

**SECOND AGREEMENT TO AMEND THE MEMORANDUM OF AGREEMENT
FOR COST SHARING OF ENGINEERING SERVICES**

This Agreement to Amend and Extend the Memorandum of Agreement for Cost Sharing of Engineering Services (“Agreement”) is made this 29 day of June, 2017 (“Effective Date”), by and between the City of Eagle, a municipal corporation organized under the laws of the State of Idaho (“City”), the Eagle Urban Renewal Agency, an urban renewal agency organized under the laws of the State of Idaho (“EURA”), the Eagle Fire Protection District, a governmental entity organized under the laws of the State of Idaho, Pacific West Communities, Inc., an Idaho corporation and Eagle 26, LLC, an Idaho limited liability company. The above noted individuals and entities may individually be referred to as “Party” and collectively be referred to as “Parties”.

WHEREAS, the Parties entered into a Memorandum of Agreement for Cost Sharing of Engineering Services dated March 25, 2016 (“MOA”);

WHEREAS, the Parties entered in an Agreement to Amend the Memorandum of Agreement for Cost Sharing of Engineering Services dated October 12, 2016 set to expire March 31, 2017, unless engineering services have not been completed and then an automatic 90 day renewal period would commence;

WHEREAS, due to unforeseen delays, such as land title and access issues, the Engineering Services have not been able to commence;

WHEREAS, the Parties continue to endeavor on this project as originally contemplated in MOA and subsequent amendment;

WHEREAS, the Parties wish to extend this Agreement for a period of one (1) year.

NOW THEREFORE, for mutual consideration, the receipt, value and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Paragraph 2 of the Agreement to Amend the Memorandum of Agreement for Cost Sharing of Engineering Services dated October 12, 2016 be deleted in its entirety. The term of the MOA described in Section III.A shall be amended as follows:

This Agreement begins immediately upon execution and shall remain in effect through ~~September 30, 2016~~ June 30, 2018, or until the engineering services are completed and final payment is made by each of the Parties, whichever occurs first.

2. All other terms of the Agreement and amendments thereto remain the same and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on this 29 day of June, 2017.

EAGLE URBAN RENEWAL AGENCY:

Jeff Kunz 6/29/17
By: Jeff Kunz, Chairman

Attest:

Ellen Smith
Ellen Smith, Secretary

CITY OF EAGLE:

Stan Ridgeway
Stan Ridgeway, Mayor

Attest:

Sharon Bergmann
Sharon Bergmann, City Clerk

EAGLE FIRE PROTECTION DISTRICT:

Gary Stillwell
Gary Stillwell, Chairman

Attest:

Angi McBride
Angi McBride, Administrative Manager

Kevan Kjar
Kevan Kjar, Commissioner

Dan Friend
Dan Friend

PACIFIC WEST COMMUNITIES, INC.:

Caleb Roope
Caleb Roope, President/CEO

EAGLE 26, LLC:

Greg McVay
Greg McVay, Managing Member