

AGREEMENT TO ACCEPT PAYMENT IN LIEU OF INSTALLING STREETLIGHTS
AT
ROCKBURY SUBDIVISION

THIS AGREEMENT for streetlight installation, made this ____ day of October, 2020 between the **City of Meridian**, a municipal corporation organized under the laws of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho (hereinafter "City"), and **Rock Harbor Church, Inc.**, 1608 N. Meridian Road, Suite 125, Meridian Idaho 83642, (hereinafter "Rock Harbor").

WHEREAS, Rock Harbor has received from City, conditional approval of the Final Plat for the Rockbury Subdivision, Case No. FP H-2017-0131; and,

WHEREAS, One of the Site Specific Conditions of Approval of City's approval of FP H-2017-0131 is to install streetlights on all public roadways per the City of Meridian Improvement Standards for Street Lighting; and,

WHEREAS, Rock Harbor is currently unable to install the required streetlights on S. Meridian Road in front of the Rockbury Subdivision because W. Chinden Boulevard has not been built out to its ultimate width; and,

WHEREAS, once W. Chinden Boulevard is improved, City is willing to install the required streetlight if Rock Harbor has paid to City the estimated amount necessary to install the streetlights.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Rock Harbor shall pay to City the amount of \$42,325.00 as the amount necessary to supply and install five (5) type 1 streetlights.
2. City agrees to accept the amount set forth in Article 1 in lieu of requiring Rock Harbor to install the five (5) streetlights on W. Chinden Boulevard frontage of Rockbury Subdivision.
3. Upon payment of the amount in Article 1 by Rock Harbor to City, Rock Harbor's requirement to install the five (5) streetlights on W. Chinden Boulevard shall be considered satisfied.
4. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns, and shall survive any transfer by Rock Harbor of Rock Harbor's Property.

IN WITNESS WHEREOF, the parties shall cause this Agreement to be executed by their duly authorized officers the day and year first above written.

Rock Harbor Church, Inc.

By: _____

Todd Gill, Finance Director

CITY OF MERIDIAN

By: _____

Robert E. Simison, Mayor