

AMENDMENT TO AGREEMENT TO  
SIDEWALK DEFERRAL AGREEMENT

City Project # \_\_\_\_\_  
City Engineer's Signature Date \_\_\_\_\_

WHEREAS, the City and the Developer entered into a Sidewalk Deferral Agreement ("Original Agreement") on \_\_\_\_\_, which was recorded on \_\_\_\_\_, in the records of the Bernalillo County Clerk, State of New Mexico, in Book \_\_\_\_\_, pages \_\_\_\_\_ to \_\_\_\_\_ as Document No. \_\_\_\_\_, wherein the Developer agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Original Agreement was amended by a \_\_\_\_\_ Extension Agreement dated \_\_\_\_\_ recorded on \_\_\_\_\_, in Book \_\_\_\_\_, pages \_\_\_\_\_ through \_\_\_\_\_, as Document No. \_\_\_\_\_ in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to \_\_\_\_\_; and

WHEREAS, the Original Agreement was amended by a \_\_\_\_\_ Extension Agreement dated \_\_\_\_\_ recorded on \_\_\_\_\_, in Book \_\_\_\_\_, pages \_\_\_\_\_ through \_\_\_\_\_, as Document No. \_\_\_\_\_ in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to \_\_\_\_\_; and

WHEREAS, the Developer has requested an amendment to the City's Development Review Board ("DRB") Sidewalk Deferral Official Notice of Decision; and

WHEREAS, the DRB has approved an amended Sidewalk Deferral Official Notice of Decision.

THEREFORE, the Developer and the City agree to amend the Original Agreement as follows:

1. Amending Section 1-A. Sidewalk Construction Deadline, to replace Exhibit A the approved Sidewalk Deferral Official Notice of Decision attached hereto as **Exhibit A-1**.
2. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

County Clerk's Recording Label

DEVELOPER: \_\_\_\_\_

CITY OF ALBUQUERQUE:

By [signature]: \_\_\_\_\_

By: \_\_\_\_\_

Name [print]: \_\_\_\_\_

Shahab Biazar, P.E., City Engineer

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

DEVELOPER'S NOTARY

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by [name of person] \_\_\_\_\_, [title or capacity, for instance, "President" or "Owner"] \_\_\_\_\_ of ("Developer") \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

CITY'S NOTARY

STATE OF NEW MEXICO )  
 )  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**(Exhibit A-1 attached)**