



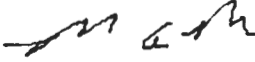
Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor 
Max Best, Planning Director 

FROM: Marcus Mueller, Land Management Officer 

DATE: November 21, 2019

RE: Resolution 2019-070, Authorizing the Borough to Enter into a Resource Exchange Agreement with Trimark Earth Reserve, LLC for the Construction of a Road to and through Borough Property (Mayor)

The borough owns a parcel of land, identified for borough assessing purposes as parcel identification number (PIN) 16913125 (hereinafter the "property"). The property has dedicated but undeveloped right-of-way access.

The proposed resource exchange agreement (the "agreement") will enable Trimark Earth Reserve, LLC (Trimark) to develop the dedicated Van Seventer Avenue right-of-way and build a road through the property utilizing sand and gravel resources discovered within the property, should such resources be discovered. The agreement provides that if suitable material is found on the property then Trimark may use the sand or gravel for the purpose of constructing a KPB Category III gravel road to borough road standards. The agreement provides that, should Trimark need to provide its own sand and gravel resources for road construction, Trimark may remove a volume of sand and gravel resources from the property equal to the amount provided by Trimark, up to 10,000 cubic yards. The sand and gravel resource exchange provided for in the agreement is contingent upon the discovery of suitable materials found on the property and does not obligate Trimark to build the road if suitable materials are not found on the property.

Your consideration of this resolution is appreciated.