

## **Amendment No. 2**

### **SCALE HOUSE USE AGREEMENT AT THE VALDEZ CONTAINER TERMINAL SCALE FACILITY**

This AMENDMENT NO. 2 to the SCALE HOUSE USE AGREEMENT AT THE VALDEZ CONTAINER TERMINAL SCALE FACILITY (“Agreement”), by and between the CITY OF VALDEZ (“City”), an Alaska municipal corporation, whose address is P.O. Box 307, Valdez, Alaska 99686 and SAMSON TUG AND BARGE, CO. (“Samson”), an Alaska corporation, whose address is P.O. Box 559, Sitka, AK 99835, is effective January 1, 2021.

#### **WITNESSETH:**

WHEREAS, the City is the owner of a Scale Facility that is located on the Valdez Container Terminal (“VCT”); and,

WHEREAS, Samson is engaged in the trucking and freight movement business and desires to use the Scale House at the Scale Facility;

WHEREAS, the City seeks to facilitate the trucking and freight industry;

WHEREAS, the City and Samson entered into a Scale House Use Agreement dated November 10, 2014 (“2014 Agreement”), under the terms of which the City granted Samson the use of the Scale House;

WHEREAS, after Samson exercised its one option to extend the term of the Agreement for a period of five years, the City and Samson executed Amendment No. 1 to the Agreement, effective January 1, 2015, extending the term of the Agreement from December 31, 2015 to December 31, 2020; and

WHEREAS, the City and Samson desire to extend the term of the Agreement from December 31, 2020 to May 31, 2021.

NOW, THEREFORE, IT IS MUTUALLY AGREED between the City and Samson that the Scale House Use Agreement is amended as follows:

1. Section 2 Term. Is amended to read:

The term of this Agreement shall terminate on May 31, 2021 unless terminated at some earlier date under the terms and conditions set forth herein.

IN WITNESS WHEREOF, the parties have duly executed this Agreement effective the date and year first above written.

**AUTHORIZED:**

CITY OF VALDEZ

By: \_\_\_\_\_  
Sharon Scheidt, Mayor

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk

Date: \_\_\_\_\_

**LESSEE:**

SAMSON TUG & BARGE  
COMPANY, INC.

By: \_\_\_\_\_  
George Baggen, President

Date: \_\_\_\_\_

\_\_\_\_\_  
Federal I.D. or S.S. #

**RECOMMENDED:**

By: \_\_\_\_\_  
Jeremy Talbott, Ports & Harbor Director

Date: \_\_\_\_\_

**Approved as to Form:**

Brena, Bell & Walker, P.C.  
Attorneys for the City of Valdez

By: \_\_\_\_\_  
Jake W. Staser

Date: \_\_\_\_\_