

CITY OF VALDEZ
FIRST AMENDMENT TO TEMPORARY LAND USE PERMIT AGREEMENT

Permit No. 21-01

This First Amendment to Temporary Land Use Permit Agreement is entered into this 17th day of March, 2021 by and between the CITY OF VALDEZ, an Alaska municipal corporation (hereinafter referred to as "Valdez"), whose address is P.O. Box 307, Valdez, Alaska, 99686, and VALDEZ MOTOR SPORTS CLUB, INC. (hereinafter referred to as "Permittee"), whose address is PO BOX 3689, Valdez, Alaska 99686.

W I T N E S S E T H:

A. Paragraph 2 of Permit No. 21-01 shall be deleted and replaced in its entirety to read:

2. Term and Termination. Permittee may use the Property for the purposes set forth herein on **February 20, 2021, March 3, 2021, March 20, 2021, March 21, 2021, March 27, 2021, and April 3, 2021.** Permittee shall vacate the Property immediately after the expiration of this Permit.

B. Paragraph 3 of Permit No. 21-01 shall be deleted and replaced in its entirety to read:

3. Use. **Permittee shall use the Property for staging for a track for the youth snowmobile races on February 10, 2021, March 3, 2021, March 27, 2021, and April 3, 2021 and for adult snow machine races on March 20, 2021, and March 21, 2021 and for no other purposes.** Specific buildings permitted include:

- a. Portable restrooms
- b. Office trailer

Permittee may construct a snowmobile racing course on the Property. Upon expiration of the term of this Permit, Permittee shall either demolish any course constructed on the Property. Between dates allowed by this Permit, Permittee shall restrict access to the course by placing snow berms in the locations identified in Exhibit A, attached hereto.

All participants and/or competitors participating in snowmobile racing activities shall execute a waiver of liability form approved by the City.

Use of the Property under this Permit shall conform with existing City of Valdez zoning requirements and the City of Valdez comprehensive plan. Use of the Property under this Permit shall not adversely impact public access or Valdez operations.

All fuel petroleum and other toxic products maintained, stored or used at the Property shall be stored no less than 100 feet away from the nearest surface waterbody, and contained and confined in a manner which prevents any spillage from entering the Property, including without limitation any surface waters. In the event of a fuel or other toxic product spill, Permittee shall immediately notify the Valdez office of the Department of Environmental Conservation of the same. Permittee must maintain on hand at all times sorbent materials in sufficient quantity to handle operational spills for use in the event of a fuel or other toxic product spill.

No permanent structures shall be erected on the property; and no permanent alteration of the land shall occur.

- C. Exhibit A to Permit No. 21-01 shall be deleted and replaced in its entirety with Amended Exhibit A attached hereto.
- D. All remaining terms of Permit No. 21-01 shall remain in effect.

IN WITNESS WHEREOF the parties have caused this Permit to be executed by their duly authorized officers the day and year first above written.

[SIGNATURES TO FOLLOW]

CITY OF VALDEZ, ALASKA

PERMITTEE: VALDEZ MOTOR SPORTS CLUB, INC.

By: _____

Mark Detter, City Manager

Date: _____

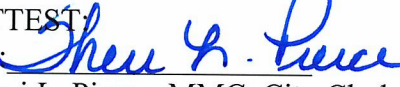
By: _____

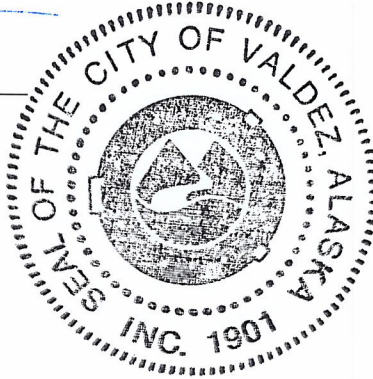
Ken Lares, President

Date: _____

Approved as to Form:
BRENA, BELL & WALKER, P.C.
Attorneys for the City of Valdez

By: 
Jake W. Staser, City Attorney

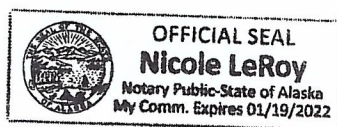
ATTEST:
By: 
Sheri L. Pierce, MMC, City Clerk

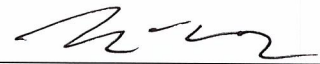


STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 16th day of March, 2021, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Ken Lares** known to me and to me known to be the individual named in and who executed the foregoing document and executed the foregoing document as free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.




Notary Public in and for Alaska
My Commission Expires: 1-19-2022

“AMENDED EXHIBIT A”

MAYOR'S CUP SITE PLAN Pipeyard

Tim's Sketch



3/15/2021, 1:28:29 PM

COV parcels

Valdez City Limits

1:4,514

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.11 km

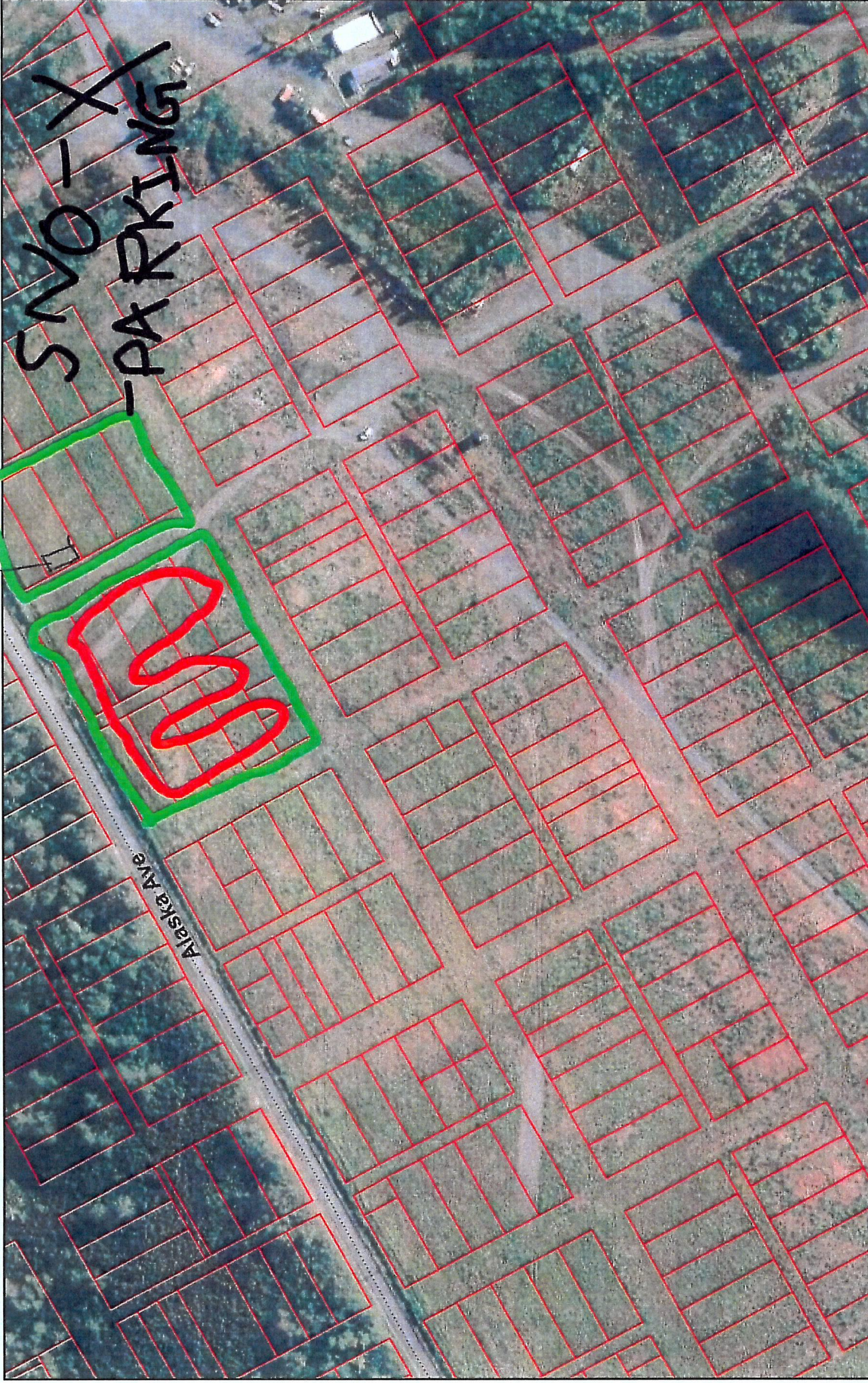
City of Valdez, JAP, GeoEye, Maxar

COV Planning - GIS
Information displayed is for informational purposes only. The City of Valdez makes no warranties, expressed or implied as to the veracity or accuracy of the information herein.

SNO-X SITE PLAN

Pipeyard
Tina's Shack

3/21/2021

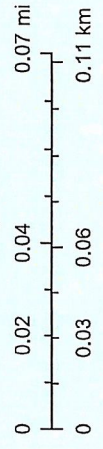


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COV parcels

Valdez City Limits

1:4,514



City of Valdez: JAP, GeoEye, Maxar



EXHIBIT A
YOUTH RACES SITE PLAN
COV Pipeyard

