

**AGREEMENT FOR DEFERRAL
OF SIDEWALK AND CURB/GUTTER CONSTRUCTION
For IDAHO PRECAST**

THIS AGREEMENT, made and entered into this ____ day of _____ 2023 by and between THE CITY OF NAMPA, a municipal corporation, and 1321 MADISON AVENUE LLC, Owner.

W I T N E S S E T H:

WHEREAS, Section 9-3-1 of the Nampa City Code authorizes deferral of the requirement of sidewalk and curb/gutter construction for an unspecified period of time;

NOW, THEREFORE, it is hereby agreed as follows:

1. Applicant is the owner of 1315 & 1319 Madison Ave, Nampa, Canyon County, Idaho 83687 (Tax Parcel #R0853200000 & R0853100000) more particularly described as:

A Portion of Lot 3 and All of Lot 4 of Frazers Acreage Located in the South Half of Section 15, Township 3 North, Range 2 West, Boise Meridian, City of Nampa, Canyon County, Idaho, attached herein as "Exhibit A".

2. The City agrees to defer the requirement of sidewalk and curb/gutter construction on said real property subject to the following limitations and restrictions:
 - A. The Nampa City Engineer approves the deferral.
 - B. No temporary or permanent structure or landscaping will be added along the street frontage area which shall impede the construction of the future sidewalk improvements.
3. The City shall require construction of the Improvements upon notification as stipulated in Section 9-1-8 of the Nampa City Code; or upon the formation of a future Local Improvement District (LID).
 - A. If an LID is formed, it shall offer the option of making payments for the improvements over a period of years as provided by said LID and in accordance with Idaho State Statutes.
4. The terms and conditions of this deferral shall be deemed to be a covenant running with the land and binding upon the parties hereto.
5. The provisions and stipulations of this Agreement shall inure to and bind the heirs, executors and administrators, assigns and successors in the interest of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

PROPERTY OWNER(S):

CITY OF NAMPA:

Tab Buckner
President

Daniel Badger
City Engineer

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this _____ day of _____ 2023, before me, the undersigned, a Notary Public, in and for said State, personally appeared, **Tab Buckner** known to me to be the person whose name is subscribed.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Commission expires:

SEAL

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this _____ day of _____ 2023, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Daniel Badger**, known to me to be the person whose name is subscribed.

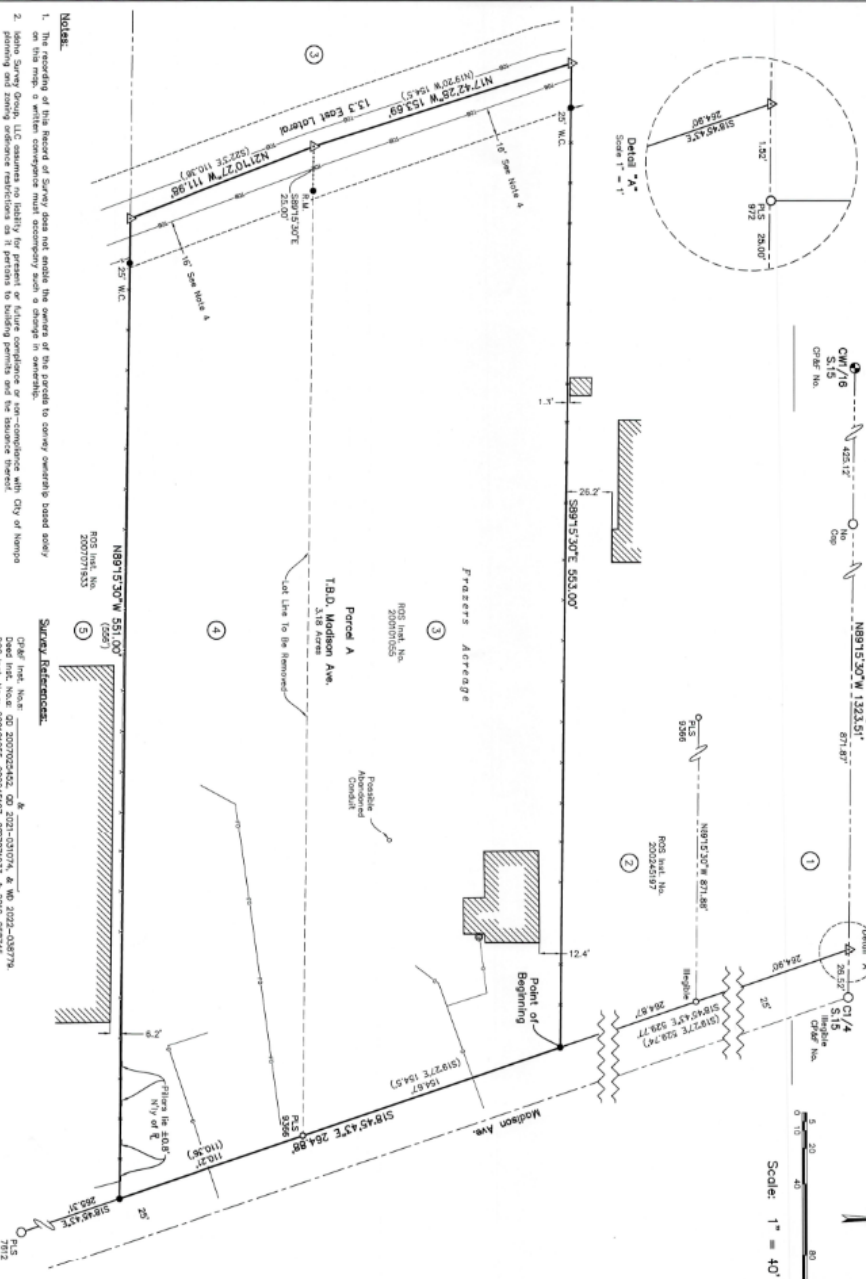
IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Commission expires:

SEAL

Exhibit "A"

Density Reduction Record of Survey for
1321 Madison Avenue, LLC
 A Portion of Lot 3 and All of Lot 4 of Frazers Acreage
 Located in the South Half of Section 15,
 Township 3 North, Range 2 West, Boise Meridian,
 City of Nampa, Canyon County, Idaho.
 2023



- Notes:**
- The recording of this Record of Survey does not enclose the owners of the parcels to survey ownership based solely on this map; a written conveyance must accompany such a change in ownership.
 - Ideo Survey Group, LLC assumes no liability for present or future compliance with City of Nampa planning and zoning ordinance restrictions as it pertains to building permits and the balance thereof.
 - The underground utilities shown have been located from field survey information and existing drawings. The surveyor does not warrant the accuracy of the location, depth, or nature of the utilities shown. The surveyor is not responsible for any damage to or destruction of the utilities shown or for any other loss or damage resulting from the use of the survey.
 - By an email correspondence on March 3, 2023 with JTB, the Superintendent of Platteau Hydrology District, the surveyor was informed that there is a 15' easement for the 13.3 East Lateral from top of bank on both sides of the ditch.
 - The fence locations relative to the property lines vary, but are all approximately 0.7' feet or less from property boundary line.

Survey References:
 CDE# Job No.: 20230204243, 2023-02-07-01, & 2023-02-07-02
 Book: 20230204243, 2023-02-07-01, & 2023-02-07-02
 Substation: Frazers Acreage

Surveyor's Narrative:
 The purpose of this survey is to adjust or remove a lot line and re-establish the corner of the parcel/lot as shown. The existing property corner is located at the intersection of the 10' easement and the 13.3 East Lateral. The surveyor was informed that there is a 15' easement for the 13.3 East Lateral from top of bank on both sides of the ditch.

Recording Index Number: 324-15-2-4-0-01-32
 Job No. 23-051

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