO			
Community Core:	Tourist: 0.5 (2.3 Permitted)	General Residential-High:	
BUILDING COVERAGE/OPEN SPACE			
Percent of Building Coverage: 56.0%			
DIMENSIONAL STANDARDS/PROPOSED SETBACKS			
Front: 3' (Approved)	Side: 5' Leadville	Side: 11' Hwy 75	Rear: 25' Minimum
Building Height: 58' to Roof Plane (Maximum)			
OFF STREET PARKING			
Parking Spaces Provided: 109 Spaces	Curb Cut: Sq. Ft.	29% River St.; 30% Leadville	
WATER SYSTEM			
<input checked="" type="checkbox"/> Municipal Service		<input type="checkbox"/> Ketchum Spring Water	

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Design Review Application in which the city of Ketchum is the prevailing party, to pay the reasonable attorney fees, including attorney fees on appeal and expenses of the city of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

Signature of Owner/Representative

Date **SEPTEMBER 21, 2022**

DESIGN REVIEW APPLICATION CERTIFICATION OF COMPLETENESS

Project Name: Appellation/Sun Valley	Reviewed by:
Date: July 29, 2022 Updated September 21, 2022	Time:

REQUIRED DOCUMENTS (CHECK ALL THAT APPLY):

- Design review application form including project name, location, applicant, owner, project representatives and contact information.

- One (1) PDF electronic set of the complete application containing all requirements as listed below, plans appropriately scaled, shall be submitted. Electronic record of the materials and color sample board may be satisfied with photos. One (1) hardcopy set of scalable plans showing at a minimum the following:
 - Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: a vicinity map must show location of adjacent buildings and structures.
 - Drainage plan (grading, catch basins, piping, and dry-wells).
 - Utilities plan (location and size of water and sewer mains and services, gas, electric, TV and phone).
 - Site plan, to scale, showing proposed parking (including parking stall dimensions), loading, general circulation and snow storage. List square footage of subject property including lot dimensions.
 - Landscape plan (existing landscaping on the site shown and adjacent right-of-way as retained, relocated or removed; proposed landscaping including species type, size and quantity).
 - Floor plan. List gross and net square footage for each floor. List occupancy classification and type of construction.
 - Detailed elevations of all sides of the proposed building and other exterior elements (colors, materials).
 - Exterior lighting plan, pursuant to chapter 17.132, showing location, height, type and lumen output; spec sheets for fixtures; illuminance levels/photometrics for exterior lighting.
 - Photometric analysis prepared by MH Companies (see city Right-of Way and Lighting Standards at https://www.ketchumidaho.org/sites/default/files/fileattachments/streets_amp_facilities/page/2851/row_standards_-_2022.pdf) showing placement of street light fixtures and average and maximum footcandle illumination along the sidewalk adjacent to the project.
 - One (1) 11" x 17" materials and colors sample board showing all exterior materials used on the façade of the structure. A digital copy may be sufficient as approved by the Administrator.

At least one week prior to the scheduled Commission meeting, on the site applicant shall stake the building corners for all proposed buildings and additions, all trees proposed to be removed shall be flagged and the applicant shall install story poles, or other height delineation method pre-approved by the Administrator, at the maximum roof peaks of the proposed buildings. Documentation of this work shall be provided to the project planner one week prior to the meeting. Failure by the applicant to perform this work one week prior to the Commission meeting shall result in a continuation of the project for consideration.

For projects requiring pre-application design review, a model or computer simulation renderings, as described in subsection 17.96.010(C) of this chapter shall be required.

- For new multi-tenant buildings, a master signage plan shall be submitted.
- The Administrator may waive some submittal requirements if it is determined the information is not relevant to the design review.
- Other information as required by the Administrator or the Commission.
- Design review fee shall be submitted as described in section 17.96.100 of this chapter.

STAFF COMMENTS:

MEMORANDUM

TO: Mr. Jack Bariteau/HH LLC
Suzanne Frick/City of Ketchum
Morgan Landers/City of Ketchum

FROM: John C. Davis

DATE: September 21, 2022

SUBJECT: Design Review Application
Response to City of Ketchum Letter of September 14, 2022
Appellation/Sun Valley Hotel
Ketchum, Idaho

The enclosed "Updated September 21, 2022 Design Review Application" Package is submitted in response to the comments outlined in the above-referenced letter. Following is our description of specific responses as pertains to the architectural items in the letter as they are addressed in the Package:

Criteria 1: Definition of "Hotel"

Following the explanation in the City letter and in specific reference to both the 2008 Approved Hotel Definition and subsequently approved 2016 Determination Table, we have revised our hotel area calculations to match those approved criteria and methodology.

Reference the enclosed "Table 2.1.R1". This table supersedes the previous "Table 2.1" and mirrors the 2016 Determination Worksheet and the detail of those spaces included and not included in the "Hotel Area" and resultant consistent formula for arriving at permitted Non-Hotel Residential. The proposed Appellation Residential Square Footage remains within the permitted value.

The accompanying Table 2 and Table 3 have been updated accordingly and tracked with the compliance of the Project with other development parameters.

Criteria 4: Parking

As was discussed in the September 15, 2022 meeting session, we believe we have eliminated the outlined parking issues as follows:

- 1) The "Bakery" space referred to is a cooking bakery, not a dining space, and not accessible to the public, thus no dining seating.
- 2) The "Retail/Spa/Office" subtotal square footage is comprised of:

Retail/Adventure Store Level 1	1,000 SF
Spa: Level P1	3,874 SF
Office	- 0 -
Total	4,874 SF

There is no lease office space; the 4,874 SF total has been corrected in Table IV: Parking.

- 3) The parking calculations do account for the total Residential Area since the lock-off rooms are included in the total area of 25,604 SF; at Table 2 and on Drawing Sheets A2.03 and A2.04, this has been clarified.
- 4) We have resolved the parking and drive aisle issues by getting rid of the five “valet” spaces altogether as follows:
 - On Sheet A2.08, we have added 4 stacker parking spaces by relocating the mechanical equipment that was indicated in that space.
 - The SF area for Conference Space has been corrected in Table IV from 3,926 to 3,715 SF. The parking requirement is adjusted down from 110 spaces to 109; thus eliminating the fifth valet space.
 - As a result, all drive aisles are unobstructed and are 24’ clear minimum, as indicated.

Condition #14:

Although it is unclear in the wording of Condition #14 about how the setback for the southern-most Penthouse is determined, we have responded as follows:

- 1) Included in this package is a new Sheet A2.06, Roof Setbacks Plan for reference. This sheet shows:
 - The southernmost Penthouse exterior wall is set back 10’-0” from the property line (confirmed in our most recent drawing set).
 - As requested, this plan shows diagrammatically, the outline of the Roof Plan, the building property lines, required setback lines, and outline of the building footprint. The roof eaves are all within the 3 foot overhang requirement, as indicated.

Although not specifically documented in 2008, the southernmost unit setback was shown to be approximately 7 feet, so the current layout, pushed back to 10 feet, we believe addresses this condition.

Other Comments

- 1) Site Open Area. Sheet A.01 has been revised to eliminate just the pool surface areas from open space, resulting in a revised Net Open Space of 35.8%. Table 3 has been updated accordingly.
- 2) At Morgan’s request, on Sheet A2.0A, we have separated out square footage for the Pre-function space (1,676 SF) from the Circulation Areas, as indicated.
- 3) Please note also, as requested, the Elevation Sheets and Renderings have been revised to add balcony railings at essentially all of the guestrooms; for further design review.

John C. Davis, AIA, NCARB
Executive Vice President

cc: M. Hornberger/HWI
14695.1.2.1/2.1

Memorandum re Response to September 14, 2022 letter
Appellation/Sun Valley Hotel, Ketchum, Idaho

September 21, 2022

2 of 2

MEMORANDUM

TO: Mr. Jack Bariteau/HH LLC
 Suzanne Frick/City of Ketchum
 Morgan Landers/City of Ketchum

FROM: John C. Davis

DATE: July 29, 2022
 Updated August 4, 2022
 Updated August 8, 2022
 Updated August 18, 2022
 Updated August 30, 2022
 Updated September 21, 2022

SUBJECT: Design Review Application
 Attachments to Application Information
 Appellation/Sun Valley Hotel
 Ketchum, Idaho

I. Building Gross Floor Area Summary Comparison to Approved

Design Requirement Element	Description	2022 Proposed Appellation Hotel *	2008 Development Agreement	2016 Approved Permit Documents
P3/P2 Level	Underground Parking	26,165 sf	23,575 sf	26,373 sf
P1 level	Underground Parking; BOH: Hotel Support, Spa	25,934 sf	27,700 sf	25,014 sf
Basements Subtotal		52,099 sf	51, 275 sf	51,387 sf
00 level	Meeting Rooms & Support; Kitchens; BOH; Guestrooms	21,963 sf	20,900 sf	21,444 sf
Ground Floor	Guestrooms: Reception Lobby; Dining, Kitchens; BOH; Retail	20,403 sf	21,650 sf	21,156 sf
2 nd Floor	Guestrooms	20,093 sf	20,800 sf	20,665 sf
3 rd Floor	Guestrooms; Residential Units; Lock-Off Keys	18,709 sf	19,890 sf	18,514 sf
4 th Floor	Residential Units; Lock-Off Keys	13,677 sf	14,260 sf	14,463 sf
Roof	Observatory	876 sf	550 sf	1,600 sf
Hotel Gross		95,721	98,050	97,842
Totals		147,820 sf	149,325 sf	149,229 sf

*Refer to Drawing A0.0 for Floor Area Calculations

TABLE 2: HOTEL MATRIX/APPELLATION HOTEL

APPELLATION HOTEL PROPOSED		
HOTEL CONFIGURATION	UNITS	SQUARE FEET
Guest Rooms/ SqFt	73	32,148
Residence "Lock-Off" Keys	6	See below
Hotel Key Room Count	79	
Hotel Bed Count	82	
Residence Units/ SqFt	12	25,604
BOH Circulation; Support; ¹ Interior Public Spaces		28,980
TOTAL HOTEL SQ. FT.		86,732
RESIDENTIAL CONFIGURATION		
Residential Condominiums (Non-Hotel Residential)	12	22,849
Residence Lock-Off Rooms	6	2,755
Net Residential Sq. Ft.		25,604
Permitted Non-Hotel Residential (Hotel Sq. Ft. / .75 - Hotel Sq. Ft.)		28,911
OVER/(UNDER)		(3,307)
2008 DEVELOPMENT AGREEMENT		
HOTEL CONFIGURATION	UNITS	SQUARE FEET
Guest Rooms	73	
SqFt		45,844
Condominium Units	6	
SqFt		11,770
Hotel Key Count	79	
Hotel Bed Count	82	
BOH Circulation Support and Interior Public Spaces (SqFt)		25,626
TTL HOTEL SqFt		83,240
RESIDENTIAL CONFIGURATION		
Residential Condominiums (Non-Hotel Residential)		14,260
Less 17% Circulation		(2,424)
Net Residential Sq. Ft.		11,700
Permitted Non-Hotel residential (Hotel Sq Ft/ .75 - Hotel Sq Ft)		27,747
OVER/(UNDER)		(15,977)

Footnotes: ¹ See floor plans for areas of individual spaces included; BOH includes operations spaces; support includes kitchens, housekeeping, storage for hotel uses.

III. Conditional Use Permit Parameters for Appellation and Comparison to Approved CUP

Design Requirement Element	2022 Proposed Appellation Hotel	2008 Development Agreement	2016 Approved Permit Documents
Height/Bulk	58 ft to Roof Plane 75 ft to Top of Observatory	58 ft to Roof Plane 75 ft to Top of Observatory	(Unchanged) (Unchanged)
Gross Building Area	147,820 sf	149,325 sf	149,229 sf
Guestroom Keys	73	73	65
Condominium Residences	12	6	14
Condo Lock-Off Hotel Key Units	6	6	14
Total Hotel Keys	79	79	79
Allowable Residential Sq. Ft.	28,911	27,747	27,462
Proposed Residential Sq. Ft.	25,604	11,700	27,047
Parking Spaces	109	97	108
Setbacks: River St.	3 ft	3 ft (Permitted)	3 ft
Rear (Trail Creek)	9 ft	9 ft (Permitted)	9 ft
Leadville Ave.	5 ft	0 ft	3 ft
Highway 75	11 ft to columns 12 ft to walls (tbd)	11 ft to columns 15 ft to walls 41 ft to road	9 ft 13 ft 39 ft
Riparian	25 ft min.	25 ft min.	25 ft min.
Site Open Space: 30% (Net)	35.8%	30.08% (Approved)	30.1%
Floor Area Ratio	2.33	2.4	2.4
Curb Cuts River St. 30%	29.0%	29.0%	29.0%
Leadville: 35%	30.0%	29.5%	27.6%

IV. Parking Requirement Table: Appellation Hotel (Valet Parking)

APPELLATION HOTEL PROPOSED		
Use	Requirement	# Spaces Required
Hotel	.66 Spaces Per Room X 73 Rooms	48.18
Condominiums and Residential Guest Space	1 Space per 1,500 NSF (x 25,604)	17.0
	1 Guest Space per 4 Units (x 12)	3.0
Conference Facilities	1 Space per 200 sf Seating Area (x 3,715 sf)	18.75
Retail/Spa/Office	1 Space per 600 sf of NSF (x 4,874)	8.1
Restaurant	1 Space per 200 sf of Seating Area (x 2,668 sf)	13.34
Total required Parking/Appellation		108.37 Spaces
Total Provided	105 Structured/Valet Plus 4 Street Spaces	109 Spaces

Parking Comparison:

2008 DEVELOPMENT AGREEMENT		
Use	Requirement	# Spaces Required
Hotel	.66 Spaces Per Room X 73 Rooms	48.18
Condominiums and Residential Guest Space	1 Space per 1,500 NSF (x 11,770)	7.84
	1 Guest Space per 4 Units (x 6)	1.50
Conference Facilities	1 Space per 200 sf Seating Area (x 3,270 sf)	16.35
Retail/Spa/Office	1 Space per 600 sf of NSF (x 3,715 sf)	6.19
Restaurant	1 Space per 200 sf of Seating Area (x 3,390 sf)	16.95
Total required Parking/2008		97.01 Spaces
Total Provided	93 Structured/Valet Plus 4 Street Spaces	97 Spaces

John C. Davis, AIA, NCARB
Executive Vice President

cc: M. Hornberger/HWI
14695.1.2.1/2.1

APPELLATION HOTEL

Ketchum, Idaho

2022 Hotel Square Footage Table 2.1.R1

Updated to Conform to "2016 Determination" Standards
September 19, 2022

Use	Square Footage	SF toward		2008 Design Review Summary		2016 Determination Summary		2022 Summary Proposed	
		Hotel SF Uses	Guestrooms	Residential SF	Guestrooms	Condos	Guestrooms	Residences	Other Hotel Uses
P2/P3									
Parking	18,300	-							
Circulation	740	-							
BOH	550	550			45,844	26,962	32,148		
Mechanical	2,479	-			11,770	27,047	25,604		
Support/Service	479	-			25,626	28,379	28,980		
Owner Storage	1,392	-							
Total		550			83,240	82,388	86,732		
P1									
Parking	12,555	-							
Circulation	1,936	-							
BOH	3,698	3,698							
Service	1,179	1,179							
Mechanical	1,051	-							
SPA/Fitness	3,874	3,874							
Total		8,751							
Level (00)									
Banquet Room	2,683	2,683							
Meeting Rooms	1,032	1,032							
Bathrooms	535	535							
Prefunction	1,676	1,676							
Housekeeping	70	70							
BOH	1,907	1,907							
Kitchens	3,075	3,075							
Circulation	2,377	-							
Guestrooms			5,164						
Total		10,978							
Level 1									
Restaurant	2,668	2,668							
Kitchen	1,121	1,121							
Retail	1,000	1,000							
Bathrooms	387	-							
Circulation	2,163	-							
BOH/Front Office	552	552							
Lobby/Living Room	2,704	2,704							

Permitted Non-Hotel Residential:
 $86,732 \text{ SF} \div .75 = 115,643 - 86,732 = 28,911 \text{ SF}$
 Residential Provided: 25,604 SF
 Over/(Under): **(3,307) SF**

APPELLATION HOTEL
Ketchum, Idaho

2022 Hotel Square Footage Table 2.1.R1

Updated to Conform to "2016 Determination" Standards
September 19, 2022

Use	Square Footage	SF toward		
		Hotel SF Uses	Guestrooms	Residential SF
P2/P3				
Bar/Bakery	656	656		
Front Desk	(Included)	-		
Guestrooms			7,832	
Total		8,701		
Level 2				
Guestrooms			16,509	
Circulation	2,626	-		
Housekeeping	148	-		
Level 3				
Guestrooms			2,643	
Circulation	1,793	-		
Housekeeping	152	-		
Residences Lock-Off Rooms				2,337
Residences (Non-Hotel)				10,930
Level 4				
Residences Lock-Off Rooms				418
Residences (Non-Hotel)				11,919
TOTALS		28,980	32,148	25,604
TOTAL HOTEL SQUARE FOOTAGE				86,732

Architectural Design Review Submittal – Appellation Sun Valley Hotel and Residences

Narrative Summary – Supplemental Document to Design Review Application – July 28, 2022; Updated August 11, 2022; Updated August 18, 2022; Updated November 14, 2022

1. Building Floor Area and Comparison Summary Table Document: An updated comparative table document divided into three sections, prepared by the Project Architect, Hornberger + Worstell AIA, and originally dated July 13, 2022 has been subsequently updated on July 29th; August 4, 2022; August 8, 2022; August 18, 2022; August 30, 2022 and September 21, 2022. The Summary Table Document provides three columns of information on the square footage of each floor of the building. The column headings are labeled “2022 Proposed Appellation Hotel”; “2008 Development Agreement” and “2016 Approved Permit Documents”. The document is supported by accompanying floor plans for the building as currently designed and updated from the 2016 building permit set. The 2016 column is important for reference purposes as the 2022 plans have continued to develop from the 2016 baseline drawings at all levels of overall building including final overall structural engineering which is nearly 100% complete; mechanical, electrical, plumbing, heating and cooling design; window systems; restaurant and banquet kitchen layout, ventilation/exhaust systems and equipment specifications that have advanced as is typical of projects of this size and complexity, well beyond the 2008 general Design Review drawings that were approved by the 2008 Development Agreement and the 2016 building permit under which construction commenced.

The revised Table document as most recently updated September 21, 2022 illustrates each floor level Gross Floor Area for comparison purposes from the P3/P2 underground parking level, then upward to the Fourth Floor Roof where the Observatory, small roof exterior deck and elevator foyer access and ingress and egress stairs are located. The plan at this level also clearly shows the code required life safety access walkway that connects the west and east elevator cores together as a requirement of the 2016 building permit conditions of approval received from the City prior to issuance of the building permit on July 6, 2016.

Upon further review of the floor plans as originally submitted with the August 8, 2022 update Submittal, Table 2.1, John Davis, the Appellation management team, Mark de Reus of de Reus Architects (de Reus is the interior architect for the condominium Residences on the top or third and fourth floors of the hotel) and I went through the circulation areas that are color coded in yellow on the P2/P3, P1 and 3rd and 4th floor levels as you had requested and it has been reconfirmed that all of the yellow colored areas were correctly tabulated and included in the overall Circulation column on Table 2.1. These circulation areas are essential to hotel operations including room service delivery and pickup, housekeeping, cleaning and maintenance, recycling and guest room

and residence and lock-off trash removal to the trash compactor and garbage bins located within the loading dock areas, luggage and package delivery, catering services to the hotel rooms, lobby areas, vertical elevator service and access to all levels, restaurant and bar, café and bakery, penthouse residences and for the movement of the hotel staff throughout the hotel. Each for sale residence within the hotel all have within their ownership purchase, the rights to access all hotel amenities and be provided with the same hotel services as regular hotel guests. These future condominium penthouse owners are granted these services and accessibility rights and each condominium penthouse purchaser and future owns have the voluntary right to elect to contractually place their residences into the hotel rental pool program including those penthouses that have “lock-off” hotel rooms within their condominium area of ownership. Table 2: HOTEL MATRIX/APPELLATION HOTEL has been updated to reflect this circulation calculation on these floor levels being included in the Back Of House (BOH) Circulation; Support; Interior Spaces line item under HOTEL CONFIGURATION Total Hotel Area now totaling 86,732 square feet. 86,372 square feet divided by 75% permitted by ordinance equals 115,643 square feet rounded. Net Permitted Non-Hotel and Residence Lock-Off Rooms are thus permitted to 25% of 115,643 or 28,911 square feet rounded. Total Net Residential Square Feet now shown in plan equals 25,604 square feet or 3,307 square feet less than the permitted amount. Our ownership paid affordable in lieu housing fees for 27,747 square net residential square feet as determined by the City of Ketchum (as permitted in the 2008 Development Agreement and adopted Findings Facts) in the amount of \$1,072,000 along with building permit and building impact fees in September, 2016.

The hotel will have 73 hotel rooms of various sizes and types plus 6 “lock off” rooms as agreed to by City Planning staff contained within 6 of the 12 residential units or 1 “lock-off” hotel room per each of the 6 residences as shown on the updated submittal Design Review application drawing package that will be delivered to the City in final floor plans on September 21, 2022. Each “lock off” hotel room can be voluntarily made available for separate guest rental through the hotel’s management operator as part of the overall hotel rental pool program when not in use by each future residence owner at each condominium penthouse owner’s voluntary election. Each condominium penthouse residence owner may also place their entire residence into the hotel rental pool program on a voluntary basis but only through Appellation Hotels as the exclusive hotel management operator and its through associated authorized marketing or booking agencies. No third party or outside rental agencies (VBRO, AirBNB, etc.) are permitted to rent or lease the respective condominium penthouses within the hotel, if the owner of said condominium penthouse unit voluntarily elects in the hotel rental pool program offered by Appellation Hotels or a successor hotel management entity. The terms and conditions of the Reservation and Purchase and Sale Agreement by which Harriman Ketchum Hotel, LLC’S ownership will enter into contracts of sale and the close of the purchases of the condominium penthouse residences will restrict any third party or outside rental agency or entity. The CCR’s for the hotel and residence development will specifically include language enforcing this hotel management rental

program restriction.

The Current Plan Set architectural plan dated September 21, 2022 set will provide the the basis for preparation of the Preliminary Plat by Galena Engineering for review and approval by the City. While you and Suzanne informed us of the change in City policy requiring submission of the development's Preliminary Plat, Galena Engineering cannot commence

its work on the Preliminary Plat until we have received a Staff Report Recommendation to the Planning Commission that the revised floor plans now meet the standards of the 2008 Development Agreement Findings of Facts that acknowledge that the hotel meets the requirements of 73 guest rooms and 6 "lock-off" rooms as demonstrated on Design Review Application Memorandum a updated to September 21, 2022. We are prepared to authorize Galena Engineering to being preparation of the Preliminary Plat and instruct Ed Lawson's office to finalize the draft CC&R's.

Overview: Very little differences exist between each line item within the comparative columns across the range of time from 2008 to 2022 and to the Design Review submittal package submittal now provided to the City with this application. The table demonstrates that the overall building design and conformity to the 2008 Design Review approvals; the building permit construction plans and original Findings of Facts dated September 15, 2008 adheres for the most part to the original 2008 Design Review and 2016 Building Permit drawing set from which construction commenced. The gross floor area of the building approved in 2008 was permitted to not exceed 149,325 gross square feet. The overall building as determined by the Project Architect is now smaller in area 147,820 gross square feet or 1505 square feet less than the maximum allowable. The perimeter footprint of the building has not changed other than for minor relocation of primary main entrance doors into the building along River Street in various and in particular at the hotel's main lobby and reception entrance and separate restaurant and bar entry. These points of entry have been relocated to reflect the interior floor plan and overall aesthetics of the main hotel lobby layout now in full interior design by EDG Design, the interior architect selected by our ownership and Appellation Hotels, the management company that has been retained to operate and manage the hotel and residences on a long term contractual basis.

2022 Hotel Square Footage Table 2.1R.1: This Table was added at your request originally during our Zoom meeting on August 1st as no information has been found in the planning records of how this area was originally calculated in the Findings of Fact for the 2008. This Table is now updated and attached to the Updated September 21, 2022 Memorandum from John David, Project Architect and Principal at Hornberger + Worstell, AIA. Building Setbacks are maintained as per the prior 2008 approvals and 2016 building Permit and the most current Design Review Application and Table attachment.

Architectural material finishes are proposed for change in certain areas of the building's

exterior to strengthen the design vision as it has evolved over time. This is a normal advancement of the plan set as we integrate the hotel interior plans into the building's structural envelope and the entire architectural and engineering team moves through the final construction design development and constructability process. Various consultant teams have been onboarded to restart and complete their required design work including a fulltime Construction Manager, Ken Springer, principal of Terrain Hospitality. Mr. Springer has extensive hotel construction management experience and has worked with Hornberger + Worstell, AIA in the past on several luxury hotel projects. Please note that we have taken your design suggestions on the original submitted updated elevation set and found a constructability solution to add back on the original exterior balconies to the building façade and provided you with several perspective renderings. Physical material samples are also being collected and we are working to have these to your department prior to Thanksgiving.

2. Civil Engineering and Landscape Drawings: The significant change here to the 2008 Landscape Plan prepared by Rob King is the final ITD road design for Highway 75. This new roadway design which we understand to have been finalized and agreed to by ITD and the City impacts the original design for our landscaping and public improvements along Highway 75 and within the ITD right of way adjacent to our western property boundary. The new civil and landscaping plans for this frontage. The impacts include the River Street southeast corner as it intersects River Street that we are slated to build to accommodate the ITD updated plans. Building setbacks from Highway 75 have thus been effected by a loss of landscape area between the east edge of the 6 foot public sidewalk abutting Highway 75. Rob King of Landwork Studio has compared the impact to the Exhibit "A" plan attached to the ROW Encroachment Agreement with the City and our property line. The estimated changes from Exhibit "A" to the new ITD road width design are as follows:

Exhibit "A"(Original 2008 Plan)

- North End = 6.5 feet
- Middle = 8 feet
- South End = 23 feet

Civil Engineering Plans as Submitted to Reflect ITD New Road Section (2022)

- North End = 4 feet
- Middle = 5 feet
- South End = 20 feet

This change in the ITD highway plan has thus impacted the 2008 Design Review drawings and 2016 building permit set setbacks from 41 feet from the south end corner of the building's west wing to 23 feet resulting in a loss of 18 of the 41 feet of previously available landscaped and exterior enclosed hotel room exterior terrace areas between

the east edge of the new ITD through traffic lane that has been added by ITD to begin to the north of the proposed replacement Trail Creek bridge. Rob King visited with me yesterday afternoon about this setback change and impact to the landscape plan as originally approved in 2008. Rob expressed the City's desire to see how we can offset this reduction in landscaping area created by the new ITD roadway design. The highway has shifted eastward, as the City is aware, and eliminates the prior approved right turn stacking lane and the landscaping that would have provided a far more generous landscaped area as shown on the 2008 landscape plan.

Our ownership is certainly willing to entertain conceptually with Staff how this can be accomplished. I have instructed Rob King and John Davis to see if we can pull the architectural board formed exterior retaining wall, now in plan and within our property line inward towards the building to increase the landscape area as currently illustrated on the Landscape Plan (Sheet L 3.0) as provided within the prior Design Review application submittal package. At Rob's suggestion, he is also reviewing the terrace and landscaping area between the south end of the hotel and the riparian setback boundary line to reduce hardscape and add in additional landscaping while further requesting ITD to permit Rob King to extend the landscaping further southward into the land area that is being quit claimed by the City to ITD along the eastern portion of Highway 75 starting just below River Street to where it intercepts the bank above Trail Creek, providing further screening of the hotel's west wing, south facing façade. Galena has diagrammatically illustrated this area in red in a separate PDF that will be sent under separate cover by email.

The improvements to be built within the City of Ketchum public right of way remain essentially unchanged on Leadville Avenue and include locations determined by Idaho Power for the building's main transformer and other utilities respective utility service requirements. The primary entrance and exit for the underground garage remains in its original location as does the in-building loading dock. Required building code emergency second points of ingress and egress are shown on the plans to have been added on the southeast corner of the pool terrace leading hotel patrons out to safety to Leadville Avenue via additional stairs and out to Leadville Avenue on our property and the La Res condominium building driveway that encroaches onto our property. A required emergency stair also has been added from the pool terrace to the left of the thermal pool to provide emergency access to the terrace below and then southwest along the terrace outside the spa and fitness room and adjacent to the riparian setback area. This stair access has dictated a change in the thermal pool design as originally shown in the 2008 site plan. Galena Engineering has informed me they expect to finish the ITD Encroachment Application and Submission on our ownership's behalf by Jeff Loomis is scheduled for the end of next week so please let me know if we should include this entire area in our landscaping plans and encroachment request.

Rob has indicated that in his meeting with you that the physical improvements now shown on the civil and landscape plan are in concert with the ROW Encroachment

Agreement Exhibit "A" for River Street. We have enhanced the west and east ends of this ROW area by adding a landscape planter on the northwest corner and now placed it that sits fully inside of the west ROW line abutting the ITD ROW. The planter's west facing façade would be framed by the architectural board formed wall that extends around and onto River Street to encompass this public area outside of the hotel's restaurant and bar area. We note that the City Street light location on the plan is inboard of the sidewalk that wraps around this wall. We would propose that the street light be moved closer to the street if possible and be approved at a lower height of 15 feet. A similar request would be made for the street light at the corner of Leadville and River. This request is made to lessen the impact of light trespass outside of the second floor guest rooms and enhance the guest experience in these areas. We are also continuing our discussions with Charles and Carolyn Coiner and Penelope Murray, on landscaping improvements and screening at their respective property lines along Leadville Avenue. I have prepared a working letter of understanding draft for their review on various design options on the east side of Leadville as their properties abutting the City' right of way. Rob King is awaiting the survey from Galena Engineering to commence his conceptual landscaping design work for the Coiner's and Ms. Murray's review.

3. Architectural Elevation Changes and Material Finish Changes: The submittal package provided by Hornberger + Worstell, AIA, reflects continuity in the use of materials originally contemplated in the 2008 Design Review submittal and Findings of Fact as approved in 2008 and the building permit set that was permitted in July 2016. However, we have been updating the material types to be used to reflect the continuing changes in materials that are being manufactured that are more "sustainable" and environmentally certified and produced that were not available for purchase or application the building exterior in 2008 or even the 2016 permit set. These materials will be reflected in the material physical samples to be delivered. The consultant team and general contractor have also been evaluating the constructability of the building from all perspectives as it relates to the 2018 IBC code changes and the necessity of creating a more energy efficient thermal envelope for the structure. By example, this includes rain screen exterior applications such as I am employing at the building at First and Fourth and which are finally starting to be completed. The plans also reflect the use of a more dramatic looking Basalt larger format stacked stone where the stone has more impact at the main entrance areas to the hotel, restaurant and bar and bakery café that ties into the interior architecture of the hotel's lobby and spaces that are the antithesis of the Limelight lobby areas and overall experience. The goal here, being designed by EDG Design (www.edgdesign.com) under the direction of internationally renowned founder and EDG's President, Jennifer Johanson, is to create more intimate interior spaces that integrate the food and beverage experience of Charlie Palmer's highly reputed restaurant group (www.charliepalmer.com). Mr. Palmer is the Co-Founder of Appellation Hotels, who along with his Co-Founder, Christopher Hunsberger, a three plus decades senior executive with Four Seasons Hotels and Resorts

(www.appellationhotels.com) are working with our ownership to create one of the most iconic 4.5 plus hotel and residence properties in the Pacific Northwest.

Use of board formed architectural concrete is proposed to be employed where stone is less visible to the surrounding neighborhood and hotel visitor and is deemed to be an appropriate transition that differentiates the building's transition to the pool terrace deck. Also please note that the lighting design firm, Niteo Lighting, headed by Jason Edling, (www.niteolighting.com) has been retained to do the hotel lighting design program and previously submitted photometric analysis. Niteo's design will meet the Dark Sky Reserve lighting guidelines and those of the City of Ketchum. Niteo is particularly well suited for creating "no trespass" lighting into the public rights of way and effectively implementing architectural lighting solutions that will complement and enhance the strong architectural form of the entire building.

We have eliminated any expansion of the rooftop deck from the Design Review submittal but are required per building code responses to our 2016 building permit drawing set to connect the east and west elevator cores by a life safety walkway that will not be visible from the street or within town. The Observatory and existing rooftop deck will be used for access to the Observatory dome which will be conditioned space and has been calculated as such in the Building Gross Area Floor Summary Comparison Table prepared by John Davis' design team. We have also retained Dave Miller, founder and owner of Observatory Solutions, a highly experienced observatory designer and consultant to design and supply the Observatory equipment and IT systems that will allow for the visual images that are being viewed in the night sky to be broadcast throughout the hotel's video system. (www.observatorysolutions.com).

4. Statement of Management: Harriman Ketchum Hotel, LLC is composed of the financial investment of Andy Blank through his family office LLC, Harriman SV Properties, LLC and the combined equity contribution of the ownership interests of Harriman Hotel, LLC. This effective merger and funding took place on July 12, 2022. I am the Managing Member of the new Company. The Company is composed of three Board Members: Andy Blank, his daughter Alyce Blank, and myself. Our development team, which I manage also has retained the services of Stuart Campbell and Ken Springer. Stuart, resides here locally, but has a long history in the operations, management and sales and marketing side of luxury resort hotels and will be assisting me on our relationship with Appellation Hotels and working closely with them as we begin to ramp up the marketing of the hotel and residences in Q1 and Q2 of 2023. Stuart was responsible for similar duties at The Lodge at Blue Sky just outside of Park City and previously held executive positions with Aman Resorts having opened and managed the Amangani in Jackson Hole and in initial planning and design of the Amangiri in southern Utah. Ken Springer operating under Terrain Hospitality has extensive construction management experience in building luxury resort hotel properties over the last several decades. He will be in charge of the overall construction management process from start to finish of the hotel

project. If you need any further information on these gentlemen or the extensive list of highly qualified consultants or design team members, please let me know. I can furnish a complete list of the consultant team and also provide more information on the overall aesthetic vision for the project; Appellation Hotels unique approach to lodging, food and beverage centric customer service; and quality of finish materials for the overall hotel exterior, interior and overall hotel amenities.

We have fully reemployed the majority of our consultant team and look forward to working with you, Morgan, and the Planning Commission at our now scheduled December 13th Design Review meeting. Our ownership is fully dedicated to finally constructing and successfully opening this “one of a kind” hotel and residence property in downtown Ketchum. Our goal is to be in the ground by May of 2023, subject to issuance of the updated 2018 IBC building permit submission and to complete and open the hotel for business by late 2024 to early 2025.

Sincerely,

Jack Bariteau
Managing Member
Harriman Ketchum Hotel LLC

CC: Andy Blank
John Davis
Stuart Campbell
Ken Springer

August 1, 2022

Jack Bariteau
Managing Member
Harriman Ketchum Hotel LLC
P. O. Box 84
Sun Valley, Idaho 8335

Morgan Landers, AICP
Senior Planner
City of Ketchum Planning and Building
P. O. Box 2315
Ketchum, Idaho 83340

RE: Conditional Use and Planned Unit Development Permit – Compliance Response

Dear Morgan: Thank you for your time on Friday, July 29th, to meet with me, Mark de Reus of de Reus Architects in person and John Davis and Same Pedapenki of Hornberger + Worstell AIA via a Zoom call regarding the submittal documents for the Design Review Application that is required by the Settlement Agreement as approved by the City Council on June 23, 2022. With regard to the application documents submitted and by which you had been reviewed after receipt by electronic delivery from Hornberger's office and other related documents as required by your office, the requested clean up and corrections and clarifications to the submittal package are underway by the development team. We also discussed another Zoom call for today and we are awaiting your notice as to your availability we assume later this afternoon. We also are in agreement with your proposed scheduling of a weekly meeting for a time during the week to continue to work on any items that you see as needing further clarification or information during your review period of the submittal package.

With regard to your request that I specifically respond to the approval of the Planned Unit Development Conditional Use Permit by the City Council on September 15, 2008, I am using by reference the document CUP Case No: CUP-08-007, Findings of Facts Decision under the Decision section of that document, Page 33 for purposes of my responses as follows:

1. Construction and Mitigation Plan: A Construction and Mitigation Plan was submitted to the City prior to the issuance of the building permit by the City on July 1, 2016 but I do not see that this CMP was ever recorded against our property upon review of the latest preliminary title report issued by Stewart Title Company through Blaine County Title, Inc. dated July 1, 2022. An updated CMP has been prepared by Conrad Brothers of Idaho dated July 20, 2022 and will be sent to you under separate cover as a PDF today for recording prior to issuance of an updated or new building permit that is brought current to 2018 IBC permit requirements by Hornberger's office.

2. **Underground Relocation of Overhead Power Lines in the vicinity of the Project:** This work was undertaken by Idaho Power and commenced on September 18, 2018 and extended far beyond the original intent of the “vicinity of the project” and a pro rata share on lineal feet associated with our property frontage on both Highway 75 and Leadville Avenue. The work eventually included the removal and undergrounding of the overhead power lines from the southwest corner of River Street and Highway 75 in front of the Kentwood Motor Lodge running over 800 lineal feet to just past Gem Street to the south at the terminus for reconnection of the underground lines with the overhead power poles and lines at this location at the southeast corner of Gem and 75. Cox Communications cable that was located on the Idaho power poles was also undergrounded. Total costs of the project paid for by our ownership to Idaho Power and Cox Communication, not inclusive of outside civil engineering, legal or power easement procurement, were paid in the amount of \$800,000. Completion of the underground work took place in Spring of 2019.
3. **Proposed Encroachments into the Public Street Rights-of Way:** Encroachments onto the public rights of way have not been exceeded on Leadville Avenue, City right of way along Highway 75 nor within the Right-Of-Way Encroachment Agreement area on River Street. Changes in the width of the proposed highway improvements by ITD from the to be replaced highway bridge spanning Trail Creek and then northward to River Street have reduced the setbacks of the building footprint from the ITD right of way boundary on our property’s western boundary and also based on current road engineering designs obtained from ITD by Galena Engineering have expanded the overall ITD right of way design and shifted the roadway to the east and eliminated the approved right turn stacking lane as previously approved and engineered to add an additional through lane on the eastern side of the highway eliminating proposed landscaping area in the April 8, 2008 design review drawing, Sheet 3, and the 2016 approved building permit plans. The encroachment permit application based on the new ITD highway design plans will be submitted by Galena Engineering the week of August 8th. Jeff Loomis of Galena Engineering is in charge of this application process.
4. **Sidewalks shall be a minimum width of:**
 - 6 feet on Main Street. Our current civil plans show this width and conform to the ITD updated plans. I ran into Jade on downtown Friday afternoon after our meeting as he was walking back to City Hall and I brought Jade up to speed on our meeting discussion related to ITD planning updates. He indicated that the State and City are working to incorporate a bike path into both sides of the ITD plan that would allow for an increase in the width of the sidewalk on our Highway 75 western boundary to 8 feet by decreasing the traffic lane widths to 11 feet from 12 feet within the future roadway designed section. We will await further instructions here.
 - Not less than 5 feet on River Street. This width has been maintained and expanded in our current civil and landscape drawings within the Right-Of-Way Encroachment

Agreement area and maintained at the River Street and Leadville Avenue corners in our latest civil drawing set.

5. Right-Of-Way encroachments including retaining walls and landscape beds, and curb line alignment, slope and drainage, and ADA design issues shall be resolved to the satisfaction of the City Engineer and ITD prior to the issuance of a building permit. Final designs shall be approved by the City Council upon recommendation by the P& Z Commission. Encroachment permits and/or licenses shall be obtained from the City as required. A Right-Of-Way Encroachment Agreement was prepared and executed for River Street and signed by our ownership and Suzanne Frick, on behalf of the City. The building permit issued on July 7, 2016 included review and approval of the Planning Staff and P & Z but remaining issues needed to be resolved regarding the corner of River Street and Highway 75 and meeting ADA requirements as at this time it was still in plan to create a pedestrian walkway across Highway 75 to the southwestern corner of River Street. To the best of our knowledge and based on current ITD plans, this pedestrian walk has been eliminated and current civil engineering and landscape drawings reflect ADA compliance at this corner. All other retaining walls and the location of landscaping are shown on the civil submittal and landscape sets as brought current and reflect the locations of all power transformer equipment and other utilities being brought into the building. There are no encroachments into the riparian setback area and the approved landscape plan for riparian restoration remains as designed within the riparian area.
6. The heated asphalt shall be extended to include the entire River/Leadville Avenue intersection and shall be extended to the south on Leadville Avenue as required to accommodate drainage and vehicular traction. Current project civil and mechanical engineering plans and as permitted in in 2016 conform to this requirement or exceed its intent.
7. All water, sewer and other main utility lines, service lines, manholes and fire hydrants shall be maintained or improved by the Ketchum Water and Service Department. All plans conform to this requirement and the main City sewer line was relocated and replaced in November, 2016 into a new easement location that is now within the La Res property but the new sewer easement document within which the new line was relocated and replaced has never been executed by the La Res Condominiums entity despite repeated efforts to have this document executed. I personally own 56% of the La Res Condominiums and the other unit owner with 44% of ownership. Even though permission was granted by both owners at that time to do the sewer relocation work, upon completion, the then owner of the 44% share refused to sign the new easement and the new owner of this 44% share has also refused to execute the document. Copies of the sewer easement agreement, legal description of the easement as prepared by Galena Engineering and an encroachment agreement easement to be granted to La Res Condominiums for its driveway access will be sent to you electronically as PDF's. Despite this lack of signature and recordation the sewer line has been operational and without interference by the City since its relocation and rebuilding.

8. The proposed development shall be completed as set forth in the design review and CUP approvals and the Planned Unit Development Agreement. The PUD Agreement shall include, but not be limited to, provisions for the following:
 - Community/workforce housing – as required in condition #9, below.
 - Contribution to underground relocation of overhead utility lines.
 - Public pedestrian amenities to be included within adjacent street rights-of-way
 - Minimum access for the public to the Observatory.

Our ownership has met these conditions within its building permit set of drawings or will be executing upon compliance with each of these conditions in its updated civil and landscape drawing plans as submitted on July 28th. The Community/workforce housing program is now being met with the construction of the building at First and Fourth and as further described below. The underground relocation of overhead utility lines was completed in 2019 and represents far in excess of a “contribution” to the relocation and under grounding work. No City funds were expended nor were any other property owners requested to contribute to this cost. Public pedestrian amenities are being provided within the design of the River Street encroachment agreement area and with new public sidewalks on both Highway 75 and Leadville Avenue that never existed before on these rights of way. The plan for public access to the Observatory and terrace deck that provides access from the elevator leading to this floor level will be managed by Appellation Hotels and be available for booking by school and educational groups; the general public and hotel guests and residents. The Observatory will be a fully automated system as designed and to be programmed by our ownership’s Observatory consultant, Observatory Solutions.

9. Employee Housing Plan: The housing plan requires 18 employees on a site acceptable to the Ketchum City Council and within Ketchum City Limits. An Employee Housing Plan was submitted to the City on March 30, 2016. The Plan was reviewed and set for review by the City Council on April 4, 2016. At that time a site specific location was proposed for a vacant lot at 560 and 580 First Avenue which was subsequently sold to another developer and constructed as small employee housing apartments. A separate site was purchased at 391 First Avenue and was approved as a mixed use development by the City for inclusion of the required hotel employee housing. 15 apartments are well under construction and will be available per the terms of Second Amendment recently approved and adopted by the City to the hotel for its employee requirement of 18 employees well in advance of the hotel’s construction and completion. The terms of of the conditions of the Findings and Facts approved on September 15, 2008 have obviously changed by further amendment and the construction of the First & Fourth project which by the Second Amendment will provide 12 apartments to house 18 employee beds for the hotel and reserve 3 of the 15 apartments as permanent deed restricted units that provides priority to Ketchum employees on a wait list to be supplied by the City. Until such time as the 12 apartments are to be master leased to the hotel operator, Appellation Hotels, when it is determined such 12 apartments are needed for

the hotel's employees, all 15 apartments are now designated as deed restricted in BCHA rental categories 4 and 5 per the Exhibit attached to the Second Amendment for First & Fourth. I will be providing specific responses to the Employee Housing Plan, subparagraphs a. through l. this week.

10. A privacy wall or landscaping will be developed as a buffer for the 200 Leadville Townhouses. This standard is being met in the most recent landscape drawings provided by Landwork Studio and as also shown on the civil engineering drawings. The vertical design of this area still needs to be developed.
11. Operational hours for the Observatory: These hours and programming will be established by Appellation Hotels in its overall management and operations programming.
12. This PUD CUP approval is contingent upon the approval of Design Review/Waterways Design Review Application. This approval was granted by various extensions of the Development Agreement and the Settlement Agreement. The design of this area within the riparian zone was part of the original design review approval and subsequent building permit issuance. We can certainly include this design information again and it is in fact illustrated on the most recent landscaping updated plan as submitted in the package by Hornberger's office.
13. The PUD CUP was extended on numerous occasions by City Council Amendment and extensions and the 2018 Development Agreement First Amendment dated June 2, 2018 was reinstated by the Settlement Agreement approved by the City Council on June 23, 2022.
14. The setback for the southernmost penthouse condominium adjacent to the Leadville Avenue was increased as requested to ten feet by a redesign of this penthouse condominium residence from the original Design Review approval drawing set and as reflected on the building permit set approved on July 6, 2017.
15. Prior to issuance of any building permits, a plan shall be brought back to the City Council showing a third lane or through lane instead of a dedicated right turn lane on Highway 75/Main Street, including consultation with the Idaho Transportation Department. While this effort was under study at the time of the issuance of the building permit and is still under final review by ITD and the City, the through lane design versus a dedicated right turn lane has been decided upon by ITD and the City.
16. A PUD – Conditional Use Permit shall be issued in writing. To the best of our knowledge this condition was met with issuance of the building permit on July 6, 2016.
17. Failure to comply with any condition or term of said permit shall cause said permit to be void ab initio. A PUD – Conditional Use Permit may be revoked at any time for violation

of the permit or any condition thereof by motion of the City Council after a due process hearing upon ten days written notice to the holder of the PUD – Conditional Use Permit. This condition, which was part of the reinstatement of all prior entitlements and permits granted by the Settlement Agreement on June 23, 2022 approved, and adopted by the City Council, has been superseded by the terms of the Settlement Agreement.

Morgan, my apologies for the delay in providing this response document to you on the CUP PUD request that you made on last Friday. I have not had time to review with Ed Lawson review of my responses as he is on vacation until Wednesday nor Andy Blank, so our ownership reserves the right for his review by our Company's legal counsel and Andy and his legal counsel, Justin Jones. I have forwarded this document to Ed, Andy and Justin for their review and comment, should they have any proposed changes or comments they wish to make on our Company's behalf. I'll be calling in at 3 PM MDT today from my office unless you would like me to join you at City Hall in the conference room.

Best regards,

Jack Bariteau
Managing Member
Harriman Ketchum Hotel LLC

CC:

-

Earth Energy, Inc.
 PO Box 190474
 Boise, ID 83719-0474

Estimate

Date	Estimate #
8/21/2018	2018160

Name / Address
Cox Communications 811 Warm Springs Road Ketchum, Idaho 83340 Attn. Mr. Joe Maccarillo

Project
Highwy 75 & Trail Creek Bore

Item	Description	Qty	Rate	Total
Dirac Bore - 3 - 2"	Directional bore along the west side of Highway 75 from Gem St. to River St. and install three 2" HDPE conduits.	900	50.00	45,000.00
Dirac Bore - 3 - 2"	Directional bore across Highway 75 on the north side of Gem St. and install three 2" HDPE conduits.	55	50.00	2,750.00
Dirac Bore - 2 - 2"	Directional bore across Highway 75 at IPCO sector TC45 and install two 2"	55	45.00	2,475.00
Dirac Bore - 3 - 2"	Directional bore across Gem St. on the east side of Highway 75 and install two 3" HDPE conduits.	50	50.00	2,500.00
Backhoe	Backhoe trench on north end of bore near River St. and install three slurry encased 2" HDPE conduits.	50	27.50	1,375.00
Backhoe	Backhoe trench on south end of bore and install three slurry encased 2" HDPE conduits.	70	27.50	1,925.00
Pull String	Install mulletape in 2" conduits.	3,500	0.50	1,750.00
Materials	Provide 2" HDPE continuous conduit.	3,500	0.82	2,870.00
Materials	Provide 1250# mulletape.	3,500	0.08	280.00
	Earth Energy will provide:			0.00
	o Labor and equipment to bore and install the CATV conduits			0.00
	o Crew per diems			
	o Containment and disposal of drilling fluids			
	o Support equipment			
	o Traffic control as needed.			
	Cox Communication is responsible for:			
	o ITD ROW use permit			
	o Any additional City of Ketchum permits			
	o Install CATV handholes or pole risers as needed			
	o Install fiber optic cable.			
We appreciate the opportunity to work with Cox Communications.			Total	\$60,925.00

Cox Communications

Construction Department

3031 N 120th Street
Omaha, NE 68164

DATE: MAY 15, 2018
INVOICE # TC-2017-002

Bill To: Trail Creek Fund, LLC
C/O Jack Bariteau
PO BOX
Sun Valley, ID 83353

Remit To: Cox Communications
3031 N 120th Street
Omaha, NE 68164
Attn: TAMARA CHAMPION
OSP-Construction Dept

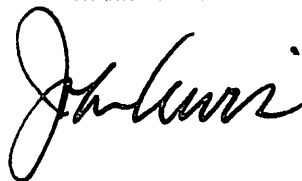
Comments or Special Instructions:

ORIGINATOR	P.O. NUMBER	DUE DATE	TERMS
MACCARILLO	347.0000.05.000.4200.61030	Due upon receipt	

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Undergrounding of Cox facilities for Conrad Brothers Construction Auberge Hotel project. Construction of hotel will begin spring 2018.		
	Pulling Conduit - Bore Earth Energy Inc	\$53,512.00	53,512.00
	Cox Contractor - Placing Fiber/Coax in conduit	\$5,000.00	5,000.00
	Idaho Power Make Ready	\$12,500.00	12,500.00
	In House - Splicing/Activation	\$10,096.00	10,096.00
	Materials - Coax, Fiber, Power Supply/ Batteries, Amplifiers, Activation	\$11,110.00	11,110.00
	Permits	\$200.00	200.00
	CIR #136050		
		SUBTOTAL	\$ 92,418.00
		TAX RATE	
		SALES TAX	-
		SHIPPING & HANDLING	
		TOTAL	\$ 92,418.00

Make all checks payable to Cox Communications and return to the address above with a copy of the invoice, c/o Tammy Champion, Construction Dept

THANK YOU FOR YOUR BUSINESS



Cox Communications

Construction Department

3031 N 120th Street
Omaha, NE 68164

DATE: March 21, 2017
INVOICE # TC-2017-002

Bill To: Jack Barbeau @ Trail Creek Fund, LLC
P.O.Box 84
Sun Valley, Idaho 83353

Remit To: Cox Communications
3031 N 120th Street
Omaha, NE 68164
Attn: TAMARA CHAMPION
OSP-Construction Dept

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SHIPPING & HANDLING			
TOTAL			\$ 92,418.00

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THANK YOU FOR YOUR BUSINESS

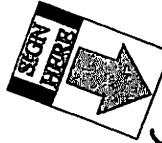
**WORK ORDER IS REQUIRED TO BE WORKED WITH
27437045 CUTOVER FROM OVERHEAD TO UNDERGROUND -
AT KJ33**

- | | | | | | | | |
|----|----------|-------|------|-----------|------|-------|----------|
| AØ | STND OFF | SPARE | LE77 | KNTWD JCT | LC10 | SPARE | STND OFF |
| BØ | STND OFF | SPARE | LE77 | KNTWD JCT | LC10 | SPARE | STND OFF |
| CØ | STND OFF | SPARE | LE77 | KNTWD JCT | LC10 | SPARE | STND OFF |
- KJ33

POINT NUMBER	STATION	CU	UNDERGROUND CABLE NOTES			CONDUIT SIZE	CONDUIT LENGTH	COMPACTION LENGTH	BORE LENGTH
			CABLE LENGTH	TRENCH LENGTH	CONDUIT LENGTH				
1	R-1433 TO 2883 TO LE84		325	100	160	2.4	160	S JERRY	
2	R-1858 TO LE88	D35C240	40758	100	160	2.4	160	S JERRY	
3	R-1858 TO LE88	D35C240	40758	100	160	2.4	160	S JERRY	
4	LE77 TO SITE	D35C240	40758	100	160	2.4	160	S JERRY	
5	SS4 TO JRT1	D35C240	40758	100	160	2.4	160	S JERRY	
6	JRT1 TO 151E AVE S	D35C240	40758	100	160	2.4	160	S JERRY	
7	LE88 TO K474	D35C240	40758	100	160	2.4	160	S JERRY	
8	LE88 TO LE88A	D35C240	40758	100	160	2.4	160	S JERRY	
9									
10									

EASEMENT REQUIRED

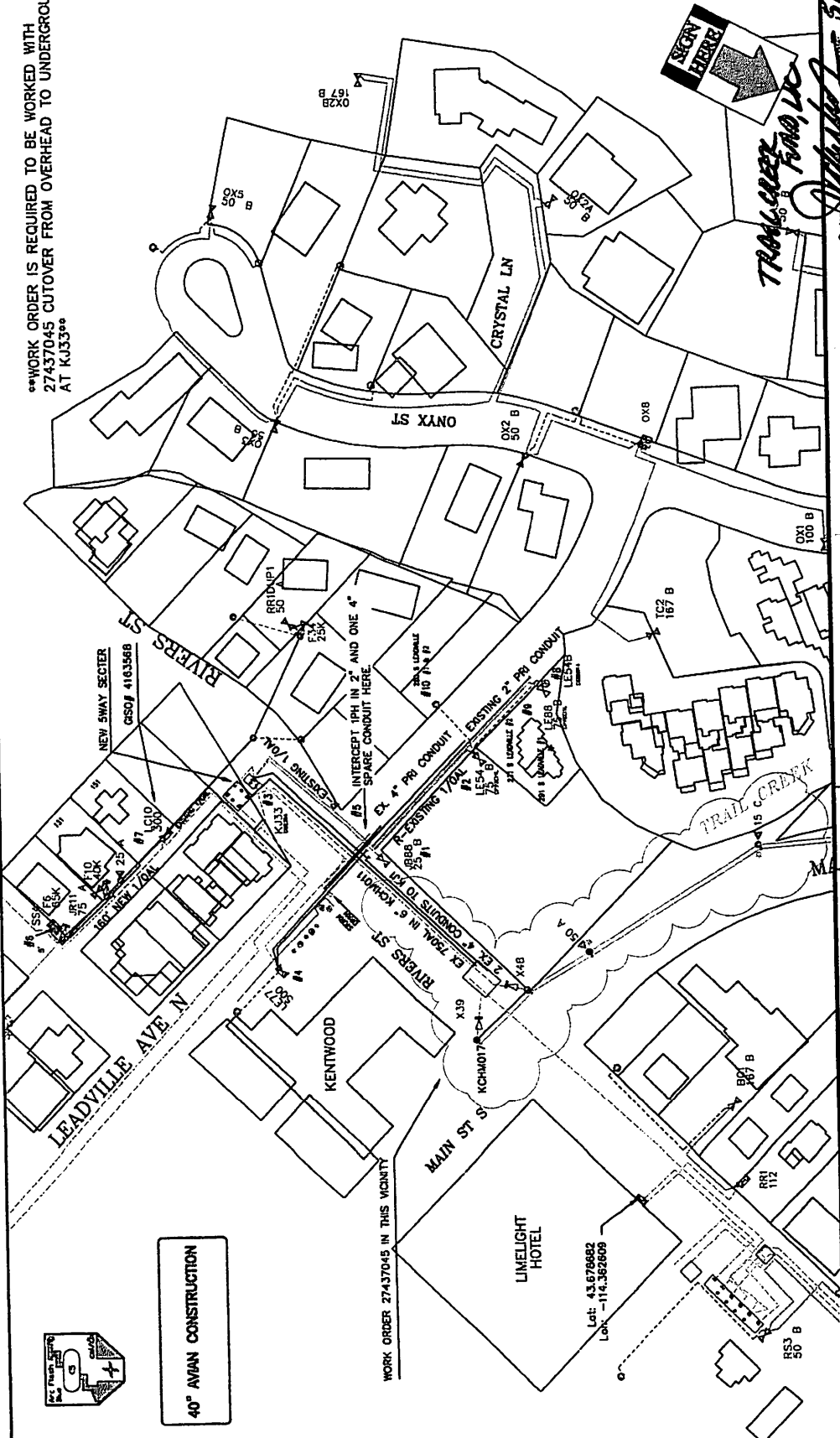
Date Obtained: _____
To be Obtained: LA RESIDENCE CONDOS
From: 231 & 291 S LEADVILLE



TRAIL CREEK FUND, LLC
5/10/2018

SWPP:BP	SWPP:BP	SWPP:BP	SWPP:BP
Job Title: TRAIL CREEK FUND LLC - RECONSTRUCT EXISTING UNDERGROUND FACILITIES.	Federal Map File Name: KCHM1101	Yan: 04N	Ring: 18E
Additional Description: ALTER EXISTING THREE PHASE SOURCE FOR OH TO UNDERGROUND PROJECT	City: 18E	State: 18E	County: BM
Additional Description: AT HWY 75 AND PROVIDE CONDUIT SYSTEM NEEDED TO PROVIDED PWR FOR HOTEL-ID	State: Blaine	Country: Blaine	Country: Blaine
Designer: CDC0468	Design No: 0000118210	Work Order No: 27463132	Sheet: 2 of 2
Drawn By: _____	Date: _____	Check By: _____	Date: _____
Asm By: _____	Date: _____	Construction Date: _____	Operating Voltage: 12.5 kV
Surveyed or GPS: GPS	Join Use Attachment: YES	Pre-Built Date: _____	Build as Designed: _____
Scale: 1" = 100	Scale: 1" = 100	Scale: 1" = 100	Scale: 1" = 100

WORK ORDER IS REQUIRED TO BE WORKED WITH
27437045 CUTOVER FROM OVERHEAD TO UNDERGROUND
AT KJ3300



SECTION HERE

TRAIL CREEK FUND LLC
FUND LLC
S1317045

SWPP-BP TRAIL CREEK FUND LLC - RECONSTRUCT EXISTING UNDERGROUND FACILITIES. ALTER EXISTING THREE PHASE SOURCE FOR OH TO UNDERGROUND PROJECT AT HWY 75 AND PROVIDE CONDUIT SYSTEM NEEDED TO PROVIDED PWR FOR HOTEL ID		Surveyed or GPS: GPS Joint Use Attachment: YES Pro-Built Date: *** Built as Design: *** Construction Date: *** Operating Voltage: 12.5 kV	Designer: CDC0468 Design No: 0000118210 Work Order No: 27463132
FDR By: _____ Date: _____ Ac/FM By: _____ Date: _____	Preceder Map File Name: KCHM1101 Date: 04N Year: 18E Ring: 18E Size: 18E Scale: 18E County: Blaine	IDAHO POWER Co. WORK ORDER MAP SCALE: 1" = 100 Sheet: 1 of 2	40° AWAY CONSTRUCTION

Customer or Project Name: TRAIL CREEK FUND - LEADVILLE & RIVER ST - OVERHEAD	Design Number: 0000118210	Version: 002	Work Order #: 27463132
--------------------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

Total Customer Payment Due Prior to Construction Scheduling


\$ 72,287

Notice: This Customer Cost Quote shall be binding on both Idaho Power Company ("Idaho Power") and Customer for a period of sixty (60) days from the date below indicated, subject to changes in information provided by Customer or changes in Idaho Power's ability to obtain satisfactory rights-of-way or to comply with governmental regulations, including but not limited to the rules, regulations, and tariffs of the Idaho Public Utilities Commission ("IPUC") and the Public Utility Commission of Oregon ("OPUC"). Customer must make payment of the quoted amount not less than thirty (30) days prior to the start of the construction work set forth above (the "Work"), but Idaho Power does not represent that the Work will commence within 30 days of receipt of payment. The start of the Work is subject to Idaho Power's ability to obtain the necessary labor, materials and equipment.

Prior to commencement of the Work, Customer shall identify for Idaho Power the location of all underground pipes, lines, and other facilities (collectively, the "Underground Lines") that may be on Customer's property where Idaho Power is working. Customer agrees to be responsible for identification and location of all Underground Lines and shall indemnify, defend, reimburse and hold harmless Idaho Power and its successors and their respective directors, officers, members, employees, representatives, and agents for, from, and against any and all claims, liabilities, losses, damages, expenses, suits, actions, proceedings, judgments and costs of any kind (collectively, "Damages"), whether actual or merely alleged and whether directly incurred or from a third party, arising out of or relating to Customer's failure to properly or adequately identify and locate the Underground Lines, except to the extent finally determined by a court of law that such Damages resulted from the gross negligence or willful misconduct of Idaho Power, its agents, subcontractors, employees, officers or directors.

Customer acknowledges Idaho Power's Rule C (Service and Limitations), Section 7 (Rights of Way) on file with the IPUC and OPUC: "The Customer shall, without cost to the Company, grant the Company a right of way for the Company's lines and apparatus across and upon the property owned or controlled by the Customer, necessary or incidental to the supplying of Electric Service and shall permit access thereto by the Company's employees at all reasonable hours." By signing this form, Customer grants to Idaho Power a perpetual right-of-way over Customer's property for the installation, operation, replacement and maintenance of power facilities to provide electrical service to Customer and any future owners of Customer's property.

- NA (Customer Initials) Charges for relocation, transfer or removal of non-Idaho Power equipment attached to Idaho Power Facilities are not included in this Cost Quote. It is the Customer's responsibility to coordinate this work with the affected utility. All charges associated with this work are the responsibility of the Customer. For utility contact information, please call 208-388-2886.
- NA (Customer Initials) Charges for installation of underground electrical service are not included in this Cost Quote and will be billed to the customer after work has completed
- NA (Customer Initials) The customer acknowledges receipt of the Underground Residential Conduit Installation Requirements brochure/packet, also available at idahopower.com

Customer Signature X 
TRAIL CREEK FUND, LLC

Date X May 31, 2018

IPCo Representative X Cyndi Bradshaw

Quotation Date X 5/18/18



CUSTOMER COST QUOTE IDAHO

Customer or Project Name: TRAIL CREEK FUND - LEADVILLE & RIVER ST - OVERHEAD	Design Number: 0000118210	Version: 002	Work Order #: 27463132
--------------------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

	Prepaid Fees	Debit	Credit	Totals
Line Installation Cost				
1. Line Installation/Upgrade Costs		414	0	
2. Company Betterment / Other Credits			0	
3. Salvage IPCO - Credit			0	
4. Customer Provided Trench				414
5. Net Line Installation Cost				414
Terminal Facilities		0		
6. Terminal Facilities			0	
7. Customer Allowance			295	
8. Salvage Term Credit				0
9. Net Terminal Facilities				0
10. Unusual Conditions		26,063		
11. Bank Letter of Credit <i>(Only for Unusual Conditions over \$10,000)</i>				26,477
12. Net Construction Cost				26,063
13. Net Vested OR Refundable Construction Cost <i>(Limited to 5 years or 4 additional applicants)</i>				414
14. Construction Cost Not Available for Vesting or Refund				
Other Charges				
15. Vested Interest Work Order #		0		
16. Billable Permits		0		
17. Prepaid Permits	\$ 0	3,330		
18. Billable Engineering Charges	\$ 0			
19. Prepaid Engineering Charges		0		
20. Underground Service Attachment Charge		0		
21. Relocation or removal with new capacity		42,480		
22. Relocation or removal with NO new capacity			0	
23. Salvage Credit Relocation			0	
24. Miscellaneous Charges/Adjustments		0		
25. Net Other Charges				45,810
26. Total Work Order Charges		\$ 72,287		
27. Idaho Power Co. Contribution & Other Credits			\$ 295	
28. Total Customer Payment Due (Line 12 + Line 25)				\$ 72,287

Customer signature is required on Page 2 of this document

Notes: _____

[Handwritten Signature]
5/31/2016



May 18, 2018

Trail Creek Fund LLC
Attn: Jack Bariteau
PO Box 84
Sun Valley, ID 83353

Work Order Number: 27463132
Project Name: Trail Creek Fund, LLC - Leadville
Address or Job Location: Leadville & River St.
Project City, State, Zip: Ketchum, ID 83340
In accordance with your request: Reconstruct existing underground power facilities for planned construction of new hotel.

Line Installation/Upgrade Costs (Line 1)	\$ 414.00
Line Installation Credits (Betterment, Salvage, Customer Trench) (Lines 2-4)	\$ -
Terminal Facilities (Line 6)	
Customer Allowance (Line 7)	
Salvage Terminal Credit (Line 8)	\$ 295.00
Unusual Conditions (Line 10)	\$ 26,063.00
Net Other Charges (Eng Charges, Permits, Misc Charges) (Lines 15-24)	\$ 45,810.00
Amount to be paid and received prior to job being scheduled for construction. Quote good for sixty (60) days.	\$ 72,287.00

- Please remit payment.
- Please return signed and dated Service Request and Customer Cost document (attached).
- Please return signed and dated Work Order Map.
- Other

Comments: Jack - this invoice is for the required work associated with Highway 75 overhead to underground relocation, but located on Leadville and East River Street.

Work order will not be released for construction scheduling until payment and/or requested documents are signed and returned. This quote is binding on the Company for a period of sixty days (60) from the date on this letter, and subject to change if information provided by the customer changes.

PLEASE RETURN SIGNED DOCUMENTS TO:

IDAHO POWER COMPANY
Attn: Cyndi Bradshaw
PO Box 3909 or 11831 Highway 75
Hailey, ID 83333

If there are any questions, please contact:

Cyndi @ (208) 788-8002



Account Number: 2270332253

Questions? Call (208) 388-2323 (Treasure Valley)
or 1-800-488-6151. Se habla español.

JUNE 09, 2018

TRAIL CREEK FUND LLC
%EAGAN REAL ESTATE
PO BOX 84
SUN VALLEY, ID 83353

PAYMENT RECEIPT

Dear TRAIL CREEK FUND LLC,

Thank you for your payment in the amount of \$72287.00. We received your check #4780 on 06/08/2018 for the following construction project(s).

Description/Work Order #	Payment Amount	Balance Owing
LEADVILLE AVE Work Order: 27463132 WORK ORDER: 274	\$72,287.00	\$0.00

We appreciate the opportunity to serve you. If you have any questions regarding this receipt, please contact Idaho Power at (208) 388-2323 (Treasure Valley) or 1-800-488-6151.

Thank you.

Please detach and return the portion below with your payment. Please bring entire statement when paying at a pay station.



PO BOX 70
BOISE, ID 83707

(208) 388-2323 (Treasure Valley)



TRAIL CREEK FUND LLC
%EAGAN REAL ESTATE
PO BOX 84
SUN VALLEY, ID 83353-0084



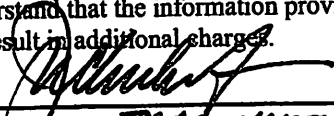
Idaho Power Company
Service Request

Page: 2
Date: 3/27/2018


Service Request Number: 00374366

TRAIL CREEK FUND LLC-OH TO UG ALONG HWY 75 FOR AUBERGE HOTEL

I understand that the information provided above is accurate to the best of my knowledge. Changes to load; voltage; location; etc may result in additional charges.



Client Signature *Tracy* Date *5/22/2018*



Idaho Power Representative Signature Date *03/27/18*



Idaho Power Company
Service Request

Service Request Number: 00374366

TRAIL CREEK FUND LLC-OH TO UG ALONG HWY 75 FOR AUBERGE HOTEL

Work Order Number:	27437045	Eng Hours:	00092
Request Type:	RL	Eng Fee Amount(Att98):	6,808.00
Rate Sch.:		Eng Fee Amount(Att16):	
Reply By:		Eng Fee Service Agreement No:	
		Eng Fee Service Agreement Date:	
		Customer No:	2270224088
Feeder:	KCHM11B		
Service Location:	HIGHWAY 75 KETCHUM, ID 83340		
Required in Service Date:	10/2/2018		
Planning Center/Team:	HAILEY		

Contact Detail:

252R TRAIL CREEK FUND LLC	650-906-5636
PO BOX 84, SUN VALLEY ID 83353	
CUST JACK BARITEAU	650-906-5636
IPCO CYNDI BRADSHAW	208-788-8002
SR DISTRIBUTION DESIGNER,	

Attribute Information

Facilities Charge

Service Voltage	No. Of Meters
Number of Phases	Meter Location
KW Motor Load:	Ct Loc
Largest Motor	Primary OH/UG
1 Phase KW Demand	Service OH/UG
3 Phase KW Demand	Srv Owner
Total Connected KW Load	Panel Amp Size
Commercial Deposit Amount	Service Pole Riser
SIC Number	

Description

The scope of this project is to relocate the existing overhead power facilities to underground along Highway 75 beginning at River Street in Ketchum and south to Gem Street area.

All local service must be re-served and easements for new padmounted equipment on private property will be required.

Portions of this work are contingent upon obtaining the necessary easements and property associated with placing new equipment.

Beginning construction is contingent on material availability and permitting from the City of Ketchum.

Customer or Project Name: TRAIL CREEK FUND LLC - RIVER TO GEM 11-2016	Design Number: 0000111304	Version: 004	Work Order #: 27437045
---------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

Total Customer Payment Due Prior to Construction Scheduling

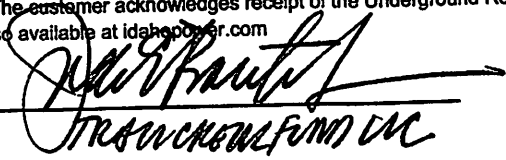
\$ 698,273

Notice: This Customer Cost Quote shall be binding on both Idaho Power Company ("Idaho Power") and Customer for a period of sixty (60) days from the date below indicated, subject to changes in information provided by Customer or changes in Idaho Power's ability to obtain satisfactory rights-of-way or to comply with governmental regulations, including but not limited to the rules, regulations, and tariffs of the Idaho Public Utilities Commission ("IPUC") and the Public Utility Commission of Oregon ("OPUC"). Customer must make payment of the quoted amount not less than thirty (30) days prior to the start of the construction work set forth above (the "Work"), but Idaho Power does not represent that the Work will commence within 30 days of receipt of payment. The start of the Work is subject to Idaho Power's ability to obtain the necessary labor, materials and equipment.

Prior to commencement of the Work, Customer shall identify for Idaho Power the location of all underground pipes, lines, and other facilities (collectively, the "Underground Lines") that may be on Customer's property where Idaho Power is working. Customer agrees to be responsible for identification and location of all Underground Lines and shall indemnify, defend, reimburse and hold harmless Idaho Power and its successors and their respective directors, officers, members, employees, representatives, and agents for, from, and against any and all claims, liabilities, losses, damages, expenses, suits, actions, proceedings, judgments and costs of any kind (collectively, "Damages"), whether actual or merely alleged and whether directly incurred or from a third party, arising out of or relating to Customer's failure to properly or adequately identify and locate the Underground Lines, except to the extent finally determined by a court of law that such Damages resulted from the gross negligence or willful misconduct of Idaho Power, its agents, subcontractors, employees, officers or directors.

Customer acknowledges Idaho Power's Rule C (Service and Limitations), Section 7 (Rights of Way) on file with the IPUC and OPUC: "The Customer shall, without cost to the Company, grant the Company a right of way for the Company's lines and apparatus across and upon the property owned or controlled by the Customer, necessary or incidental to the supplying of Electric Service and shall permit access thereto by the Company's employees at all reasonable hours." By signing this form, Customer grants to Idaho Power a perpetual right-of-way over Customer's property for the installation, operation, replacement and maintenance of power facilities to provide electrical service to Customer and any future owners of Customer's property.

- NA (Customer Initials) Charges for relocation, transfer or removal of non-Idaho Power equipment attached to Idaho Power Facilities are not included in this Cost Quote. It is the Customer's responsibility to coordinate this work with the affected utility. All charges associated with this work are the responsibility of the Customer. For utility contact information, please call 208-388-2886.
- NA (Customer Initials) Charges for installation of underground electrical service are not included in this Cost Quote and will be billed to the customer after work has completed
- NA (Customer Initials) The customer acknowledges receipt of the Underground Residential Conduit Installation Requirements brochure/packet, also available at idahopower.com

Customer Signature X 
TRAVIS KRENEL

Date X *5/25/2018*

IPCo Representative X *Cyndi Bradshaw*

Quotation Date X 03/27/18



CUSTOMER COST QUOTE IDAHO

Customer or Project Name: TRAIL CREEK FUND LLC - RIVER TO GEM 11-2016	Design Number: 0000111304	Version: 004	Work Order #: 27437045
---------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

	Prepaid Fees	Debit	Credit	Totals
Line Installation Cost				
1. Line Installation/Upgrade Costs		2,057		
2. Company Betterment / Other Credits			2,057	
3. Salvage IPCO - Credit			0	
4. Customer Provided Trench			0	
5. Net Line Installation Cost				0
Terminal Facilities				
6. Terminal Facilities		0		
7. Customer Allowance			0	
8. Salvage Term Credit				0
9. Net Terminal Facilities				0
10. Unusual Conditions		83,232		
11. Bank Letter of Credit <i>(Only for Unusual Conditions over \$10,000)</i>			0	
12. Net Construction Cost				83,232
13. Net Vested OR Refundable Construction Cost <i>(Limited to 5 years or 4 additional applicants)</i>				83,232
14. Construction Cost Not Available for Vesting or Refund				0
Other Charges				
15. Vested Interest Work Order #		0		
		0		
16. Billable Permits				
17. Prepaid Permits	\$ 50			
18. Billable Engineering Charges		6,290		
19. Prepaid Engineering Charges	\$ 6,164			
20. Underground Service Attachment Charge		0		
21. Relocation or removal with new capacity		0		
22. Relocation or removal with NO new capacity		608,751		
23. Salvage Credit Relocation			0	
24. Miscellaneous Charges/Adjustments		0		
25. Net Other Charges				615,041
26. Total Work Order Charges		\$ 700,330		
27. Idaho Power Co. Contribution & Other Credits			\$ 2,057	
28. Total Customer Payment Due (Line 12 + Line 25)				\$ 698,273

Customer signature is required on Page 2 of this document

Notes: _____



March 27, 2018

Trail Creek Fund, LLC
Attn: Jack Bariteau
PO Box 84
Sun Valley, ID 83353

Work Order Number: 27437045
Project Name: Trail Creek Fund, LLC
Address or Job Location: River St & Highway 75
Project City, State, Zip: Ketchum, ID 83340
In accordance with your request: Relocate existing overhead facilities to underground using padmounted equipment and underground power lines.

Line Installation/Upgrade Costs (Line 1)	\$ 2,057.00
Line Installation Credits (Betterment, Salvage, Customer Trench) (Lines 2-4)	<u>\$ 2,057.00</u>
Terminal Facilities (Line 6)	<u> </u>
Customer Allowance (Line 7)	<u> </u>
Salvage Terminal Credit (Line 8)	<u> </u>
Unusual Conditions (Line 10)	\$ 83,232.00
Net Other Charges (Eng Charges, Permits, Misc Charges) (Lines 15-24)	<u>\$ 615,041.00</u>
Amount to be paid and received prior to job being scheduled for construction. Quote good for sixty (60) days.	<u><u>\$ 698,273.00</u></u>

- Please remit payment.
- Please return signed and dated Service Request and Customer Cost document (attached).
- Please return signed and dated Work Order Map.
- Other

Comments: City of Ketchum Dig Permit
ITD Permit
Easements Required

Work order will not be released for construction scheduling until payment and/or requested documents are signed and returned. This quote is binding on the Company for a period of sixty days (60) from the date on this letter, and subject to change if information provided by the customer changes.

PLEASE RETURN SIGNED DOCUMENTS TO:

IDAHO POWER COMPANY
Attn: Cyndi Bradshaw
PO Box 3909 or 11831 Highway 75
Hailey, ID 83333

If there are any questions, please contact:

Cyndi @ (208) 788-8002



Account Number: 2270224088

Questions? Call (208) 388-2323 (Treasure Valley) or 1-800-488-6151. Se habla español.

JUNE 09, 2018

TRAIL CREEK FUND LLC
%EAGAN REAL ESTATE
PO BOX 84
SUN VALLEY, ID 83353

PAYMENT RECEIPT

Dear TRAIL CREEK FUND LLC,

Thank you for your payment in the amount of \$498,273.00. We received your check #211655 on 06/08/2018 for the following construction project(s).

Description/Work Order #	Payment Amount	Balance Owing
HIGHWAY 75 Work Order: 27437045 WORK ORDER: 274370	\$498,273.00	\$6,290.00 CR

We appreciate the opportunity to serve you. If you have any questions regarding this receipt, please contact Idaho Power at (208) 388-2323 (Treasure Valley) or 1-800-488-6151.

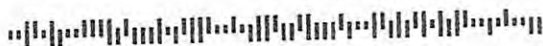
Thank you.

Please detach and return the portion below with your payment. Please bring entire statement when paying at a pay station.



PO BOX 70
BOISE, ID 83707

(208) 388-2323 (Treasure Valley)



760 1 AB 0.405
TRAIL CREEK FUND LLC
%EAGAN REAL ESTATE
PO BOX 84
SUN VALLEY, ID 83353-0084

T201 00000760 5 760



D.L. EVANS BANK
680 Sun Valley Road, Suite 101
Ketchikan, Idaho 83340

4777
07/09
5/18/2018

TRAIL CREEK FUND LLC 07/09
C/O EAGAN REAL ESTATE, INC.
P.O. BOX 84
SUN VALLEY, ID 83353

PAY TO THE ORDER OF Idaho Power \$ **200,000.00

Two Hundred Thousand and 00/100..... DOLLARS

Idaho Power
PO Box 34966
Seattle, WA 98124-1666

MEMO Work Order # 27437045

AUTHORIZED SIGNATURE

⑆004777⑆ ⑆124103582⑆915 00224 2⑆

Photo Safe Deposit

Debit on Back

DDA Debits - 5/23/2018

ELECTRONICALLY PRESENTED - 5/23/2018 2

0910310631
2018-05-23

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
CASH ON HAND ONLY
30066715

⑆004777⑆

DDA Debits - 5/23/2018



Idaho Power Company
Service Request

Service Request Number: 00374366

TRAIL CREEK FUND LLC-OH TO UG ALONG HWY 75 FOR AUBERGE HOTEL

Work Order Number:	27437045	Eng Hours:	00092
Request Type:	RL	Eng Fee Amount(Att98):	6,808.00
Rate Sch.:		Eng Fee Amount(Att16):	
Reply By:		Eng Fee Service Agreement No:	
		Eng Fee Service Agreement Date:	
		Customer No:	2270224088
Feeder:	KCHM11B		
Service Location:	HIGHWAY 75 KETCHUM, ID 83340		
Required in Service Date:	10/2/2018		
Planning Center/Team:	HAILEY		

Contact Detail:

252R	TRAIL CREEK FUND LLC	650-906-5636
	PO BOX 84, SUN VALLEY ID 83353	
CUST	JACK BARITEAU	650-906-5636
IPCO	CYNDI BRADSHAW	208-788-8002
	SR DISTRIBUTION DESIGNER,	

Attribute Information

Facilities Charge

Service Voltage	No. Of Meters
Number of Phases	Meter Location
KW Motor Load:	Ct Loc
Largest Motor	Primary OH/UG
1 Phase KW Demand	Service OH/UG
3 Phase KW Demand	Srv Owner
Total Connected KW Load	Panel Amp Size
Commercial Deposit Amount	Service Pole Riser
SIC Number	

Description

The scope of this project is to relocate the existing overhead power facilities to underground along Highway 75 beginning at River Street in Ketchum and south to Gem Street area.

All local service must be re-served and easements for new padmounted equipment on private property will be required.

Portions of this work are contingent upon obtaining the necessary easements and property associated with placing new equipment.

Beginning construction is contingent on material availability and permitting from the City of Ketchum.

Customer or Project Name: TRAIL CREEK FUND LLC - RIVER TO GEM 11-2016	Design Number: 0000111304	Version: 004	Work Order #: 27437045
---------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

Total Customer Payment Due Prior to Construction Scheduling

\$ 698,273

Notice: This Customer Cost Quote shall be binding on both Idaho Power Company ("Idaho Power") and Customer for a period of sixty (60) days from the date below indicated, subject to changes in information provided by Customer or changes in Idaho Power's ability to obtain satisfactory rights-of-way or to comply with governmental regulations, including but not limited to the rules, regulations, and tariffs of the Idaho Public Utilities Commission ("IPUC") and the Public Utility Commission of Oregon ("OPUC"). Customer must make payment of the quoted amount not less than thirty (30) days prior to the start of the construction work set forth above (the "Work"), but Idaho Power does not represent that the Work will commence within 30 days of receipt of payment. The start of the Work is subject to Idaho Power's ability to obtain the necessary labor, materials and equipment.

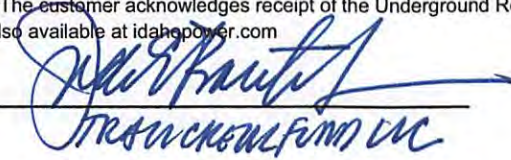
Prior to commencement of the Work, Customer shall identify for Idaho Power the location of all underground pipes, lines, and other facilities (collectively, the "Underground Lines") that may be on Customer's property where Idaho Power is working. Customer agrees to be responsible for identification and location of all Underground Lines and shall indemnify, defend, reimburse and hold harmless Idaho Power and its successors and their respective directors, officers, members, employees, representatives, and agents for, from, and against any and all claims, liabilities, losses, damages, expenses, suits, actions, proceedings, judgments and costs of any kind (collectively, "Damages"), whether actual or merely alleged and whether directly incurred or from a third party, arising out of or relating to Customer's failure to properly or adequately identify and locate the Underground Lines, except to the extent finally determined by a court of law that such Damages resulted from the gross negligence or willful misconduct of Idaho Power, its agents, subcontractors, employees, officers or directors.

Customer acknowledges Idaho Power's Rule C (Service and Limitations), Section 7 (Rights of Way) on file with the IPUC and OPUC: "The Customer shall, without cost to the Company, grant the Company a right of way for the Company's lines and apparatus across and upon the property owned or controlled by the Customer, necessary or incidental to the supplying of Electric Service and shall permit access thereto by the Company's employees at all reasonable hours." By signing this form, Customer grants to Idaho Power a perpetual right-of-way over Customer's property for the installation, operation, replacement and maintenance of power facilities to provide electrical service to Customer and any future owners of Customer's property.

NA (Customer Initials) Charges for relocation, transfer or removal of non-Idaho Power equipment attached to Idaho Power Facilities are not included in this Cost Quote. It is the Customer's responsibility to coordinate this work with the affected utility. All charges associated with this work are the responsibility of the Customer. For utility contact information, please call 208-388-2886.

NA (Customer Initials) Charges for installation of underground electrical service are not included in this Cost Quote and will be billed to the customer after work has completed

NA (Customer Initials) The customer acknowledges receipt of the Underground Residential Conduit Installation Requirements brochure/packet, also available at idahopower.com

Customer Signature X 
TRAIL CREEK FUND LLC

Date X 

IPCo Representative X Cyndi Bradshaw

Quotation Date X 03/27/18



CUSTOMER COST QUOTE IDAHO

Customer or Project Name: TRAIL CREEK FUND LLC - RIVER TO GEM 11-2016	Design Number: 0000111304	Version: 004	Work Order #: 27437045
---------------------------------------------------------------------------------	-------------------------------------	------------------------	----------------------------------

	Prepaid Fees	Debit	Credit	Totals
Line Installation Cost				
1. Line Installation/Upgrade Costs		2,057		
2. Company Betterment / Other Credits			2,057	
3. Salvage IPCO - Credit			0	
4. Customer Provided Trench			0	
5. Net Line Installation Cost				0
Terminal Facilities				
6. Terminal Facilities		0		
7. Customer Allowance			0	
8. Salvage Term Credit			0	
9. Net Terminal Facilities				0
10. Unusual Conditions		83,232		
11. Bank Letter of Credit <i>(Only for Unusual Conditions over \$10,000)</i>			0	
12. Net Construction Cost				83,232
13. Net Vested OR Refundable Construction Cost <i>(Limited to 5 years or 4 additional applicants)</i>				83,232
14. Construction Cost Not Available for Vesting or Refund				0
Other Charges				
15. Vested Interest Work Order #		0		
16. Billable Permits		0		
17. Prepaid Permits	\$ 50			
18. Billable Engineering Charges		6,290		
19. Prepaid Engineering Charges	\$ 6,164			
20. Underground Service Attachment Charge		0		
21. Relocation or removal with new capacity		0		
22. Relocation or removal with NO new capacity		608,751		
23. Salvage Credit Relocation			0	
24. Miscellaneous Charges/Adjustments		0		
25. Net Other Charges				615,041
26. Total Work Order Charges		\$ 700,330		
27. Idaho Power Co. Contribution & Other Credits			\$ 2,057	
28. Total Customer Payment Due (Line 12 + Line 25)				\$ 698,273

Customer signature is required on Page 2 of this document

Notes: _____

[Handwritten Signature]
3/25/2018



March 27, 2018

Trail Creek Fund, LLC
Attn: Jack Bariteau
PO Box 84
Sun Valley, ID 83353

Work Order Number: 27437045
Project Name: Trail Creek Fund, LLC
Address or Job Location: River St & Highway 75
Project City, State, Zip: Ketchum, ID 83340
In accordance with your request: Relocate existing overhead facilities to underground using padmounted equipment and underground power lines.

Line Installation/Upgrade Costs (Line 1)	\$ 2,057.00
Line Installation Credits (Betterment, Salvage, Customer Trench) (Lines 2-4)	\$ 2,057.00
Terminal Facilities (Line 6)	
Customer Allowance (Line 7)	
Salvage Terminal Credit (Line 8)	
Unusual Conditions (Line 10)	\$ 83,232.00
Net Other Charges (Eng Charges, Permits, Misc Charges) (Lines 15-24)	\$ 615,041.00
Amount to be paid and received prior to job being scheduled for construction. Quote good for sixty (60) days.	\$ 698,273.00

- Please remit payment.
- Please return signed and dated Service Request and Customer Cost document (attached).
- Please return signed and dated Work Order Map.
- Other

Comments: City of Ketchum Dig Permit
ITD Permit
Easements Required

Work order will not be released for construction scheduling until payment and/or requested documents are signed and returned. This quote is binding on the Company for a period of sixty days (60) from the date on this letter, and subject to change if information provided by the customer changes.

PLEASE RETURN SIGNED DOCUMENTS TO:

IDAHO POWER COMPANY
Attn: Cyndi Bradshaw
PO Box 3909 or 11831 Highway 75
Hailey, ID 83333

If there are any questions, please contact:

Cyndi @ (208) 788-8002



October 8, 2018

Mayor Neil Bradshaw
City of Ketchum
480 East Ave. North
Ketchum, ID 83340

Subject: Auberge Hotel Underground Project (Trail Creek Fund LLC)

Mayor Bradshaw:

Idaho Power very much appreciated providing you an update on the undergrounding of the distribution line in front of the proposed Auberge Hotel. The developer of Trail Creek Fund LLC, Jack Bariteau, has fulfilled his obligation by making full payment for the project in June 2018. Idaho Power has been diligently working on commencing construction for the project.

On September 18, 2018, our contractor started staging equipment and materials to complete the underground conduit and splice boxes necessary to relocate the overhead line to underground. This work will also include any pavement and trenching repair resulting from construction activities. To date, we believe the contractor is about 20 percent complete. Idaho Power anticipates this work will be completed by December 2018. Due to winter weather, the remaining portion of the project, pulling and terminating the conductor (wire) and removal of the existing overhead line, will be deferred.

Idaho Power will competitively bid the remaining portion of the project this fall and be ready to start the final phase as soon as the appropriate permits are received in the Spring. This is contingent on snowmelt and the ambient temperatures necessary to complete the work. We anticipate all work will be completed by late-June 2019.

Idaho Power appreciates your patience and support on this project. If there is any additional information you need, please feel free to contact me at (208) 736-3473 or Cyndi Bradshaw in our Hailey office at (208) 788-8002.

Sincerely,

Ryan N. Adelman, PE
Idaho Power Company
Regional Manager, South-East Region

cc: Suzanne Frick, Ketchum City Administrator (email)
Dan Olmstead, Idaho Power Company, Community Relations Representative (email)
Jori Tate, Idaho Power Company, Area Manager (email)
Cyndi Bradshaw, Idaho Power Company, Senior Distribution Designer (email)



LW Hospitality Advisors®
4660 La Jolla Village Dr., Suite 100
San Diego, CA 92122
(619) 340-0200
www.lwhospitalityadvisors.com

November 1, 2022

Mr. Jack Bariteau
Managing Member
Harriman Ketchum Hotel, LLC
P.O. Box 84
Sun Valley, ID 83353

RE: Rental Participation Rates for Individually Owned Condominium Units Within a Hotel Project

Dear Mr. Bariteau:

Pursuant to your request we have prepared this letter addressing typical rental participation rates for condominium units within resort hotel projects. By way of background, I have been involved in hospitality real estate for the past 40 years. During this time I've worked on numerous hotel projects that contain third-party owned condo units - both existing and proposed properties. My qualifications are attached to this letter.

I understand that your hotel project will include 73 hotel rooms and have 12 condominium units in two to four bedroom configurations on the hotels top two floors (six of which will have lock-off rooms).

My observation has been that at least 50% and up to 100% of the owners of individual condominium units within a hotel put their units into a rental program when such a program is available. Specific examples are noted below.

- **Hotel Park City, Park City, UT** – the owner/manager of this 99-unit property reported that all owners participate in the rental program. This property includes a mix of studios, one-bedroom, and two-bedroom units.
- **Pendry Hotel, Park City, UT** – the manager of this recently-opened 165-unit property reported that roughly 85% of the owners participate in the rental program. This property includes a mix of standard sized hotel rooms (lock off's), studio, one-bedroom, and two-bedroom units.
- **St. Regis Hotel, Park City (Deer Valley), UT** – the manager of this property reported that all 67 condominium unit owners participate in the rental program, though some with lock-off's hold back one room. The units have three keys each.
- **Ritz-Carlton Northstar, Truckee, CA** – a reliable confidential source reported that 10 to 12 of the 23 unit owners participate in the rental program.

- **Madeline Auberge Hotel, Telluride, CO** – a reliable confidential source reported that 53 of the 68 unit owners participate in the rental program.
- **Stein Erikson Lodge, Park City (Deer Valley), UT** – a reliable confidential source reported a 50% participation rate in their rental program. The development contains 40 condominium units.
- **Montage Hotel, Park City (Deer Valley), UT** – a reliable confidential source reported a 50% participation rate in their rental program. The resort has 83 residential units.
- **Four Seasons Vail, Vail, CO** – the manager reported that the hotel is comprised of 110 guestrooms and suites as well as 32 private third-party owned residences, with 22 of the private residences participating in the hotel rental program.

As noted above, rental program participation rates at these similar mountain resort properties range from roughly 50% to 100%, with most exceeding 70% participation. It is important to note that none of these properties mandate participation in a rental program. Based upon my 40-plus years of education, training and experience in the hospitality industry it is my opinion that it is more likely than not that the participation rate in the Appellation rental program will exceed 50%.

Please let me know if you have any questions, or if I can be of further assistance.

Respectfully submitted,

LW Hospitality Advisors[®]



Mark Lukens, MAI
Managing Director

Attachment

Hospitality Employment

- LWHA – LW Hospitality Advisors – 2015 – present – **Managing Director** – Provide real estate consulting services to the lodging, convention, golf, and gaming industries, including appraisals, market impact studies, feasibility/market studies, litigation support and investment analysis.
- HREC - Hospitality Real Estate Counselors. - 2010 to 2015 – **Senior Vice President** – Provided specialized consulting and brokerage services exclusively to the lodging, convention, and gaming industries, including real estate and business valuations, market impact and feasibility studies, litigation support and investment analysis.
- JLL Hotels, Seattle, WA – 2007 to 2009 – **Senior Vice President** – Led the Pacific Northwest office for the hospitality real estate investment services firm.
- Wyndham Vacation Ownership, Seattle, WA – 2002 to 2007 – **Vice President, Acquisitions & Development** – Responsible for real estate acquisitions and development in the Western US for the world's largest vacation ownership resort developer, marketer and manager.
- Starwood Hotels & Resorts, Seattle, WA – 1995 to 1999 – **Director of Development** – Responsible for Starwood's growth through new development, acquisitions, and procuring management and franchise agreements.
- Hospitality Valuation Services (HVS), San Francisco, CA – 1991 to 1995 – **Senior Vice President** – Managed staff, sold engagements, performed and oversaw consulting/valuation assignments for this international real estate consulting firm specializing in the hospitality, leisure, and gaming industries.
- Prior Experience, San Diego, California - Senior hospitality/real estate consulting positions with Kenneth Leventhal & Co and PKF Consulting. Hotel management positions with IHG.

Professional Designations

MAI – Appraisal Institute

Certified General Real Estate Appraiser (#1100330) – Washington

Certified General Real Estate Appraiser (#AG002368) – California

Certified General Real Estate Appraiser (#CG.200002052) – Colorado

Certified General Real Estate Appraiser (#31829) – Arizona

Certified General Real Estate Appraiser (#9167156-CG00) – Utah

Certified General Real Estate Appraiser (#1205076388) – Michigan

Certified General Real Estate Appraiser (#C001451) – Oregon

Certified General Real Estate Appraiser (#CGA-1513-0) – Hawaii

Principal Broker (#9167156-PB00) - Utah

Education

University of San Diego

School of Business, Masters of Business Administration

Washington State University

School of Hotel Administration, Bachelor of Arts

Appraisal Institute

Completion of all coursework required for MAI designation and continuing education

Appearance as a Lodging Expert Witness

- Board of Property Tax Appeals, Municipality of Anchorage, Anchorage (testimony)
- Michigan Board of Tax Review, Detroit (deposition)
- Indiana Board of Tax Review, Indianapolis (deposition and testimony)
- United States District Court, District of Oregon (deposition)
- United States Bankruptcy Court, District of Pennsylvania (deposition and testimony)
- United States Bankruptcy Court, District of Arizona (deposition, trial preparation)
- United States Bankruptcy Court, District of Arizona (deposition and testimony)
- United States Bankruptcy Court, Western District of Texas (deposition, trial preparation)
- United States Bankruptcy Court, District of Washington (deposition and testimony)
- Superior Court of California, County of San Diego (expert witness for arbitration)



Examples of Corporate and Institutional Clients Served

ACORE Capital, AIG, Bancaja, Bancplus, Bank of America, Bank of the West, Blum Capital, Caixa Galicia, Caixanova, China State Construction Engineering Corporation Limited, C-III Asset Management, CIM Group, Citibank, Cox, Castle & Nicholson, LLP, Deutsche Bank, Fuji Bank, Goldman Sachs, Great Western Bank, Haglund, Kelley, Horngren Jones & Wilder, LLP, Hall Structured Finance, Herrick, Feinstein, LLP, InterContinental Hotel Group, JP Morgan Chase, Latham & Watkins, Lodging Capital Partners, Luce, Forward, Hamilton &

Scripps, Marriott Corporation, Mosaic Real Estate Investors, M&T Bank, New York Life Insurance Co., Nomura Securities, Olympic Real Estate Investors, Pacific Western Bank, Prudential Real Estate Investors, SBE Entertainment Group, Silverpeak Argentic, Starwood Capital, Starwood Hotels & Resorts, Sumitomo Bank, Union Bank, United Technologies, University of Washington, U.S. Bank, Walton Street Capital, Wells Fargo Bank, Wyndham Worldwide, Yasuda Trust and Banking Co., Ltd.

Partial List of Market Studies and Appraisals of Lodging Facilities by Mark Lukens, MAI

ALASKA

Sheraton Anchorage, Anchorage
Dukes Hotel, Anchorage
Alyeska Resort, Girdwood
Hotel Captain Cook, Anchorage
Barratt Inn, Anchorage
Marriott, Anchorage
Alpine Lodge, Fairbanks

ARIZONA

Hilton Tapatio Resort, Phoenix
InnPlace Hotel, Phoenix
Pt. South Mountain Resort, Phoenix
Country Inn & Suites, Scottsdale
Resort Suites, Scottsdale
Scottsdale Princess, Scottsdale
Hotel Tempe, Tempe
Lodge on the Desert, Tucson
Resort Hotel, Tucson
Radisson Suites Hotel, Tucson
Westin La Paloma, Tucson

CALIFORNIA

Proposed Hotel Indigo, Arcadia
Shattuck Hotel, Berkeley
Peninsula Hotel, Beverly Hills
Crown Sterling Suites, Burlingame
Calistoga Ranch, Calistoga, CA
Dr. Wilkinson's Spa, Calistoga, CA
Four Seasons Resort, Calistoga, CA
Cambria Pines Lodge, Cambria
Best Western Fireside Inn, Cambria
Olympic Resort Hotel, Carlsbad
Proposed Four Seasons Hotel, Carlsbad
Otay Valley Inn, Chula Vista
Loew's Hotel, Coronado
Le Meridien Hotel, Coronado
Red Lion Hotel, Costa Mesa
Ritz-Carlton, Laguna Niguel
Hilton Del Mar, Del Mar
Grand Del Mar, Del Mar
L'Auberge Del Mar, Del Mar
El Rancho Hotel, Davis
Singing Hills Resort, El Cajon
Fairfield Inn, El Segunda
Aloft, El Segunda
Holiday Inn Express, Elk Grove
Days Inn, Emeryville
Proposed Resort Hotel, Encinitas
Chateau Inn, Fresno
Proposed Hampton Inn, Fresno
Picadilly Inn, Fresno
Marriott Suites, Fullerton
Proposed aloft Hotel, Glendale
Dream Hotel, Hollywood
Proposed CitizenM, Hollywood
Godfrey Hotel, Hollywood
La Jolla Marriott, La Jolla
Hyatt Regency Aventine, La Jolla
La Jolla Embassy Suites, La Jolla
La Jolla Shores Inn, La Jolla
Long Beach Marriott, Long Beach
Queen Mary, Long Beach
Century City Inn, Los Angeles
Marina del Rey Suites, Los Angeles
Days Inn-LAX, Los Angeles
LAX Airport Hilton, Los Angeles
Nomad Hotel, Los Angeles
Proposed CitizenM, Los Angeles
Proposed Line Hotel, Los Angeles
Radisson Hotel, Los Angeles

SLS Hotel, Los Angeles
Garland Hotel, Los Angeles
Surfrider Hotel, Malibu
Proposed Luxury Hotel, Menlo Park
Proposed Quality Suites, Millbrae
San Ysidro Ranch, Montecito
Proposed Cambria Hotel, Napa
Stanly Ranch, Napa
Marriott, Newport Beach
Marriott Suites, Newport Beach
Marriott Courtyard, Oakland
Marriott City Center, Oakland
Radisson, Oakland
Resort at Squaw Creek, Olympic Valley
Embassy Suites, Ontario
Red Lion Hotel, Ontario
Hilton, Ontario
Proposed Residence Inn, Palm Desert
Ace Hotel, Palm Springs
Hard Rock Hotel, Palm Springs
Renaissance Hotel, Palm Springs
Holiday Inn, Palm Springs
Proposed Thompson, Palm Springs
Karaoke Pensione, Palm Springs
Quality Suites Hotel, Pismo Beach
Doubletree Hotel, Rancho Bernardo
Proposed Cambria Hotel, Rohnert Park
Hampton Inn, Riverside
Mission Inn, Riverside
Ramada Hotel, Riverside
Comfort Inn, Sacramento
El Rancho Hotel, Sacramento
Howard Johnson's, Sacramento
Westin Hotel, Sacramento
Proposed Resort Hotel, Sand City
Marriott Courtyard, San Diego
Otay Valley Inn, San Diego
Old Town Comfort Inn, San Diego
Hotel Solamar, San Diego
Hanalei Hotel, San Diego
Hilton Mission Bay, San Diego
Hilton Gaslamp, Sa Diego
Paradise Point Resort, San Diego
Ramada Downtown, San Diego
Old Town Ramada, San Diego
La Costa Golf Courses, San Diego
La Costa Hotel & Spa, San Diego
Park Manor Hotel, San Diego
Sheraton – Torrey Pines, San Diego
Harbor Island Marina, San Diego
Hampton Inn, San Diego
Horton Grand Hotel, San Diego
La Quinta, San Diego
Marriott Hotel, San Diego
Downtown Budget Hotel, San Diego
Town and Country Hotel, San Diego
Residence Inn, San Diego
Del Mar Doubletree, San Diego
Torrey Pines Inn, San Diego
Omni Hotel, San Diego
Proposed Guest Quarters, San Diego
Proposed AC Hotel, San Diego
Red Lion Hotel, San Diego
Marriott Suites Hotel, San Diego
Mira Mesa Ramada, San Diego
Mission Valley Inn, San Diego
Radisson Hotel, San Diego
US Grant Hotel, San Diego
Ramada Limited, San Diego
Comfort Suites, San Diego
Howard Johnson's Hotel, San Diego

Catamaran Hotel, San Diego
Prava Hotel, San Diego
Staybridge Suites, San Diego
Torrey Pines Inn, San Diego
City Club Hotel, San Francisco
Fairmont Hotel, San Francisco
King George Hotel, San Francisco
San Francisco Hilton, San Francisco
Holiday Inn, San Francisco
Olympic Golf Club, San Francisco
Pan Pacific Hotel, San Francisco
Proposed CitizenM, San Francisco
Hotel Union Square, San Francisco
Ritz-Carlton, San Francisco
Proposed Golf Resort, San Luis Obispo
Twin Oaks Golf Course, San Marcos
El Encanto Hotel, Santa Barbara
Proposed Courtyard, Santa Barbara
Ritz-Carlton, Santa Barbara
Proper Hotel, Santa Monica
Georgian Hotel, Santa Monica
Holiday Inn, Santa Monica
Shutters Hotel, Santa Monica
Palihouse, Santa Monica
Days Inn, Seaside
Simi Valley Best Western, Simi Valley
Crown Sterling Suites, San Francisco
Residence Inn/Fairfield, San Jose
Hilton, Santa Clara
Alila Napa Valley, St. Helena
Proposed Hall Winery Hotel, St. Helena
Proposed Hilton Garden Inn, Sunnyvale
Temecula Creek Inn, Temecula
Holiday Inn – Union City, Union City
James Hotel, West Hollywood
Marriott Hotel, Woodland Hills
Bardessono Resort, Yountville
Hotel Yountville, Yountville

COLORADO

Holiday Inn Aurora, Aurora
Great Divide Hotel, Breckenridge
The Village Hotel, Breckenridge
Le Baron Hotel, Colorado Springs
Crested Butte Sheraton, Crested Butte
Proposed Timeshare Resort, Granby
Proposed Timeshare Resort, Keystone
Proposed Kindred Resort, Keystone
The Peaks Resort, Telluride
Sonnenalp Hotel, Vail
Four Seasons, Vail
Grand Hyatt, Vail

FLORIDA

Marriott Courtyard, Boynton Beach
Marriott Courtyard, Bradenton
Holiday Inn Gulfview, Clearwater Beach
Holiday Inn Surfside, Clearwater Beach
Marriott Courtyard, Coral Springs
Holiday Inn - North, Ft. Lauderdale
Holiday Inn - Airport, Ft. Lauderdale
Holiday Inn - Beach, Ft. Lauderdale
Marriott Hollywood Beach, Hollywood
Marriott Courtyard, Jensen Beach
Jupiter Beach Resort, Jupiter
Sheraton Suites, Key West
Proposed SLS Hotel, Miami Beach
Eden Roc Hotel, Miami Beach
Holiday Inn, North Miami
SpringHill Suites, Tampa
Harborside Resort, Tampa Bay



Hilton Longboat Key, Longboat Key
Airport Regency Hotel, Miami
EuroSuites Hotel, Miami
Marriott Courtyard, Naples
Holiday Inn, Port St. Lucie
Holiday Inn Lido Beach, Sarasota

HAWAII

Fairmont Orchid, Hawaii
Doubletree Resort, Hawaii
Kiahuna Plantation, Kauai
Marriott Kauai, Kauai
Coco Palms Resort, Kauai
Marriott Courtyard, Kauai
Grand Wailea Resort, Maui
Proposed Resort Hotel, Maui
Ambassador Hotel, Oahu
Waikiki Sands Villa, Oahu
Aqua Continental Hotel, Oahu
Aqua Wave Hotel, Oahu
Queen Kapiolani, Oahu
Hotel Renew, Oahu

IDAHO

Proposed Hotel, Coeur d'Alene
Red Lion at the Falls, Idaho Falls
Nob Hill Inn, Ketchum

ILLINOIS

Westin Michigan Ave., Chicago
Dana Hotel, Chicago
Embassy Suites, Deerfield
Holiday Inn, Elgin
Crowne Plaza, Northbrook
InterContinental Hotel, Rosemont
Best Western, Rockford
Holiday Inn Express, Springfield

INDIANA

Wyndham Garden Hotel, Indianapolis
Ameristar Casino, East Chicago
Belterra Casino Resort, Florence
Rising Star Casino, Rising Sun
Holiday Inn Express, La Porte
Holiday Inn Express, Portage
Holiday Inn Express, Mishawaka
Holiday Inn Express, Howe
Holiday Inn Express, Fremont
Holiday Inn Express, Warsaw
Country Inn & Suites, Mishawaka

KANSAS

Marriott Hotel, Kansas City
Emerald City Resort, Kansas City

MAINE

Holiday Inn Express, Portland
Marriott Sable Oaks, Portland

MARYLAND

Harbor Court Hotel, Baltimore
Proposed Westin Hotel, Baltimore
Holiday Inn, Collage Park

MASSACHUSETTS

Marriott Courtyard, Boston
Ocean Edge Resort, Cape Cod
White Elephant Hotel, Nantucket

MICHIGAN

The Townsend Hotel, Birmingham
Double J Ranch, Rothbury
Holiday Inn, Traverse City
MGM Grand Hotel & Casino, Detroit

MISSOURI

Fairfield Inn, Joplin
Hampton Inn, Joplin

MONTANA

Sheraton Hotel, Billings
Holiday Inn, Missoula
Rainbow Ranch Lodge, Big Sky
Red Lion Inn, Missoula
Comfort Inn, Red Lodge

NEVADA

Holiday Inn Express, Henderson
Bourbon Street Hotel, Las Vegas
Las Vegas Grand, Las Vegas
Harrah's, Las Vegas
Paris, Las Vegas
Rio, Las Vegas
The Drew, Las Vegas
Tropicana Resort, Las Vegas
Proposed Cambria Hotel, Las Vegas
Hooters Hotel & Casino, Las Vegas
Harrah's, Laughlin
Marriott Courtyard, Sparks

NEW HAMPSHIRE

Marriott Wentworth, New Castle
Residence Inn, Portsmouth

NEW JERSEY

Marriott Courtyard, Cranbury

NEW MEXICO

Marriott Hotel, Albuquerque
Proposed Homewood Suites, Santa Fe
Plaza Real Hotel, Santa Fe

NEW YORK

Beekman Hotel, New York
Dylan Hotel, New York
Eastgate Plaza Hotel, New York
Proposed Ritz-Carlton, New York
Setai Hotel New York
The Palace Hotel, New York
United Nations Plaza Hotel, New York
Proposed Timeshare Project, New York

OREGON

Red Lion, Astoria
Oxford Hotel, Bend
Pine Ridge Inn, Bend
Red Lion Inn, Bend
Red Lion Inn, Coos Bay
Red Lion, Eugene
Sleep Inn, Eugene
Valley River Inn, Eugene
Salishan Lodge, Gleneden Beach
Crowne Plaza, Lake Oswego
Red Lion Hotel, Medford
Hilton Hotel, Portland
Hotel 50, Portland
Columbia River Red Lion, Portland
Red Lion Lloyd Center, Portland
Red Lion- Downtown, Portland
Comfort Suites, Springfield
Red Lion Hotel, Springfield
Sunriver Resort, Sunriver
Crosswater Golf Course, Sunriver
Resort at the Mtn., Welches

PENNSYLVANIA

Quality Inn, Dubois
Holiday Inn, Warren

SOUTH CAROLINA

Westin Hilton Head, Hilton Head
Marriott Courtyard, Myrtle Beach

SOUTH DAKOTA

Country Inn & Suites, Sioux Falls

TEXAS

Proposed Summerfield Suites, Dallas
Timeshare Resort, North Padre Island
Holiday Inn Riverwalk, San Antonio
Timeshare Resort, San Antonio
Riverwalk Hotel & Suites, San Antonio
St. Anthony Hotel, San Antonio
Westin La Cantera, San Antonio

UTAH

Homestead Resort, Midway
Proposed Timeshare Resort, Midway
Ascent Hotel, Park City
Marriott Hotel, Park City
Grand Summit Hotel, Park City
Proposed Westin Resort, Park City
Pendry Hotel, Park City
Doubletree Hotel, Park City
Proposed Hotel, Provo
Proposed Tempo Hotel, Salt Lake City
Doubletree Hotel, Salt Lake City
Proposed Westin Hotel, Salt Lake City
Proposed Auberge Resort, Wanship

VERMONT

Ascutney Mtn. Resort, Brownsville

WASHINGTON

Proposed Morck Hotel, Aberdeen
Proposed Hotels, Auburn
Best Western Heritage Inn, Bellingham
Comfort Inn, Bellingham
Hampton Inn, Bellingham
Proposed Cambria Hotel, Bellevue
Proposed Hotel, Bellevue
Hampton Inn, Bellevue
Fairfield Inn, Bellevue
Quality Suites, Bellingham
Crossland Suites, Kent
Totem Lake Hotel, Kirkland
Embassy Suites, Lynwood
Proposed Hotel, Maple Valley
Proposed La Quinta, Marysville
Proposed Hotel, Mercer Island
Ocean Crest Inn, MoClips
Deer Harbor Resort, Orcas Island
Rosario Resort, Orcas Island
Red Lion Hotel, Pasco
Crossland Suites, Puyallup
Hyatt Regency Lake Washington, Renton
Hampton Inn, Sea-Tac
Cedarbrook Lodge, Sea-Tac
Graduate Hotel, Seattle
Hilton Garden Inn, Seattle
Fairmont Olympic Hotel, Seattle
Proposed CitizenM Westlake, Seattle
Proposed CitizenM Pioneer Sq., Seattle
Proposed Residence Inn ID, Seattle
Proposed Hotel ID District, Seattle
Proposed Hotel at Pike Place, Seattle
Proposed Boutique Hotel, Seattle
Residence Inn Conv. Ctr., Seattle
Proposed Tempo Hotel, Seattle
Hotel Theodore, Seattle
Lakedale Resort, San Juan Island
Ridpath Hotel, Spokane
Crossland Suites, Spokane
Fairfield Inn, Spokane
Residence Inn, Spokane
Skamania Lodge, Stevenson
Holiday Inn Express, Tacoma
Tacoma Sheraton Hotel, Tacoma
Crossland Suites, Tacoma
Comfort Inn, Tukwila
Embassy Suites, Tukwila
Proposed Tru by Hilton, Vancouver
Red Lion Hotel, Vancouver



WASHINGTON D.C.
Marriott Wardman Park
Renaissance Hotel

WISCONSIN
Wyndham Garden Hotel, Brookfield

WYOMING
Timeshare Resort, West Yellowstone

International

CANADA
Banff Rocky Mountain Resort, Banff
Residence Inn, Canmore, AB
Beach Hotel, Harrison Hot Springs, BC
Long Beach Lodge, Tofino, BC
Terminal City Hotel, Vancouver, BC
Sundial Lodge, Whistler, BC

COSTA RICA
Occidental Grand Papagayo, Liberia

MEXICO
Hotel Palmilla, San Jose del Cabo
Fractional Resort, Cabo San Lucas
Holiday Inn Express, Ciudad Juarez
Allegro Cozumel, Cozumel
Holiday Inn, Hermosillo
Crown Pacific Hotel, Huatulco
Proposed Timeshare Resort, Mazatlan
City Suites El Angel, Mexico City
Hilton Reforma, Mexico City
Hotel Nikko, Mexico City
Holiday Inn Centro, Monterrey
Holiday Inn Fundidora, Monterrey
Holiday Inn Tecnologico, Monterrey
Holiday Inn Express, Monterrey
Mixed-Use Development, Monterrey
Holiday Inn Centro, Monterrey
Dreams and Secrets, Puerto Vallarta

PANAMA
Veneto Hotel and Casino, Panama City





APPELLATION

November 4, 2022

Morgan Landers
Senior Planner
City of Ketchum
Department of Planning and Building
P. O. Box 2315
Ketchum, ID 83340

Dear Morgan:

Good afternoon. Jack Bariteau, Managing Member of Harriman Ketchum Hotel, LLC, (“HKHLLC”) and Andy Blank and his family, as principal investor and majority owner of HKHLLC, have requested our assistance in corresponding with the city to describe our vision for managing, operating and marketing The Harriman Hotel and Residences under the Appellation Hotels banner.

This communication is intended to clearly outline how the proposed residential condominium rental program at the Appellation Sun Valley will be promoted and managed to maximize its presence and high quality of physical improvements to the local community while generating benefits derived from rental of the hotel’s guest accommodations and inspired food and beverage offerings to various key stakeholders including:

- The Residence Owner
- The Hotel Operator – Appellation Hotels
- The Hotel Ownership – Harriman Ketchum Hotel, LLC
- The City of Ketchum and other Ketchum businesses

Appellation is very familiar with this type of product offering/program, having been involved with other projects in the past that provide a similar rental income opportunity to participating hotel residential owners that can increase the overall operating performance and long-term success of the hotel.

The Appellation Sun Valley Residential Rental Program

The residential rental program will function as follows:

1. **Participation:** All residential owners will have the opportunity to voluntarily participate in the rental program – this is an opt-in, voluntary program for the Owner.



APPELLATION

2. **Operator:** The program will be managed by the operator – Appellation Hotels – providing a more residential-like accommodation that includes access to all hotel amenities, services, and benefits to the guests that elect under our marketing program to choose to rent these residences.
3. **Sales and Marketing:** Each Participating Owner’s residence regardless of its size and bedroom count will be promoted in parallel and equally to all other guestrooms and suites that make up the 73 hotel guest rooms (and 6 lock-off rooms that may be a part of the participating unit either in whole or in part, as made available by the Participating Owner and through Appellation Hotel’s management and overall hotel guest room and suite rental program. The availability and offering of private participating residences in hotels with full-service offerings are a robust part of the hotel industry, particularly in mountain resort markets. The rental rates for residences can and more often do exceed the rental rates of single guest rooms and are highly sought after by families who wish and prefer to travel and entertain in a residence environment with full kitchen, dining and living space while having accessibility to use hotel services and amenities. Participation in the hotel rental program will be encouraged, but cannot be required by hotel ownership, in its sales and marketing of the for-sale residences. Comparable mountain resort hotels with similar residences have historically seen high levels of participation in hotel rental programs on a voluntary basis and we expect similar participation in the Ketchum property.
4. **Maintenance:** The participating residential inventory will be managed by Appellation including responsibility for promoting and renting the residences, maintaining the overall hotel building and residences (when renting units on a daily or longer basis) and ensuring that they are maintained at the highest lodging standard. A Homeowner’s Association will be formally established by hotel ownership to have overall control of the entire building and exterior, structural and all common areas of the Project servicing the hotel and all privately owned condominium residences. A Preliminary Plat and draft CC&R’s will be prepared for City Review and approval usually once the final building plans are prepared for submittal for building permit. Rules and Regulations will also set for the operation of the hotel under Appellation ‘s hotel management agreement. Voting control of the HOA will rest with the hotel ownership and Appellation in order that the hotel can be maintained, refreshed and upgraded over time as needed.
5. **Turnkey Solution:** Beyond the obvious financial benefits to the residential owner who will receive a pro-rata share of the net monthly rental income, the rental program for participating owners provides a one stop, turnkey solution to the participating owner through Appellation’s marketing, promoting, renting (including vetting and all communications with the renter) and all or any questions that may arise with the renter during its occupancy period. In addition, the buyer profile of hotel condominium residences may not often be a full-time resident and values the net rental income the Owner receives as an extremely attractive offering and benefit of ownership as this rental participation will more often than not offset standard carrying costs of their residence



APPELLATION

including real estate taxes individually assessed against their condominium ownership, separately metered utilities, homeowner association dues and other normal costs of such ownership type.

6. **Financial Mechanics:** The financial mechanics of the revenue share are intended to be, as previously outlined in the communication to Suzanne Frick from Andy Blank on behalf of the hotel ownership, structured whereby the revenue associated with the specific participating rental unit at the end of the month, would be shared 50-50 between participating residence owner and the hotel operator, after normal operating deductions such as maintenance, housekeeping, credit card fees, reservations expenses, etc. are deducted. This formula is very common and standard in the hospitality business. Participation in the hotel rental program will be bound by contractual agreement between the residence owner and Appellation and no outside third-party management agency or marketing entity will be permitted.
7. **Enhanced Offering:** For Appellation as the hotel operator, an active residential rental program allows the hotel to attract a broader base of customers who quite often are looking for a larger more residential offering – a steadily growing segment we see in the upper upscale and luxury side of the hotel business. There is a growing trend for more and more family travel, multi-generational travel, customers who seek a more residential offering but with all the amenities of a hotel, and couples traveling together or who wish to easily entertain through use of the hotel’s multifaceted food and beverage program. Additionally, more and more hotels being built today in resort destinations such as Ketchum have realized the importance of this hotel residential offering as a key part of attracting travelers that otherwise would be unaccommodated in the destination, thus diverting to other mountain resort destinations that readily offer this type of accommodation.

Appellation Hotels, based on historical experience, fully expects to see a highly attractive and active residential rental program in the downtown Ketchum location. We view this as a win-win for all stakeholders including the residential unit owner, the hotel owner, the hotel operator, and the City of Ketchum. In addition to the incremental and new Local Option Tax generated from hotel rooms and participating residences in the hotel program, Local Options Tax will be generated from the sale of alcoholic beverages from the hotel’s dining room and bar and ancillary areas such as the pool terrace and room service. Hotels located in a walkable downtown area such as Ketchum, have been shown to also generate additional incremental dollars spent by hotel guests and hotel residence owners at easily accessible retail and food service businesses. Very importantly, this allows Appellation to capture a broader swath of hotel guests, food and beverage customers and special event planners, who are looking to come to Ketchum, that otherwise would be unaccommodated.



APPELLATION

Please feel free to let us know if you need additional information beyond what has been outlined above. We look forward, along with an exceptional hotel ownership group of which we are also an investor, to bringing our unique, community focused Appellation Hotels management experience and style to life by late 2024 to early 2025. Appellation Hotels looks forward to becoming an integral, vibrant, community oriented, inclusive member of your community.

Sincerely,

Christopher B Hunsberger

Christopher B. Hunsberger

Chief Operating Officer and Co-Founder
Appellation Hotels

CC: Matthew Johnson, City Attorney

Edward Lawson

Justin Jones

Andy Blank

Jack Bariteau



Observatory Options

Project: Harriman Hotel
Ketchum, Idaho

April 23, 2020
Version: 1.0

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INTRODUCTION

Observatory Solutions specializes in professional observatory solutions for astronomy enthusiasts. We provide observatory project management services — from determining observatory and equipment through sales, installation, and hands-on training.

WHAT WE DO

We've successfully managed over 50 observatory project installations across the U.S. and the world, developing customized solutions that integrate site design, observatory style, and equipment configuration. Our goal is to manage the observatory project from start to finish, providing a turnkey solution for our customers.

SALES

We are an authorized dealer for quality observatories, telescopes, mounts and piers. Our team works closely with manufacturers and vendors to schedule and coordinate delivery dates for your observatory project according to your construction timeline. The observatory workflow process generally takes several months, so be sure to contact us during your initial concept phase or the very beginning of your observatory project so we can do our best to complete your installation by your expected target date.

CONSULTING

With our knowledge and expertise in this highly specialized field, we can advise you on your observatory site, dome or roll-off roof selection, and telescope equipment. We can also assist you with remote viewing and astrophotography.

We also have the construction experience to team with your architect or builder. We perform physical site reviews and construction plan reviews to ensure that building specifications meet appropriate requirements for the observatory and telescope system that will be installed .

DESIGN

We provide general modeling of the observatory to ensure the desired equipment works within the space, to calculate offsets and height for the telescope pier and to determine the rough dimensions for the observatory structure. We maintain 3D models of the products we sell which allows us to provide accurate measurements to architects and builder. It also gives the customer a feel for the observatory when finish and helps us prepare for a smooth installation of observatory and equipment.



INSTALLATION & TRAINING

We provide supervision and guidance of your crew to properly assemble the dome and install the electronic components. We thoroughly test the dome, making sure the rotation and shutter operate smoothly in both manual and mechanized modes. We also install the pier, mount, and telescope, and perform a rough polar alignment of the system before the telescope is mounted. Once the telescope is installed, we test the entire system and complete the final polar alignment. We can also test the dome's automation software and its integration with your telescope system.

We offer personalized on-site training that includes how to operate and maintain your dome, and how to use your telescope and accessories, including astrophotography equipment.

OBSERVATORY REFERENCE SITES

Below are selected customers where Observatory Solutions has or is providing complete project management services. A broader list of projects is at: <http://www.observatorysolutions.com/projects.php>

PRIVATE RESIDENCE, UTAH, USA

The observatory was part of new home construction that started in 2016. The observatory consists of a 24.5' Ash dome and a PlaneWave 1-meter telescope. The Ash dome was installed in November 2017 and the telescope installed in November of 2018.

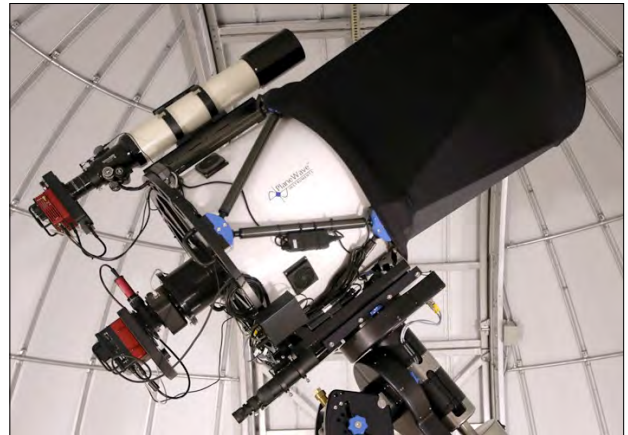
Observatory Solutions Project Page: <https://www.observatorysolutions.com/projects/jc-ut.php>



AMERICAN PUBLIC UNIVERSITY

The American Public University System (APUS) project was completed in August, 2015. This project includes a 22.5' Ash Dome, PlaneWave CDK24 (0.61 m) telescope, PlaneWave A200 German Equatorial Mount, custom designed pier by Observatory Solutions, dome automation through Observatory Solutions, Santa Barbara Instruments Group (SBIG) 16 megapixel CCD camera with 7 position filter wheel and off-axis guider and a SBIG 8.3 megapixel CCD with 8 position filter wheel.

Observatory Solutions Project Page: <https://www.observatorysolutions.com/projects/apus.php>



VENDOR EXPERIENCE

Observatory Solutions is a dealer for, and has extensive product knowledge of, the following vendors:

Ash Dome: We have extensive knowledge of Ash Dome assembly, operation and their automation system. We have been selling and installing Ash Domes for over 5 years.

PlaneWave Instruments: We have installed and configured PlaneWave telescopes ranging from the CDK14 (0.36 m) to the CDK1000 (1.0 m), as well as their L-Series mounts. We have expertise with PlaneWave telescope and mount control software and can align the optics on any PlaneWave telescope. We have been selling and installing PlaneWave equipment for over 10 years.

AstroSysteme (ASA): Observatory Solutions is an authorized dealer for all ASA products and has experience in installing and configuring their mounts and telescopes.

Software Bisque: Observatory Solutions is an authorized dealer for all Bisque mounts and piers and has extensive experience in installing and configuring their mounts and software.

Santa Barbara Instruments Group (SBIG): Observatory has extensive knowledge of SBIG CCD cameras, filter wheels, off-axis guiders and the software for operating the cameras.

OBSERVATORY

ASH DOME

Ash Dome is one of the most trusted names in dome observatories and tracking instrument shelters. With over 60 years of being in business, Ash Dome can be found all over the world. All Ash Domes are built to customer specifications before being shipped to the observatory site. An example an Ash Dome is shown to the right.



ASH DOME MODEL "R"

This model is for the 8' to 16' 6" size domes. The standard motors are 110/120v, 60 cycle, single phase with optional 220/230v, 50/60 cycle, single phase. There is a single azimuth (rotation) motor, an upper shutter motor and a motor for the drop-out lower shutter.

ASH DOME INSTALLATION LOGISTICS

There are two dome installation methods: In Place and On the Ground.

In Place: This installation method is typically used on smaller domes and where there is easy access to the dome base ring and the top of the arches and shutter from both the interior and exterior. The photo to the right shows a 12' 6" dome assembly. Base ring and exterior was from the flat roof. A temporary floor was built inside the dome allowing interior access by ladders and scaffolding.



On the Ground: This installation method is typically used on larger domes and where exterior and interior access is difficult or unsafe. The picture to the right shows a 24' 6" dome being craned into position on top of the observatory. The top of the silo was over 40' above the ground, making scaffolding on the outside impossible. The dome was assembled on series of jack on the ground. Due to the size of the dome, scaffolding was needed inside the dome during assembly and sky lift were needed to access outside areas of the dome during weather sealing.

For domes 18' 6" and larger, lifting plates are attached to the dome base ring. These plates are removed after the dome is craned into place.



 MODEL "R" DOME COSTS

Description	Qty	Cost (\$)	Total (\$)
14' 6" Ash Dome			
Ash Dome; Size: 14' 6"; Type: R; Model: REB; Electric Drop-out lower shutter; Motorized upper shutter; Electrical slip rings; Automation System	1	\$53,840	\$53,840
SUBTOTAL:			\$53,840
Shipping (ESTIMATE)			\$4,000
TOTAL:			\$57,840
Down Payment (50% of SUBTOTAL):			\$26,920
Lead Time: 3-4 months			

MODEL "R" DOME INSTALLATION

Description	Total (\$)
<p>Dome Installation & Testing</p>	
<p>Ash Dome Installation Supervision: This cost is for supervising and guiding the assembly of the observatory dome. Observatory Solutions will have one person on site to guide non Observatory Solutions workers in the assembly of the dome and that person will also assist in the dome assembly. Installation time is 3-5 days. This quote includes:</p> <ul style="list-style-type: none"> · Supervision and guidance of at least three (3) people to assemble the observatory dome at the observatory site. These people will be provided by the company doing the main construction or one of its subcontractors. These resources will be needed for 3-4 days. · Phone consultation and document review with architects and/or building contractors prior to dome assembly to ensure that the observatory site is properly constructed and prepared to accept the domes. · Complete list of tools and materials needed to assemble the dome · Manufacturer diagrams of the dome as it relates to attaching the dome to the observatory building <p>This price does not include:</p> <ul style="list-style-type: none"> · The cost of the workers that will be assisting in the assembly of the dome · Additional equipment, such as anchor bolts, scaffolding and lifts, that will be needed to assemble and install the dome 	<p>\$5,800</p>
<p>Estimated general travel expenses: Airfare, hotel, food, etc.</p>	<p>\$3,500</p>
TOTAL:	\$9,300

MAIN TELESCOPE

TELESCOPE SYSTEM

The Telescope System consists of the Telescope Mount and Optical Tube. There are two main categories: Alt-Azimuth (Alt-Az); and Equatorial Alt-AZ.

Alt-Az mounts allow a telescope to move up-down and left-right. This movement is parallel and perpendicular to the horizon, making this mount intuitive to point, leaving the eyepiece in a convenient position, and making it well-suited for smaller/tighter observatories.

The equatorially mounted Alt-Az places the mount on a wedge. The equatorial setup has its axes aligned with Earth's rotation, allowing easy automatic tracking of the night sky. Since this setup follows the circular movement of objects in the sky, they are a preferred platform for astrophotography.

Pictures to the right, top to bottom:

- PlaneWave Alt-Az mount with PlaneWave telescope
- PlaneWave Alt-Az setup on a wedge



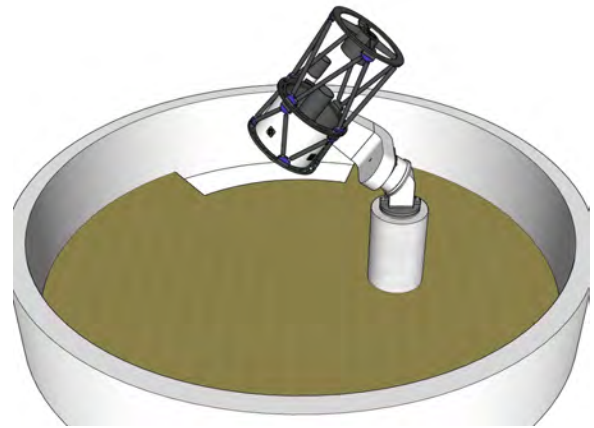
This section covers the following telescope options:

- PlaneWave CDK14 telescope with PlaneWave L-350 mount
- PlaneWave CDK17 telescope with PlaneWave L-500 mount
- PlaneWave CDK20 telescope with PlaneWave L-500 mount

All options include attaching the PlaneWave mount to an equatorial wedge for precise polar alignment and tracking accuracy.

TELESCOPE OFFSET

For the PlaneWave mounts on a wedge, the telescope pier will be offset from the dome center. The offset will be to the north if the installation is in the southern hemisphere. The offset depends on the system chosen latitude of the installation.



PLANEWAVE CDK125 / L-350 SYSTEM

Description	Qty	Cost (\$)	Total (\$)
PlaneWave CDK125 (12.5") Telescope	1	\$10,490	\$10,490
PlaneWave L-350 Direct Drive Mount	1	\$10,000	\$10,000
EFA Focuser Accessory	1	\$800	\$800
Delta-T Heater	1	\$650	\$650
Visual Adapter	1	\$160	\$160
SUBTOTAL:			\$22,100
Crating			\$600
Shipping (ESTIMATE)			\$900
TOTAL:			\$23,600
Additions for equatorial setup			
Equatorial wedge for L-350	1	\$2,000	\$2,000
Mounting Ring for wedge / L-350 mount	1	\$1,300	\$1,300

PLANEWAVE CDK14 / L-350 SYSTEM

Description	Qty	Cost (\$)	Total (\$)
PlaneWave CDK14 (14") Telescope	1	\$16,500	\$16,500
PlaneWave L-350 Direct Drive Mount	1	\$10,000	\$10,000
Hedrick Fouser	1	\$1,000	\$1,000
EFA Focuser Accessory	1	\$800	\$800
Delta-T Heater	1	\$650	\$650
Visual Adapter	1	\$160	\$160
SUBTOTAL:			\$29,110
Crating			\$700
Shipping (ESTIMATE)			\$1,000
TOTAL:			\$30,810
Additions for equatorial setup			
Equatorial wedge for L-350	1	\$2,000	\$2,000
Mounting Ring for wedge / L-350 mount	1	\$1,300	\$1,300

PLANEWAVE CDK17 / L-500 SYSTEM

Description	Qty	Cost (\$)	Total (\$)
CDK400 package: CDK17 (17") Telescope plus L-500 Mount	1	\$40,000	\$40,000
Hedrick Fouser	1	\$1,000	\$1,000
EFA Focuser Accessory	1	\$1,000	\$1,000
Delta-T Heater	1	\$650	\$650
Visual Adapter	1	\$160	\$160
Ascend telescope balancing accessory	1	\$299	\$299
SUBTOTAL:			\$43,109
Crating			\$1,100
Shipping (ESTIMATE)			\$3,900
TOTAL:			\$48,109
Additions for equatorial setup			
Equatorial wedge for L-500	1	\$3,000	\$3,000
Mounting Ring for wedge / L-series mounts	1	\$1,600	\$1,600

PLANEWAVE CDK20 / L-500 SYSTEM

Description	Qty	Cost (\$)	Total (\$)
CDK-500 package: CDK20 Quartz plus L-500 Mount	1	\$50,000	\$50,000
Hedrick Fouser	1	\$1,000	\$1,000
EFA Focuser Accessory	1	\$800	\$800
Delta-T Heater	1	\$650	\$650
		\$160	\$0
Visual Adapter	1	\$140	\$140
Ascend telescope balancing accessory	1	\$299	\$299
SUBTOTAL:			\$52,889
Crating			\$1,100
Shipping (ESTIMATE)			\$3,900
TOTAL:			\$57,889
Additions for equatorial setup			
Equatorial wedge for L-500	1	\$3,000	\$3,000
Mounting Ring for wedge / L-series mounts	1	\$1,600	\$1,600

Description	Total (\$)
Telescope Installation, Configuration & Testing	
<p>On Site Telescope Installation: Installation of the telescope piers; Polar alignment of the telescope piers; Installation of the mounts; Installation of the telescopes; Installation of focusers, cameras, secondary telescopes; Cabling all electronics on the telescope system; Installing power components on the telescope system; Precise polar alignment of the telescope system; Testing of the completed telescope systems.</p> <p>Observatory Solutions will require additional local labor to assist in the installation of heavier components such as the telescope mount and main telescope. The cost of local labor is not included in the costs shown to the right.</p> <p>Additional equipment such as cranes / hoists will be needed to lift the main telescope system into place. The cost of this equipment is not included in the costs shown to the right.</p>	\$3,800
Software installation and configuration; System and Automation testing; Development of Observatory Documentation and On Site Training	\$2,800
Estimated general travel expenses: Airfare, hotel, food, etc.	\$3,500
TOTAL:	\$10,100

OPTIONAL SECONDARY TELESCOPE

SECONDARY TELESCOPE OVERVIEW

The long focal length of the main telescope makes it great for views of small and dim celestial objects such as planetary nebula, most galaxies and planets. But for larger objects such as the Orion Nebula (M42) and the Andromeda Galaxy (M31), a main telescope like the CDK14 has too much native magnification to fit the object into an eyepiece field of view. For this reason, a shorter focal length refractor like a Tele Vue NP101 can be paired with the main telescope for viewing large celestial objects and asterisms.

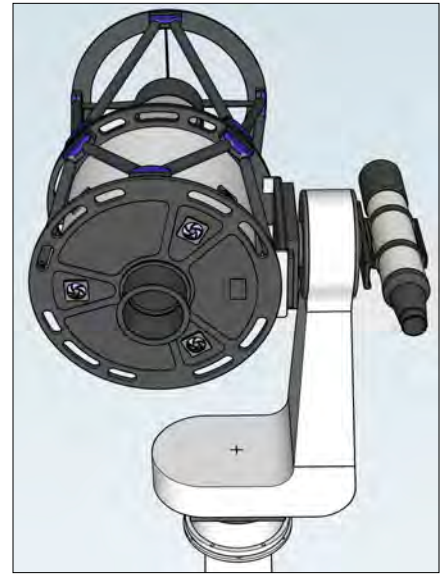
CDK14: Top right is the Orion Nebula and bottom right is the Andromeda Galaxy, both with a 31mm wide field eyepiece. With this setup you can see most, but not all of the Orion Nebula, and only the central portion of the Andromeda Galaxy.

NP101: Below left is the Orion Nebula and below right is the Andromeda Galaxy, both with a 31mm wide field eyepiece. With this setup you can see all of the Orion Nebula and the nearby Running Man Nebula and all of the Andromeda Galaxy and nearby M110.



SECONDARY TELESCOPE COSTS

The rendering to the right shows a 5" refractor attached to the outside of the PlaneWave L-Series mount.



Description	Qty	Cost (\$)	Total (\$)
4" Refractor			
Tele Vue NP101is (4") Refractor	1	\$4,000	\$4,000
Mounting rings	1	\$245	\$245
Dovetail adapters	1	\$300	\$300
Optional: Motorized focuser	1	\$650	\$650
Shipping (ESTIMATE)			\$150
TOTAL:			\$5,345
5" Refractor			
Tele Vue NP127is (5") Refractor	1	\$7,000	\$7,000
Mounting rings	1	\$270	\$270
Dovetail adapters	1	\$300	\$300
Optional: Motorized focuser	1	\$650	\$650
Shipping (ESTIMATE)			\$150
TOTAL:			\$8,370

ASTRONOMICAL CAMERAS

Cameras for astrophotography cover a very broad range. There are different sizes and different setups for producing a good looking photo of an object in space.

Astronomical cameras have historically been the “Cooled CCD” variety — Photos of the faint objects in the sky take a long exposure. During the day a photo might be hundredths of a second in duration, but at night the exposure length can be many minutes. The heat generated by long exposure affects the image, so cooling the sensor produces a better image.

CCD cameras are usually monochrome — Basically they take black & white photos. To get color photos, a series of pictures are taken through colored filters and then combined. As an example, you could take 3 photos through the Clear, 3 through the Red, 3 through the Green, 3 through the Blue and then combine all 12 photos to produce the color photo.

CMOS astronomical camera are becoming mainstream — Having started out as high-speed planetary cameras they’re increasingly being used for deep-sky imaging by photographers. We now have fully cooled cameras with full-frame sensors. The cost can be a fraction of that of a CCD camera. These camera have shorter imaging times and the ability to capture multiple images per second on bright objects like the moon and planets.

CMOS sensors come in color — A color sensor eliminates the need to capture multiple images through color filters, making the photo taking process simpler. But, color sensors have less sensitivity, so you may need longer exposures. And to get a quality photo, you will still need to take multiple photos and stack them together.

Camera sensors come in different sizes — The “megapixel” specification you have for normal camera sensors applies to CCD sensors as well. But, CCD sensors also come in different pixel sizes. So larger pixels combined with more “megapixels” covers a bigger area of the sky. Bigger pixels be usually better as they are less sensitive to the turbulence in our atmosphere.

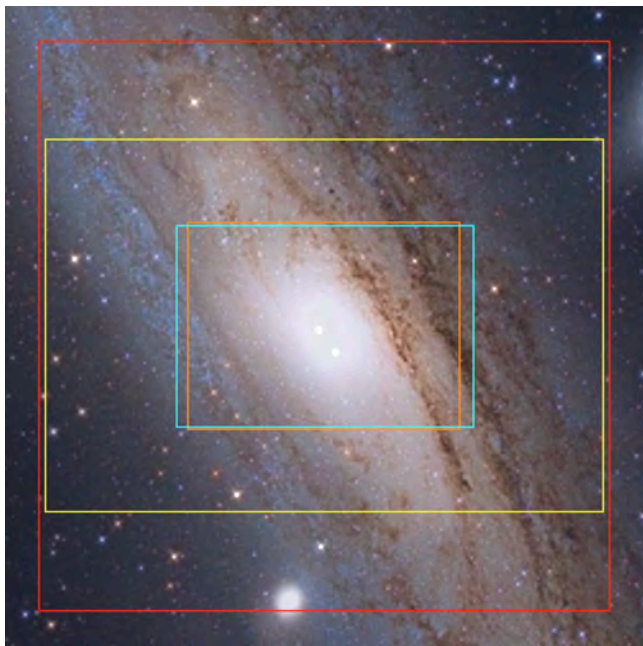
Sensor size and telescope determines the Field of View — Telescopes are essentially big camera lenses and the characteristics of camera lenses applies to telescopes. Telescopes have long focal lengths which “magnifies” objects in the sky at the cost of the field of view. Most objects in the sky are small so field of view is less important, but for larger objects — such as the Orion Nebula which is about the size of the Moon — a smaller CCD sensor will not be able to capture the entire object.

FIELD OF VIEW (FOV)

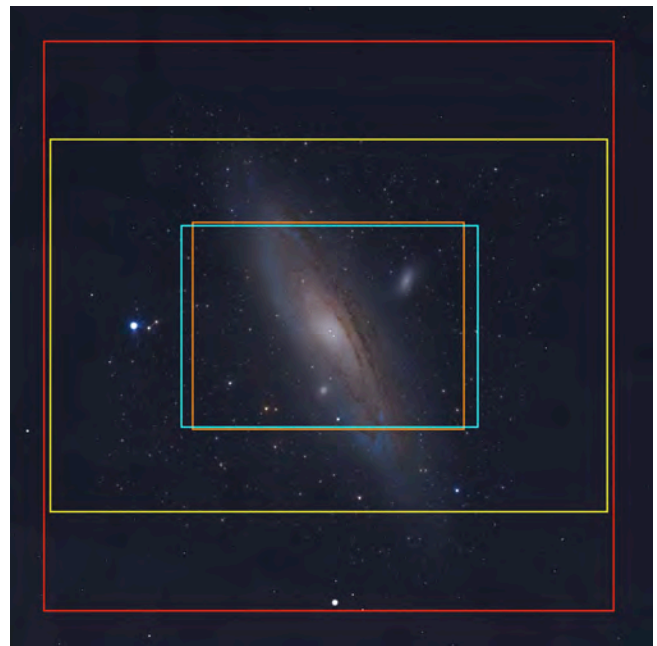
This section has **Field of View** simulations with different sensor sizes on a main telescope (CDK14) and a wide-field refractor (NP101). This will give you a general idea of of the image that can be captured with scope / camera setups. In the simulations, the colored boxes relate to the color coded sensor references below.

Camera Options				Sky Coverage (arcminutes) per Telescope	
Camera	Megapixels	Sensor Size	Pixel Size	CDK14 FOV	NP101 FOV
CCD Sensors (non-color)					
SBIG STX-16803	16.8	36.8mm x 36.8mm	9 μ m	49.4' x 49.4'	234.2' x 234.2'
SBIG Aluma 8300	8.3	18.0mm x 13.5mm	5.4 μ m	24.1' x 18.1'	114.3' x 86.1'
CMOS Sensors (color)					
QHY-128C	24	36.0mm x 24.0mm	5.97 μ m	48.3' x 32.2'	229.1' x 152.8'
QHY-294C	11	19.3mm x 13.0mm	4.63 μ m	25.9' x 17.4'	122.7' x 82.4'

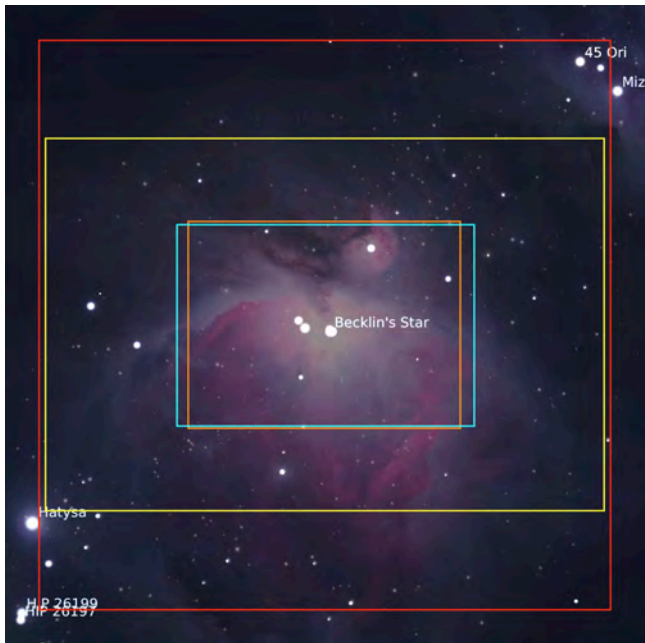
Andromeda Galaxy: CDK14



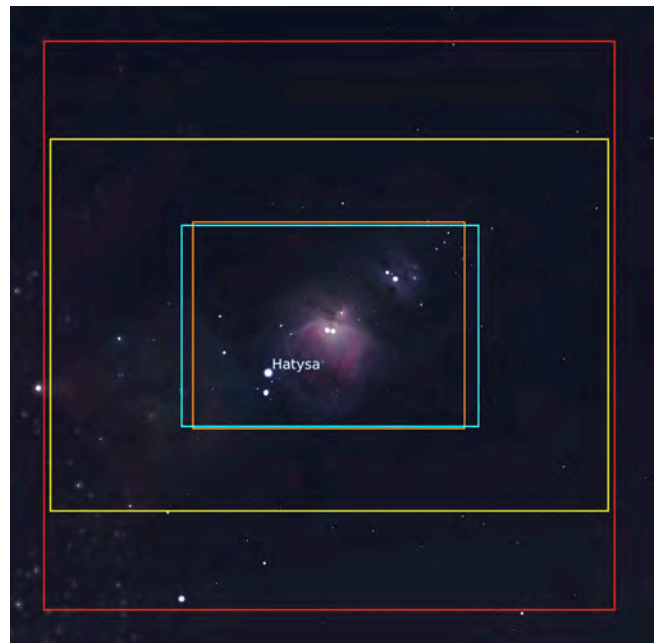
Andromeda Galaxy: NP101 Refractor



Orion Nebula: CDK14

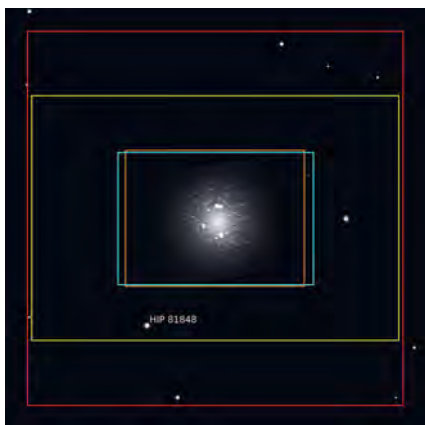


Orion Nebula: NP101 Refractor



These simulations of smaller celestial objects are through the CDK14 telescope only.

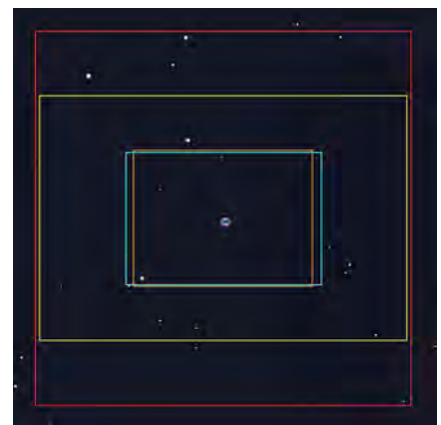
M13 Globular Cluster



Whirlpool Galaxy



Ring Nebula



CAMERA COSTS

Costs below do not include the adapters necessary to attach the camera setup to the telescope system.

For the Harriman Observatory, a color CMOS is recommended.

Description	Qty	Cost (\$)	Total (\$)
Large Format CCD Camera			
SBIG STX-16803 16 megapixel Monochrome Camera; 7-Position Filter Wheel; STX Guider; LRGB Filter Set	1	\$15,800	\$15,800
Shipping (ESTIMATE)			\$350
Total:			\$16,150
Medium Format CCD Camera			
SBIG Aluma-U8300 8.3 megapixel Monochrome Camera; Self-Guiding 8-Position Filter Wheel; LRGB Filter Set; Narrowband Filter Set (Ha, SII, OIII)	1	\$6,500	\$6,500
Shipping (ESTIMATE)			\$250
Total:			\$6,750
Large Format CMOS Camera			
QHY-128C; 24 megapixel Color Camera	1	\$4,000	\$4,000
QHY Guider and Guiding Camera	1	\$650	\$650
Shipping (ESTIMATE)			\$175
Total:			\$4,825
Medium Format CMOS Camera			
QHY-294C; 11 megapixel Color Camera	1	\$1,400	\$1,400
QHY Guider and Guiding Camera	1	\$650	\$650
Shipping (ESTIMATE)			\$150
Total:			\$2,200

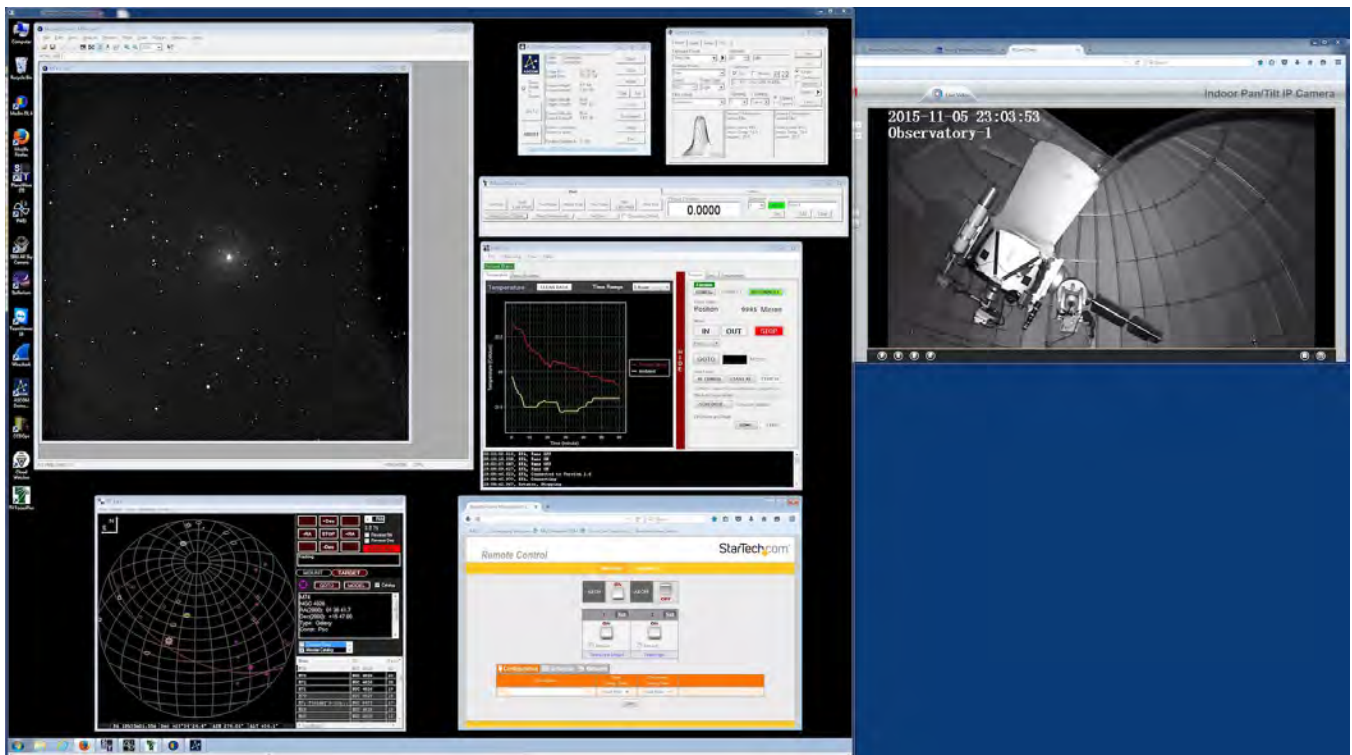
EYEPIECE COSTS

Description	Qty	Cost (\$)	Total (\$)
Telescope Eyepieces (can be shared between main and secondary telescopes)			
Tele Vue Nagler 31mm	1	\$670	\$670
Tele Vue Ethos 21mm	1	\$855	\$855
Tele Vue Ethos 13mm	1	\$630	\$630
Tele Vue Ethos 6mm	1	\$590	\$590
Tele Vue 2" Everbrite diagonal	2	\$325	\$650
Tele Vue 2x Powermate	1	\$330	\$330
Eyepiece case	1	\$150	\$150
Shipping (ESTIMATE)			\$150
	Total:		\$4,025

OBSERVATORY CONTROL

The observatory – telescope, dome and cameras – can be controlled through a remote connection into the observatory computer. When you are at the home and on the local network, this can be through a Windows Remote Desktop Connection. When away, you can access the observatory remotely through a web connection using software like Team Viewer.

Below is a screen shot of a remote connection session through a 4k monitor.



REMOTE CONTROL SOFTWARE

ASCOM: ASCOM is an open initiative to provide a standard interface to a range of astronomy equipment including mounts, focusers and imaging devices. ASCOM runs in a Microsoft Windows environment using the COM interface. All observatory software will support ASCOM.

Dome Control: Dome control electronics and software will come from Ash Dome.

Mount Control: Mount control software comes with the PlaneWave L-Series mount. The mount control software (PWI4) is ASCOM compatible and may be controlled through other software that is ASCOM compatible.

Fans / Heater Control: Telescope fan and heater control software comes with the PlaneWave telescope. The telescope control software is ASCOM compatible and the telescope components can be controlled through other software that is ASCOM compatible.

Focuser Control: The telescope focuser control software comes from PlaneWave. The focuser control software is ASCOM compatible and can be controlled through other software that is ASCOM compatible.

Camera Control: MaxIm DL is a complete integrated solution for camera control. MaxIm DL is used by most telescope focusing programs for automated focusing routines. And MaxIm is able to control all major astronomical cameras, many DSLR cameras and webcams.

Planetarium Software: Planetarium software allows you to visualize the night sky and plan for observing sessions. Some planetarium software, such as TheSkyX is capable of controlling the telescope. An excellent open source and free option is Stellarium.

MONITORING CAMERAS

Inside the dome monitoring cameras are optional if someone is always at the observatory when it is in operation, but are essential if the observatory is remotely operated.

These cameras are essentially webcams that let you remotely see what the telescope and dome is doing. In general these camera provide high video resolution, video compression, either optical or physical zoom, pan/tilt viewing,

remote internet viewing, motion detection, night-vision, network video recording capability and software for controlling access to the camera.



OTHER EQUIPMENT

USB Extender: Most telescope components such as cameras, filters wheels and focusers utilize USB connections. USB connections are limited to around 5 meters in length. The USB Extender all allow connection to an observatory computer that is up to 100 meters away.

Web Power Switch: The web power switch utilizes a web interface to turn on and off outlets. The switch has 8 switchable outlets and 2 always on outlets. The switch connects via an ethernet cable or wirelessly and can be controlled by other observatory automation software.

Observatory Computer: The observatory computer needs to be a Windows based computer as ASCOM and other observatory software programs are written for the Windows operating system. There should be two observatory computers, one for each of the setups.

WEATHER MONITORING EQUIPMENT

Weather monitoring is optional if someone is always at the home/observatory when it is in operation, but is essential if the observatory is remotely operated. There are three main components to weather monitoring: Weather Station; Cloud Sensor; and Monitoring Camera.

The Weather Station and Cloud Sensor are similar in that they detect atmospheric conditions, but are very different in what they do with the data. The Weather Station can tell you the level of rain in the past hour, 24 hours, month, etc. The Cloud Sensor doesn't care about the amount of rain, just the fact that there is rain and that the dome shutters should be closed.

Weather Station

Weather stations will monitor and capture weather information at the observatory. They will have a monitor/console that displays the data and typically have an interface where the data can be downloaded to a computer for analysis and display on a web page. Weather stations can include the following: Rain collector; Temperature and humidity sensors; Anemometer; Solar radiation sensor; UV sensor.

The web page for the Observatory Solutions weather station: [http://
www.doublestarobservatory.com/weather.php](http://www.doublestarobservatory.com/weather.php)

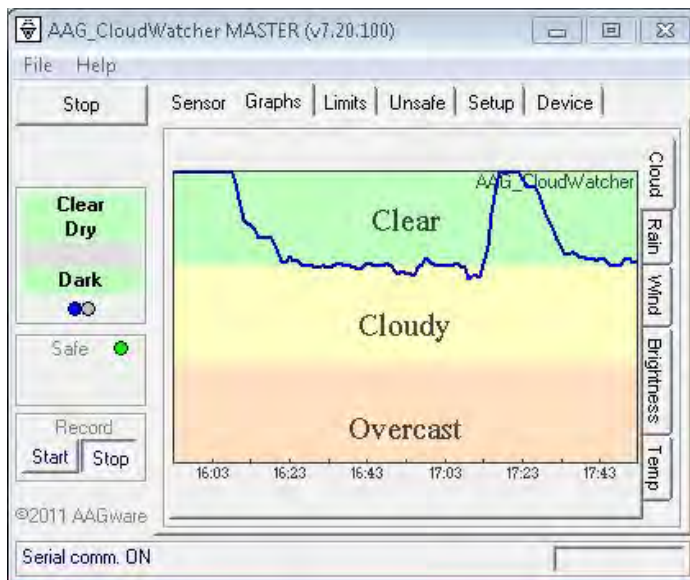
You can also link your weather station to a weather service like Weather Underground. Here is the Observatory Solutions data feed: [https://www.wunderground.com/cgi-bin/findweather/
getForecast?query=pws:KCODURAN44](https://www.wunderground.com/cgi-bin/findweather/getForecast?query=pws:KCODURAN44)

Cloud Sensor

Cloud sensors measure the amount of cloud cover by comparing the temperature of the sky to the ambient ground level temperature. The sky temperature is determined by measuring the amount of radiation in the infrared band. A large difference indicates clear skies, whereas a small difference indicates dense, low-level clouds.

A cloud sensor provides the following:

1. A configuration system for setting cloud condition parameters on when the shutters should be closed
2. A configurable alert system that can send a "shutter close" warning to the dome automation system, email, text, etc.
3. Storage of the captured cloud / condition information



OPTIONAL EQUIPMENT COSTS

Description	Qty	Cost (\$)	Total (\$)
Telescope Connectivity for General Operation			
USB Extender	1	\$480	\$480
Remote Power Strip	1	\$200	\$200
Miscellaneous Cabling, USB, Power Connections	1	\$100	\$100
Observatory computer	1	\$1,800	\$1,800
MaxIm DL software (software download)	1	\$500	\$500
Shipping (ESTIMATE)			\$90
	Total:		\$3,170
Monitoring Equipment Costs			
Davis Vantage Vue Weather Station	1	\$600	\$600
AAG CloudWatcher with Windspeed	1	\$650	\$650
Observatory Webcam	1	\$200	\$200
	Total:		\$1,450



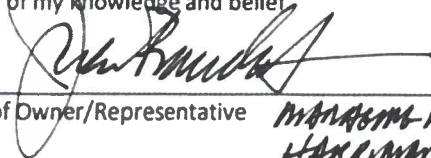
City of Ketchum
Planning & Building

OFFICIAL USE ONLY	
File Number:	P22-059
Date Received:	10/10/22
By:	SMcWilliam
Approved Date:	
Denied Date:	
By:	

Development Agreement Amendment Application

ORIGINAL DEVELOPMENT AGREEMENT	
Project Name:	(APPELLATION / SUN VALLEY) BY HARRIMAN KETCHUM HOTEL, LLC
Development Agreement:	CITY OF KETCHUM AND TRAIL CREEK, LLC DATED 11/17/2008. INSTRUMENT #
Phone:	(650) 906-5636
Email:	jack@hoypoint.sunvalley.com
Mailing Address:	P.O. BOX 84, SUN VALLEY, ID 83353
Representative:	JACK E. BARITEM, JR., EDWARD LAWSON AND ANDY BLANK
Mailing Address:	(SEE ATTACHED DOCUMENT)
Phone:	EDWARD LAWSON (208) 725-0055
Email:	ea1@lawsonlawhi.com
PROJECT INFORMATION	
Legal Land Description:	LOT 2, BLOCK 83, KETCHUM TOWNSITE
Street Address:	500 RIVER STREET EAST
Lot Area:	40,631 SF
Zoning District:	TDOR1ST (T)
Overlay District:	<input checked="" type="checkbox"/> Flood <input type="checkbox"/> Avalanche <input type="checkbox"/> Mountain
Anticipated Use:	HOTEL WITH 79 HOTEL UNIT KEYS AND 12 FOR SALE RESIDENCE CONDOMINIUMS
SECOND AMENDMENT	
Date of Agreement:	NOVEMBER 17, 2008 (ORIGINAL) AMENDMENT: SECOND AMENDMENT RECORDED
Parties Named in Original Agreement:	CITY OF KETCHUM AND TRAIL CREEK FUND, LLC
Summary of Significant Changes:	SEE RECORDED INSTRUMENT # 564339 RECORDED 1/22/2009; SECOND AMENDMENT 8/22/2012
THIRD AMENDMENT	
Date of Agreement:	RECORDED 11/6/2013
Parties Named in Original Agreement:	CITY OF KETCHUM AND TRAIL CREEK FUND, LLC
Summary of Significant Changes:	SEE RECORDED INSTRUMENT # 614485; CONDITIONS 7. AND 16. OF SECOND AMENDMENT
OTHER AMENDMENTS	
Date of Agreement:	RECORDED AS INSTRUMENT # 630816 AMENDED AND RESITATED DEVELOPMENT AGREEMENT;
Parties Named in Original Agreement:	RECORDED AS INSTRUMENT # 652281 - FIRST AMENDMENT TO AMENDED AND RESITATED DEVELOPMENT AGREEMENT RECORDED 6/5/2018; SETTLEMENT AGREEMENT BETWEEN CITY OF KETCHUM AND HARRIMAN HOTEL, LLC RECORDED AS INSTRUMENT # 694658 6/29/2022
Summary of Significant Changes:	SEE ATTACHED SUMMARY DOCUMENT

I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.


Signature of Owner/Representative

MANAGING MEMBER
HARRIMAN KETCHUM HOTEL, LLC

September 20, 2022
Date

Once your application has been received, we will review it and contact you with next steps. No further action is required at this time.

EDWARD A. LAWSON
EAL@LAWSONLASKI.COM



By Hand

Ms. Morgan Landers
Senior Planner
City of Ketchum
P.O. Box 2315
Ketchum, ID 83340

Re: Appellation Sun Valley By Harriman Ketchum Hotel, LLC
Our File No. 70359-029

Dear Morgan:

Enclosed with this letter is a Development Agreement Amendment Application with attachments, including a supplemental letter from Jack Bariteau, Jr. and a draft of a Second Amendment to Amended and Restated Development Agreement together with the updated Employee Housing Plan.

Also enclosed is a check payable to the City in the amount of \$1,950.00 which represents the application fee. Please let me know as soon as possible if you require additional information for this application.

I want to take this opportunity to submit documents relating to the City's assertion that the CUP and Development Agreement approvals in 2008 were predicated on Trail Creek Fund, LLC requiring condominium residences or lock offs being included in a rental pool. You will recall that we denied that assertion at the last meeting with you reasoning that to do so would have risked transforming the real estate sales into sales of securities.

Since our meeting I have provided Matt Johnson with legal authority for our position and in the attached supplemental letter, Jack Bariteau, Jr. provides references to secondary sources on the subject. A resource I have found helpful is "A Practitioner's Guide To When Real Estate Becomes a Security", by Alexander Selig, Eton Law Review, vol. 9-2 (2017).

We have researched our files relating to the 2008 CUP and Development Agreement approvals and find no reference to a rental pool arrangement in anything. This is simply because none was ever contemplated by Trail Creek Fund, LLC. In fact, the documents we reviewed demonstrate mandatory participation in a rental pool was never an issue. We are anxious therefore to receive copies of the documents the City was relying on in making its assertion regarding a tie-in to a rental pool as the means of satisfying the Hotel definition.

Morgan Landers
September 23, 2022
Page 2

Thank you for your continued assistance and professional courtesy in connection with this matter.

Sincerely,

LAWSON LASKI CLARK, PLLC

Edward A. Lawson

Pdf: Client

Enclosures: 2

August 8, 2022

Jack Bariteau
Managing Member
Harriman Ketchum Hotel LLC
P. O. Box 84
Sun Valley, Idaho 83353

Morgan Landers, AICP
Senior Planner
City of Ketchum
Planning and Building
P. O. Box 2315
Ketchum, Idaho 83340

RE: Updated Housing Plan – The Harriman Hotel and Residences/Appellation Sun Valley

Dear Morgan:

Per our conversations over the last week, we have discussed the necessity of updating the employee housing plan as the employee housing condition is being now met by the development and construction of the workforce housing component of the Building at First & Fourth and per the terms and conditions of the Second Amendment that were recently approved by the City Council for that project. Here is the update:

The Applicant shall provide a detailed Employee Housing Plan, which provides for 18 employees on a site acceptable to the Ketchum Cty Council, and within the Ketchum City Limits.

Originally, the property identified for the employee housing was the site located at the southeast corner of 1st Avenue North and Sixth Street, a site that was acquired by my personal separate property trust and then sold to the developer of the Ketch micro apartment project when the property at First & Fourth became available at what I deemed to be a superior and larger location, offering truly better views of Baldy to the west and allowing for the construction a larger underground garage. The First & Fourth mixed use building provides workforce housing of unmatched quality, size, and urban upgraded style interior improvements. 12 of the 15 apartments have unprecedented views west to Bald Mountain. The apartments are in fully secured building constructed using CLT or mass timber construction technology for the first time in Idaho and critically are within easy walking distance to downtown, the hotel and public transportation. The building also demonstrates an aesthetic and true mixing of residential uses that has been not been constructed to this level and quantity of individual employee housing apartment units, in decades in downtown Ketchum, if ever.

The 15 individual apartments now under construction range in size from 595 SF to 809 SF and will be offered for rent as deed restricted in BCHA Categories 4 and 5 as shown on Exhibit "A" attached to the Second Amendment to Development Agreement #20427 and recorded in Blaine County on July 12, 2022. The property will be managed by a third party verifier, The Housing Company, until such time as written notice is given to those interim renters of the 12 apartments identified on Exhibit "A" as On-Site Employee Housing Units dedicated for use by the hotel employees under the master lease to the hotel ownership or hotel management company. Lease terms shall be for one year and renewable while deed restricted. The rental lease form shall be developed in conjunction with the approved third party verifier, The Housing Company. A security deposit will be required to cover any damage to the rental Premises during deed restricted rental occupancy.

And Per the Preliminary Plat map approved by the City, the deed restricted apartments that will be master leased hotel employee apartments are identified as apartments 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205 and 206 and identified on the Preliminary Plat as Units 1A and 1B. These apartments, once under the master lease, would be assigned by hotel management at its discretion and at salary levels which may be included as part of the salary package or not where a subsidized rental (to be determined by hotel management) could be charged subject to its operational program for hiring and retention of its hotel employees. Each of the 15 apartments have been designed and are being completed with galley style kitchens, full bathroom, stacked washer and dryer, closet space, and living and dining areas. Fiber optic internet connection service and independently metered electric and gas utilities are provided as well as fully independent heating and cooling forced air systems with thermostatic controls. There is direct elevator and stair access to the building's main lobby entrance and to the project's underground garage. The 12 Employee Housing Units all face to the west and all have large glass views to Bald Mountain, operable windows, 10 foot exposed wood ceilings where applicable, LED recessed lighting in dropped drywall ceilings and affixed LED fixtures to the wood ceilings, and where available, one parking space in the underground garage, subject to parking spaces being designated on the Preliminary Plat map and as required by code, parking spaces for the penthouse condominium residences and commercial ground floor space in this 37,000 SF mixed use building and single level underground garage.

The following elements shall be required in the Employee Housing Plan:

(a) Provide salary/hourly wages for the various incim categories of employees.

An updated and attached Project Salary Schedule updated as of July 30, 2022 for The Harriman Hotel shows a total of 70 employees. This is the standard document previously provided to the City for the previous EHP and as prepared for the Idaho Department of Commerce.

(b) The expected numbr of each level of employee that is intendd to be served by he employee housing units.

With the tremendous change in available workforce employees on a local, regional and national basis since the Pandemic, it is the goal of Appellation Hotels to recruit the proper employee mix with hospitality experience whether already locally employed or coming into the Wood River Valley. Assignment of the hotel employee apartments will be at the decision of the hotel manager as there may not just be single person occupancy within the employee pool. Married couples or sharing of an apartment by two unrelated employees is possible within 8 of the 12 hotel employee apartments as two distinct sleeping have been designed, that share a full bathroom, are possible in these 8 units.

(c) Which employee category will be served by which type and sizes of units.

We see, based on today's hospitality worker availability environment, which employment sector was one of the the hardest in the pandemic, the hotel management operator requiring the greatest amount of flexibility in placing employees at all salary levels in the 12 hotel employee apartments.

(d) Provide information on anticipated rental rates or subsidized and /or free rent to employees; will utilities and homeowner dues, if any, be included in proposed rates.

Category 4 and Category 5 rental rates have been published by the Blaine County Housing Authority dated April 20, 2022. Rental rates for Category 4, 1 bedroom with a household size of 1.5 is \$1,191.00 and for an apartment that has two sleeping areas is \$1,349.00 with a household size of 2.5. Category 5, 1 bedroom with a household size of 1.5 is \$1,488.00 and \$1,686.00 for a household size of 2.5. Homeowner dues will be paid by the Landlord as well property taxes and building insurance from rentals received from the deed restricted renters. Electric, power and internet service cost will be the responsibility of each renter. Category 2022 BCHA Income Limits are \$79,300 in Category 4 with a net worth limit of \$125,000 and in Category 5 the Income Limits are \$95,200 and a net worth limit of \$150,000 while Deed Restricted.

(e) Establishment of maximum occupancy per unit type (i.e. 1 person per 1 bedroom unit; 2 persons per 2 bedroom units).

The apartments as designed in First & Fourth can accommodate 1 person in 4 of the 15 apartments or a married couple or unmarried partners depending on their application and qualification under the income categories while deed restricted. Flexibility would be looked at for a married couple with on child where two sleeping areas exist in the 8 apartment floorplans that have two sleeping areas. The same allocation would be assumed to be applicable once the hotel master lease goes into effect.

(f) Location of units within Ketchum City Limits.

The apartments are being constructed in the First & Fourth mixed use building in downtown Ketchum.

(g) Provide a matrix of breakdowns of the different types of units (1 BD; square footage; total number of units; anticipated rent, etc).

In lieu of a matrix, the breakdown of units is defined by the apartments as listed on Exhibit "A" of the Second Amendment of the Development Agreement #20427 and has shown on the Preliminary Plat as approved for the building. The monthly rentals to be charged are based on Category 4 and Category 5 BCHA rental rates (as published April 20, 2022) and according to household size. Rental monthly rates ranges are \$1191.00 to \$1349.00 for Category 4 and \$1488 to \$1686.00 for Category 5. These rental ranges depend on the number of occupants in the apartments. As we do not yet know whether the apartments will be occupied by one or two individuals, and if married, with or without one child until we see the waiting list, application and verification information for analysis by The Housing Company, we will not have a definitive breakdown on rental rates until as such time as this process begins.

We await the waiting list information from the City or providing agency. See web links for BCOHA www.bcoha.org/maximum-monthly-housing-costs.html and www.bcoha.org/income-asset-limits.html

(h) Create a priority for occupancy program for these units; (i.e. first availability employees that are full time, secondly to seasonal employees, and third to persons that are verified to working in the City of Ketchum.

Priority to Ketchum workforce employees will be based on the wait list to be supplied by the City of Ketchum while the 15 apartments are deed restricted. We are assuming that the wait list applicants will all be full time and have been fully vetted by the vetting agency ("BCHA" or other designated entity by the City) and will follow the program housing guidelines. The Second Amendment prioritizes employees working within the City of Ketchum. Once the deed restrictions are terminated for the 12 hotel employee housing units shown on Exhibit "A" to the Second Amendment, the hotel master lease will control for those apartments identified on the Preliminary Plat as contained in Unit 1A on the first floor and Unit 1B on the second floor.

(i) What units will be available and how will the pool of units be determined.

The units available for the interim period prior to the hotel master lease becoming effective are a total of 15 apartments as listed on Exhibit "A" attached to the Second Amendment to the Development Agreement. These units are designated on the Exhibit as Category 4 or Category 5 rental apartments and are deed restricted until such time as the hotel master lease commences and 12 of the 15 apartments are then dedicated to fulfill the hotel employee bed requirement.

(j) What minimum standards will be used to determine employee eligibility to live in the employee housing; is full time status required for employees to qualify for the employee housing and what constitutes full-time status.

The minimum standard for employee eligibility will be the execution of an employment contract for full time work for at least one calendar year. Full time work is defined as a 40 hour work week five out of seven days per week or a flexible schedule of longer hours and fewer days as to be determined by the hotel management company.

(k) How will overflow of demand of units by employees be handled; will there be a priority system.

Objectively, we would like to be able to assist and locate housing for the majority of the 70 employees that the hotel will employ as listed on the accompanying Project Salary Schedule as updated by Appellation Hotels dated July 30, 2022. The 12 apartments in First & Fourth can accommodate 20 sleeping beds for the hotel workforce as now being constructed. Our requirement for the hotel is 18 beds and this assumes that these units have a maximum 1 and or 2 person occupancy. As you are aware there are multiple efforts to create additional market rate and affordable housing in the Wood River Valley by various entities with the majority of these projects located in Hailey and Bellevue. We see opportunities for our employee workforce to be located in these developments and will endeavor to secure employee housing in these projects come on line and coincident with the proposed completion and opening of the hotel.

(l) Provide information on housing families (with children) and or married couples.

Our 2016 employee housing plan forecast the apartments we are building as certainly suitable for married couples and did not see at that time whether children could also be accommodated due to the original concept designs for the original location proposed for the employee housing in 2016. With the change in location to First & Fourth, we do have the opportunity to accommodate a married couple with a single child in 8 of the 12 apartments where an additional sleeping area has been created in these unit plans. The hotel management company will be in charge of accommodating married couples with children as they begin to hire its staff.

(m) The proposed Employee Housing shall meet the minimum size thresholds and income categories established by the BCHA.

The 15 apartments in the First & Fourth building have been designed to meet the site constraints of the land area while maximizing light and air into these units while providing 12 of the 15 apartments with western or Bald Mountain views. Income categories for all 15 apartments have been set by the City Council in the Second Amendment Exhibit "A" schedule until such time as the 12 apartments for the hotel under its master lease and deed restrictions and Category rental levels are removed by the master lease. 3 of the 15 apartments (Units 208, 209 and 210) shall remain as deed restricted in Category 4. All 15 apartments are in essence large 1 bedroom units and no studios, two or three bedrooms unit plans could be designed into the First & Fourth building. 8 of the 15 apartments can provide an additional sleeping area but under IBC definition are not considered or designated as bedrooms due to lack of window area.

(n) Wage/salary range and a breakdown of the number of employees with the aforementioned classifications.

See the accompanying Project Salary Schedule. Analysis of this schedule concludes that anyone earning over or under Category 4 and 5 rental limits or where they exceed income asset limits would not be permitted to rent the 15 apartment units under deed restriction and the same would apply to the 3 permanent deed restricted units once the master lease dedicates the 12 apartments for use under the hotel master lease.

(o) Costs incurred in rent (and utilities) and transportation /parking by employees

No costs for use by the hotel employees of the 12 apartments are individually broken down under the anticipated master lease with the hotel ownership or hotel management company. During the period of the deed restricted individual rental of each of the 15 apartments, rental received by the ownership of First & Fourth, Waypoint Pearl, LLC, will be reduced by the expense of the homeowner dues assessed on a prorated basis if livable square feet of each apartment, each penthouse condominium and the 3 ground floor commercial spaces as now approved on the preliminary plat. While no exact HOA dues have been calculated or estimated at this juncture, other Ketchum mixed use buildings by example, are currently running near the \$.60 per square foot range per month. These dues include property taxes that are assessed against the building common areas, building insurance for the structure and exterior (roof, sidewall and window systems) overall, common area maintenance and common area utilities (exterior building lighting and snowmelt system, landscaping, City of Ketchum water and sewer, trash collection, underground parking, repairs and maintenance, capital reserves, HOA management, etc. Using permanently deed restricted apartment unit 210, this cost would equal \$485.40 per month (824 SF x \$.60). Each apartment is individually metered by Idaho Power and fiber optic internet service is provided by Cox Communications to each unit. The cost of these utility services will be borne by the individual renter and by the master lessee for the 12 apartments for the hotel.

Transportation costs are unknown for hotel employees as the First & Fourth building. As the building is within easy walking or biking distance of the hotel, we see this as the primary mode of getting to and from work. Public transportation by Mountain Rides is also nearby. Where parking spaces exist in the garage and which are not designated for penthouse residence or commercial use on the preliminary plat as approved, the remaining open parking spaces will be made available for rent by the apartment renters on a first come first serve basis and the vehicle that is to be parked is restricted in height by the overall height of the garage ceiling, suspended utility lines, ventilation or exhaust shafts and garage lighting.

(p) Information on type of housing provided per employee classification.

The 15 apartments are all technically one bedroom apartments with 8 of the fifteen having two sleeping areas. Double occupancy may be possible but it is extremely difficult at this time to conduct the actual classification requested in this section of the hotel employee plan.

(q) Details on anticipated lease terms/rental agreements for employees housed on-site.

There are no hotel employees that will be housed within or on the hotel premises. All 18 hotel employee beds will be housed within the First & Fourth 12 apartments as designated on Exhibit "A" attached to the Second Amendment. Lease terms for each of the 15 rental units, while deed restricted, will be legally prepared in a standard rental agreement form prepared by legal counsel and in concert with The Housing Company. Minimum lease term will be one (1) year and will require a security deposit and first month's rent at execution. The lease will allow for a one (1) renewal option and will also have a reasonable notice of termination period to allow for the hotel master lease to commence as needed. We will be preparing the lease rental form prior to the end of November as we anticipate occupancy of the apartments and building to now occur at the end of January to mid-February subject to supply chain issues that continue to push back our completion date.

(r) The Employee Housing Plan shall be submitted and approved by the City Council prior to the issuance of a building permit. This plan shall be an exhibit to the PUD agreement and recorded prior to issuance of a building permit.

Morgan, this document completes the updated Employee Housing Plan for The Harriman Hotel and Residences/Appellation Hotels project. There is variance from the original Employee Housing Plan submitted on April 5, 2016 to Micah Austin and which was eventually approved by the City Council. The location for the hotel employee housing has obviously changed and will be located in the First & Fourth mixed use building under construction. The hotel management operator has also changed as have answers to the questions following the format provided to me by the City which I have followed in sequence per the April 5, 2016 letter. The Project Salary Schedule will be forwarded separately as it is in Excel format.

Please let me know if you have any questions or comments at your earliest convenience. In the interest of time and our review schedule, this document is being circulated to Ed Lawson, Andy Blank, the Appellation Hotels team and The Housing Company for review and comment but otherwise constitutes to the best of my knowledge, the Employee Housing Plan update for City review and processing.

Sincerely,

Harriman Ketchum Hotel LLC

Jack Bariteau
Managing Member

CC: Edward Lawson
Andy Blank

Chad Hostetler, Appellation Hotels
The Housing Company

64	Spa Therapist	\$32,000.00	3	1														4
65	Estatecian	\$32,000.00	1															1
66	Director of Sales & Marketing	\$140,000.00	1															1
67	Catering/ CS Manager	\$80,000.00	1															1
68	PBX Operator	\$32,000.00	1															1
69	Chief Engineer	\$95,000.00	1															1
70	Shift Engineer	\$50,000.00	3	1														4
Total New Jobs created			93	15	0	0	0	0	0	0	0	0	0	0	0	0	0	108



Instructions

1. Enter the job title for each new job to be created under the project in column C. Insert new rows as necessary.
2. Enter the annual wage, without benefits, for each new job to be created under the project in column D.
3. Enter the number of new jobs projected to be created in each year of the project in columns E through S.
4. Upload the EXCEL sheet to the space indicated on the application.

**Note - The term of the TRI is often tied to the years over which new jobs are created. (15 year maximum term)*

IDOC TRI Template 09/04/2014

Notes:

- 1 Current minimum wage is 7.25 moves to \$15.00 / hour as of July 2023
- 2 Current survey (as of July 2022) for most line hospitality positions is \$20-25 / hour
- 3 Idaho Tip Credit state \$3.90 as of July 2022