

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

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

**APPLICATION TO REQUEST THE NEGOTIATED PURCHASE, 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 Sandra Emery on behalf of K.P.R.L Phone # (907) 260-4090
Mailing Address P.O. Box 2755, Soldotna, AK 99669
Physical Address

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

a) Name Phone # ()
Mailing Address
Physical Address
Relationship to applicant (s)

b) Organization name Kenai Peninsula Racing Lions

Mailing Address P.O. Box 2755, Soldotna, Alaska 99669

Physical Address Twin City Raceway

Primary Contact: Jackie L. McGahan

Title: President

Phone # (907) 398-7354

3. TYPE OF ORGANIZATION: (CHECK ONE)

Individual	Sole Proprietorship
General Partnership	Non-Profit Corporation
Limited Partnership	Non-Profit Association <input checked="" type="checkbox"/>
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 ☒ No ☐ If yes, attach letter of determination. If no, please attach certificate, articles of incorporation, by-laws, or other appropriate documentation.

4. LEGAL DESCRIPTION: See Attachment A

Township	Range	Section	Meridian
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Lot/Block/Subdivision

Plat Number

Recording District

Assessors Parcel Number(s)

Size/Acreage

Other description

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

Purchase Lease Exchange

Other (specify):

6. PROPOSAL: N/A

a) Purchase Price: \$1.00

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) : Payment in full to be made at time of closing.

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

OTHER TERMS AND CONDITIONS:

ARE THERE ANY CONTINGENCIES TO THIS TRANSACTION: YES ____ NO X
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. The Alaska Circle Track Association cleared this land in 1970 and began holding races in 1972. Since its inception in 1998, the land has been in use by the Kenai Peninsula Racing Lions (aka: KPRL). The members are a dedicated group of Lions who have volunteered their time and efforts to this non-profit organization to provide family-oriented motor sports events for the entire community. This property is now, in some cases, being enjoyed by the third generation of enthusiasts. With the traditional use, already established at this facility, combined with the Lions organization, once the purchase is made our focus can be around helping and contributing to our community, a "giving back" for so many years of use.

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.

Community events such as Motocross, Monster Truck, Snowmobile ice racing, Car and Truck racing, Motorcycle and Snowmachine Drag racing, Tough Truck competitions and Demolition Derbies have been held on this land over the past 38 years. The events held by KPRL bring money into our local economy. People travel from all over the State to participate and attend. This benefits our local grocery stores, gas stations, auto parts stores, restaurants, hotels etc. With open practice times available at the motocross track, Law Enforcement officers have commented that the track cuts down on ditch riding and noise issues. Twin City Raceway provides the youth and adrenaline seekers a place to release. As a non-profit entity, KPRL does not have funds to purchase the land at fair market value; however, during the years the property has been developed and improved in ways that monetarily exceed the appraised amount. In 2010 alone over

\$100,000 worth of improvements have been made on this land by way of donated materials, equipment, and labor. The purchase agreement would move our organization into a stable financial environment that would allow our group access to corporate and private grants which will allow substantial upgrades to our safety programs and property appearance.

9. LAND STATUS: DESCRIBE ANY EXISTING IMPROVEMENTS; PROVIDE PHOTOGRAPHS IF AVAILABLE. Towers, conexes, water wells, starting gate, dirt improvements in both areas, grand stands, under-ground water lines at MX track including several sprinklers, Main entrance gate, concrete barriers and fencing. SEE ATTACHED PHOTOGRAPHS AND DESCRIPTIONS.
10. ATTACH SITE PLAN DEPICTING THE PROPOSED USE OF THE PROPERTY.
Community multi-use Motor Sports Complex
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 #
Available upon request		()
		()
		()

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

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 X NO IF YES , EXPLAIN, INCLUDING DATES:

14. IS APPLICANT, OR AFFILIATED ENTITY, NOW IN DEFAULT ON ANY OBLIGATION TO, OR SUBJECT TO ANY UNSATISFIED JUDGEMENT OR LIEN ? ____ YES X NO IF YES EXPLAIN

15. COMPLETE THE FOLLOWING APPLICANT QUALIFICATION STATEMENT FOR EACH INDIVIDUAL APPLICANT OR ORGANIZATION. ATTACH ADDITIONAL STATEMENTS AS NECESSARY.

APPLICANT/BIDDER QUALIFICATION STATEMENT

I

~~JACKIE L. McGowan~~

~~(printed name)~~

Of

~~PO Box 2755~~

~~Soldotna~~

~~(address)~~

~~99669~~

~~(city, state)~~

do hereby swear and affirm

I am eighteen years of age or older; and

I am a citizen of the United States; a permanent resident; or a representative of a group, association or corporation which is authorized to conduct business under the laws of Alaska; and

I am not delinquent on any deposit or payment of any obligation to the Borough; and

I am not in breach or default on any contract or lease involving land in which the Borough has an interest; and

I have not failed to perform under a contract or lease involving Borough land in the previous five years and the Borough has not acted to terminate the contract or lease or to initiate legal action.

Unless agreed otherwise in writing and signed by the Borough Mayor, I agree to pay recording fees, closing fees, escrow setup fees, annual escrow fees, collection fees, surveying fees, and acquisition of title insurance. If my proposal is to lease the land, I agree to provide a performance bond, general

APPLICANT OR ORGANIZATION. ATTACH ADDITIONAL STATEMENTS AS NECESSARY.

APPLICANT/BIDDER QUALIFICATION STATEMENT

I JACKIE MCGAHAN (President)
(printed name)
of PO BOX 2755
(address)
SOLDOTNA, AK 99669
(city, state)

do hereby swear and affirm

I am eighteen years of age or older; and

I am a citizen of the United States; a permanent resident; or a representative of a group, association or corporation which is authorized to conduct business under the laws of Alaska; and

I am not delinquent on any deposit or payment of any obligation to the Borough; and

I am not in breach or default on any contract or lease involving land in which the Borough has an interest; and

I have not failed to perform under a contract or lease involving Borough land in the previous five years and the Borough has not acted to terminate the contract or lease or to initiate legal action.

Unless agreed otherwise in writing and signed by the Borough Mayor, I agree to pay recording fees, closing fees, escrow setup fees, annual escrow fees, collection fees, surveying fees, and acquisition of title insurance. If my proposal is to lease the land, I agree to provide a performance bond, general liability insurance, provide a damage deposit, and pay for remote site inspection, if applicable.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JACKIE MCGAHAN
Print Name

Jackie McGahan 8-25-10
Applicant Signature /Date