

CITY OF VALDEZ, ALASKA

RESOLUTION #21-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AUTHORIZING ACCESS TO PARCELS A-1, A-2 AND B, ASLS 79-116 AND TRACT C OF RYDOR SUBD 2019 ADDITION, ACROSS CITY-OWNED PROPERTY OVER THE ALPETCO ROAD TRAIL

WHEREAS, the City of Valdez sold Rydor Enterprises, LLC 100 acres of property within Tract A and Tract B, ASLS 79-116 to known as Parcels A-1, A-2 & B, ASLS 79-116, and Tract C Rydor SUBD 2019 Addition; and

WHEREAS, Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC require access to their properties for the purpose of developing a mountain recreation center; and

WHEREAS, this property is landlocked with no platted access, and Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC are requesting access across City property for the purpose of continuing the process of development; and

WHEREAS, the City Council approved Resolution 08-25 on June 2, 2008 authorizing temporary and insured access to the properties via the Alpetco Road; and

WHEREAS, the City wishes to grant Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC access while maintaining the use of existing trails and road beds; and

WHEREAS, the City has commissioned an access study for this area to be completed in summer of 2021, which is a necessary step in establishing formal platted access to these properties; and

WHEREAS, this agreement is to be reevaluated before the expiration of this Resolution with the intent of moving toward the formal dedication of access via municipal access agreement or platted right of way;

WHEREAS, the City of Valdez needs to be protected against liability that may result from the access provided under this Resolution; and

WHEREAS, the City of Valdez needs to ensure all state and federal permits for such work are obtained for all actions taken on its land.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC are granted access for purposes of project development over the Old Alpetco Road trail until December 31, 2021 or until otherwise revoked by Council resolution so long as all other requirements of this Resolution are satisfied.

Section 2. The City, acting through the City Manager, may restrict any form of access not expressly provided for by this Resolution.

Section 3. For the duration of access grant, Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC shall maintain a \$1,000,000 general liability policy for the access area naming the City of Valdez as an additional insured, proof of which must be submitted to the City Manager prior to using the access area under this Resolution.

Section 4. In conformance with state and federal regulations, all required Alaska Department of Fish and Game Fish Habitat Permits and other applicable state and federal permits shall be obtained and submitted to the City Manager for inspection prior to using the access area under this Resolution.

Section 5. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC shall not allow access through the locked gate maintained by the City to third parties without prior written consent from the City, unless such access is directly associated with the performance of work under an approved building permit or development activity.

Section 6. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC use of the access area is not exclusive and shall not unreasonably interfere with the use of the public or the City.

Section 7. No clearing, brush disposal, or trail modification within the access area shall occur without the prior approval of a plan for such activities by the City Manager.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this ___ day of _____, 2021.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk