

ZUNIUS BOULDERS ONSITE
OFFICE COPY

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Updated 4/16/15

Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- Administrative Approval (DRT, URT, etc.)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

Street Name Change (Local & Collector)

APPEAL / PROTEST of...

- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West, LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com
 APPLICANT: Flash Resources, LLC PHONE: 505-822-0044
 ADDRESS: 4461 Irving Blvd. NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: _____
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Major Subdivision Improvements Agreement "Extension" Onsite

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

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

Lot or Tract No. Lots 1-106 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Boulders Phase 3
 Existing Zoning: R-LT Proposed zoning: No Changes MRGCD Map No. _____
 Zone Atlas page(s): B-10/B-11 UPC Code: 101106504912830304/101006552005140725
101006545911040726

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX,Z_, V_, S_, etc.): 1002632

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 131 No. of proposed lots: 8 Tracts Total site area (acres): 27.61 +/-
 LOCATION OF PROPERTY BY STREETS: On or Near: Unser Blvd. NW
 Between: Paradise Blvd. NW and Paseo Del Norte, NW
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE [Signature] DATE 03/17/2017
 (Print Name) Vincent Carrica Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

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

Project # _____

Staff signature & Date _____

SIGN POSTING 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. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division 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 Planning Division at a charge of \$3.00 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 two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs maybe 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 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 _____ To _____.

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 Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

 _____, 3-15-17
(Applicant or Agent) (Date)

I issued _____ signs for this application, _____, _____
(Date) (Staff Member)

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 (DRB13)

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- 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
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (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) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List 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 30 DAYS after the filing deadline. Your attendance is required.

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

- Zone Atlas map with the entire property(ies) clearly outlined
- 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
- List any original and/or related file numbers on the cover application
- Fee (see schedule)

DRB Public hearings are approximately 30 DAYS 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.

Vincent Carrica

 Applicant name (print)
 03/17/17
 Applicant signature / date



Form revised **October 2007**

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

Application case numbers

Project # _____
 Planner signature / date _____

9/11/16

TIERRA WEST, LLC



March 15, 2016

Mr. Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: THE BOULDERS PHASE 3 ONSITE IMPROVEMENTS
MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT
EXTENSION REQUEST
PROJECT # 1002632/ CITY PROJECT# 761788
ZONE ATLAS PAGE B-10/B-11**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Flash Resources LLC, requests a nine-month extension of the Subdivision Improvements Agreement for the onsite improvements for the above referenced project. The outstanding items that have yet to be completed include approximately \$16,000 worth of improvements related to the adjacent pond. The SIA amount was previously reduced to 10% of the original amount plus the cost of the outstanding items. These remaining items are affected by the construction of the Unser Blvd southbound lanes required as part of the subdivision improvements and will be completed once the Offsite Unser Improvements are built.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

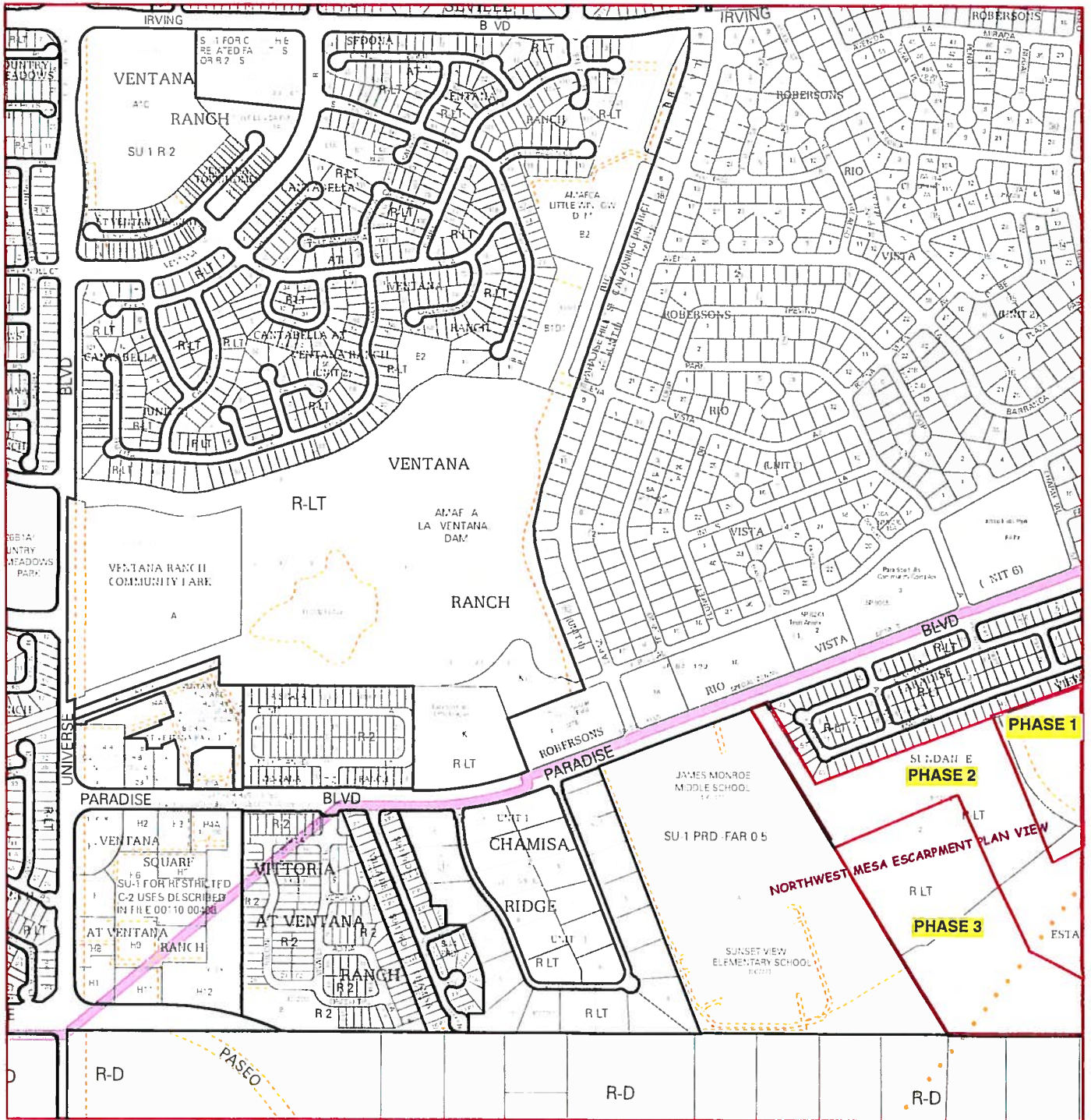
Vincent Carrica, P.E.

Enclosure/s


cc: Pierre Amestoy

JN: 2011005
RRB/vc/jg


5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com



For more current information and more details visit: <http://www.cabq.gov/gis>



Map amended through: 1/24/2011

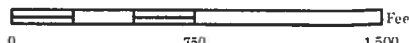


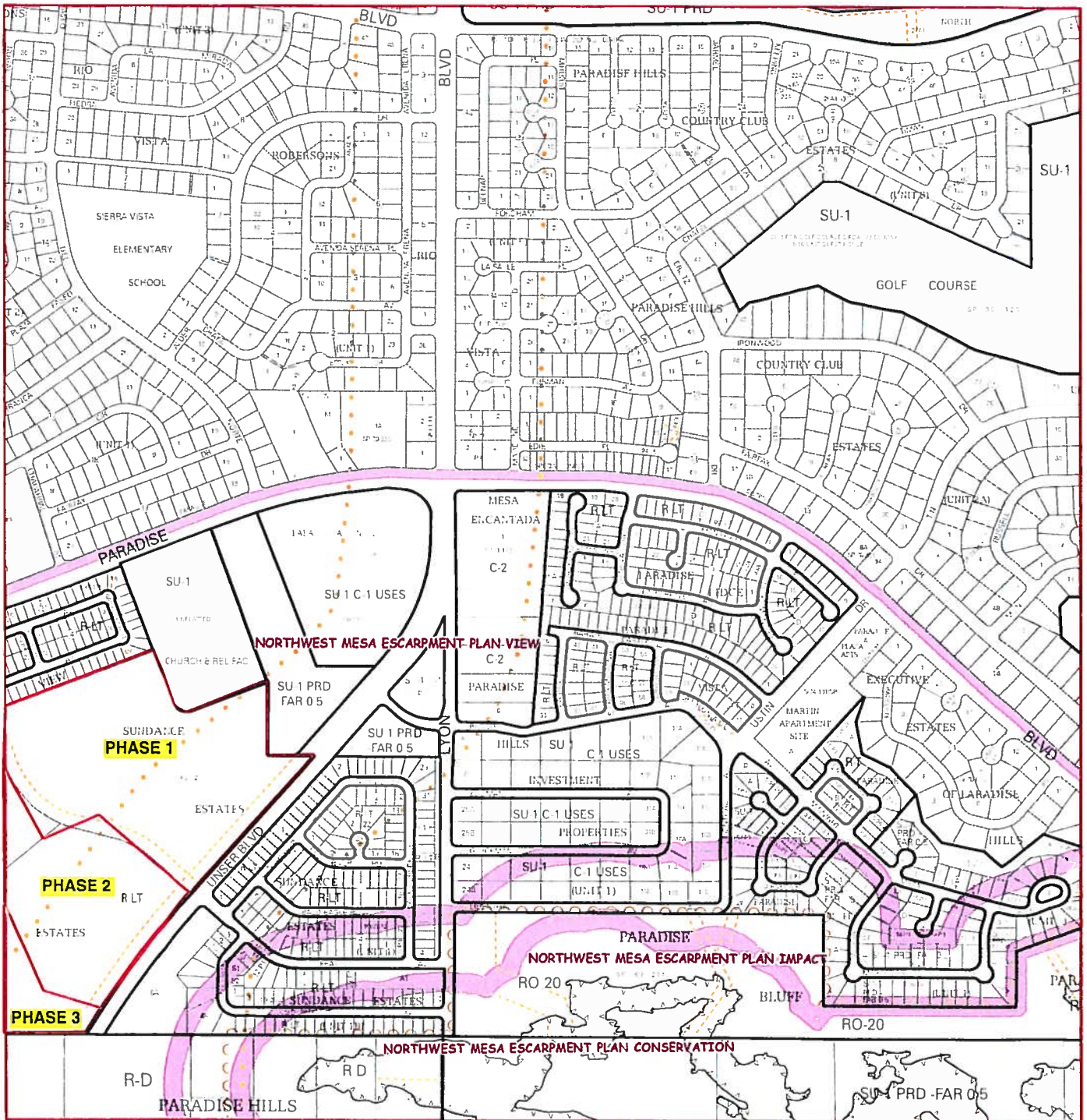
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
B-10-Z

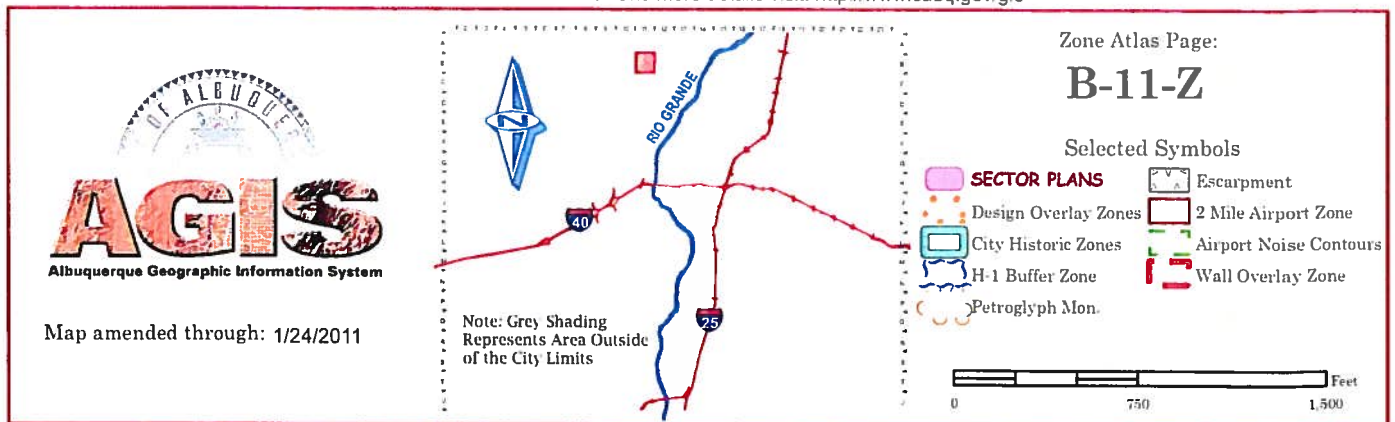
Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone





For more current information and more details visit: <http://www.cabq.gov/gis>



TWN

TIERRA WEST, LLC

March 17, 2017

Ms. Maria Warren
Paradise Hills Civic Association (PHC)
5020 Russell NW
Albuquerque, NM 87114

RE: **THE BOULDERS PHASE 3 OFFSITE IMPROVEMENTS
MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION REQUEST
PROJECT#1002632/ CITY PROJECT#761788
ZONE ATLAS PAGE B-10/B11**

Dear Ms. Warren:

Attached for your use/file is the request to the DRB chair dated February 10, 2017. This request is for a two-year approval of Major Subdivision Improvements Agreement Extension for the onsite improvements. The remaining improvements are affected by the construction of the Unser Blvd southbound lanes required as part of the subdivision improvements and will be completed once the Offsite Unser Improvements are built. The request will allow time for the construction.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Vince Carrica, P.E.

Enclosure/s

cc: Tom Anderson, Paradise Hills Civic Association (PHC)
Pierre Amestoy, Flash Resources, LLC

JN: 2011005
RRB/vc/jg

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

GW

TIERRA WEST, LLC



March 17, 2017

Mr. Tom Anderson
Paradise Hills Civic Association (PHC)
10013 Plunkett Dr. NW
Albuquerque, NM 87114

**RE: THE BOULDERS PHASE 3 ONSITE IMPROVEMENTS
MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION REQUEST
PROJECT#1002632/ CITY PROJECT# 761788
ZONE ATLAS PAGE B-10/B-11**

Dear Mr. Anderson:

Attached for your use/file is the request to the DRB chair dated February 10, 2017. The request is for a nine-month approval of the Major Subdivision Improvements Agreement Extension for the onsite improvements. The remaining improvements are affected by the construction of the Unser Blvd southbound lanes required as part of the subdivision improvements and will be completed once the Offsite Unser Improvements are built. This request will allow time for the construction.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

Vince Carrica, P.E.

Enclosure/s

cc: Maria Warren, Paradise Hills Civic Association (PHC)
Pierre Amestoy, Flash Resources, LLC

JN: 2011005
VC/jg

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

***PLEASE NOTE:** The NA/HOA 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.

March 16, 2017

Jaimie Garcia
Tierra West, LLC
5571 Midway Park Place, LLC
Albuquerque, NM 87109
(505) 858-3100
jgarcia@tierrawest.com

Dear Jaimie:

Thank you for your inquiry requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed **[DRB Submittal]** project recorded as **[Boulders Phase III, Lots 1 - 106]** located on **[Unser Blvd. NW between Paradise Blvd. NW and Paseo Del Norte NW]** zone map **[B-10 & B-11]**.

This correspondence serves as your "Notification Inquiry Letter" from the Office of Neighborhood Coordination, and must be included as part of your application. Please see "ATTACHMENT A" for a list of NA's / HOA's that must be contacted regarding this submittal.

Please note that according to Section §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify **both** of these contact persons by **certified mail, return receipt requested**, before the Planning Department will accept your application. Please see Page 2 of this letter for additional requirements. If you have any questions about the information provided please contact our office at (505) 924-3914 or ONC@cabq.gov

Sincerely,
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded 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 and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914.

A facilitated meeting request must be received by ONC by: **Monday March 27, 2017.**

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Notification Inquiry Letter" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 924-3914 or ONC@cabq.gov.

Thank you for your cooperation on this matter.

(ONC use only)

Date Processed: **03/16/17** ONC Staff Initials: **VMQ**

ATTACHMENT A

PARADISE HILLS CIVIC ASSOC. (PHC) "R"

***Tom Anderson** *e-mail:* ta_a@msn.com

10013 Plunkett Dr. NW/87114 897-2593 (h) 304-0106 (c)

Maria Warren *e-mail:* samralphroxy@yahoo.com

5020 Russell NW/87114 440-2240 (c)

Website: www.paradisehillsnm.org

NA E-mail: phcassoc@gmail.com



Notification Inquiry Form

Use this form to submit a request to the Office of Neighborhood Coordination to obtain neighborhood or homeowner association contact information for application submittal to the Planning Department.

Instructions: Please fill out this form completely and include a zone atlas map that is marked to indicate where the subject site is located. Then, submit this form and your map in one of the following ways: 1) In person at the Office of Neighborhood Coordination, 5th Floor, 600 2nd Street NW; or 2) Email it to ONC@cabq.gov.

Developer Inquiry For:

- | | |
|---|--|
| <input type="checkbox"/> Cell Tower Submittal – Type: Select Tower Type | <input type="checkbox"/> ZHE Submittal <i>(need address & zone map only)</i> |
| <input checked="" type="checkbox"/> DRB Submittal | <input type="checkbox"/> AA Submittal |
| <input type="checkbox"/> EPC Submittal | <input type="checkbox"/> City Project Submittal |
| <input type="checkbox"/> LUCC Submittal | <input type="checkbox"/> Liquor License Submittal |
| | <input type="checkbox"/> Other: |

Anticipated Advertised Public Hearing Date: *(list here)*

Contact Name: Jaimie Garcia

Company Name: Tierra West, LLC

Address: 5571 Midway Park Place NE

City: Albuquerque

State: NM

Zip Code: 87109

Phone: 505-858--3100

Email: jgarcia@tierrawestllc.com

Legal Description Information:

Describe the legal description of the subject site for this project:

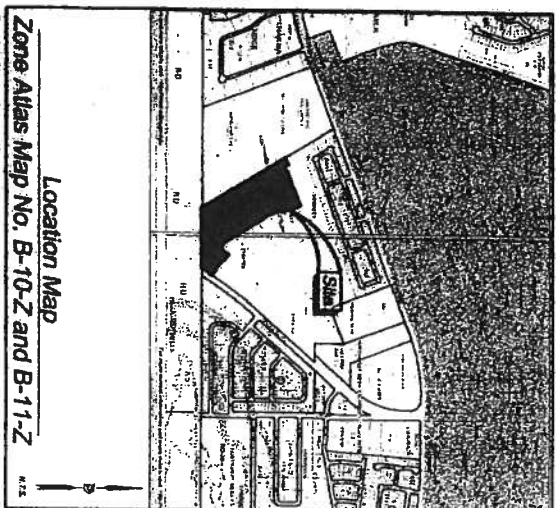
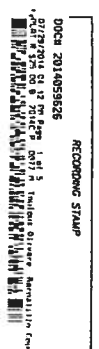
Boulders Phase III Lots 1-106

Located on/between *(street name or other identifying mark):*

Located on Unser Blvd. NW, Between Paradise Blvd. NW and Paseo Del Norte NW.

This site is located on the following zone atlas page: B-10/B-11

Part of
The Boulders Phase III
 Albuquerque, Bernalillo County, New Mexico
 March 2014



Zone Atlas Map No. B-10-Z and B-11-Z
Subdivision Data:
 ZONING DISTRICT: B-10-Z AND B-11-Z
 CROSS STREET: 18TH ST
 DISTRICT: B-10-Z AND B-11-Z
 DATE OF SUBMIT: JANUARY 2011

Disclosure Statement:

THE PURPOSE OF THIS PLAN IS TO REPEAT THE EXISTING 2 TRACES AND A NEW TRACE TO A NEW LOT, ELIMINATE LOT LACK, VACATE EASEMENTS, GRANT EASEMENTS, AND DEDICATE AND RELOCATE THE TRACES.

Solar Note:

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A SOLAR RESTRICTION, COVENANT, OR BOUNDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OF PARCELS WITHIN THE AREA OF THIS PLAN.

Public Utility Easements

THIS PLAN SHOWS EXISTING RECORDS AND APPLICANT'S EASEMENTS AS NOTED. EASEMENTS ARE SHOWN ON THIS PLAN AND GRANTED FOR THE COMMON AND JOINT USE OF: A. PUBLIC UTILITY COMPANY, SUCH AS WATER AND SEWERAGE, GAS, ELECTRIC, TELEPHONE, CABLE, AND OTHER PUBLIC UTILITIES; B. PUBLIC UTILITY COMPANY, SUCH AS WATER AND SEWERAGE, GAS, ELECTRIC, TELEPHONE, CABLE, AND OTHER PUBLIC UTILITIES; C. PUBLIC UTILITY COMPANY, SUCH AS WATER AND SEWERAGE, GAS, ELECTRIC, TELEPHONE, CABLE, AND OTHER PUBLIC UTILITIES; D. PUBLIC UTILITY COMPANY, SUCH AS WATER AND SEWERAGE, GAS, ELECTRIC, TELEPHONE, CABLE, AND OTHER PUBLIC UTILITIES.

Legal Description

SEE SHEET 5 OF 5 FOR LEGAL DESCRIPTION

Notes:

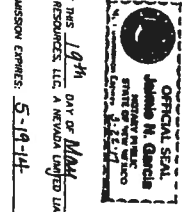
1. VACATE EXISTING NOTES. ALL BOUNDARY CORNERS SHOWN THIS PLAN ARE MARKED BY A SET NO. 4 REBAR W/ YELLOW PLASTIC CAP STAMPED 95 11993.
2. ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T.S. FOUR (4) ALUMINUM CAP STAMPED CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION MARKER, DO NOT DISTURB, 755 11993.
3. BOUNDARY IS TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
4. MARKERS WILL BE SET AT ALL POINTS OF CURVATURE, POINTS OF INTERSECTION, STREET INTERSECTIONS, AND ALL OTHER ANGLE POINTS TO ALLOW USE OF CENTERLINE MONUMENTATION.
5. MINIMUM LOT SIZE-4000 SF. MINIMUM LOT WIDTH-40 FT.
6. ALL RIGHT OF WAY CURB RETURN RAMP ARE 20' UNLESS OTHERWISE SHOWN.
7. THERE IS A 10' WIDE PUBLIC UTILITY EASEMENT ADJACENT TO ALL R.O.W. LINES GRANTED BY THIS PLAN.
8. BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1983).
9. ALL DISTANCES ARE GROUND DISTANCES-45 SURVEY FOOT.
10. THIS PROPERTY LIES WITHIN THE TOWN OF ALAMOGA GRANT, PROTECTED SECTIONS 10 AND 11, TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
11. PLAN SHOWS ALL EASEMENTS OF RECORD.
12. THE PROPERTY ON THIS PLAN IS SUBJECT TO A PRE-DEVELOPMENT EASEMENT FOR ADJACENT WITH THE ALBUQUERQUE PUBLIC SCHOOLS RECORDED SHEET 146 AS DOCUMENT NO. 20140910181

Free Consent and Dedication

THE SUBMISSION SHOWN HERE IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS AND PARTIES INTERESTED IN THE PROPERTY SHOWN HEREIN. THE PROPERTY SHOWN HEREIN IS BEING OFFERED TO THE CITY OF ALBUQUERQUE FOR THE PURPOSES OF THE BUREAU OF PUBLIC UTILITIES AND POWER, AND THE CITY OF ALBUQUERQUE HAS AGREED TO ACCEPT THE PROPERTY SHOWN HEREIN FOR THE PURPOSES OF THE BUREAU OF PUBLIC UTILITIES AND POWER. THE CITY OF ALBUQUERQUE HAS AGREED TO ACCEPT THE PROPERTY SHOWN HEREIN FOR THE PURPOSES OF THE BUREAU OF PUBLIC UTILITIES AND POWER. THE CITY OF ALBUQUERQUE HAS AGREED TO ACCEPT THE PROPERTY SHOWN HEREIN FOR THE PURPOSES OF THE BUREAU OF PUBLIC UTILITIES AND POWER.

Acknowledgment

THIS INSTRUMENT WAS FORWARDED BEFORE ME THIS 19th DAY OF March 2014 BY LARRY W. MEDANO, COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO.



100065545640081
 101006549102030103

Project No. 1002632
 Application No. 14DRB-70251

Utility Approvals

NEW MEXICO GAS COMPANY
 DATE: 5-15-2014
 CITY ENGINEER: [Signature]

City Approvals

CITY ENGINEER: [Signature]
 DATE: 5-20-14

City Approvals

TRAFFIC ENGINEERING TRANSPORTATION DEPARTMENT
 DATE: 07-25-14
 CITY ENGINEER: [Signature]

City Approvals

PARIS AND RECREATION DEPARTMENT
 DATE: 7-23-14
 CITY ENGINEER: [Signature]

City Approvals

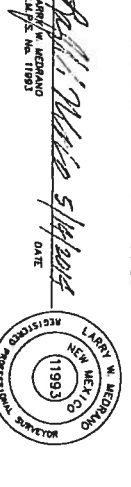
ALAMOGA
 DATE: 7-23-14
 CITY ENGINEER: [Signature]

City Approvals

DBP PHARMACEUTICALS, PHARMACY DEPARTMENT
 DATE: 7-29-14
 CITY ENGINEER: [Signature]

Surveyor's Certificate

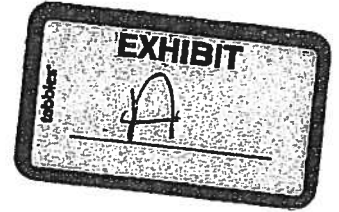
I, LARRY W. MEDANO, A LICENSED NEW MEXICO PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER IN GOOD STANDING OF THE SURVEYORS ASSOCIATION OF NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO. I HAVE REVIEWED THE INSTRUMENT AND HAVE FOUND IT TO BE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO.



PRECISION SURVEYERS, INC.
 OFFICE LOCATION: 5571 Highway 7th Floor, NE Albuquerque, NM 87109
 PHONE: 505.833.1000 FAX: 505.833.1000
 WEBSITE: www.precision-surveyors.com



OFFICIAL NOTICE OF DECISION



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

Project# 1002632

15DRB-70196 -- 2 YEAR SUBDIVISION IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)

15DRB-70197 2 YEAR SUBDIVISION IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)

TERRA WEST LLC agents for FLASH RESOURCES, LLC request the referenced above actions for **THE BOULDERS PHASE III** zoned R-LT, located on the west side of UNSER BLVD NW between PARADISE BLVD NW and PASEO DEL NORTE NW containing approximately 18.97 acres. (B-10 & 11)

At the _____ Development Review Board meeting, _____ year extensions of the Subdivision Improvements Agreements were approved

If you wish to appeal this decision, you must do so by _____, 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).

Jack Cloud, DRB Chair

Current DRG
Project Number: _____

FIGURE 12

INFRASTRUCTURE LIST

(Rev. 8-20-05)
EXHIBIT - A"

Date Submitted: 11/09/13
Date Site Plan Approved: _____
Date Preliminary Plat Approved: 8/21/13
Date Preliminary Plat Expires: 8/21/14
DRB Project No.: 1002632
DRB Application No.: _____

ORIGINAL



TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
THE BOULDERS - PHASE THREE
PROPOSED NAME OF PLAT

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 DRG Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRG Chair may include those items in the listing and related financial guarantee. Likewise, if the DRG Chair determines that appurtenant or non-appurtenant 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 DRG 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	Constructed Under	DRC #	DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
									Private Inspector	City Cnst Engineer
<input type="checkbox"/>	<input type="checkbox"/>			32' F-F	Residential Paving (Normal Local Roadway), Curb & Gutter • 4' Sidewalk (Both Sides)	Big Rock Drive	115' south of Geode Rd	Pumice Ridge Rd	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Big Rock Drive	Pumice Ridge Rd	Boulder Canyon Rd	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Boulder Canon Road	Big Rock Drive	Andesite Drive	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Pumice Ridge Road	Big Rock Drive	Flint Rock Drive	/	/
<input type="checkbox"/>	<input type="checkbox"/>			32' F-F	Residential Paving, (Normal Local Roadway), Curb & Gutter • 4' Sidewalk (Both Sides)	Glass Rock Road	Flint Rock Drive	110' west of Andesite Drive	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Jagged Peak Road	Big Rock Drive	110' west of Andesite Drive	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Flint Rock Drive	Jagged Peak Rd	Boulder Canyon Rd	/	/
<input type="checkbox"/>	<input type="checkbox"/>			28' F-F	Residential Paving, Curb & Gutter • 4' Sidewalk (Both Sides)	Stoney Draw Drive	Boulder Canyon Rd	South Property Line	/	/

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private	P.E.	City Crst Engineer
B-2		38'-F-F	Arterial Paving, Curb & Gutter 10' Paved Trail (West) w/ 13' F-Centerline Median	Unser Boulevard	900' North of Boulder Trail Place	800' South of Boulder Trail Place	/	/	/
		8'	SAS Gravelly Line 12/18	Big Rock Drive	115' south of Geode Rd	Boulder Canyon Rd	/	/	/
		8'	SAS Gravelly Line 6/31	Boulder Canon Road	Big Rock Drive	Andesite Drive	/	/	/
		8'	SAS Gravelly Line 4/25	Jagged Peak Road	Big Rock Drive	110' west of Andesite Drive	/	/	/
		8'	SAS Gravelly Line 9/57	Flint Rock Drive	Jagged Peak Rd	Boulder Canyon Rd	/	/	/
		8'	SAS Gravelly Line 1/28	Stoney Draw Drive	Boulder Canyon Rd	South Property Line	/	/	/
		8'	Water PVC Line 12/14	Big Rock Drive	115' south of Geode Rd	Boulder Canyon Rd	/	/	/
		8'	Water PVC Line 6/31	Boulder Canon Road	Big Rock Drive	Andesite Drive	/	/	/
		8'	Water PVC Line 4/81	Jagged Peak Road	Big Rock Drive	110' west of Andesite Drive	/	/	/
		8'	Water PVC Line 10/90	Flint Rock Drive	Jagged Peak Rd	Boulder Canyon Rd	/	/	/
		8'	Water PVC Line 1/48	Stoney Draw Drive	Boulder Canyon Rd	South Property Line	/	/	/
		24"	RCP Storm Sewer 1/15	Tract 'B'	Big Rock Drive	Existing Manhole on APS Pond	/	/	/
		30" to 36"	RCP Storm Sewer 4/14	Boulder Canyon Road	Tract 'B'	Andesite Drive	/	/	/
		24"	RCP Storm Sewer 6/31	Flint Rock Drive	Boulder Canyon Rd.	120 ft North of Boulder Canyon Rd.	/	/	/

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Private Inspector	City Crst Engineer
		9.247 ac-ft	Detention Pond	Tract 6-A			/	/
		3 ft	Floodwall (both sides)	Tract B	East Property Line	West Property Line	/	/
		18" Thick	Dumped Basalt Riprap (D50=12")	Tract B	East Property Line	West Property Line	/	/
			Catch basins and RCP connections included with storm sewer.				/	/
			Water infrastructure to include valves, fittings, valve boxes, and fire hydrants as required.				/	/
			Sanitary sewer to include manholes and service connections as required.				/	/
			Residential street lights per DPM 				/	/
			Plant Mix Seal Coat (PMSC) (Northbound) 	Unser Blvd	Boulder Trail Place	800' South of Boulder Trail Place	/	/
B-2							/	/
							/	/
							/	/
							/	/
							/	/

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	City Crnst Engineer
							/	/
							/	/
							/	/

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

NOTES

Street lights per City requirements.

1 Sidewalk fronting residential lots are deferred as shown on the approved Deferal Sidewalk Exhibit.

2 Certification of the grading plan is required for release of financial guarantees.

3 Residential Street Lights per DDM Δ

AGENT / OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

VINCENT CARRICA, PE

NAME (print)

DRB CHAIR - date

Carol S. Dumort 11-13-13

PARKS & RECREATION - date

TIERRA WEST, LLC

FIRM

SIGNATURE - date

[Signature] 11/13/13

TRANSPORTATION DEVELOPMENT - date

Allen Dater 11/13/13

UTILITY DEVELOPMENT - date

Curie a. Chan 11-13-13

CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT / OWNER
Δ	02-04-14	<i>[Signature]</i>	71225	<i>[Signature]</i>

2nd EXTENSION AGREEMENT
Procedure "B"-1

PROJECT NO. 761788

This Agreement made this 24th day of May, 2016, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) **Flash Resources, LLC** ("Subdivider"), whose address is **4461 Irving Blvd. NW, Albuquerque, NM 87114** and whose telephone number is **505-822-0044** is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Subdivider entered into an Agreement on the 4th day of **April 2014**, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on **April 4, 2014**, pages 1 through 12, Document No. **2014028550** ("Earlier Agreement"), by which the Subdivider agreed to complete the construction of certain infrastructure improvements on or before the 10th day of **March 2015**; and

WHEREAS, the Earlier Agreement was amended by a 1st Extension Agreement dated **October 13, 2015** recorded **October 13, 2015**, pages 1 through 4, Document No. **2015089466** records of Bernalillo County, New Mexico, extending the construction deadline to **March 10, 2016**; and

WHEREAS, it appears that the Subdivider will be unable to complete construction of the improvements by the deadline specified in the Agreement; and

WHEREAS, the City is willing to grant Subdivider an extension of time in which to complete construction of all or part of the improvements, provided the Subdivider posts an acceptable financial guaranty, as required by the City's Subdivision Ordinance and the Development Process Manual; and

WHEREAS, the Subdivider is able to provide the required financial guaranty;

NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

1. The required completion date for construction of the improvements, as set forth in the attached Exhibit A, is extended (Complete either A or B:)

A. For all improvements, the 10th day of **March, 2017**.

B. On portions of the improvements as follows:

IMPROVEMENTS

COMPLETION DATE

Doc# 2016046947

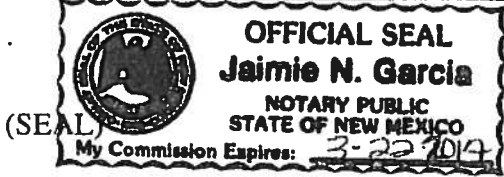
05/24/2016 02:14 PM Page: 1 of 4
AGRE R: \$25.00 M. Toulouse Oliver, Bernalillo County



SUBDIVIDER'S NOTARY

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 2nd day of March,
2016 by Pierre Amestoy, Jr., Managing Member, of Flash Resources, LLC.



Jaimie N. Garcia
Notary Public

My Commission Expires:

3-22-2017

CITY'S NOTARY

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

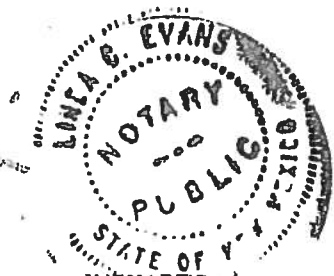
This instrument was acknowledged before me on this 24th day of May,
2016 by Shahab Biazar, City Engineer of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

(SEAL)

Rinda Evans
Notary Public

My Commission Expires:

10-17-16



2. With this Extension Agreement, Subdivider has provided the City with the following financial guaranty:

Type of Financial Guaranty: Letter of Credit# 5008
Amount: \$225,089.49
Name of Financial Institution or Surety providing Guaranty:
Los Alamos National Bank
Date City first able to call Guaranty (Construction Completion Deadline):
March 10, 2017
If Guaranty other than a Bond, last day City able to call Guaranty is:
May 10, 2017
Additional information: _____

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Extension Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion deadline established in the Earlier Agreement and establish a revised financial guaranty for the benefit of the City.

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

SUBDIVIDER: Flash Resources, LLC

CITY OF ALBUQUERQUE:

By [signature]: 

Name [print]: Pierre Amestoy, Jr.

Title: Managing Member

Dated: 3-2-16

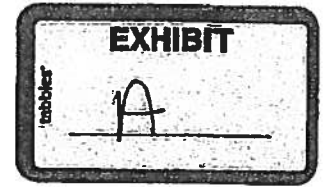
By: 

 Shahab Biazar, City Engineer

Dated: 5/24/16



OFFICIAL NOTICE OF DECISION



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

Project# 1002632
15DRB-70196 - 2 YEAR SUBDIVISION IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)
15DRB-70197 2 YEAR SUBDIVISION IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)

THE TERRA WEST LLC agents for FLASH RESOURCES, LLC request the referenced above actions for THE BOULDERS PHASE III zoned R-1.1, located on the west side of UNSER BLVD NW between PARADISE BLVD NW and PASO DOTE NORTE NW containing approximately 18.97 acres. (B-10 & 11)

At the _____ Development Review Board meeting, _____ year extensions of the Subdivision Improvements Agreements were approved

If you wish to appeal this decision, you must do so by _____ 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).

Jack Cloud, DRB Chair



LANB

Creating a better way.

IRREVOCABLE LETTER OF CREDIT

Borrower: Flash Resources, LLC
4461 Irving Blvd NW
Albuquerque, NM 87114-4286

Lender: Los Alamos National Bank
Los Alamos Main Office
1200 Trinity Drive
Los Alamos, NM 87544

Beneficiary: City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

NO.: 5008

EXPIRATION DATE. This letter of credit shall expire upon the close of business on 05-10-2017 and all drafts and accompanying statements or documents must be presented to Lender on or before that time (the "Expiration Date").

AMOUNT OF CREDIT. Lender hereby establishes at the request and for the account of Borrower, an Irrevocable Letter of Credit in favor of Beneficiary for a sum of Two Hundred Twenty-five Thousand Eighty-nine & 49/100 Dollars (\$225,089.49) (the "Letter of Credit"). These funds shall be made available to Beneficiary upon Lender's receipt from Beneficiary of sight drafts drawn on Lender at Lender's address indicated above (or other such address that Lender may provide Beneficiary in writing) during regular business hours and accompanied by the signed written statements or documents indicated below.

WARNING TO BENEFICIARY: PLEASE EXAMINE THIS LETTER OF CREDIT AT ONCE. IF YOU FEEL UNABLE TO MEET ANY OF ITS REQUIREMENTS, EITHER SINGLY OR TOGETHER, YOU SHOULD CONTACT BORROWER IMMEDIATELY TO SEE IF THE LETTER OF CREDIT CAN BE AMENDED. OTHERWISE, YOU WILL RISK LOSING PAYMENT UNDER THIS LETTER OF CREDIT FOR FAILURE TO COMPLY STRICTLY WITH ITS TERMS AS WRITTEN.

DRAFT TERMS AND CONDITIONS. Lender shall honor drafts submitted by Beneficiary under the following terms and conditions:

Upon Lender's honor of such drafts, Lender shall be fully discharged of Lender's obligations under this Letter of Credit and shall not be obligated to make any further payments under this Letter of Credit once the full amount of credit available under this Letter of Credit has been drawn.

Beneficiary shall have no recourse against Lender for any amount paid under this Letter of Credit once Lender has honored any draft or other document which complies strictly with this Letter of Credit, and which on its face appears otherwise in order but which is signed, issued, or presented by a party or under the name of a party purporting to act for Beneficiary, purporting to claim through Beneficiary, or posing as Beneficiary without Beneficiary's authorization. By paying an amount demanded in accordance with this Letter of Credit, Lender makes no representation as to the correctness of the amount demanded and Lender shall not be liable to Beneficiary, or any other person, for any amount paid or disbursed for any reason whatsoever, including, without limitation, any nonapplication or misapplication by Beneficiary of the proceeds of such payment. By presenting upon Lender or a confirming bank, Beneficiary certifies that Beneficiary has not and will not present upon the other, unless and until Beneficiary meets with dishonor. Beneficiary promises to return to Lender any funds received by Beneficiary in excess of the Letter of Credit's maximum drawing amount.

USE RESTRICTIONS. All drafts must be marked "DRAWN UNDER Los Alamos National Bank IRREVOCABLE LETTER OF CREDIT NO. 5008 DATED 05-10-2016," and the amount of each draft shall be marked on the draft. Only Beneficiary may complete a draft and accompanying statements or documents required by this Letter of Credit and make a draw under this Letter of Credit. This original Letter of Credit must accompany any draft drawn hereunder.

Partial draws are permitted under this Letter of Credit. Lender's honor of a partial draw shall correspondingly reduce the amount of credit available under this Letter of Credit. Following a partial draw, Lender shall return this original Letter of Credit to Beneficiary with the partial draw noted hereon; in the alternative, and in its sole discretion, Lender may issue a substitute Letter of Credit to Beneficiary in the amount shown above, less any partial draw(s).

PERMITTED TRANSFEREES. The right to draw under this Letter of Credit shall be nontransferable, except for:

- A. A transfer (in its entirety, but not in part) by direct operation of law to the administrator, executor, bankruptcy trustee, receiver, liquidator, successor, or other representative at law of the original Beneficiary; and
- B. The first immediate transfer (in its entirety, but not in part) by such legal representative to a third party after express approval of a governmental body (judicial, administrative, or executive).

TRANSFEREES REQUIRED DOCUMENTS. When the presenter is a permitted transferee (i) by operation of law or (ii) a third party receiving transfer from a legal representative, as described above, the documents required for a draw shall include a certified copy of the one or more documents which show the presenter's authority to claim through or to act with authority for the original Beneficiary.

COMPLIANCE BURDEN. Lender is not responsible for any impossibility or other difficulty in achieving strict compliance with the requirements of this Letter of Credit precisely as written. Beneficiary understands and acknowledges: (i) that unless and until the present wording of this Letter of Credit is amended with Lender's prior written consent, the burden of complying strictly with such wording remains solely upon Beneficiary, and (ii) that Lender is relying upon the lack of such amendment as constituting Beneficiary's initial and continued approval of such wording.

NON-SEVERABILITY. If any aspect of this Letter of Credit is ever declared unenforceable for any reason by any court or governmental body having jurisdiction, Lender's entire engagement under this Letter of Credit shall be deemed null and void ab initio, and both Lender and Beneficiary shall be restored to the position each would have occupied with all rights available as though this Letter of Credit had never occurred. This non-severability provision shall override all other provisions in this Letter of Credit, no matter where such provision appears within this Letter of Credit.

GOVERNING LAW. This Agreement will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of New Mexico without regard to its conflicts of law provisions, and except to the extent such laws are inconsistent with the 2007 Revision of the Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce, ICC Publication No. 600. This Agreement has been accepted by Lender in the State of New Mexico.

EXPIRATION. Lender hereby agrees with Beneficiary that drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored if presented to Lender on or before the Expiration Date unless otherwise provided for above.

DESCRIPTION OF CHANGE IN TERMS. Letter of Credit #5008, dated Month Day, Year, is hereby reduced by the amount of \$1,825,601.10 resulting in an aggregate amount of \$225,089.49 and the maturity date is hereby extended from May 10, 2016 to May 10, 2017.

IRREVOCABLE LETTER OF CREDIT
(Continued)

Loan No: 5008

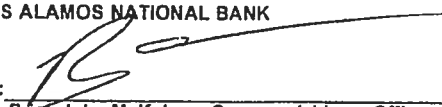
Page 2

PROJECT SUBDIVISION. Phase III-Infrastructure
Dated: May 2, 2016

LENDER:

LOS ALAMOS NATIONAL BANK

By:



Brian John McKelvey, Commercial Loan Officer

ENDORSEMENT OF DRAFTS DRAWN:

Date	Negotiated By	Amount In Words	Amount In Figures
------	---------------	--------------------	----------------------