

**AGREEMENT TO ACCEPT PAYMENT IN LIEU OF INSTALLING STREETLIGHTS
AT
BAINBRIDGE NO. 11 AND NO. 12 SUBDIVISIONS**

THIS AGREEMENT for streetlight installation, made this ____ day of April, 2021 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 **Brighton Development, Inc.**, 2929 W. Navigator, Suite 200 Meridian, Idaho 83642, (hereinafter "Brighton").

WHEREAS, Brighton has received from City, conditional approval of the Final Plat for the Bainbridge No. 11 Subdivision, Case No. FP H-2019-0125; and,

WHEREAS, Brighton has received from City, conditional approval of the Construction Plans for the Bainbridge No. 12 Subdivision, Case No. LD-RSUB-2020-0046; and,

WHEREAS, One of the Site Specific Conditions of Approval of City's approval of FP H-2019-0125 is to install streetlights on all public roadways per the City of Meridian Improvement Standards for Street Lighting; and,

WHEREAS, One of the Site Specific Conditions of Approval of City's approval of LD-RSUB-2020-0046 is to reimburse the City for the streetlights that were installed on Chinden Blvd; and,

WHEREAS, W. Chinden Blvd. has been widened and streetlights installed after the approval of Bainbridge No. 11; and,

WHEREAS, City funded the installation of streetlights on W. Chinden Blvd. with the understanding that development would reimburse installation costs that are typically required of development.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

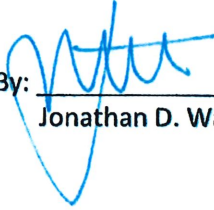
1. Brighton shall pay to City the amount of \$42,325.00 as the amount necessary to supply and install five (5) type 1 streetlights for Bainbridge No. 11 Chinden frontage.
2. Brighton shall pay to City the amount of \$25,395.00 as the amount necessary to supply and install three (3) type 1 streetlights for Bainbridge No. 12 Chinden frontage.
3. City agrees to accept the amount set forth in Articles 1 and 2 in lieu of requiring Bainbridge to install the five (5) streetlights on W. Chinden Blvd frontage of Bainbridge No. 11 Subdivision and three (3) streetlights on W. Chinden Blvd frontage of Bainbridge No. 12. Subdivision.
4. Upon payment of the amount in Articles 1 and 2 by Bainbridge to City, Bainbridge's requirement to install the eight (8) total streetlights on W. Chinden Blvd. shall be considered satisfied.

5. 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 Bainbridge of Bainbridge'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.

Brighton Development Inc.

CITY OF MERIDIAN

By: 
Jonathan D. Wardle, President

By: _____
Robert E. Simison, Mayor