

AGREEMENT TO ACCEPT PAYMENT IN LIEU OF INSTALLING STREETLIGHT
AT
SKY MESA HIGHLANDS NO. 1 SUBDIVISION

THIS AGREEMENT for streetlight installation, made this ____ day of December, 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 **Sky Mesa Development, LLC** 729 S. Bridgeway Pl, Eagle, ID 83616 (hereinafter "Developer").

WHEREAS, Developer has received from City, conditional approval of the Final Plat for the Sky Mesa Highlands Subdivision, Case No. FP-2020-0007; and,

WHEREAS, One of the Site Specific Conditions of Approval of City's approval of FP-2020-0007 is to install streetlights on all public roadways per the City of Meridian Improvement Standards for Street Lighting; and,

WHEREAS, Developer is currently unable to install the required streetlights on S. Eagle Road in front of the Sky Mesa Highlands No. 1 Subdivision because S. Eagle Road has not been built out to its ultimate width; and,

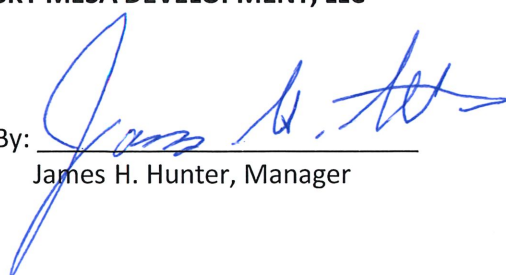
WHEREAS, once the S. Eagle Road is improved, City is willing to install the required streetlights if Developer has paid to City the estimated amount necessary to install the streetlights.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Developer shall pay to City the amount of \$33,252.80 as the amount necessary to supply and install four (4) type 1 streetlights.
2. City agrees to accept the amount set forth in Article 1 in lieu of requiring Developer to install the four (4) streetlights on S. Eagle Road in front of the Subdivision.
3. Upon payment of the amount in Article 1 by Developer to City, Developers' requirement to install the four (4) streetlights on S. Eagle Road 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 Developer of Developers' 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.

SKY MESA DEVELOPMENT, LLC

By: 
James H. Hunter, Manager

CITY OF MERIDIAN

By _____
Robert E. Simison, Mayor