

Fill in this information to identify the case:

Debtor name: The Revocable Trust of John Q Hammons
United States Bankruptcy Court for the District of Kansas at Kansas City
Case number (If known): 16-21140

See Appendix A to bar date notice for list of debtors and case numbers.

ID: 2722
FOOTHILLS LANDSCAPE MAIN
PO BOX 189
WINDSOR, CO 80550-0189

RECEIVED
OCT 17 2016
BMC GROUP

If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.
THIS SPACE IS FOR COURT USE ONLY

04/16

Official Form 410

Proof of Claim

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense, except for administrative expenses under 11 U.S.C. § 503(b)(9).

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

The original of this completed form (faxes not accepted), together with accompanying documentation, must be either (a) delivered to the Claims and Noticing Agent at the address set forth on the Bar Date Notice, or (b) filed using the online Document Filing System (CM/ECF) of the United States Bankruptcy Court for the District of Kansas, in either event so as to be received no later than 5:00 p.m. CST on the December 23, 2016.

Part 1: Identify the Claim

1. Who is the current creditor?

Foothills Landscape Maintenance LLC
Name of the current creditor (the person or entity to paid for this claim)

Other name the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

No

Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Foothills Landscape Maintenance
Name

Foothills Landscape Maintenance
Name

PO Box 189
Number Street

PO Box 189
Number Street

Windsor CO 80550
City State ZIP Code

Windsor CO 80550
City State ZIP Code

Contact phone 970-472-0690

Contact phone 970-472-0690

Contact email foothillslandscape@comcast.net

Contact email foothillslandscape@comcast.net

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

No

Yes. Claim number on court claims registry (if known) _____

Filed on _____

MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

No

Yes. Who made the earlier filing? _____

JQH Ctl ID



00096

Part 2: Give information about the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 4,509.73 Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Services performed - landscaping

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.

Nature of property:
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)? No Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

| | |
|---|--------------------------------------|
| <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | Amount entitled to priority \$ _____ |
| <input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. §507(a)(7). | \$ _____ |
| <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | \$ _____ |
| <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | \$ _____ |
| <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | \$ _____ |
| <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. | \$ _____ |

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)? No Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim. \$ 1,509.73

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b). Check the appropriate box:

I am the creditor.
 I am the creditor's attorney or authorized agent.
 I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
 I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/11/2016
MM/DD/YYYY

Amanda McCoy
Signature

Print the name of the person who is completing and signing this claim:

Name Amanda Joleen McCoy
First name Middle name Last name

Title Director of Operations

Company Foothills Landscape Maintenance, LLC
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 9500 Highway 392
Number Street
Windsor CO 80550
City State ZIP Code

Contact phone 970-472-0690 Email foothillslandscape@comcast.net



39363467002722

FOOTHILLS LANDSCAPE MAIN
PO BOX 189
WINDSOR, CO 80550-0189



Landscape Maintenance Contract

This Agreement, entered into on the 30th day of December, 2015, states that Foothills Landscape Maintenance, LLC, hereafter FLM, will provide all labor and materials for landscape maintenance services at the following, hereafter Client:

Property Name: Revocable Trust of John Q. Hammons dba: Embassy Suites Loveland Hotel, Spa & Conference Center

Physical Location: 4705 Clydesdale Parkway, Loveland, CO 80538

Billing Information:

Address 4705 Clydesdale Parkway City Loveland State CO Zip Code 80538

Contact Name Scott McKelvey Contact Number (970) 612-2410 Contact Email scott.mckelvey@jqh.com

This contract period will begin 1 / 1 / 2016 and end 12 / 31 / 2016

SCOPE OF SERVICES

FLM and any appointed sub-contractors will furnish all labor, materials, and equipment necessary to provide quality, professional landscape maintenance services with a personal touch. Through the use of qualified and trained staff, FLM will provide landscape maintenance, fertilization and weed control, Spring and Fall clean-up, sprinkler maintenance, tree/shrub trimming, and bed care and any other requested service by Client in the realm of landscape maintenance. Any requests by Client that are not outlined in this contract or desire to modify this contract must be submitted to FLM in written form or by email.

AVAILABILITY AND PERFORMANCE

FLM will be readily available by phone and email and will respond quickly and efficiently to any requests by Client. Our staff takes pride in timely completion of requests and will be available at any time during business and non-business hours. FLM employees will always conduct themselves in an appropriate manner and adequate supervision of the employees is provided at all times. Foothills Landscape Maintenance, LLC crews are experienced, qualified personnel and are able to perform specialized tasks such as pruning and pesticide or herbicide application.

PAYMENT TERMS

FLM will invoice on the 15th and the last day of each month. Payment is due upon receipt. Invoices over 30 days past due will be assessed a 2% or \$5.00 finance charge, whichever is greater.

INSURANCE/LICENSES/PERMITS

FLM carries complete worker's compensation, automobile and general liability insurance. Certificates of insurance are available upon request. In addition, FLM has all required federal, state, and local licenses and permits necessary for legal operation in the State of Colorado. Foothills Landscape Maintenance, LLC is also a licensed pesticide applicator by the Colorado Department of Agriculture. If the client requests any additional permits or licenses to be carried that Foothills Landscape Maintenance, LLC does not already hold, Foothills Landscape Maintenance, LLC will obtain them before contract start.

DAMAGES

In the unlikely event that any damages occur to the client's property that are proven to be caused by Foothills Landscape Maintenance, LLC crew members, the cost of the repairs will be assumed by Foothills Landscape Maintenance, LLC in a timely and efficient manner.

Detailed Specifications of Performed Landscape Services and Associated Pricing

1. Turf Maintenance

a. Mowing

All turf areas will be mowed weekly or as specified by the client during the growing season. Frequency of mowing will vary in the spring/fall depending on the weather conditions, and growth. Grass clippings will be removed from the turf, walks, patios, curbs, etc to maintain a neat appearance of the property.

b. Trimming

All turf areas will be trimmed weekly to maintain a neat appearance.

c. Edging

Edging will be done monthly or as requested by the client and will be limited to concrete areas so as not to damage flagstone, brick, or wood decks or walks.

d. Ground Appearance

Grounds will be monitored weekly for trash, debris, and weeds. Everything will be done by Foothills Landscape Maintenance, LLC to maintain a neat appearance of the property. However, the cleanup of debris due to vandalism, excessiveness due to owner neglect, improperly contained dumpsters, and acts of God may require an additional charge of \$45 per man hour.

2. Native Mow

All native areas will be mowed six times during the growing season, these six native mows are included in the contract price. Any additional Native mowing will be billed at \$75 per man hour and Native Trimming will be billed at \$45 per man hour in addition to the contract price.

3. Aeration

Core aeration will be done in the spring.

4. Fertilization and Weed Control

a. Turf

Foothills Landscape Maintenance, LLC will fertilize and perform broadleaf weed control application on turf three times per season. These three applications are included in the contract price. We will monitor turf and bed conditions to determine what, if any, herbicides or pesticides need be applied. Any additional turf weed control applications outside of the three scheduled visits will be billed at \$75 per man hour. Insecticides or fungicides will be an additional charge with a bid submitted upon the client's request.

b. Beds and Tree Wells

All manual weeding of beds and chemical weed control applications in beds are included in the contract price. We will maintain existing tree wells; tree wells that are not present and that are needed will be billed at \$75 per man hour.

c. Native

Native area weed control applications will be billed at \$75 per man hour

5. Spring and Fall Clean Up

A spring clean-up will be performed in March/April. Fall clean-up generally takes place in the November/December time frame after the leaves have fallen.

6. Sprinkler System Maintenance

Foothills Landscape Maintenance, LLC will monitor and maintain the existing sprinkler system at the property. Sprinkler checks, turn-on and winterization are included in the contract price. The fee for sprinkler system repairs will be \$55.00 per man hour and the cost of materials plus tax. Sprinkler repairs required between the hours of 7:00 PM and 5:00 AM or on holidays are considered after hours and will be billed at \$75 per man hour. Sprinkler heads that are damaged while mowing will be replaced by Foothills Landscape Maintenance, LLC at no cost to the client.

7. Tree Shrub and Bed Care

a. Tree and Shrub Care

Foothills Landscape Maintenance, LLC will monitor all trees and shrubs and make any necessary recommendations to the client that might improve their health and longevity. Foothills Landscape Maintenance, LLC will prune all shrubs and the lower 10 feet of all trees on the property in accordance with industry standards. Tree pruning is limited to maintenance pruning. A bid will be provided upon request for any structural or rejuvenation pruning. Tree and shrub pruning generally takes place in accordance with the spring and fall clean-ups and one in the mid-summer.

b. Bed Care

Foothills Landscape Maintenance, LLC will monitor all bed areas regularly for mulch and rock coverage. Any necessary recommendations will be brought to the client that might improve the aesthetics of the bed areas (i.e. additional mulch, rock, etc.)

8. Snow Removal

Snow removal has not been included in this bid; a separate snow removal contract may be submitted upon the clients' request.

9. Other

Any other landscape needs or projects desired by the client can be completed at the hourly charge of \$45 per man hr and the cost of materials plus tax. A bid will be provided upon request of the client before services are rendered. Debris removal recycling fees may be charged in addition to the contract price.

PRICING AND PAYMENT

The total amount for the services described within the bid as outlined will be: \$ 14,600.04 per year

Foothills Landscape Maintenance, LLC desires payment as follows:

12 Monthly payments of \$ 1,216.67

Foothills Landscapes Maintenance, LLC reserves the right to increase pricing up to 5% annually. Any increases will be submitted for prior approval from the HOA board. This contract can be terminated with a 30 day written notice from either party. Should fuel prices exceed \$4.00 per gallon a 3% fuel surcharge will be added to all invoiced items. Foothills Landscape Maintenance, LLC reserves the right to increase the fuel surcharge in relation to fuel prices.

Our late policy is the greater of 2% or a \$5.00 finance charge per month on all balances past 30 days.

If the specifications and price are agreeable, a representative's signature below serves as contract.

Shane McCoy or Kate Caldwell
Shane McCoy or Kate Caldwell, Owners Date
Foothills Landscape Maintenance, LLC

12/14/15 [Signature] 12/30/15
Property Representative Date
Greggory A. Groves
Trustee



Foothills Landscape Maintenance LLC
 PO Box 189
 Windsor, CO 80550-0189

Invoice

| Date | Invoice # |
|-----------|-----------|
| 6/15/2016 | 37024 |

Bill To:

Revocable Trust of John Q Hammons
 dba: Embassy Suites Loveland Hotel, Spa
 Attn: Scott McKelvey
 4705 Clydesdale Parkway
 Loveland, CO 80538

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 flmcolorado.blogspot.com
 facebook.com/flmcolorado 

| A monthly finance charge of the greater of 2% or \$5.00 will be charged on all invoices over 30 days. We do not accept credit cards - please mail a check. A \$20 fee will be applied to any returned payments. | | | | | Terms | |
|--|------|--------------------------|--|----------|----------------|--|
| | | | | | Due on receipt | |
| Date | Qty | Item | Description | Rate | Amount | |
| 5/31/2016 | 1.00 | Weekly Lawn Maintena... | Lawn Maintenance- Included in Monthly Contract | 0.00 | 0.00 | |
| 6/1/2016 | 1.00 | Monthly Contract Fee | Monthly Contract- 6th of 12 | 1,216.67 | 1,216.67 | |
| 6/1/2016 | 1.00 | Weed Control Application | Weed Control Application: Beds and tree rings- Included in Monthly Contract | 0.00 | 0.00 | |
| 6/2/2016 | 1.00 | Landscape Materials | Flower fertilizer | 16.48 | 16.48T | |
| 6/2/2016 | 1.00 | Fertilizer Application | Fertilizer Application: Flowers | 28.00 | 28.00 | |
| 6/2/2016 | 1.00 | Sprinkler Labor | Labor to repair sprinkler system: Clock adjustments- Included in Monthly Contract | 0.00 | 0.00 | |
| 6/6/2016 | 1.00 | Weekly Lawn Maintena... | Lawn Maintenance- Included in Monthly Contract | 0.00 | 0.00 | |
| 6/10/2016 | 2.50 | Sprinkler Labor | Labor to repair sprinkler system: Booster pump issues | 55.00 | 137.50 | |
| 6/13/2016 | 1.00 | Weekly Lawn Maintena... | Lawn Maintenance- Included in Monthly Contract | 0.00 | 0.00 | |
| | | | Sales Tax - 6.55% | 6.55% | 1.08 | |

Thank you for your business!
 Commercial applicators are licensed by the Colorado Department of Agriculture.

| | |
|----------------------------|------------|
| Invoice Total | \$1,399.73 |
| Payments / Credits | \$0.00 |
| Invoice Balance Due | \$1,399.73 |



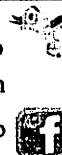
Phone: (970) 472-0690 Fax: (970) 460-7194 foothillslandscape@comcast.net www.flmcolorado.com

Foothills Landscape Maintenance LLC
 PO Box 189
 Windsor, CO 80550-0189

Invoice

| Date | Invoice # |
|-----------|-----------|
| 6/30/2016 | 37159 |

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 flmcolorado.blogspot.com
 facebook.com/flmcolorado



Bill To:

Revocable Trust of John Q Hammons
 dba: Embassy Suites Loveland Hotel, Spa
 Attn: Scott McKelvey
 4705 Clydesdale Parkway
 Loveland, CO 80538

| Terms |
|----------------|
| Due on receipt |

A monthly finance charge of the greater of 2% or \$5.00 will be charged on all invoices over 30 days. We do not accept credit cards - please mail a check. A \$20 fee will be applied to any returned payments.

| Date | Qty | Item | Description | Rate | Amount |
|-----------|------|--------------------------|---|-------|--------|
| 6/15/2016 | 1.00 | Sprinkler Labor | Labor to repair sprinkler system: Programmed tree zone | 55.00 | 55.00 |
| 6/17/2016 | 1.00 | Weed Control Application | Weed Control Application: Beds and cracks- Included in Monthly Contract | 0.00 | 0.00 |
| 6/20/2016 | 1.00 | Weekly Lawn Maintena... | Lawn Maintenance- Included in Monthly Contract | 0.00 | 0.00 |
| 6/23/2016 | 1.00 | Sprinkler Labor | Labor to repair sprinkler system: Booster pump diagnosis | 55.00 | 55.00 |
| 6/27/2016 | 1.00 | Weekly Lawn Maintena... | Lawn Maintenance- Included in Monthly Contract | 0.00 | 0.00 |
| 6/27/2016 | 1.00 | Native Mowing | Native Mow- Included in Monthly Contract | 0.00 | 0.00 |
| | | | Sales Tax - 6.55% | 6.55% | 0.00 |

Thank you for your business!
 Commercial applicators are licensed by the Colorado Department of Agriculture.

| | |
|----------------------------|----------|
| Invoice Total | \$110.00 |
| Payments / Credits | \$0.00 |
| Invoice Balance Due | \$110.00 |



Phone: (970) 472-0690 Fax: (970) 460-7194 foothillslandscape@comcast.net www.flmcolorado.com

District of Kansas Claims Register

[16-21142 John Q. Hammons Fall 2006, LLC](#)

Judge: Robert D. Berger **Chapter:** 11
Office: Kansas City **Last Date to file claims:** 12/23/2016
Trustee: **Last Date to file (Govt):**

| | | |
|--|--|---|
| <i>Creditor:</i> (8509541) FOOTHILLS LANDSCAPE MAIN PO BOX 189 WINDSOR CO 80550- 0189 | Claim No: 137 <i>Original Filed</i> Date: 10/20/2016 <i>Original Entered</i> Date: 10/20/2016 | <i>Status:</i> Filed by: CR Entered by: Terri Marshall Modified: |
|--|--|---|

| | | | | |
|---------------------------|--|--|--|--|
| Amount claimed: \$1509.73 | | | | |
|---------------------------|--|--|--|--|

History:

| | | | |
|-------------------------|-----------------------|------------|--|
| Details | 137-1 | 10/20/2016 | Claim #137 filed by FOOTHILLS LANDSCAPE MAIN, Amount claimed: \$1509.73 (Marshall, Terri) |
|-------------------------|-----------------------|------------|--|

Description: (137-1) services performed (21140)

Remarks: (137-1) KSB Filed 10/17/16; ECF by Claims Agent 10/20/2016

Claims Register Summary

Case Name: John Q. Hammons Fall 2006, LLC
Case Number: 16-21142
Chapter: 11
Date Filed: 06/26/2016
Total Number Of Claims: 1

| | |
|------------------------------|-----------|
| Total Amount Claimed* | \$1509.73 |
| Total Amount Allowed* | |

*Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

| | Claimed | Allowed |
|-----------------------|---------|---------|
| Secured | | |
| Priority | | |
| Administrative | | |