

**KENAI PENINSULA BOROUGH
RESOURCE PLANNING DEPARTMENT
LAND MANAGEMENT DIVISION**

144 North Binkley Street
Soldotna, Alaska 99669
(907) 714-2200

**APPLICATION TO REQUEST THE NEGOTIATED SALE, LEASE, OR EXCHANGE OF
BOROUGH OWNED LAND**

A \$500 FEE MUST BE SUBMITTED WITH THIS APPLICATION. THE \$500 IS NOT APPLIED TO THE PURCHASE PRICE AND IS REFUNDED ONLY IF THE APPLICATION IS NOT FOUND TO BE IN THE PUBLIC'S BEST INTEREST. IF APPROVED BY THE BOROUGH ASSEMBLY, A \$1,000 EARNEST MONEY PAYMENT MUST BE SUBMITTED WITHIN SEVEN DAYS OF AFFIRMATIVE ASSEMBLY ACTION.

THIS FORM IS TO BE COMPLETED BY INDIVIDUAL(S) OR ORGANIZATION(S) WISHING TO PURCHASE, LEASE OR EXCHANGE BOROUGH LAND PURSUANT TO KPB 17.10.100(C) or (I). IT IS TO BE COMPLETED, IN FULL, TO THE BEST OF KNOWLEDGE OF THE INDIVIDUAL OR AUTHORIZED REPRESENTATIVE. IF REQUESTED, PROPRIETARY AND FINANCIAL INFORMATION OF APPLICANTS THAT IS SO MARKED, WILL BE KEPT CONFIDENTIAL. THE ASSEMBLY MUST APPROVE, BY ORDINANCE, ANY DISPOSITION OF BOROUGH LAND.

ATTACH SEPARATE SHEETS IF MORE SPACE IS NEEDED FOR EXPLANATION. IF A SECTION (or, portion thereof) IS NOT APPLICABLE, MARK WITH THE ABBREVIATION "N/A". ASK KPB LAND MANAGEMENT STAFF IF YOU HAVE ANY QUESTIONS ABOUT THE INFORMATION REQUESTED. PLEASE TYPE OR PRINT.

1. NAME OF INDIVIDUAL COMPLETING APPLICATION FORM:

Name Adam Reimer Phone # (907) 260-2961 / 252-3949
Mailing Address 41580 River Park Drive, Soldotna AK 99669
Physical Address same

2. OTHER INDIVIDUAL(S) OR ORGANIZATION(S) PARTY TO THIS APPLICATION:

a) Name Bill Holt Phone # (907) 283-7260 / 398-4412
Mailing Address PO Box 794 Kasilo AK 99610
Physical Address 28786 Coastline Street, Kasilo AK 99610
Relationship to applicant(s) _____

b) Organization name Tsalutshi Trails Association

Mailing Address PO Box 4076, Soldotna AK 99669

Physical Address N/A

Primary Contact: Adam Reimer / Bill Holt Title: Chairman / Manager

Phone # (907) 252-3949 / 398-4412

3. TYPE OF ORGANIZATION: (CHECK ONE)

Individual _____ Sole Proprietorship _____

General Partnership _____ Non-Profit Corporation _____

Limited Partnership _____ Non-Profit Association X

Other _____ Corporation _____

Note: Please submit, as appropriate, the following items with this application: 1) current Alaska business license; 2) designation of signatory authority to act for organization or individuals. If non-profit, has IRS Tax Exempt Status been obtained? Yes X No _____ If yes, attach letter of determination. If no, please attach certificate, articles of incorporation, by-laws, or other appropriate documentation.

4. LEGAL DESCRIPTION:

Township 4N, Range 11W, Section 12, Seward Meridian

Lot/Block/Subdivision _____

Plat Number _____ Recording District _____

Assessors Parcel Number(s) 13104526 Size/Acreage _____

Other description KN That PTN of E 1/2 lying northwest of Sterling Hwy excl Central Peninsula High School Sub, (section lying North of Isaac Rd.)

5. THIS APPLICATION IS BEING MADE FOR THE FOLLOWING: (CIRCLE ONE)

Purchase Lease Exchange

Other (specify): _____

6. PROPOSAL:

a) Purchase Price: lease

b) Down Payment Amount (Minimum 10% of Purchase Price): N/A

c) Payment Terms (Maximum 10 years; except for agricultural land where maximum is 20 years) :
N/A

d) Interest Rate (Minimum: prime plus 2%): N/A

OTHER TERMS AND CONDITIONS: Terms + Conditions similar to Tsaltshi Trail Associations existing lease with the Borough issued on July, 13 2000 for a term of 20 yrs

ARE THERE ANY CONTINGENCIES TO THIS TRANSACTION: YES NO IF YES, LIST:

7. PLEASE DESCRIBE ALL SPECIAL CIRCUMSTANCES AND ANY OTHER REASONS YOU BELIEVE THE BOROUGH SHOULD SELL THIS LAND TO YOU ON YOUR PROPOSED TERMS. BE SPECIFIC.

See Attached

8. IF PROPOSAL IS OTHER THAN FAIR MARKET VALUE, PLEASE STATE WHY IT WOULD BE IN THE "BEST PUBLIC INTEREST" TO APPROVE THIS PROPOSAL. INCLUDE ALL SUPPORTING FACTS AND DOCUMENTS.

See Attached

9. LAND STATUS: DESCRIBE ANY EXISTING IMPROVEMENTS; PROVIDE PHOTOGRAPHS IF AVAILABLE.

Undeveloped

10. ATTACH SITE PLAN DEPICTING THE PROPOSED USE OF THE PROPERTY.

See Attached

11. LIST THREE (3) CREDIT REFERENCES. IN ADDITION, AN ACTUAL CREDIT REPORT FROM A LOCAL PROVIDER IS REQUESTED IF BALANCE TO BE FINANCED BY THE BOROUGH EXCEEDS \$50,000.

NAME	ADDRESS	PHONE #
<u>N/A</u>		()
		()
		()

12. HAS APPLICANT OR AFFILIATED ENTITY PREVIOUSLY PURCHASED OR LEASED BOROUGH OWNED LAND OR RESOURCES? YES ___ NO IF YES, PROVIDE LEGAL DESCRIPTION; TYPE OF PURCHASE OR LEASE; AND CURRENT STATUS:

Tsalteshi Trails Association administers a trail system on Borough owned land described in a lease issued on July 13, 2000 and amended in 2005 and 2009 (see attached)

13. HAS APPLICANT, OR AFFILIATED ENTITY, EVER FILED A PETITION FOR BANKRUPTCY, BEEN ADJUDGED BANKRUPT OR MADE AN ASSIGNMENT FOR THE BENEFIT OF CREDITORS? ___ YES NO IF YES, EXPLAIN, INCLUDING DATES:

N/A

14. IS APPLICANT, OR AFFILIATED ENTITY, NOW IN DEFAULT ON ANY OBLIGATION TO, OR SUBJECT TO ANY UNSATISFIED JUDGEMENT OR LIEN? ___ YES NO IF YES EXPLAIN: N/A

Procedure for Processing Applications for Negotiated Sale, Lease or Exchange of Borough Land

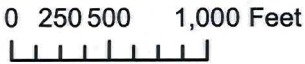
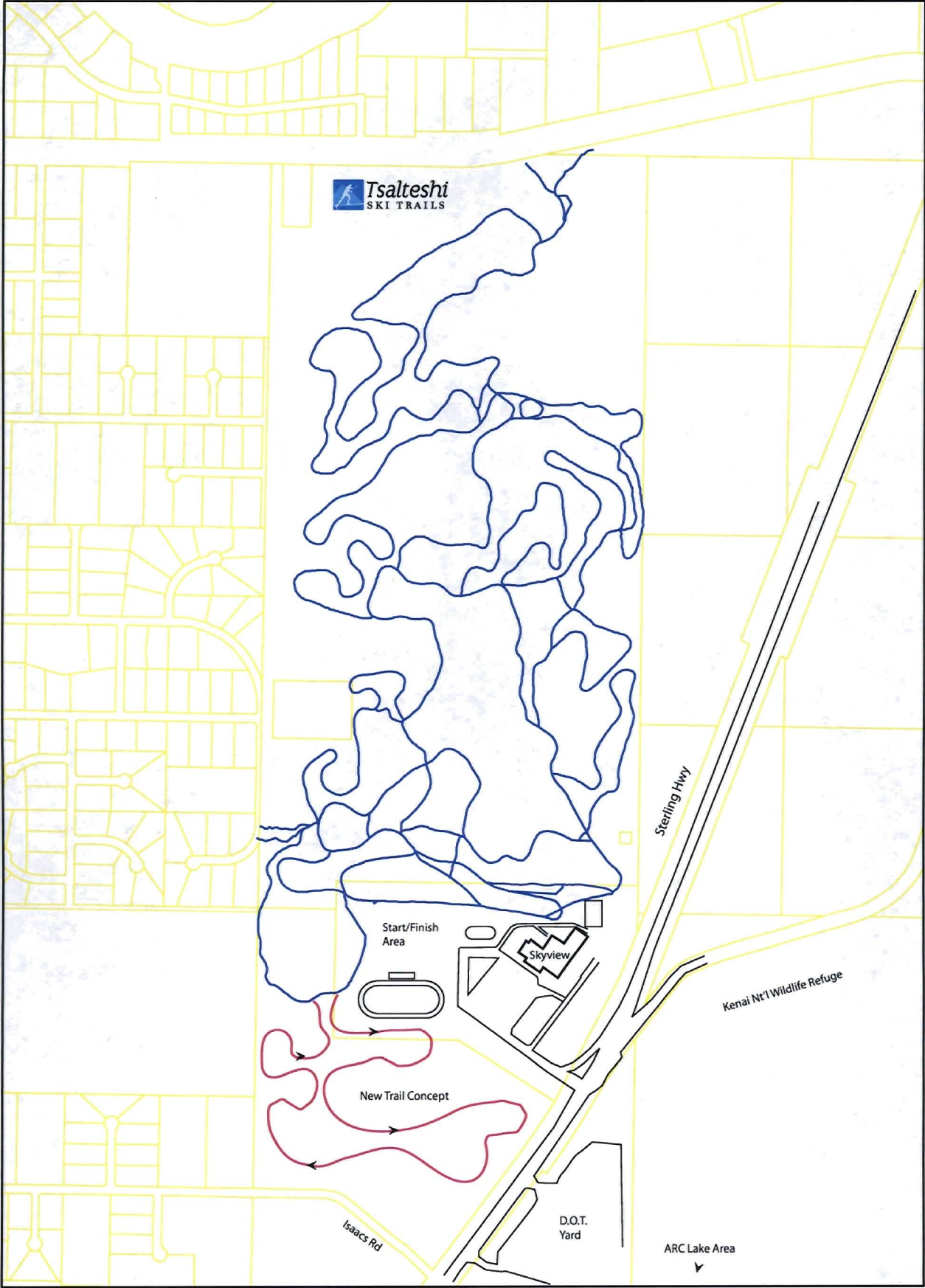
APPROXIMATELY 14 DAYS AFTER THE APPLICATION IS ACCEPTED AS COMPLETE AND DATE STAMPED THE MAYOR WILL MAKE A DECISION ON THE APPLICATION AS STATED IN STEP #3. IT WILL THEN TAKE APPROXIMATELY 90 DAYS FROM STEP #4 TO STEP #11.

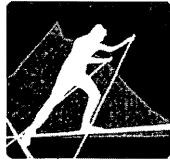
- 1) The application and application fee are received by the Land Management Division.
- 2) A preliminary recommendation is issued by the Planning Director to the Mayor. This may include basis of decision, additional conditions to consider during negotiations, and other applicable items.
- 3) The mayor determines whether it is in the public's best interest to proceed with the negotiations and proposed transaction, articulating specific reasons for this decision. The applicant is given written notice of the mayor's decision.

If the mayor determines it is not in the public's best interest to proceed, the application fee shall be refunded.¹ The mayor shall provide a copy of this decision to the Borough Assembly, at the next regularly scheduled meeting, in the Mayor's Report.

¹ If an Assembly member elects to introduce an ordinance authorizing a negotiated purchase, lease, or exchange of borough land, the proposed lessee or purchaser, will remit an application fee to the Planning Department. Beginning at Day 12, the procedures identified for processing the application shall be followed.

- 4) If the mayor determines it is in the public's best interest to proceed, the Planning Department shall submit a request to have the Assessing Department appraise the parcel.
- 5) Draft Ordinance is prepared. The draft ordinance shall be introduced at the next regularly scheduled Assembly meeting with a public hearing scheduled for 25 days from the date of introduction. The ordinance is simultaneously placed on the Planning Commission agenda and mailed to the advisory planning commission or the city's planning and zoning commission.
- 6) Public notices are mailed to all landowners and lessees within a one-half mile radius regarding the draft ordinance and public hearing dates.
- 7) Appraisal is received from the Assessing Department.
- 8) Planning Commission conducts a public hearing on the proposed ordinance and provides a recommendation to the Borough Assembly.
- 9) The Borough Assembly conducts a public hearing on the proposed ordinance and makes a final determination regarding the sale, lease, or exchange.
- 10) Affirmative decision is published in a newspaper of general circulation only if the ordinance passes (17.10.110).
- 11) Borough and Buyer execute earnest money agreement. Buyer deposits \$1,000 earnest money into escrow within 7 days of ordinance enactment.
- 12) Borough Mayor executes and records all conveyance documents authorized by ordinance.





Tsalteshi SKI TRAILS

5/23/2011

Tsalteshi Trails Association
P.O. Box 4076
Soldotna, AK, 99669

Kenai Peninsula Borough Assembly

144 N. Binkley St.

Soldotna, Alaska, 99669

Telephone: (907) 262-4441

800 478-4441 outside Soldotna local but within the Borough

Fax: (907) 262-1892

RE: Tsalteshi Trails Association – South Expansion Proposal

RE: Tsalteshi Trails Association – South Expansion Proposal; (Parcel ID 13104526), Legal – T4NR11W Sec 12 Seward Meridian KN That PTN of E1/2 Lying Northwest of Sterling HWY EXCL Central Peninsula High School Sub, (Section lying North of Isaac RD).

The Tsalteshi Trails Association (TTA)

The Tsalteshi Trails Association (TTA) is a service group dedicated to the enhancement, maintenance, and promotion of the Tsalteshi Trails located near Skyview High School in Soldotna, Alaska. This system of trails is approximately 17+ km and has been developed and maintained almost entirely with volunteer labor over the past 20 years. A multi-use trail system, Tsalteshi Trails proudly embraces being an integral part of middle and high school cross-country sports, both running and skiing, a growing elementary school “Youth Ski” program and sponsors numerous community activities and related groups on the Central Peninsula.

The mission statement of TTA states: “A user-friendly approach to the multi-trail system provides the opportunity for all individuals or groups to participate in cross-country activities, regardless of ability, income, personal goals, or aspirations. Our focus encourages a lifetime appreciation of healthy lifestyles through pursuit of outdoor recreational and leisure activities that include: walking, hiking, mountain biking, winter cross-country skiing, biathlon, and other community uses that the Tsalteshi Trails System can provide for on a year round basis.”

Proposal for consideration by the Kenai Peninsula Borough Assembly

In furthering our mission, the TTA is in need of an expanded area for development. We have felt for some time now that the addition of the approximately 40 acres located to the south of Skyview High School and north of Issac Road, incorporated into TTA’s current Land Lease

Agreement with the Kenai Peninsula Borough, would accomplish this goal. For several years we have had our trail surveyors look at this parcel and give ideas and recommendations as to its viability for an expanded trail system. We have done this due to several developing needs:

Whether skiing, walking, riding a bike, or pushing a stroller, for the beginner, older community members, or parents with young children, the terrain of the current trail system is not as user friendly as it could be. Incorporating large down-hills, up-hills, sharp corners, etc., the current trail system is lacking in gentle, rolling, relatively flat, trail areas.

TTA is beginning to out grow its existing staging area for grooming and equipment storage and maintenance.

There is a need for a warm-up and wax testing area that is proximate to the Start/Finish stadium and yet away from race routes during the staging of ski, running, and biking races. The current trails and Start/Finish areas do not allow for this need and as such limit the kinds of events the trails can sponsor.

The terrain of the current trail system does not allow for some multi-sport activities, due to a danger of collision on blind curves or speed collisions on downhill sections with skiers.

The Tsalteshi Trails lack an area/facility to provide shelter and restrooms to the public when Skyview High School is not available or closed. Similarly, the southern access to the trail system can be restricted during school or public events.

There is a need for closer proximity to the State DOT yard for the storing and transportation of equipment and access to the ARC lake area for grooming.

The board members of TTA feel this (approx. 40 acre) parcel could successfully meet the demands of the above mentioned issues. Particularly, we feel the terrain of this acreage is near perfect for trails that will be inviting and safe for community members of all abilities and ages to explore new activities and to enjoy being outside. Similarly, we start and finish the majority of our events in the fields near the football stadium. This property borders our stadium area to the South and will provide an excellent location for racers to practice while waiting for their event to start. Our immediate development plans would focus on building new trails specifically designed to offer a less challenging outdoor experience. In addition, the new trail(s) would provide a venue for safe multi-sport use. We have also been developing a closer relationship with the Kenai National Wildlife Refuge and the City of Soldotna that own/manage lands across the Seward Highway, and have been helping them maintain their trails. The addition of this property would allow much easier access to the Wildlife Refuge, the State of Alaska Department of Transportation maintenance yard and ARC Lake. Furthermore, it would provide for the possibility of future development that might include additional facilities or access points, although these issues do not require immediate attention. (Currently, access, shelter, restroom, and parking facilities, are provided in-kind by Skyview High School.)

TTA currently has the funding and expertise for the development of trails in this area. TTA also has annual revenue and grant sources for the further development and maintenance of the acreage.

A final consideration

Finally as a corollary note, TTA proposes the inclusion of this property into the existing trail system as an encouragement to the expansion and fostering of “green spaces” for all to enjoy. As development and population continues to increase in our region, easily accessible areas for the enjoyment of outside interests and activities will become more rare and yet more in demand. We feel that by fostering a “green space” on the edge of our community dedicated to outdoor activities will not only enhance our community but will also foster an influx of people and events furthering the economic health and quality of life of everyone lucky enough to live in our community.

Sincerely,

The Board Members of TTA

**Kenai Peninsula Borough
Property Report - 13104526**

Parcel Number: 13104526

Address:

Owner: KENAI PENINSULA BOROUGH

144 N BINKLEY ST

SOLDOTNA, AK 99669

Tax Area: 58 - CENTRAL EMERGENCY SERVICES

Usage Code: 100 Residential Vacant

Acreage: 88.00

Land Value: \$140,700

Improvement Value: \$0

Assessed Value: \$140,700

Taxable Value: \$0

Legal Description: T 4N R 11W SEC 12 SEWARD MERIDIAN KN THAT PTN OF E1/2 LYING
NORTHWEST OF STERLING HWY EXCL CENTRAL PENINSULA HIGH
SCHOOL SUB

Number of Structures: 1

Structure # Year Built Square Ft Structure Type