

200302615



This document
provided courtesy
of TitleOne

RECORDED

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4
AT THE COLONIES
A PART OF THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 SECTION 30, T. 4 N., R. 2 W. B.M.
CALDWELL, CANYON COUNTY, IDAHO
2003

CP&F #200247483

JAN 15 PM 12:45

S89°50'21"E 1299.43'

E FRANKLIN ROAD (US 20-28)

CP&F #200247481

CANYON DIST. RECORDER

UNPLATTED

E 300 LATERAL (BOLTON)

UNPLATTED

0 50 100 200

Scale: 1"=100'

LINE	BEARING	LENGTH
L1	N00°12'27"E	54.87
L2	N18°18'48"E	94.88
L3	N00°22'27"E	6.23
L4	S89°50'21"E	33.00
L5	S89°50'21"E	33.00
L6	N00°12'27"E	5.77
L7	S18°24'48"E	89.58
L8	S00°12'27"E	5.85
L9	S18°24'48"E	89.58
L10	N00°12'27"E	154.68
L11	N00°12'27"E	28.81
L12	N00°12'27"E	25.29
L13	N00°12'27"E	57.38
L14	N00°12'27"E	66.34
L15	N18°18'48"E	20.00
L16	S00°12'27"E	20.00
L17	S18°24'48"E	20.00
L18	N00°12'27"E	50.00
L19	N00°12'27"E	50.00
L20	N00°12'27"E	50.00
L21	N00°12'27"E	50.00
L22	N00°12'27"E	50.00
L23	N00°12'27"E	50.00
L24	N00°12'27"E	50.00
L25	N00°12'27"E	50.00
L26	N00°12'27"E	50.00
L27	N00°12'27"E	50.00
L28	N00°12'27"E	50.00

CURVE	ARC	RADIUS	DELTA	CHORD	CHORD BEG.	CHORD END
C1	226.00	577.03	22°20'28"	113.50	N00°12'27"E	233.98
C2	50.50	125.00	14°24'21"	18.78	N00°12'27"E	59.23
C3	22.50	125.00	7°12'10"	9.39	N00°12'27"E	29.84
C4	18.03	125.00	5°30'54"	6.03	N00°12'27"E	16.81
C5	18.03	125.00	5°30'54"	6.03	N00°12'27"E	16.81
C6	71.78	100.00	41°37'33"	37.91	N00°12'27"E	70.26
C7	56.25	89.58	34°52'27"	30.80	N00°12'27"E	56.26
C8	71.37	100.00	40°50'00"	36.60	N00°12'27"E	71.37
C9	31.48	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C10	31.48	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C11	31.48	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C12	22.50	125.00	7°12'10"	9.39	N00°12'27"E	29.84
C13	48.87	58.00	17°33'18"	24.48	N00°12'27"E	44.84
C14	40.13	58.00	14°36'11"	21.60	N00°12'27"E	38.24
C15	43.08	58.00	15°48'24"	22.72	N00°12'27"E	43.08
C16	43.08	58.00	15°48'24"	22.72	N00°12'27"E	43.08
C17	43.08	58.00	15°48'24"	22.72	N00°12'27"E	43.08
C18	31.21	65.00	28°30'43"	18.04	N00°12'27"E	35.73
C19	17.63	20.00	50°12'28"	9.37	N00°12'27"E	18.87
C20	17.63	20.00	50°12'28"	9.37	N00°12'27"E	18.87
C21	13.65	94.00	7°10'04"	6.84	N00°12'27"E	23.33
C22	46.17	84.00	24°30'46"	26.14	N00°12'27"E	46.13
C23	118.87	84.00	11°15'44"	8.47	N00°12'27"E	118.84
C24	118.87	84.00	11°15'44"	8.47	N00°12'27"E	118.84
C25	72.47	128.00	17°31'14"	37.23	N00°12'27"E	72.47
C26	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C27	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C28	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C29	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C30	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C31	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C32	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C33	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C34	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C35	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C36	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C37	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C38	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C39	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C40	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C41	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C42	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C43	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C44	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C45	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C46	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C47	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C48	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C49	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C50	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C51	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C52	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C53	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C54	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C55	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C56	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C57	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C58	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C59	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C60	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C61	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C62	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C63	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C64	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33
C65	31.42	20.00	89°11'00"	20.00	N00°12'27"E	26.33

LEGEND

I.T.D. Right of Way monument

Found brass cap monument

Set 5/8 inch dia. x 30 inch iron pin w/yellow cap

Found 5/8 inch dia. iron pin

Set 1/2 inch dia. x 24 inch iron pin w/yellow cap

Calculated Point

Block Number

Witness Corner

Property boundary line

Utility, drainage and irrigation easement.

Unless otherwise noted widths shall be:

10 feet along street frontage

10 feet on each side of back lot lines

5 feet on each side of interior lot lines

If a lot line is moved the easement(s) shall move with the lot line, provided that utilities have not been installed within the easement(s).

Earl & Associates, Inc.

Surveyors, Engineers & Planners

314 Badolia St. Caldwell, ID 83605

(208) 454-0258

(208) 454-0979 Fax

JAOB02002.dwg 1/06/03

SHEET 1 of 2

BK. 32 PG. 6

BASIS OF BEARING
S00°37'12"W 1324.32'I. 4 N. R. 2 W. B.M.
T. 4 N. R. 2 W. B.M.

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED



OWNERS CERTIFICATE

WE, DYVER DEVELOPMENT, L.L.C., an Idaho Limited Liability Company, HEARTLAND DEVELOPMENT, L.L.C., an Idaho Limited Liability Company, CRESTLINE DEVELOPMENT, L.L.C., LAURENCE R. GRASSL and EMMA C. GRASSL, husband and wife being first duly sworn depose and say that we are the owners of DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES more particularly described in the legal description below, state that it is our intention to include said property in this subdivision plat, and that we do for ourselves, our heirs, transferees, successors and assigns, do hereby dedicate, donate and convey to the public forever the public streets shown on this plat. The easements shown on this plat are not dedicated to the public. However, the right to use said easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat and no permanent structures other than those for utility, irrigation, or drainage purposes is to be erected within the limits of said easements. The City of Caldwell Water Department will provide this subdivision with domestic water.

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES is situated in a part of the NE 1/4 NW 1/4 and NW 1/4 NE 1/4 of Section 30, Township 4 North, Range 2 West, Boise Meridian, Caldwell, Canyon County Idaho, more particularly described as follows:

Commencing at the NW corner of Government Lot 1 of said Section 30, (Section corner common to Sections 19, 30, 25 and 24), said corner monumented with a 3 inch diameter brass disk;

Thence S. 0°37'12" W., a distance of 1324.92 feet along the west boundary of said Government Lot 1 to the SW corner of said Government Lot 1, said corner monumented with a 5/8 inch diameter iron pin;

Thence S. 89°48'33" E., a distance of 1288.82 feet along the south boundary of said Government Lot 1 to the southeast corner of said Government Lot 1, said corner also being on the south boundary of "Delaware Park Subdivision No. 1 Unit No. 3" as on file in Book 31 of Plats at Page 19 in the Office of the Recorder of Canyon County, Idaho, and is monumented with a 5/8 inch diameter iron pin;

Thence continuing S. 89°48'33" E., a distance of 249.13 feet along the south boundary of said NE 1/4 NW 1/4 and along the south boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" to the SE corner of said "Delaware Park Subdivision No. 1 Unit No. 3", said corner being the POINT OF BEGINNING and is monumented with a 5/8 inch diameter iron pin;

Thence leaving the south boundary of said NE 1/4 NW 1/4 and along the easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" the following courses and distances:

Thence N. 0°11'27" E., a distance of 102.00 feet to a 5/8 inch diameter iron pin;

Thence N. 21°38'19" E., a distance of 60.17 feet to a 5/8 inch diameter iron pin;

Thence N. 0°11'27" E., a distance of 76.38 feet to a 5/8 inch diameter iron pin;

Thence S. 89°48'33" E., a distance of 100.00 feet to a 5/8 inch diameter iron pin;

Thence N. 62°18'55" E., a distance of 63.35 feet to a 5/8 inch diameter iron pin;

Thence S. 89°48'33" E., a distance of 100.00 feet to a 5/8 inch diameter iron pin;

Thence N. 0°11'27" E., a distance of 293.66 feet to a 5/8 inch diameter iron pin;

Thence N. 35°39'55" E., a distance of 57.64 feet to a 5/8 inch diameter iron pin;

Thence N. 49°21'27" E., a distance of 151.42 feet to a point on the centerline of the 300 Lateral, said point witnessed S. 49°21'27" W., a distance of 50.31 feet with a 5/8 inch diameter iron pin;

Thence along the centerline of said 300 Lateral and continuing along the easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" the following courses and distances:

Thence N. 46°59'22" W., a distance of 67.54 feet to a point, said point witnessed N. 43°28'12" E., a distance of 50.00 feet with a 5/8 inch diameter iron pin;

Thence 225.00 feet along the arc of a 577.03 foot radius tangent curve right with a central angle of 22°20'29" and tangents of 113.95 feet, the long chord of which bears N. 35°49'07" W., a distance of 223.58 feet to a 5/8 inch diameter iron pin;

Thence N. 24°38'53" W., a distance of 110.65 feet to the NE boundary corner of said "Delaware Park Subdivision No. 1 Unit No. 3", said corner witnessed S. 89°50'21" E., a distance of 55.08 feet with a 5/8 inch diameter iron pin;

Thence leaving the centerline of said 300 Lateral and easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3", S. 89°50'21" E., a distance of 800.90 feet parallel with the northerly boundary of said NE 1/4 NW 1/4, to a 5/8 inch diameter iron pin;

Thence N. 0°22'27" E., a distance of 54.92 feet parallel with the easterly boundary of said NE 1/4 NW 1/4, to a 5/8 inch diameter iron pin;

Thence 41.10 feet along the arc of a 158.00 foot radius tangent curve right with a central angle of 14°54'21" and tangents of 20.67 feet, the long chord of which bears N. 7°49'38" E., a distance of 40.99 feet to a 5/8 inch diameter iron pin;

Thence N. 15°16'48" E., a distance of 95.58 feet to a 5/8 inch diameter iron pin;

Thence 23.93 feet along the arc of a 92.00 foot radius tangent curve left with a central angle of 14°54'21" and tangents of 12.04 feet, the long chord of which bears N. 7°49'38" E., a distance of 23.87 feet to a 5/8 inch diameter iron pin;

Thence N. 0°22'27" E., a distance of 8.52 feet parallel with the easterly boundary of said NE 1/4 NW 1/4, to a point on the future right of way of U.S. Highway 20-26, (Franklin Road), said point lies 75.00 feet southerly of the northerly boundary of said NE 1/4 NW 1/4 and is monumented with a 5/8 inch diameter iron pin;

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4
AT THE COLONIES

Thence S. 89°50'21" E., a distance of 33.00 feet parallel with said northerly boundary of the NE 1/4 NW 1/4 and along the future right of way of said U.S. Highway 20-26 to a point on the easterly boundary of said NE 1/4 NW 1/4, said point monumented with a 5/8 inch diameter iron pin;

Thence continuing S. 89°50'28" E., a distance of 33.00 feet along the future right of way of said U.S. Highway 20-26 and parallel with the northerly boundary of said NW 1/4 NE 1/4 to a 5/8 inch diameter iron pin;

Thence S. 0°22'27" W., a distance of 8.77 feet parallel with the easterly boundary of said NE 1/4 NW 1/4 to a 5/8 inch diameter iron pin;

Thence 41.10 feet along the arc of a 158.00 foot radius tangent curve right with a central angle of 14°54'21" and tangents of 20.67 feet, the long chord of which bears S. 7°49'38" W., a distance of 40.99 feet to a 5/8 inch diameter iron pin;

Thence S. 15°16'48" W., a distance of 95.58 feet to a 5/8 inch diameter iron pin;

Thence 23.93 feet along the arc of a 92.00 foot radius tangent curve left with a central angle of 14°54'21" and tangents of 12.04 feet, the long chord of which bears S. 7°49'38" W., a distance of 23.87 feet to a 5/8 inch diameter iron pin;

Thence S. 0°22'27" W., a distance of 1085.92 feet along the east boundary of said NE 1/4 NW 1/4 to the SE corner of said NE 1/4 NW 1/4, (center-north 1/16 corner), said corner monumented with a 5/8 inch diameter iron pin;

Thence N. 89°48'33" W., a distance of 1062.15 feet along said southerly boundary of said NE 1/4 NW 1/4 to the POINT OF BEGINNING.

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES contains 20.15 acres more or less.

Corey Barton - Member
DYVER DEVELOPMENT, L.L.C.

John A. Laude Sr. - Manager
HEARTLAND DEVELOPMENT, L.L.C.

Lloyd W. Glasgow - Manager
CRESTLINE DEVELOPMENT, L.L.C.

Laurence R. Grassl

Emma C. Grassl

ACKNOWLEDGMENT
STATE OF IDAHO
COUNTY OF CANYON } SS

Be it remembered that on this 8th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared Corey Barton, who is known or identified to me to be a Member of the Limited Liability Company (L.L.C.) that executed the instrument or the person who executed the instrument on behalf of said L.L.C., and acknowledged to me that such L.L.C. executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for Idaho
Residing at Nampa, ID
Commission expires 01-05-2004

ACKNOWLEDGMENT
STATE OF IDAHO
COUNTY OF CANYON } SS

Be it remembered that on this 8th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared John A. Laude Sr., who is known or identified to me to be the Manager of the Limited Liability Company (L.L.C.) that executed the instrument or the person who executed the instrument on behalf of said L.L.C., and acknowledged to me that such L.L.C. executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for Idaho
Residing at Nampa, ID
Commission expires 09-02-04

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF CANYON } SS

Be it remembered that on this 8th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared Lloyd W. Glasgow, who is known or identified to me to be the Manager of the Limited Company (L.C.) that executed the instrument or the person who executed the instrument on behalf of said L.C., and acknowledged to me that such L.C. executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for Idaho
Residing at Nampa, ID
Commission expires 09-02-04

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF CANYON } SS

Be it remembered that on this 5th day of November, 2002, before me, the undersigned, a notary public in and for said state, personally appeared Laurence R. Grassl and Emma C. Grassl, husband and wife, who are known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for Idaho
Residing at Nampa, ID
Commission expires 01-05-05

CERTIFICATE OF SURVEYOR

I, Richard A. Gray do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the Owners Certificate and the attached plat, was drawn from an actual survey made by me and accurately represents the points thereon.

I further certify that I made this survey under the direction of the owner thereof and that the survey is in conformity with the State of Idaho Codes relating to plats and subdivisions.

Richard A. Gray
PROFESSIONAL LAND SURVEYOR
REGISTERED
7732
STATE OF IDAHO
RICHARD A. GRAY

10/31/02
P.L.S. License No. 7732

CERTIFICATE OF COUNTY SURVEYOR

I, Dennis A. King, Canyon County Surveyor, do hereby certify that I have examined this plat and that it complies with the requirements of Idaho State Code.

Dennis A. King P.L.S. 944

11/27/02
Date

APPROVAL OF CITY ENGINEER

I, Gordon N. Law, City Engineer, in and for the City of Caldwell, Canyon County, Idaho hereby approve this plat.

Gordon N. Law P.E.
Gordon N. Law

3 Jan 2003
Date

APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this plat are hereby removed according to the letter to be read on file with the County Recorder or his agent listing the conditions of approval.

John M. Gray
Officer
Southwest District Health Department

12-5-02
Date

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Caldwell, Canyon County, Idaho do hereby certify that at a regular meeting of the City Council held on the 18 day of November, 2002, this plat was accepted and approved.

Dwain Miller
City Clerk, Caldwell, Idaho

CERTIFICATE OF COUNTY TREASURER

I, Tracie Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full.

This certificate is valid for the next thirty (30) days only.

Tracie Lloyd
County Treasurer
Judy B. Shaw, Chief Deputy

January 13th, 2003
Date

SUPPLEMENTAL DECLARATION OF ANNEXATION ESTABLISHING
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DELAWARE PARK SUBDIVISION NO. 4 AT THE COLONIES
PLATTED AS DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4 AT THE COLONIES

THIS SUPPLEMENTAL DECLARATION is made on the date hereinafter set forth by Dyver Development, LLC, an Idaho limited liability company, hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situated in the City of Caldwell, County of Canyon, State of Idaho, which is particularly described as:

Delaware Park Subdivision No. 1 Unit No. 4 At The Colonies, according to the official plat Thereof on file in the office of the County Recorder of Canyon County, State of Idaho, in Book 32 of plats at page 6; more particularly described on Exhibit "A" attached hereto and incorporated herein by this Reference.

(which real property is hereinafter referred to as the "Phase 4 Property"); and

WHEREAS, Declarant has heretofore recorded a Declaration Establishing Covenants, Conditions and Restrictions for Delaware Park At The Colonies Subdivision Phase II, recorded on February 27, 2002, as Instrument Number: 200209365, records of Canyon County, Idaho.

WHEREAS, Delaware Park Subdivision No. 1 Unit No. 4 At The Colonies is being developed according to a master plan of development and is thereby related to Delaware Park At The Colonies Subdivision Phase II, and Declarant desires that the Phase 4 property be subject to the covenants, conditions and restrictions for Delaware Park At The Colonies Subdivision Phase II as set forth in the Declaration (as Declaration may be, from time to time, amended), and that owners of Building Lots or parcels within the boundaries of the Phase 4 Property be members of Delaware Park At The Colonies Subdivision Homeowners Association, Inc.:

NOW, THEREFORE, Declarant hereby declares:

ARTICLE I

The Phase 4 Property shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration, as amended, incorporated herein by this reference as if set forth in full, which easements, restrictions, covenants and conditions are for the purpose of protecting the value and desirability of, and which shall run with and bind, the Phase 4 Property and each and every part, parcel and Building Lot thereof, and be binding on all parties having any right, title or interest in the Phase 4 Property or any parcel or building lot thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner thereof.

ARTICLE II

Pursuant to the Sections 1.2 and 6.1 of the Declaration, the Declaration is hereby amended to include the Phase 4 Property, and the Phase 4 Property is hereby made subject to and the beneficiary of the rights, privileges, restrictions and covenants set forth in the Declaration. The Phase 4 Property is designated a "Tract" as defined in Section 3.15 of the Declaration, and is hereby annexed to the Property covered by the Declaration and is included within the term "Property" as used in the Declaration.

ARTICLE III

Except for terms expressly defined herein, all capitalized terms shall have the same meaning as defined in the Declaration.

ARTICLE IV

The Phase 4 Property shall be subject to all city and county setbacks and utility easements as set forth on the official plat thereof on file in the office of the County Recorder of Canyon County, State of Idaho, in Book 32 of plats at page 6; more particularly described on Exhibit "A" attached hereto and incorporated herein by this Reference.

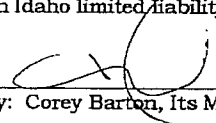
Lot 42, Block 1, shall be and is a Common Area lot for the purpose of storm water detention facilities, and said lot shall be owned and maintained by the Delaware Park Subdivision No. 1 Unit No. 4 At The Colonies Homeowner's Association. Lot 40, Block 8, and Lot 7, Block 12, shall be and are Common Area lots for the purpose of landscape lots, and said lots shall be owned and maintained by the Delaware Park Subdivision No. 1 Unit No. 4 At The Colonies Homeowner's Association.

As stated in the "Notes" on the Final Plat for Phase 4 recorded at the County: (1) No fencing or obstructions shall be placed within the 300 Lateral Easement. (2) Lot 42 of Block 1 is a Stormwater Detention common lot. Said lot shall be owned and maintained by the Homeowner's Association. (3) Lot 40 of Block 8 and Lot 7, Block 12 are common area landscape lots. Said lots shall be owned and maintained by the Homeowner's Association. (4) Lot 32, Block 1, is subject to a 10' wide easement adjacent to the 300 Lateral Easement for utilities & pedestrian pathway purposes. (5) All street rights of way shown hereon are dedicated to the public for public use. (6) Direct lot access to Ward Lane is prohibited unless specifically allowed by the Canyon County Highway District and the City of Caldwell. (7) The Developer and/or Owner shall comply with the Idaho Code Section 31-3805 or its provisions that apply to irrigation rights.

(The specific lots identified as Common Area in Section 10.1 of the Declaration refer to lots and blocks in Delaware Park At The Colonies Subdivision (Phase 2) only.) All Common Area, including the original Common Area identified as such in Section 10.1 of the Declaration, and the Common Area identified as such in this Supplemental Declaration and in any future Supplemental Declaration, shall all be included within the term "Common Area" as used in the Declaration and shall be shared among the owners of all Building Lots in the Property (including future annexed Tracts), as provided in Article X of the Declaration.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereto set its hand this 7th day of February 2003.

DYVER DEVELOPMENT, LLC,
An Idaho limited liability company


By: Corey Barton, Its Manager

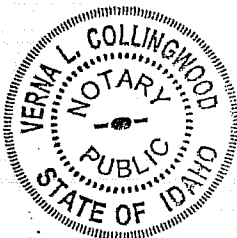
STATE OF IDAHO

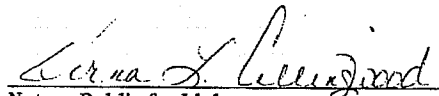
County of Ada

)
) ss.

On this 7th day of February, 2003, before me Verna L. Collingwood
a Notary Public in and for said State, personally appeared Corey Barton, known or
identified to me to be the Manager of Dyver Development, LLC, a limited liability
company, who subscribed said limited liability company's name to the foregoing
instrument, and acknowledged to me that he executed the same in said limited liability
company's name.

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




Notary Public for Idaho
Residing at Caldwell, Idaho
My commission expires 11-17-04

TO THE SUPPLEMENTAL DECLARATION OF ANNEXATION
ESTABLISHING
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DELAWARE PARK SUBDIVISION NO. 4 AT THE COLONIES
PLATTED AS DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4 AT THE COLONIES

WE, DYVER DEVELOPMENT, L.L.C., an Idaho Limited Liability Company being first duly sworn depose and say that we are the owners of DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES more particularly described in the legal description below, state that it is our intention to include said property in this subdivision plat, and that we do for ourselves, our heirs, transferees, successors and assigns, do hereby dedicate, donate and convey to the public forever the public streets shown on this plat. The easements shown on this plat are not dedicated to the public. However, the right to use said easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat and no permanent structures other than those for utility, irrigation, or drainage purposes is to be erected within the limits of said easements. The City of Caldwell Water Department will provide this subdivision with domestic water.

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES is situated in a part of the NE 1/4 NW 1/4 and NW 1/4 NE 1/4 of Section 30, Township 4 North, Range 2 West, Boise Meridian, Caldwell, Canyon County Idaho, more particularly described as follows:

Commencing at the NW corner of Government Lot 1 of said Section 30, (Section corner common to Sections 19, 30, 25 and 24), said corner monumented with a 3 inch diameter brass disk;

Thence S. 0° 37' 12" W., a distance of 1324.92 feet along the west boundary of said Government Lot 1 to the SW corner of said Government Lot 1, said corner monumented with a 5/8 inch diameter iron pin;

Thence S. 89° 48' 33" E., a distance of 1288.82 feet along the south boundary of said Government Lot 1 to the southeast corner of said Government Lot 1, said corner also being on the south boundary of "Delaware Park Subdivision No. 1 Unit No. 3" as on file in Book 31 of Plats at Page 19 in the Office of the Recorder of Canyon County, Idaho, and is monumented with a 5/8 inch diameter iron pin;

Thence continuing S. 89° 48' 33" E., a distance of 249.13 feet along the south boundary of said NE 1/4 NW 1/4 and along the south boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" to the SE corner of said "Delaware Park Subdivision No. 1 Unit No. 3", said corner being the POINT OF BEGINNING and is monumented with a 5/8 inch diameter iron pin;

Thence leaving the south boundary of said NE 1/4 NW 1/4 and along the easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" the following courses and distances:

Thence N. 0° 11' 27" E., a distance of 102.00 feet to a 5/8 inch diameter iron pin;

Thence N. 21° 38' 19" E., a distance of 60.17 feet to a 5/8 inch diameter iron pin;

Thence N. $0^{\circ}11'27''$ E., a distance of 76.38 feet to a 5/8 inch diameter iron pin;

Thence S. $89^{\circ}48'33''$ E., a distance of 100.00 feet to a 5/8 inch diameter iron pin;

Thence N. $62^{\circ}18'55''$ E., a distance of 63.35 feet to a 5/8 inch diameter iron pin;

Thence S. $89^{\circ}48'33''$ E., a distance of 100.00 feet to a 5/8 inch diameter iron pin;

Thence N. $0^{\circ}11'27''$ E., a distance of 293.67 feet to a 5/8 inch diameter iron pin;

Thence N. $35^{\circ}39'55''$ E., a distance of 57.64 feet to a 5/8 inch diameter iron pin;

Thence N. $49^{\circ}21'27''$ E., a distance of 151.42 feet to a point on the centerline of the 300 Lateral, said point witnessed S. $49^{\circ}21'27''$ W., a distance of 50.31 feet with a 5/8 inch diameter iron pin;

Thence along the centerline of said 300 Lateral and continuing along the easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3" the following courses and distances:

Thence N. $46^{\circ}59'22''$ W., a distance of 67.54 feet to a point, said point witnessed N. $43^{\circ}28'12''$ E., a distance of 50.00 feet with a 5/8 inch diameter iron pin;

Thence 225.00 feet along the arc of a 577.03 foot radius tangent curve right with a central angle of $22^{\circ}20'29''$ and tangents of 113.95 feet, the long chord of which bears N. $35^{\circ}49'07''$ W., a distance of 223.58 feet to a 5/8 inch diameter iron pin;

Thence N. $24^{\circ}38'53''$ W., a distance of 110.65 feet to the NE boundary corner of said "Delaware Park Subdivision No. 1 Unit No. 3", said corner witnessed S. $89^{\circ}50'21''$ E., a distance of 55.08 feet with a 5/8 inch diameter iron pin;

Thence leaving the centerline of said 300 Lateral and easterly boundary of said "Delaware Park Subdivision No. 1 Unit No. 3", S. $89^{\circ}50'21''$ E., a distance of 800.90 feet parallel with the northerly boundary of said NE 1/4 NW 1/4, to a 5/8 inch diameter iron pin;

Thence N. $0^{\circ}22'27''$ E., a distance of 54.92 feet parallel with the easterly boundary of said NE 1/4 NW 1/4, to a 5/8 inch diameter iron pin;

Thence 41.10 feet along the arc of a 158.00 foot radius tangent curve right with a central angle of $14^{\circ}54'21''$ and tangents of 20.67 feet, the long chord of which bears N. $7^{\circ}49'38''$ E., a distance of 40.99 feet to a 5/8 inch diameter iron pin;

Thence N. $15^{\circ}16'48''$ E., a distance of 95.58 feet to a 5/8 inch diameter iron pin;

Thence 23.93 feet along the arc of a 92.00 foot radius tangent curve left with a central angle of $14^{\circ} 54' 21''$ and tangents of 12.04 feet, the long chord of which bears N. $7^{\circ} 49' 38''$ E., a distance of 23.87 feet to a 5/8 inch diameter iron pin;

Thence N. $0^{\circ} 22' 27''$ E., a distance of 8.52 feet parallel with the easterly boundary of said NE 1/4 NW 1/4, to a point on the future right of way of U.S. Highway 20-26, (Franklin Road), said point lies 75.00 feet southerly of the northerly boundary of said NE 1/4 NW 1/4 and is monumented with a 5/8 inch diameter iron pin;

Thence S. $89^{\circ} 50' 21''$ E., a distance of 33.00 feet parallel with the NE 1/4 NW 1/4 and along the future right of way of said U.S. Highway 20-26 to a point on the easterly boundary of said NE 1/4 NW 1/4, said point monumented with a 5/8 inch diameter iron pin;

Thence continuing S. $89^{\circ} 50' 28''$ E., a distance of 33.00 feet along the future right of way of said U.S. Highway 20-26 and parallel with said NW 1/4 NE 1/4 to a 5/8 inch diameter iron pin;

Thence S. $0^{\circ} 22' 27''$ W., a distance of 8.77 feet parallel with the easterly boundary of said NE 1/4 NW 1/4 to a 5/8 inch diameter iron pin;

Thence 41.10 feet along the arc of a 158.00 foot radius tangent curve right with a central angle of $14^{\circ} 54' 21''$ and tangents of 20.67 feet, the long chord of which bears S. $7^{\circ} 49' 38''$ W., a distance of 40.99 feet to a 5/8 inch diameter iron pin;

Thence S. $15^{\circ} 16' 48''$ W., a distance of 95.58 feet to a 5/8 inch diameter iron pin;

Thence 23.93 feet along the arc of a 92.00 foot radius tangent curve left with a central angle of $14^{\circ} 54' 21''$ and tangents of 12.04 feet, the long chord of which bears S. $7^{\circ} 49' 38''$ W., a distance of 23.87 feet to a 5/8 inch diameter iron pin;

Thence S. $0^{\circ} 22' 27''$ W., a distance of 1085.92 feet along the east boundary of said NE 1/4 NW 1/4 to the SE corner of said NE 1/4 NW 1/4, (center-north 1/16 corner), said corner monumented with a 5/8 inch diameter iron pin;

Thence N. $89^{\circ} 48' 33''$ W., a distance of 1062.15 feet along said southerly boundary of said NE 1/4 NW 1/4 to the POINT OF BEGINNING.

DELAWARE PARK SUBDIVISION NO. 1 UNIT NO. 4, AT THE COLONIES contains 20.14 acres more or less.

200308101

RECORDED

2003 FEB 10 PM 4 14

NOEL HALES
CANYON CITY RECORDER
BY *Jackie Brown*

REQUEST PIONEER-NAMPA
TYPE *Payee* FEE *21.00*