

FACILITY LEASE AND USE AGREEMENT
BETWEEN
JOINT SCHOOL DISTRICT # 2 dba WEST ADA SCHOOL DISTRICT AND
MERIDIAN TECHNICAL CHARTER HIGH SCHOOL, INC.

THIS LEASE is entered into on the first (1st) day of July 2021, between West Ada School District (hereinafter "District" or "Lessor") and the Meridian Technical Charter High School, Inc., (hereinafter "Lessee" "MTCHS" or "Charter School")

RECITALS

- A. Parents, teachers, and community members have created the Meridian Technical Charter High School as a high school program with an emphasis on technology.
- B. To assist the MTCHS in meeting its goals, and objectives, the District has agreed to lease a facility to the MTCHS.
- C. The District agrees to lease the facilities, including its fixtures and grounds to the MTCHS in accordance with the terms and conditions of this Lease.

NOW, THEREFORE, LESSOR AND LESSEE AGREE AS FOLLOWS:

1. **PREMISES:** Lessor hereby leases to lessee per the terms and conditions set forth herein, the land and structures located at 3800 North Locust Grove, Meridian, Idaho 83646.
2. **TERMS:** The term of this lease shall be for a period of five (5) years commencing on July 1, 2021, with an option to renew for five (5) additional years. It is the intent of both parties that this be a rolling five-year lease. Should West Ada School District decide to terminate this agreement with the MTCHS during the lease period, it shall provide such notice in writing and by certified mail no less than one (1) year in advance.
3. **TERMINATION OF LEASE:** Should the lease of the facility to the MTCHS not be renewed and /or terminated, the land and structure shall be returned to West Ada School District in good condition. This does not include any rented, leased, or personal property, which would revert to the entity from which said property was rented and/or leased.
4. **RENT:** Idaho State Department of Education will distribute facilities funds to public charter schools for each enrolled student in which most of the student's instruction is received at a facility that is owned or leased by the public charter school. The charter school shall use such funds to defray the purchase, fee, loan, or lease costs associated with payments for real property used by the students or employees of the public charter school for educational or administrative purposes. These charter facility funds will

flow through to West Ada School District for those purposes in the amount appropriated pursuant to IC 33-5208 subsection 5 (ie. 2020-2021 \$85,280.36 paid to West Ada School District). The charter facility funds will be designated for real property* improvements identified by the lessee and approved by West Ada School District. West Ada School District reserves the right to use these funds to supplement large capital improvements (roof, parking lot, painting, etc.) at its discretion. Unencumbered funds will be carried over in a designated account for future improvements. The lessee hereby agrees to pay additional rent in the sum of one (1) dollar annually for the land and structure. Such rent is due on July 1, of each year, or at the time that this agreement is executed by both parties (whichever is later).

***Real property** is defined by reference to Section 63-201, Idaho Code, and includes "improvements" such as buildings, and "fixtures" such as plumbing, electrical, paint, carpet, and HVAC.

5. **USE and BENEFITS:** The Board of Directors of the MTCHS shall operate a school on the premises as a condition of this lease. West Ada School District shall benefit from this agreement in the following manner:
 - a. Per MTCHS approval, shall have the first right of refusal to use the facility and technology for District training, in-service, and other authorized District classes.
 - b. The MTCHS shall reimburse the District for appropriate custodial costs.
 - c. The students of West Ada School District and the state of Idaho are provided an education in a variety of technical fields suitable for future employment, college preparation, and military service.

6. **CAPITAL IMPROVEMENTS:** Any capital improvements to the facility or the campus made by the Board of Directors of the MTCHS will require prior approval from the West Ada School District Facility and Grounds Department and the Assistant Superintendent of Operations. West Ada School District will hold the IC 33-5208 facility funds in a line-item account that will be available to MTCHS for agreed upon capital improvements or used at discretion for large capital improvements.

In testimony whereof the parties caused this agreement to be executed by day and month of the year as set out below:

WEST ADA SCHOOL DISTRICT

[Redacted Signature]

Board Chair

[Redacted Date]

Date

**MERIDIAN TECHNICAL CHARTER
HIGH SCHOOL, INC.**

[Redacted Signature]

Board Chairman

[Redacted Date]

Date

[Redacted Signature]

Superintendent

[Redacted Date]

Date

82-0512811
MTCHS Tax ID#

3800 North Locust Grove
Meridian, Idaho 83646
Charter School Address