



Supplemental Form (SF)

| | | | |
|---|----------|----------|--|
| SUBDIVISION | S | Z | ZONING & PLANNING |
| <input type="checkbox"/> Major subdivision action | | | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Minor subdivision action | | | |
| <input type="checkbox"/> Vacation | V | X | <input checked="" type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans) |
| <input type="checkbox"/> Variance (Non-Zoning) | | | <input type="checkbox"/> 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 |
| SITE DEVELOPMENT PLAN | P | | |
| <input type="checkbox"/> for Subdivision | | | |
| <input type="checkbox"/> for Building Permit | | | |
| <input type="checkbox"/> Administrative Amendment (AA) | | | |
| <input type="checkbox"/> Administrative Approval (DRT, URT, etc.) | | | |
| <input type="checkbox"/> IP Master Development Plan | D | | <input type="checkbox"/> Street Name Change (Local & Collector) |
| <input type="checkbox"/> Cert. of Appropriateness (LUCC) | L | A | APPEAL / PROTEST of... |
| STORM DRAINAGE (Form D) | | | <input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other |
| <input type="checkbox"/> Storm Drainage Cost Allocation Plan | | | |

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: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvements Agreement

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 III
 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: 106 No. of proposed lots: 106 Lots Total site area (acres): 18.97 +/-
 LOCATION OF PROPERTY BY STREETS: On or Near: Unser Blvd. NW
 Between: Paradise Blvd. NW and Paso del Norte, NW
 Check if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE

[Signature] DATE 01/25/2017
 (Print Name) Vincente Carrica Applicant Agent

FOR OFFICIAL USE ONLY

Revised: 11/2014

| <input type="checkbox"/> | INTERNAL ROUTING | Application case numbers | Action | S.F. | Fees |
|--------------------------|-------------------------------------|--------------------------|--------|-------|----------|
| <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 _____

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 ___ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all 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)
 ___ List any original and/or related file numbers on the cover application
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
 VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)
 ___ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
 (Not required for City owned public right-of-way.)
 ___ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ 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)
 ___ List any original and/or related file numbers 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 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
 SIDEWALK WAIVER (DRB21)
 ___ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance or waiver
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
 ___ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
 EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)
 Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
 Zone Atlas map with the entire property(ies) clearly outlined
 Letter briefly describing, explaining, and justifying the deferral or extension
 List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- VACATION OF PRIVATE EASEMENT (DRB26)**
 VACATION OF RECORDED PLAT (DRB29)
 ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 ___ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers 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.

VINCENT CARRICA
 Applicant name (print)

 Applicant signature / date 6-25-17



Form revised 4/07

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

Planner signature / date

 Project #

9/11

TIERRA WEST, LLC

January 25, 2017

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

**RE: THE BOULDERS PHASE 3
TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
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 two-year extension for the above referenced project. Deferred sidewalks are being constructed as homes are completed on the individual lots.

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

Sincerely,



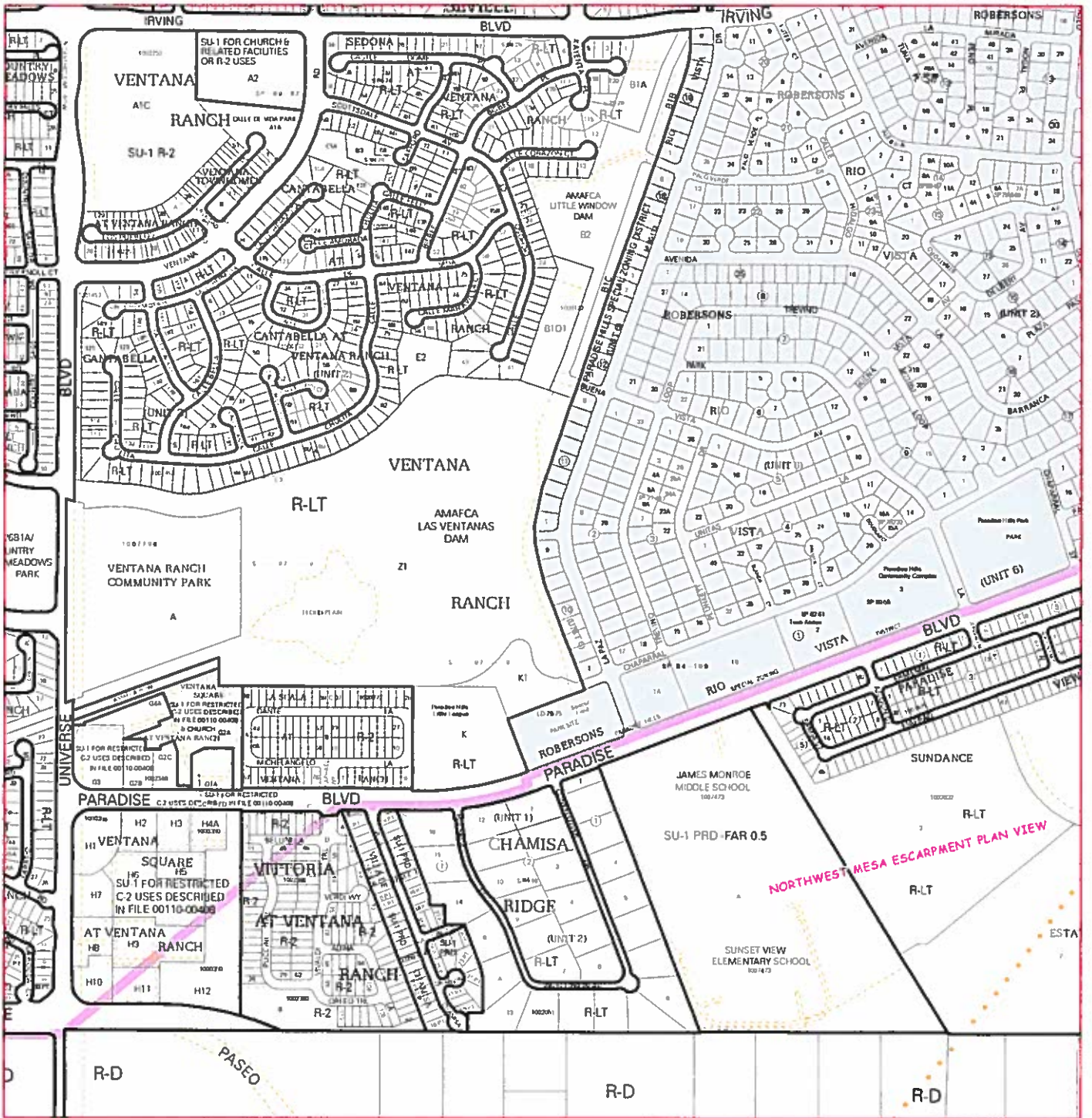
For: Ronald R. Bohannon, P.E.

Enclosure/s

cc: Pierre Amestoy

JN: 2011005
RRB/vc/kw

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>




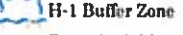
Map amended through: 1/24/2011



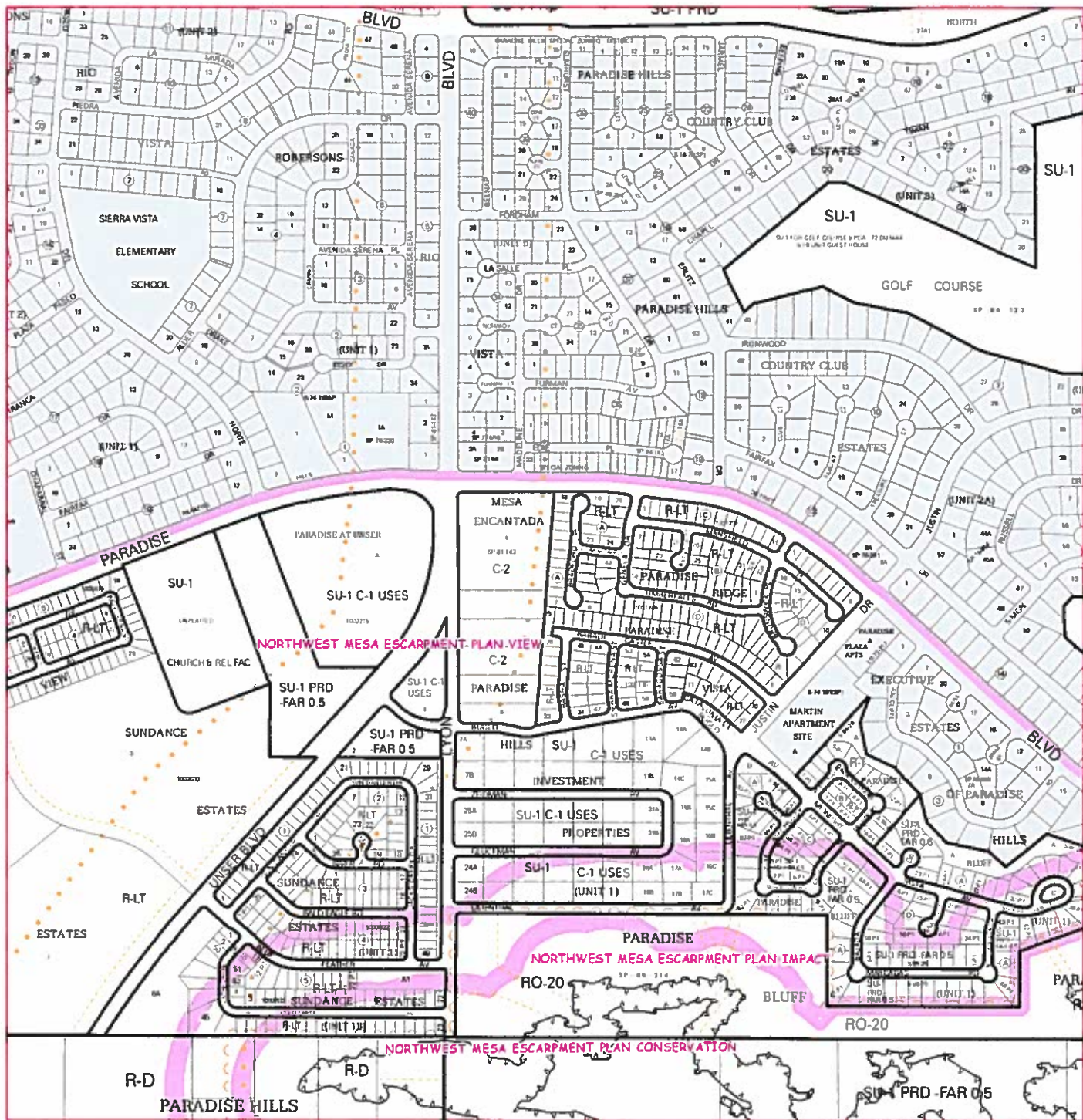
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
B-10-Z

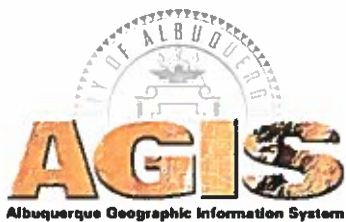
Selected Symbols

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

0 250 500 Feet



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

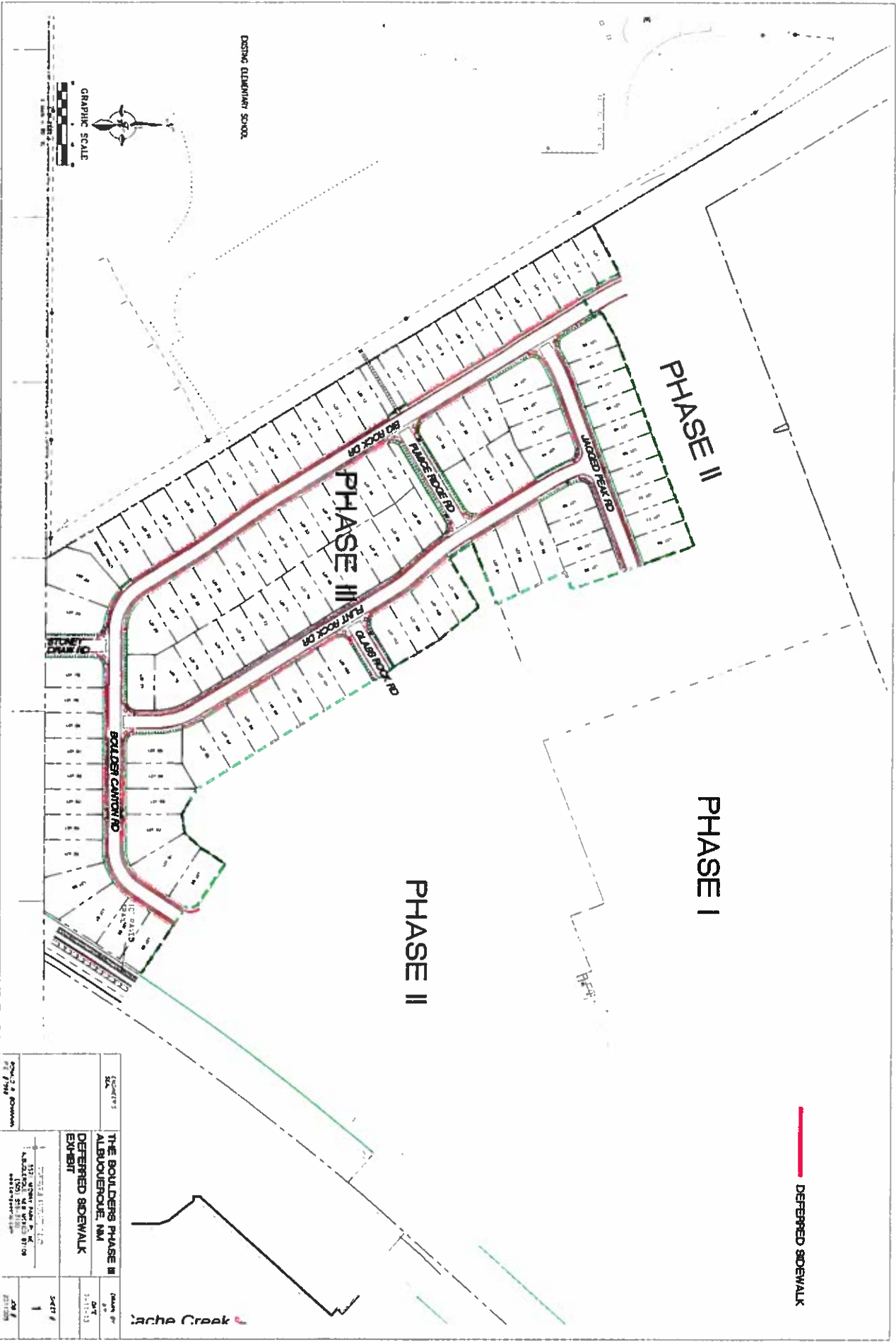
Zone Atlas Page:

B-11-Z

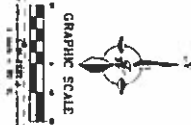
Selected Symbols

- 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





EXISTING ELEMENTARY SCHOOL



PHASE II

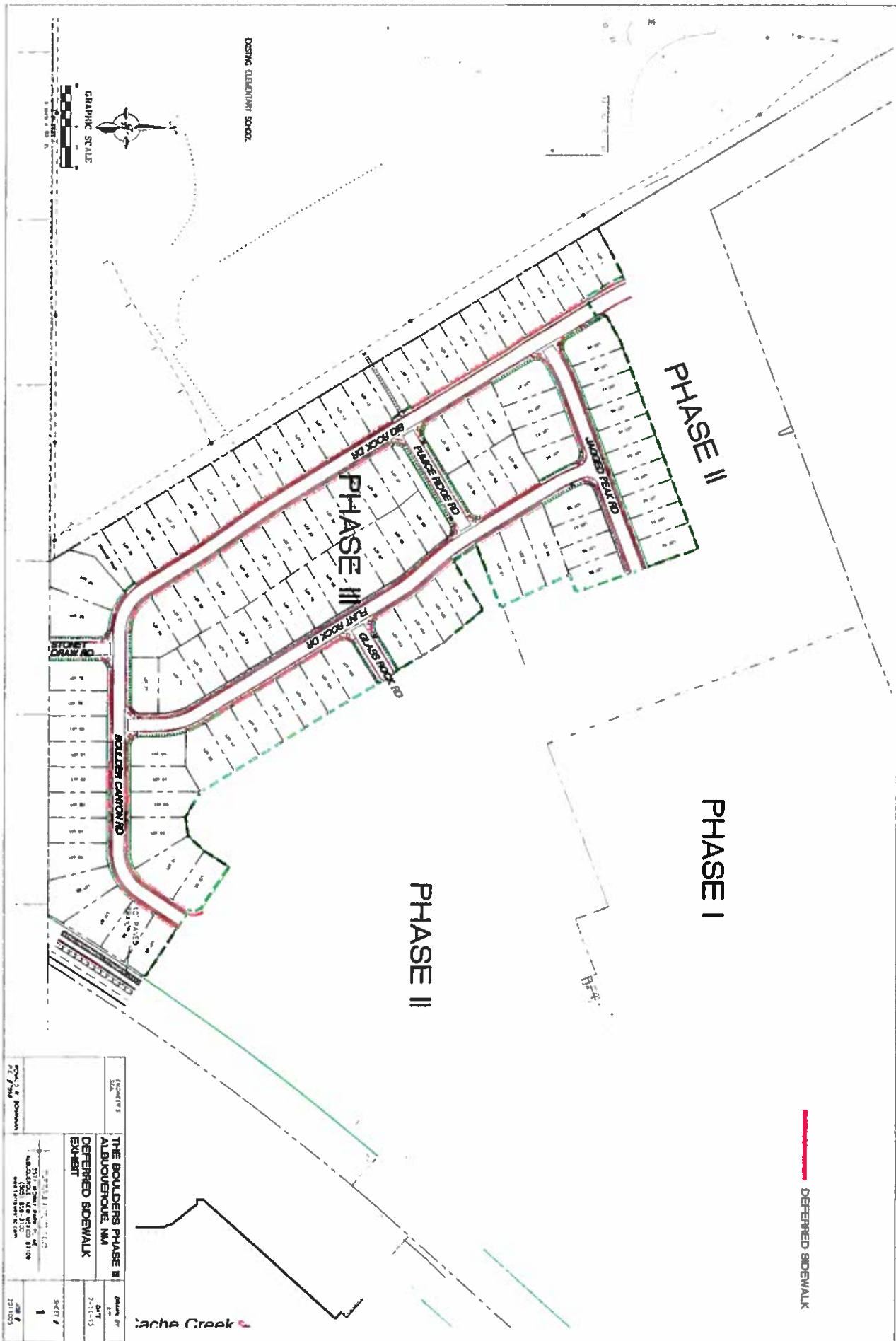
PHASE I

PHASE III

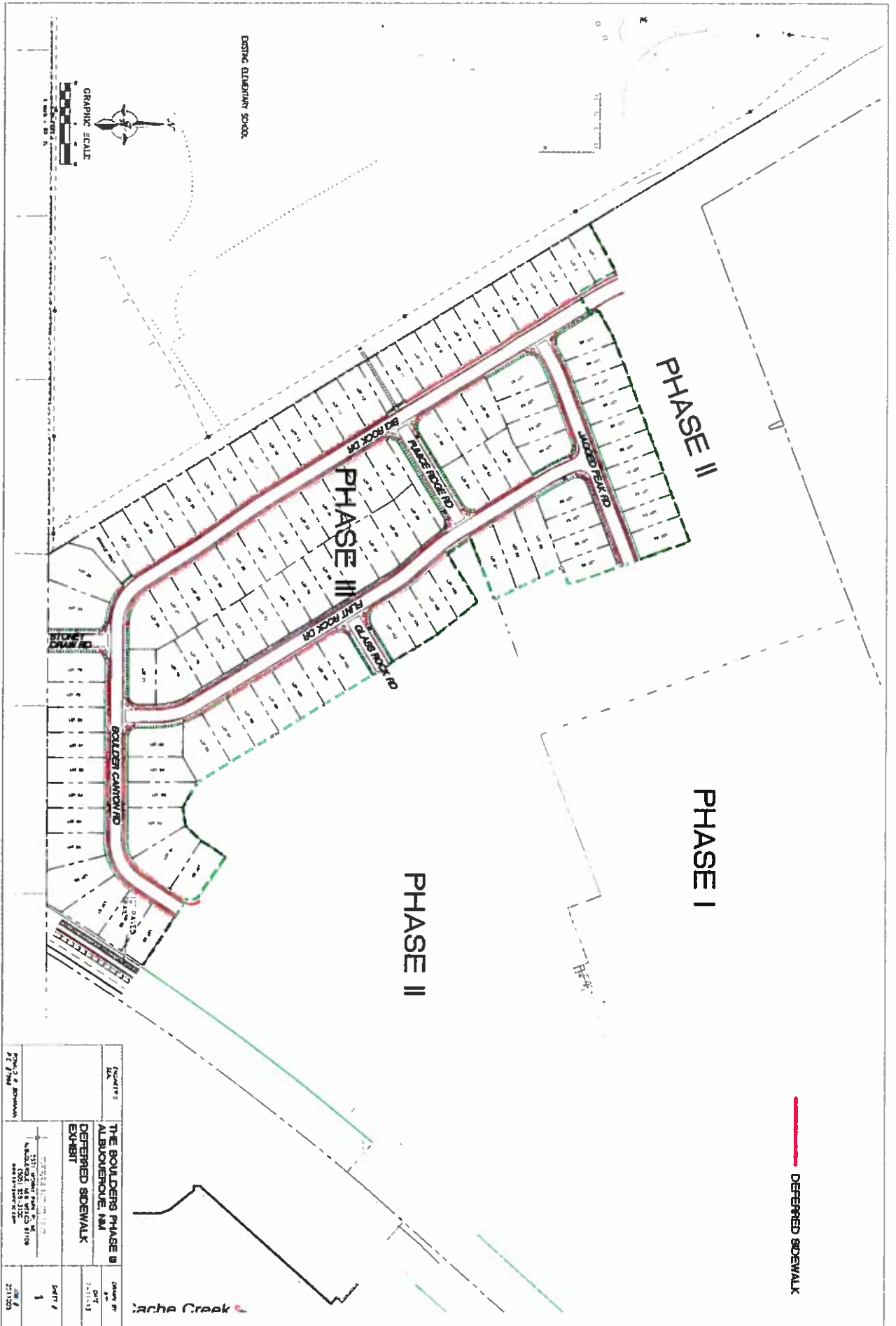
DEFERRED SIDEWALK

| | | |
|--|-----------------|--------------|
| THE BOULDERS PHASE III ALBUQUERQUE, NM DEFERRED SIDEWALK EXHIBIT | | SHEET # 1 |
| PREPARED BY JACOBO GARCIA, P.E. 1515 GUNN WAY, N.E. ALBUQUERQUE, NM 87104 505.261.1111 | DATE 1-11-13 | SHEET # 1 |
| CHECKED BY J. GARCIA | DATE 1-11-13 | SHEET # 1 |

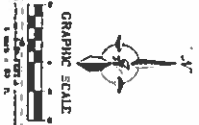




| | |
|--|-------------------------------------|
| <p>THE BOULDERS PHASE III ALBUQUERQUE, NM DEFERRED SIDEWALK EXHIBIT</p> | <p>DATE: 2-11-15</p> <p>SHEET 1</p> |
| <p>5111 Point View Dr. NE ALBUQUERQUE, NM 87110-8108 www.cache-creek.com</p> | <p>201105</p> |



EXISTING ELEMENTARY SCHOOL



PHASE II

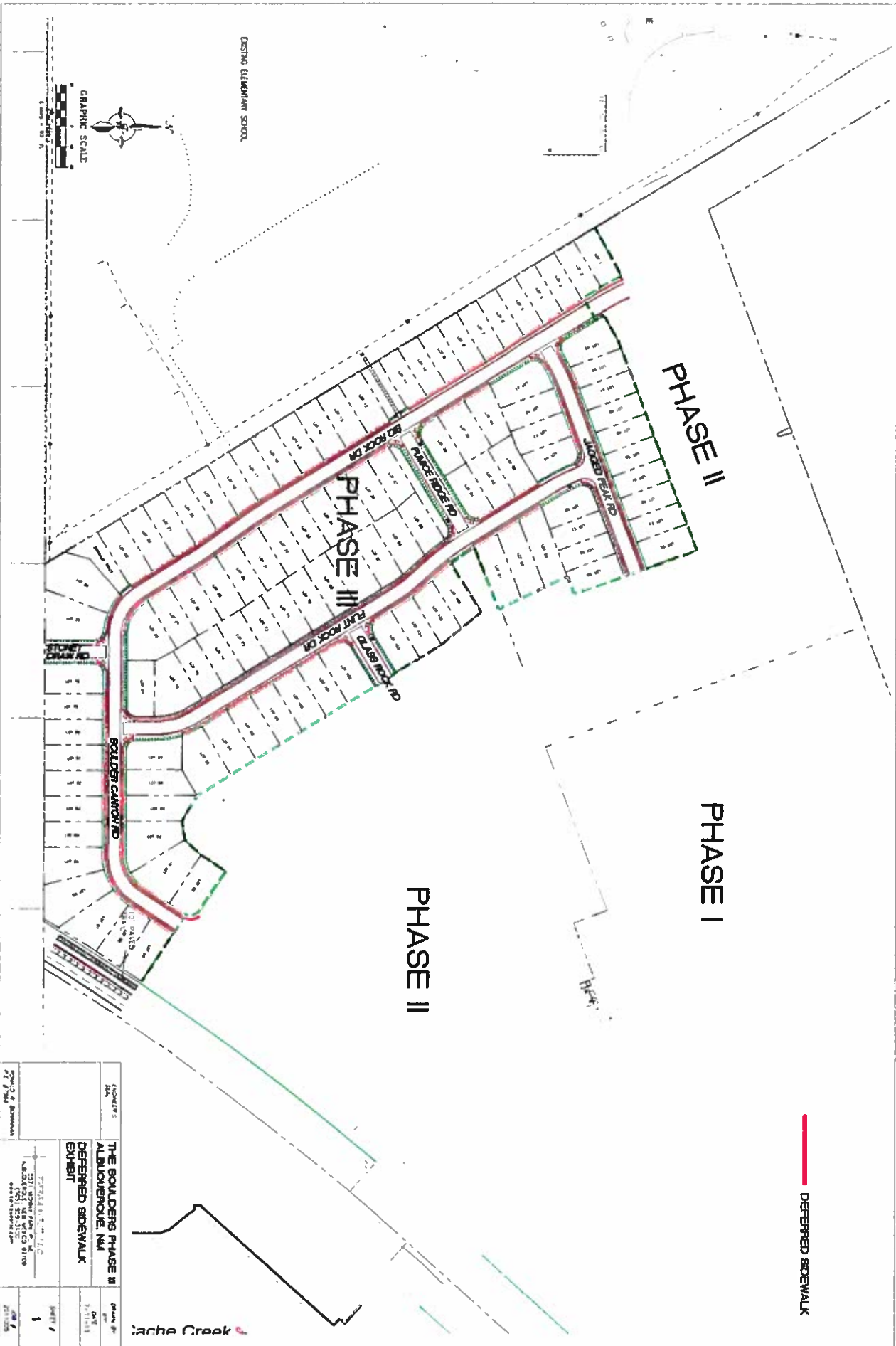
PHASE I

PHASE II

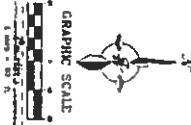
DEFERRED SIDEWALK

Cache Creek

| | | |
|---|-------------------|-----------------------------------|
| SHEET 1 OF 1 1571 SOUTH MAIN ST. W. 1100 ALBUQUERQUE, NM 87102 505.271.1100 www.cache-creek.com | | DATE: 08/13/13 DRAWN BY: J. H. |
| PROJECT: THE SOULDERS PHASE II ALBUQUERQUE, NM DEFERRED SIDEWALK EXHIBIT | SHEET: 1 OF: 1 | DATE: 08/13/13 DRAWN BY: J. H. |



DIXIE ELEMENTARY SCHOOL



PHASE II

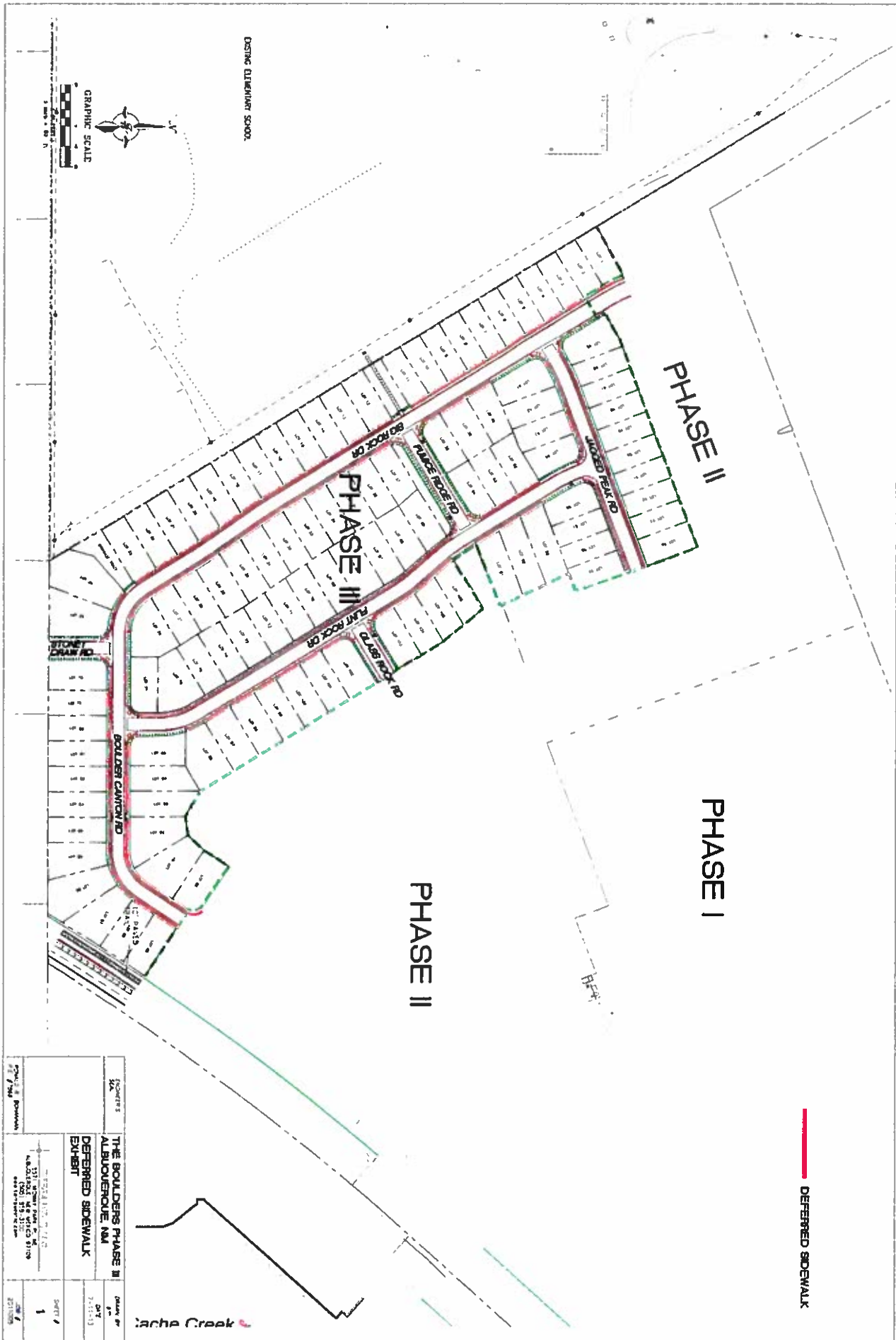
PHASE I

PHASE II

DEFERRED SIDEWALK

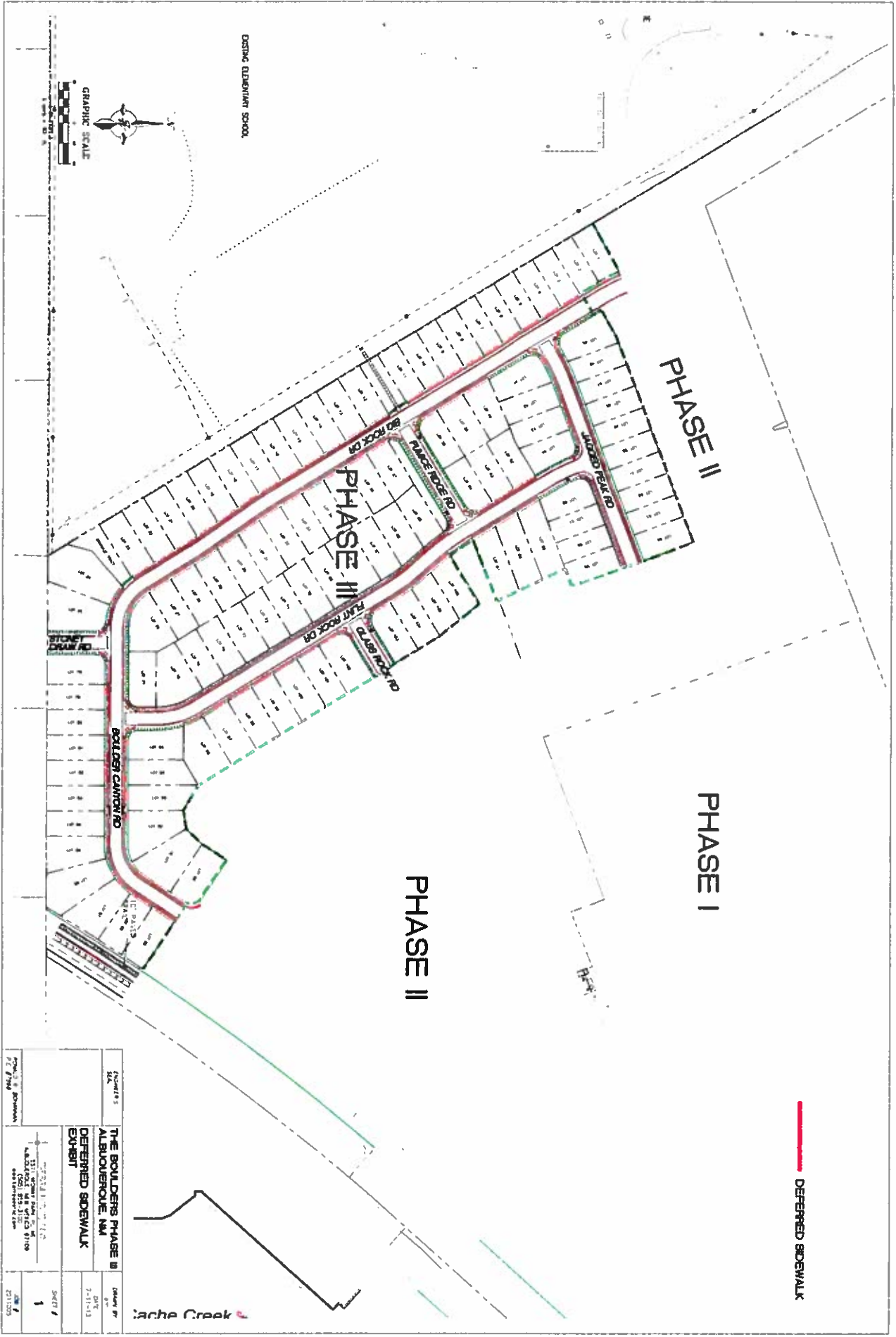
| | | |
|---|---|---|
| <p>PROJECT NO. 2010-000000</p> <p>DATE 07/20/10</p> | <p>OWNER'S USE</p> <p>THE BOULDERS PHASE III</p> <p>ALBUQUERQUE, NM</p> <p>DEFERRED SIDEWALK</p> <p>EXHIBIT</p> | <p>DATE</p> <p>07/20/10</p> |
| <p>PROJECT NO. 2010-000000</p> <p>DATE 07/20/10</p> | <p>PROJECT NO. 2010-000000</p> <p>DATE 07/20/10</p> | <p>PROJECT NO. 2010-000000</p> <p>DATE 07/20/10</p> |

Jache Creek



| | |
|--|----------------------------|
| OWNER THE BOULDERS PHASE III ALBUQUERQUE, NM | DATE OF PLAN 7-21-13 |
| PROJECT DEFERRED SIDEWALK EXHIBIT | SHEET # 1 |
| PROJECT LOCATION 1511 SOUTH PARK W. W. 112 ALBUQUERQUE, NM 87109 4401787/2000 | SCALE AS SHOWN |

Cache Creek



EXISTING ELEMENTARY SCHOOL



PHASE II

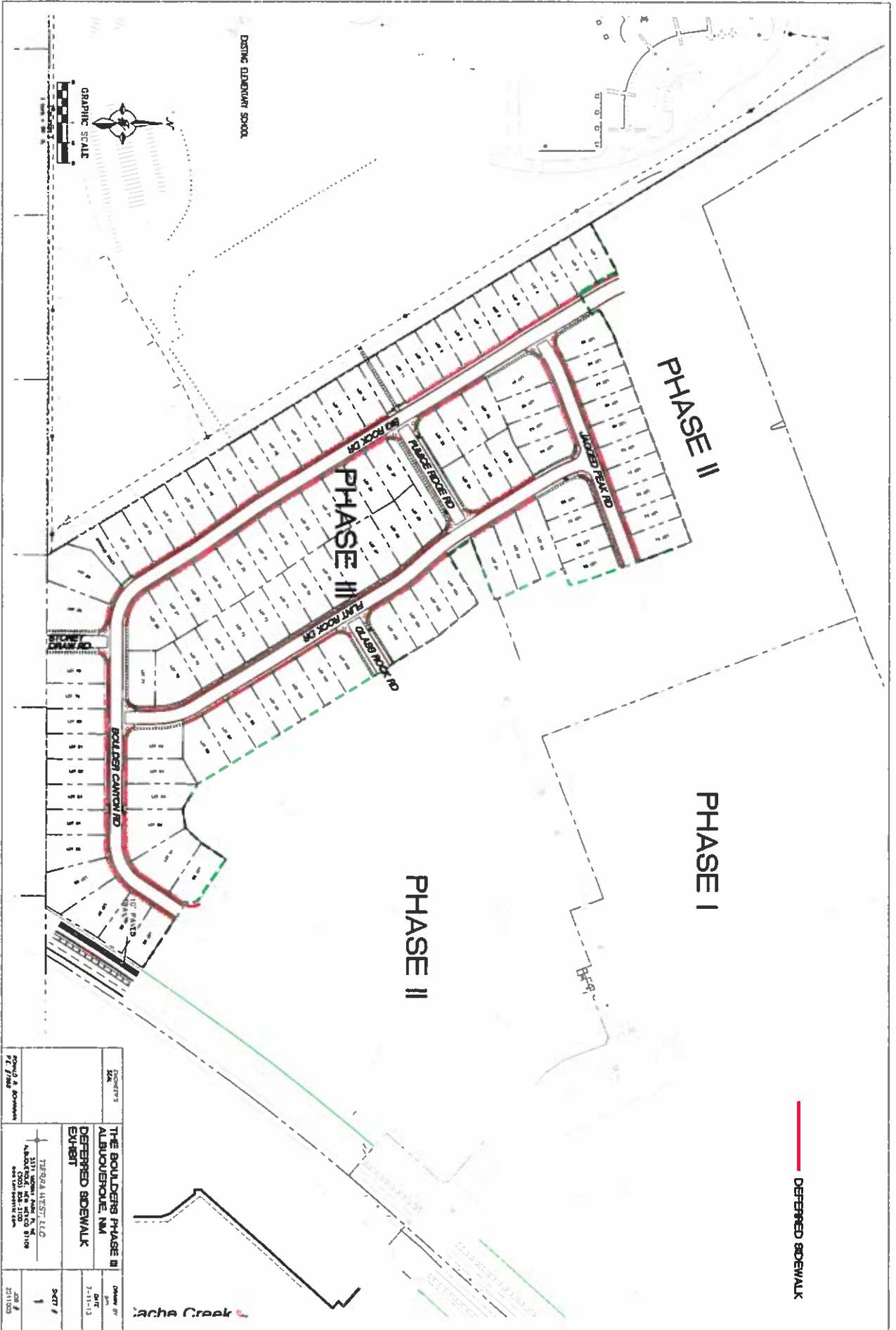
PHASE I

PHASE II

DEFERRED SIDEWALK

| | |
|---|---|
| <p>Client's Name THE BOULDERS PHASE II ALBUQUERQUE, NM</p> | <p>Project No. 201105</p> |
| <p>Project Location 5511 Central Ave. SW of I-40, ALBUQUERQUE, NM 87109</p> | <p>Sheet No. 1</p> |
| <p>Project Description DEFERRED SIDEWALK EXHIBIT</p> | <p>Scale 1" = 20' (AS SHOWN)</p> |
| <p>Project Manager [Name]</p> | <p>Date 2-11-13</p> |





DIXIE ELEMENTARY SCHOOL



PHASE II

PHASE III

PHASE I

PHASE II

DEFERRED SIDEWALK

| | | |
|---|--|------------------|
| THE BOULDERS PHASE III ALBUQUENQUE, NM DEFERRED SIDEWALK EXHIBIT | | SHEET # 1 |
| TIBBALS WEST, LLC 5371 MONTE ALTO, N.E. ALBUQUENQUE, NM 87110 AND SURROUNDING AREA | | DATE 2-3-13 |
| ENGINEER'S NAME RONALD A. BOHANNAN P.E. / 7788 | | JOB # 2011003 |



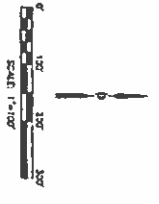


Zone Atlas Map No. B-10-Z and B-11-Z

Zoning Data:
 The zoning district shown on this map is based on the zoning map of the City of Boulder, Colorado, as of 1/1/2013.

Legal Description:
 The legal description of the property shown on this map is as follows: [Detailed legal description text]

Legend:
 [Legend symbols and descriptions for various map features]



City Surveyor Approval:
 [Signature and stamp of the City Surveyor]

Owner's Signature:
 [Signature of the property owner]

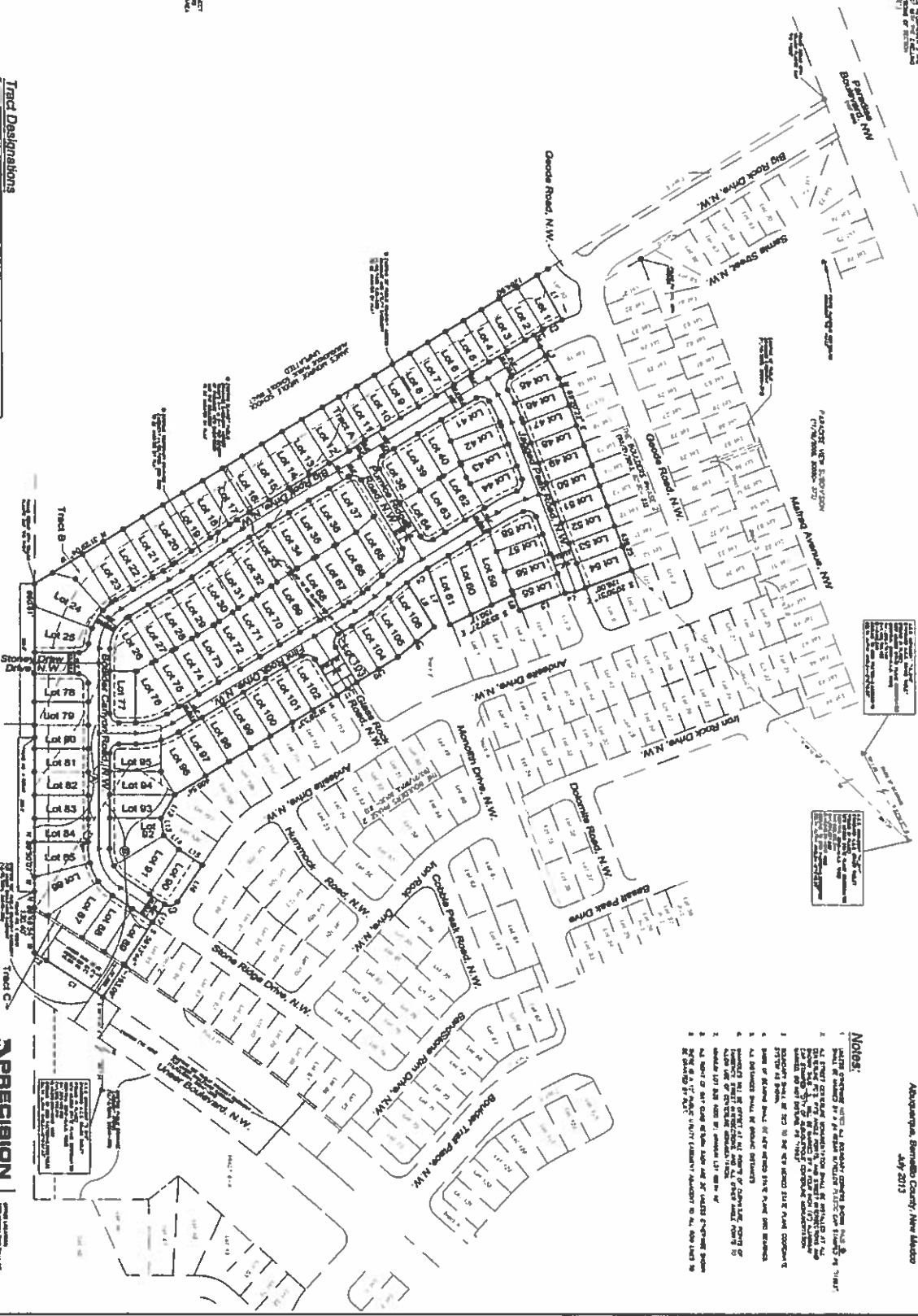
Solar Note:
 [Text regarding solar panel placement and shading restrictions]

Line Table:
 [Table listing line styles and their corresponding descriptions]

| Curve Table | Radius | Chord | Delta | Delta/2 | Delta/2 (Degrees) |
|-------------|--------|-------|-------|---------|-------------------|
| 1 | 100 | 100 | 0 | 0 | 0 |
| 2 | 150 | 150 | 0 | 0 | 0 |
| 3 | 200 | 200 | 0 | 0 | 0 |
| 4 | 250 | 250 | 0 | 0 | 0 |
| 5 | 300 | 300 | 0 | 0 | 0 |
| 6 | 350 | 350 | 0 | 0 | 0 |
| 7 | 400 | 400 | 0 | 0 | 0 |
| 8 | 450 | 450 | 0 | 0 | 0 |
| 9 | 500 | 500 | 0 | 0 | 0 |
| 10 | 550 | 550 | 0 | 0 | 0 |
| 11 | 600 | 600 | 0 | 0 | 0 |
| 12 | 650 | 650 | 0 | 0 | 0 |
| 13 | 700 | 700 | 0 | 0 | 0 |
| 14 | 750 | 750 | 0 | 0 | 0 |
| 15 | 800 | 800 | 0 | 0 | 0 |
| 16 | 850 | 850 | 0 | 0 | 0 |
| 17 | 900 | 900 | 0 | 0 | 0 |
| 18 | 950 | 950 | 0 | 0 | 0 |
| 19 | 1000 | 1000 | 0 | 0 | 0 |

Tract Designations

| TRACT | USE / DESIGN / ROW | OWN / ETS# | DATE / TRAIL |
|-------|---------------------------|------------|--------------|
| 1 | RESIDENTIAL SINGLE-FAMILY | ... | ... |
| 2 | ... | ... | ... |



NOTES:
 1. All dimensions shall be in feet and inches.
 2. All dimensions shall be to the center of the line.
 3. All dimensions shall be to the center of the curve.
 4. All dimensions shall be to the center of the lot.
 5. All dimensions shall be to the center of the road.
 6. All dimensions shall be to the center of the easement.
 7. All dimensions shall be to the center of the right-of-way.
 8. All dimensions shall be to the center of the boundary line.
 9. All dimensions shall be to the center of the boundary line.
 10. All dimensions shall be to the center of the boundary line.

The Boulders Phase 3
 Subdivision, Boulder County, New Mexico
 July 2013

PRECISION SURVEYS, INC.
 10000 E. 1st Avenue, Suite 100
 Denver, CO 80231
 Phone: (303) 751-1111
 Fax: (303) 751-1112
 www.precision-surveys.com

CONTRACT CONTROL FORM

PRELIMINARY REVIEW

PROJECT: 761788
CCN: 201400767
(New Existing) Existing

CONTACT PERSON: Charlotte LaBadie

Type of Agreement: 2nd Extension SIA-B1 w/FG
Description/Project Name: Boulders, Phase 3
Developer: Flash Resources, LLC

Contract Amount \$ 225,089.49 **SIA Contract Period:** 4/4/14 - _____
Contract Amount \$ _____ **S/W Contract Period:** _____ - _____
Other: \$ _____ **Contract Period:** _____ - _____

FINANCIAL GUARANTY:



Letter of Credit No. 5008 5/2/16 Initial CL
Date: / Initial _____

DRAFT CONTRACT:

Received by Legal: _____ **Rejected/Returned to Dept.:** _____ / _____
Returned to Legal: _____ / _____ **Approved:** _____ **Initials:** _____

FINAL CONTRACT REVIEW

APPROVALS REQUIRED:

| | Date Delivered | Returned to Dept. | Approved By | Approval Date |
|------------------|----------------|-------------------|--|----------------|
| DRC Chairman | _____ | _____ | _____ | _____ |
| Legal Department | <u>5/17/16</u> | <u>5/23/16</u> |  | <u>5-26-16</u> |
| City Engineer | <u>5/23/16</u> | <u>5/24/16</u> |  | <u>5/24/16</u> |
| Hydrology | _____ | _____ | _____ | _____ |
| Transportation | _____ | _____ | _____ | _____ |
| OTHER: | _____ | _____ | _____ | _____ |

DISTRUBUTION:

| | Date: | By: |
|-----------------|-------|-------|
| User Department | _____ | _____ |
| Vendor | _____ | _____ |
| City clerk | _____ | _____ |
| Treasury | _____ | _____ |
| Other: | _____ | _____ |

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# 2016048947

05/24/2016 02:14 PM Page: 1 of 4
AGRE R: \$26.00 M. Toulouse Oliver, Bernalillo County



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

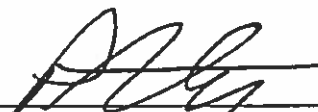
Type of Financial Guaranty: Letter of Credit# 5008
Amount: \$225,089.49
Name of Financial Institution or Surety providing Guaranty:
Los Alamos National Bank
Date City first able to call Guaranty (Construction Completion Deadline):
March 10, 2017
If Guaranty other than a Bond, last day City able to call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

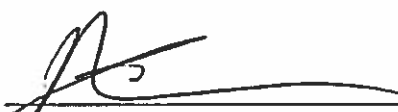

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Extension Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion deadline established in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

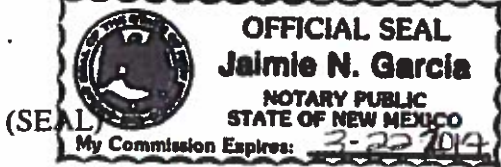
By [signature]: 
Name [print]: Pierre Amestoy, Jr.
Title: Managing Member
Dated: 3-2-16

By: 
 Shahab Biazar, City Engineer
Dated: 5/24/16

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)

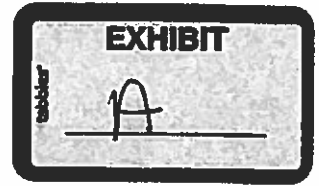
Linda Evans
Notary Public

My Commission Expires:
10-17-16





OFFICIAL NOTICE OF DECISION



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

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

HERRA 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 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



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

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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 |
|------|---------------|--------------------|----------------------|
|------|---------------|--------------------|----------------------|