MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From:	Emily Kane, Deputy City Attorney	**Meeting Date:**	November 8, 2023
Presenter:	David Miles, Chief of Staff	**Estimated Time:**	.5 minutes
Topic:	License Agreement with J.R. Simplot Company for Pathway from Reflection Ridge to Mary McPherson Elementary School		

Recommended Council Action:

Approve license agreement for Mayor's signature.

Background:

As discussed with City Council at its October 17, 2023 work session, this agreement conveys a license from the J.R. Simplot Company allowing the Parks and Recreation Department to construct and maintain a pathway from the Reflection Ridge Subdivision, across the Simplot Company's undeveloped parcel, to Mary McPherson Elementary School, in order to provide important connectivity for children walking to school.

Please note that this agreement contains the following provision (§ 2), per the grantor's requirement:

> The parcel containing the License Area shall not be annexed into the City of Meridian without Grantor's (or successor land owner's) written consent. Notwithstanding anything to the contrary contained in this Agreement, the Parties agree that the License granted hereunder shall not be considered, interpreted or construed as a pathway identified on the City's Master Pathway Plan for purposes of future dedication of an easement as it may relate to any annexation or otherwise. This Section 2 shall survive any termination of this Agreement.