



August 28, 2014

Mike Morrison
T.W. Clark Construction LLC
1117 N Evergreen Rd #1
Spokane WA 99216

Re: Permission to park Job Trailer on Moscow URA Site Located at the SW Corner of 6th & Jackson Streets

Dear Mike:

The Moscow Urban Renewal Agency (MURA) has received your request to temporarily locate a job trailer on the MURA-owned property located at the southwest corner of the intersection of 6th and Jackson Streets in Moscow, Idaho (PROPERTY). The request is made to assist you in the efficient construction of the Jimmy Johns restaurant which is proceeding on the property located at the northwest corner of the intersection of 6th and Jackson streets. It has been indicated that the size of the Jimmy Johns site is very restrictive and locating the job trailer on the construction site will impede progress of the construction.

Items of note regarding the PROPERTY include the following: the PROPERTY is the site of a former grain warehouse and agriculture business. The PROPERTY is currently vacant and the public is restricted from entering upon the site without permission. The PROPERTY has been identified as a brownfield site and is currently undergoing assessment and is slated for environmental cleanup. The assessment activities are ongoing and the environmental cleanup will proceed at an as-yet undetermined date.

The MURA is supportive of economic development in Moscow, particularly within the Legacy Crossing Urban Renewal District and wishes to provide support for the construction of the Jimmy Johns restaurant. Therefore the MURA Board has granted authorization for T.W. Clark Construction, LLC (TW CLARK) to temporarily park a job trailer on the PROPERTY during construction of the Jimmy Johns restaurant, subject to the following conditions:

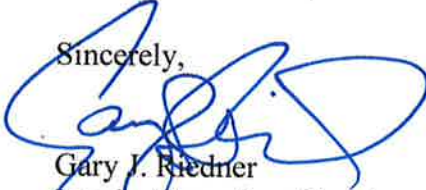
1. That the trailer will be placed in an area satisfactory to the MURA; and
2. That the trailer will be moved by TW CLARK if requested by the MURA, including removal from the PROPERTY; and
3. That no other equipment or materials may be placed on the PROPERTY without the specific written authorization of the MURA; and
4. That TW CLARK shall provide any necessary utility connections to the trailer, at no expense to the MURA, including activation and inactivation expenses; and

5. TW CLARK shall observe and follow all applicable laws and regulations regarding its limited use of the PROPERTY to place the trailer; and
6. TW CLARK shall, for itself and all subcontractors and/or others working on the Jimmy Johns restaurant construction site, waive all claims to liability relating to TW CLARK's use of the PROPERTY for temporary placement, including use of the trailer, and
7. TW CLARK shall indemnify and defend the MURA from any and all claims arising from the temporary placement and use of the trailer on the PROPERTY; and
8. If it is necessary to bring legal action to enforce the provisions of this letter, then TW CLARK shall be responsible for reimbursing the MURA for any costs of enforcement, including attorney expenses.

If these conditions are satisfactory, please sign below before a notary public. If the conditions contained in this letter are not satisfactory, the presence of the trailer on the MURA property is unauthorized and you are directed to remove it immediately.

We appreciate the opportunity to assist you in your construction efforts within the City of Moscow and Legacy Crossing Urban Renewal District.

Sincerely,



Gary J. Riedner
Interim Executive Director

c: John McCabe, MURA Chair
MURA Commissioners
Bill Belknap, City of Moscow Community Development Director

On behalf of T.W. Clark Construction, LLC, I agree to the terms contained in the foregoing letter.

T.W. Clark Construction, LLC

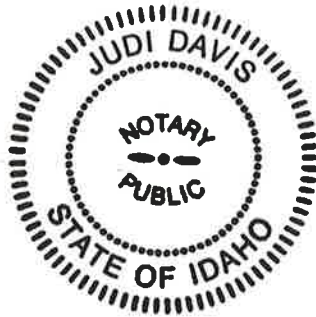


By: Mike Morrison, Job Superintendent

STATE OF IDAHO)
) ss:
County of Latah)

On this 2nd day of September, 2014, before me, the undersigned, a Notary in and for said State, personally appeared Mike Morrison, Job Superintendent, T.W. Clark Construction, LLC, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same as the duly authorized representative of T.W. Clark Construction. LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.



Judi Davis
NOTARY PUBLIC for Idaho
Residing at Albion, WA
My Commission expires: 7-1-19