



October 23, 2021

Derek Mulgrew
M&W Holdings, LLC
809 West Main Street, Unit 303
Spokane, WA 99201

Project: University Place Subdivision
RE: Development Agreement (Instrument No. 991044), Request for Revision

Dear Mr. Mulgrew,

The purpose of this letter is to formally respond to your request for a revision to the recorded Development Agreement, Instrument No. 991044. Specifically, Section 12.d.1 requires *“Prior to a certificate of occupancy being issued on Phase II, but no later than 2025, the Developer is to reconstruct the eastern portion of the North Boyer Avenue right-of-way along the property frontage, in general accordance with Original DA Exhibit B (concept plan/section - not for construction).”* On October 6, 2021, you requested this provision be modified to require the North Boyer Avenue improvements be completed by September 15th, 2022 and that the correlation to the Phase 2 Certificate of Occupancies be omitted.

Section 12.a provides City staff authority to administratively revise terms if City staff determine that the revision is minor. This requested revision meets the intent of the original terms of the Development Agreement which was to ensure that the roadway improvements were completed prior to a substantial increase in trips generated from occupied homes. To date, no building permits have been issued for Phase 2 and it is impractical that a substantial increase in trips will occur before September 15, 2022. Therefore, staff have determined that the requested revision is considered minor in nature. This letter serves to document approval of the request.

Condition 12.d.1 of the above referenced Development Agreement is hereby modified to delete and replace the first sentence with the following:

“Prior to September 15, 2022, the Developer is to reconstruct the eastern portion of the North Boyer Avenue right-of-way along the property frontage, in general accordance with Original DA Exhibit B (concept plan/section - not for construction).”

Please don't hesitate to reach out with questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Amanda Wilson". The signature is written in a cursive, flowing style.

Amanda Wilson
Infrastructure & Development Services Director
awilson@sandpointidaho.gov | Direct: 208.263.3411

CC: Mayor Rognstad
Jennifer Stapleton, City Administrator