



Comp

DRB CASE ACTION LOG (FINAL PLAT)

REVISED 9/28/05

Comp ~~AS~~ - 5/23/06

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 06DRB-00587 (FP)
Project Name UNIVERSITY CROSSING
Agent: Rio Grande Engineering

Project # 1002110
Phone No.: 872-0999

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 3-5-06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: Signal Analysis. / dx
- _____
- _____
- _____
- _____
- UTILITIES: _____
- _____
- _____
- _____
- CITY ENGINEER / AMAFCA: _____
- _____
- _____
- _____
- PARKS / CIP: _____
- _____
- _____
- _____
- PLANNING (Last to sign): Record the Plat
- AGIS dx f OK
- _____
- _____

- Planning must record this plat. Please submit the following items:**
 - The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
 - Tax printout from the County Assessor.
 - 3 copies of the approved site plan. Include all pages.**
 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
 - Property Management's signature must be obtained prior to Planning Department's signature.**
 - AGIS DXF File approval required. OK**
 - Copy of recorded plat for Planning.**

Called Agent for P.U. - ~~AS~~ 5/23/06

Project Number 1002110

CITY OF ALBUQUERQUE
Planning Department
February 15, 2006
DRB Comments

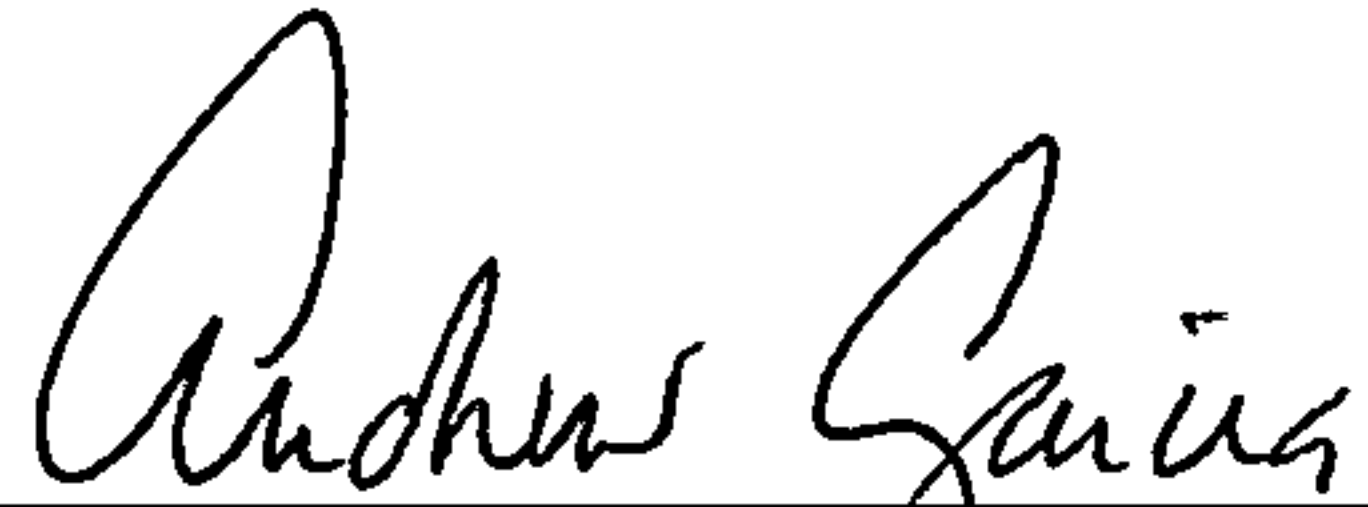
ITEM # 4

PROJECT # 1002110 APPLICATION # 06-00088

RE: University Crossings/major pp

Perimeter walls that are facing a public street, public streets, open space or trails are required to comply the wall regulations in section 14-16-3-19. A final design of the walls will be approved by the DRB Chair.

The current zoning needs to be put on the plat.



Andrew Garcia, Planning Alternate
924-3858 fax 924-3864 agarcia@cabq.gov

#11



DRB CASE ACTION LOG (FINAL PLAT)

REVISED 9/28/05

5.3.06

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 06DRB-00587 (FP)
Project Name UNIVERSITY CROSSING
Agent: Rio Grande Engineering

Project # 1002110
Phone No.: 872-0999

Your request for (~~SDP for SUB~~), (~~SDP for BP~~), (**FINAL PLATS**), (**MASTER DEVELOP. PLAN**), was approved on 3-5-06 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: Signal Analysis

UTILITIES:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): Record the Plat
AGIS dx f

Planning must record this plat. Please submit the following items:

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
- Tax printout from the County Assessor.

- 3 copies of the approved site plan. Include all pages.**
- County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- Property Management's signature must be obtained prior to Planning Department's signature.**
- AGIS DXF File approval required.**
- Copy of recorded plat for Planning.**

Project Number 1002110



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

May 3, 2006

9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

- A. Call to Order: 9:00 A.M. Adjourned: 11:05 A.M.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION
MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000788**
06DRB-00482 Major-Two Year SIA
MARK GOODWIN & ASSOCIATES agent(s) for LONGFORD AT PARADISE SKIES request(s) the above action(s) for all or a portion of Tract(s) AAAA-1A, **PARADISE SKIES, UNIT 8 & 9**, zoned SU-1 RT, located on MILKY WAY ST NW, between SAGITTARIUS AVE NW and MCMAHON BLVD NW containing approximately 20 acre(s). [REF: S-99-150] (A-10/A-11) **A TWO-YEAR SIA WAS APPROVED.**

2. **Project # 1003778**
06DRB-00330 Major-Vacation of Pub
Right-of-Way
06DRB-00328 Major-Preliminary Plat
Approval
06DRB-00332 Minor-Sidewalk
Variance
06DRB-00333 Minor-Temp Defer
SDWK

LARRY READ & ASSOCIATES INC agent(s) for SHAKEEL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 21 & 22, Block(s) 2, Tract(s) 2, Block(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **SHAHEEN SUBDIVISION**) zoned R-D, located on OAKLAND AVE NE, between WYOMING BLVD NE and LOUISIANA BLVD NE containing approximately 2 acre(s). [REF: 04DRB-01750, 04DRB-01751, 04DRB-01752, 04DRB-01753] (C-19) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 5/3/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/1/05 THE PRELIMINARY PLAT WAS APPROVED. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

3. **Project # 1003857**
06DRB-00442 Major-Vacation of Pub
Right-of-Way

PRECISION SURVEYS INC agent(s) for MICHAEL A GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4-6 and 10-12, Block(s) E, SIMPIER ADDITION (to be known as **BARELAS TOWNHOMES**) zoned SU-2/RT, located on SIMPIER LN SW, between 4TH ST SW and 8TH ST SW [REF: 04DRB-01973] (L-14) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH A CONDITION OF FINAL PLAT: REPLAT LOTS TO CONSOLIDATE OR PROVIDE ACCESS.**

4. **Project # 1004717**
06DRB-00478 Major-Preliminary Plat
Approval
06DRB-00481 Minor-Temp Defer
SDWK

TERRAMETRICS OF NEW MEXICO agent(s) for ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Tract(s) A, **SONORA SUBDIVISION**, zoned R-D, located on TESORO PL NE, between SAN PEDRO NE and LOUISIANA BLVD NE containing approximately 1 acre(s). [REF: 06DRB-00253] (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 5/3/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/30/06 THE PRELIMINARY PLAT WAS APPROVED WITH A CONDITION OF FINAL PLAT: ENVIRONMENTAL HEALTH WILL NEED TO SIGN THE FINAL PLAT. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

5. **Project # 1003800**
05DRB-01906 Major-Vacation of Pub
Right-of-Way
05DRB-01908 Minor-Prelim&Final Plat
Approval
05DRB-01907 Minor-Temp Defer
SDWK

RIO GRANDE ENGINEERING agent(s) for PETE DASKALOS, LLAVE HOMES request(s) the above action(s) for all or a portion of Lot(s) 1-4, Block(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **LA CUEVITA OESTE**) zoned R-D residential and related uses zone, developing area, located on EAGLE ROCK AVE NE, between VENTURA BLVD NE and BARSTOW BLVD NE containing approximately 4 acre(s). [REF: 04DRB01820] [*Deferred from 1/11/06 & 2/1/06 & 2/15/06 & 3/1/06 & 3/15/06 & 3/29/06 & 4/12/06*] (C-20) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 5/3/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/20/06 THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

6. **Project # 1004354**
06DRB-00392 Major-Vacation of Pub
Right-of-Way

TIERRA WEST LLC agent(s) for PETE DASKALOS request(s) the above action(s) for all or a portion of Lot(s) 22-26 and a portion of Lot(s) 27, Tract(s) O, Block(s) 9, **ORIGINAL TOWNSITE OF WESTLAND**, zoned SU-2 FOR C-2, IP, located on 98TH ST NW, between VOLCANO RD NW and CENTRAL AVE NW containing approximately 9 acre(s). [REF: ZA-88-3701, ZA-90-276, ZA-96-227, ZA-87-308, 05DRB-01229, 05EPC-01234] [*Deferred from 4/19/06 & 5/3/06*] (K-9) **DEFERRED AT THE AGENT'S REQUEST TO 5/24/06.**

7. **Project # 1003684**
06DRB-00325 Major-Preliminary Plat
Approval
06DRB-00326 Major-Vacation of Pub
Right-of-Way
06DRB-00327 Major-Vacation of
Public Easements
06DRB-00329 Minor-Sidewalk Waiver
06DRB-00331 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES PA agent(s) for CAPITAL ALLIANCE INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) A & B, CALABACILLAS ARROYO, Tract(s) B2B1, PARADISE HEIGHTS, UNIT 5 AND SEVILLE UNIT 7, Block(s) 7-14 (to be known as **ANASAZI RIDGE**) zoned R-1 residential zone, located on WESTSIDE BLVD NW, between UNIVERSE AVE NW and DUNN AVE NW containing approximately 73 acre(s). [REF: 04DRB01443, 05DRB00118, 05DRB00119, 05DRB00120, 05DRB00121] [*Deferred from 4/26/06*] (A-10) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 5/3/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/7/05 THE PRELIMINARY PLAT WAS APPROVED WITH A CONDITION OF FINAL PLAT: IN ACCORDANCE WITH CITY COUNCIL RESOLUTION R-05-297 EACH SUBDIVISION AND ITS EFFECT ON THE DESIGN CAPACITY OF APS AREA SCHOOLS MUST BE RESOLVED PRIOR TO FINAL PLAT APPROVAL. THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)

NOTE: IF THE APPLICANT/AGENT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

- 8. Project # 1003116**
06DRB-00558 Minor-SiteDev Plan
Subd/EPC
06DRB-00559 Minor-SiteDev Plan
BldPermit/EPC

ISAACSON & ARFMAN PA agent(s) for CLEARBROOK INVESTMENTS INC request(s) the above action(s) for A PORTION OF THE SW 1/4 OF THE SE 1/4 OF SECTION 27, T10N, R4E, **CANYON GROVE SUBDIVISION**, zoned SU-1 PRD, located on CALLE CORONADO SE SE, between HIDDEN VALLEY RD SE and TIJERAS ARROYO SE containing approximately 10 acre(s). [REF: 05EPC00020, 05EPC00021] [*Deferred from 4/26/6*] [David Stallworth, EPC Case Planner] (L-22/M-22) THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR DAVID STALLWORTH'S INITIALS AND 3 COPIES OF THE SITE PLAN WITH THE FOLLOWING CONDITION: APPROVAL OF THIS SITE PLAN IS DEPENDENT ON THE CONDITION THAT A FUTURE REVISED SITE DEVELOPMENT PLAN AND PLAT ARE APPROVED BY DRB BASED ON A REVISED LOT LAYOUT THAT WILL BE ADMINISTRATIVELY APPROVED BY EPC. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR DAVID STALLWORTH'S INITIALS AND 3 COPIES OF THE SITE PLAN AND TWO CHANGES TO THE LANDSCAPE PLAN WITH THE FOLLOWING CONDITION: APPROVAL OF THIS SITE PLAN IS DEPENDENT ON THE CONDITION THAT A FUTURE REVISED SITE DEVELOPMENT PLAN AND PLAT ARE APPROVED BY DRB BASED ON A REVISED LOT LAYOUT THAT WILL BE ADMINISTRATIVELY APPROVED BY EPC.

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS

9. **Project # 1003369**
06DRB-00588 Minor-Extension of Preliminary Plat
- ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 6 & 7, Block(s) 16, Tract(s) 3, **UNIT 3 VINTNER COURT SUBDIVISION**, zoned R-D 5 DU/ACRE, located on WILSHIRE NE, between VENTURA NE and CORONA NE containing approximately 2 acre(s). [REF:04DRB00510, 04DRB00511, 04DRB00513, 04DRB00519, 04DRB00514] (C-20) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**
10. **Project # 1002632**
06DRB-00585 Minor-Final Plat Approval
- TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 4-6, **SUNDANCE ESTATES, UNIT 1**, zoned R-LT residential zone, located on PARADISE BLVD NW, between LYONS BLVD NW and PROPOSED UNSER ALIGNMENT, containing approximately 36 acre(s). [REF: 03EPC00690, 03DRB01306, 04DRB00760, 04DRB00761, 04DRB01761] [Deferred from 5/3/06] (B-11) **DEFERRED AT THE AGENT'S REQUEST TO 5/24/06.**
11. ~~Project # 1002110~~
06DRB-00587 Minor-Final Plat Approval
- RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCE (to be known as **UNIVERSITY CROSSING**) zoned O-1/C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). (L-15) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR SIGNAL ANALYSIS AT KATHRYN & YALE SE AND PLANING FOR AGIS DXF FILE AND TO RECORD.**

12. **Project # 1003687**
06DRB-00584 Minor-Prelim&Final Plat
Approval

BOHANNAN HUSTON INC agent(s) for PULTE HOMES OF NEW MEXICO, INC request(s) the above action(s) for all or a portion of Lot(s) 195-A, 196-A, 197-A, 212-A & 213-A, **WESTERN RIDGE, UNIT 2 @ VENTANA RANCH WEST**, zoned R-LT, located on TUSCARORA RD NW, between SIERRA ALTOS PL NW and THUNDERBOLT DR NW containing approximately 1 acre(s). [REF: 06DRB-00054] (B-8) **PRELIMINARY AND FINAL PLAT APPROVED AND SIGNED OFF BY THE BOARD.**

13. **Project # 1004863**
06DRB-00586 Minor-Prelim&Final Plat
Approval

COMMUNITY SCIENCES CORPORATION agent(s) for MARILYN RICHIE request(s) the above action(s) for Lot(s) 30, Block(s) 4, **PALISADES**, zoned R-1, located on PALISADES DR NW, between LOMA ALTA CT NW and ViSTA GRANDE RD NW containing approximately 1 acre(s). [Indef deferred from 5/3/06] (J-11) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

14. **Project # 1004864**
06DRB-00589 Minor-Prelim&Final Plat
Approval

SOL LLC request(s) the above action(s) for all or a portion of Lot(s) 4 & 5, Block(s) 21, **SKYLINE HEIGHTS**, zoned C-3, located on ACOMA SE, between CONCHAS SE and ALTEZ SE containing approximately 1 acre(s). (L-20) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD THE PLAT.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

15. **Project # 1001235**
06DRB-00583 Minor-Sketch Plat or
Plan

SURVEYS SOUTHWEST LTD agent(s) for TURNER BRANCH & MARGARET MOSES request(s) the above action(s) for all or a portion of Lot(s) 13 & 14, Block(s) 6, Tract(s) 11, LANDS OF BRANCH (to be known as **EDWARD KROGH ADDITION**) zoned R-1 residential zone, located on RIO GRANDE BLVD NW and KROGH CT NW, containing approximately 2 acre(s). [REF: 05DRB01539] (H-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. **Project # 1004858**
06DRB-00573 Minor-Sketch Plat or
Plan

STEVE APPOLLONI agent(s) for JEFF ROMERO request(s) the above action(s) for all or a portion of Lot(s) 9, Block(s) H, **MANDELL BUSINESS & RESIDENCE ADDITION**, zoned SU-3 special center zone, located on 5TH ST NW NW, between SLATE NW and MARBLE NW containing approximately 1 acre(s). (J-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. Approval of the Development Review Board Minutes for April 26, 2006. **THE DRB MINUTES FOR APRIL 26, 2006 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:05 A.M.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
May 3, 2006
DRB Comments

ITEM # 11

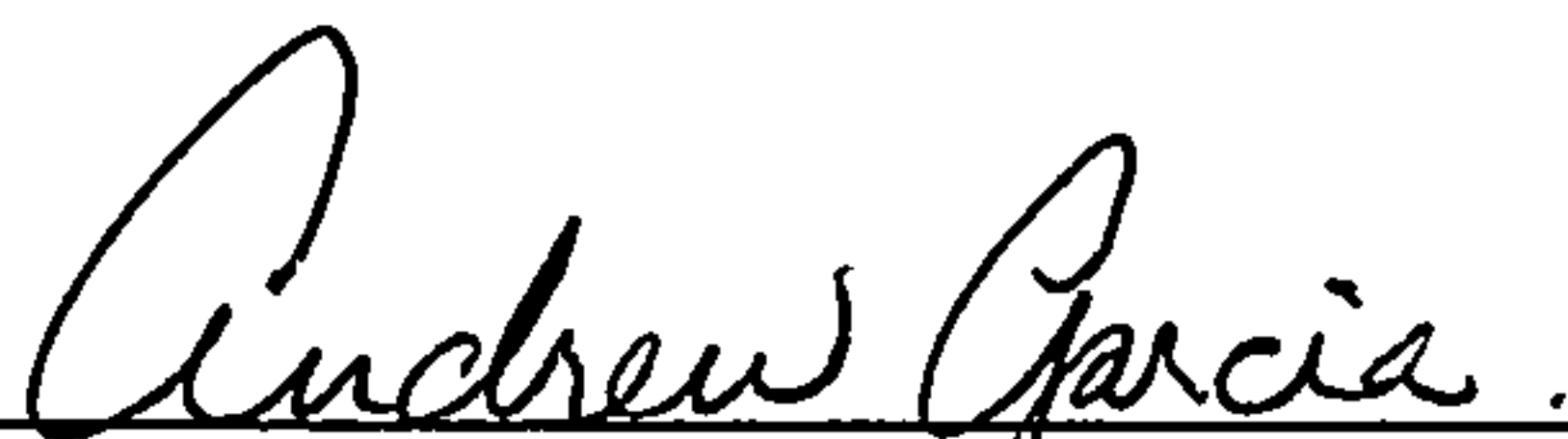
PROJECT # 1002110

APPLICATION # 06-00587

RE: University Crossings/fp

Planning has no objection to this request.

AGIS Inf



Andrew Garcia, Planning Alternate
924-3858 fax 924-3864 agarcia@cabq.gov

CITY OF ALBUQUERQUE



1002110

**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002110

AGENDA ITEM NO: 11

SUBJECT:

Final Plat

ACTION REQUESTED:

REV/CMT:() APP:() SIGN-OFF:(x) EXTN:() AMEND:()

P.O. Box 1293

ENGINEERING COMMENTS:

No adverse comments.

Albuquerque

New Mexico 87103

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: May 3, 2006



City of Albuquerque
Parks and Recreation Department
PO Box 1293, Albuquerque, New Mexico 87103
Inter-Office Correspondence
Development Review Board Comments

Project Number: 1002110

Application Number: 06DRB-00587

DRB Date: 5/3/2006

Item Number: 11

Subdivision: University Crossing
Tract B-1 & B-2 Cactus/Shalit Parce

Zoning: O-1/C-1

Zone Page:

New Lots (or units) : 0

Request for:

- Sketch Plat Review & Comment
- Bulk Land Variance
- Site Development Plan for Subdivision
- Site Development Plan for Building Permit
- Preliminary Plat
- Final Plat
- Vacation of Public RoW
- Vacation of Public Easement
- Vacation of Private Easement
- Temp. Deferral of Sidewalk Construction
- Sidewalk Variance
- SIA Extension
- Other

Parks and Recreation Comments:

Have your DRC plans been approved.

What is the status of working in Korean War Veterans Park. Construction will need to be coordinated with Park Management.

Signed:

A handwritten signature in cursive script, appearing to be "CS", written over a horizontal line.

Christina Sandoval, (DMD)

Phone: 768-3808



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 15, 2006

3. Project # 1002110

06DRB-00085 Major-Vacation of Public Easements

06DRB-00088 Major-Preliminary Plat Approval

06DRB-00102 Minor-Temp Deferral of Sidewalks

RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCEL (to be known as **UNIVERSITY CROSSINGS**) zoned O-1, C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). [REF: 05ZHE00852, 05ZHE00882] (L-15)

At the February 15, 2006, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

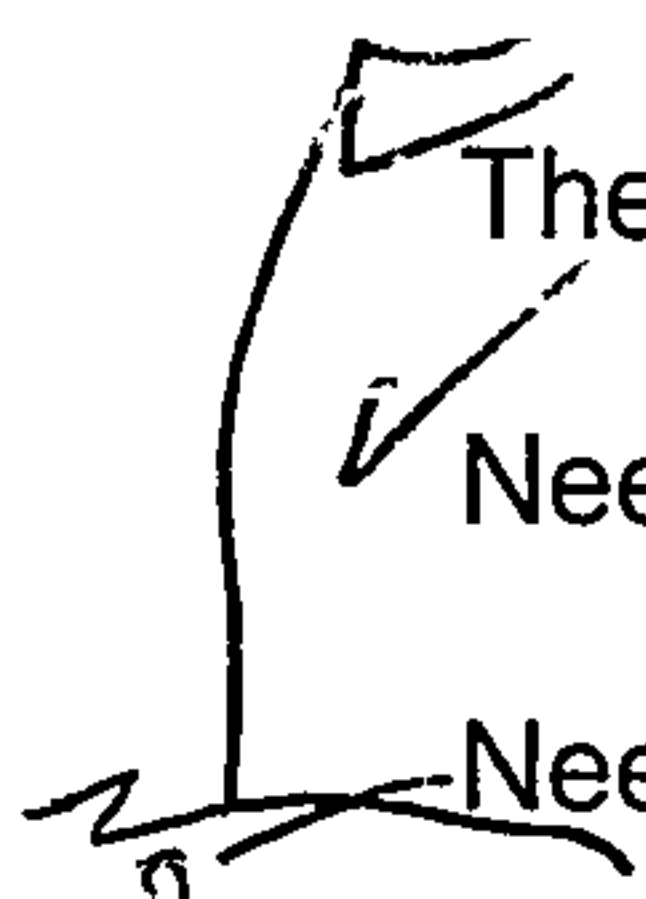
FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

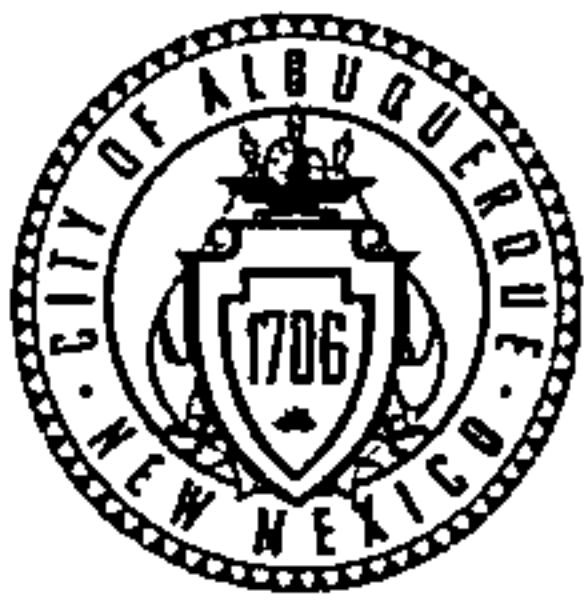
CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

With the signing of the infrastructure list dated 2/15/06 and approval of the grading plan engineer stamp dated 2/6/06 the preliminary plat was approved with the following conditions of final plat:

- 
- ✓ The current zoning shall be placed on the final plat.
 - ✓ Need to evaluate right-of-way dedication along Yale Blvd.
 - ✓ Need a Signal Analysis at Kathryn SE and Yale SE.

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.



**OFFICIAL NOTICE OF DECISION
PAGE 2**

If you wish to appeal this decision, you must do so by March 2, 2006, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc: Beazer Home Sales Inc., 7007 Wyoming NE, Suite F-5, 87109

Rio Grande Engineering, 1606 Central SE, Suite 201, 87106

Adriann Barboa, 1517 Cornell SE, 87106

Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.

File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002110 AGENDA#: 3 DATE: 2/15/06

✓ 1. Name: Daniel Saule Address: Rio Grande Espr Zip:

✓ 2. Name: Adriann Barbera Address: 1517 Cornell St Zip: 87106

3. Name: _____ Address: _____ Zip: _____

4. Name: _____ Address: _____ Zip: _____

5. Name: _____ Address: _____ Zip: _____

6. Name: _____ Address: _____ Zip: _____

7. Name: _____ Address: _____ Zip: _____

8. Name: _____ Address: _____ Zip: _____

9. Name: _____ Address: _____ Zip: _____

10. Name: _____ Address: _____ Zip: _____

11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

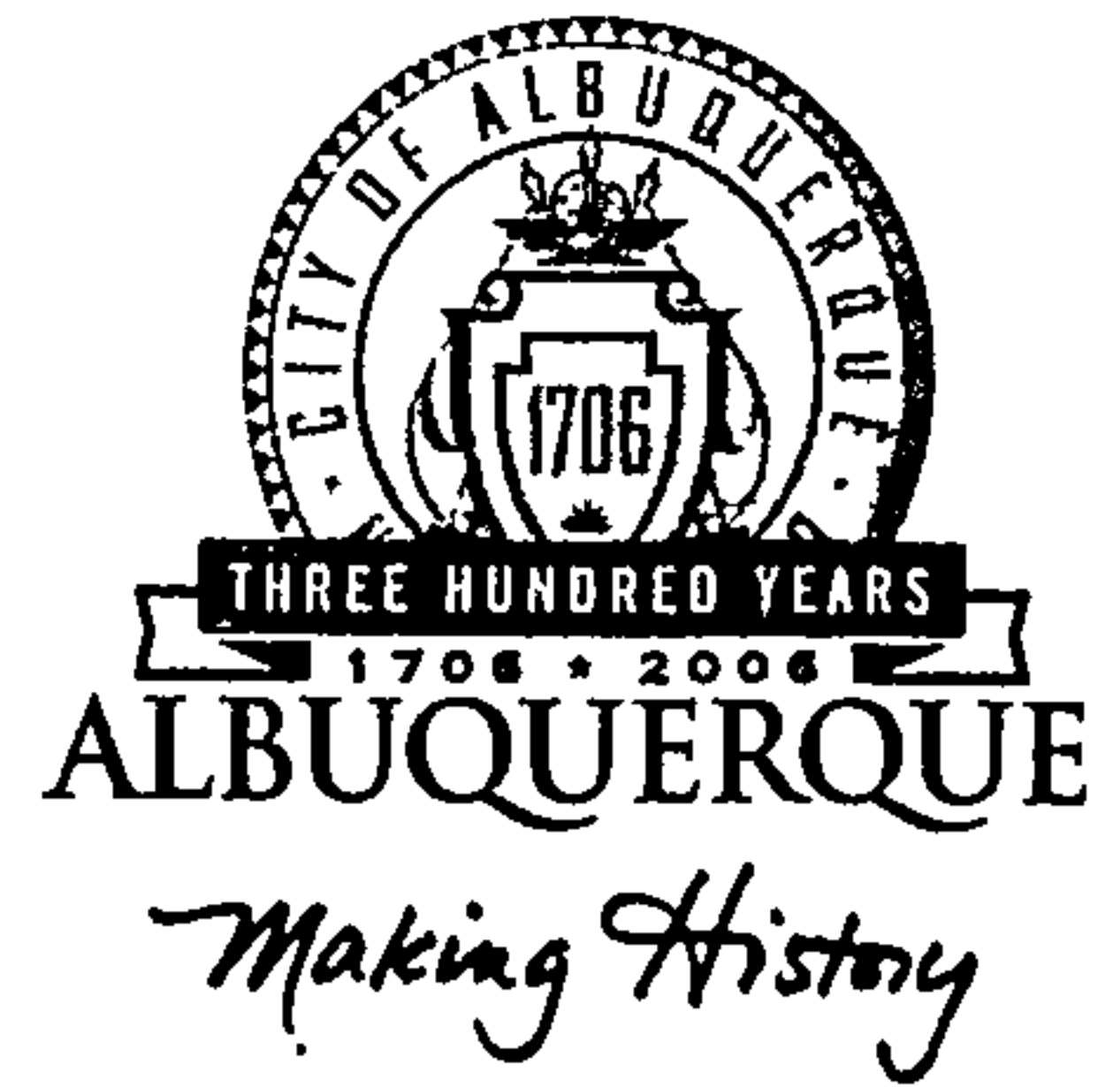
13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

景景景



CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002110

AGENDA ITEM NO: 3

SUBJECT:

Vacation
Preliminary Plat

ACTION REQUESTED:

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

P.O. Box 1293

ENGINEERING COMMENTS:

Albuquerque

The Hydrology Section has no objection to the vacation request.
An approved drainage report dated 2-6-06 is on file for Preliminary Plat approval.

New Mexico 87103

RESOLUTION:

APPROVED *signed I.L.*; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: February 15, 2006



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

February 15, 2006

Project # 1002110

06DRB-00085 Major-Vacation of Public Easements

06DRB-00088 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCEL (to be known as **UNIVERSITY CROSSINGS**) zoned O-1, C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). [REF: 05ZHE00852, 05ZHE00882] (L-15)

AMAFCA No adverse comments.

COG No adverse comments.

Transit No objection to the requests.

Zoning Enforcement No adverse comments.

Neighborhood Coordination

Letters sent to Clayton Heights/Lomas Del Cielo NA (R), Kirtland Community Assn. (R) and Victory Hills NA (R).

APS

The developer is proposing 32 townhouses known as **University Crossings**. The proposed development will affect Lowell Elementary, Wilson Middle School, and Albuquerque High School. The schools will be able to absorb any student growth from this development.

School	2005-06 40 Day Count	Capacity	Space Available
LOWELL ES	354	450	96
WILSON MS	549	770	221
ALBUQUERQUE HS	1,794	2,030	236

Police Department

A review of the following DRB case(s) indicates the following problems or crime may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. Ensure adequate lighting throughout the project- exterior lighting on townhouses, street lighting. Ensure natural surveillance and clear lines of sight throughout the project. Natural surveillance requires a space free from natural and physical barrier. Establish a clear line of sight from the homes to the street and the street to the homes. Ensure that landscaping is installed so as not to obstruct windows, doors, or entryways. Ensure adequate locking devices on exterior doors (deadbolt lock with 1" throw) and windows. Consider providing anti-lift protection on windows and sliding glass doors. Ensure that all exterior doors are of solid-core or metal construction. Ensure that addresses are posted and clearly visible. Create a clear transition from public to semi-public to semi-private to private space throughout the project.

Fire Department

Fire Department is not approving street widths less than 32 feet at this time. Per Ray Sanchez, AFD. All required fire hydrants shall be installed and made serviceable prior to and during construction of subdivision.

PNM Electric & Gas Can not approve, PNM has existing facilities in this area.

Comcast No comments received.

QWEST No comments received.

Environmental Health No comments received.

M.R.G.C.D. No comments received.

Open Space Division No adverse comments.

City Engineer

An approved drainage report is required for Preliminary Plat approval. The Hydrology section requests that the entire easement is vacated and appropriate drainage facilities be put on the infrastructure list to revise the inlet location.

Transportation Development

Applicant will need to evaluate the signalized intersection of Kathryn and Yale. Defer the vacation requests to Hydrology and Utilities. A sidewalk deferral application number is needed. What is the distance from face of curb to the property lines? Why isn't the sidewalk being replaced along Kathryn? (This should be a 6' walk) Yale is a bike route. What are the pavement dimensions? Striping configuration? Fire and Solid Waste approval are required for use of a hammerhead. How do the proposed entrances align with drives across the street?

Parks & Recreation

Defer to Hydrology regarding the vacation requests. This development is adjacent to Korean War Veterans park, drainage issues and construction will need to be coordinated with the Parks and Recreation Department.

Utilities Development

No adverse comments.

Planning Department

The wall design submittal needs the DRB #, Zone Atlas page & nearest intersection. Please revise 3 copies and submit to Planning before the hearing.

A copy of the ZHE decision is needed before the February 15th meeting. The plat needs the current zoning on it. Please provide a revised copy of the preliminary plat to Planning before the hearing.

Impact Fee Administrator

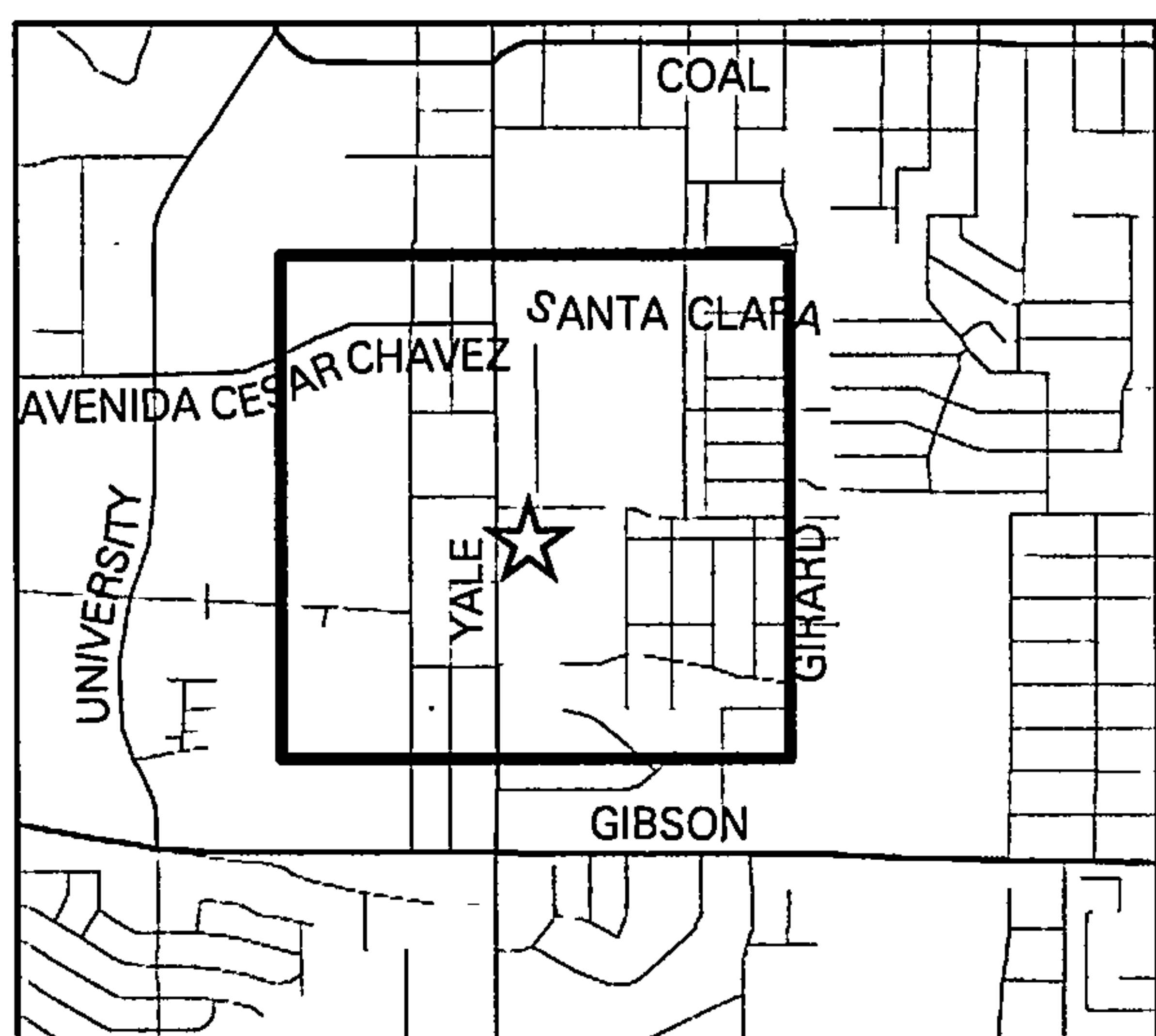
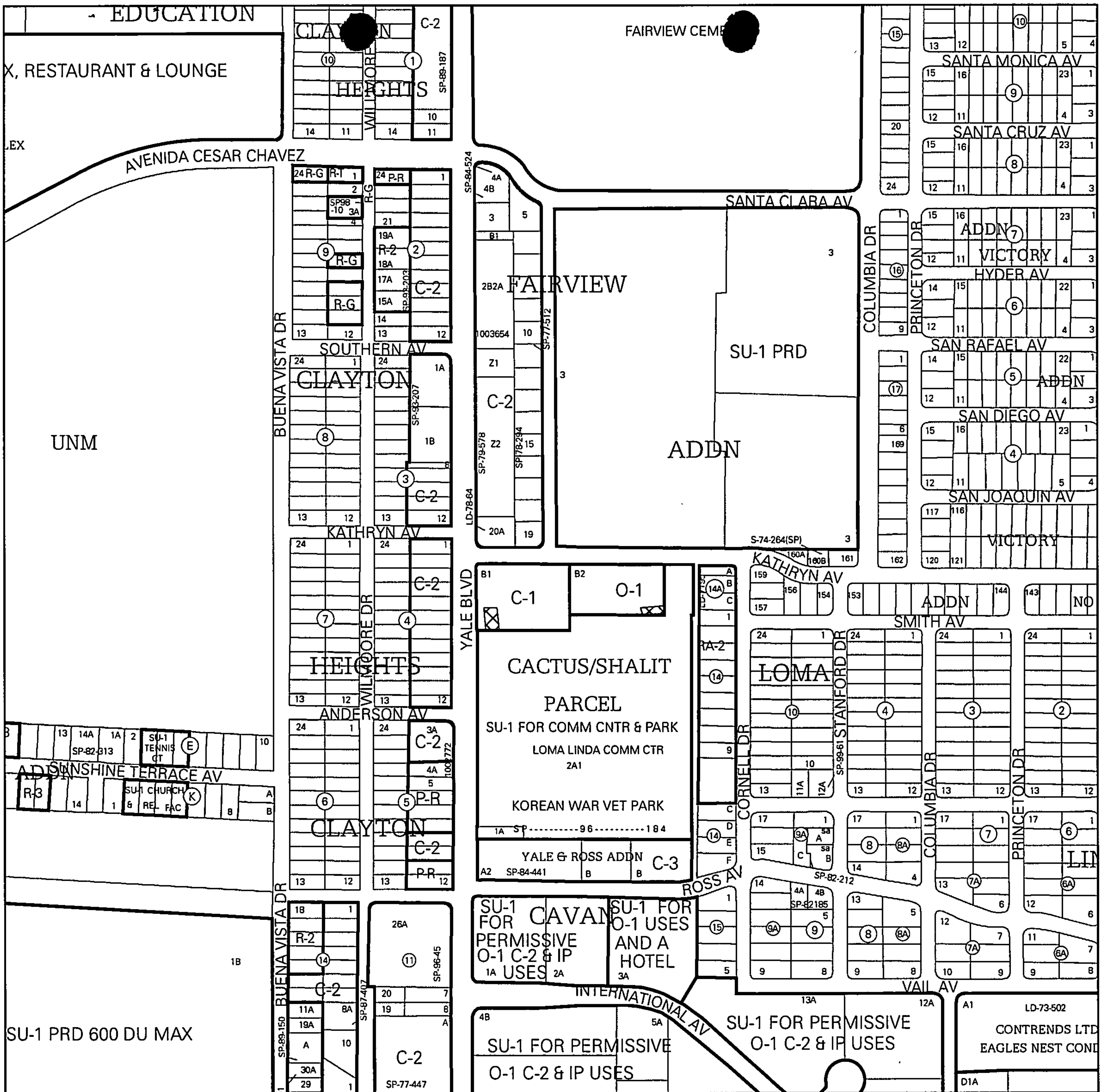
No comments on the proposed vacation of easements. The construction of new homes in this proposed subdivision will be subject to impact fees at the time a building permit is issued. Using an average of 2000sf of heated area, the estimated impact fees are as follows.

1. No Impact Fees for Roadway Facilities.
2. Public Safety Facilities for the Eastside area are approximately \$552.00
3. No Impact Fees for Drainage Facilities.
4. Parks, Recs., Trails and Open Space for the Central/ University area are approximately \$780.00

Impact Fees are to be paid at the time of issuance of building permits; however, the total Impact Fees may be paid at a rate of 67% if permits are obtained by December 29, 2006.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

cc:Beazer Home Sales Inc., 7007 Wyoming Blvd NE, Suite F-5, 87109
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106



ZONING MAP

Note: Grey shading indicates County.



1 inch equals 500 feet

Project Number:

1002110

Hearing Date:

2/15/06

Zone Map Page:

L-15

Additional Case Numbers:

06DRB-00085

06DRB-00088

CITY OF ALBUQUERQUE



NOTIFICATION OF HEARING for the DEVELOPMENT **REVIEW BOARD**

January 27, 2006

TO: See Attached Distribution List of "Recognized" Neighborhood Association(s):

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: Requests the following for approximately three (3) acre(s): Major Vacation of Public Easements and Minor Preliminary Plat Approval for a thirty-two (32) paired-unit residential home subdivision.

Proposed by: Rio Grande Engineering at 872-0999
Agent for: Beazer Home Sales, Inc.

For property located: On or near Kathryn Avenue SE between Yale Boulevard SE and Cornell Avenue SE.

The case number(s) assigned is: 06DRB- 00085 and 00088, Project # 1002110.

City Planning accepted application for this request on January 20, 2006.

The owner, applicant, and/or agent certified at the time of application acceptance that they notified you of the proposed action by *certified mail, return receipt requested.*

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at 9 a.m. on Wednesday, February 15, 2006 in the Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.

You should contact Claire Senova at 924-3946 to confirm this date, time, and to seek further information.

If you have any questions **-OR-** have not been contacted by the applicant, please call Stephani Winklepleck at 924-3902 or by e-mail at swinklepleck@cabq.gov

Sincerely,

Stephani J. Winklepleck

Stephani I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

**cc: Claire Senova, DRB
Administrative Assistant**

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

DISTRIBUTION LIST:

Isabel F. Cabrera and Linda Gordon, Clayton Heights/Lomas Del Cielo NA
Marcia Boyer and Joycelyn N. Lewis, Kirtland Community Association
Steve Schroeder and Scott Sandoval, Victory Hills NA

**CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: FEBRUARY 15, 2006
Zone Atlas Page: L-15-Z
Notification Radius: 100 Ft.

Project# 1002110
App#06DBR-00085
App#06DBR-00088

Cross Reference and Location: KATHRYN AVE SE BETWEEN YALE BLVD SE
AND CORNELL AVENUE SE

Applicant: BEAZER HOME SALES INC.
Address: 7007 WYOMING NE, SUITE F-5
ALBUQUERQUE, NM 87109

Agent: RIO GRANDE ENGINEERING
1606 CENTRAL SE, SUITE 201
ALBUQUERQUE, NM 87106

Special Instructions:

**Notice must be mailed from the
City's 15 day's prior to the meeting.**

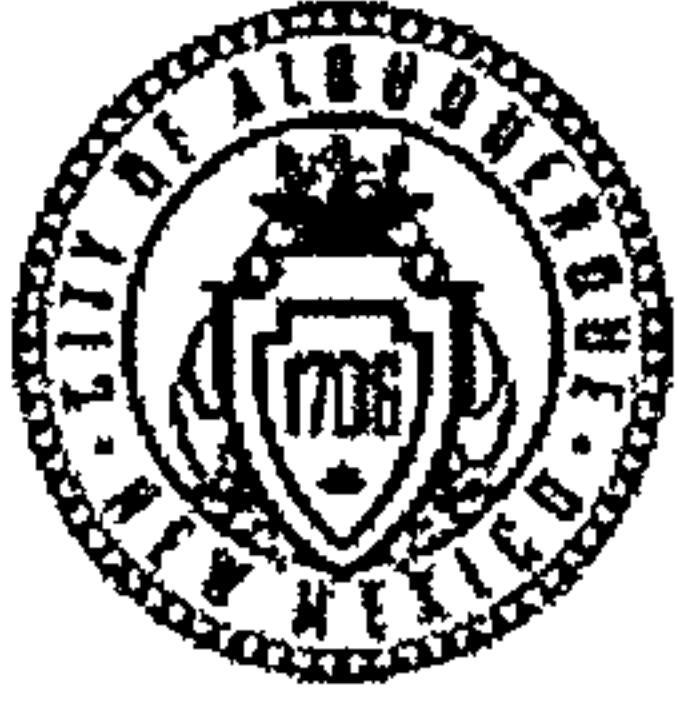
Date Mailed: JANUARY 27, 2006
Signature: YVONNE SAAVEDRA

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP / LEGAL LIST**

Project# 1002110
Application# _____

PAGE 1 OF 2

Zone Atlas Page #	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
L-16	1016056	024-246	308-30	✓ Dup
		055-251	31	✓ Dup ²
		045-210	37	✓ COA
		014-164	38	✓ Dup
		025-155	03	✓ Dup ²
		052-155	04	✓ Dup ²
		072-159	06	✓ Dup ²
		091-265	25	✓
		091-259	24	✓
		091-253	23	✓
		091-247	22	✓
		091-242	21	✓
		063-333	202-10	✓
		024-288	201-18	✓
		012-287	19	✓
		024-290	17	✓
		024-297	16	✓
		024-303	15	✓
		024-310	14	✓
		012-314	20	✓
L-15	1016056	539-304	103-03	✓
		539-291	02	✓
		536-271	416-12	✓ Dup
		539-257	08	✓ Dup ²



mainframe@coa1mp3.ca To
bq.gov cc
01/25/2006 02:27 PM bcc
Subject

1 R E C O R D S W I T H L A B E L S PAGE
1
01016056 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101605602424630830 LEGAL: TRAC T B- 1 PLAT OF TRS 2-A, B-1 & B-2
CACTUS/SHALIT LAND USE:
PROPERTY ADDR: 00000 YALE/KATHRYN
OWNER NAME: ABRAMS HARRIET SHALIT ETAL
OWNER ADDR: PO BOX 726
ALBUQUERQUE NM 87103
0101605605525130831 LEGAL: TRAC T B- 2 PLAT OF TRS 2-A, B-1 & B-2
CACTUS/SHALIT LAND USE:
PROPERTY ADDR: 00000 KATHRYN
OWNER NAME: ABRAMS HARRIET SHALIT ETAL
OWNER ADDR: PO BOX 726
ALBUQUERQUE NM 87103
0101605604521030837 LEGAL: TR 2 -A-1 PLAT OF TRS 1-A & 2-A-1 CACTUS/SHALIT
PAR LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101605601416430838 LEGAL: TR 1 -A P LAT OF TRS 1-A & 2-A-1 CACTUS/SHALIT
PARCE LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: GUARDIAN AIRPORT PARKING LLC
OWNER ADDR: 01810 MANGO WA
LOS ANGELES CA 90049
0101605602515530803 LEGAL: TRAC T A- 2 PLAT OF TRS A-1 & A-2 BEING A REPLAT
OF LAND USE:
PROPERTY ADDR: 00000 ROSS
OWNER NAME: GUARDIAN AIRPORT PARKING LLC
OWNER ADDR: 01810 MANGO WA
LOS ANGELES CA 90049
0101605605215530804 LEGAL: WLY 175 FT TR B YALE & ROSS ADDN CONT 0.6026 AC
LAND USE:
PROPERTY ADDR: 00000 ROSS
OWNER NAME: GUARDIAN AIRPORT PARKING LLC
OWNER ADDR: 01810 MANGO WA
LOS ANGELES CA 90049
0101605607215930806 LEGAL: TR I N NW 1/4 SW1/4 SEC 27 10N R3E EASTERLY 225
FT O LAND USE:
PROPERTY ADDR: 00000 ROSS
OWNER NAME: GUARDIAN AIRPORT PARKING LLC
OWNER ADDR: 01810 MANGO WA
LOS ANGELES CA 90049
0101605609126530825 LEGAL: A 14 ALOM A LINDA SUBD
LAND USE:
PROPERTY ADDR: 00000 CORNELL
OWNER NAME: GARZA ERNESTO & SHANA YEH S TR
OWNER ADDR: 08900 HENRIETTE WYETH NE
ALBUQUERQUE NM 87122

PAGE 2

0101605609125930824 LEGAL: B 14 ALOM A LINDA SUBD
LAND USE: PROPERTY ADDR: 00000 CORNELL
 OWNER NAME: LOPEZ LETICIA
 OWNER ADDR: 01513 CORNELL SE

ALBUQUERQUE NM 87106
0101605609125330823 LEGAL: C 14 ALOM A LINDA SUBD
LAND USE: PROPERTY ADDR: 00000 CORNELL
 OWNER NAME: BARBOA ALFRED J ETUX
 OWNER ADDR: 01517 CORNELL SE

ALBUQUERQUE NM 87106
0101605609124730822 LEGAL: 001 014L OMA LINDA
LAND USE: PROPERTY ADDR: 00000 CORNELL
 OWNER NAME: LEWIS LESTER L
 OWNER ADDR: 01601 CORNELL SE

ALBUQUERQUE NM 87106
0101605609124230821 LEGAL: 002 014L OMA LINDA SUBD
LAND USE: PROPERTY ADDR: 00000 CORNELL
 OWNER NAME: BALLANTINE DAVE
 OWNER ADDR: 01605 CORNELL DR SE

ALBUQUERQUE NM 87108
0101605606333320210 LEGAL: FAIR VIEW ADD W POR TR 3 CONTG 15.513 AC
LAND USE: PROPERTY ADDR: 00000 DICKERSON
 OWNER NAME: BERNALILLO HOUSING LTD PTNS II
 OWNER ADDR: PO BOX 802206

DALLAS TX 75380
0101605602428320118 LEGAL: 19 R EDIV ISION LOT 1A FAIRVIEW ADDN CONT 0.2111
ACR LAND USE: PROPERTY ADDR: 00000 DICKERSON
 OWNER NAME: TRAN HOA
 OWNER ADDR: PO BOX 93092

ALBUQUERQUE NM 87199
0101605601228420119 LEGAL: 20A REDI VISION OF LOT 20 FAIRVIEW ADDN CONT
0.3514 LAND USE: PROPERTY ADDR: 00000 YALE
 OWNER NAME: C K PARTNERS LTD / CIRCLE K CO
 OWNER ADDR: PO BOX 52085 DC-17

PHOENIX AZ 85072
0101605602429020117 LEGAL: 18 R EDIV ISION OF LOT 1A FAIRVIEW ADDN CONT
0.1789 LAND USE: PROPERTY ADDR: 00000 DICKERSON
 OWNER NAME: NGUYEN JOHN & TAM TRAN
 OWNER ADDR: PO BOX 82372

ALBUQUERQUE NM 87198
0101605602429720116 LEGAL: 17 R EDIV ISION OF LOT 1A FAIR VIEW ADDN CONT
0.1789 LAND USE: PROPERTY ADDR: 00000 DICKERSON
 OWNER NAME: WIBLE JAMES A & SHERYL F
 OWNER ADDR: 11101 ANAHEIM AV NE

ALBUQUERQUE NM 87122

PAGE 3

0101605602430320115 LEGAL: 16 R EDIV ISION OF LOT 1A FAIRVIEW ADDN CONT
0.1789 LAND USE:
PROPERTY ADDR: 00000 DICKERSON
OWNER NAME: WIBLE JAMES A & SHERYL F
OWNER ADDR: 11101 ANAHEIM AV NE
ALBUQUERQUE NM 87122

0101605602431020114 LEGAL: 15 R EDIV ISION LOT 1A FAIRVIEW ADDN CONT 0.1789
ACR LAND USE:
PROPERTY ADDR: 00000 DICKERSON
OWNER NAME: STERBA PAUL E JR & CHUCK HAMMI
OWNER ADDR: 10211 MONTGOMERY BL NE
ALBUQUERQUE NM 87111

0101605601231420120 LEGAL: Z-2 A RE PLAT OF LOT 2-A & TR Z FAIRVIEW
ADDITION C LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: KELLY BEVERLY LIVING TRUST
OWNER ADDR: 03430 LAKETREE DR
FALLBROOK CA 92028

0101505653930410303 LEGAL: 009 003C LAYTON HEIGHTS SUBD L9&S 20FT L8
LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: PRICE DISTRIBUTING INC
OWNER ADDR: PO BOX 430
PLACITAS NM 87043

0101505653929110302 LEGAL: LTS 10 1 1 & 12 BLK 3 CLAYTON HEIGHTS
LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: PRICE JOHN W & SUSAN L
OWNER ADDR: PO BOX
PLACITAS NM 87043

0101505653627141612 LEGAL: LOTS 1 & 2 & THE N/2 OF LOT 3 BLK 4 CLAYTON
HEIGHT LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: PAHLEVAN ASGHAR
OWNER ADDR: 00005 LA VILLITA CT NW
ALBUQUERQUE NM 87112

0101505653925741608 LEGAL: S 1/ 2 LT 3, LT 4, LT 5, LT 6 BLK 4 CLAYTON HGTS
SUB LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: PAHLEVAN ASGHAR
OWNER ADDR: 00005 LA VILLITA CT NW
ALBUQUERQUE NM 87112

0101505653924641607 LEGAL: 007 004L OT 7 BLK 4 CLAYTON HEIGHTS SUBD
LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: AWAD ABDULLATIF
OWNER ADDR: 10110 ACOMA SE
ALBUQUERQUE NM 87123

0101505653924241606 LEGAL: 008 004L OT 8 BLK 4 CLAYTON HEIGHTS SUBD
LAND USE:
PROPERTY ADDR: 00000 YALE
OWNER NAME: AWAD ABDULLATIF
OWNER ADDR: 10110 ACOMA SE
ALBUQUERQUE NM 87123

PAGE 4

0101505653923641605 LEGAL: 009 004L OT 9 BLK 4 CLAYTON HEIGHTS SUBD
LAND USE:

PROPERTY ADDR: 00000 YALE
OWNER NAME: AWAD ABDULLATIF
OWNER ADDR: 10110 ACOMA

SE

ALBUQUERQUE NM
0101505653922541604
LT LAND USE:

87123
LEGAL: LOTS 10, 11 & 12 BLK 4 CLAYTON HEIGHTS SUBD AKA

PROPERTY ADDR: 00000 YALE
OWNER NAME: LBD HOLDING TRUST
OWNER ADDR: PO BOX D

CONCHAS DAM NM

88416

·
QUIT

101605602424630830 LEGAL: TRACT B-1 PLAT OF TRS 2-A, B-1 & B-2 CACTUS/ O NT 79,967 SQ FT
PROPERTY ADDR: YALE/KATHRYN SE

OWNERS NAME: ABRAMS HARRIET SHALIT ETAL
OWNERS ADDR: PO BOX 726
 ALBUQUERQUE, NM 87103

101605605525130831 LEGAL: TRACT B-2 PLAT OF TRS 2-A, B-1 & B-2 CACTUS/ O NT 61,586 SQ FT
PROPERTY ADDR: KATHRYN SE

OWNERS NAME: ABRAMS HARRIET SHALIT ETAL
OWNERS ADDR: PO BOX 726
 ALBUQUERQUE, NM 87103

101605604521030837 LEGAL: TR 2-A-1 PLAT OF TRS A-1 & 2-A CACTUS/SHAL 14.0935 AC M/L
PROPERTY ADDR: 1512 YALE BLVD SE

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
 ALBUQUERQUE, NM 87103

101605606333320210 LEGAL: FAIRVIEW ADD W POR TR 3 CONTG 15.513 AC
PROPERTY ADDR: 1200 DICKSON DR SE

OWNERS NAME: BERNALILLO HOUSING LTD PTNS II
OWNERS ADDR: PO BOX 802206
 DALLAS, TX 75380

101605602428320118 LEGAL: * 19 REDIVISION LOT 1A FAIRVIEW W ADDN CONT 0.
PROPERTY ADDR: 1313 DICKERSON SE

OWNERS NAME: TRAN HOA
OWNERS ADDR: PO BOX 93092
 ALBUQUERQUE, NM 87199

101605601228420119 LEGAL: * 20A REDIVISION OF LOT 20 FAIRVIEW ADDN CON
PROPERTY ADDR: 1316 YALE SE

OWNERS NAME: C K PARTNERS LTD / CIRCLE K CO
OWNERS ADDR: PO BOX 52085 DC-17
 PHOENIX, AZ 85072

101605602429020117 LEGAL: * 18 REDIVISION OF LOT 1A FAIRVIEW ADDN CONT
PROPERTY ADDR: 1309 DICKERSON DR SE

OWNERS NAME: NGUYEN JOHN & TAM TRAN
OWNERS ADDR: PO BOX 82372
 ALBUQUERQUE, NM 87198

101505653930410303 LEGAL: *009 003CLAYTON HEIGHTS SUBD L9&S 20 FT L8
PROPERTY ADDR: 1309 YALE BLVD SE

OWNERS NAME: PRICE DISTRIBUTING INC
OWNERS ADDR: PO BOX 430
 PLACITAS, NM 87043

101505653929110302

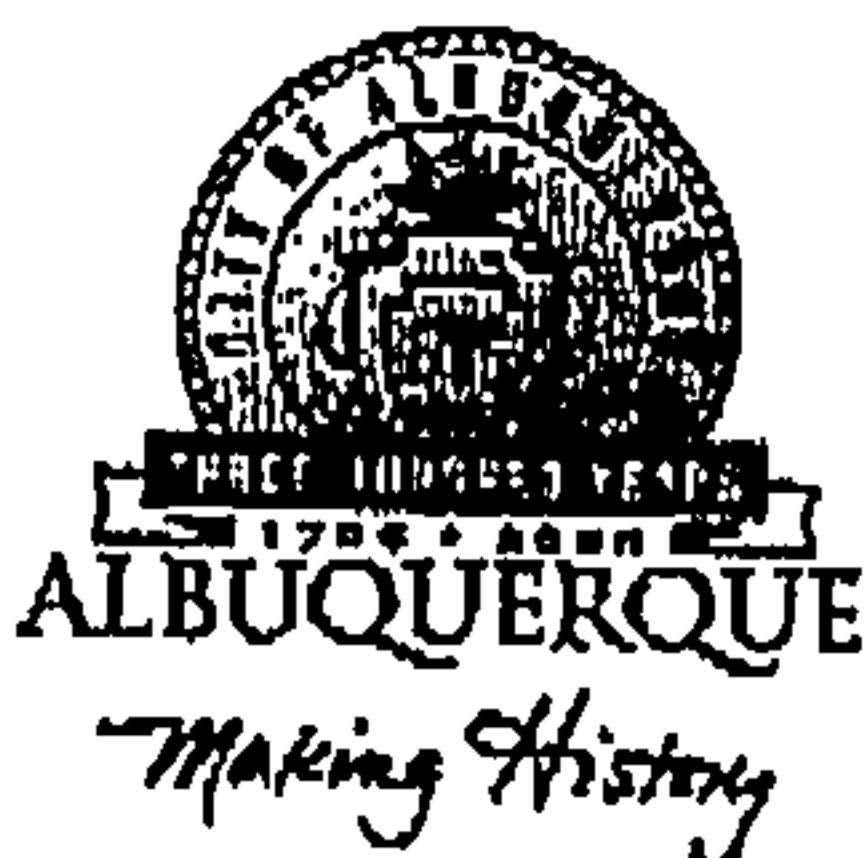
LEGAL: LOTS 10 11 & 12 BLK 3 CLAYTON HEIGHTS
PROPERTY ADDR: YALE BLVD SE

OWNERS NAME: PRICE JOHN W & SUSAN L
OWNERS ADDR: PO BOX 430
PLACITAS, NM 87043

101505653922541604

LEGAL: LOTS 10, 11 & 12 BLK 4 CLAYTON HEIGHTS SUBD T 24,750 SQ FT
PROPERTY ADDR: 1515 YALE BLV SE

OWNERS NAME: LBD HOLDING TRUST
OWNERS ADDR: PO BOX D
CONCHAS DAM, NM 88416



ALBUQUERQUE
Making History
City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter -- you will need to get an updated letter from our office. It is your responsibility to provide current information -- outdated information may result in a deferral of your case.

January 19, 2006

David Soule
Rio Grande Engineering
1606 Central SE, Suite 201
Phone: 872-0994 Fax: 872-2205

Dear David:

Thank you for your inquiry of January 19, 2006 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **TRACTS B1 AND B2, CACTUS/SHALIT SUBDIVION, LOCATED ON KATHRYN SE AND YALE BOULEVARD SE AND CORNELL AVENUE SE** zone map L-15.

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. (CHL) "R"

*Isabel F. Cabrera
1720 Buena Vista SE/87106 242-4494 (h)
Linda Gordon
2509 Spruce SE/87106 766-5705 (h)

KIRTLAND COMMUNITY ASSOC. (KCA) "R"

*Marcia Boyer
1624 Alamo Ave. SE/87106 246-0068 (h) 893-5683 (w)
Joycelyn N. Lewis
P.O. Box 9902/87119-1002 514-9743 (h)

See reverse side for additional Neighborhood Association Information: YES {X} NO {}

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before the Planning Department will accept your application filing. IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION**

VICTORY HILLS N.A. (VHL) "R"

***Steve Schroeder**

909 Princeton SE/87106 265-1839 (h)

Scott Sandoval

1816 Cornell SE/87106 247-2651 (h)

Project # 1002110

BEAZER HOME SALES INC.
7007 WYOMING NE, SUITE F-5
ALBUQUERQUE, NM 87109

Project # 1002110

LINDA GORDON
Clayton Heights/Lomas Cielo N.A.
2509 SPRUCE SE
ALBUQUERQUE, NM 87106

Project # 1002110

RIO GRANDE ENGINEERING
1606 CENTRAL SE, SUITE 201
ALBUQUERQUE, NM 87106

Project # 1002110

MARCIA BOYER
Kirtland Community Assoc.
1624 ALAMO AVE SE
ALBUQUERQUE, NM 87106

Project # 1002110

ISABEL F. CABRERA
Clayton Heights/lomas del Cielo N.A.
1720 BUENO VISTA SE
ALBUQUERQUE, NM 87106

Project # 1002110

JOYCELYN N LEWIS
Kirtland Community Assoc.
PO BOX 9902
ALBUQUERQUE, NM 87106

101605602424630830

ABRAMS HARRIET SHALIT ETAL
PO BOX 726
ALBUQUERQUE, NM 87103

101605609125930824

LOPEZ LETICIA
1513 CORNELL SE
ALBUQUERQUE NM 87106

101605609124230821

BALLANTINE DAVE
1605 CORNELL DR SE
ALBUQUERQUE NM 87108

101605601228420119

C K PARTNERS LTD / CIRCLE K C
PO BOX 52085 DC-17
PHOENIX, AZ 85072

101605602430320115

WIBLE JAMES A & SHERYL F
11101 ANAHEIM AV NE
ALBUQUERQUE NM 87122

101505653930410303

PRICE DISTRIBUTING INC
PO BOX 430
PLACITAS, NM 87043

101505653924641607

AWAD ABDULLATIF
10110 ACOMA SE
ALBUQUERQUE NM 87123

101605601416430838

GUARDIAN AIRPORT PARKING LLC
1810 MANGO WA
LOS ANGELES CA 90049

101605609125330823

BARBOA ALFRED J ETUX
1517 CORNELL SE
ALBUQUERQUE NM 87106

101605606333320210

BERNALILLO HOUSING LTD PTNS I
PO BOX 802206
DALLAS, TX 75380

101605602429020117

NGUYEN JOHN & TAM TRAN
PO BOX 82372
ALBUQUERQUE, NM 87198

101605602431020114

STERBA PAUL E JR
10211 MONTGOMERY BL NE
ALBUQUERQUE NM 87111

101505653929110302

PRICE JOHN W & SUSAN L
PO BOX 430
PLACITAS, NM 87043

101505653922541604

LBD HOLDING TRUST
PO BOX D
CONCHAS DAM, NM 88416

101605609126530825

GARZA ERNESTO & SHANA YEH S T
8900 HENRIETTE WYETH NE
ALBUQUERQUE NM 87122

101605609124730822

LEWIS LESTER L
1601 CORNELL SE
ALBUQUERQUE NM 87106

101605602428320118

TRAN HOA
PO BOX 93092
ALBUQUERQUE, NM 87199

101605602429720116

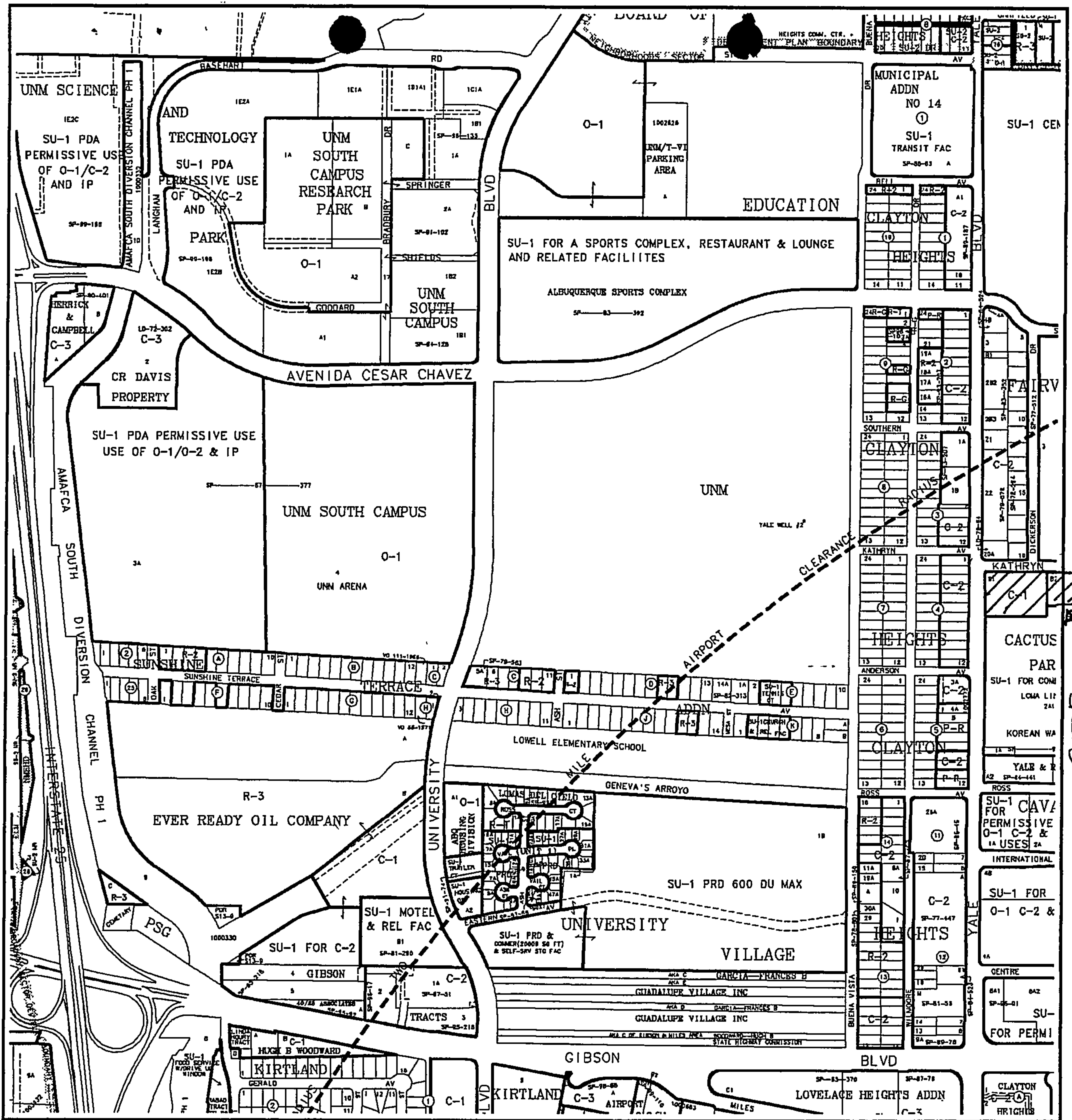
WIBLE JAMES A & SHERYL F
11101 ANAHEIM AV NE
ALBUQUERQUE NM 87122

101605601231420120

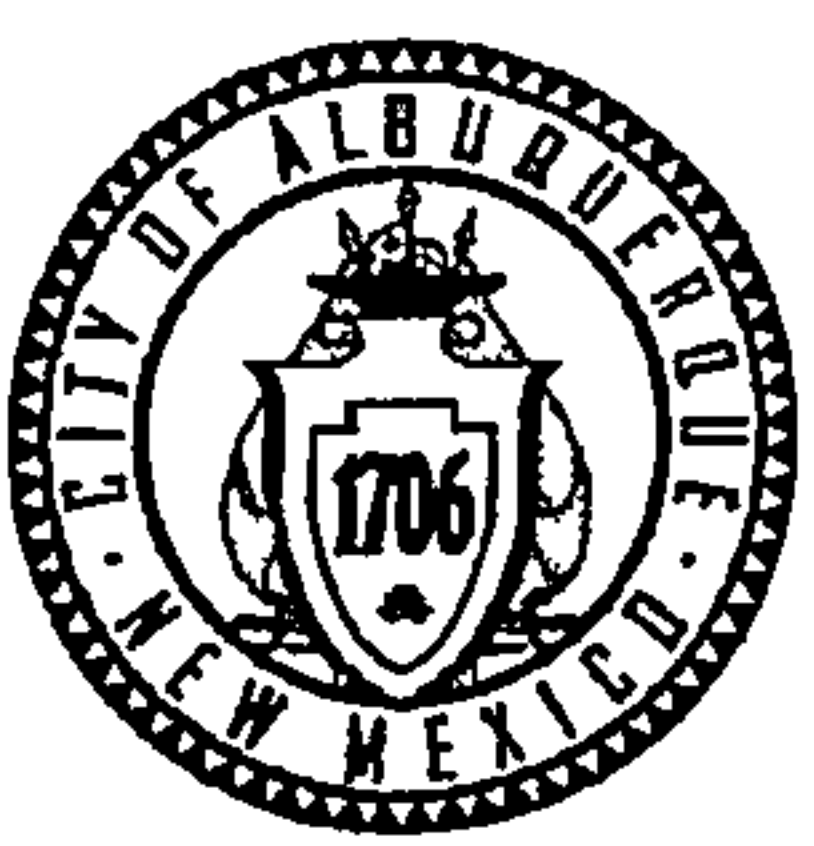
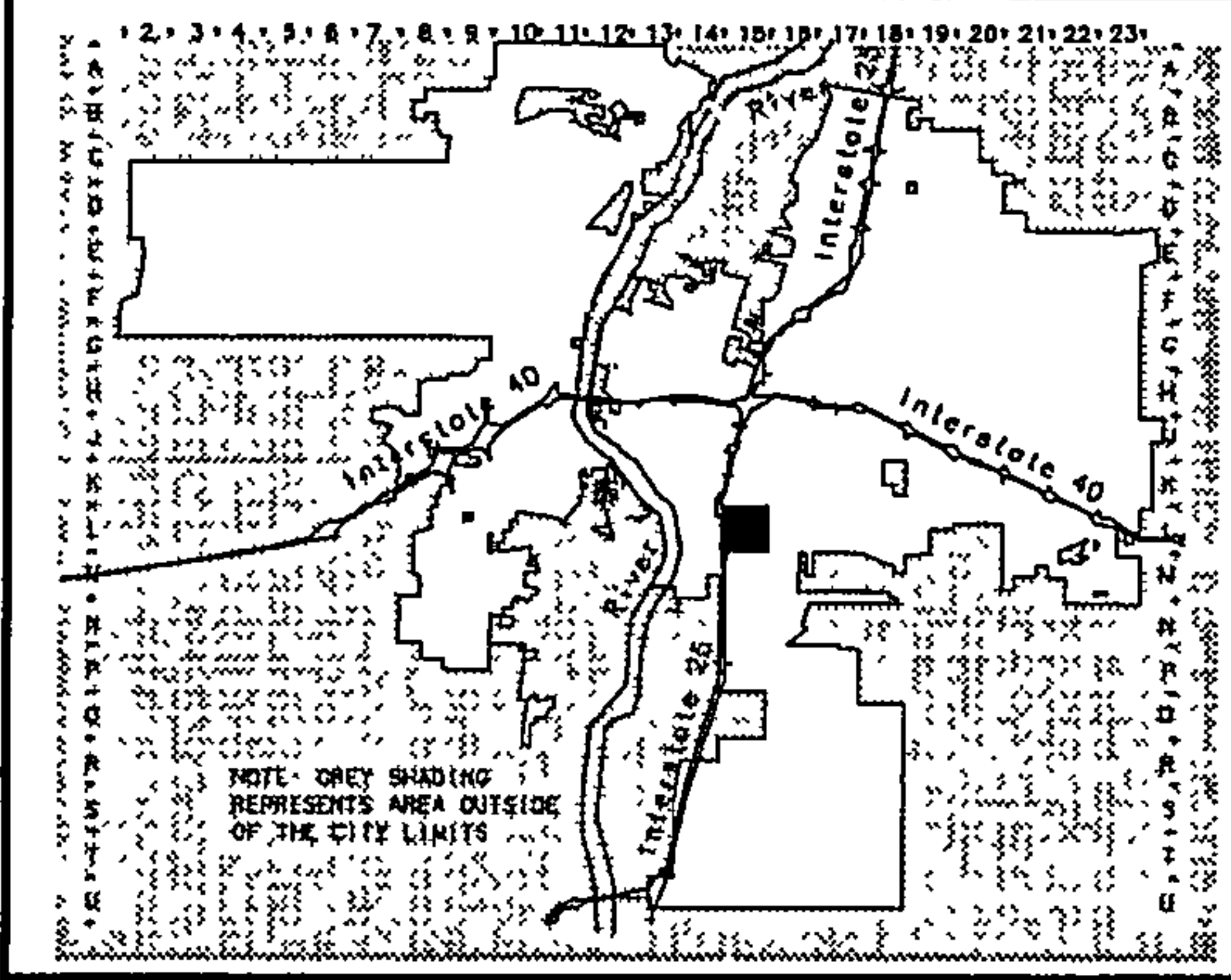
KELLY BEVERLY LIVING TRUST
3430 LAKETREE DR
FALLBROOK CA 92028

101505653627141612

PAHLEVAN ASGHAR
5 LA VILLITA CT NW
ALBUQUERQUE NM 87112



SITE



A G I S
Albuquerque Geographic Information System
PLANNING DEPARTMENT
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Zone Atlas Page

L-15-Z

Map Amended through February 03, 2004

FORM S(2): SUBDIVISION - D.R.B. PUBLIC HEARING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) 24 copies
 - Proposed Infrastructure List
 - Design elevations & cross sections of perimeter walls
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed plat
 - FORM DRWS Drainage Report, Water & Sewer availability statement filing information
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)
- MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)
- MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 24 copies
 - Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed amended plat, if the preliminary plat is being amended
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (Temporary sidewalk deferral uses FORM-V)

- 1 copy of each of the following items
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Plat or plan reduced to 8.5" x 11"
- Official D.R.B. Notice of the original approval
- Approved Infrastructure List. If not applicable, please initial. _____
- Previous SIA extension notice, if one has been issued. If not applicable, please initial. _____
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Any original and/or related file numbers are listed on the cover application
- Fee (see schedule)

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

David J. Solik Applicant name (print)
DM Applicant signature / date
 1/20/06



Form revised 10/03

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 06 PRB - 00088

Kim Sims 1/20/06
 Planner signature / date
 Project # 1002110



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, February 15, 2006**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1001946

06DRB-00083 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for NEWMORE LLC request(s) the above action(s) for all or a portion of Tract(s) A, B, C & D, **HISE LANDS**, zoned M-1 (SC), located on PASEO DEL NORTE NE, between I-25 and SAN PEDRO BLVD NE containing approximately 6 acre(s). [REF: 05DRB01347] (D-18)

Project # 1004658

06DRB-00086 Major-Vacation of Public Easements
06DRB-00087 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Tract(s) A, **VINEYARD ESTATES, UNIT III A**, zoned R-D residential and related uses zone, developing area, located on VALLEJO PLACE NE, between HAMPTON AVE NE and CORONA AVE NE containing approximately 1 acre(s). [REF: DRB-98-123 (C-20)]

~~**Project # 1002110**~~

06DRB-00085 Major-Vacation of Public Easements
06DRB-00088 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCEL (to be known as **UNIVERSITY CROSSINGS**) zoned O-1, C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). [REF: 05ZHE00852, 05ZHE00882] (L-15)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Claire Senova, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 - TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, JANUARY 30, 2006.

2110

DXF Electronic Approval Form

DRB Project Case #: 1002110

Subdivision Name: UNIVERSITY CROSSINGS

Surveyor: CHRISTOPHER A MEDINA

Contact Person: CHRISTOPHER A MEDINA

Contact Information: 792-0513

DXF Received: 5/5/2006

Hard Copy Received: 5/5/2006

Coordinate System: NMSP Grid (NAD 27)


Approved

05-05-2006
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only
Copied fc 2110 to agiscov on 5/5/2006 Contact person notified on 5/5/2006

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

Major Subdivision action
 Minor Subdivision action
 Vacation **V**
 Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

...for Subdivision Purposes
 ...for Building Permit
 IP Master Development Plan
 Cert. of Appropriateness (LUCC) **L**

Supplemental form

ZONING & PLANNING **Z**

Annexation
 County Submittal
 EPC Submittal
 Zone Map Amendment (Establish or Change Zoning)
 Sector Plan (Phase I, II, III)
 Amendment to Sector, Area, Facility or Comprehensive Plan
 Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: BEAZER HOME SALES INC. PHONE: 888-7565

ADDRESS: 7007 WYOMING NE, SUITE F-5 FAX: 797-4828

CITY: ALBUQUERQUE STATE NM ZIP 87109 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: SOLE OWNER

AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999

ADDRESS: 1606 CENTRAL SE, SUITE 201 FAX: 872-2205

CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST FINAL PLAT

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. TRACTS B-1 AND B-2 Block: _____ Unit: _____

Subdiv. / Addn. CACTUS/SHALIT PARCEL UNIVERSITY CROSSING

Current Zoning: 0-1/C-1 Proposed zoning: 0-1/C-1

Zone Atlas page(s): L-15-Z No. of existing lots: 2 No. of proposed lots: 32

Total area of site (acres): 3.24 Density if applicable: dwellings per gross acre: 9.8 dwellings per net acre: 9.8

Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? no

UPC No. 101605602424630830, 101605605525130831 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: KATHRYN AVE SE

Between: YALE BLVD SE and CORNELL AVENUE SE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1002110, O5ZHE-00852, O5ZHE00882

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE [Signature] DATE 9/25/06

(Print) DAVID SOULE, PE Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 3/04

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>06DRB - 00587</u>	<u>FP</u>	<u>53</u>	<u>\$ 0</u>
<input type="checkbox"/> All fees have been collected		<u>Chf</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #s are listed				\$
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$
	Hearing date <u>5-3-06</u>			Total <u>\$ 20.00</u>

Vin S. 4/25-04

100 210

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

11/04

SKETCH PLAT REVIEW AND COMMENT **YOUR ATTENDANCE IS REQUIRED.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Any original and/or related file numbers are listed on the cover application

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Copy of previous D.R.B. approved infrastructure list
 - Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
 - Any original and/or related file numbers are listed on the cover application
- Extensions are not reviewed through internal routing.**
Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - Design elevations & cross sections of perimeter walls **3 copies**
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing
 - SIA financial guaranty verification
 - Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - Any original and/or related file numbers are listed on the cover application
- DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL **Your attendance is required.**

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Signed** Pre-Annexation Agreement if Annexation required.
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application
- Infrastructure list if required (verify with DRB Engineer) **NO INTERNAL ROUTING**
- DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**


AMENDMENT TO PRELIMINARY PLAT (with minor changes) **Your attendance is required.**

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings.
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

 **WILL JONES**
 Applicant name (print)
4-25-06
 Applicant signature / date

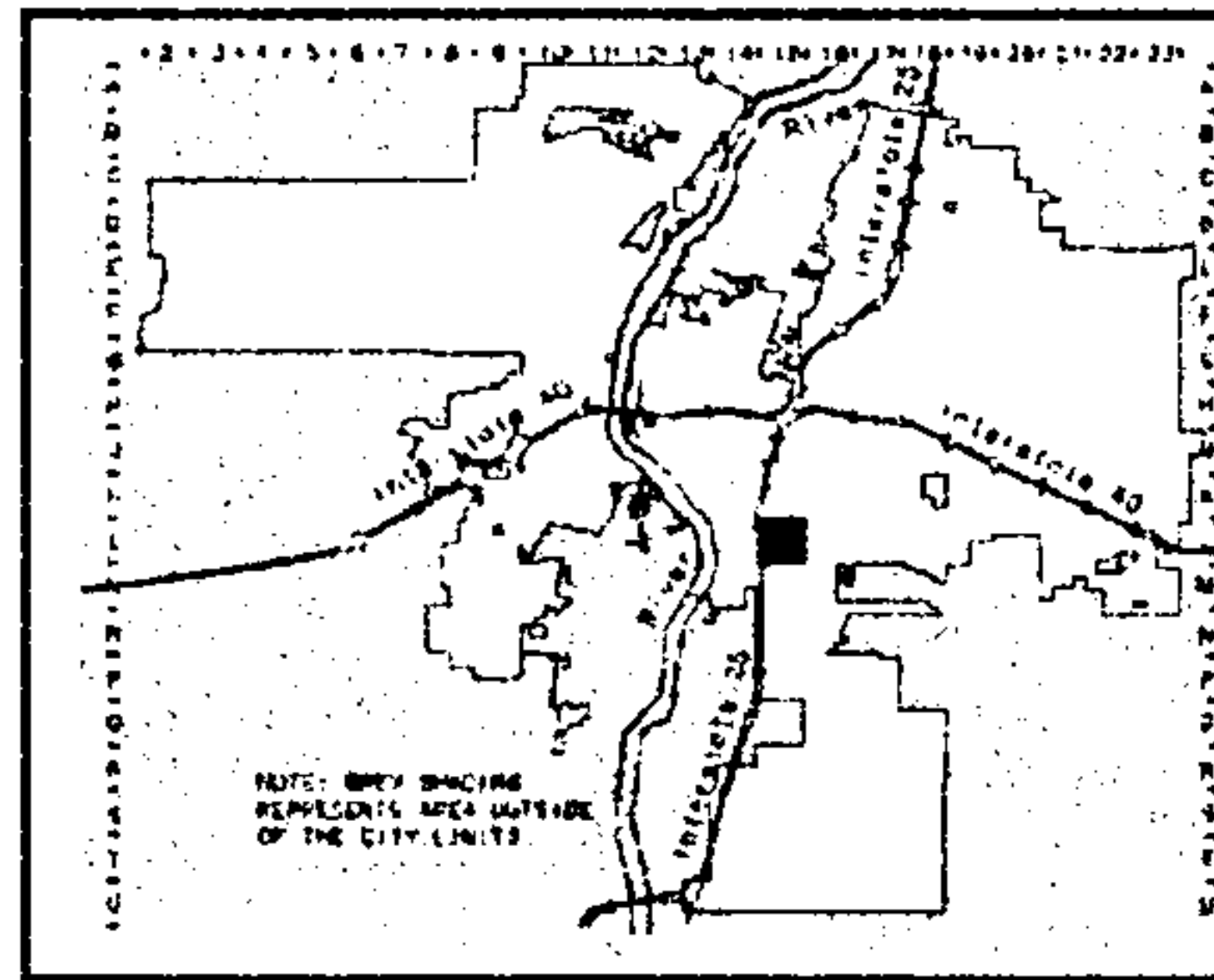
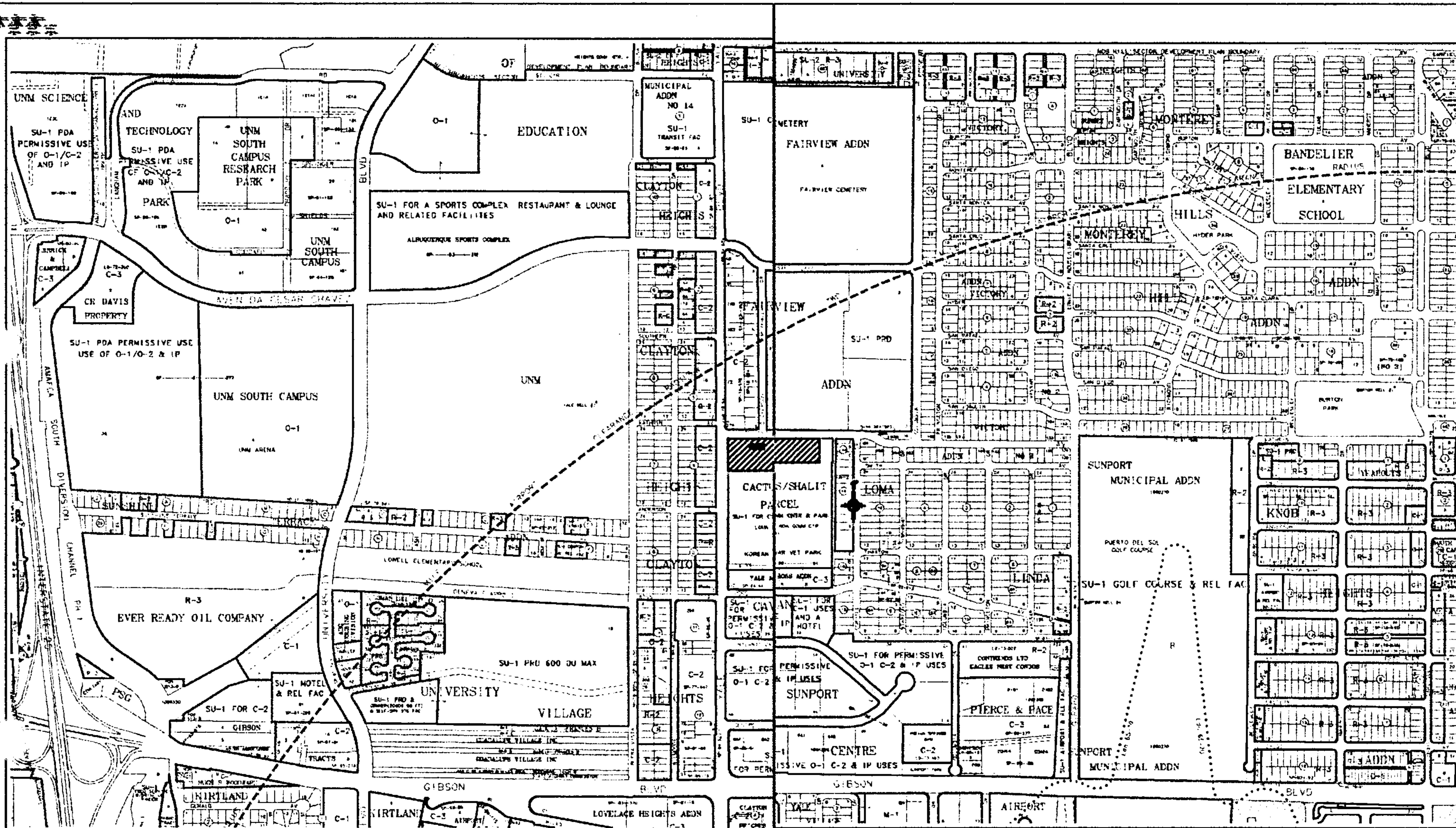


Form revised 11/04

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
66 DRB - 00587

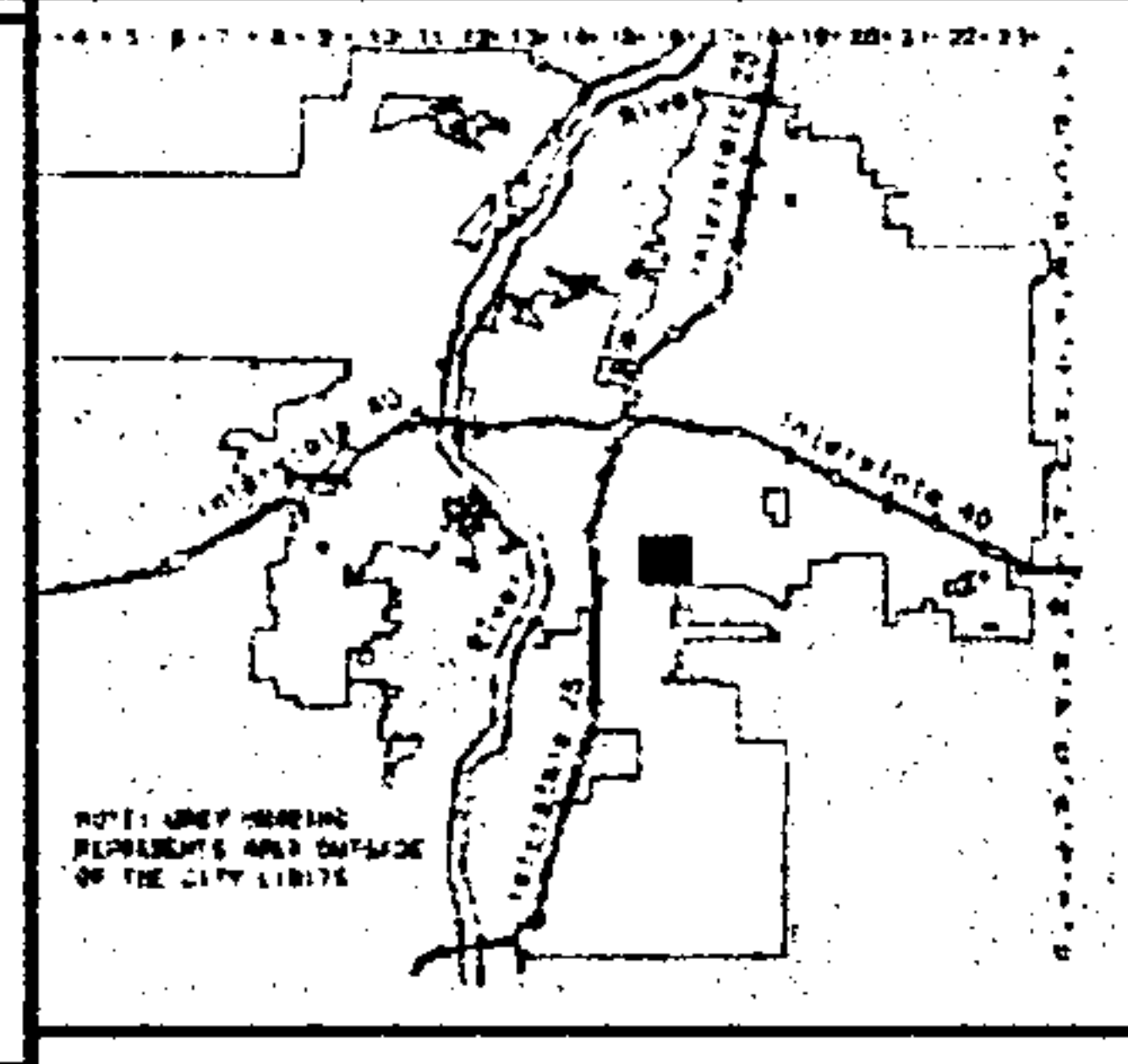
Will Jones 4/25/06
 Planner signature / date
Project # 1002110



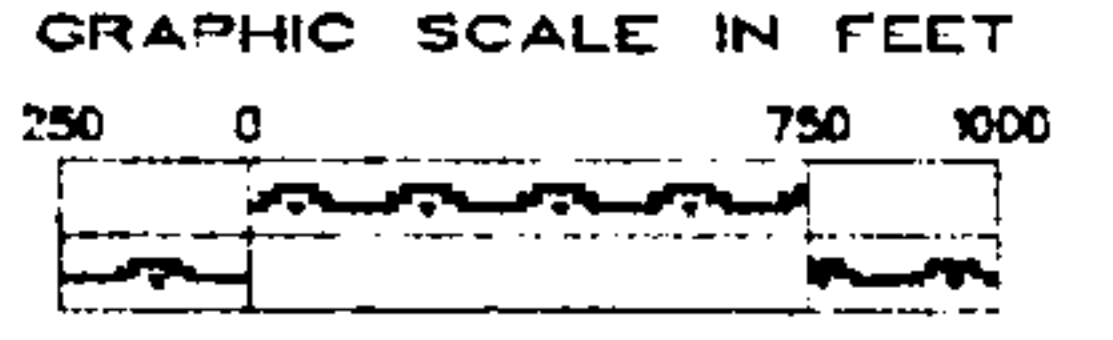
CITY OF
Albuquerque
**Albuquerque Growth & Economic
PLANNING DEPARTMENT**
© Copyright 2003



Zone Atlas Page
L-15-Z
Map Amended through August 01, 2003



CITY OF
Albuquerque
**Albuquerque Growth & Economic
PLANNING DEPARTMENT**
© Copyright 2003



Zone Atlas Page
L-16-Z
Map Amended through August 01, 2003

No. of Lots: 32
Nearest Major Streets
Kathryn & Yale

FIGURE 19
SIDEWALK DEFERRAL AGREEMENT
PROJECT NO. 7796-B1

THIS AGREEMENT is made this 10th day of April, 2006, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P.O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103 and Beazer Homes Holdings Corp ("Developer"), whose address is 7007 Wyoming Blvd NE and whose telephone number is 505-888-7576 (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.): Delaware Corporation, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Developer is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description) Tracts B19B2 Shilit/Cadus Parcel (the "Subdivision"); and

WHEREAS, the Developer has submitted and the City has approved Developer's development plans and (state "preliminary" or "final":) Preliminary plat, to be identified as (state name of plat:): University Crossings and

WHEREAS, Developer has requested and the City has determined that it is acceptable for the Developer to defer construction of the sidewalks within the Subdivision until after construction of other required infrastructure; and

WHEREAS, the Subdivision Ordinance requires all sidewalks to be completed within four (4) years after execution of the Agreement to Construct Subdivision Improvements; and

WHEREAS, the Developer must execute and deliver to the City an Agreement and an acceptable financial guaranty to provide funds for construction of the sidewalk improvements in case the Developer does not complete the construction as required.

THEREFORE, the City and the Developer agree:

1.A. Sidewalk Construction Deadline. Developer has obtained a sidewalk deferral, as shown in the attached Exhibit "A", which is a copy of the Development Review Board's decision regarding the deferral granted. Developer agrees to utilize the City's sidewalk permit process and complete the sidewalk to the satisfaction of the City by February 15, 2008 ("Sidewalk Construction Deadline").

B. Request for Extension. If this Sidewalk Deferral Agreement establishes a Sidewalk Construction Deadline which is less than four (4) years after execution of the Subdivision Improvements Agreement, the Developer may request an extension from the Project Review Section for an additional period of time, which shall not exceed a total of four years after execution of the Subdivision Improvements Agreement. The form of the Financial Guaranty extension and the amount must be approved by the City, but shall not exceed 125% of the City's estimate of the cost of construction at the time Developer requests an extension. If the Developer will need more than four (4) years after execution of the Subdivision Improvements Agreement to construct the sidewalks, the Developer must request and obtain an extension from the Development Review Board and submit the required documentation to the Design Review Section before expiration of the four (4) years.



2. Financial Guaranty. Developer will provide a financial guaranty in an amount of not less than 125% of the cost of constructing the sidewalk improvements within the Subdivision, as determined by the City. The financial guaranty must be irrevocable and may be in the form of a City-approved bond, letter of credit, escrow deposit or loan reserve letter issued by a federally insured financial institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Sidewalk Construction Deadline. To meet the Subdivision Ordinance requirements, the Developer has provided the following "Financial Guaranty":

Type of Financial Guaranty: Bond # 6407440
Amount: \$ 12,875.05 Name of Financial Institution or
Surety providing Guaranty: Safeco Insurance Co.
Date City first able to call Guaranty (Sidewalk Construction
Deadline): 2/15, 2008.
If Guaranty other than a Bond, last day City able to call
Guaranty is: NA, 20NA.
Additional Information: NA

3. Completion, Acceptance and Release. The Developer shall report completion of sidewalk construction in writing to the City. The City shall inspect the sidewalks to verify completion. Upon acceptance of the improvements, the City shall promptly release the financial guaranty and Sidewalk Deferral Agreement.

4. Conveyance of Property Rights. When the sidewalks have been constructed, if the City does not own the real property upon which the sidewalks are constructed, the Developer shall convey to the City the real property rights required by the City together with the improvements, free and clear of all claims, encumbrances and liens, before the City will release the Financial Guaranty and Sidewalk Variance Agreement. Conveyance may be by dedication on the final plat of the Subdivision.

5. Indemnification. Until the sidewalks are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the sidewalks are being constructed in a safe condition. The Developer agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from and against all suits, actions or claims of any kind brought because of any injury or damage arising out of the design or construction of the sidewalks, or by reason of any act, omission or misconduct of the Developer, its agents or employees. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico. Provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the City, or the agents or employees of the City; or (2) the giving of or the failure to give directions or instructions by the City, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

6. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Developer and the express written concurrence of financial institution or surety which has undertaken to guaranty the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.



7. Release. If the subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Developer from its obligations under this Agreement and will continue to hold the Developer responsible for all Improvements until a successor in interest to the Developer has posted a suitable financial guaranty and entered into a Sidewalk Improvements Agreement with the City. Thereafter, when the Developer's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

8. Payment for Incomplete Improvements. If the Developer fails to satisfactorily complete construction of the sidewalks by the Construction Completion Deadline, the City may construct or cause the sidewalks to be constructed as shown on the final plat and in the approved plans and specifications. The Developer shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Developer's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the Financial Guaranty, the Developer shall be liable to, and shall pay the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to the Financial Guaranty.

9. Binding on Developer's Property. The provisions of this Agreement constitute covenants running with Developer's Subdivision for the benefit of the City and its successors and assigns until terminated, and are binding on the Developer and its heirs, successors and assigns.

10. Notice. For purposes of giving formal written notice, including notice of change of address, the Developer's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.

11. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

12. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

13. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

14. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

15. Form not Changes. Developer agrees that changes to this form are not binding unless initialed by the Developer and signed by the City's Legal Department on this form.

16. Authority to Execute. If the Developer signing below is not the Owner of the Subdivision, the owner must provide a Power of Attorney or other evidence of authority to execute this Agreement which is acceptable to the City.



FINANCIAL GUARANTY AMOUNT

03/08/2006

Type of Estimate: Sidewalk Deferral

Project Description:

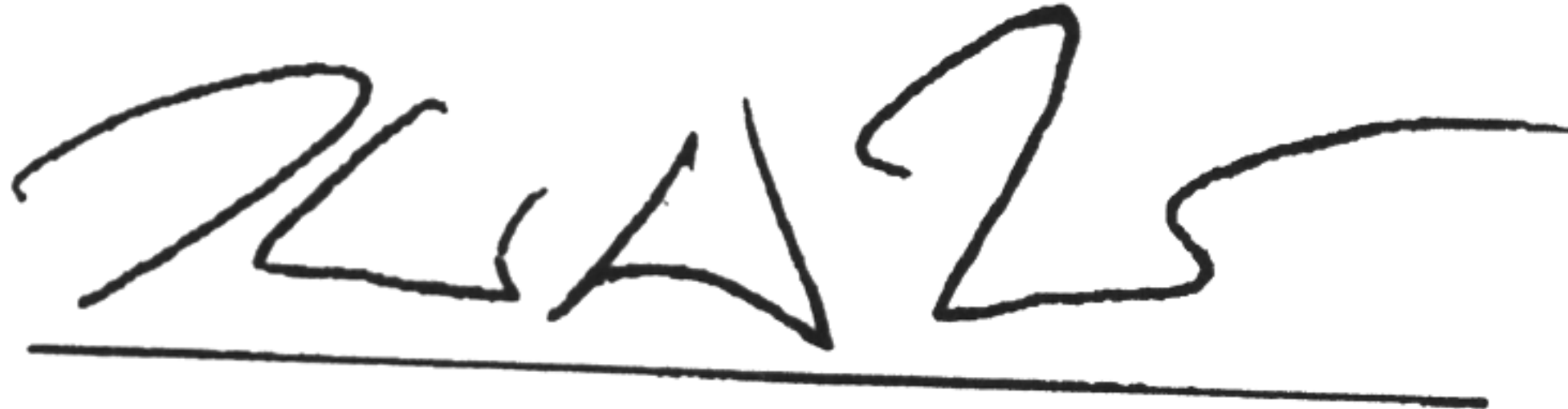
Project ID #: 779681, University Crossings Subdivision, Phase/Unit #: 1

Requested By: David Soule, P.E. - Rio Grande Engineering

Approved estimate amount:		\$9,648.75
NMGRT	6.75%	\$651.29
Subtotal:		\$10,300.04
125% FINANCIAL GUARANTY RATE		1.25
TOTAL FINANCIAL GUARANTY REQUIRED		\$12,875.05

APPROVAL:

DATE:



3/8/06

Notes:



EXHIBIT 'A'

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 15, 2006

- 3. Project # 1002110**
06DRB-00085 Major-Vacation of Public Easements
06DRB-00088 Major-Preliminary Plat Approval
06DRB-00102 Minor-Temp Deferral of Sidewalks

RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCEL (to be known as **UNIVERSITY CROSSINGS**) zoned O-1, C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). [REF: 05ZHE00852, 05ZHE00882] (L-15)

At the February 15, 2006, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

With the signing of the infrastructure list dated 2/15/06 and approval of the grading plan engineer stamp dated 2/6/06 the preliminary plat was approved with the following conditions of final plat:

The current zoning shall be placed on the final plat.

Need to evaluate right-of-way dedication along Yale Blvd.

Need a Signal Analysis at Kathryn SE and Yale SE.

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

SUBDIVISION BOND

Bond No.: 6407440

Principal Amount: \$12,875.05

KNOW ALL MEN BY THESE PRESENTS, that we Beazer Homes Holdings Corp.
7007 Wyoming Blvd. NE - Suite F-5, Albuquerque, NM 87109
as Principal, and Safeco Insurance Company of America
2800 W. Higgins Road - Suite 1000, Hoffman Estates, IL 60195 a WA
Corporation, as Surety, are held and firmly bound unto City of Albuquerque
P.O. Box 1293 (One Civic Plaza), Albuquerque, NM 87103
as Obligee, in the penal sum of Twelve Thousand Eight Hundred Seventy Five Dollars and 05/100

(Dollars) (\$ 12,875.05), lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

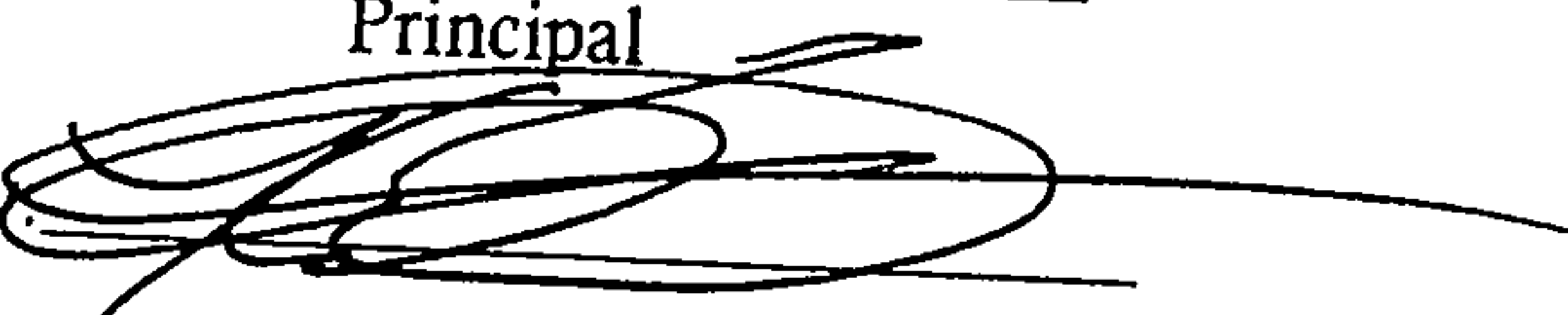
WHEREAS, Beazer Homes Holdings Corp. has agreed to construct in University Crossings Subdivision, in Albuquerque, NM the following improvements:

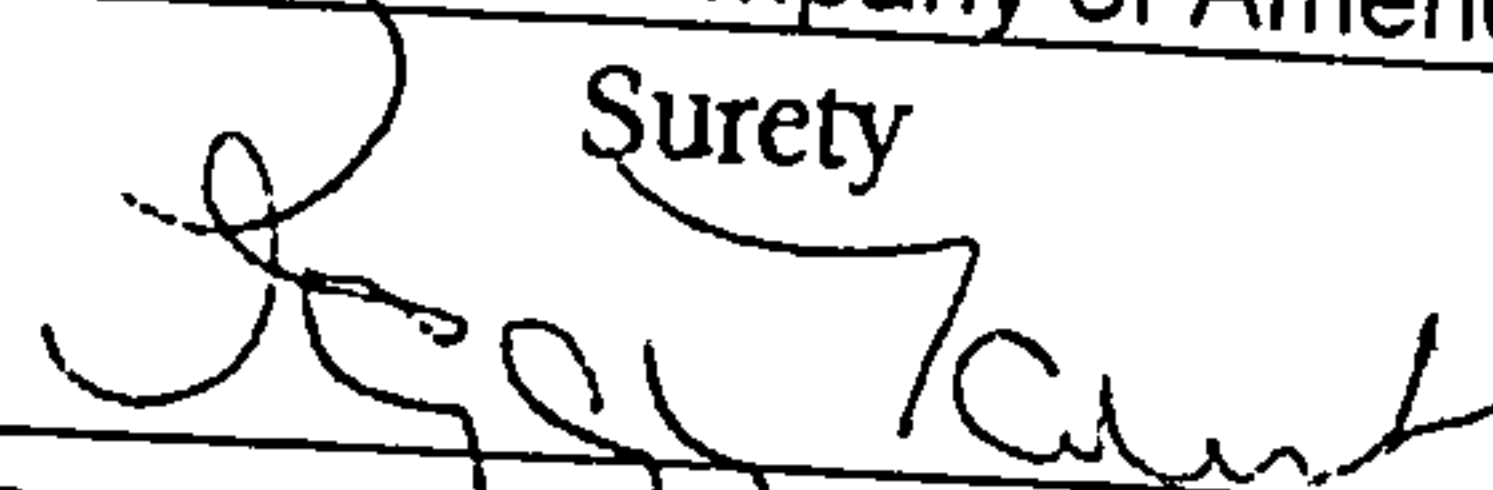
Sidewalks - Project: 779681

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 23rd day of March, 2006

Beazer Homes Holdings Corp.
Principal
By: 

Safeco Insurance Company of America
Surety
By: 
Peggy Faust Attorney-in-Fact



SAFECO

POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 13137

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint
****STEPHENT KAZMER, JAMES I. MOORE, CHRISTINE WOODS; IRENE DIAZ; BONNIE KRUSE; DAWN L. MORGAN; PEGGY FAUST; KELLY A. JACOBS, ELAINE G. MARCUS, JENNIFER J. MCCOMB; MELISSA SCHMIDT; MARY BETH PETERSON, HEATHER BECK; Countryside, Illinois*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 19th day of January, 2005

Christine Mead

CHRISTINE MEAD, SECRETARY

Mike McGavick

MIKE MCGAVICK, PRESIDENT

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business. . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking "

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Christine Mead, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of March, 2006



Christine Mead

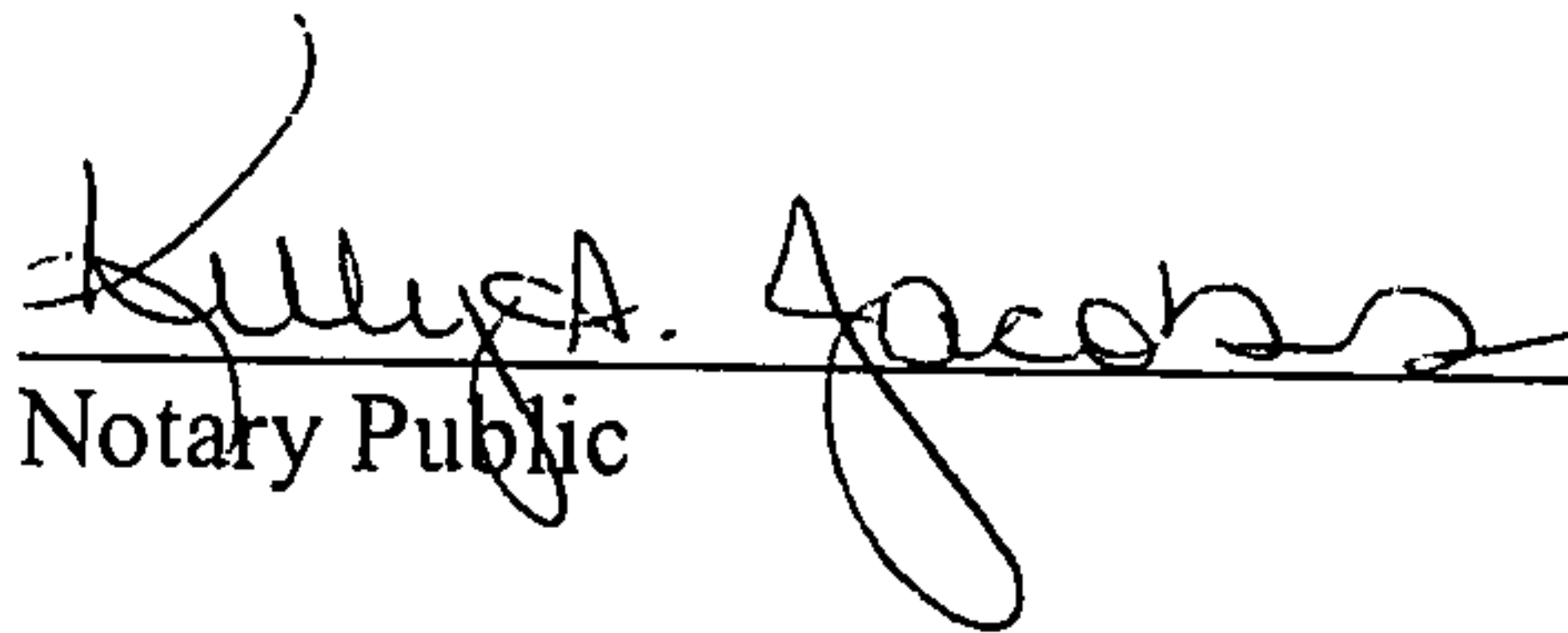
CHRISTINE MEAD, SECRETARY

STATE OF ILLINOIS }
 } S.S.
COUNTY OF DUPAGE }

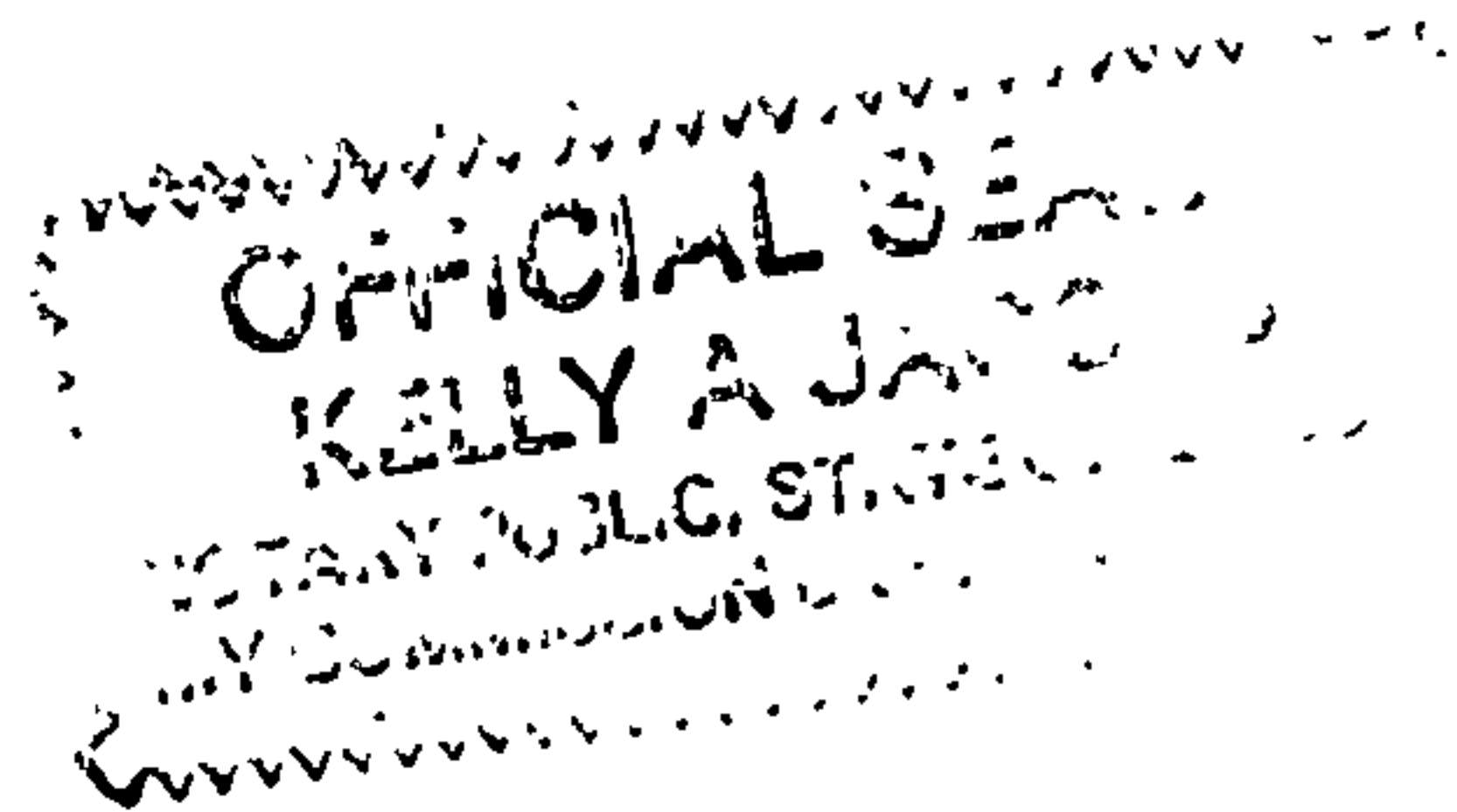
On March 23, 2006, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Safeco Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

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

My Commission Expires on June 15, 2006



Notary Public



190

No. of Lots: 32
Nearest Major Streets
Kathryn & Yale SE

FIGURE 12

**SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B)**

**AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT is made this 10th day of April, 2006, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and Beezer Homes Holdings Corp. ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.];] a Delaware Corp., whose address is 7007 Wyoming Blvd NE and whose telephone number is 505-888-7576 is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tract B-1 and B-2 Shalt/cactus Parcel recorded on 4/23/1991 in the records of the Bernalillo County Clerk at Book Vol 91C, pages 810-811 through 812 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] Beezer Homes Holdings Corp. ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as University Crossings describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 15 day of February, 2007 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 7796.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless



the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

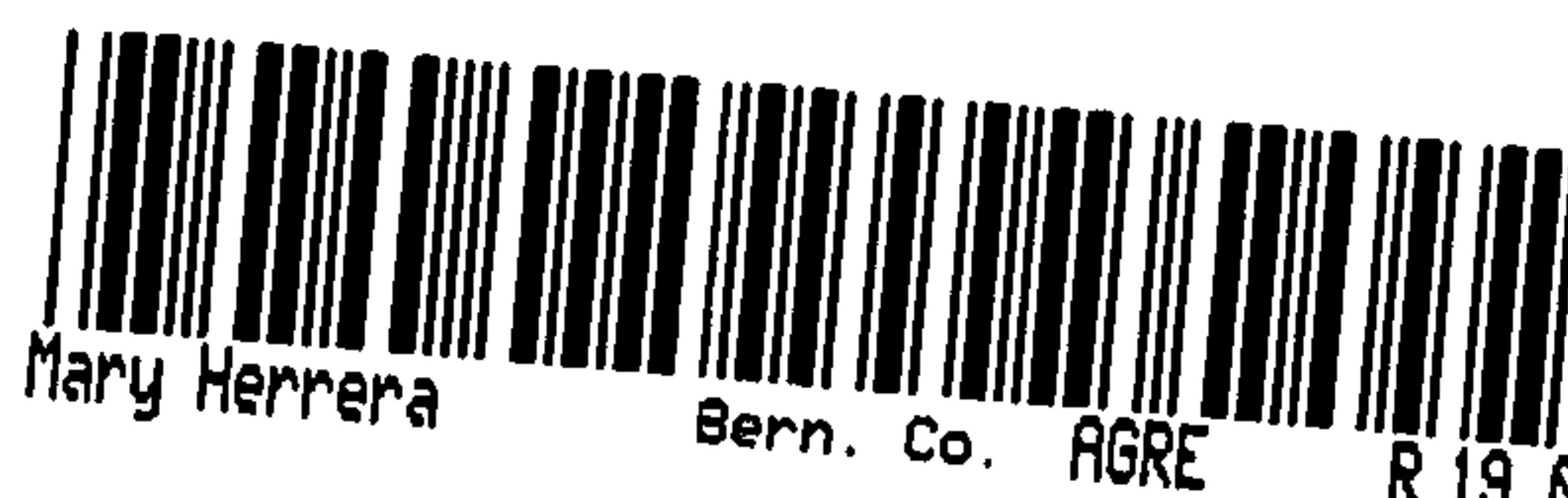
<u>Type of Fee</u>	<u>Amount</u>
<u>Engineering Fee</u>	<u>3.25% of Actual Construction Cost</u>
<u>Excavation And Sidewalk Ordinance, Street Restoration Fees</u>	<u>As required per City-approved estimate. (Figure 7)</u>

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Terra Law Survey, and construction surveying of the private Improvements shall be performed by Terra Law Survey. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Rio Grande Engineering, and inspection of the private Improvements shall be performed by Rio Grande Engineering, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider



shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Earthworks Engineering, and field testing of the private Improvements shall be performed by Earthworks Engineering, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

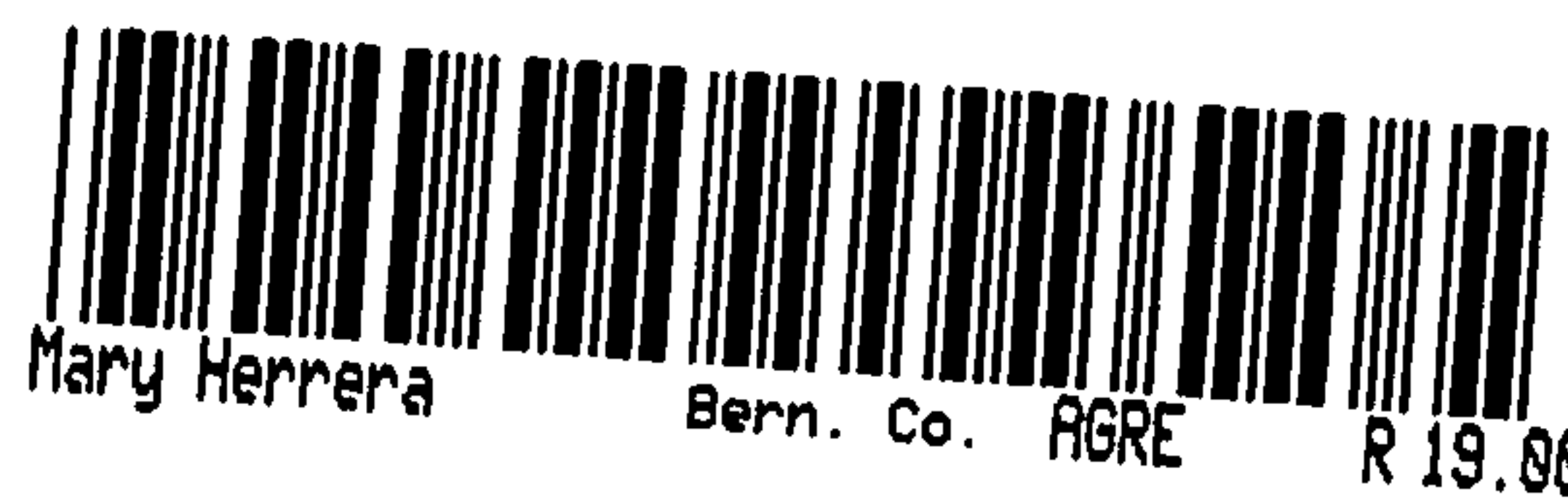
5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the Subdivision Ordinance requirements, the Subdivider has acquired or is able to acquire the following "Financial Guaranty:"

Type of Financial Guaranty: Subdivision Bond #6407439
Amount: \$ 225,686.00 Name of Financial Institution or Surety: (SAFECO)
Date City first able to call Guaranty: February 15, 2007
[Construction Completion Deadline]: February 15, 2007
If Guaranty other than a Bond, last day City able to call Guaranty is: NA, 20 NA
Additional information: NA

6. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange or a preconstruction conference and all required inspections.

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.



8. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.



11. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

12. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has entered into a Subdivision Improvements Agreement with the City. Thereafter, if the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

14. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.

15. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.

16. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

18. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

19. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

20. Form not Changed. Subdivider agrees that changes to this form are not binding unless initialed by the subdivider and signed by the City's Legal Department on this form.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.



Executed on the date stated in the first paragraph of this Agreement.

SUBDIVIDER:

By [Signature] [Signature]
Name: Kurt Stark
Title: Division President
Dated: 3/24/06

CITY OF ALBUQUERQUE
[Signature]
City Engineer
Dated: 4-10-06

Wg 4/10/06 [Signature]
4-5-06

SUBDIVIDER'S NOTARY

STATE OF _____)
COUNTY OF _____) ss.

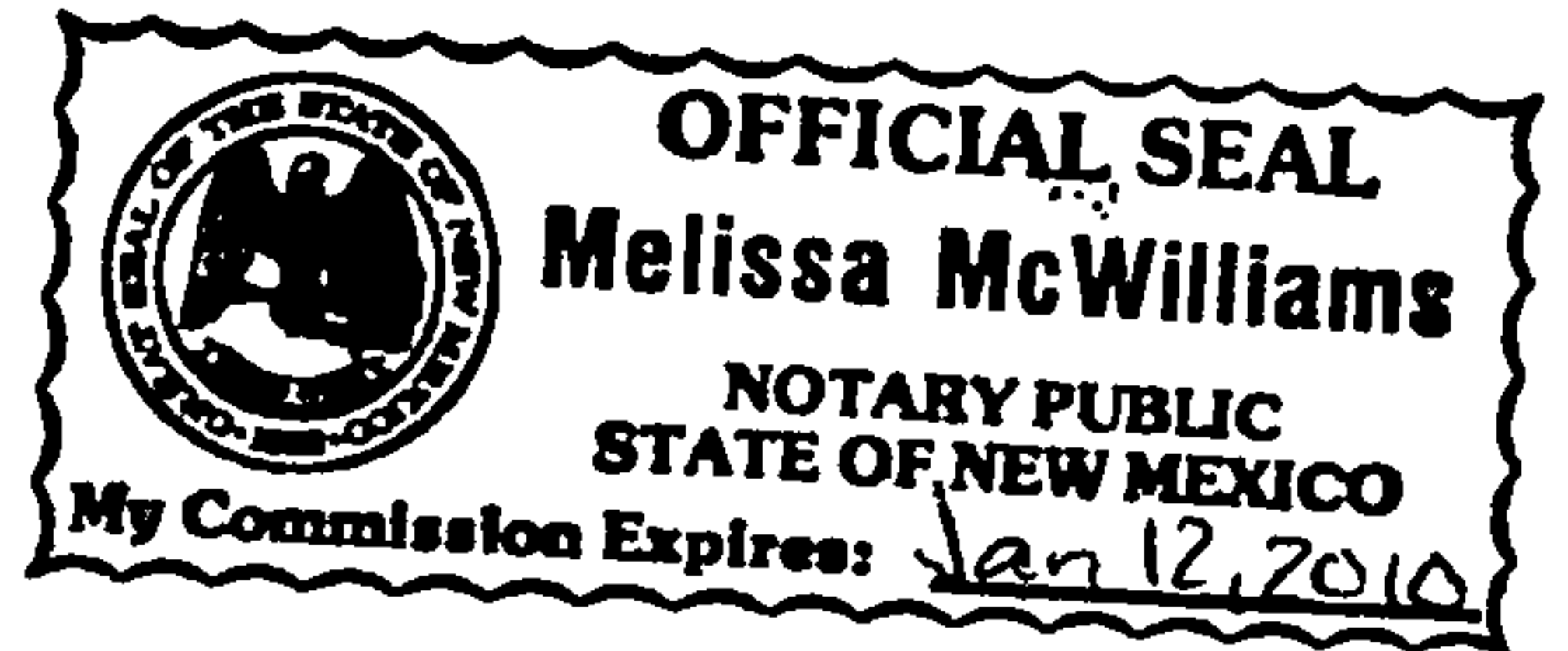
This instrument was acknowledged before me on 24th day of March, 2006 by [name of person:] Kurt Stark, [title or capacity, for instance, "President" or "Owner":] Division President, [Subdivider:] Beazer Homes Holdings of _____

My Commission Expires:
January 12, 2010

[Signature]
Notary Public

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

CITY'S NOTARY



This instrument was acknowledged before me on 10th day of April, 2006 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

My Commission Expires:
11-25-2007

[Signature]
Notary Public

EXHIBIT A AND POWER OF ATTORNEY ATTACHED



ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

**TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST**

Date Submitted: 01/19/06
 Date Site Plan Approved: _____
 Date Preliminary Plat Approved: 2-15-06
 Date Preliminary Plat Expires: 2-15-07
 DRB Project No.: 1002110
 DRB Application No.: 06 DRB-00088

**University Crossings Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN**

**Tract B-1 and B-2, Shall/Cactus Parcel
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To
<input type="text"/>	<input type="text"/>	6"	Water line	Academic PI	Yale Blvd	Terminus
<input type="text"/>	<input type="text"/>	6"	Water line	Graduate Dr.	Academic PI	Kathryn Ave
<input type="text"/>	<input type="text"/>	8"	Sanitary Sewer Line	Academic PI	Yale Blvd	Terminus
<input type="text"/>	<input type="text"/>	26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-both side*	Academic PI	Yale Blvd	Terminus
<input type="text"/>	<input type="text"/>	26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-both side	Graduate Dr.	Academic PI	Kathryn Ave
<input type="text"/>	<input type="text"/>	6'	Sidewalk, south side only** and ADA ramps	kathryn Ave	Yale	east Property line
<input type="text"/>	<input type="text"/>	6'	Sidewalk, east side only** and ADA ramps	Yale Blvd	Kathryn Ave	south Property line

Construction Certification		
Private		City Cnst Engineer
Inspector	P.E.	
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/

Approval of Creditable Items:		Approval of Creditable Items:	
Impact Fee Administrator Signature	Date	City User Dept. Signature	Date

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
Street lights per City requirements.

- 1 Engineers certification of grading plan required for release of SIA and Financial Guarantees.
- 2 * Internal sidewalks to be deferred.
~~** existing sidewalks will be widened as required.~~
- 3

AGENT / OWNER

DAVID SOULE
NAME (print)
RIO GRANDE ENGINEERING
FIRM
[Signature]
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 2/15/06 DRB CHAIR - date
Christina Sandoval 2/15/06 PARKS & GENERAL RECREATION - date
[Signature] 2-15-06 TRANSPORTATION DEVELOPMENT - date
William J. Balor 2/15/06 UTILITY DEVELOPMENT - date
Bradley H. Bingham 2/15/06 CITY ENGINEER - date
 _____ AMAFCA - date
 _____ - date
 _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

FINANCIAL GUARANTY AMOUNT

03/08/2006

Type of Estimate: SIA Procedure - B - w/F.G.

Project Description:

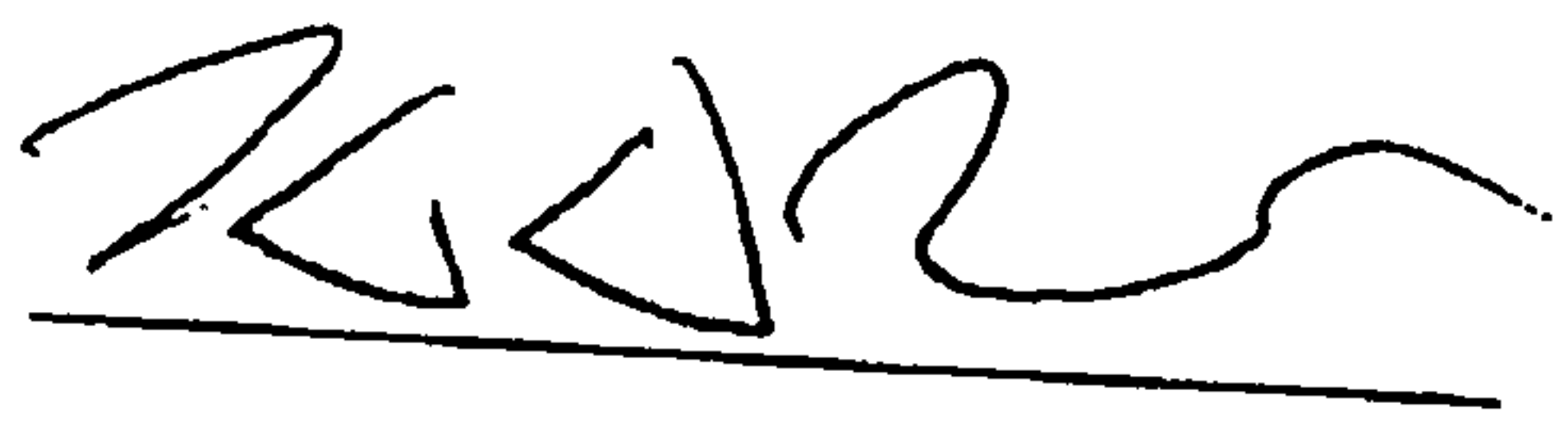
Project ID #: 779681, University Crossings Subdivision, Phase/Unit #: 1

Requested By: David Soule, P.E. - Rio Grande Engineering

Approved estimate amount:		\$142,208.09
Contingency Amount:	10.00%	\$14,220.81
Subtotal:		\$156,428.90
NMGRT	6.75%	\$10,558.95
Subtotal:		\$166,987.85
Engineering Fee	6.60%	\$11,021.20
Testing Fee	2.00%	\$3,339.76
Subtotal:		\$181,348.82
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$.00
TOTAL FINANCIAL GUARANTY REQUIRED		\$226,686.03

APPROVAL:

DATE:



3/8/06

Notes: 10% Contingency, project not yet approved; Engineer's certification of grading plan required prior to ROFG; If site is located in a floodplain, no ROFG until the LOMR is approved by FEMA

SUBDIVISION BOND

Bond No.: 6407439

Principal Amount: \$226,686.00

KNOW ALL MEN BY THESE PRESENTS, that we Beazer Homes Holdings Corp.
7007 Wyoming Blvd. NE - Suite F-5, Albuquerque, NM 87109
as Principal, and Safeco Insurance Company of America
2800 W. Higgins Road - Suite 1000, Hoffman Estates, IL 60195 a WA
Corporation, as Surety, are held and firmly bound unto City of Albuquerque
P.O. Box 1293 (One Civic Plaza), Albuquerque, NM 87103
as Obligee, in the penal sum of Two Hundred Twenty Six Thousand Six Hundred Eighty Six Dollars and
00/100 (Dollars) (\$ 226,686.00), lawful money of the
United States of America, for the payment of which well and truly to be made, we bind ourselves,
our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these
presents.

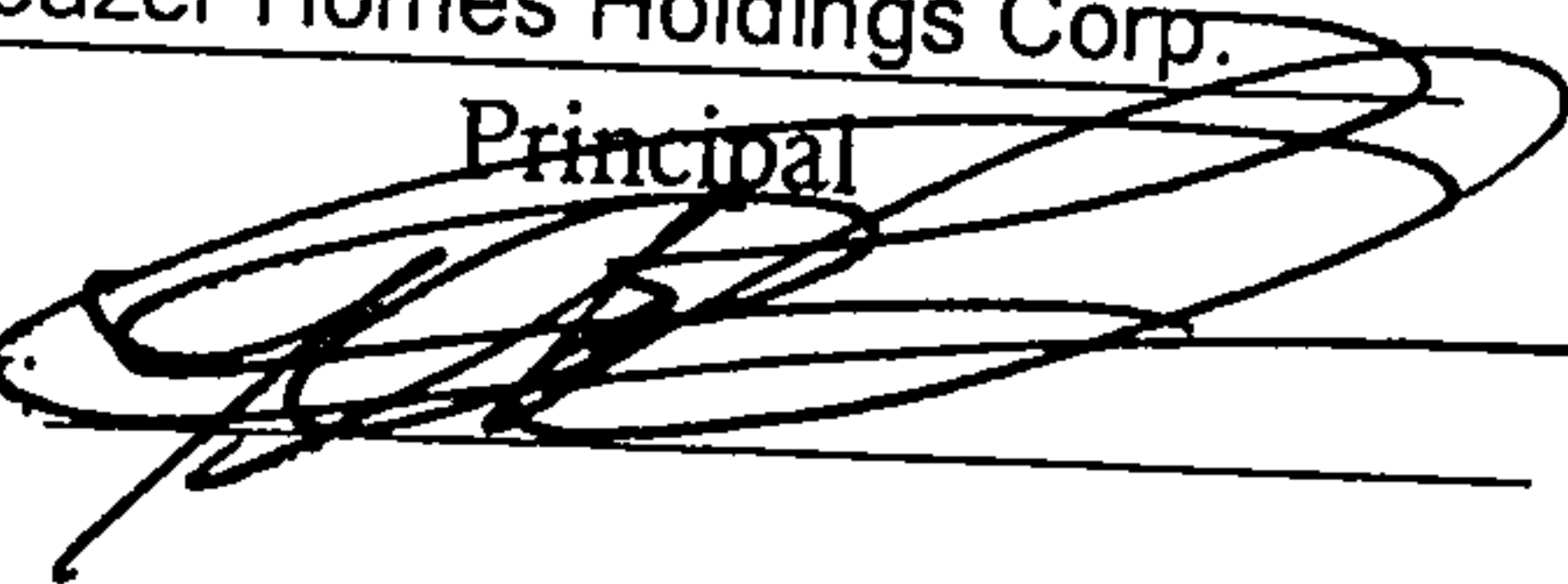
WHEREAS, Beazer Homes Holdings Corp. has agreed to construct in
University Crossings Subdivision, in Albuquerque, NM the following
improvements:

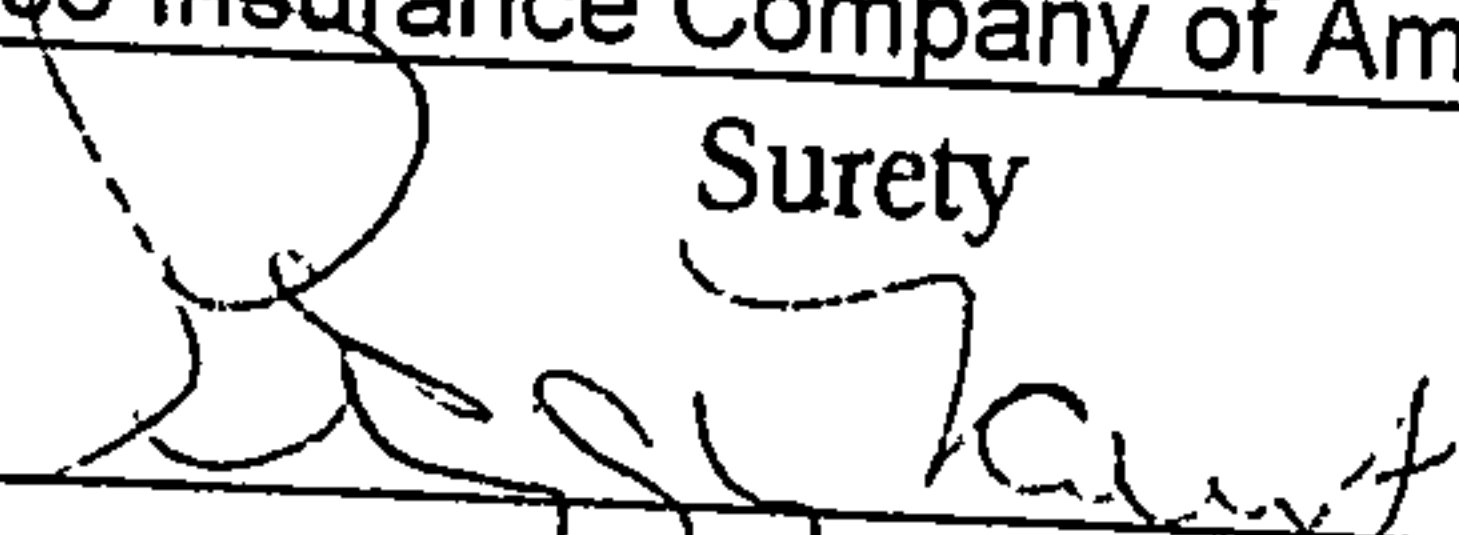
Public and/or Private Subdivision Improvements - Project #: 779681

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said
Principal shall construct, or have constructed, the improvements herein described, and shall save the
Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then
this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety,
upon receipt of a resolution of the Obligee indicating that the improvements have not been installed
or completed, will complete the improvements or pay to the Obligee such amount up to the
Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public
improvements are completed.

Signed, sealed and dated, this 23rd day of March, 2006

Beazer Homes Holdings Corp.
Principal
By: 

Safeco Insurance Company of America
Surety
By: 
Peggy Faust Attorney-in-Fact



POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 13137

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint
****STEPHENT KAZMER, JAMES I. MOORE; CHRISTINE WOODS; IRENE DIAZ; BONNIE KRUSE; DAWN L. MORGAN; PEGGY FAUST; KELLY A. JACOBS;
ELAINE G. MARCUS, JENNIFER J. MCCOMB, MELISSA SCHMIDT; MARY BETH PETERSON; HEATHER BECK; Countryside, Illinois*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 19th day of January, 2005

CHRISTINE MEAD, SECRETARY

MIKE MCGAVICK, PRESIDENT

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13 - FIDELITY AND SURETY BONDS .. the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Christine Mead, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of March, 2006



CHRISTINE MEAD, SECRETARY

ONE STOP SHOP
CITY OF ALBUQUERQUE PLANNING DEPARTMENT
Development & Building Services

PAID RECEIPT

APPLICANT NAME BEAZER HOMES.

AGENT RIO GRANDE ENGINEERING

ADDRESS _____

PROJECT & APP # 1002110 / 06DRB - 00587

PROJECT NAME UNIVERSITY CROSSINGS

\$ 20.00 441032/3424000 Conflict Management Fee

\$ _____ 441006/4983000 DRB Actions

\$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals

\$ _____ 441018/4971000 Public Notification

\$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
() Major/Minor Subdivision () Site Development Plan () Bldg Permit
() Letter of Map Revision () Conditional Letter of Map Revision
() Traffic Impact Study

\$ 20.00 TOTAL AMOUNT DUE

***NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.

DUPLICATE
City Of Albuquerque
Treasury Division

4/25/2006 11:13AM LOC: ANNX
RECEIPT# 00056579 WSH 008 TRANS# 0031
Account: 441032 Fund 0110
Activity 3424000 TRSCCS
Trans Amt \$20.00
J24 Misc
VI \$20.00
CHANGE \$20.00
\$0.00

Thank You

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 4699
CONNECTION TEL 9p8722205
SUBADDRESS
CONNECTION ID
ST. TIME 01/26 10:12
USAGE T 00'52
PGS. 2
RESULT OK



DEVELOPMENT REVIEW BOARD FAX FORM

TO: Daniel Soule

FAX NUMBER: 872-2205 # PAGES 2

SENT BY: Sheran Matson, DRB Chair DATE: 01/26/05

PHONE NUMBER: 924-3880 FAX # 924-3864

PROJECT NO: 1002110 APPLICATION NO: _____

*Here are my comments
on University Crossing.*



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, February 15, 2006**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1001946
06DRB-00083 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for NEWMORE LLC request(s) the above action(s) for all or a portion of Tract(s) A, B, C & D, **HISE LANDS**, zoned M-1 (SC), located on PASEO DEL NORTE NE, between I-25 and SAN PEDRO BLVD NE containing approximately 6 acre(s). [REF: 05DRB01347] (D-18)

No objection. Defer to Traffic Engineer.

Project # 1004658
06DRB-00086 Major-Vacation of Public Easements
06DRB-00087 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Tract(s) A, **VINEYARD ESTATES, UNIT III A**, zoned R-D residential and related uses zone, developing area, located on VALLEJO PLACE NE, between HAMPTON AVE NE and CORONA AVE NE containing approximately 1 acre(s). [REF: DRB-98-123 (C-20)]

No objection. Defer to Hydrology & Transportation. Planning will take delegation for 15 day appeal period.

Project # 1002110
06DRB-00085 Major-Vacation of Public Easements
06DRB-00088 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for BEAZER HOME SALES INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & B-2 CACTUS/SHALIT PARCEL (to be known as **UNIVERSITY CROSSINGS**) zoned O-1, C-1, located on KATHRYN AVE SE, between YALE BLVD SE and CORNELL AVE SE containing approximately 3 acre(s). [REF: 05ZHE00852, 05ZHE00882] (L-15)

The wall design submittal needs the DRB #, Zone Atlas page & nearest intersection. Please revise 3 copies and submit to Planning before the hearing.

012 ~~A copy of the ZHE decision is needed before the February 15th meeting.~~ The plat needs the current zoning on it. Please provide a revised copy of the preliminary plat to Planning before the hearing.

Handwritten initials/signature

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

**TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST**

University Crossings Subdivision

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B-1 and B-2, Shali/Cactus Parcel

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>	6"	Water line	Academic Pl	Yale Blvd	Terminous	/	/	/
<input type="text"/>	<input type="text"/>	6"	Water line	Graduate Dr.	Academic Pl	Kathryn Ave	/	/	/
<input type="text"/>	<input type="text"/>	8"	Sanitary Sewer Line	Academic Pl	Yale Blvd	Terminous	/	/	/
<input type="text"/>	<input type="text"/>	26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-both side*	Academic Pl	Yale Blvd	Terminous	/	/	/
<input type="text"/>	<input type="text"/>	26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-both side	Graduate Dr.	Academic Pl	Kathryn Ave	/	/	/
<input type="text"/>	<input type="text"/>	6'	Sidewalk, south side only** and ADA ramps	kathryn Ave	Yale	east Property line	/	/	/
<input type="text"/>	<input type="text"/>	6'	Sidewalk, east side only** and ADA ramps	Yale Blvd	Kathryn Ave	south Property line	/	/	/
<input type="text"/>	<input type="text"/>						/	/	/

ORIGINAL

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		18"	Drop Inlet	Adjacent Drainage Easement (city tract)	Adjacent tract	Yule	/	/	/
							/	/	/
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ORIGINAL

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification			
							Private Inspector	P.E.	City Cnst Engineer	
<input type="text"/>	<input type="text"/>						/	/	/	
<input type="text"/>	<input type="text"/>						/	/	/	
Approval of Creditable Items:							Approval of Creditable Items:			
Impact Fee Administrator Signature							City User Dept. Signature		Date	

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
Street lights per City requirements.

- 1 Engineers certification of grading plan required for release of SIA and Financial Guarantees.
- 2 * Internal sidewalks to be deferred.
~~** existing sidewalk will be widened as required.~~
- 3

AGENT / OWNER

DAVID SOULE
NAME (print)

RIO GRANDE ENGINEERING
FIRM

SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 2/15/06 DRB CHAIR - date
Christina Sandoval 2/15/06 PARKS & GENERAL RECREATION - date

[Signature] 2-15-06
TRANSPORTATION DEVELOPMENT - date

William J. Balor 2/15/06
UTILITY DEVELOPMENT - date

Bradley L. Bingham 2/15/06
CITY ENGINEER - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



CITY OF ALBUQUERQUE
 OFFICE OF THE ZONING HEARING EXAMINER
 NOTIFICATION OF DECISION

PHILLIP RODGERS request(s) a special exception to Section 14. 16. 2. 16. (B). (6): a CONDITIONAL USE to allow for dwelling units in a C-1 zone AND Section 14. 16. 2. 15. (B). (4): a CONDITIONAL USE to allow for dwelling units that consist of more than 25% of on-premise gross floor area in an O-1 zone on all or a portion of Tract(s) B-1 & B-2, Cactus / Shalit Parcel, zoned C-1/O-1 and located at 1400 YALE BLVD SE (L-16)

Special Exception No:..... 05ZHE - 00852
 05ZHE - 00882
 Project No:..... 1002110
 Hearing Date:..... 08-16-05
 Closing of Public Record:..... 08-16-05
 Date of Decision:..... 09-06-05

STATEMENT OF FACTS: The applicant, Phillip Rodgers, requests a conditional use to allow for dwelling units in a C-1 zone and a conditional use to allow for dwelling units that consist of more than 25% of on-premise gross floor area in an O-1 zone.

This matter was initially denied at the July 2005 public hearing as a result of the applicant's failure to appear. However, a written request for reconsideration was submitted as a result of Mr. Rodgers' agent's inability to attend the public hearing as a result of a death in the family. All other parties were advised via telephone that the matter would be rescheduled to Tuesday, August 16, 2005 for a full hearing.

Rick Bennett represented the applicant. Mr. Bennett was accompanied by Phillip Rodgers and Gary Bernier, realtor. Mr. Bennett testified that a facilitated meeting had been held with all interested parties. He stated that the subject properties are situated within the boundaries of the Victory Hills Neighborhood Association and will not be developed as an apartment complex. He argued that this proposed project is for 32 owner-occupied townhomes as a residential use in a commercial and office zone and that this project is much less intensive than what the designated zones allow. He stated that these proposed townhomes will provide individuals in this community an opportunity to reside in and work from their homes. Mr. Bennett indicated that this will be a "high-end development" that will provide a "professional feel" and does not believe that a residential project causes injury to a neighborhood or community. He testified that this development will promote home ownership in the area and will enhance the revitalization on Yale Boulevard. He stated that the townhomes will have on-site management, will measure approximately 1,500 square feet, and will sell from \$175.00 to \$200.00 per square foot. An initial proposal was to partially gate this development. However, pursuant to the concerns raised by the representatives of the neighborhood associations and others, the proposed gate will not be installed. He testified that it is not his client's intention to offer these units for rental purposes. Mr. Bennett indicated that a traffic

ZHE Decision

05ZHE - 00852 & 05ZHE - 00882 / 1002110

Page 2

study will be conducted as well as a drainage study once the matter is reviewed by the Development Review Board. Mr. Bernier testified that he canvassed the Victory Hills neighborhood and found minimal opposition to these requests. He submitted a petition of support for this project with 45 signatures. There is one letter of support and 2 petition-style letters of support for this request contained in the file. The yellow signs were posted.

This request is opposed by a number of people within the adjacent and neighboring communities. Steve Schroeder, President of the Victory Hills Neighborhood Association, testified as to three primary issues of concern; increased traffic, increased crime and additional renters to this community. As to crime, the opponent argued that there is considerable crime already in the neighborhood and that this development will have the potential to become apartments, which will increase criminal activity for the area. Mr. Schroeder cites a number of statistics and examples of the types of crimes that occur in this area. He submitted that allowing this type of development will only increase or enhance the current crime statistics. Mr. Schroeder indicated that this applicant has modified the site plans for this project several times. Mr. Schroeder concluded his testimony by saying that there is some support in the community for this type of development "if they are home owners" and that the support is based on the success of the development. Also in opposition is Isabel Cabrera, President of the Clayton Heights/Lomas Del Cielo Neighborhood Association. Ms. Cabrera testified that while this development is not directly in her association's jurisdiction, they are the adjacent neighboring association and, therefore, are impacted by this proposed townhome development. She argued that high density housing is not the best use for this land and that it the desire of the Clayton Heights/Lomas Del Cielo Neighborhood Association that this property be used to expand the Loma Linda Community Center to provide therapeutic services for this community. Ms. Cabrera submitted documents regarding the proposed expansion to the file. Carla Flores also stated her individual opposition. She testified that she has lived in the area for approximately 21 years and argued that this proposed townhome development will not enhance this neighborhood. Ms. Flores presented photographs of other similar projects in the area that she believes have diminished property values in this community. Also in opposition was Corine Melton. Ms. Melton testified that this neighborhood is surrounded by Section 8 Housing and that she believes this proposed townhome development will not attract property owners to the community. She stated that this area of town has been neglected for a long time and that this project will diminish the surrounding property values and increase crime in the community. Ms. Melton submitted 7 petition-style letters of opposition to the file. Elizabeth Valdez, Board Member of the Clayton Heights/Lomas Del Cielo Neighborhood Association, testified that what this community needs most is the expansion of the Loma Linda Community Center. She stated that this community center is under-developed as compared to other community centers in the city. Ms. Valdez argued that this proposal has the potential to be used as rental property and she wants to see more home ownership in this neighborhood. There are a total of 17 letters of opposition to this request contained in the file.

ZHE Decision**05ZHE - 00852 & 05ZHE - 00882 / 1002110**

Page 3

In rebuttal, Mr. Bennett testified that this project is not for apartments. He stated that his client is investing in the neighborhood and that this housing project is the best use for these parcels. He indicated that the permissive uses at this location are much more intensive for the area and does not believe that residents of townhouses breed crime. Mr. Bennett testified that he does not believe that the City of Albuquerque will attempt to acquire this property for the expansion of the Loma Linda Community Center but that his client should not be held responsible for lack of action on these parcels by the City of Albuquerque.

The issue of increased renters, of course, is disposed of, as it is not the intent of the applicant to develop this property for rental purposes. This does not, however, preclude individual owners at some time in the future to seek to rent their property and of course, this is not a prohibited act to which I can place any conditions. As to traffic, there is no question that additional property owners bring forward traffic. However, that matter in terms of appropriate traffic will be reviewed by the Development Review Board. The applicant will only be allowed to develop this property in accordance with the site plans he has submitted with this application. As indicated by Mr. Bennett, it is the intent of this applicant to offer these townhomes for sale. It is important to note that since 1988, the Loma Linda Community Center was built and provides considerable services to the community. While there is continued request and support for an expansion, the community center has not been expanded for a number of years and to preclude the development of this property, which is privately owned, would seem to be unjust. The applicant contends that this will be a benefit and that the development will add residents to the neighborhood and be a benefit to the community since the property has been vacant for quite a number of years. It is important to note that a request for apartments on this property was submitted previously by other applicants who intended to develop this solely for rental purposes. That request was denied. The present request is distinguishable because of the intended sale of the townhomes with all of the appropriate responsibilities of ownership.

Based on all the evidence in the file and all the testimony provided at the public hearing, it is determined that the applicant has shown substantial evidence that the proposed development of 32 high-end townhouses would not cause injury to the neighborhood, adjacent property, or the community nor will this project be damaged by surrounding structures or activities. It is determined that the development of this property for residential homeownership purposes will enhance the continuing developing in this community and, therefore, is approved with the conditions cited below.

AS TO BOTH (2) CONDITIONAL USES:

Based on all of the testimony and a review of the entire file, it is determined there is substantial evidence to make the following findings and conclusions:

ZHE Decision
05ZHE - 00852 & 05ZHE - 00882 / 1002110
Page 4

FINDINGS AND CONCLUSIONS: I find that this request complies with Section 14.16.4.2.(C).1., for the granting of a conditional use upon a finding that the proposed use will not cause injury to the neighborhood, adjacent property or the community, nor will it be damaged by surrounding structures. For reasons stated above, this request is approved.

DECISION: Approved with conditions.

CONDITIONS:

1. The applicant must ensure that this property is developed as townhomes for homeownership purposes only. No Exceptions!
2. The applicant is to prepare a traffic study and drainage study for submission and review by the Development Review Board.

If you wish to appeal this decision, you may do so by 5:00 p.m., on Wednesday, September 21, 2005 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$55.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

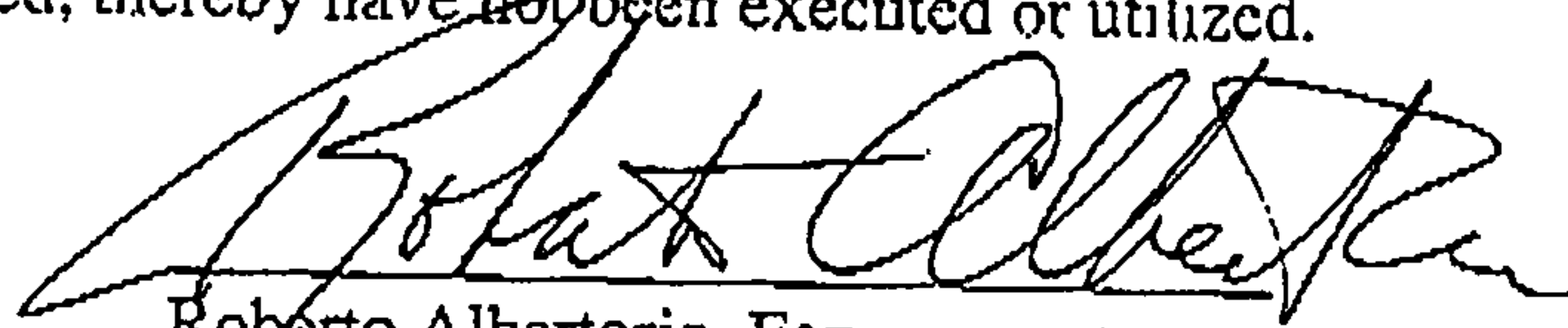
An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14.16.4.4.(B)., of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

ZHE Decision**05ZHE - 00852 & 05ZHE - 00882 / 1002110****Page 5**

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Roberto Albertorio, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement (2)
ZHE File
Phillip Rodgers, 2240 Pajarito Road SW, 87105
Rick Bennett Architects, ATTN: Rick Bennett, 1104 Park Ave. SW, 87102
Albert & Elizabeth Valdez, 1205 Wilmoore SE, 87106
Isabel F. Cabrera, President/CHLDCNA, 1720 Buena Vista SE, 87106
Steve Schroeder, President/VHNA, 909 Princeton SE, 87106
Corrine & Franklin Melton, 1701 Wilmoore SE, 87106
Nellie M. Garcia, 1400 Buena Vista SE, 87106
Carla A. Flores, 1720 Vassar SE, 87106
Gary Bernier, 4315 Altura Vista NE, 87110
Juan Fidel Larrañaga, 1205 Vassar Dr. SE, 87106
Linda Gordon, Vice-President/CHLDCNA, 2509 Spruce St. SE, 87106
David A. Rodriguez, 1720 Buena Vista SE, 87106
Angie Dolos, 2614 Ross SE, 87106
Rachel R. Powell, 1631 Wilmoore SE, 87106
Rafaelita & Laura Alderete, 1805 Ash St. SE, 87106
Lorraine Garcia, 1621 Wilmoore SE, 87106
Francisco Castillo, 1608 Wilmoore SE, 87106
Melissa L. Franklin, Dept. of Biology, Castetter Hall, UNM, 87131-1091
Shannon Watson, ADR Coordinator, ADR Division, COA Legal Department

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

Major Subdivision action
 Minor Subdivision action

V

Vacation
 Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

...for Subdivision Purposes
 ...for Building Permit
 IP Master Development Plan
 Cert. of Appropriateness (LUCC) **L**

Supplemental form

ZONING & PLANNING **Z**

Annexation
 County Submittal
 EPC Submittal
 Zone Map Amendment (Establish or Change Zoning)
 Sector Plan (Phase I, II, III)
 Amendment to Sector, Area, Facility or Comprehensive Plan
 Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: BEAZER HOME SALES INC. PHONE: 888-7565

ADDRESS: 7007 WYOMING NE, SUITE F-5 FAX: 797-4828

CITY: ALBUQUERQUE STATE NM ZIP 87109 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: SOLE OWNER

AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999

ADDRESS: 1606 CENTRAL SE, SUITE 201 FAX: 872-2205

CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST PRELIMINARY PLAT, DEFERRAL OF INTERNAL SIDEWALKS, VACATION OF SILT EASEMENT

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. TRACTS B-1 AND B-2 Block: _____ Unit: _____

Subdiv. / Adn. CACTUS/SHALIT PARCEL TBK UNIVERSITY CROSSINGS

Current Zoning: 0-1/C-1 Proposed zoning: 0-1/C-1

Zone Atlas page(s): L-15-Z No. of existing lots: 2 No. of proposed lots: 32

Total area of site (acres): 3.24 Density if applicable: dwellings per gross acre: 9.8 dwellings per net acre: 9.8

Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO

UPC No. 101605602424630830, 101605605525130831 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: KATHRYN AVE SE

Between: YALE BLVD SE and CORNELL AVENUE SE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 1002110
05ZHE-00852, 05ZHE00882

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE [Signature] DATE 1/20/06

(Print) DAVID SOULE, PE Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 3/04

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>06DRB - 00085</u>	<u>UPF</u>	<u>✓</u>	<u>\$ 90.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>06DRB - 00088</u>	<u>PP.</u>	<u>5(2)</u>	<u>\$ 1235.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	<u>06DRB - 00102</u>	<u>FD S.</u>	<u>✓</u>	<u>\$ 0</u>
<input checked="" type="checkbox"/> AGIS copy has been sent		<u>ADV.</u>		<u>\$ 75.00</u>
<input checked="" type="checkbox"/> Case history #s are listed		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				<u>Total</u>
<input checked="" type="checkbox"/> F.H.D.P. density bonus				<u>\$ 1420.00</u>
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				

Hearing date 2/15/06

Kim Smith 1/20/06

1002110

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (Public Hearing Case)**
- Application for subdivision (Plat) on FORM S-3, including those submittal requirements. Variance and subdivision should be applied for simultaneously. (24 copies)
 - Letter briefly describing and explaining: the request, compliance with criteria in the Development Process Manual, and any improvements to be waived
 - Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule) Fee is for Variance. Plat fee is listed on FORM-S.
 - Any original and/or related file numbers are listed on the cover application
- DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- VACATION OF PUBLIC RIGHT-OF-WAY**
- VACATION OF PUBLIC EASEMENT**
- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies. (Not required for dedicated and City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) 24 copies
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire. DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DEVELOPMENT PROCESS MANUAL)**
- SIDEWALK DESIGN VARIANCE**
- SIDEWALK WAIVER**
- Scale drawing showing the proposed variance or waiver (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. These actions are not approved through internal routing.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the variance or waiver
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**
- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**
- Drawing showing the sidewalks subject to the proposed deferral or extension (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. These actions are not approved through internal routing.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the deferral or extension
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- VACATION OF PRIVATE EASEMENT**
- The complete document which created the private easement (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. These actions are not approved through internal routing.
 - Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the vacation
 - Letter of authorization from the grantors and the beneficiaries
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire. DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

David Sols
Applicant name (print)

[Signature]
Applicant signature / date



Form revised April 2003

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
06 DRB- VPE - 00085
06 DRB - - -
- - -

Ki Sols 1/20/06
Planner signature / date

Project # 100 2110

FORM S(2): SUBDIVISION - D.R.B. PUBLIC HEARING

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24** copies
 - Proposed Infrastructure List
 - Design elevations & cross sections of perimeter walls
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed plat
 - FORM DRWS Drainage Report, Water & Sewer availability statement filing information
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

- MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)**
- MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)**

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24** copies
 - Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Property owner's and City Surveyor's signature on the proposed amended plat, if the preliminary plat is being amended
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (Temporary sidewalk deferral uses FORM-V)

- 1 copy of each of the following items
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Plat or plan reduced to 8.5" x 11"
- Official D.R.B. Notice of the original approval
- Approved Infrastructure List. If not applicable, please initial. _____
- Previous SIA extension notice, if one has been issued. If not applicable, please initial. _____
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Any original and/or related file numbers are listed on the cover application
- Fee (see schedule)

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

David Solis
Applicant name (print)
AMM 1/20/06
Applicant signature / date

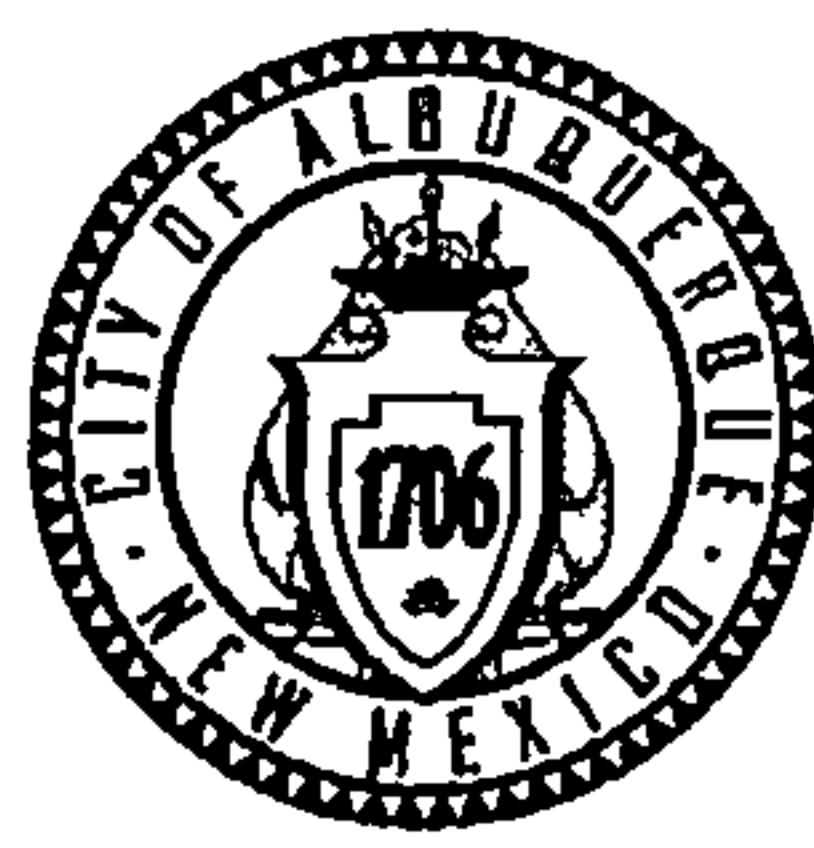
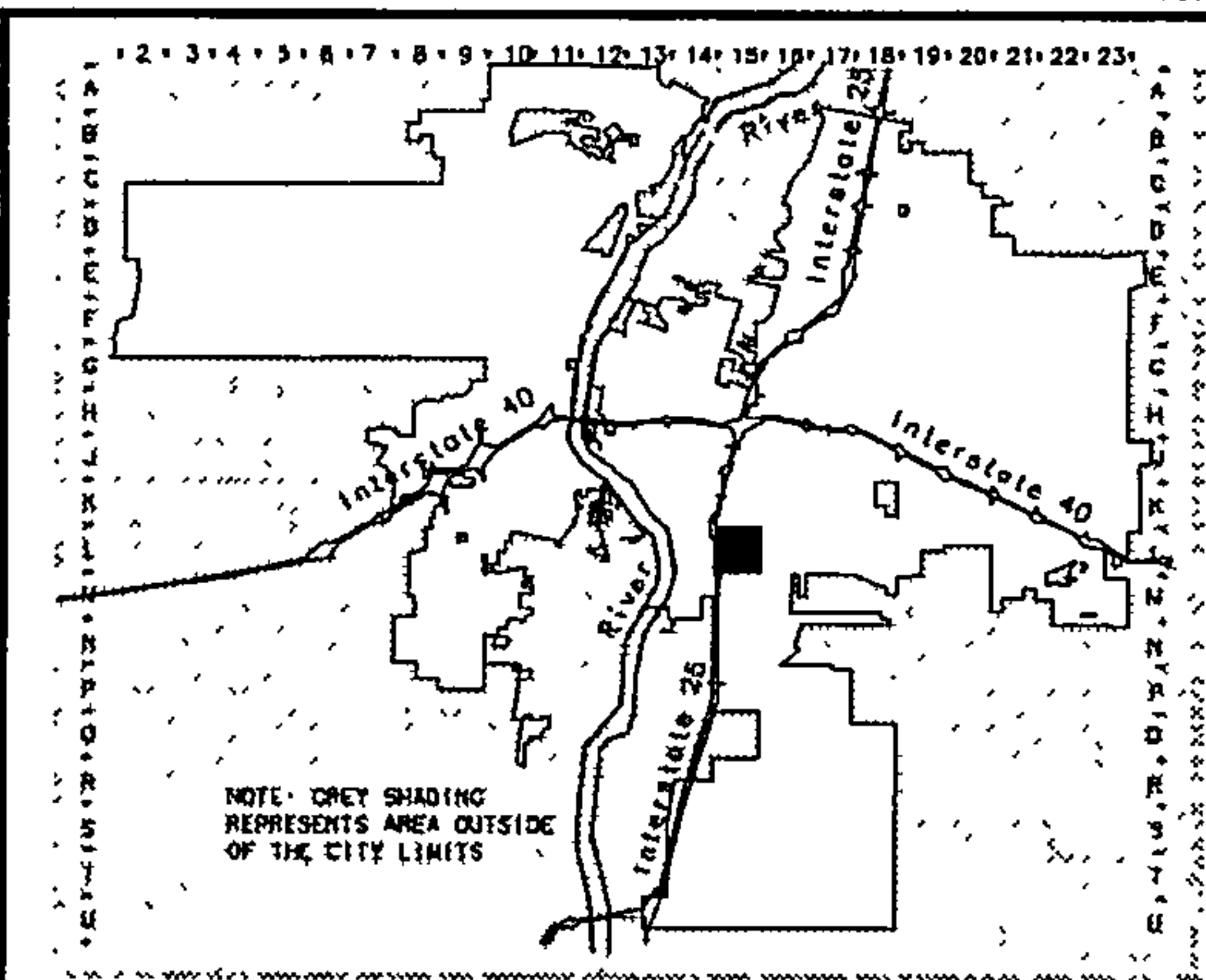
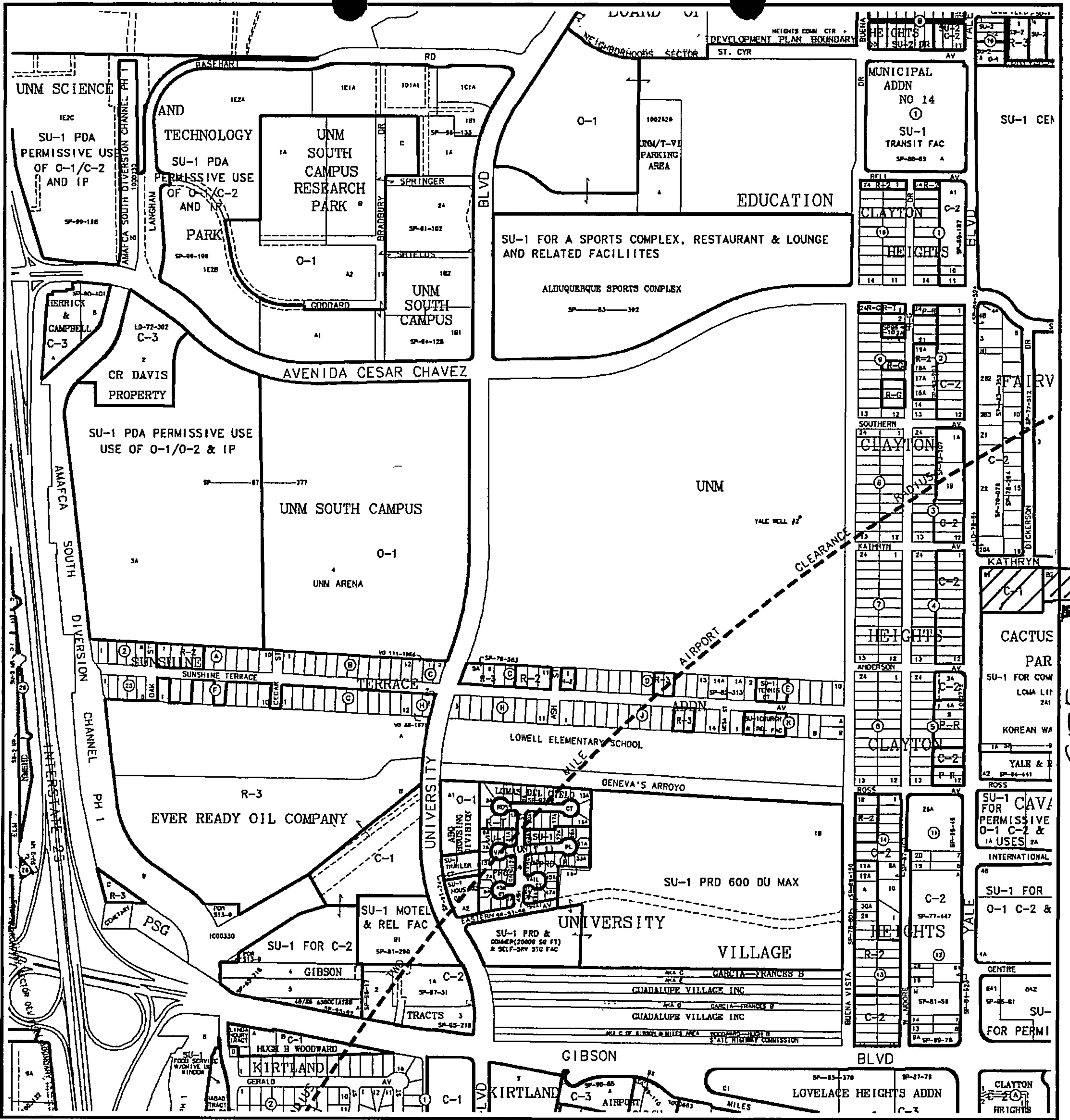


Form revised 10/03

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
06 DRB- -00088

Ki Sims 1/20/06
Planner signature / date
Project # 1002110



Albuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT
 © Copyright 2004



Zone Atlas Page

L-15-Z

Map Amended through February 03, 2004



**Rio Grande
Engineering**

Land Development and Civil Engineering Services

January 19, 2006

Ms. Sheran Matson
Chair-Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

**RE: Preliminary Plat Comments for
University Crossings Subdivision
Tracts B-1 and b-2, Shalit / Cactus Parcel
Albuquerque, New Mexico**

Dear Ms. Matson:

Rio Grande Engineering, on behalf of Beazer Home Sales, Inc., requests approval of the Preliminary Plat, for a 32 paired-unit residential home subdivision. The property is currently zoned O-1 and C-1. A conditional use permit was approved on September 9, 2005 (O5ZHE-00852/00882) allowing 32 residential dwelling units on the property. In addition to the request for preliminary plat approval, we request temporary deferral of internal sidewalks and vacation of public easements as show on the enclosed submittal documents.

The property is located within the Established Urban Area of Albuquerque as identified within the Comprehensive Plan. The site is adjacent to existing public water and sewer lines, these lines will be extended with this project.

Should you have any questions regarding this submittal, please do not hesitate to call me.

Sincerely,

David Soule, PE

Enclosures

cc: Dan Aragon
Isabel Cabrera
Linda Gordon
Marcia Boyer
Joycelyn Lewis
Steve Schroeder
Scott Sandoval

JN: 2561
ds

pplatltr011906

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

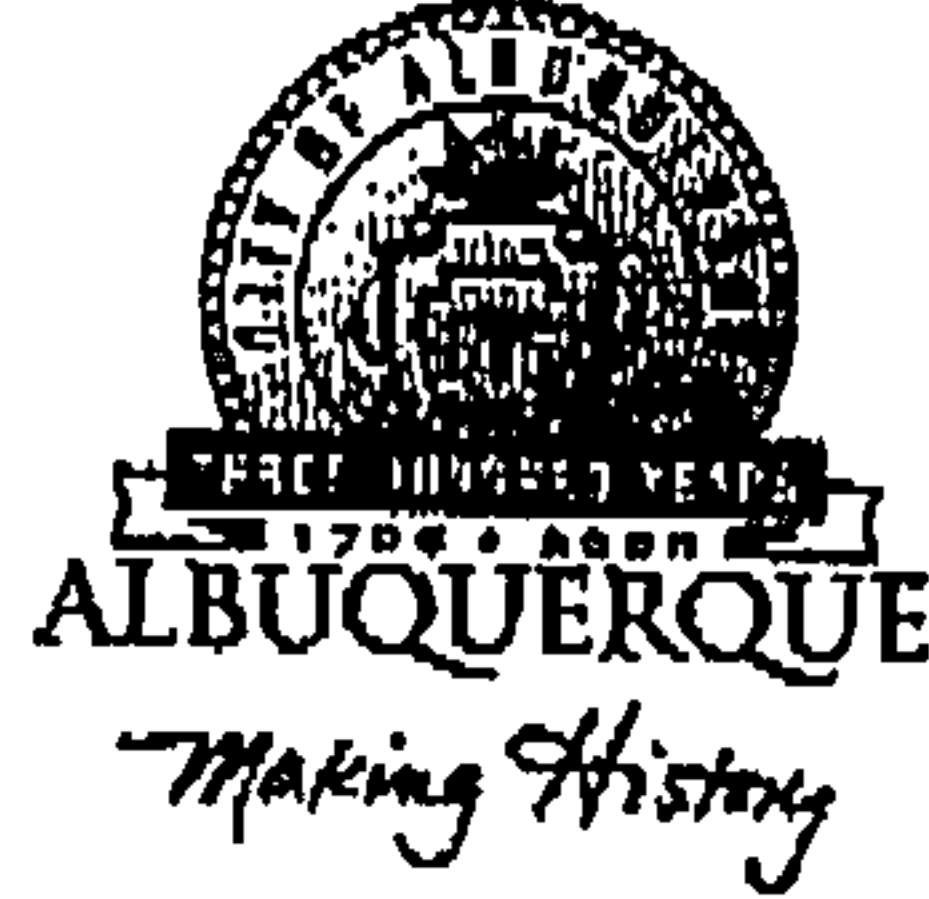
Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

(Below this line for ONC use only)

Date of Inquiry: 1/19/06 Time Entered: 1:45 PM ONC Rep. Initials: SW



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

January 19, 2006

David Soule
Rio Grande Engineering
1606 Central SE, Suite 201
Phone: 872-0994 Fax: 872-2205

Dear David:

Thank you for your inquiry of **January 19, 2006** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **TRACTS B1 AND B2, CACTUS/SHALIT SUBDIVION, LOCATED ON KATHRYN SE AND YALE BOULEVARD SE AND CORNELL AVENUE SE** zone map **L-15**.

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. (CHL) "R"

***Isabel F. Cabrera**
1720 Buena Vista SE/87106 242-4494 (h)
Linda Gordon
2509 Spruce SE/87106 766-5705 (h)

KIRTLAND COMMUNITY ASSOC. (KCA) "R"

***Marcia Boyer**
1624 Alamo Ave. SE/87106 246-0068 (h) 893-5683 (w)
Joycelyn N. Lewis
P.O. Box 9902/87119-1002 514-9743 (h)

See reverse side for additional Neighborhood Association Information: YES {X} NO {}

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested**, before the Planning Department will accept your application filing. **IMPORTANT!** Failure of adequate notification may result in your **Application Hearing being deferred for 30 days**. If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,


OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD ASSOCIATION

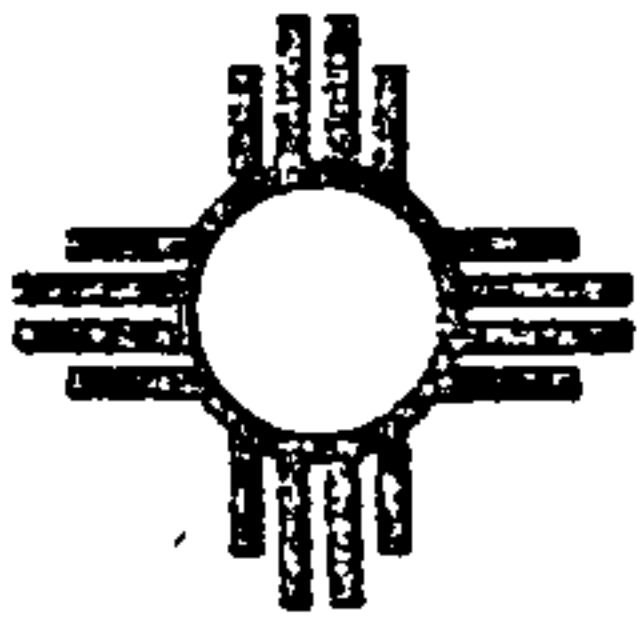
VICTORY HILLS N.A. (VHL) "R"

***Steve Schroeder**

909 Princeton SE/87106 265-1839 (h)

Scott Sandoval

1816 Cornell SE/87106 247-2651 (h)



**Rio Grande
Engineering**

Land Development and Civil Engineering Services

January 19, 2006

Ms. Sheran Matson
Chair-Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

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University Crossings Subdivision
Tracts B-1 and b-2, Shalit / Cactus Parcel
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Should you have any questions regarding this submittal, please do not hesitate to call me.

Sincerely,

David Soule, PE

Enclosures

cc: Dan Aragon
~~Isabel Cabrera~~
Linda Gordon
Marcia Boyer
Joycelyn Lewis
Steve Schroeder
Scott Sandoval

JN: 2561
ds

pplatlr011906



**Rio Grande
Engineering
Land Development and Civil Engineering Services**

January 19, 2006

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Chair-Development Review Board
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600 2nd Street NW
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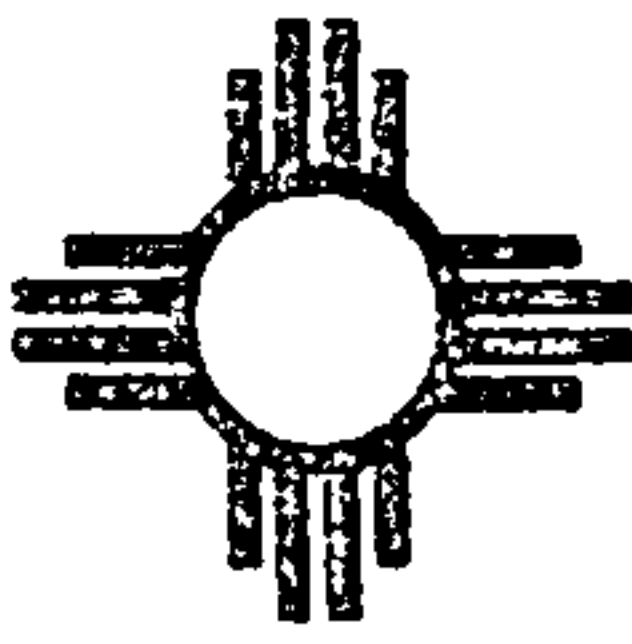
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Engineering
Land Development and Civil Engineering Services**

January 19, 2006

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City of Albuquerque
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**Rio Grande
Engineering
Land Development and Civil Engineering Services**

January 19, 2006

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JN: 2561
ds

pplatttr011906

9654 4936
7004 1350 0000 0742 0000 05ET 4004

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CERTIFIED MAIL RECEIPT
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For delivery information, visit our website at www.usps.com

OFFICIAL USE
ALBUQUERQUE, NM 87106

Postage	\$ 1.59	UNIT ID: 0101
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Steve Schroeder
Street, Apt. No., or PO Box No.: 909 Princeton SE
City, State, ZIP+4: Alb NM 87106

PS Form 3800, June 2002 See Reverse for Instructions

9264 4943
7004 1350 0000 0749 0000 05ET 4004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE
ALBUQUERQUE, NM 87119

Postage	\$ 1.59	UNIT ID: 0101
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Jaylyn Lewis
Street, Apt. No., or PO Box No.: PO Box 9907
City, State, ZIP+4: Alb NM 87119-1007

PS Form 3800, June 2002 See Reverse for Instructions

4912 4905
7004 1350 0000 0749 0000 05ET 4004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE
ALBUQUERQUE, NM 87106

Postage	\$ 1.59	UNIT ID: 0101
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Marcia Rojas
Street, Apt. No., or PO Box No.: 1624 Alamo SE
City, State, ZIP+4: Alb NM 87106

PS Form 3800, June 2002 See Reverse for Instructions

4499 6644
7004 1160 0000 091T 0000 05ET 4004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE
ALBUQUERQUE, NM 87106

Postage	\$ 1.59	UNIT ID: 0101
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Linda Gordon
Street, Apt. No., or PO Box No.: 2509 Spruce SE
City, State, ZIP+4: Alb NM 87106

PS Form 3800, June 2002 See Reverse for Instructions

4943 4943
7004 1350 0000 0749 0000 05ET 4004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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For delivery information, visit our website at www.usps.com

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ALBUQUERQUE, NM 87106

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Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Scott Sanden
Street, Apt. No., or PO Box No.: 1916 Cornell SE
City, State, ZIP+4: Alb NM 87106

PS Form 3800, June 2002 See Reverse for Instructions

4905 4905
7004 1350 0000 0749 0000 05ET 4004

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.84	

Postmark: Here
Clerk: KH7CRR
01/20/06

Sent To: Isabel Cabrera
Street, Apt. No., or PO Box No.: 1720 Brun Vista SE
City, State, ZIP+4: Alb NM 87106

PS Form 3800, June 2002 See Reverse for Instructions

FORM DRWS: DRAINAGE REPORT / WATER & SANITARY SEWER AVAILABILITY
THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW BOARD APPLICATION
FOR MAJOR SUBDIVISIONS AND SITE DEVELOPMENT PLANS.

PROJECT NAME: University Crossings

AGIS MAP # L-15

LEGAL DESCRIPTIONS: Tracts B-1 & B-2

Shalit / Cactus Parcel

DRAINAGE REPORT

A drainage report, as per the Drainage Ordinance, was submitted to the City of Albuquerque Public Works Department, Hydrology Division (2nd Floor Plaza del Sol) on 1/10/06 (date).

DMW
Applicant/Agent

1/19/06
Date

Ki Sis
Hydrology Division Representative

1/19/06
Date

WATER AND SEWER AVAILABILITY STATEMENT

A Water and Sewer Availability Statement for this project was requested from the City of Albuquerque Utilities Development Division (2nd floor, Plaza del Sol) on 1/19/06 (date).

DMW
Applicant/Agent

1/19/06
Date

Ki Sis
Utilities Division Representative

1/19/06
Date

PROJECT # 100 2110

**ONE STOP SHOP
CITY OF ALBUQUERQUE PLANNING DEPARTMENT
Development & Building Services**

PAID RECEIPT

APPLICANT NAME BEAZER HOMES SALES
 AGENT RIO GRANDE ENGINEERING
 ADDRESS _____
 PROJECT & APP # 1004657 / 00085, 00088
 PROJECT NAME UNIVERSITY CROSSINGS

\$ 20.⁰⁰ 441032/3424000 Conflict Management Fee
 \$ 1325 441006/4983000 DRB Actions
 \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ 75.⁰⁰ 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
 \$ 1420.⁰⁰ TOTAL AMOUNT DUE

*****NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.**

DUPLICATE
 City Of Albuquerque
 Treasury Division

1/20/2006 11:27AM LOC: ANNX
 RECEIPT# 00056669 WS# 007 TRANS# 0024
 Account 441018 Fund 0110
 Activity 4971000 TRSKAL
 Trans Amt \$1,420.00
 J24 Misc

\$75.00

MC \$1,420.00
 CHANGE \$0.00

City Of Albuquerque
 Treasury Division

City Of Albuquerque
 Treasury Division

1/20/2006 11:27AM LOC: ANNX
 RECEIPT# 00056668 WS# 007 TRANS# 0024
 Account 441006 Fund 0110
 Counterreceipt.doc 6/21/04
 Activity 4983000 TRSKAL
 Trans Amt \$1,420.00
 J24 Misc

\$1,325.00
 Thank You

1/20/2006 11:27AM LOC: ANNX
 RECEIPT# 00056667 WS# 007 TRANS# 0024
 Account 441032 Fund 0110
 Activity 3424000 TRSKAL
 Trans Amt \$1,420.00
 J24 Misc

\$20.00
 Thank You

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.


4. TIME

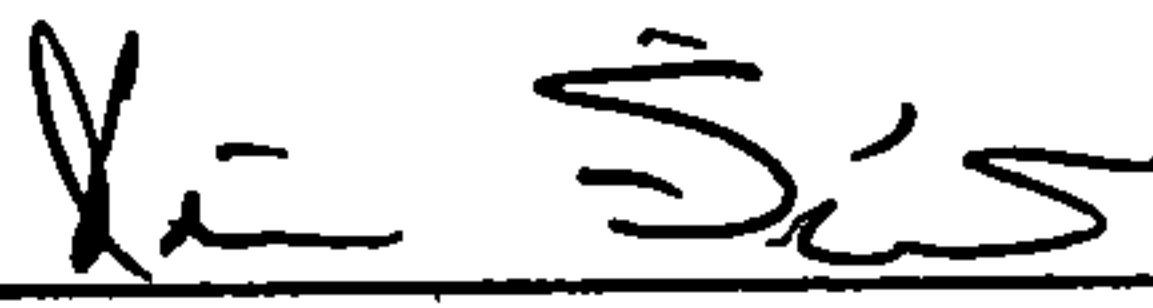
Signs must be posted from JAN 31, 2006 To FEB. 15, 2006

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

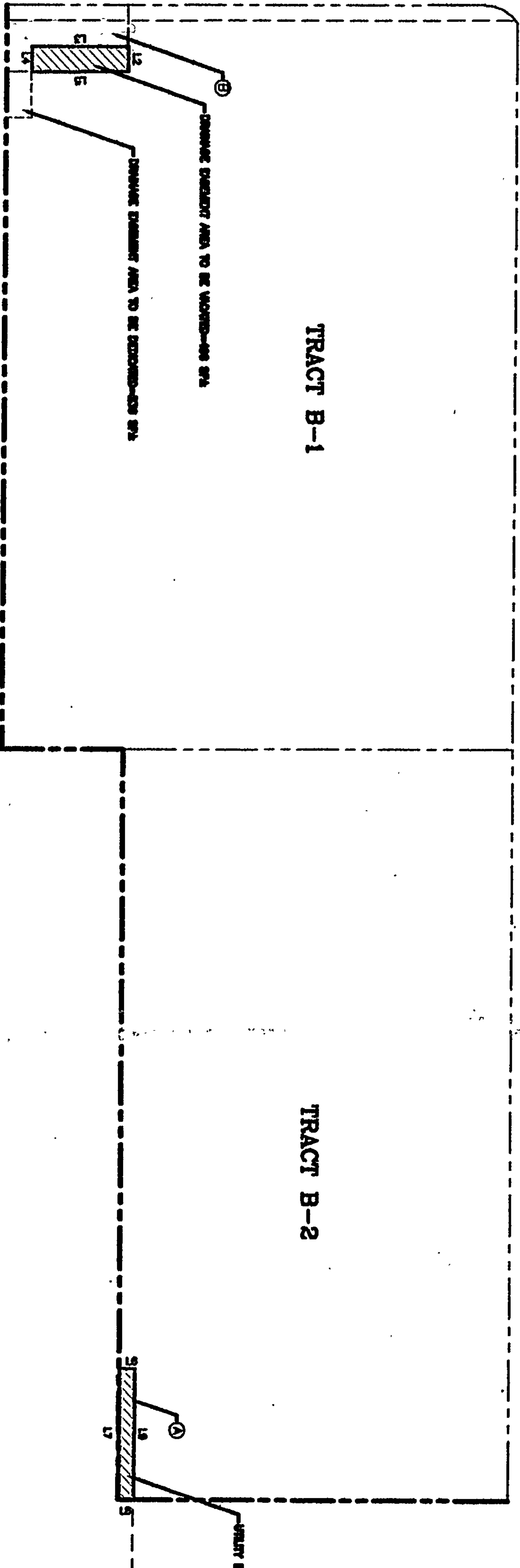
 1/20/06
(Applicant or Agent) (Date)

I issued 2 signs for this application, 1/20/06 
(Date) (Staff Member):

DRB PROJECT NUMBER: 1004657

YALE BLVD.

KATHRYN AVE.



TRACT B-1

TRACT B-2

LINE	LENGTH	BEARING
L1	11.98	N00°00'00"W
L2	41.56	S89°53'17"E
L3	11.98	S00°00'00"E
L4	41.56	N89°53'17"E
L5	7.00	S00°00'00"E
L6	40.00	S89°53'17"E
L7	7.00	N00°00'00"W
L8	7.00	S89°53'17"E
L9	40.00	S00°00'00"E

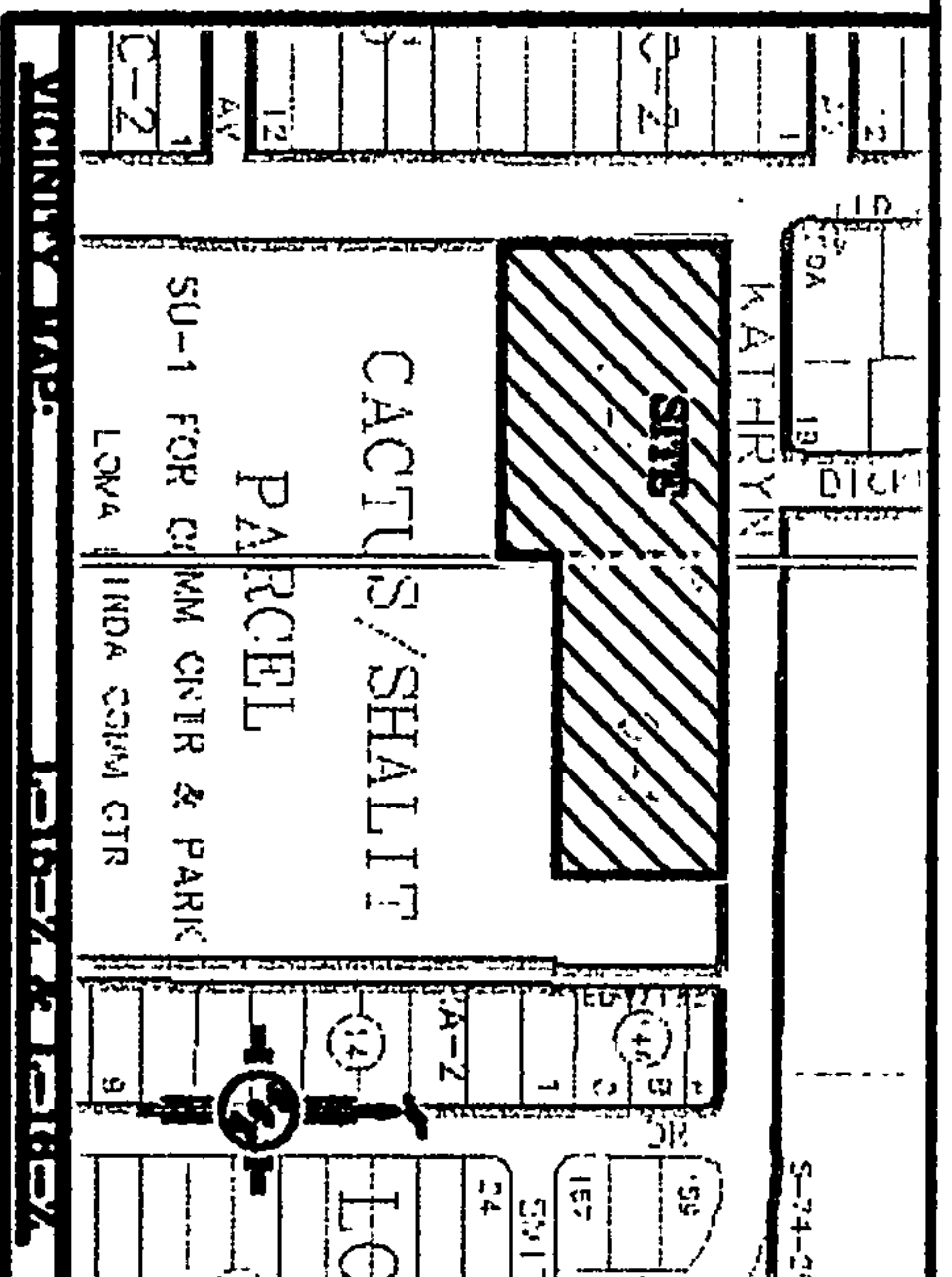
LEGEND

- BOUNDARY LINE
- DRAINAGE
- CENTERLINE
- RIGHT-OF-WAY
- AREA TO BE WORKED

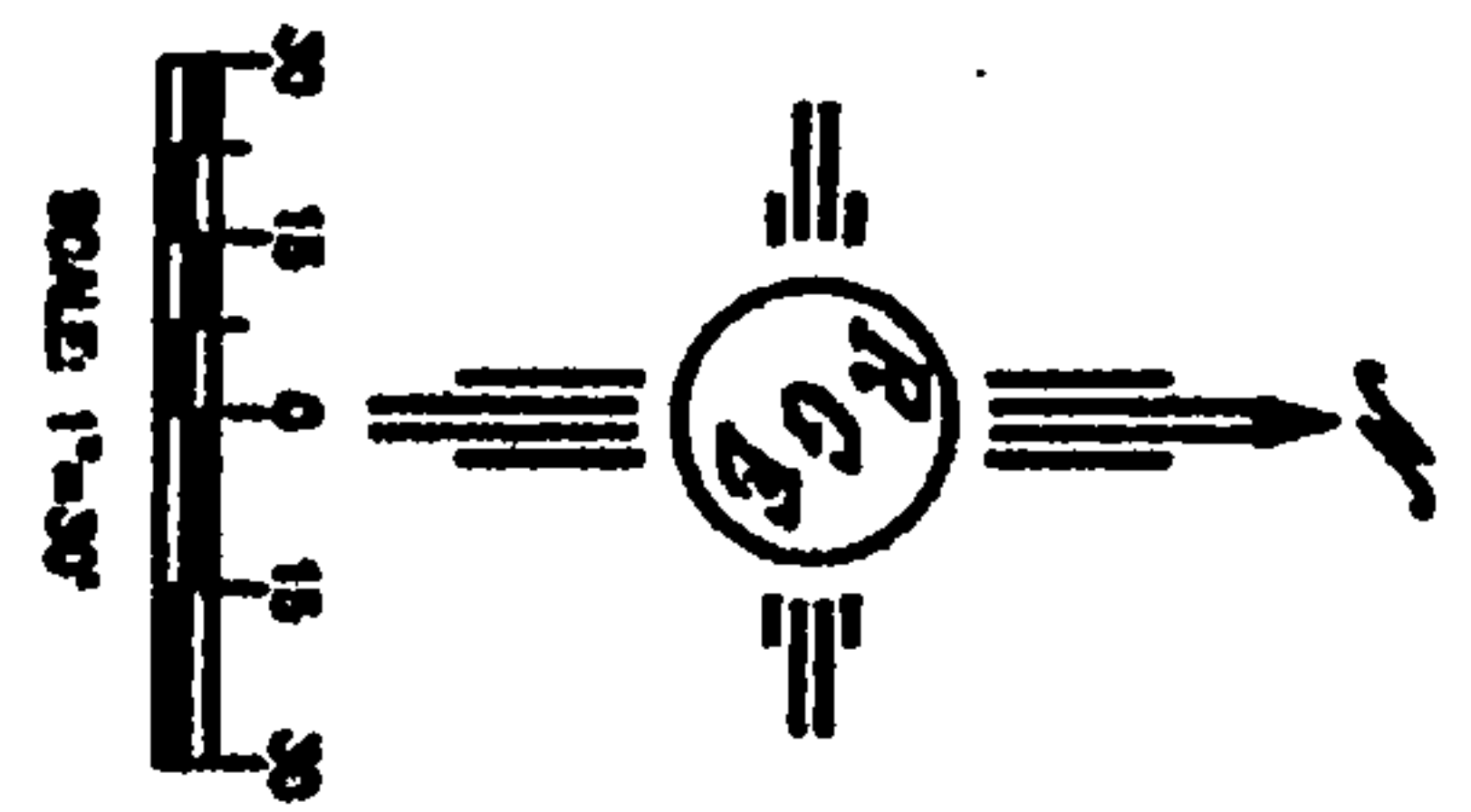
- EXHIBIT LEGEND**
- ① UTILITY EASEMENT (FOLD IN)
 - ② DRAINAGE EASEMENT (FOLD IN)

VACATION EXHIBIT B

Date 02/15/06



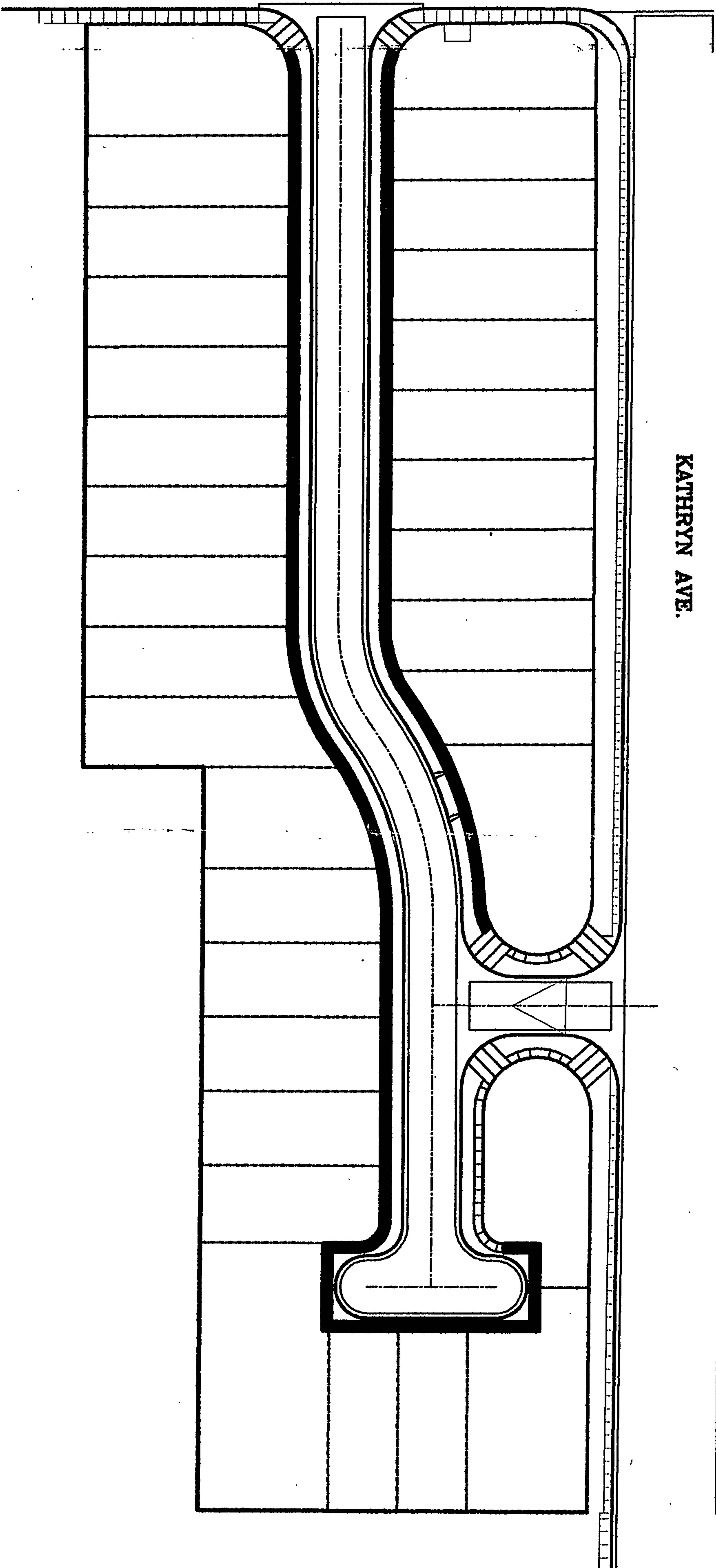
LEGAL DESCRIPTION:



OWNER'S SITE	UNIVERSITY CROSSING EXHIBIT	DATE	1-16-06
OWNER'S SITE	VACATION EXHIBIT	DATE	02-15-06
		SHEET	1
		JOB #	2005-02-11-10-000

YALE BLVD.

KATHRYN AVE.



LEGEND

- BOUNDARY LINE
- - - - - EXISTING BOUNDARY LINE
- CONTIGUOUS
- RIGHT-OF-WAY
- SIDEWALK TO BE BUILT W/THIS PROJECT
- ▬ SIDEWALK TO BE DETACHED
- ▬ PROPOSED LOT LINE
- ▬ PROPOSED CURB AND GUTTER
- ▬ EXISTING CURB AND GUTTER

Date

SIDEWALK EXHIBIT C

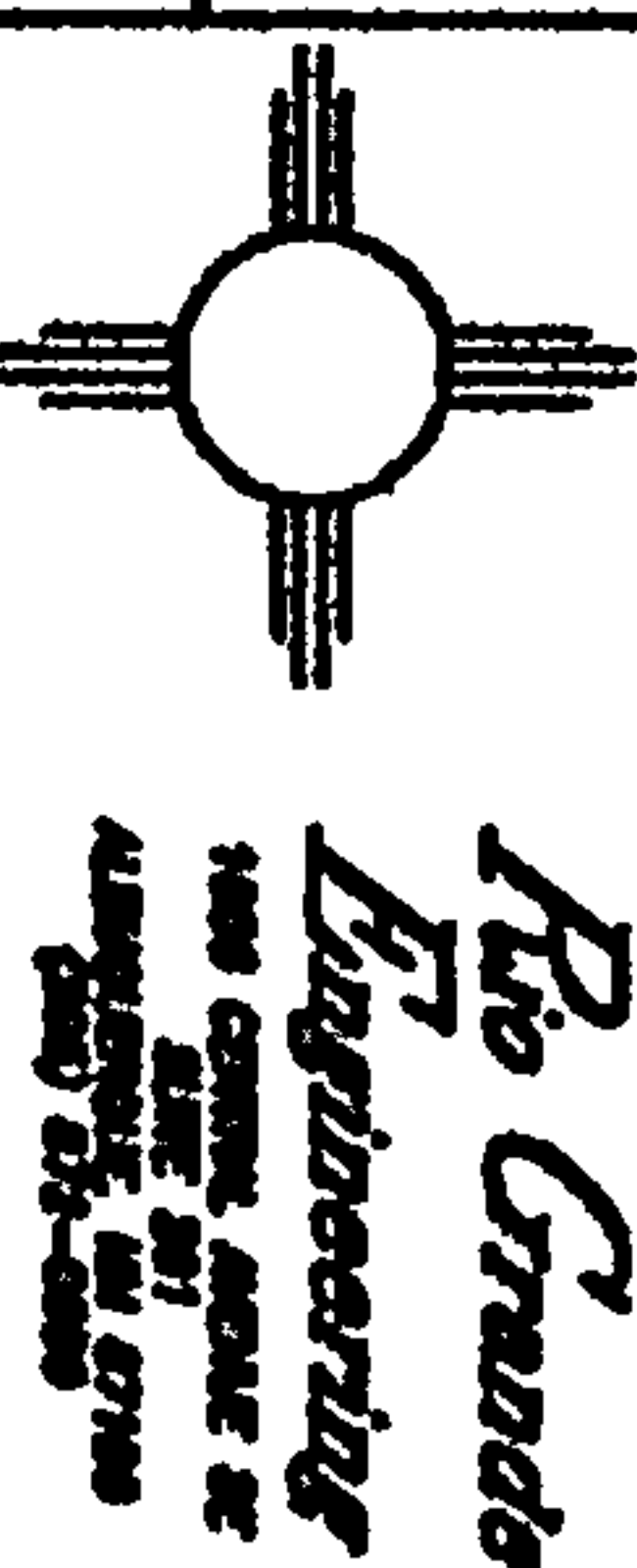
ENGINEER'S SEAL

UNIVERSITY CROSSINGS

SIDEWALK-DEFERRAL EXHIBIT

DATE	1-18-08
SHEET /	—

DAVID SOULE
P.E. #14322



Rio Grande
Engineering
1400 CENTER AVENUE SE
ALBUQUERQUE, NM 87106
(505) 253-4888

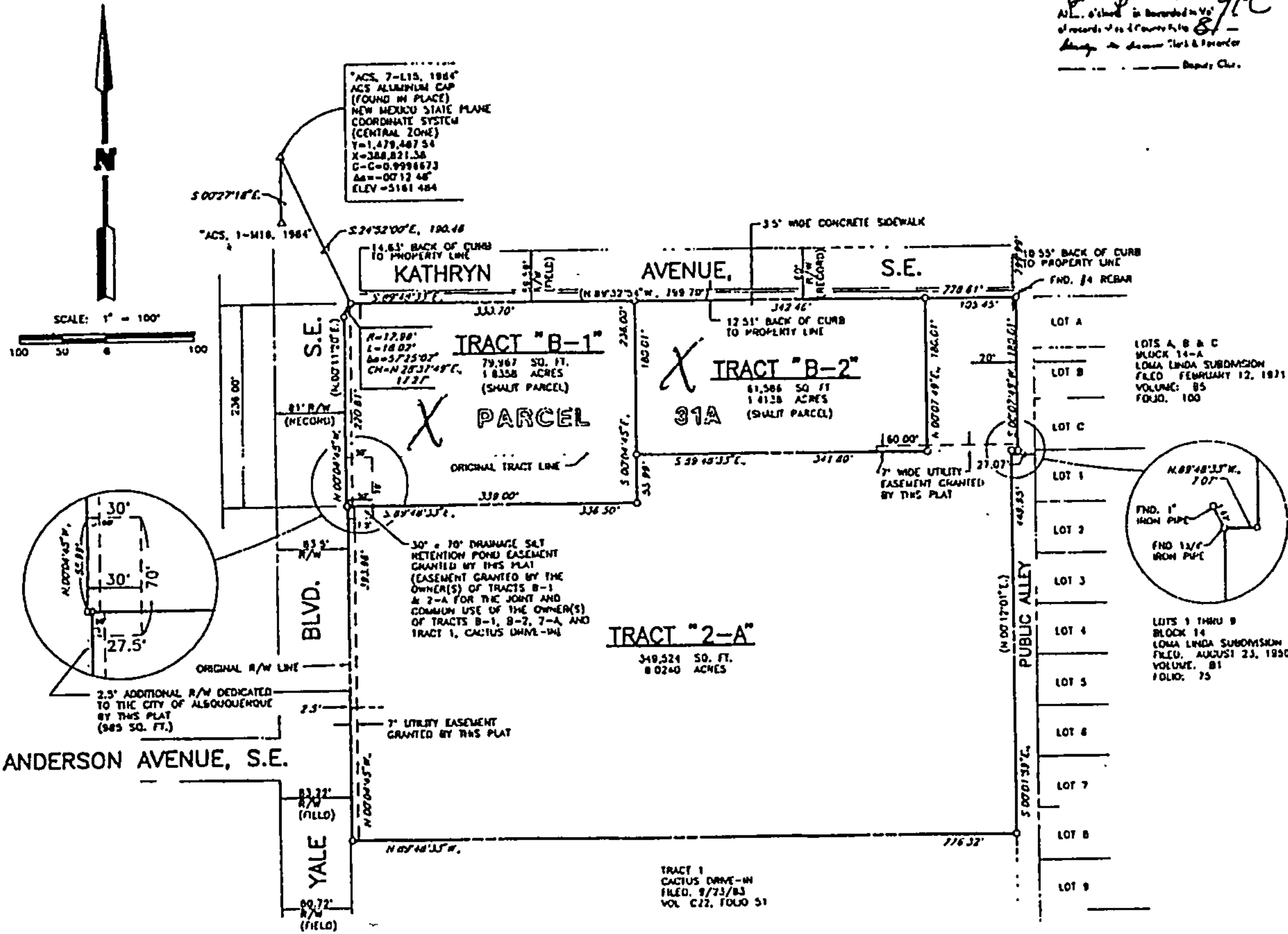
JOB # 2537

91030864

PLAT

OF TRACTS "2-A", "B-1" & "B-2" CACTUS/SHALIT PARCEL ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO MARCH 1990

State of New Mexico } County of Bernalillo } SS This instrument was filed for record on APR 2, 1990 ALL... in Bernalillo Co. of records... of County... Surveyor Fred Sanchez



NOTES:

- 1. BEARINGS SHOWN ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE). 2. DISTANCES ARE GROUND DISTANCES. 3. UNLESS OTHERWISE INDICATED, ALL BOUNDARY CORNERS SHOWN THIS ARE MARKED WITH AN IRON STAKE SURMOUNTED WITH A CAP STAMPED "15 4018" 4. THE DATA SHOWN HEREON IS FROM AN ACTUAL FIELD SURVEY. 5. BEARINGS AND DISTANCES SHOWN ARE FIELD AND RECORD DATA. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE RECORD DATA. 6. THE PURPOSE OF THIS PLAT IS TO REDUCE THE BOUNDARY LINE BETWEEN PARCEL 31A AND TRACT 1 TO ALLOW ACCESS FROM KATHRYN AVENUE, S.E. TO TRACT 2, AND TO CREATE THREE (3) SEPARATE TRACTS. THE SQUARE FOOTAGE FOR THIS PURPOSE IS BEING EXCHANGED AND ADDED TO THE SOUTHERLY PORTION OF PARCEL 31A (TRACT "B-1"). 7. THE 30' X 70' DRAINAGE SILT RETENTION POND EASEMENT GRANTED BY THIS PLAT IS GRANTED BY THE OWNER(S) OF TRACTS B-1 & 2-A FOR THE JOINT AND COMMON USE OF THE OWNER(S) OF TRACTS B-1, B-2, 2-A, AND TRACT 1, CACTUS DRIVE-W.

PUBLIC UTILITY EASEMENTS

- 1. The Public Service Company of New Mexico for the installation, maintenance, and service of overhead and underground electrical lines, transformers, poles and any other equipment, fixtures, structures and related facilities reasonably necessary to provide electrical service. 2. U.S. West for the installation, maintenance, and service of all buried and aerial communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground poles and closures. 3. Jones International for the installation, maintenance, and service of such lines, cables, and other related equipment and facilities reasonably necessary to provide Cable TV service. Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, correct, operate, and maintain facilities for the purposes described above, together with the access to, from, and over said easements, including sufficient clearing and space for electrical transformers, with the right and privilege to enter and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, post (aboveground or subsurface), hot tub, concrete or other pool, deck, or other structure shall be erected or constructed on said easements nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for complying with regulations of National Electrical Safety Code covered by construction of pools, decks, or any structure adjacent to, within or near easements shown on this plat.

SURVEYOR'S CERTIFICATION

I, FRED SANCHEZ, A DULY QUALIFIED PROFESSIONAL SURVEYOR REGISTERED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, SHOWS ALL EASEMENTS MADE KNOWN TO ME BY THE OWNER, UTILITY COMPANIES OR OTHER PARTIES EXPRESSING AN INTEREST AND THAT THE SURVEY MEETS THE SURVEYING REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND THE BERNALILLO COUNTY SUBDIVISION ORDINANCE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Fred Sanchez 2-15-91 DATE FRED SANCHEZ, N.M.P.S. NO 4078

Menaul Blvd. N.E., Albuquerque, New Mexico 87107 Ph. (505) 884-2816

Plat & Survey By: ALBUQUERQUE SURVEYING CO., INC.

ACS, 7-L15, 1984
 ACS ALUMINUM CAP
 (FOUND IN PLACE)
 NEW MEXICO STATE PLANE
 COORDINATE SYSTEM
 (CENTRAL ZONE)
 Y=1,479,487.54
 X=388,821.38
 G-G=0.9996673
 $\Delta\alpha = -00^{\circ}12'48''$
 ELEV.=5161.484

8° E.
 -M16, 1984°

S.24°52'00"E., 190.46

14.63' BACK OF CURB TO PROPERTY LINE

KATHRYN

3.5' WIDE CONCRETE SIDEWALK

AVENUE,

S.E.

S.89°48'33"E.,

(N.89°32'54"W., 799.70')

60' R/W (RECORD)

778.61'

330.70'

342.46'

105.45'

S.E.

(N.00°11'20"E.)

R=17.98'
 L=18.02'
 $\Delta\alpha = 57^{\circ}25'02''$
 CH=N.28°37'49"E.,
 17.27'

TRACT "B-1"

79,967 SQ. FT.
 1.8358 ACRES
 (SHALIT PARCEL)

TRACT "B-2"

61,586 SQ. FT.
 1.4138 ACRES
 (SHALIT PARCEL)

PARCEL

31A

81' R/W (RECORD)

N.00°04'45"W.

220.61'

ORIGINAL TRACT LINE

S.00°04'45"E.,

55.99'

S.89°48'33"E.,

341.80'

N.00°07'49"E., 180.01'

7' WIDE UTILITY EASEMENT GRANTED BY THIS PLAT

83.5' R/W

BLVD.

30' x 70' DRAINAGE SILT
 RETENTION POND EASEMENT
 GRANTED BY THIS PLAT
 (EASEMENT GRANTED BY THE
 OWNER(S) OF TRACTS B-1
 & 2-A FOR THE JOINT AND
 COMMON USE OF THE OWNER(S)
 OF TRACTS B-1, B-2, 2-A,
 AND TRACT 1, CACTUS DRIVE-IN).

TRACT "2-A"

349,524 SQ. FT.
 8.0240 ACRES

R/W LINE

ATED
RQUE

2.5'

7' UTILITY EASEMENT GRANTED BY THIS PLAT

S.E.

83.22' R/W (FIELD)

N.00°04'45"W.,

YALE

80.72' R/W (FIELD)

N.89°48'33"W.,

776.32'

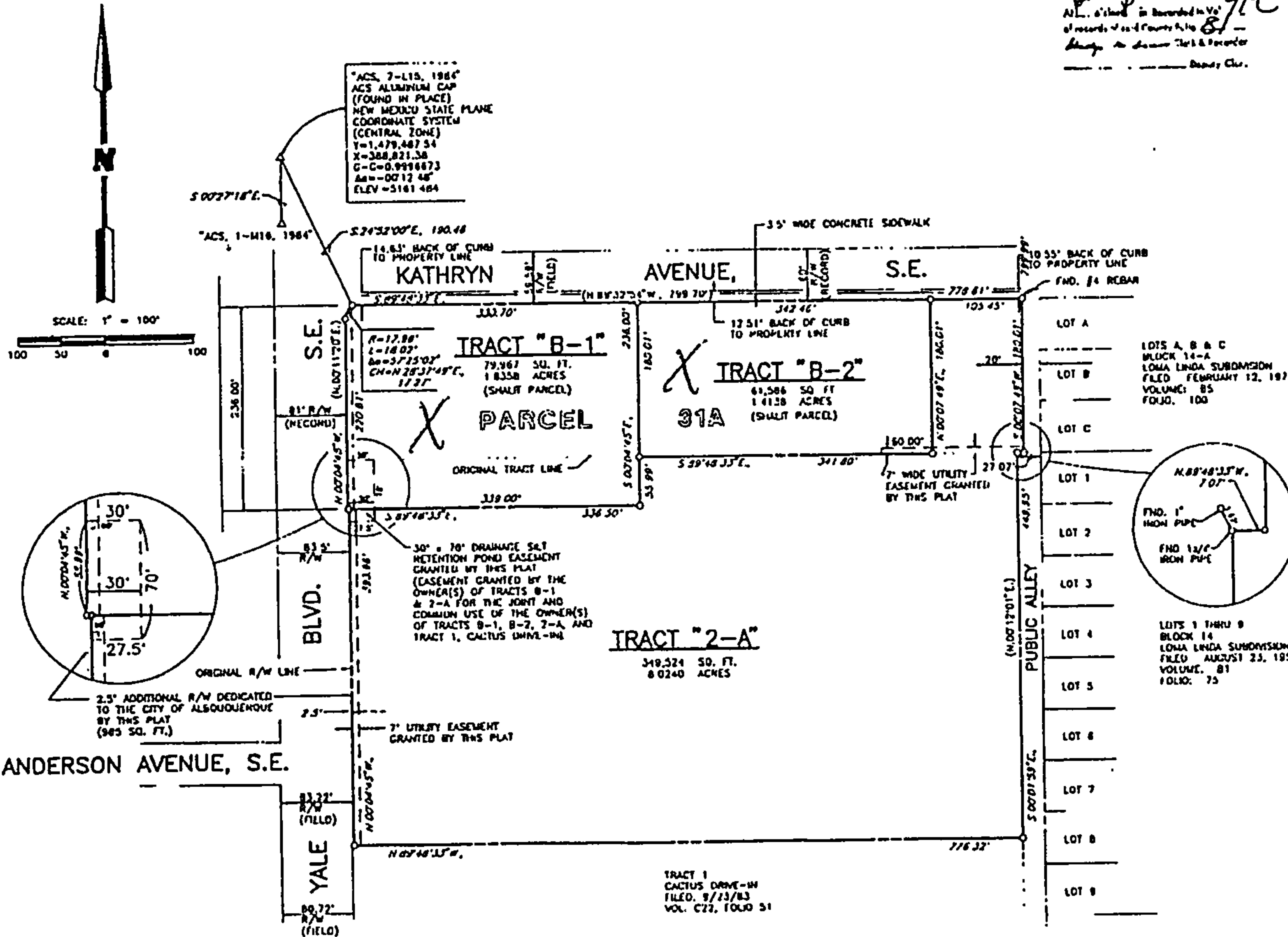
TRACT 1
 CACTUS DRIVE-IN
 FILED: 9/23/83
 VOL. C22, FOLIO 51

91030864

PLAT

OF TRACTS "2-A", "B-1" & "B-2" CACTUS/SHALIT PARCEL ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO MARCH 1990

State of New Mexico } County of Bernalillo } This instrument was filed for record on 27 APR 23 1991 All. filed in Bernalillo Co. of records of said County, N.M. & recorded by the County Clerk.



NOTES:

- 1. BEARINGS SHOWN ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE). 2. DISTANCES ARE GROUND DISTANCES. 3. UNLESS OTHERWISE INDICATED, ALL BOUNDARY CORNERS SHOWN THIS ARE MARKED WITH AN IRON STAKE SUBMERGED WITH A CAP STAMPED "15 4018". 4. THE DATA SHOWN HEREON IS FROM AN ACTUAL FIELD SURVEY. 5. BEARINGS AND DISTANCES SHOWN ARE FIELD AND RECORD DATA. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE RECORD DATA. 6. THE PURPOSE OF THIS PLAT IS TO REDEFINE THE BOUNDARY LINE BETWEEN PARCEL 31A AND TRACT 2 TO ALLOW ACCESS FROM KATHRYN AVENUE, S.E. TO TRACT 2, AND TO CREATE THREE (3) SEPARATE TRACTS. THE SQUARE FOOTAGE FOR THIS PURPOSE IS BEING EXCHANGED AND ADDED TO THE SOUTHERLY PORTION OF PARCEL 31A (TRACT "B-1"). 7. THE 30' X 70' DRAINAGE SILT RETENTION POND EASEMENT GRANTED BY THIS PLAT IS GRANTED BY THE OWNER(S) OF TRACTS B-1 & 2-A FOR THE JOINT AND COMMON USE OF THE OWNER(S) OF TRACTS B-1, B-2, 2-A, AND TRACT 1, CACTUS DRIVE-W.

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- 1. The Public Service Company of New Mexico for the installation, maintenance, and service of overhead and underground electrical lines, transformers, poles and any other equipment, fixtures, structures and related facilities reasonably necessary to provide electrical service. 2. U.S. Mail for the installation, maintenance, and service of all buried and aerial communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures. 3. Access therefor for the installation, maintenance, and service of such lines, poles, and other related equipment and facilities reasonably necessary to provide Cable TV service. Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, repair, replace, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient curbing area space for electric transformers, with the right and privilege to view and remove trees, shrubs or bushes which interfere with the purpose set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood post casting, or other structure shall be erected or constructed on said easements nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violation of National Electric Safety Code caused by construction of pools, decking, or any structure adjacent to, upon or near easements shown on this plat.

SURVEYOR'S CERTIFICATION

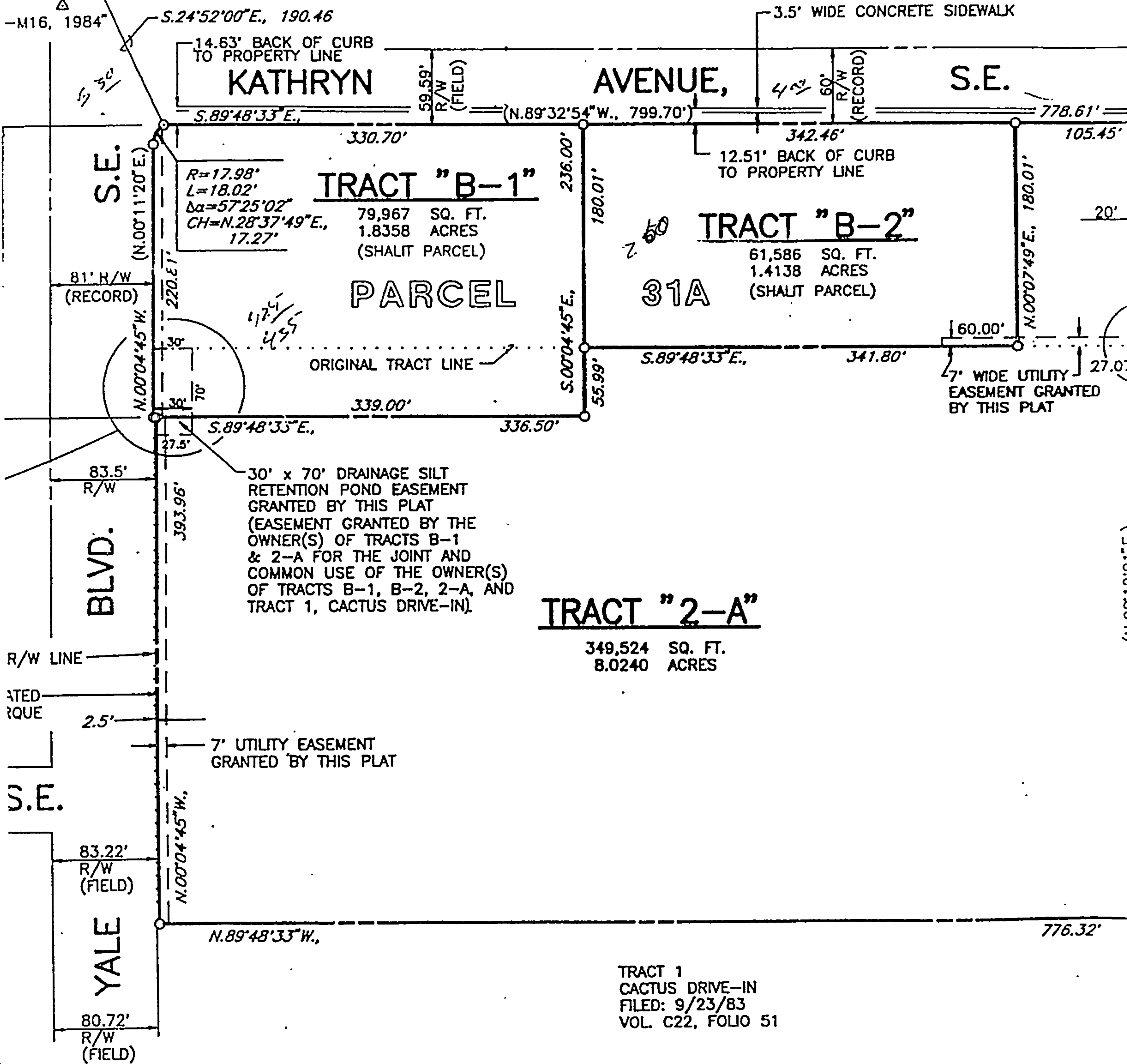
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Fred Sanchez 2-15-91 FILED SANCHEZ, N.M.P.S. NO 4078 DATE

Menaul Blvd. N.E., Albuquerque, New Mexico 87107 Ph. (505) 884-2036

Plat & Survey By: ALBUQUERQUE SURVEYING CO. INC.

"ACS, 7-L15, 1984"
 ACS ALUMINUM CAP
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 NEW MEXICO STATE PLANE
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TRACT 1
 CACTUS DRIVE-IN
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 VOL. C22, FOLIO 51