

#16



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DRB CASE ACTION LOG (FINAL PLAT)

REVISED 2/5/04

Comp 9/2/05 KS

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.: 05DRB-01308 (FP)

Project # 1002779

Project Name: CIELO LINDO SUBDIVISION

Agent: Advanced Engineering & Consulting

Phone No.: 899-5570

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 8/24/05 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____
Disposition of Tract A
Pvt drn esmt on Lot 27

PARKS / CIP: _____

PLANNING (Last to sign): AGIS DXF
Record Plat
Tract A & Public GAS + WATER EASEMENT TO ABCWMA
[Signature] 9/2/05

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.

- Include 3 copies of the approved site plan along with the originals.
- 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

1002779

#16



DRB CASE ACTION LOG (FINAL PLAT)

REVISED 2/5/04

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.: 05DRB-01308 (FP)

Project # 1002779

Project Name: CIELO LINDO SUBDIVISION

Agent: Advanced Engineering & Consulting

Phone No.: 899-5570

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OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____
Disposition of Tract A
Pvt drn esmt on Lot 27

PARKS / CIP: _____

PLANNING (Last to sign): AGIS DXF
Record Plat
Tract A + Public GAS + WATER EASEMENT TO ABCWMA

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- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning. Alan

Project Number 1002779

2779

DXF Electronic Approval Form

DRB Project Case #: 1002779

Subdivision Name: CIELO LINDO SUBDIVISION

Surveyor: LEONARD G MARTINEZ


Contact Person: SHAWN BIAZAR

Contact Information: 899-5570

DXF Received: 8/31/2005

Hard Copy Received: 8/31/2005

Coordinate System: NMSP Grid (NAD 27)

 Approved

09-01-2005
Date

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

AGIS Use Only

Copied fc 2779 to agiscov on 9/1/2005 Contact person notified on 9/1/2005



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

August 24, 2005

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: 11:30 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 # 1000400**
05DRB-01233 Major-One Year SIA

LEROY ORTIZ agent(s) for SOCIETY OF ST. PIUS X OUR LADY OF THE ROSARY, request(s) the above action(s) for all or a portion of Tract(s) 336, **TOWN OF ATRISCO GRANT UNIT 8**, zoned SU-1 CHURCH, located on OURAY NW, between COORS NW and LADERA NW containing approximately 5 acre(s). [REF: 03DRB-01033] (H-11) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

5. **Project # 1004075**
05DRB-01227 Major-Bulk Land
Variance
05DRB-01228 Minor-Prelim&Final Plat
Approval

BOHANNAN HUSTON INC agent(s) for REGENTS OF UNM & COMMISSIONER OF PUBLIC LANDS OF THE STATE OF NEW MEXICO, TRUSTEE request(s) the above action(s) for **MESA DEL SOL**, zoned SU-2 planned communities, located on I-25, between BROADWAY BLVD SW and LOS PICAROS RD SW and containing approximately 12,917.928 acre(s). [REF: 05DRB000525] (Q-15 thru Q-18, R-14 thru R-18, S-14 thru S-18, T-13 thru T-18, U-13 thru U-18) **BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR ACCESS EASEMENTS AND PLANNING FOR AGIS DXF FILE AND TO RECORD.**

6. **Project # 1001770**
05DRB-01231 Major-Vacation of
Public Easements
05DRB-01232 Minor-Prelim&Final Plat
Approval

MARK GOODWIN & ASSOCIATES agent(s) for JPS, LLC request(s) the above action(s) for all or a portion of Tract(s) 5-A1-B & 5-A2-A, LANDS OF JOEL P. TAYLOR (to be known as **MONTANO RETAIL**), zoned C-2, (SC) located on COORS BLVD NW, between MONTANO NW and MONTANO PLAZA NW containing approximately 7 acre(s). [REF: 05-DRB-00320] (E-12) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/24/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/26/05 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITION: THE UTILITY PLAN WILL BE INSERTED INTO THE SITE PLAN AND BUILDING PERMIT SET. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

05DRB-00320 Minor-SiteDev Plan
BldPermit/EPC

GEORGE RAINHART ARCHITECTS & ASSOCIATES. agent(s) for PETE DASKALOS request(s) the above action(s) for all or a portion of Tract(s) 5-A1-B & 5A2-A, **LANDS OF JOEL TAYLOR**, zoned C-2 community commercial zone, located on MONTANO NW, between WINTERHAVEN RD NW and COORS BLVD NW containing approximately 5

Project #1003470

05DRB-01289 Minor-Temp Defer
SDWK

WILSON & COMPANY INC agent(s) for SCOTT SCHLABOR request(s) the above action(s) for all or a portion of Tract(s) 1, **VISTA VIEJA SUBDIVISION, UNIT 1**, zoned R-1 residential zone, located on SCENIC RD NW, between 81ST ST NW and ALBERICOQUE PL NW containing approximately 41 acre(s). [REF: 04DRB00825, 04DRB01460] (D-9) **THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

9. Project # 1002861

05DRB-01202 Major-Preliminary Plat
Approval

ABQ ENGINEERING INC agent(s) for INFILL SOLUTIONS DEVELOPMENT request(s) the above action(s) for all or a portion of Block(s) 46, Lots(s) 17 through 24, NEW MEXICO TOWN COMPANY TOWNSITE (to be known as **SOUTHERN UNION GAS LOFTS UNIT II**) zoned SU-3 special center zone, located on 9TH ST SW, between SILVER AVE SW and 8TH ST SW [REF: 03DRB01299, 04DRB00002, 04DRB01137, 05DRB00718] [*Deferred from 8/17/05*] (K-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/24/05 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/22/05 THE PRELIMINARY PLAT WAS APPROVED.**

10. Project # 1003189

05DRB-01127 Major-Preliminary Plat
Approval
05DRB-01129 Minor-Temp Defer
SDWK

RIO GRANDE ENGINEERING agent(s) for FULLER HOMES, INC request(s) the above action(s) for all or a portion of Tract(s) 355, 356 TRACTS A & B, LANDS OF HECTOR ROJO, TOWN OF ATRISCO GRANT (to be known as **AUTUMN VIEW SUBDIVISION**) zoned RD-R1, located on TOWER RD SW, between COORS BLVD SW and STINSON RD SW containing approximately 15 acre(s). [*Deferred from 8/3/05, 8/17/05, 8/24/05*](L-10) **DEFERRED AT THE AGENT'S REQUEST TO 8/31/05.**

approximately 1 acre(s). [REF: 05EPC00582]
[Carmen Marrone for Elvira Lopez, EPC Case
Planner] (Deferred from 8/24/05) (C-19) DEFERRED
AT THE AGENT'S REQUEST TO 8/31/05.

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

13. **Project # 1000511**
05DRB-01102 Minor-Vacation of
Private Easements (withdrawn)
05DRB-01101 Minor-Prelim&Final Plat
Approval
- MIKE MONTOYA request(s) the above action(s) for
all or a portion of Tract(s) A1, A2, A3, **HERITAGE
EAST, UNIT 3**, zoned R-D residential and related
uses zone, developing area, located on DE VARGAS
LOOP NE, between VENTURA ST NE and
GREENWOOD ST NE containing approximately 1
acre(s). [REF: DRB-94-551] [Deferred from 7/27/05 &
8/24/05] (D-20) DEFERRED AT THE BOARD'S
REQUEST TO 9/21/05.
14. **Project # 1000351**
05DRB-01303 Minor-Prelim&Final Plat
Approval
- CARTESIAN SURVEYS agent(s) for BOB KITTS
request(s) the above action(s) for all or a portion of
Tract(s) 3, 7 & 8, **LANDS OF ZIA TRADING
COMPANY**, zoned SU-1 FOR IP, located on OSUNA
BLVD NE, between BNSF RR TRACKS and EDITH
BLVD NE containing approximately 4 acre(s). [REF:
Z-99-99, AX-99-10] (Deferred from 8/24/05) (E-15)
DEFERRED AT THE BOARD'S REQUEST TO
8/31/05.

94TH ST NW and 90TH ST NW containing approximately 14 acre(s). [REF: 05DRB-00105, 05DRB-00106, 05DRB-00112, 05DRB-00107, 05DRB-00113] (J-9) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

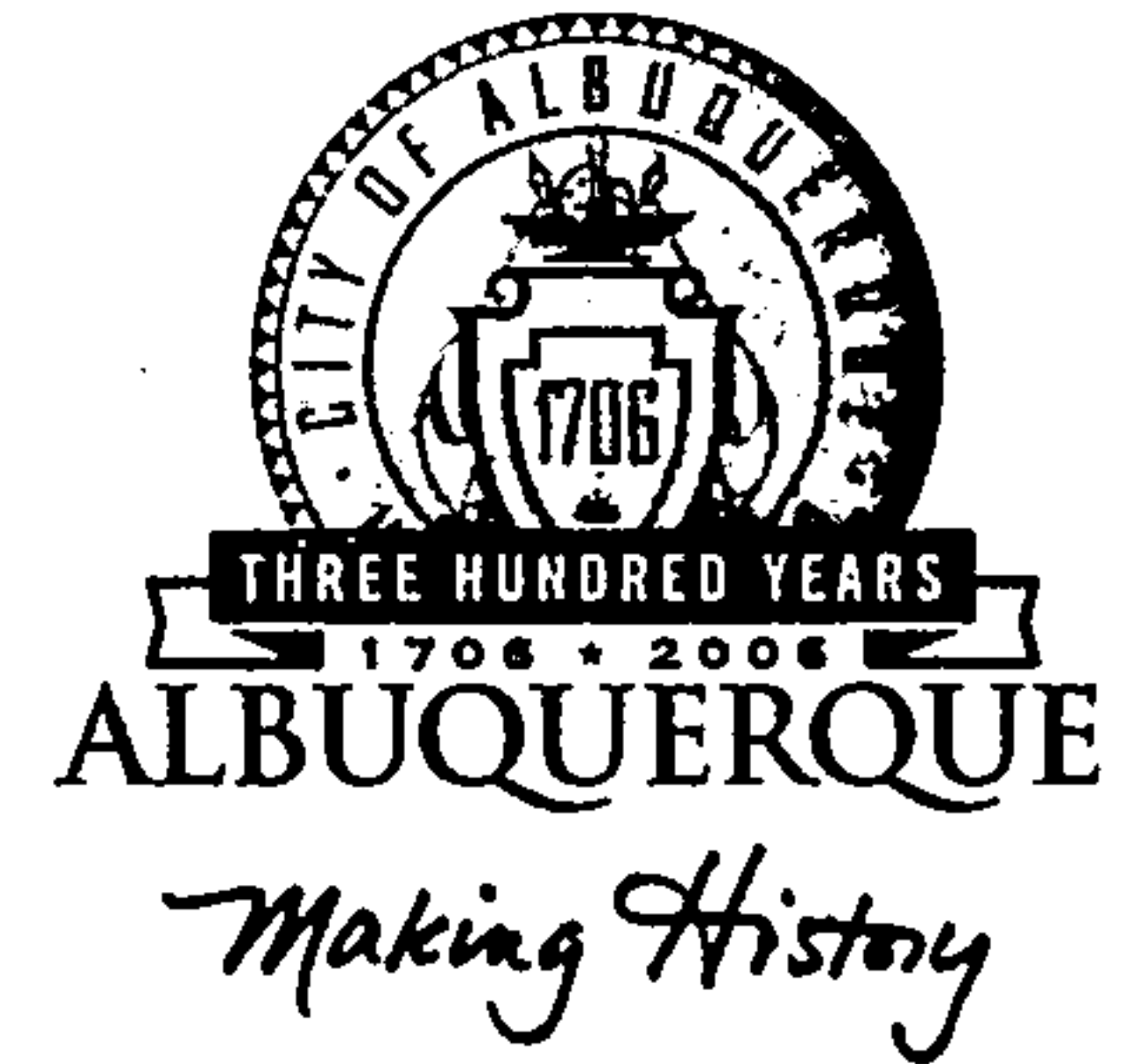
18. **Project # 1004315**
05DRB-01305 Minor-Prelim&Final Plat
Approval

BOHANNAN HUSTON INC agent(s) for ALTURA WEST DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 33-A & 35-A, **OXBOW BLUFF SUBDIVISION**, zoned SU-3 special center zone, located on SILVERY MINOW LN NW, between WATERWILLOW LN NW and GREY HAWK LN NW containing approximately 2 acre(s). [REF: 05DRB01121] (F-11) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR SIGNED OFF ENCROACHMENT AGREEMENT READY TO RECORD AND THE PLANNING TO RECORD.**

19. **Project # 1004375**
05DRB-01306 Minor-Prelim&Final Plat
Approval

LAND DEVELOPMENT CONSULTANTS agent(s) for INELDA JARAMILLO request(s) the above action(s) for all or a portion of Tract(s) 1, **P & J SUBDIVISION**, zoned SU-1 PRD, located on SAN ANTONIO DR NE, between SAN PEDRO DR NE and LOUISIANA BLVD NE containing approximately 7 acre(s). [REF: DRB-92-241, SP-92-85](E-18) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR DEDICATION ALONG SAN ANTONIO TO HAVE CURB FACE 13-FEET FROM PROPERTY LINE AND TO CITY ENGINEER FOR REMOVAL OF PUBLIC DRAINAGE EASEMENT AND AGIS DXF FILE.**

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1002779

AGENDA ITEM NO: 16

SUBJECT:

Final Plat

ACTION REQUESTED:

REV/CMT: () APPROVAL: (X) SIGN-OFF: () EXTN: () AMEND: ()

ENGINEERING COMMENTS:

Minor plat comments.

P.O. Box 1293

RESOLUTION:

APPROVED X; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

Albuquerque

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

New Mexico 87103 DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PRKS) (PLNG)

FOR:

www.cabq.gov

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: August 24, 2005

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**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
August 24, 2005**

Item # 16

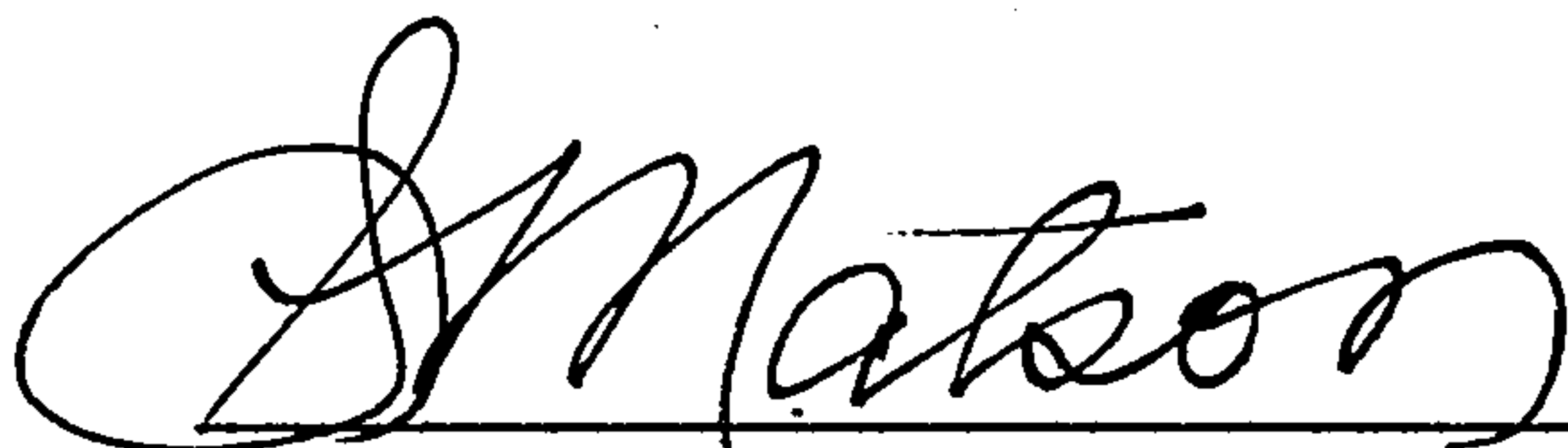
Project # 1002779 Application # 05-01308

RE: Lots A-1 & A-2, San Jose Tracts, Cielo Lindo/final plat

The perimeter walls are already approved.

✓ A copy of the recorded pre-annexation agreement is needed for the file. Planning will take delegation for this and for AGIS dxf approval.

Applicant may file the plat provided Planning receives a copy of the recorded plat to close the file.



Sheran Matson, AICP DRB Chair
924-3880 fax 924-3864 smatson@cabq.gov



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 15, 2004

2. Project # 1002779

04DRB-01730 Major-Preliminary Plat Approval
04DRB-01731 Major-Vacation of Public Easements
04DRB-01732 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, A-1 & A-2, LANDS OF POLO CHAVEZ and SAN JOSE TRACTS, (to be known as **CIELO LINDO SUBDIVISION**) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 04DRB00959, 03EPC02049, 03EPC01061] [Deferred from 12/1 & 12/8/04] (M-11)

At the December 15, 2004, Development Review Board meeting, with the signing of the infrastructure list dated 12/15/04 and approval of the grading plan engineer stamp dated 12/6/04 the preliminary plat was approved with the following condition of final plat:

The final plat cannot be approved until the City has accepted DRB Project *E.W.O.* 705581 which constructed the public lines in Coors.

The vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

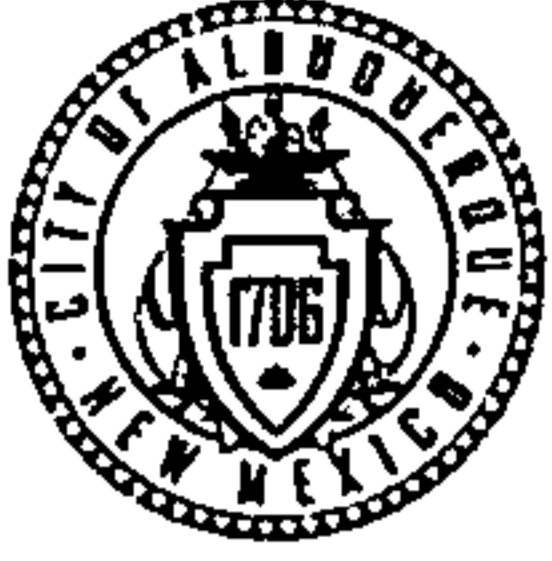
1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

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.

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

If you wish to appeal this decision, you must do so by December 30, 2004 in the manner described below.



**OFFICIAL NOTICE OF DECISION
PAGE 2**

Appeal is to the Environmental Planning Commission. 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).


Sheran Matson, AICP, DRB Chair

Cc: Sanhil Development Ltd., Co., 640 Oak St SE, 87106
Advanced Engineering & Consulting LLC, 4416 Anaheim Ave NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

##

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002779 AGENDA#: 2 DATE: 12.15.04

1. Name: Shawn Boyer Address: _____ Zip: _____

2. Name: _____ Address: _____ Zip: _____

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: _____

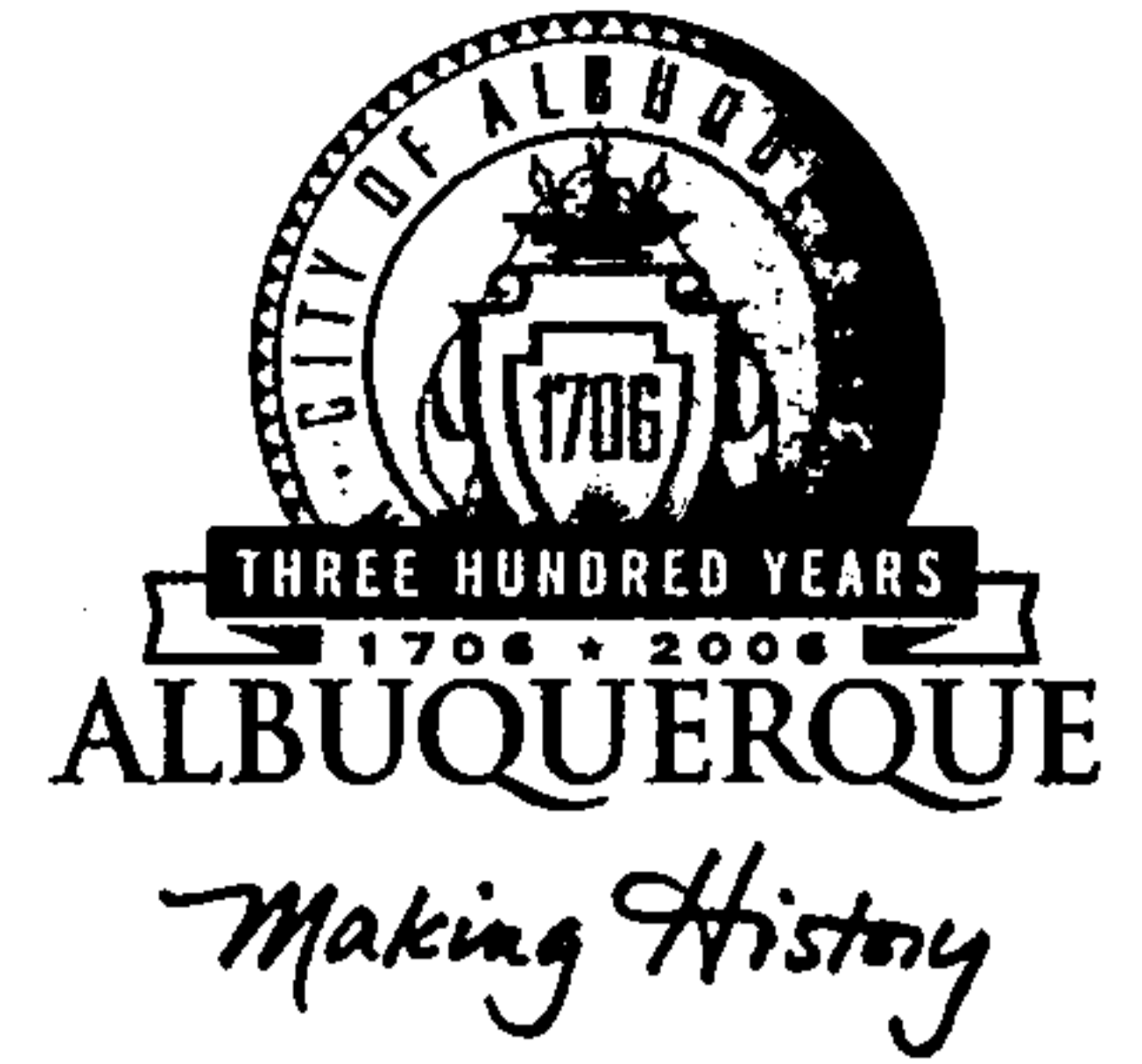
12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE

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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002779

AGENDA ITEM NO: 2

SUBJECT:

- | | | |
|-------------------------|--------------------------|---------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Dev. Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Cost Allocation Plan |

ACTION REQUESTED:

P.O. Box 1293

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

ENGINEERING COMMENTS:

Albuquerque

See DRB minutes/speed memo dated 12-8-04.

New Mexico 87103

RESOLUTION:

signed I.L.

www.cabq.gov

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

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: December 15, 2004

12/15/04
Judge [unclear]
c a MS

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002779 AGENDA#: 8 DATE: 12.8.04

1. Name: _____ Address: _____ Zip: _____

2. Name: _____ Address: _____ Zip: _____

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: _____

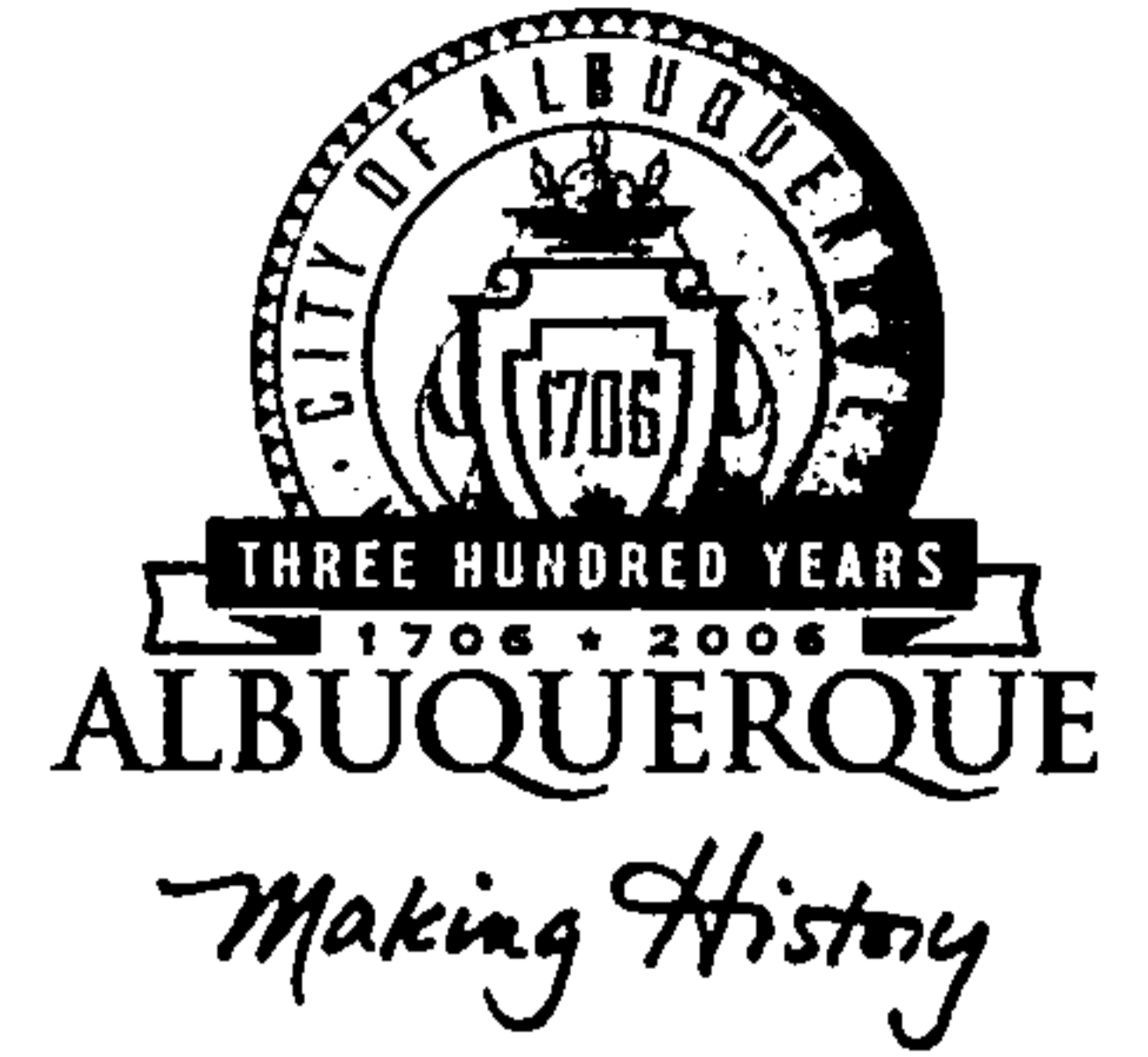
11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002779

AGENDA ITEM NO: 8

SUBJECT:

- | | | |
|-------------------------|--------------------------|---------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Dev. Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Cost Allocation Plan |

ACTION REQUESTED:

P.O. Box 1293

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

ENGINEERING COMMENTS:

Albuquerque

An approved drainage report 12-6-04 is on file for Preliminary Plat approval. The Hydrology Section has no objection to the vacation request. Comments on infrastructure list.

New Mexico 87103

RESOLUTION:

www.cabq.gov

APPROVED ____; DENIED ____; DEFERRED X ^{Indef}; COMMENTS PROVIDED ____; WITHDRAWN

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: December 8, 2004



26
26
26

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

December 1, 2004 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.

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- A. Call to Order: 9:00 a.m. Adjourned: 4:30 p.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 # 1003470**
04DRB-01522 Major-Bulk Land Variance
04DRB-01523 Major-Preliminary Plat Approval
04DRB-01524 Minor-Temp Defer SDWK
WILSON & COMPANY agent(s) for SCOTT SCHIABOR SPS LC request(s) the above action(s) for all or a portion of Tract(s) 1A, 2A, 1B & 2B, **VISTA VIEJA SUBDIVISION**, KASSUBA-MONTBEL LANDS, zoned R-1 residential zone, located on 81ST ST NW and ALBERICOQUE PL NW containing approximately 152 acre(s). [REF: 04DRB00825, 04DRB01460] [Deferred from 11/3/04, 11/10/04 & 12/1/04] (D-9) **DEFERRED AT THE AGENT'S REQUEST TO 1/12/05**

5. **Project # 1001445**
04DRB-01681 Major-Bulk Land
Variance

SURV-TEK INC agent(s) for DAVE GARDUNO AND LORETTA ROMERO request(s) the above action(s) for all or a portion of Tract(s) 13, **BLACK RANCH**, zoned SU-1 FOR C-1 AND SU-1 FOR O-1, located on COORS BLVD NW, between 7-BAR LOOP ROAD NW and ALAMEDA BLVD NW containing approximately 6 acre(s). [REF: 03EPC01029, 01EPC01244, 02EPC00991, 03EPC00351, 03EPC00864] *[Deferred from 12/1/04]* (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 12/8/04.**

04DRB-01634 Minor-SiteDev Plan
Subd

CONSENSUS PLANNING agent(s) for DAVE AND LORETTA GARDUNO request(s) the above action(s) for all or a portion of Tract(s) 13, **BLACK RANCH**, zoned SU-1 FOR C-1 AND SU-1 FOR O-1, located on COORS BLVD NW, between 7-BAR LOOP ROAD NW and ALAMEDA BLVD NW containing approximately 5 acre(s). [REF: 03EPC001029, 01EPC0244, 02EPC00991, 03EPC00351, 03EPC00804, CITY COUNCIL BILL 0-02-16, ENACTMENT 13-2002] *[Was Indef Deferred 10/27/04]* *[Deferred from 12/1/04]* (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 12/8/04.**

04DRB-01633 Minor-Prelim&Final Plat
Approval

SURV-TEK INC agent(s) for DAVE GARDUNO AND LORETTA ROMERO request(s) the above action(s) for all or a portion of Tract(s) 13, **BLACK RANCH**, zoned SU-1 FOR C-1 AND SU-1 FOR O-1, located on COORS BLVD NW, between 7-BAR LOOP ROAD NW and ALAMEDA BLVD NW containing approximately 6 acre(s). [REF: 03EPC01029, 01EPC01244, 02EPC00991, 03EPC00351, 03EPC00864] *[Was Indef Deferred 10/27/04]* *[Deferred from 12/1/04]* (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 12/8/04.**

9. **Project # 1003522**
04DRB-01725 Major-Preliminary Plat
Approval
04DRB-01726 Major-SiteDev Plan
Subd
04DRB-01727 Minor-Subd Design
(DPM) Variance
04DRB-01728 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES PA agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 89 and 6, Tract(s) B2, LANDS OF JANE BATTEN, ESTATE OF EMILIANO N GUTIERREZ (to be known as **SYDNEY PLACE**), zoned RA-2, located on CANDELARIA RD NW, between INDIAN FARM LN NW and LA PLAZA DR NW containing approximately 5 acre(s). [REF: 04DRB 01002] (G-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/1/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 11/3/04 THE PRELIMINARY PLAT WAS APPROVED. SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR LANDSCAPE PLANS FOR OPEN SPACE TRACTS. A SIDEWALK VARIANCE FROM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT D IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR LOTS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

10. **Project # 1003606**
04DRB-01689 Major-Vacation of Pub
Right-of-Way
04DRB-01690 Major-Preliminary Plat
Approval
04DRB-01691 Minor-Sidewalk Waiver
04DRB-01692 Minor-Temp Defer
SDWK
04DRB-01693 Minor-Vacation of
Private Easements

MARK GOODWIN & ASSOCIATES PA agent(s) for WESTLAND DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Lot(s) J09-26, J09-27, 19W, 12B, Tract(s) L and B, Unit(s) A, TOWN OF ATRISCO GRANT, WESTLAND NORTH SUBDIVISION, PAINTED SKY UNIT 1, SUNDORO SOUTH UNIT 1, **SUNDORO SOUTH UNIT 5**, zoned SU-2 RLT, located on LADERA DR NW, between 94TH ST NW and 90TH ST NW containing approximately 22 acre(s). [*Deferred from 12/1/04*](J-9) **DEFERRED AT THE AGENT'S REQUEST TO 12/8/04.**

14. **Project # 1001273**
04DRB-01659 Major-SiteDev Plan
BldPermit

TIERRA WEST LLC agent(s) for SEDBERRY & ASSOCIATES request(s) the above action(s) for all or a portion of Tract(s) 5B2C1B2A, **RENAISSANCE CENTER**, zoned SU-1 FOR C-2, located on MERCANTILE AVE NE, between I-25 FRONTAGE ROAD and CULTURE AVE NE containing approximately 4 acre(s). [REF: Z-94-13-1] [*Deferred from 11/17/04*] (F-16) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/1/04 THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA.**

15. **Project # 1003696**
04DRB-01654 Major-Vacation of Pub
Right-of-Way
04DRB-01655 Major-Preliminary Plat
Approval
04DRB-01656 Minor-Temp Defer
SDWK

RIO GRANDE ENGINEERING agent(s) for DAVID SOULE request(s) the above action(s) for all or a portion of Lot(s) 1-17, VINCINTI MONTANO SUBDIVISION AND Tract(s) A, B & C, JUANITA LOPEZ VIGIL SUBDIVISION, (to be known as **TORRENTINO SUBDIVISION**, zoned R-D residential and related uses zone, developing area, located on 97TH ST SW, between TOWER RD SW and SAN YGNACIO RD SW containing approximately 6 acre(s). [REF:04DRB01495] [*Deferred from 11/17/04*] (L-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/1/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 11/29/04 THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITION OF FINAL PLAT THAT P-1 DESIGNATION ON LOTS. 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, AMENDED PLANS, AND MASTER DEVELOPMENT PLANS

NOTE: IF THE APPLICANT/AGENT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THE REQUEST MAY BE INDEFINITELY DEFERRED.

17. **Project # 1003782**
04DRB-01773 Minor-SiteDev Plan
BldPermit

DORMAN BREEN ARCHITECTS agent(s) for THE CHAPMAN COMPANIES request(s) the above action(s) for all or a portion of Lot(s) 12A, 12B, 13 and 14, JOURNAL CENTER 2, UNIT 2, (to be known as **MASTHEAD POINTE @ JOURNAL CENTER**, zoned IP, located on BARTLETT ST NE, between MASTHEAD ST NE and RUTLEDGE NE containing approximately 4 acre(s). [REF: DRB-95-268] (D-17) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS ACCESS EASEMENTS, COMPACT SPACE LABELING, OFFSITE MITIGATION, ADA RAMPS AT BARTLETT AND MASTHEAD AND PLANNING FOR SCALED VICINITY MAP ON SITE PLAN, SHEET ELEVATION DRAWING OF REFUSE CONTAINER AND ENCLOSURE, REPLAT APPROVED AT DRB.**

18. **Project # 1002962**
04DRB-01783 Minor-SiteDev Plan
BldPermit/EPC

BOHANNAN HUSTON INC agent(s) for NMUI request(s) the above action(s) for all or a portion of Tract(s) H, **THE TRAILS SUBDIVISION**, zoned RD, located on RAINBOW BLVD NW, between PASEO DEL NORTE BLVD NW and RAINBOW BLVD NW containing approximately 1 acre(s). [REF: 04EPC00299, 04DRB001322, 04DRB01321, 04DRB01320, 04DRB01319, 04DRB00929, 03DRB01530, 03DRB01529, 03DRB01528, 03DRB01527] [Russell Brito, EPC Case Planner] (C-9) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN.**

21. **Project # 1002405**
04DRB-01795 Minor-SiteDev Plan
Subd/EPC
04DRB-01797 Minor-SiteDev Plan
BldPermit/EPC

RAINHART ARCHITECT & ASSOCIATES agent(s) for BLAUGRUND LEE ETAL request(s) the above action(s) for all or a portion of Block(s) F1, Tract(s) A28B1, **REDLANDS SHOPPING CENTER**, zoned SU-1, C-1, located on REDLANDS NW, between COORS BLVD NW and 57TH ST NW containing approximately 2 acre(s). [REF: 04DRB01703, 03DRB00879] [Carmen Marrone, EPC Case Planner] (G-11) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF SITE PLAN AND CARMEN'S COMMENTS. SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF SITE PLAN AND CARMEN'S COMMENTS.**

04DRB-01703 Minor-Prelim&Final Plat
Approval

MARK GOODWIN & ASSOC PA agent(s) for TANGER REDLANDS, LLC request(s) the above action(s) for all or a portion of Tract(s) A-28-B1, NORTHEAST UNIT TOWN OF ATRISCO GRANT, **REDLANDS SHOPPING CENTER**, zoned SU-1/C-1, located on REDLANDS RD NW, between COORS BLVD NW and ATRISCO DR NW containing approximately 5 acre(s). [REF: 03DRB00879] [Deferred from 11/10/04] (G-11) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PANNING FOR PNM SIGNED RELEASE OF EASEMENT.**

24. **Project # 1001347**
04DRB-01792 Minor-Prelim&Final Plat
Approval

ALDRICH LAND SURVEYING INC agent(s) for CURB INC request(s) the above action(s) for all or a portion of Lot(s) 2 & 3, Block(s) L, **EL RANCHO GRANDE, UNIT 8A**, zoned R-LT, located on EL PATRON RD SW, between DEL REY RD SW and SALIZA DR SW containing approximately 1 acre(s). [REF: 04DRB00057] (M-9) **PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

25. **Project # 1000635**
04DRB-01764 Minor-Prelim&Final Plat
Approval

PRECISION SURVEYS INC agent(s) for COORS & MONTANO, LLC request(s) the above action(s) for all or a portion of Tract(s) 38-1-A, 38-2-A and 38-3-A, **TAYLOR RANCH**, zoned SU-1 FOR C-1, located on MONTANO RD NW, between COORS RD NW and MONTANO RD NW containing approximately 4 acre(s). [REF: 04DRB01092, 04DRB01093, 03DRB00613, 03DRB00454, 03DRB00455, 04DRB01698] (E-12) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF.**

26. **Project # 1003497**
04DRB-01759 Minor-Prelim&Final Plat
Approval

GENE & DOROTHY DYER request(s) the above action(s) for all or a portion of Lot(s) 7-12, Block(s) 20, **FAIRGROUNDS ADDITION**, zoned C-3, located on DOMINGO NE, between SAN PEDRO NE and CALIFORNIA NE containing approximately 1 acre(s). [REF: 04DRB00936] (K-18) **PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

29. **Project # 1001222**
04DRB-01772 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC agent(s) for
NICKOLSON FAMILY LTD PARTNERSHIP
request(s) the above action(s) for all or a portion of
Tract(s) 3-A-2, **SHELL SUBDIVISION NO. 2**, zoned
C-2 community commercial zone, located on COORS
BLVD NW, between ILIFF RD NW and HANOVER RD
NW containing approximately 2 acre(s). [REF:
03DRB01769, 01DRB00587, 03DRB01769] (H-11)
**PRELIMINARY PLAT WAS APPROVED WITH
FINAL SIGN OFF DELEGATED TO UTILITIES
DEVELOPMENT FOR A COPY OF PRIVATE
UTILITY EASEMENT (NOTE 4d) AND CALL OUT
NOTE 4d ON THE PLAT AND TRANSPORTATION
DEVELOPMENT FOR TIS AND CLOSURE OF
DRIVE ONTO COORS (NORTH).**

30. **Project # 1003786**
04DRB-01778 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for BILL
WADE request(s) the above action(s) for all or a
portion of Lot(s) 64 & 66, **BREEZE @ MOUNTAIN
GATE**, zoned SU-1 PRD,C-1, SC, located on
WENONAH AVE SE, between SHAFFER CT SE and
KAYLYN DR SE containing approximately 1 acre(s).
[REF: Z-91-5, Z-70-60-1, DRB-98-45] (L-23)
**PRELIMINARY AND FINAL PLAT APPROVED AND
SIGNED OFF BY THE BOARD.**

34. **Project # 1002506**
04DRB-01791 Minor-Subd Design
(DPM) Variance

TIERRA WEST LLC agent(s) for STH INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 6C, 12A and 12B, **PARTITION OF BLACK RANCH**, zoned RA-1 residential and agricultural zone, semi-urban area, located on COORS BLVD NW, between PASEO DEL NORTE NW and WESTSIDE DR NW containing approximately 68 acre(s). [REF: 03EPC00300, 03EPC00301, 04DRB00217, 04DRB00360] (C-13) **A SIDEWALK VARIANCE FROM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT D IN THE PLANNING FILE.**

35. **Project # 1002856**
04DRB-01793 Minor-Amnd Prelim Plat
Approval

MARK GOODWIN & ASSOCIATES agent(s) for D R HORTON CUSTOM HOMES request(s) the above action(s) for all or a portion of Tract(s) 5, **MEADOWS @ ANDERSON HILLS, UNIT 3B**, zoned R-LT, located on DENNIS CHAVEZ BLVD SW, between UNSER BLVD SW and 98TH ST SW containing approximately 18 acre(s). [REF: Z-99-58,04DRB00230] (P-9) **THE AMENDED INFRASTRUCTURE LIST DATED 12/1/04 AND THE AMENDED GRADING PLAN DATED 9/23/04 WERE APPROVED. THE AMENDED PRELIMINARY PLAT WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT (4-7-04).**

39. **Project # 1001386**
04DRB-01796 Minor-Sketch Plat or
Plan

BERNARD LOEFFLER agent(s) for EMILIANO SAIZ
request(s) the above action(s) for all or a portion of
Tract(s) 22B1, **CORONA DEL SOL SUBDIVISION**,
zoned SU-1 special use zone, located on SEQUOIA
RD NW, between COORS BLVD NW and
REDLANDS RD NW containing approximately 6
acre(s). [REF: DRB-94-68, AA-01236, 01109, AA-
0300279] (G-11) **COMMENTS RECEIVED.**

40. Approval of the Development Review Board Minutes for November 10 and November 17, 2004.
THE DRB MINUTES FOR NOVEMBER 10 AND NOVEMBER 17, 2004 WERE APPROVED.

ADJOURNED: 4:30 P.M.

**
**
**

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002779 AGENDA#: 6 DATE: 12-1-04

1. Name: John n Vigil Address: 1514 Coors SW Zip: 87121

2. Name: _____ Address: _____ Zip: _____

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: _____

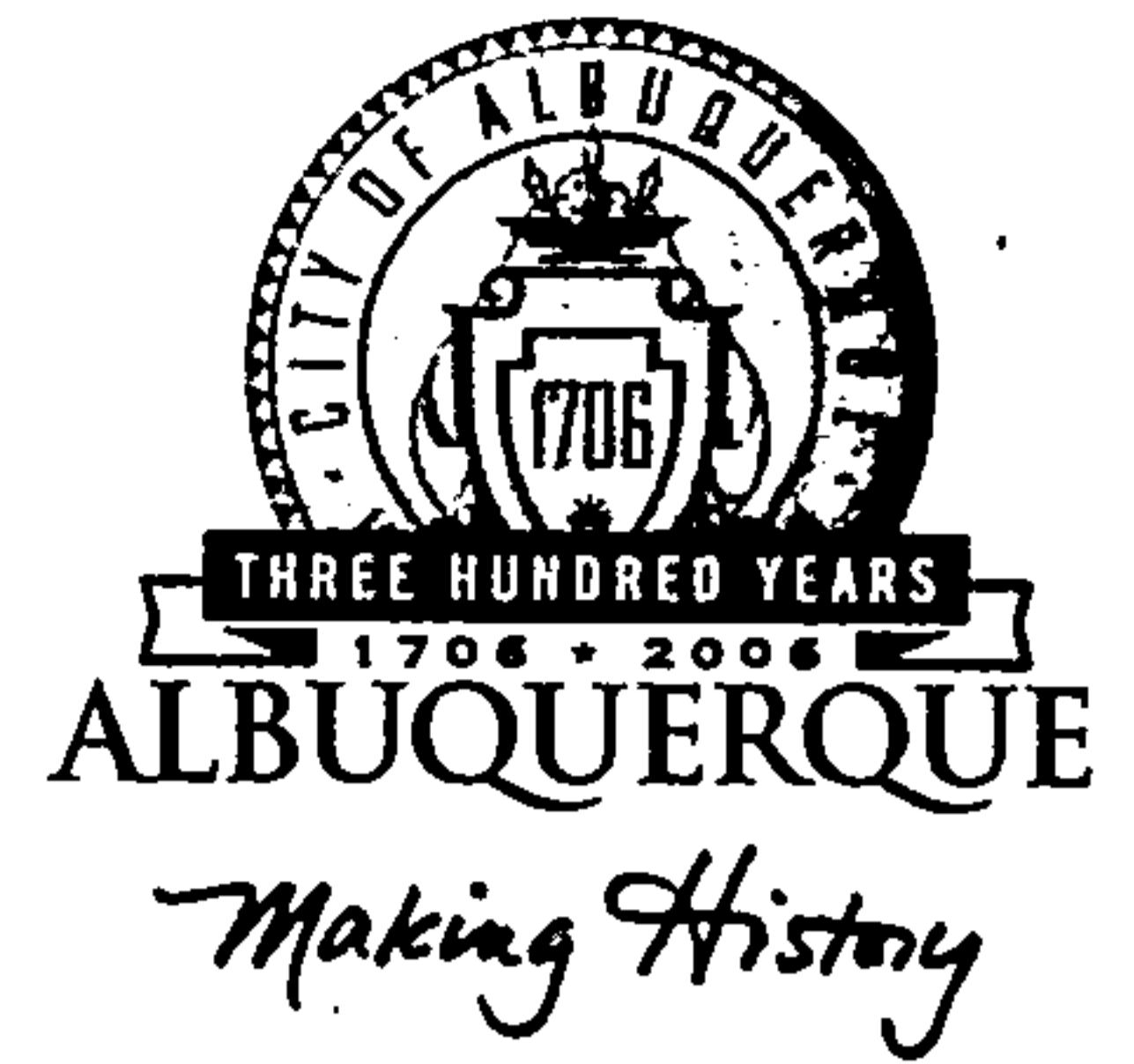
11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002779

AGENDA ITEM NO: 6

SUBJECT:

- | | | |
|-------------------------|--------------------------|---------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Dev. Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Cost Allocation Plan |

ACTION REQUESTED:

P.O. Box 1293

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

ENGINEERING COMMENTS:

Albuquerque

The Hydrology Section has no objection to the vacation request.
An approved drainage report is required for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

New Mexico 87103

RESOLUTION:

www.cabq.gov

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

12-8-04

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: December 1, 2004

November 29, 2004

Public Hearing – Development Review Board
City of Albuquerque

#6

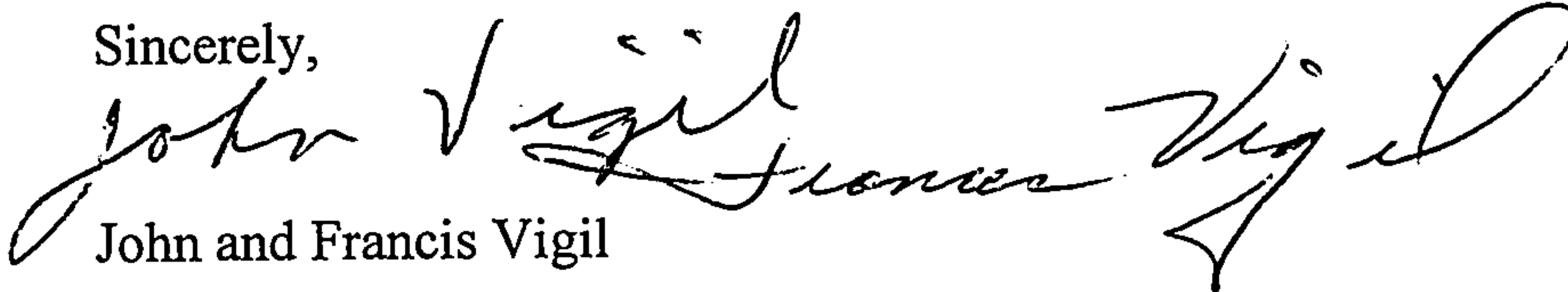
Project # 1002779
04DRB-01730 Major-Preliminary Plat Approval
04DRB-01731 Major-Vacation of Public Easements
04DRB-01732 Minor-Temp Defer SDWK

Sheran Matson – AICP DRB Chair

We would like to express our concern of the development of the Cielo Lindo Subdivision. We are not opposed to development, but do oppose development without proper infrastructure and planning. The area of the proposed subdivision does not have city sanitary sewer to the surrounding residents.

If any development in the area is to occur, all the surrounding residents should be provided with city sanitary sewer access. This would benefit the entire neighborhood and provide proper infrastructure for the future development.

Sincerely,



John and Francis Vigil



**
**
**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 1, 2004

Project # 1002779
04DRB-01730 Major-Preliminary Plat Approval
04DRB-01731 Major-Vacation of Public Easements
04DRB-01732 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, A-1 & A-2, LANDS OF POLO CHAVEZ and SAN JOSE TRACTS, (to be known as **CIELO LINDO SUBDIVISION**) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 04DRB00959, 03EPC02049, 03EPC01061] (M-11)

AMAFCA No adverse comments.

COG

For information, project is located within a study corridor as identified on the Long Range Bikeway System map. The City of Albuquerque's Municipal Development should be consulted for site design and right of way issues as appropriate.

Transit No objections.

Zoning Enforcement No comments received.

Neighborhood Coordination No Association.

APS No comments received.

Police Department No comments received.

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 Approves.

Comcast No comments received.

QWEST

No comments received.

Environmental Health

Site is not within 1000 feet of a landfill. No comment.

M.R.G.C.D.

No comments received.

Open Space Division

No adverse comments.

City Engineer

No objection to the vacation request. An approved drainage report is required for Preliminary Plat approval. Comments on the infrastructure list.

Transportation Development

Where are improvements to Airport road? This is probably a major local and will require 6' sidewalks. Since lots are fronting this section, the x-section will have to be reviewed in conformance with the Major Local Streets ordinance. No objection to vacation of public easements. Defer to agencies affected by the request. The sidewalk deferral exhibit needs a legend.

Parks & Recreation

This request will be subject to the following requirements of the City Park Dedication and Development Ordinance:

Prior to sign-off on the final plat, a fee in-lieu of and equal to the value of the required park land dedication for 42 new residential lots will be required. The fee will be based on an estimate of land value to be provided by the City Real Property office. Alternatively, the applicant may submit current appraisal information mutually acceptable to the applicant and the City. The park development requirement will be met via the payment of a fee prior to issuance of building permit for each new dwelling unit. Defer to Hydrology regarding the vacation request. No objection to the temporary deferral of sidewalks.

Utilities Development

No objection to Vacation request. Preliminary Plat is not acceptable, the infrastructure list is incomplete. Also can not have the drainage pond directly over the public water/sewer lines on the east end of site. A condition for Final Plat approval will be that the Final Plat can not be approved until the City has accepted DRC Project No. 705581 which constructed the public lines in Coors. No objection to Sidewalk Deferral.

Planning Department

The plat shows Cielo Linda Court "NW" in error. The quadrant needs correcting. Also, is the word "Linda" correct? The Sidewalk Deferral Exhibit names the same street "Calle Lindo". Both submittals need correcting.

When this subdivision came to DRB for sketch plat, Planning said that the Notice of Decision on the Annexation & Zone Map Amendment would be required for further DRB action. This is not in the application packet. AGIS still shows the property zoned A-1 & in the County. Provide this documentation one week prior to the DRB hearing..

Planning also stated that, if the applicant wanted 50 foot wide and 5,000 square foot lots, proof of existing subdivisions in the surrounding area with smaller lots would be required. That proof is not provided in this application. Without it, 60 foot wide and 6,000 square foot lots are required. This documentation is also required one week prior to the DRB hearing.

Still not okay

A perimeter wall design is required for any side yards or front yards facing a public street even if they are 3 foot garden walls. Be sure to follow the Zone Code & submittal requirements. This submittal is also required one week prior to the DRB hearing.

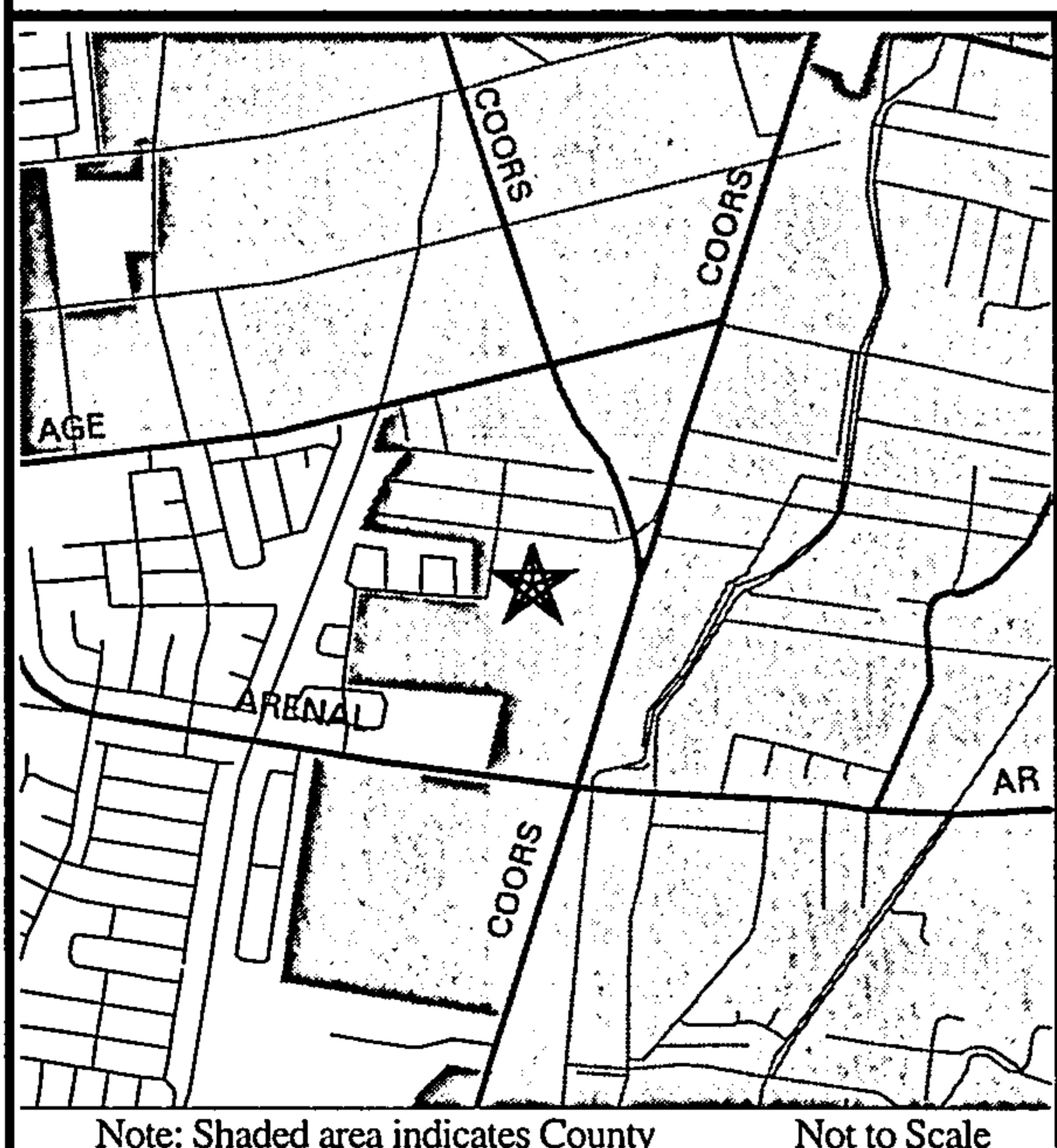
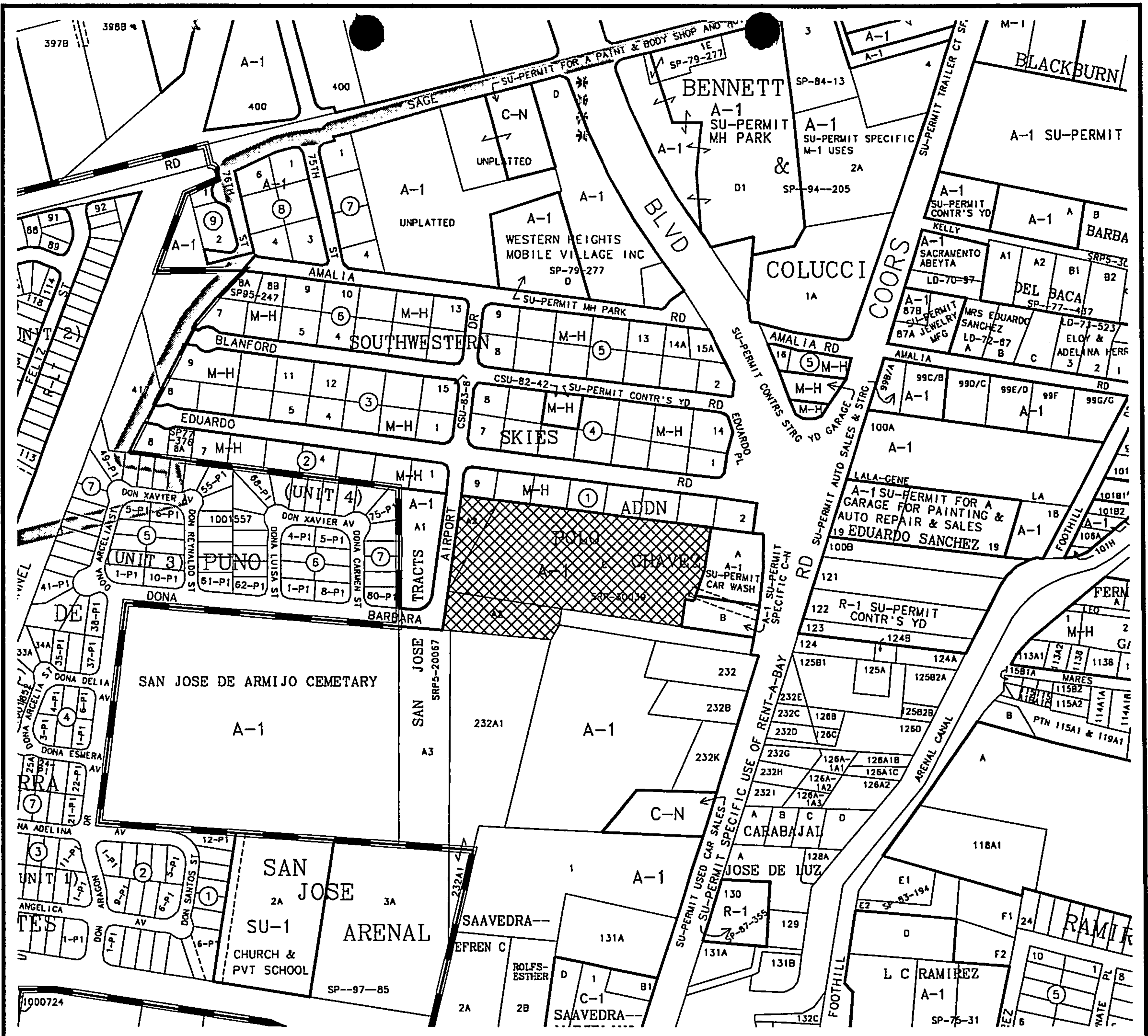
IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

cc: Sanhil Development Ltd., Co., 640 Oak St SE, 87106

Advanced Engineering & Consulting LLC, 4416 Anaheim Ave NE, 87113

** Cond. of Plat*

*Agreement for Annexation
need new amendment
order at hearing*



ZONING MAP



Scale 1"=466'

PROJECT NO.
1002779

HEARING DATE
12-1-04

MAP NO.
M-11

ADDITIONAL CASE NUMBER(S)
04DRB-01730
04DRB-01731
04DRB-01732

Note: Shaded area indicates County Not to Scale



**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, December 1, 2004**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1000464

04DRB-01729 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for WAL-MART STORES EAST INC request(s) the above action(s) for all or a portion of Tract(s) H6A1A, **RIVERVIEW SUBDIVISION**, zoned SU-1 IP, located on GOLF COURSE RD NW, between PASEO DEL NORTE NW and SHELLY ROSE RD NW containing approximately 7 acre(s). [REF: Z-99-11, Z-99-17, 04DRB01226, 04AA01474] (C-12)

Project # 1001445

04DRB-01681 Major-Bulk Land Variance

SURV-TEK INC agent(s) for DAVE GARDUNO AND LORETTA ROMERO request(s) the above action(s) for all or a portion of Tract(s) 13, **BLACK RANCH**, zoned SU-1 FOR C-1 AND SU-1 FOR O-1, located on COORS BLVD NW, between 7-BAR LOOP ROAD NW and ALAMEDA BLVD NW containing approximately 6 acre(s). [REF: 03EPC01029, 01EPC01244, 02EPC00991, 03EPC00351, 03EPC00864] (B-14)

Project # 1002315

04DRB-01723 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 13B, **WILDERNESS VILLAGE @ HIGH DESERT**, zoned SU-2 HD/R-R, located on FOOTHILLS TRAIL NE, between WILDERNESS TR NE and HIGH DESERT PLACE NE containing approximately 34 acre(s). [REF: 03DRB01651] (F-23)

Project # 1002702

04DRB-01664 Major-Vacation of Public Easements

04DRB-01686 Minor-Prelim&Final Plat Approval

ALAN J VINCIONI Request(s) the above action(s) for all or a portion of Tract(s) 1, HUNING HIGHLANDS ADDITION (to be known as **IRON PROPERTIES**) zoned M-1 light manufacturing zone, located on BROADWAY SE AND IRON SE between COAL SE and HAZELDINE SE containing approximately 8 acre(s). [REF:03DRB00886](K-14)

Project # 1002779

04DRB-01730 Major-Preliminary Plat Approval

04DRB-01731 Major-Vacation of Public Easements

04DRB-01732 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, A-1 & A-2, LANDS OF POLO CHAVEZ and SAN JOSE TRACTS, (to be known as **CIELO LINDO SUBDIVISION**) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 04DRB00959, 03EPC02049, 03EPC01061] (M-11)

SEE PAGE 2 . . .



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

PAGE 3

Project # 1003757
04DRB-01688 Major-Vacation of Pub
Right-of-Way

ISAACSON & ARFMAN PA agent(s) for DEAN FOODS, DBA CREAMLAND DAIRIES request(s) the above action(s) for **ALVARADO ADDITION**, located on HAINES NW, between 2ND ST NW and 3RD ST NW containing approximately 1 acre(s). [REF: V-89-87, DRB 89-490] (H-14)

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 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.

A handwritten signature in black ink, appearing to read "S. Matson".

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 15, 2004.

192

CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: DECEMBER 1, 2004
Zone Atlas Page: M-11-Z
Notification Radius: 100 Ft.

Project# 1002779
App# 04DRB-01730
App# 04DRB-01731
App# 04DRB-01732

Cross Reference and Location:

Applicant: SANHIL DEVELOPMENT LTD CO.
Address: 640 OAK ST. SE
ALBUQUERQUE NM 87106

Agent: ADVANCED ENGINEERING & CONSULTING, LLC
Address: 4416 ANAHEIM AVE NE
ALBUQUERQUE NM 87113

Special Instructions:

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

Date Mailed: NOVEMBER 12, 2004

Signature: KYLE TSEHLIKAI

RECORDS WITH LABELS

PAGE 1

101005546243610106	LEGAL: TRACT A PLAT OF PUNO DE TIERRA ESTATES UNITS 1 AND PROPERTY ADDR: 00000 OWNER NAME: ASI ES INC OWNER ADDR: 00201 INDUSTRIAL PARK	LAND USE: LP RIO RANCHO NM	87124
101105500745820136	LEGAL: 001 002S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: TROUT THOMAS M OWNER ADDR: 02950 EDUARDO	LAND USE: RD SW ALBUQUERQUE NM	87105
101105502445720135	LEGAL: 009 001S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: CARMONA DANIEL OWNER ADDR: 02940 EDUARDO	LAND USE: RD SW ALBUQUERQUE NM	87121
101105502945120137	LEGAL: 008 001S OUTHWESTERN SKIES ADD W1/2 PROPERTY ADDR: 00000 EDUARDO OWNER NAME: GONZALES JEANNETTE OWNER ADDR: 02828 EDUARDO	LAND USE: SW ALBUQUERQUE NM	87121
101105503545120134	LEGAL: E1/2 OF LOT 8 BLK 1 SOUTHWESTERN SKIES ADDN PROPERTY ADDR: 00000 EDUARDO OWNER NAME: FIRST NATIONAL BANK IN ALB OWNER ADDR: 00000	LAND USE: ALBUQUERQUE NM	87103
101105504845320133	LEGAL: 007 001S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: CHAVEZ EDWARD J L OWNER ADDR: 01031 WALDIE	LAND USE: RD SW ALBUQUERQUE NM	87105
101105515145420438	LEGAL: LAND S OF MRS EDUARDO SANCHEZ PORT OF TR 19 PROPERTY ADDR: 00000 OLD COORS OWNER NAME: SALCIDO LUIS G & LAURA OWNER ADDR: 01504 COORS	LAND USE: BL SW ALBUQUERQUE NM	87121
101105506045120132	LEGAL: 006 001S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: WILSON JAMES & FLORA OWNER ADDR: 02830 EDUARDO	LAND USE: SW ALBUQUERQUE NM	87121
101105507245020131	LEGAL: 005 001S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: NAJERA EVERARDO OWNER ADDR: 02816 EDUARDO	LAND USE: SW ALBUQUERQUE NM	87105
101105500444020142	LEGAL: TR A -1 P LAT FOR TRACTS A-1, A-2 AND A-3 SAN JOSE T PROPERTY ADDR: 00000 OWNER NAME: WESTLAND DEVELOPMENT CO INC OWNER ADDR: 00401 COORS	LAND USE: BL NW ALBUQUERQUE NM	87121
101105508044920129	LEGAL: W1/2 OF LOT 4 BLOCK 1 SOUTHWESTERN SKIESDDN PROPERTY ADDR: 00000 EDUARDO OWNER NAME: QUINTANA EVELYN F OWNER ADDR: 02816 EDUARDO	LAND USE: SW ALBUQUERQUE NM	87105

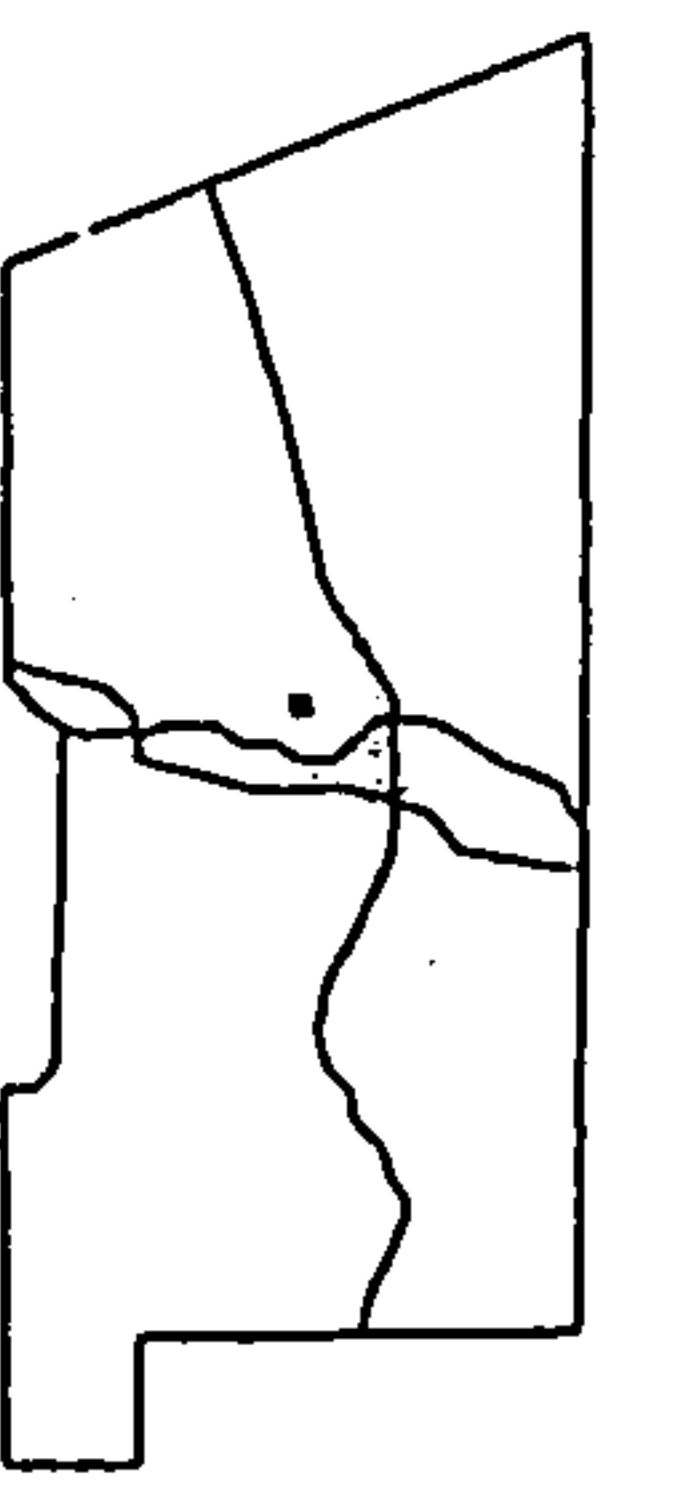
RECORDS WITH LABELS

PAGE 2

101105508744820130	LEGAL: - E1/2 OF LOT 4 BLK 1 SOUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: MOLINA VIDAL ETAL OWNER ADDR: 02812 EDUARDO	LAND USE: SW ALBUQUERQUE NM	87121
101105509744720128	LEGAL: 003 001S OUTHWESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: SALGUERO DELFINO T & VICKIE OWNER ADDR: 02808 EDUARDO	LAND USE: RD SW ALBUQUERQUE NM	87105
*** THIS UPC CODE HAS NO MASTER RECORD ON FILE			
101105510744620127	LEGAL: 002 001S OUTH WESTERN SKIES PROPERTY ADDR: 00000 EDUARDO OWNER NAME: SALGUERO D T & VICKIE OWNER ADDR: 02808 EDUARDO	LAND USE: RD SW ALBUQUERQUE NM	87105
101105506643420125	LEGAL: T10N R2E SEC35 POR OF TR 232 MRGCD MAP 43 EXC EAST PROPERTY ADDR: 00000 COORS OWNER NAME: COBA INVESTMENT COMPANY OWNER ADDR: 07101 VIVIAN	LAND USE: DR NE ALBUQUERQUE NM	87109
101105516643820442	LEGAL: MAP 43 T R 100 B PROPERTY ADDR: 00000 COORS OWNER NAME: VIGIL CONTRACTING INC OWNER ADDR: 01514 COORS	LAND USE: RD SW ALBUQUERQUE NM	87121
101105511043520123	LEGAL: A TR OF LAND IN SEC 35 T10N R2E LYING APPROX 353 F PROPERTY ADDR: 00000 COORS OWNER NAME: COBA INVESTMENT COMPANY OWNER ADDR: 07101 VIVIAN	LAND USE: DR NE ALBUQUERQUE NM	87109
101105516443120437	LEGAL: MAP 43 T R 121 PROPERTY ADDR: 00000 N/A OWNER NAME: VIGIL CONTRACTING INC OWNER ADDR: 01514 COORS	LAND USE: RD SW ALBUQUERQUE NM	87121
101105516141820436	LEGAL: MAP 43 T R 122 PROPERTY ADDR: 00000 COORS OWNER NAME: VIGIL JOHN A OWNER ADDR: 01514 COORS	LAND USE: BL SW ALBUQUERQUE NM	87105
101105502043020141	LEGAL: TR A -2 P LAT FOR TRACTS A-1, A-2 AND A-3 SAN JOSE T PROPERTY ADDR: 00000 OWNER NAME: WESTLAND DEVELOPMENT CO INC OWNER ADDR: 00401 COORS	LAND USE: BL NW ALBUQUERQUE NM	87121
101005550537510126	LEGAL: CEME TARY PROPERTY ADDR: 00000 ARENAL OWNER NAME: SAN JOSE DE ARMIJO CEMETARY OWNER ADDR: 00401 COORS	LAND USE: BL NW ALBUQUERQUE NM	87105
101105508141220122	LEGAL: A TR OF LAND IN SEC 35 T10N R2E LYING APPROX 500 F PROPERTY ADDR: 00000 N/A OWNER NAME: VIGIL JOHN A OWNER ADDR: 01514 COORS	LAND USE: BL SW ALBUQUERQUE NM	87105

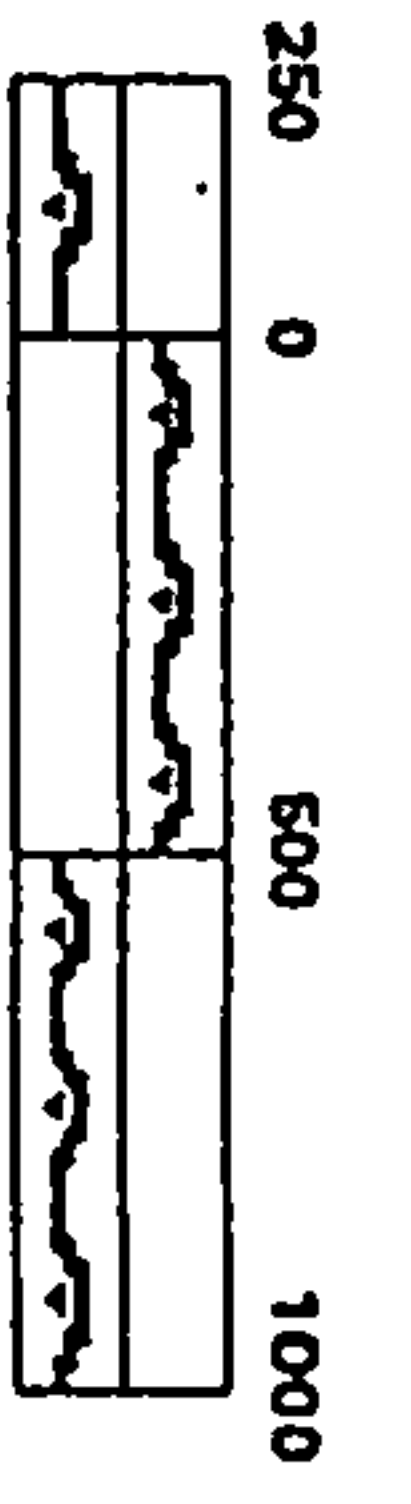


Hijas County Map



LEGAL DESCRIPTION
 T10N
 R2E
 SEC 35

UNIFORM PROPERTY CODE
 1-011-055



SCALE IN FEET

Map amended through November 2002



INFORMATION TECHNOLOGY
 GIS SECTION

This information is for reference only. Bernalillo County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary. Source data are from Bernalillo County and the City of Albuquerque.

M-11-Z

200419



[Handwritten signature]

**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, December 1, 2004, beginning at 9:00 a.m.** for the purpose of considering the following:

Project # 1000464
04DRB-01729 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for WAL-MART STORES EAST INC request(s) the above action(s) for all or a portion of Tract(s) H6A1A, **RIVERVIEW SUBDIVISION**, zoned SU-1 IP, located on GOLF COURSE RD NW, between PASEO DEL NORTE NW and SHELLY ROSE RD NW containing approximately 7 acre(s). [REF: Z-99-11, Z-99-17, 04DRB01226, 04AA01474] (C-12)

Project # 1001445
04DRB-01681 Major-Bulk Land Variance

SURV-TEK INC agent(s) for DAVE GARDUNO AND LORETTA ROMERO request(s) the above action(s) for all or a portion of Tract(s) 13, **BLACK RANCH**, zoned SU-1 FOR C-1 AND SU-1 FOR O-1, located on COORS BLVD NW, between 7-BAR LOOP ROAD NW and ALAMEDA BLVD NW containing approximately 6 acre(s). [REF: 03EPC01029, 01EPC01244, 02EPC00991, 03EPC00351, 03EPC00864] (B-14)

Project # 1002315
04DRB-01723 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for MESA VERDE DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 13B, **WILDERNESS VILLAGE @ HIGH DESERT**, zoned SU-2 HD/R-R, located on FOOTHILLS TRAIL NE, between WILDERNESS TR NE and HIGH DESERT PLACE NE containing approximately 34 acre(s). [REF: 03DRB01651] (F-23)

Project # 1002702
04DRB-01664 Major-Vacation of Public Easements
04DRB-01686 Minor-Prelim&Final Plat Approval

ALAN J VINCIONI Request(s) the above action(s) for all or a portion of Tract(s) 1, HUNING HIGHLANDS ADDITION (to be known as **IRON PROPERTIES**) zoned M-1 light manufacturing zone, located on BROADWAY SE AND IRON SE between COAL SE and HAZELDINE SE containing approximately 8 acre(s). [REF: 03DRB00886] (K-14)

Project # 1002779
04DRB-01730 Major-Preliminary Plat Approval
04DRB-01731 Major-Vacation of Public Easements
04DRB-01732 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, A-1 & A-2, LANDS OF POLO CHAVEZ and SAN JOSE TRACTS, (to be known as **CIELO LINDO SUBDIVISION**) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 04DRB00959, 03EPC02049, 03EPC01061] (M-11)

SEE PAGE 2 . . .



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

PAGE 3

Project # 1003757
04DRB-01688 Major-Vacation of Pub
Right-of-Way

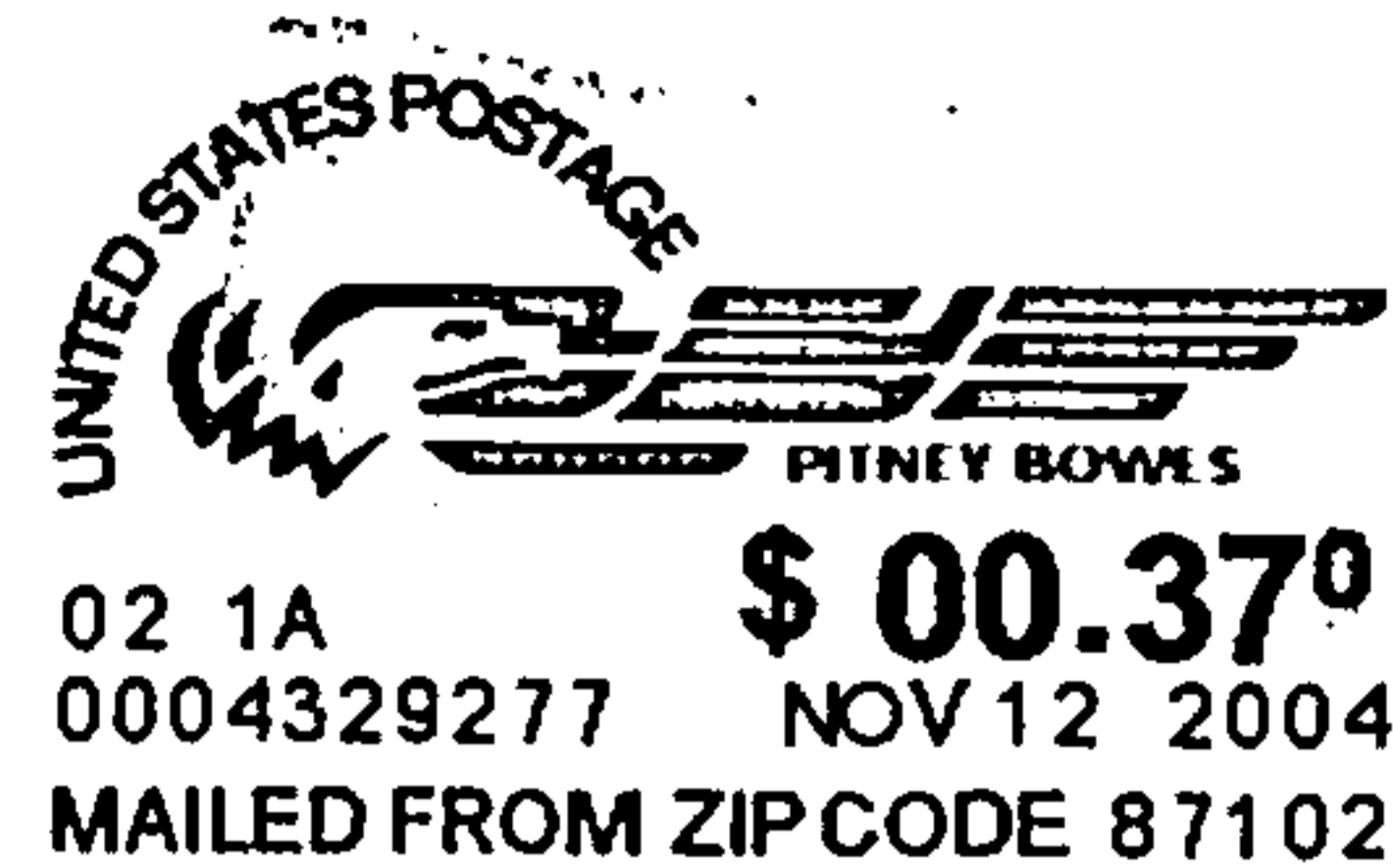
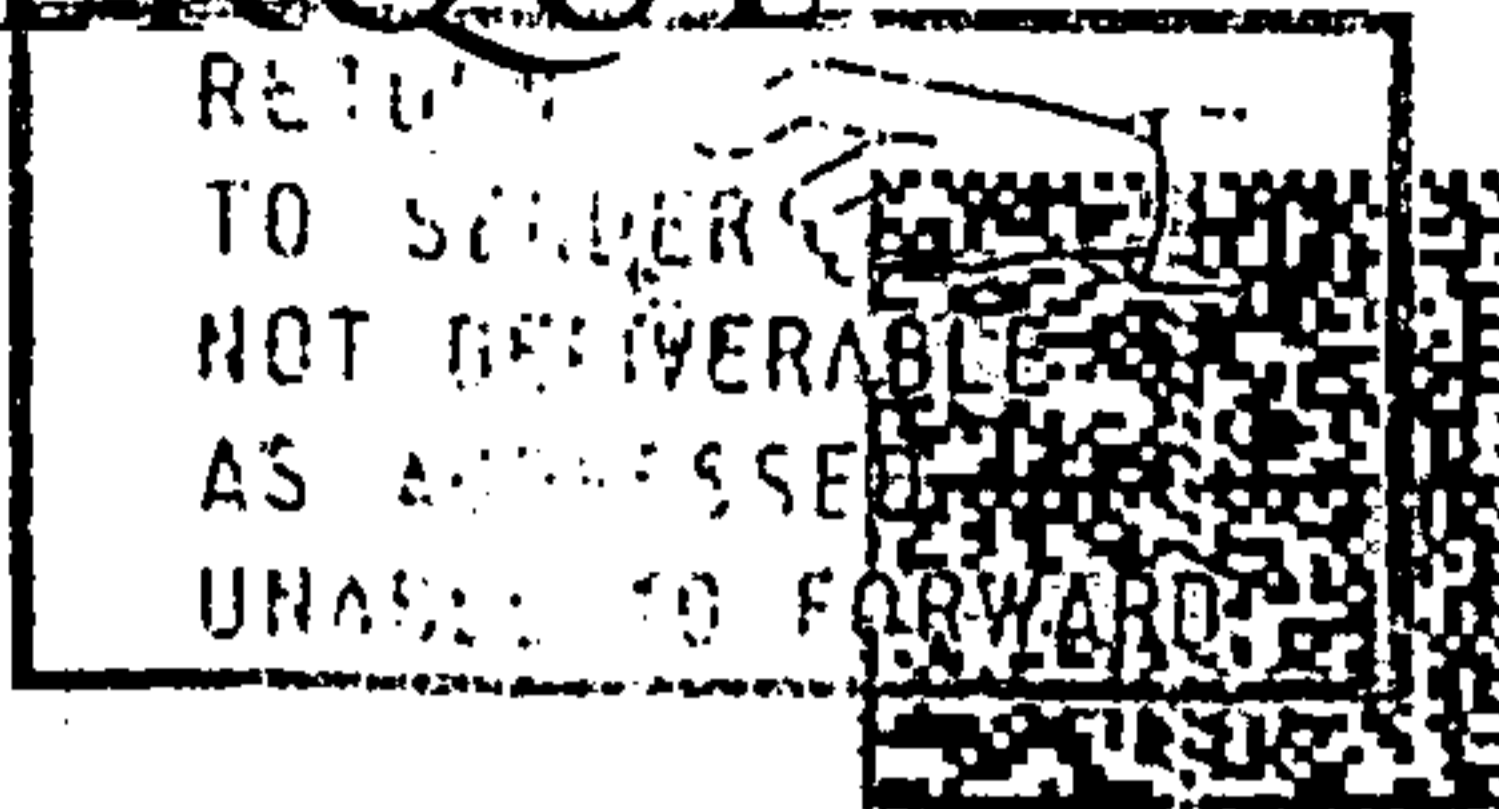
ISAACSON & ARFMAN PA agent(s) for DEAN
FOODS, DBA CREAMLAND DAIRIES request(s) the
above action(s) for **ALVARADO ADDITION**, located on
HAINES NW, between 2ND ST NW and 3RD ST NW
containing approximately 1 acre(s). [REF: V-89-87,
DRB 89-490] (H-14)

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 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.

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 15, 2004.

CITY OF ALBUQUERQUE



Planning Department

P.O. Box 1293

Albuquerque, NM 87103

101105503545120134

FIRST NATIONAL BANK IN ALB
PO BOX 1305
ALBUQUERQUE NM 87103

87103+0030 15



City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

<p style="text-align: center;">Supplemental form</p> <p>SUBDIVISION S</p> <p><input checked="" type="checkbox"/> Major Subdivision action</p> <p><input type="checkbox"/> Minor Subdivision action</p> <p><input type="checkbox"/> Vacation V</p> <p><input type="checkbox"/> Variance (Non-Zoning)</p> <p>SITE DEVELOPMENT PLAN P</p> <p><input type="checkbox"/> ...for Subdivision Purposes</p> <p><input type="checkbox"/> ...for Building Permit</p> <p><input type="checkbox"/> IP Master Development Plan</p> <p><input type="checkbox"/> Cert. of Appropriateness (LUCC) L</p>	<p style="text-align: center;">Supplemental form</p> <p>ZONING & PLANNING Z</p> <p><input type="checkbox"/> Annexation</p> <p><input type="checkbox"/> County Submittal</p> <p><input type="checkbox"/> EPC Submittal</p> <p><input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)</p> <p><input type="checkbox"/> Sector Plan (Phase I, II, III)</p> <p><input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan</p> <p><input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)</p> <p>APPEAL / PROTEST of... A</p> <p><input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals</p>
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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: SANHIL Development LTD CO. PHONE: (505) 842-5678

ADDRESS: 640 Oak Street SE FAX: (505) 842-5638

CITY: Albuquerque STATE NM ZIP 87106

Proprietary interest in site: Owner List all owners: SANHIL Development LTD CO., Francisco Melendez

AGENT (if any): Advanced Engineering and Consulting, LLC PHONE: (505) 899-5570

ADDRESS: 4416 Anaheim Avenue, NE FAX: (505) 897-4996

CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: AECLLC@aol.com

DESCRIPTION OF REQUEST: Final Plat Approval

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. Tract C, Lands of Polo Chavez, and Tracts A-1, A-2, San Jose Tract, containing ±8.69 Acres

TBK (Lands of Polo Chavez) Block: _____ Unit: _____

Subdiv. / Addn. Lands of Polo Chavez & San Jose Tracts

Current Zoning: R-1 Proposed zoning: Same

Zone Atlas page(s): M-11-Z No. of existing lots: 3 No. of proposed lots: 42

Total area of site (acres): 8.0492 Acres Density if applicable: dwellings per gross acre: 5.2 dwellings per net acre: _____

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

UPC No. 101105500738820140, 101105500738820140, 101105506643420125,

LOCATION OF PROPERTY BY STREETS: On or Near: Airport Drive, SW

Between: Dona Barbara Avenue, SW and Eduardo Road, SW

CASE HISTORY:

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

1002779, DRB-00959 SK, 03-EPC-02049, 03-EPC-01061, 04DRB-01730 PP, 04DRB-01731 VPE, 04DRB-01732 TDS

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 6-30-04

SIGNATURE Shahram (Shawn) Biazar DATE 8-15-05

(Print) _____ Applicant Agent

FOR OFFICIAL USE ONLY

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

<p><input type="checkbox"/> INTERNAL ROUTING</p> <p><input checked="" type="checkbox"/> All checklists are complete</p> <p><input checked="" type="checkbox"/> All fees have been collected</p> <p><input checked="" type="checkbox"/> All case #s are assigned</p> <p><input type="checkbox"/> AGIS copy has been sent</p> <p><input type="checkbox"/> Case history #s are listed</p> <p><input type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input type="checkbox"/> F.H.D.P. density bonus</p> <p><input type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>050RB - -01308</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Hearing date <u>8/24/05</u></p> <p><u>8/16/05</u></p>	<p>Action</p> <p><u>FP</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>S.F.</p> <p><u>CMT</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Fees</p> <p>\$ <u>-0-</u></p> <p>\$ <u>20.00</u></p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>Total</p> <p>\$ <u>20.00</u></p>
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Clare Senora Planner signature / date

Project # 1002779

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

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
- 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
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

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

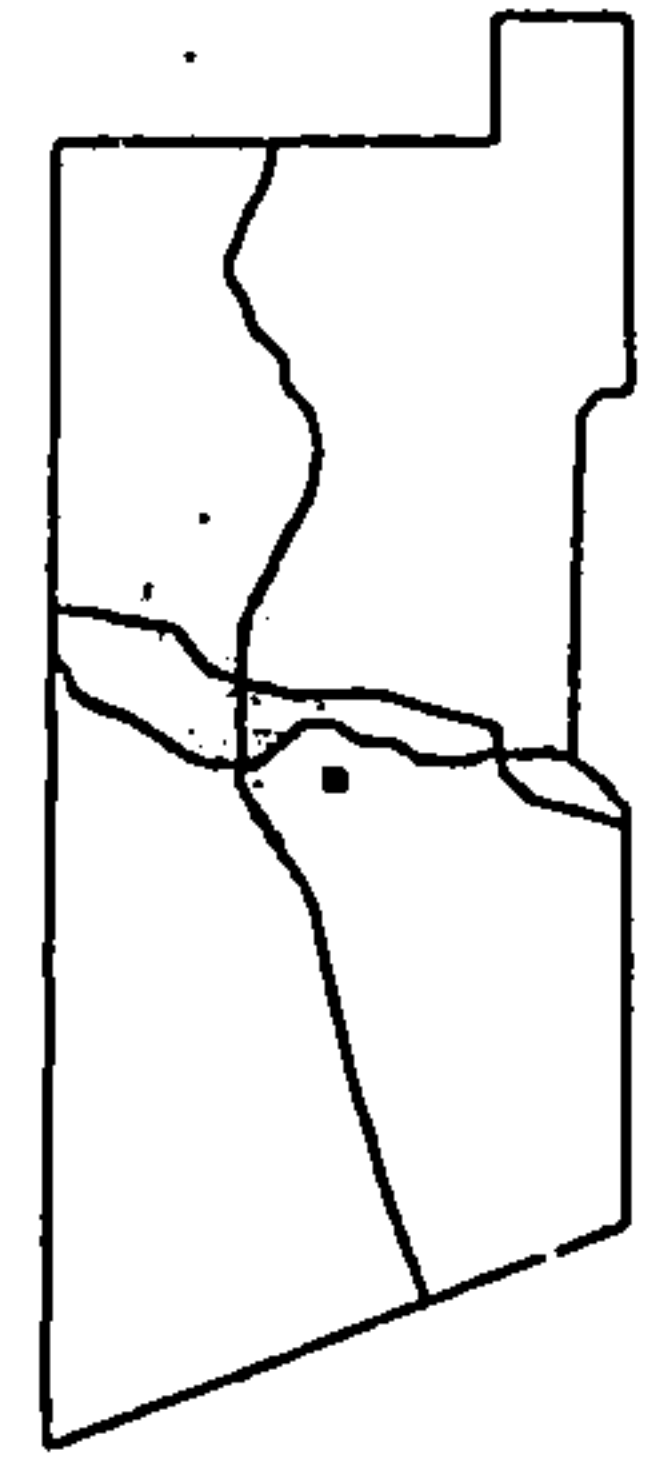
Amended preliminary plat approval expires after one year.

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

SHAHRAM (SHAWN) BAZAK
Applicant name (print)
[Signature] 8-15/05
Applicant signature / date

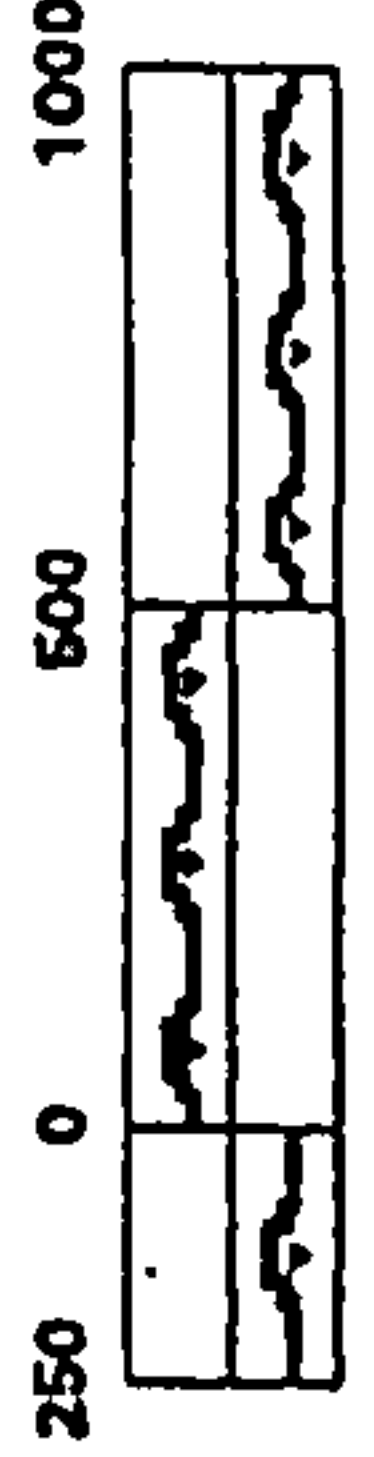


<input checked="" type="checkbox"/> Checklists complete	Application case numbers	Form revised 3/03, 8/03 and 11/03
<input checked="" type="checkbox"/> Fees collected	OSORB - 01308	<u>[Signature]</u> 8/16/05
<input checked="" type="checkbox"/> Case #s assigned	- - -	Planner signature / date
<input checked="" type="checkbox"/> Related #s listed	- - -	Project # 1002779



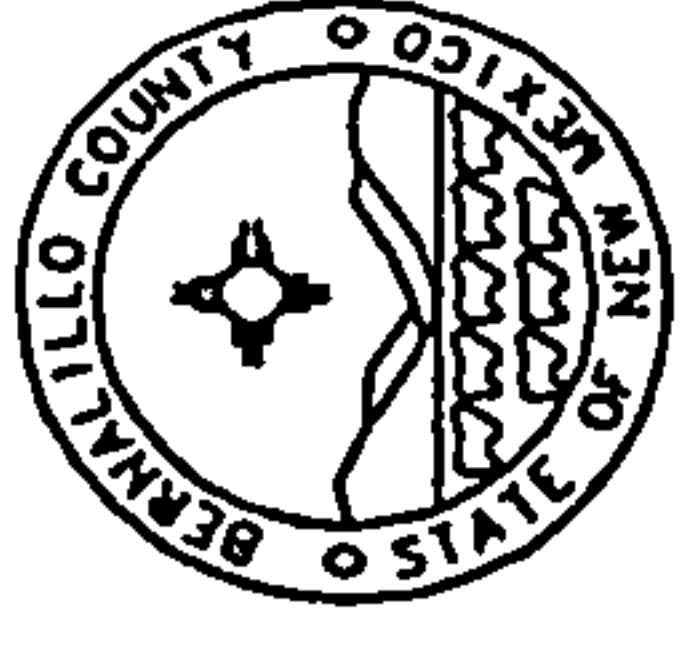
LEGAL DESCRIPTION
 TION
 R2E
 SEC 35

UNIFORM PROPERTY CODE
 1-011-055



SCALE IN FEET

Map amended through November 2002



INFORMATION TECHNOLOGY
 GIS SECTION

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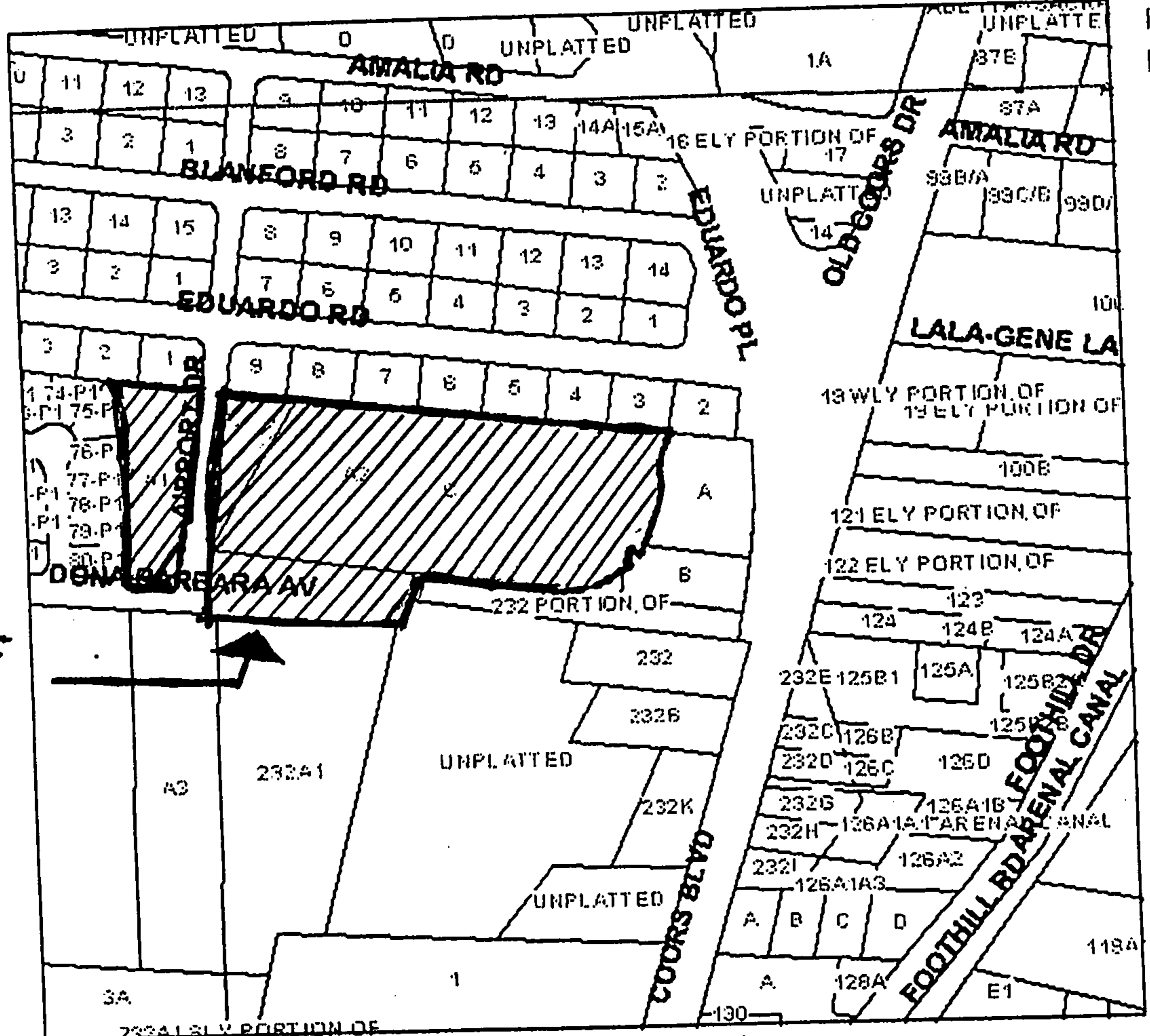
M-11-Z

Map of Las Alamos County

200419

ACTIVATE BUTTONS BY 'CLICKING' ON THE MAP
 Zoom In Id Address Id ZM Pan Zoom Out

- LAYER LEGEND
- STREET NAMES
 - PARKS
 - CITY LIMITS
 - ZONE MAP GRID
 - NBR BOUNDARY
 - COMMUNITY PLAN
 - WATER LINES
 - SEWER LINES
 - STORM DRAINS
 - ZONING
 - LOT NUMBERS
 - ZIP CODES
 - COUNCIL DISTRICT
 - FLOOD ZONES (dis)
 - PARCELS
 - CONTROL STATION
 - SENATE DIST.
 - REPRESENTATIVE I
 - COUNTY COMMISSI
 - PARCEL ADDRESS
 - CRIMINAL ACTIVIT
 - PUBLIC FACILITIES
 - LAND USE
 - 1960 CITY LIMITS
 - LANDFILLS/BUFFE
 - CRP LOCATIONS
 - CASE HISTORY



SITE

ReDraw Screen

Zone Atlas Page M-11-Z

SHOW LOCATION M
SHOW 1999 AERIAL

ZOOM LEVEL TEXT SIZE
NEW GIS QUERY

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

PAID RECEIPT

APPLICANT NAME Sankil Development
AGENT Advanced Engineering
ADDRESS _____
PROJECT & APP # 1002779 / 05 DRB 01308
PROJECT NAME Cielo Lands Subdivision

\$ 20⁰⁰ 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
\$ 20⁰⁰ 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

8/16/2005 12:03PM LOC: ANNX
RECEIPT# 00047849 WSH 007 TRANSH 0009
Account. 441032 Fund 0000
Activity 3424000 TRSLJS
Trans Amt \$20.00
J24 Misc \$20.00
CA \$20.00
CHANGE \$0.00

Thank You

#16

04-039

PRE-ANNEXATION AGREEMENT TO CONSTRUCT PUBLIC IMPROVEMENTS

THIS AGREEMENT is made this 22nd day of November, 2004, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293, One Civic Plaza, Albuquerque, New Mexico 87103; Sanhill Development Ltd. Co., a New Mexico Limited Liability Company ("Sanhill"), whose address is 640 Oak Street S.E. 87106 and whose telephone number is (505) 842-5678 or 480-1602, in Albuquerque, New Mexico; and Melendez Concrete, Inc. ("Melendez"), a New Mexico Corporation, whose address is 506 Rio Rancho Boulevard 87124 and whose telephone number is (505) 896-3821 in Rio Rancho, New Mexico (collectively, the "Developers"); and is entered into as of the date of final execution of this Agreement.

RECITALS:

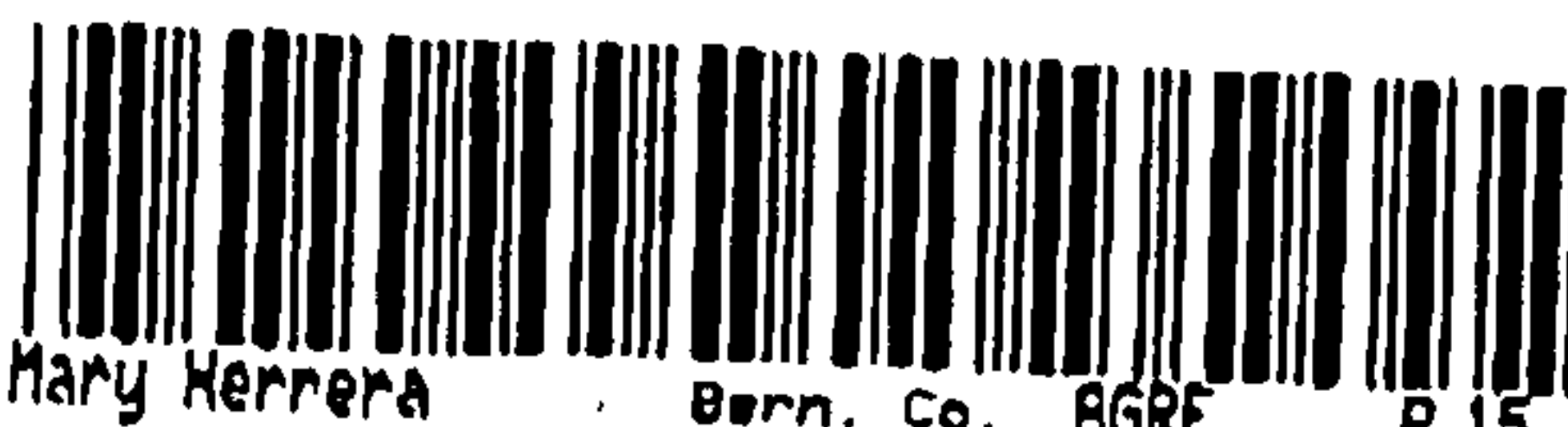
- A. WHEREAS, the Developers are developing certain lands outside the City of Albuquerque, Bernalillo County, New Mexico, known as Tract C, Lands of Polo Chavez, 5.48 acres recorded on March 30, 2004 in the records of Bernalillo County at Book Misc. 2004C, page 106, and Tracts A-1 & A-2, San Jose Tracts, 2.50 acres recorded on February 11, 2003 in the records of Bernalillo County at Book Misc. 2003C, page 29 (collectively, "Developers' Property"). Sanhill certifies that Tract C, Lands of Polo Chavez, is owned in fee simple by Sanhill Development Ltd. Co., ("Owner"). Melendez certifies that Tracts A-1 and A-2 are owned in fee simple by Melendez Concrete, Inc., ("Owner"); and includes the public right-of-way for Airport Road, 0.65 acres.
- B. WHEREAS, Developers has applied for annexation of Developers' Property into the Albuquerque City limits under annexation AX-04-039; and
- C. WHEREAS, Developers represent and covenant that Developers will develop Developers' Property at a maximum residential density of 6 du's per acre or a maximum of 52 dwelling on 8.6 acres; and
- D. WHEREAS, Developers' development of the property at a density of 6 du's will require additional infrastructure to service the development; and
- E. WHEREAS, Developers' Property is not a large subdivision nor is it adjacent to a major arterial and the local street system will incur minor impacts from the traffic generated by this development; and
- F. WHEREAS, Developers have agreed to contribute a fee per dwelling unit to be used by the City to make improvements to public infrastructure in the proximity of the Developers' Property; and
- G. WHEREAS, under Albuquerque City Council Resolution R-68 Enactment No. 54-1990 annexation of areas planned to be urban intensity of development will be approved when certain policies are satisfied including a commitment by the land owner that he or his successors in interest will in a manner that satisfies City standards, install and pay for necessary major streets, water, sanitary sewer, and storm-water handling facilities; and
- H. WHEREAS, the City and Developers desire to enter into this Agreement to satisfy the conditions of City policy for annexation of Developers' Property into the City.

THEREFORE, in consideration of the foregoing promises, THE CITY AND DEVELOPERS AGREE:



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Page: 1 of 4
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1. **Off-site Improvements Contribution:** Developers agree to contribute a payment ("Payment") in the amount of Five Hundred Dollars (\$500.00) per residential lot which payment shall be used by the City of Albuquerque to install and complete off-site traffic mitigation improvements. The offsite traffic mitigation improvements associated with this property are to be constructed in the area bounded by Tower Road, Unser Boulevard, Arenal Road, and Coors Boulevard. The permanent street improvements may include curb, asphalt paving, median curbs, storm drainage lines, sanitary sewer lines, water lines, traffic signalization and necessary appurtenances ("Improvements").
2. **Payment.** Developers agree to submit the Payment in the form of a cashier's check to the City prior to final subdivision plat approval of Developers' Property or any portion thereof.
3. **APS Option.** City of Albuquerque may opt to contribute a portion of the Payment in the amount of One Hundred Dollars (\$100.00) per residential lot which shall be used by the Board of Education of the City of Albuquerque to defer educational expenses associated with the development of Developers' Property.
4. **Development Fee.** In 1993, the New Mexico Legislature enacted the Development Fee Act (§5-8-1, et seq., N.M.S.A. 978) (the "Act"). The Act authorizes the City to impose impact fees ("Impact Fees") and allow credit for capital improvements, which include, among other things, transportation improvements. Nothing contained herein shall limit the Developers' right to receive credits against any future Impact Fees subsequently imposed upon the Developers' Property, if any, for improvements required by the City as a condition of development of the Developers' Property.
5. **Waiver.** As partial consideration for the City's obligations contained herein, Developers agree to waive and release the City from any claims, suits, actions or demands whether ascertained now or in the future, that may be brought pursuant to §5-8-40 of the Act with respect to the required off-site transportation mitigation provided for in this Agreement.
6. **Process.** On-site and adjacent street infrastructure shall be determined by the City's Development Review Board at the time of site development plan approval or subdivision plat approval of Developers' Property.
7. **Joint and Several Liability.** The Developers shall be jointly and severally liable to pay to and indemnify the City for the total cost of the Developers' obligations pursuant to this Agreement.
8. **Covenant.** This Agreement shall be a covenant running with the title to the Developers' Property and shall be binding upon the Developers, their heirs, personal representatives, successors and assigns.
9. **Notice.** For purposes of giving formal written notice, including notice of change of address, the Developers' 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 three (3) days after the notice is mailed if there is no actual evidence of receipt.
10. **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.
11. **Changes to Agreement.** Changes to this Agreement are not binding unless made in writing, signed by both parties.



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 Page: 2 of 4
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R 15.00

- 12. 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.
- 13. 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.
- 14. Forms Not Changed. Developers agree that changes to this form are not binding unless initialed by the Developers and signed by the City's Legal Department on this form.
- 15. Authority to Execute. If the Developers signing below are not the Owners of the Developers' Property, the City may require the Developers to provide the City with satisfactory proof of Developers' authority to execute this Agreement.
- 16. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Developers and the express written concurrence of any 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.
- 17. Recitals. The Recitals are a material part of this Agreement and are incorporated herein by reference.

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

DEVELOPER, SANHILL DEVELOPMENT LTD. CO.
OWNER: TRACT C, LANDS OF POLO CHAVEZ

By: Phillip J. Menicucci
Phillip Menicucci
President / Managing Member
Dated: 11-3-04

CITY OF ALBUQUERQUE

James B. Lewis
James B. Lewis
Chief Administrative Officer
Dated: 11/22/04 *klf 11/22/04*

DEVELOPER, MELENDEZ CONCRETE, INC.
OWNER: TRACTS A-1 AND A-2, SAN JOSE TRACTS

By: Francisco Melendez
Francisco Melendez
President
Dated: Nov 5, 04

APPROVED BY

Richard Dourte 11/22/04
Richard Dourte
City of Albuquerque Engineer

DEVELOPERS' NOTARY



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

This instrument was acknowledged before me on this 3rd day of November, 2004, by Phillip Menicucci, President / Managing Member for Sanhill Development Ltd. Co., a New Mexico Limited Liability Co.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires _____

Beth Gonzales
Notary Public

My Commission Expires:
10-08-07

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

This instrument was acknowledged before me on this 5th day of November, 2004, by Francisco Melendez, President for Melendez Concrete, Inc., a New Mexico Corporation.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires _____

Beth Gonzales
Notary Public

My Commission Expires:
10-08-07

CITY'S NOTARY

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

This instrument was acknowledged before me on this 22nd day of November, 2004, by James B. Lewis, Chief Administrative Officer for the City of Albuquerque, a municipal corporation.

Felicia Leon

Notary Public

My Commission Expires:
1-27-06

Post-it [®] Fax Note	7671	Date	12-11-04	# of pages	4
To	SHAWN	From	PHILIP		
Co./Dept.		Co.	SANHILL		
Phone #		Phone #			
Fax #		Fax #			



Mary Herrera

Bern. Co. AGRE

R 15.00

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Page: 4 of 4

12/02/2004 02:08P

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No. of Lots: Forty Two
Nearest Major Streets
Airport Rd. And Eduardo Rd.

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 5th day of August, 2005; 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 Sanhil Development LTD.Co.

("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A New Mexico Corporation, whose address is 640 Oak Street SE, NM 87106 and whose telephone number is 842-5678, 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:] Tracts C, Lands of Polo Chavez and Tracts A-1 and A-2, San Jose Tracts, recorded on March 30, 20 04 in the records of the Bernalillo County Clerk at Book 2004-C, Page 106 (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:] Sanhil Development Ltd. Co. ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Cielo Lindo Subdivision 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 8th day of August, 2006 ("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. 594085.

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

Mary Herrera Bern. Co. AGRE R 19.00 2005114629 6318678 Page: 1 of 6 08/08/2005 11:02A Bk-A101 Pg-4288

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 insureds. 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 Advanced Engineering and Consulting, LLC, and construction surveying of the private Improvements shall be performed by Advanced Engineering and Consulting, LLC. 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 Advanced Engineering and Consulting, LLC, and inspection of the private Improvements shall be performed by Advanced Engineering and Consulting, LLC, 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 Vinyard & Associates, Inc., and field testing of the private Improvements shall be performed by Vinyard & Associates, Inc., 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 Guarantee:"

Type of Financial Guaranty: Loan Reserve Letter, Dated June 23, 2005
Amount: \$ 275,907.59 Name of Financial Institution or Surety
providing Guaranty: U.S. New Mexico Federal Credit Union
Date City first able to call Guaranty: August 8, 2006
[Construction Completion Deadline]: October 8, 2006
If Guaranty other than a Bond, last day City able to call Guaranty is:
October 8, 2006
Additional information: _____

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:

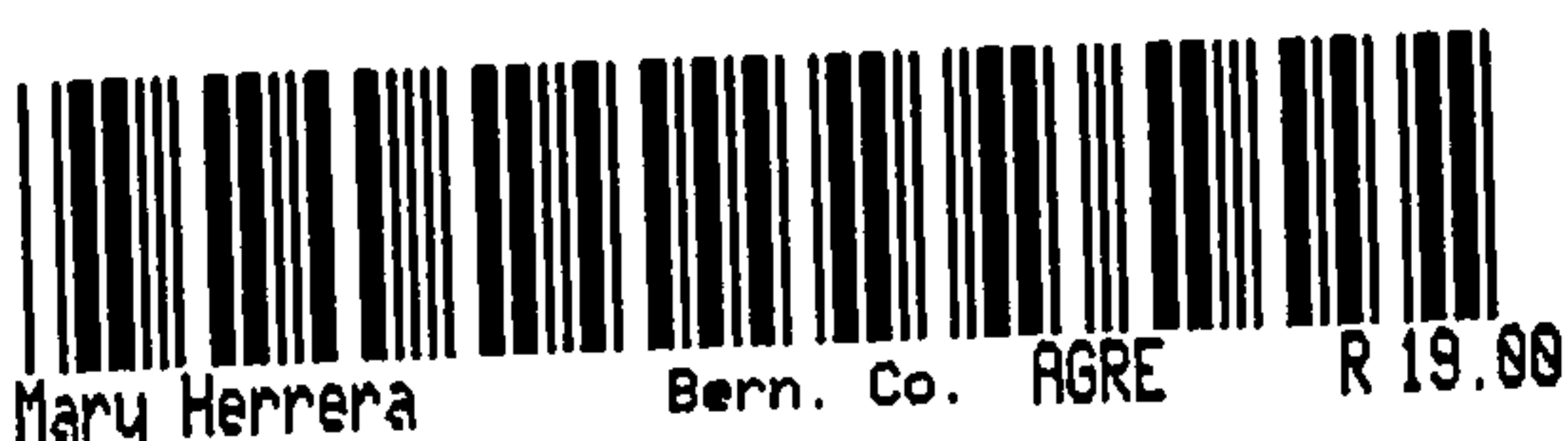
(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(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.

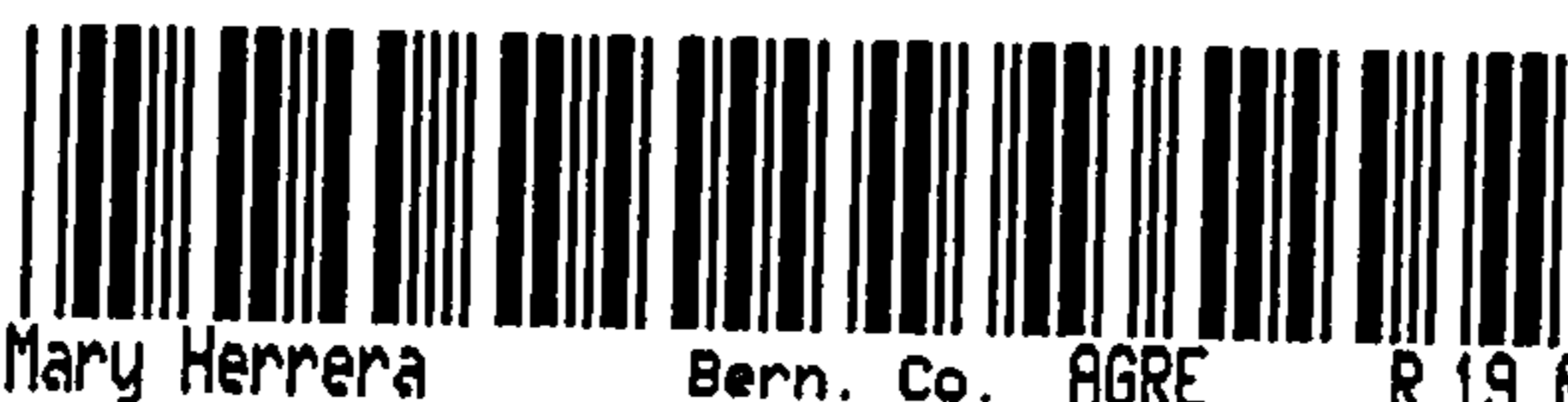
17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

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.



Second original dated 6/23/2005

Date: April 8, 2005

James Lewis
Chief Administrative Officer
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: Loan Reserve for Sanhil Development Ltd. Co.
City of Albuquerque Project No.: 594085
Project Name: Cielo Lindo Subdivision, Phase/Unit#: 1

Dear Mr. Lewis:

This letter is to advise the City of Albuquerque ("City") that, at the request of, Sanhil Development Ltd. Co., U.S. New Mexico Federal Credit Union ("Financial Institution"), in Albuquerque, New Mexico, holds as a loan reserve in the sum of Two Hundred Seventy Five Thousand Nine Hundred Seven and 59/100 Dollars (\$275,907.59) ("Loan Reserve") for the exclusive purpose of providing the financial guarantee which the City requires, Sanhil Development Ltd. Co. ("Subdivider") to provide for the installation of the improvements which must be constructed at Cielo Lindo Subdivision, Phase/Unit #: 1, Project No. 594085 ("Project"). The amount of the Loan Reserve is 125% of the City's estimated cost of the Project, as required by the City's Subdivision Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Subdivider, which was recorded on August 8, 2005 in the records of the Clerk of Bernalillo County, New Mexico in Book, Pages 4288 to 4288 ("Agreement").

1. Reduction of Reserve. If the City Engineer for the City, or that person's authorized designee, determines that it is appropriate to release a specified amount of the loan reserves as the result of the Subdivider's construction of a portion of the required infrastructure, then the City Engineer, or that person's authorized designee, may execute an "Authorization to Release" which will authorize the Financial Institution to release a specified amount from the loan reserves. The Authorization to Release will state the amount of the "Reduced Loan Reserve Balance" which must be maintained following the reduction. The Reduced Loan Reserve Balance shall not be reduced by more than 90% of the City's estimated cost of the Project until the Project is accepted by the City. When the Financial Institution receives the Authorization to Release, which has been signed by the City, the Financial Institution may reduce the Loan Reserve to the Reduced Loan Reserve Balance.

Main Branch 3939 Osuna Rd. NE

Telephone 505 342 8897

Fax 505 342 8993

Toll Free Number 1-888-342-USNM

Web Site BetterThanBanking.com

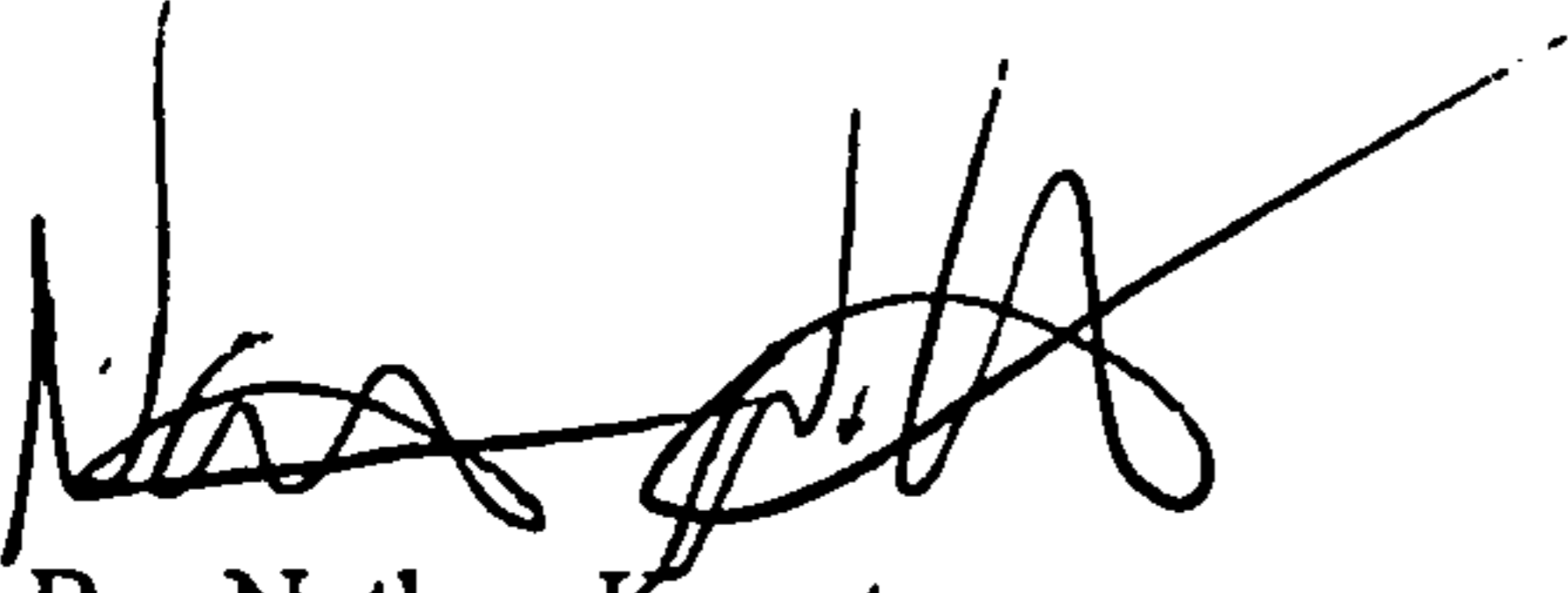


Business Lending

P.O. Box 130, Albuquerque, NM 87103-0130

2. Liability of Financial Institution. Although the City may approve the Financial Institution's release of a part of the loan reserves, the approval will not constitute the City's final acceptance of part or all of the Project. However, no matter what agreement exists between the Subdivider and the City, the total liability of the Financial Institution to the City with respect to the loan reserves established pursuant to this Loan Reserve Letter shall at all times be limited to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City under this Loan Reserve Letter shall cease upon termination of the loan reserve, as provided in Section 4 herein.
3. Draw on Reserve. If by August 8, 2006, the Improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between August 8, 2006, and October 8, 2006, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by the CAO or the CAO's authorized designee, which shall state that the Subdivider has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution shall deliver the cashier's check promptly to the City.
4. Termination of Reserve. This loan reserve is for the benefit of the City and shall be irrevocable until the earliest occurrence of one of the following:
 - a. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
 - b. City delivery of the Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or
 - c. Expiration of the date October 8, 2006; or
 - d. Written confirmation of this Loan Reserve Letter, signed by the City Engineer of the City.


Sincerely,



By: Nathan Koontz
US New Mexico Federal Credit Union
Title: Vice President of Business Lending

ACCEPTED:

CITY OF ALBUQUERQUE

By: 
Chief Administrative Officer

@ 7/12/06

Dated: 8-25-05

KJE 8/15/05



EXHIBIT "A"

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 15, 2004

2. Project # 1002779

04DRB-01730 Major-Preliminary Plat Approval
04DRB-01731 Major-Vacation of Public Easements
04DRB-01732 Minor-Temp Defer SDWK

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for SANHIL DEVELOPMENT LTD CO request(s) the above action(s) for all or a portion of Tract(s) C, A-1 & A-2, LANDS OF POLO CHAVEZ and SAN JOSE TRACTS, (to be known as CIELO LINDO SUBDIVISION) zoned R-1 residential zone, located on AIRPORT DR SW, between DONA BARBARA AVE SW and EDUARDO RD SW containing approximately 9 acre(s). [REF: 04DRB00959, 03EPC02049, 03EPC01061] [*Deferred from 12/1 & 12/8/04*] (M-11)

At the December 15, 2004, Development Review Board meeting, with the signing of the infrastructure list dated 12/15/04 and approval of the grading plan engineer stamp dated 12/6/04 the preliminary plat was approved with the following condition of final plat:

The final plat cannot be approved until the City has accepted DRB Project 705581 which constructed the public lines in Coors.

The vacation was 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.

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

If you wish to appeal this decision, you must do so by December 30, 2004 in the manner described below.

FINANCIAL GUARANTY AMOUNT

02/24/2005

Type of Estimate: Sidewalk Deferral

Project Description:

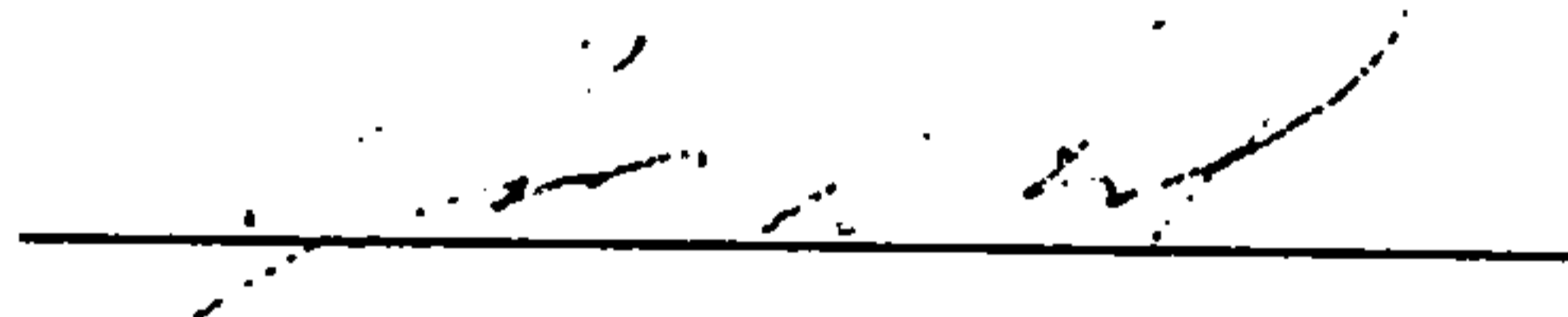
Project ID #: 594085, Cielo Lindo Subdivision, Phase/Unit #: 1

Requested By: Shahram Biazar w/ Advanced Engineering & Consulting, LLC

Approved estimate amount:		\$23,328.80
NMGRT	6.75%	\$1,574.69
Subtotal:		\$24,903.49
125% FINANCIAL GUARANTY RATE		1.25
TOTAL FINANCIAL GUARANTY REQUIRED		\$31,129.36

APPROVAL:

DATE:



02-24-2005

Notes: SW-1 of 2. FG is for on-site sidewalks & a portion on Airport.

INFRASTRUCTURE LIST

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

Date Submitted: 12/15/04
Date Site Plan Approved: *n/a*
Date Preliminary Plat Approved: 12/15/04
Date Preliminary Plat Expires: 12/15/05
DRB Project No: 1002779
DRB Application No: 04-0780

ORIGINAL

**CIELO LINDO SUBDIVISION
PROPOSED NAME OF PLAT AND/OR ~~SITE DEVELOPMENT PLAN~~**

**TRACT A-1 & A-2, SAN JOSE TRACT AND TRACT C, LAND OF POLO CHAVEZ
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

△ revised 2-18-05
② 7-1-05

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 portion 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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PAVING									
B-1	1594085	28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Calle Ciello, SW	Airport Dr., SW	East End Cul-De-Sac Lots 15/16	/	/	/
B-2		28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Cielo Lindo Ct., SW	Calle Ciello, SW	South End Cul-De-Sac Lots 26/27	/	/	/
B-2		32' F-F	Residential Pavement C&G ON BOTH SIDES 6' SD/WK ON BOTH SIDES	Airport Dr., SW	Dona Barbara, SW	North PL Lots 1/42	/	/	/
WATERLINE									
B-1		6"	Waterline PVC C-900	Calle Ciello, SW	Airport Dr., SW	Carras Rd East End Pl Tract A	/	/	/
B-2		4"	Waterline PVC C-900	Cielo Lindo Ct., SW	Calle Ciello, SW	South End Cul-De-Sac	/	/	/
B-2		10"	Waterline PVC C-900	Airport Dr., SW	Dona Barbara, SW West PL Lot 36	North PL Lots 1/42	/	/	/

ORIGINAL

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
SANITARY SEWER									
B-1	594081	8" 1500	Sanitary Sewer line SDR-35	Calle Cielo, SW	Airport Dr., SW	Coors Rd East End Pl Tract A SW	/	/	/
		8" 150	Sanitary Sewer line SDR-35	Cielo Lindo Ct., SW	Calle Cielo, SW	South End Cul-De-Sac	/	/	/
		8" 400	Sanitary Sewer line SDR-35	Airport Dr., SW	Dona Barbara, SW	North PL Lots 1/42	/	/	/
		8" (±90')	Sanitary Sewer 9.0 Coors	W. side Row	E. side Row		/	/	/
STORM SEWER									
		36" 820	Storm Sewer Pipe RCP	Calle Cielo, SW	Airport Dr., SW	South End Cul-De-Sac Tract A	/	/	/
		18" 260	Storm Sewer Pipe RCP	Tract A Lands of Chavez	Tract A East PL	Coors Blvd., SW	/	/	/
		24" 50	Private Conc. Channel	Lot 27	South PL	Cielo Lindo Ct., SW	/	/	/
		30" 300	Storm Sewer Pipe RCP	Airport Dr., SW	Dona Barbara, SW	Calle Cielo, SW	/	/	/
		3.40 AC-F	Detention Pond	Tract A			/	/	/
			Procedure G	\$500.00 PER LOT	MISC.		/	/	/
			Modified	321,000.00	(2) REMOVED DUE TO SUBJECT FEES 7-1-05		/	/	/
							/	/	/
							/	/	/

NAME OF PLAT AND/OR SITE PLAN: Cielo Lindo Subdivision

ORIGINAL

NOTES

- 1 Water Infrastructure to Include Services, Vales, Fittings, Valve Boxes, and Fire Hydrants as Required
- 2 Catch Basin and Manholes Connection Included with Storm Sewer Pipe
- 3 Sanitary Sewer to Include Manholes and Service Connections as required
- 4 Residential Street Lights Per DPM
- 5 Certified Grading and Drainage and wall for SIA/Financial Release
- 6 ** Sidewalks which front the lots will be deferred and built during the construction of the individual houses
- 7 Perimeter Wall per DRB Approved Perimeter Wall Design
- 8 * This Portion is Financially Guaranteed under City Project # 594082
- 9 *** This Portion of SIA Will Be Guaranteed Separately, Separate Procedure "B"
- 10
- 11

AGENT/OWNER

Shahram (Shawn) Biazar
NAME (print)

Advanced Engineering and Consulting, LLC
FIRM

12/08/2004
SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION:

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Shawn Biazar 12/15/04
DRB CHAIR - date
Christina Sandoval 12/15/04
PARKS & GENERAL SERVICES - date

Scott Lee 12-15-04
TRANSPORTATION DEVELOPMENT - date
Roger Green 12/15/04
UTILITY DEVELOPMENT - date

Bradley L. Bingham 12/15/04
CITY ENGINEER - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER
1	2-18-05	<i>[Signature]</i>	<i>Roger Green</i>	<i>[Signature]</i>
2	7-1-05	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

FINANCIAL GUARANTY AMOUNT

02/23/2005

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

Project Description:

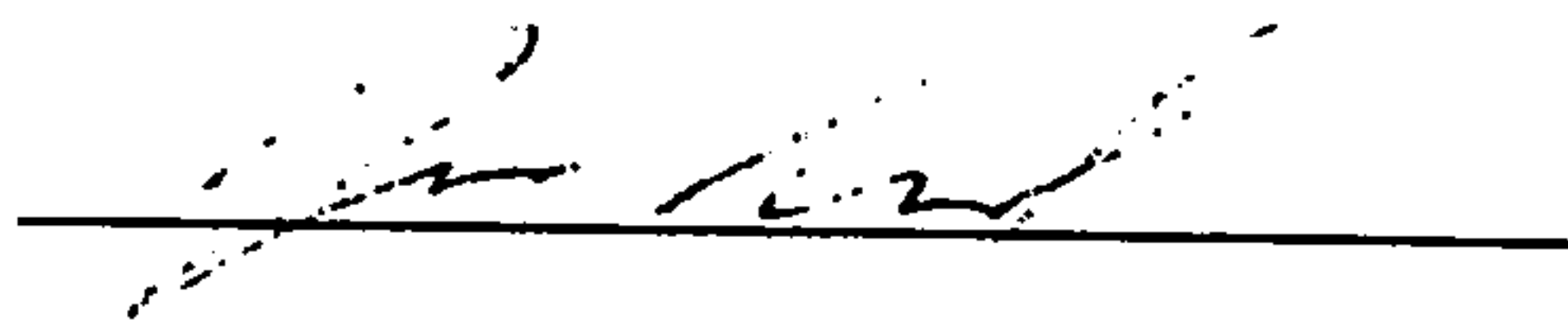
Project ID #: 594085, Cielo Lindo Subdivision, Phase/Unit #: 1

Requested By: Shahram Biazar w/ Advanced Engineering & Consulting, LL

Approved estimate amount:		\$173,086.51
Contingency Amount:	10.00%	\$17,308.65
Subtotal:		\$190,395.16
NMGRT	6.75%	\$12,851.67
Subtotal:		\$203,246.83
Engineering Fee	6.60%	\$13,414.29
Testing Fee	2.00%	\$4,064.94
Subtotal:		\$220,726.07
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$275,907.59</u>

APPROVAL:

DATE:



02-23-2005

Notes: B-1 of 2. 10% contingency, plans not approved. This FG is for on-site paving, water, & SAS and SAS in Coors. Certification for grading & drainage prior to release of FG.

CURRENT DRC
Project Number: _____

FIGURE 12

Claire

Date Submitted: 12/15/04
 Date Site Plan Approved: N/A
 Date Preliminary Plat Approved: 12/15/04
 Date Preliminary Plat Expires: 12/15/05
 DRB Project No: 1002779
 DRB Application No: 04-0780

ORIGINAL

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

CIELO LINDO SUBDIVISION
PROPOSED NAME OF PLAT AND/OR ~~SITE DEVELOPMENT PLAN~~
TRACT A-1 & A-2, SAN JOSE TRACT AND TRACT C, LAND OF POLO CHAVEZ
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

revised 2-18-05
7-1-05

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 portion 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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PAVING									
		28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Calle Ciello, SW	Airport Dr., SW	East End Cul-De-Sac Lots 15/16	/	/	/
		28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Cielo Lindo Ct., SW	Calle Ciello, SW	South End Cul-De-Sac Lots 26/27	/	/	/
		32' F-F	Residential Pavement C&G ON BOTH SIDES 6' SD/WK ON BOTH SIDES	Airport Dr., SW	Dona Barbara, SW	North PL Lots 1/42	/	/	/
							/	/	/
WATERLINE									
		6"	Waterline PVC C-900	Calle Ciello, SW	Airport Dr., SW	East End PL <i>CEARS Rd</i> Tract A	/	/	/
		4"	Waterline PVC C-900	Cielo Lindo Ct., SW	Calle Ciello, SW	South End Cul-De-Sac	/	/	/
		10"	Waterline PVC C-900	Airport Dr., SW	Dona Barbara, SW West PL Lot 36	North PL Lots 1/42	/	/	/
							/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
SANITARY SEWER									
		8"	Sanitary Sewer line SDR-35	Calle Cielo, SW	Airport Dr., SW	Coors Rd East End PL Tract A SW	/	/	/
		8"	Sanitary Sewer line SDR-35	Cielo Lindo Ct., SW	Calle Cielo, SW	South End Cul-De-Sac	/	/	/
		8"	Sanitary Sewer line SDR-35	Airport Dr., SW	Dona Barbara, SW	North PL Lots 1/42	/	/	/
		8" (±90')	Sanitary Sewer	Coors	W. side Row	E. side Row	/	/	/
STORM SEWER									
		*** 36"	Storm Sewer Pipe RCP	Calle Cielo, SW	Airport Dr., SW	South End Cul-De-Sac Tract A	/	/	/
		*** 18"	Storm Sewer Pipe RCP	Tract A Lands of Chavez	Tract A East PL	Coors Blvd., SW	/	/	/
		24"	Private Conc. Channel	Lot 27	South PL	Cielo Lindo Ct., SW	/	/	/
		*** 30"	Storm Sewer Pipe RCP	Airport Dr., SW	Dona Barbara, SW	Calle Cielo, SW	/	/	/
		*** 3.40 AC-F	Detention Pond	Tract A			/	/	/
			Procedure O \$500.00 PER LOT	MISC. 12			/	/	/
			Modified \$21,000.00		REMOVED DUE TO SUBJECT FEES 7-1-05		/	/	/
							/	/	/
							/	/	/

NOTES

- 1 Water Infrastructure to Include Services, Vales, Fittings, Valve Boxes, and Fire Hydrants as Required
- 2 Catch Basin and Manholes Connection Included with Storm Sewer Pipe
- 3 Sanitary Sewer to Include Manholes and Service Connections as required
- 4 Residential Street Lights Per DPM
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- 6 ** Sidewalks which front the lots will be deferred and built during the construction of the individual houses
- 7 Perimeter Wall per DRB Approved Perimeter Wall Design
- 8 * This Portion is Financially Guaranteed under City Project # 594082
- 9 *** This Portion of SIA Will Be Guaranteed Separately, Separate Procedure "B"
- 10
- 11

AGENT/OWNER

Shahram (Shawn) Biazar
NAME (print)

Advanced Engineering and Consulting, LLC
FIRM

[Signature] 12/08/2004
SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 12/15/04 *[Signature]* 12/15/04
DRB CHAIR - date PARKS & GENERAL SERVICES - date

[Signature] 12-15-04
TRANSPORTATION DEVELOPMENT - date

[Signature] 12/15/04
UTILITY DEVELOPMENT - date

[Signature] 12/15/04
CITY ENGINEER - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER
1	2-18-05	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
2	7-1-05	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

PRE-ANNEXATION AGREEMENT TO CONSTRUCT PUBLIC IMPROVEMENTS

THIS AGREEMENT is made this 22nd day of November, 2004, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293, One Civic Plaza, Albuquerque, New Mexico 87103; Sanhill Development Ltd. Co., a New Mexico Limited Liability Company ("Sanhill"), whose address is 640 Oak Street S.E. 87106 and whose telephone number is (505) 842-5678 or 480-1602, in Albuquerque, New Mexico; and Melendez Concrete, Inc. ("Melendez"), a New Mexico Corporation, whose address is 506 Rio Rancho Boulevard 87124 and whose telephone number is (505) 896-3821 in Rio Rancho, New Mexico (collectively, the "Developers"); and is entered into as of the date of final execution of this Agreement.

RECITALS:

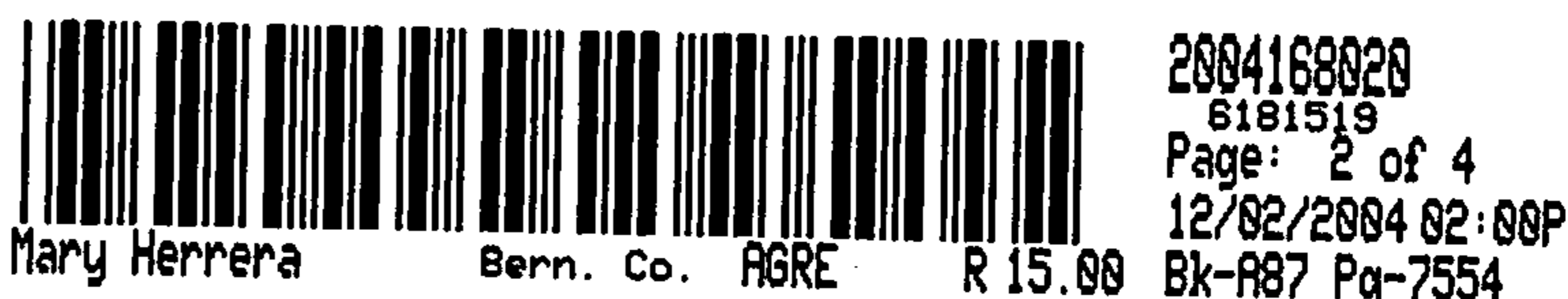
- A. WHEREAS, the Developers are developing certain lands outside the City of Albuquerque, Bernalillo County, New Mexico, known as Tract C, Lands of Polo Chavez, 5.48 acres recorded on March 30, 2004 in the records of Bernalillo County at Book Misc. 2004C, page 106, and Tracts A-1 & A-2, San Jose Tracts, 2.50 acres recorded on February 11, 2003 in the records of Bernalillo County at Book Misc. 2003C, page 29 (collectively, "Developers' Property"). Sanhill certifies that Tract C, Lands of Polo Chavez, is owned in fee simple by Sanhill Development Ltd. Co., ("Owner"). Melendez certifies that Tracts A-1 and A-2 are owned in fee simple by Melendez Concrete, Inc., ("Owner"); and includes the public right-of-way for Airport Road, 0.65 acres.**
- B. WHEREAS, Developers have applied for annexation of Developers' Property into the Albuquerque City limits under annexation AX-04-039; and**
- C. WHEREAS, Developers represent and covenant that Developers will develop Developers' Property at a maximum residential density of 6 du's per acre or a maximum of 52 dwelling on 8.6 acres ; and**
- D. WHEREAS, Developers' development of the property at a density of 6 du's will require additional infrastructure to service the development; and**
- E. WHEREAS, Developers' Property is not a large subdivision nor is it adjacent to a major arterial and the local street system will incur minor impacts from the traffic generated by this development; and**
- F. WHEREAS, Developers have agreed to contribute a fee per dwelling unit to be used by the City to make improvements to public infrastructure in the proximity of the Developers' Property; and**
- G. WHEREAS, under Albuquerque City Council Resolution R-68 Enactment No. 54-1990 annexation of areas planned to be urban intensity of development will be approved when certain policies are satisfied including a commitment by the land owner that he or his successors in interest will in a manner that satisfies City standards, install and pay for necessary major streets, water, sanitary sewer, and storm-water handling facilities; and**
- H. WHEREAS, the City and Developers desire to enter into this Agreement to satisfy the conditions of City policy for annexation of Developers' Property into the City.**

THEREFORE, in consideration of the foregoing promises, THE CITY AND DEVELOPERS AGREE:



2004168020
6181519
Page: 1 of 4
12/02/2004 02:00P
Bk-A87 Pg-7554

1. **Off-site Improvements Contribution:** Developers agree to contribute a payment ("Payment") in the amount of Five Hundred Dollars (\$500.00) per residential lot which payment shall be used by the City of Albuquerque to install and complete off-site traffic mitigation improvements. The offsite traffic mitigation improvements associated with this property are to be constructed in the area bounded by Tower Road, Unser Boulevard, Arenal Road, and Coors Boulevard. The permanent street improvements may include curb, asphalt paving, median curbs, storm drainage lines, sanitary sewer lines, water lines, traffic signalization and necessary appurtenances ("Improvements").
2. **Payment.** Developers agree to submit the Payment in the form of a cashier's check to the City prior to final subdivision plat approval of Developers' Property or any portion thereof.
3. **APS Option.** City of Albuquerque may opt to contribute a portion of the Payment in the amount of One Hundred Dollars (\$100.00) per residential lot which shall be used by the Board of Education of the City of Albuquerque to defer educational expenses associated with the development of Developers' Property.
4. **Development Fee.** In 1993, the New Mexico Legislature enacted the Development Fee Act (§5-8-1, et seq., N.M.S.A. 978) (the "Act"). The Act authorizes the City to impose impact fees ("Impact Fees") and allow credit for capital improvements, which include, among other things, transportation improvements. Nothing contained herein shall limit the Developers' right to receive credits against any future Impact Fees subsequently imposed upon the Developers' Property, if any, for improvements required by the City as a condition of development of the Developers' Property.
5. **Waiver.** As partial consideration for the City's obligations contained herein, Developers agree to waive and release the City from any claims, suits, actions or demands whether ascertained now or in the future, that may be brought pursuant to §5-8-40 of the Act with respect to the required off-site transportation mitigation provided for in this Agreement.
6. **Process.** On-site and adjacent street infrastructure shall be determined by the City's Development Review Board at the time of site development plan approval or subdivision plat approval of Developers' Property.
7. **Joint and Several Liability.** The Developers shall be jointly and severally liable to pay to and indemnify the City for the total cost of the Developers' obligations pursuant to this Agreement.
8. **Covenant.** This Agreement shall be a covenant running with the title to the Developers' Property and shall be binding upon the Developers, their heirs, personal representatives, successors and assigns.
9. **Notice.** For purposes of giving formal written notice, including notice of change of address, the Developers' 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 three (3) days after the notice is mailed if there is no actual evidence of receipt.
10. **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.
11. **Changes to Agreement.** Changes to this Agreement are not binding unless made in writing, signed by both parties.



Developers agree that changes to this form are not binding unless initiated by the Developers and signed by the City's Legal Department on this form.

15. **Authority to Execute.** If the Developers signing below are not the Owners of the Developers' Property, the City may require the Developers to provide the City with satisfactory proof of Developers' authority to execute this Agreement.
16. **Assignment.** This Agreement shall not be assigned without the prior written consent of the City and the Developers and the express written concurrence of any 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.
17. **Recitals.** The Recitals are a material part of this Agreement and are incorporated herein by reference.

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

DEVELOPER, SANHILL DEVELOPMENT LTD. CO.
OWNER: TRACT C, LANDS OF POLO CHAVEZ

By: Phillip J. Menicucci
Phillip Menicucci
President / Managing Member
Dated: 11-3-04

CITY OF ALBUQUERQUE

James B. Lewis
James B. Lewis
Chief Administrative Officer
Dated: 11/22/04

kg 11/22/04

DEVELOPER, MELENDEZ CONCRETE, INC.
OWNER: TRACTS A-1 AND A-2, SAN JOSE TRACTS

By: Francisco Melendez
Francisco Melendez
President
Dated: Nov 5, 04

APPROVED BY

Richard Dourte 11/22/04
Richard Dourte
City of Albuquerque Engineer

DEVELOPERS' NOTARY



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

This instrument was acknowledged before me on this 3rd day of November, 2004,
by Phillip Menicucci, President / Managing Member for Sanhill Development Ltd. Co., a New
Mexico Limited Liability Co.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: _____

Beth Gonzales
Notary Public
My Commission Expires:
10-08-07

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

This instrument was acknowledged before me on this 7th day of November, 2004,
by Francisco Melendez, President for Melendez Concrete, Inc., a New Mexico Corporation.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: _____

Beth Gonzales
Notary Public
My Commission Expires:
10-08-07

CITY'S NOTARY

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

This instrument was acknowledged before me on this 22nd day of November, 2004,
by James B. Lewis, Chief Administrative Officer for the City of Albuquerque, a municipal
corporation.

Leticia Leon
Notary Public
My Commission Expires:
1-27-06





City of Albuquerque

Action Summary

City Council

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Council President Michael J. Cadigan, District 5
Vice President Eric Griego, District 3

Council Members: Miguel A. Gómez, District 1;
Debbie O'Malley, District 2; Brad Winter, District 4;
Martin Heinrich, District 6; Sally Mayer, District 7;
Craig Loy, District 8; Tina L. Cummins, District 9

TTY Phone # - 1-800-659-8331
For Weekly Schedule of Meetings Call: 768-4777

Monday, October 4, 2004

5:12 PM

Vincent E. Griego Chambers
One Civic Plaza
Albuquerque/Bernalillo County
Government Center

- EC-04-208** Mayor's Recommendation of AMEC for Construction Management Services for the Eubank Storm Drain Project
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-209** Legal Services Agreement with Butt, Thornton & Baehr Law Firm for Continuing Legal Representation in Various Workers' Compensation Cases
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-210** Legal Services Agreement with French & Associates Law Firm for Continuing Legal Representation in Various Workers' Compensation Cases
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-211** Legal Services Agreement with Yenson, Lynn, Allen & Wosick Law Firm for Continuing Legal Representation in Various Workers' Compensation Cases
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-219** Police Oversight Commission - Second Quarterly Report 2004
Noted as Received
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-220** Affordable Housing Committee Annual Report - 2003
Noted as Received
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins

- EC-04-234** Agreement with United South Broadway Corporation for Property to be Used for the Expansion of the Bosque Youth Conservation Corps Program
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- EC-04-235** Agreement with Albuquerque Public Schools to provide Nutritious Meals for Economically Disadvantaged Children
Approved
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-119** Authorizing Filing of a Grant Application for a Forensic Case DNA Backlog Reduction Grant with the U.S. Dept. of Justice; Providing an Appropriation to the Albuquerque Police Department (Loy)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-123** Authorizing Filing of Grant Amendment with the Federal Transit Administration of the U.S. Dept. of Transportation; Providing an Appropriation to Transit (Heinrich)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-137** Authorizing Filing of a Grant Application for a Food Service Program for Children with the NM Dept. of Children, Youth and Families; Providing an Appropriation to Family and Community Services (Griego)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-141** Supporting Strong State Regulations to Protect Convenience Store Employees from Violent Crime and Setting Forth City Policy (Heinrich)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- AC-04-14** Rick Bennett Architects, Agent for Ted Waterman, Appeal the Board of Appeals Decision to Uphold Thereby Reversing the ZHE's Approval of a Special Exception to a Conditional Use to Allow Apartments in a C-2 Zone - Located at 351 Yucca Drive NW
Denied
Votes: For: 7 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Mayer and Loy
Against: 2 - Council Members: Heinrich and Cummins
- O-04-57** Amending ROA 1994, Providing for Motor Vehicle Seizure and Forfeiture (Winter)
Passed as Amended
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins

- O-04-20** Amending ROA 1994, Zones of the Comprehensive Zoning Code to Provide for Restrictions on the Height of Outside Museum Exhibits (O'Malley)
Postponed as Amended, due back on December 6, 2004
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- ~~**O-04-39**~~ Annexation - Annexing 9 Acres Located on Coors SW between Eduardo and Arenal SW; Amending the Zone Map to Establish R-1 Zoning (Gomez)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- O-04-54** Annexation - Annexing 10 Acres Located at the End of Hidden Valley Road SE between the Tijeras Arroyo and Four Hills Road; Amending Zone Map to Establish SU-1 for PRD, 50 DU Maximum Zoning (Cummins)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-127** Moratorium on Approval of Annexations in the City; Exempting Annexation Applications that Include a Preannexation Agreement (Cadigan)
Passed
Votes: For: 9 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer, Loy and Cummins
- R-04-130** Directing the Transit Department to Provide Free Rides on all Routes for Public Transit Passengers on Election Day November 2, 2004 (Gomez)
Passed
Votes: For: 8 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer and Loy
Excused: 1 - Council Members: Cummins
- R-04-145** Declaring a Six Month Moratorium on New Development Within a Specified Plan Area of the Northwest Mesa Area (Volcano Cliffs Area); Appropriating Funds; Declaring an Emergency (Heinrich)
Passed As Substituted, As Amended
Votes: For: 6 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter and Heinrich
Against: 3 - Council Members: Mayer, Loy and Cummins
- R-04-162** Requiring Installation of a Traffic Signal at the Intersection of San Jose Avenue and Broadway Avenue by December 31, 2004 (Griego)
Passed
Votes: For: 6 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Heinrich and Loy
Excused: 3 - Council Members: Winter, Mayer and Cummins
- M-04-9** Urging Restoration of U.S. Dept. of Justice Funding for the Community Oriented Policing Services (COPS) Program (Cadigan)
Passed
Votes: For: 8 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich, Mayer and Loy
Excused: 1 - Council Members: Cummins

OC-04-11 Joint Powers Agreement - 1st Amendment - Allowing the Water Authority to Have
Right-of-Way Condemnation Authority for Water and Sewage Facilities
Approved

Votes: For: 8 - Council Members: Cadigan, E. Griego, Gómez, O'Malley, Winter, Heinrich,
Mayer and Loy
Excused: 1 - Council Members: Cummins

1002179

04-039

PRE-ANNEXATION AGREEMENT TO CONSTRUCT PUBLIC IMPROVEMENTS

THIS AGREEMENT is made this 22nd day of November, 2004, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293, One Civic Plaza, Albuquerque, New Mexico 87103; Sanhill Development Ltd. Co., a New Mexico Limited Liability Company ("Sanhill"), whose address is 640 Oak Street S.E. 87106 and whose telephone number is (505) 842-5678 or 480-1602, in Albuquerque, New Mexico; and Melendez Concrete, Inc. ("Melendez"), a New Mexico Corporation, whose address is 506 Rio Rancho Boulevard 87124 and whose telephone number is (505) 896-3821 in Rio Rancho, New Mexico (collectively, the "Developers"); and is entered into as of the date of final execution of this Agreement.

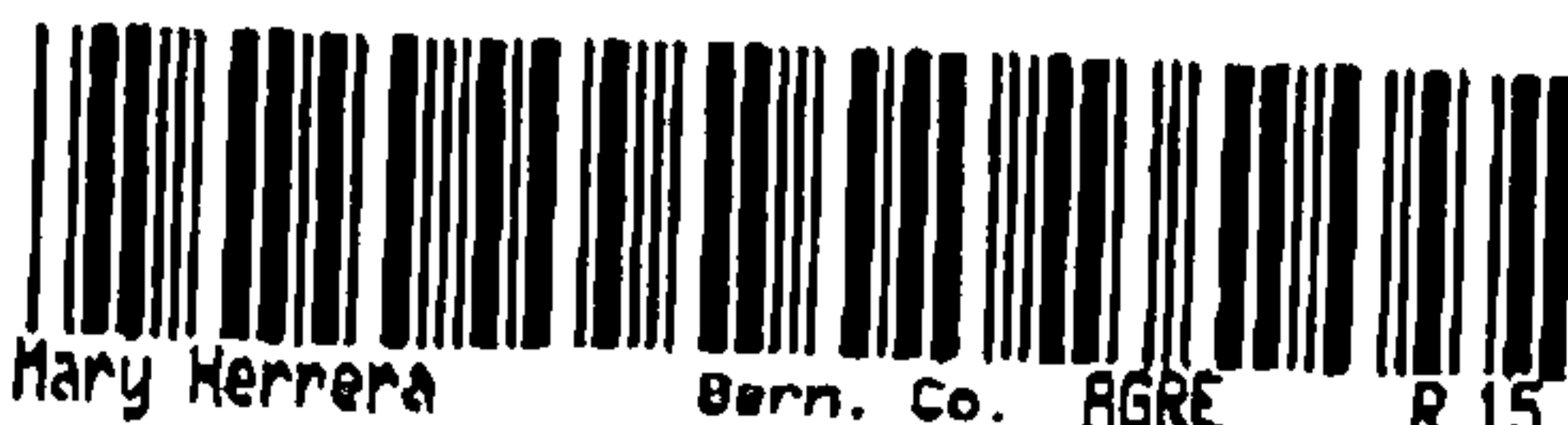
RECITALS:

- A. WHEREAS, the Developers are developing certain lands outside the City of Albuquerque, Bernalillo County, New Mexico, known as Tract C, Lands of Polo Chavez, 5.48 acres recorded on March 30, 2004 in the records of Bernalillo County at Book Misc. 2004C, page 106, and Tracts A-1 & A-2, San Jose Tracts, 2.50 acres recorded on February 11, 2003 in the records of Bernalillo County at Book Misc. 2003C, page 29 (collectively, "Developers' Property"). Sanhill certifies that Tract C, Lands of Polo Chavez, is owned in fee simple by Sanhill Development Ltd. Co., ("Owner"). Melendez certifies that Tracts A-1 and A-2 are owned in fee simple by Melendez Concrete, Inc., ("Owner"); and includes the public right-of-way for Airport Road, 0.65 acres.
- B. WHEREAS, Developers has applied for annexation of Developers' Property into the Albuquerque City limits under annexation AX-04-039; and
- C. WHEREAS, Developers represent and covenant that Developers will develop Developers' Property at a maximum residential density of 6 du's per acre or a maximum of 52 dwelling on 8.6 acres; and
- D. WHEREAS, Developers' development of the property at a density of 6 du's will require additional infrastructure to service the development; and
- E. WHEREAS, Developers' Property is not a large subdivision nor is it adjacent to a major arterial and the local street system will incur minor impacts from the traffic generated by this development; and
- F. WHEREAS, Developers have agreed to contribute a fee per dwelling unit to be used by the City to make improvements to public infrastructure in the proximity of the Developers' Property; and
- G. WHEREAS, under Albuquerque City Council Resolution R-68 Enactment No. 54-1990 annexation of areas planned to be urban intensity of development will be approved when certain policies are satisfied including a commitment by the land owner that he or his successors in interest will in a manner that satisfies City standards, install and pay for necessary major streets, water, sanitary sewer, and storm-water handling facilities; and
- H. WHEREAS, the City and Developers desire to enter into this Agreement to satisfy the conditions of City policy for annexation of Developers' Property into the City.

THEREFORE, in consideration of the foregoing promises, THE CITY AND DEVELOPERS AGREE:

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Page: 1 of 4
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1. **Off-site Improvements Contribution:** Developers agree to contribute a payment ("Payment") in the amount of Five Hundred Dollars (\$500.00) per residential lot which payment shall be used by the City of Albuquerque to install and complete off-site traffic mitigation improvements. The offsite traffic mitigation improvements associated with this property are to be constructed in the area bounded by Tower Road, Unser Boulevard, Arenal Road, and Coors Boulevard. The permanent street improvements may include curb, asphalt paving, median curbs, storm drainage lines, sanitary sewer lines, water lines, traffic signalization and necessary appurtenances ("Improvements").
2. **Payment.** Developers agree to submit the Payment in the form of a cashier's check to the City prior to final subdivision plat approval of Developers' Property or any portion thereof.
3. **APS Option.** City of Albuquerque may opt to contribute a portion of the Payment in the amount of One Hundred Dollars (\$100.00) per residential lot which shall be used by the Board of Education of the City of Albuquerque to defer educational expenses associated with the development of Developers' Property.
4. **Development Fee.** In 1993, the New Mexico Legislature enacted the Development Fee Act (§5-8-1, et seq., N.M.S.A. 978) (the "Act"). The Act authorizes the City to impose impact fees ("Impact Fees") and allow credit for capital improvements, which include, among other things, transportation improvements. Nothing contained herein shall limit the Developers' right to receive credits against any future Impact Fees subsequently imposed upon the Developers' Property, if any, for improvements required by the City as a condition of development of the Developers' Property.
5. **Waiver.** As partial consideration for the City's obligations contained herein, Developers agree to waive and release the City from any claims, suits, actions or demands whether ascertained now or in the future, that may be brought pursuant to §5-8-40 of the Act with respect to the required off-site transportation mitigation provided for in this Agreement.
6. **Process.** On-site and adjacent street infrastructure shall be determined by the City's Development Review Board at the time of site development plan approval or subdivision plat approval of Developers' Property.
7. **Joint and Several Liability.** The Developers shall be jointly and severally liable to pay to and indemnify the City for the total cost of the Developers' obligations pursuant to this Agreement.
8. **Covenant.** This Agreement shall be a covenant running with the title to the Developers' Property and shall be binding upon the Developers, their heirs, personal representatives, successors and assigns.
9. **Notice.** For purposes of giving formal written notice, including notice of change of address, the Developers' 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 three (3) days after the notice is mailed if there is no actual evidence of receipt.
10. **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.
11. **Changes to Agreement.** Changes to this Agreement are not binding unless made in writing, signed by both parties.



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Page: 2 of 4
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- 12. **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.
- 13. **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.
- 14. **Forms Not Changed.** Developers agree that changes to this form are not binding unless initialed by the Developers and signed by the City's Legal Department on this form.
- 15. **Authority to Execute.** If the Developers signing below are not the Owners of the Developers' Property, the City may require the Developers to provide the City with satisfactory proof of Developers' authority to execute this Agreement.
- 16. **Assignment.** This Agreement shall not be assigned without the prior written consent of the City and the Developers and the express written concurrence of any 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.
- 17. **Recitals.** The Recitals are a material part of this Agreement and are incorporated herein by reference.

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

DEVELOPER, SANHILL DEVELOPMENT LTD. CO.
OWNER: TRACT C, LANDS OF POLO CHAVEZ

By: Phillip J. Menicucci
Phillip Menicucci
President / Managing Member
Dated: 11-3-04

CITY OF ALBUQUERQUE

James B. Lewis
James B. Lewis
Chief Administrative Officer
Dated: 11/22/04 *KJ 11/22/04*

DEVELOPER, MELENDEZ CONCRETE, INC.
OWNER: TRACTS A-1 AND A-2, SAN JOSE TRACTS

By: Francisco Melendez
Francisco Melendez
President
Dated: Nov 5, 04

APPROVED BY

Richard Dourte 11/22/04
Richard Dourte
City of Albuquerque Engineer

DEVELOPERS' NOTARY



Mary Herrera

Bern. Co. AGRE R 15.00

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Page: 3 of 4
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STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 3rd day of November, 2004, by Phillip Menicucci, President / Managing Member for Sanhill Development Ltd. Co., a New Mexico Limited Liability Co.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires _____

Beth Gonzales
Notary Public

My Commission Expires:
10-08-07

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

This instrument was acknowledged before me on this 5th day of November, 2004, by Francisco Melendez, President for Melendez Concrete, Inc., a New Mexico Corporation.



OFFICIAL SEAL
BETH GONZALES
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires _____

Beth Gonzales
Notary Public

My Commission Expires:
10-08-07

CITY'S NOTARY

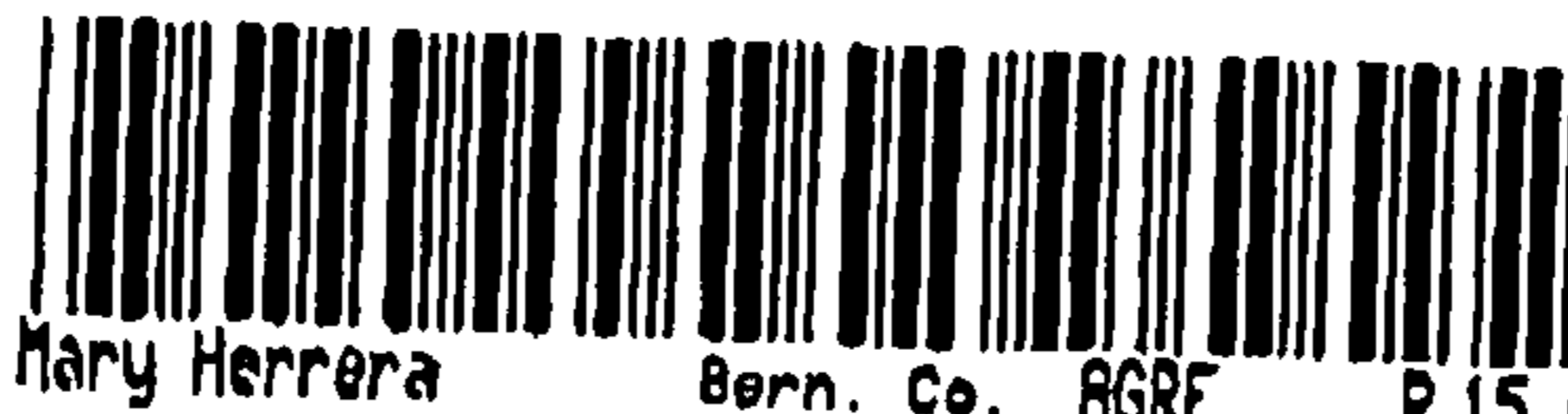
STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 22nd day of November, 2004, by James B. Lewis, Chief Administrative Officer for the City of Albuquerque, a municipal corporation.

Post-it® Fax Note	7671	Date	12-11-04	# of pages	4
To	SHAWN	From	PHILIP		
Co /Dept		Co.	SANHILL		
Phone #		Phone #			
Fax #		Fax #			

Felicia Leon
Notary Public

My Commission Expires:
1-27-06



Mary Herrera

Bern. Co. AGRE

R 15.00

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Page: 4 of 4
12/02/2004 02:08P
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1002179

John Vigil

• no sewer connection
in ^{the} neighborhood. Why
can't they have it?

In Country, up to them?

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

PAID RECEIPT

APPLICANT NAME ~~AD~~ SANH.I Dev. LTD.

AGENT ADVANCED ENGINEERING

ADDRESS _____

PROJECT & APP # 1002779 / 04DRB 01730 / 01731 & 01732

PROJECT NAME Lands of Polo Chavez & SAN Jose Tr

\$ _____ 441032/3424000 Conflict Management Fee

\$ 110.00 441006/4983000 DRB Actions Defernal

\$ _____ 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

\$ 110.00 TOTAL AMOUNT DUE

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

City Of Albuquerque
Treasury Division

12/13/2004 11:30AM LOC: ANN
X
RECEIPT# 00033162 WS# 008 TRAX# 0014
Account 441006 Fund 0110
Activity 4983000 TRSKAL
Trans Amt \$110.00
J24 Misc \$110.00
VI \$110.00
CHANGE \$0.00

Thank You

CURRENT DRC
Project Number: _____

FIGURE 12

Date Submitted: 11/5/04
 Date Site Plan Approved: _____
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No: 1002779
 DRB Application No: _____

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

CIELO LINDO SUBDIVISION
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
TRACT A-1 & A-2, SAN JOSE TRACT AND TRACT C, LAND OF POLO CHAVEZ
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 portion 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 project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PAVING									
<input type="text"/>	<input type="text"/>	28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Calle Cielo, SW	Airport Dr., SW	East End Cul-De-Sac Lots 15/16	/	/	/
<input type="text"/>	<input type="text"/>	28' F-F	Residential Pavement C&G ON BOTH SIDES 4' SD/WK ON BOTH SIDES	Cielo Lindo Ct., SW	Calle Cielo, SW	South End Cul-De-Sac Lots 26/27	/	/	/
WATERLINE									
<input type="text"/>	<input type="text"/>	6"	Waterline PVC C-900	Calle Cielo, SW	Airport Dr., SW	East End PL Tract A	/	/	/
<input type="text"/>	<input type="text"/>	4"	Waterline PVC C-900	Cielo Lindo Ct., SW	Calle Cielo, SW	South End Cul-De-Sac	/	/	/
SANITARY SEWER									
<input type="text"/>	<input type="text"/>	8"	Sanitary Sewer line SDR-35	Calle Cielo, SW	Airport Dr., SW	East End PL Tract A	/	/	/
<input type="text"/>	<input type="text"/>	8"	Sanitary Sewer line SDR-35	Cielo Lindo Ct., SW	Calle Cielo, SW	South End Cul-De-Sac	/	/	/
<input type="text"/>	<input type="text"/>								

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<input type="text"/>	<input type="text"/>	36"	Storm Sewer Pipe RCP	Tract A End of Cul-De-Sac	Calle Ciello, SW	30' Into Pond	/	/	/

NOTES

- 1 Water Infrastructure to Include Services, Vales, Fittings, Valve Boxes, and Fire Hydrants as Required
- 2 Catch Basin and Manholes Connection Included with Storm Sewer Pipe
- 3 Sanitary Sewer to Include Manholes and Service Connections as required
- 4 Residential Street Lights Per DPM
- 5 Certified Grading and Drainage and wall for SIA/Financial Release
- 6 ** Sidewalks which front the lots will be deferred and built during the construction of the individual houses
- 7 Perimeter Wall per DRB Approved Perimeter Wall Design
- 8 _____
- 9 _____

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
-------------	---

Shahram (Shawn) Biazar
NAME (print)

Advanced Engineering and Consulting, LLC
FIRM

11 / 05 / 2004
SIGNATURE - date

DRB CHAIR - date

TRANSPORTATION DEVELOPMENT - date

UTILITY DEVELOPMENT - date

CITY ENGINEER - date

PARKS & GENERAL SERVICES - date

AMAFCA - date

- date

- date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

A 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 **Z**

ZONING & PLANNING

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: SANHIL Development LTD CO. PHONE: (505) 842-5678
 ADDRESS: 640 Oak Street SE FAX (505) 842-5638
 CITY: Albuquerque STATE NM ZIP 87106
 Proprietary interest in site: Owner List all owners: SANHIL Development LTD CO., Francisco Melendez
 AGENT (if any): Advanced Engineering and Consulting, LLC PHONE: (505) 899-5570
 ADDRESS: 4416 Anaheim Avenue, NE FAX: (505) 897-4996
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: AECLLC@aol.com

DESCRIPTION OF REQUEST: Preliminary Plat Approval, Vacation of Public Drainage Easement, Temporary Deferral of Sidewalk Construction for Major Subdivision

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. Tract C, Lands of Polo Chavez, and Tracts A-1, A-2, San Jose Tract, containing ±8.69 Acres
 Subdiv. / Addn. Lands of Polo Chavez & San Jose Tracts
 Current Zoning: R-1 Proposed zoning: Same
 Zone Atlas page(s): M-11-Z No. of existing lots: 3 No. of proposed lots: 42
 Total area of site (acres): 8.0492 Acres Density if applicable: dwellings per gross acre: 5.2 dwellings per net acre:
 Within city limits? Yes. No , but site is within 5 miles of the city limits. Within 1000FT of a landfill? No
 UPC No. 101105500738820140, 101105500738820140, 101105506643420125,
 LOCATION OF PROPERTY BY STREETS: On or Near: Airport Drive, SW
 Between: Dona Barbara Avenue, SW and Eduardo Road, SW

CASE HISTORY:

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

1002779, DRB-00959 SK, 03-EPC-02049, 03-EPC-01061,

Check-off if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team . Date of review: 6-30-04
SIGNATURE [Signature] DATE 11-03-04
 (Print) Shahram (Shawn) Biazar Applicant Agent

FOR OFFICIAL USE ONLY

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

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>04DRB - 01730</u>	<u>PP</u>	<u>S(2)</u>	<u>\$ 1290.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>04DRB - 01731</u>	<u>VPE</u>	<u>✓</u>	<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	<u>04DRB - 01732</u>	<u>TDS</u>		<u>\$ 0</u>
<input checked="" type="checkbox"/> AGIS copy has been sent		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> Case history #s are listed		<u>AD Fee</u>		<u>\$ 75.00</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	Hearing date <u>12-1-04</u>			<u>\$ 1430.00</u>
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	<u>11-5-04</u>			<u>\$ 1430.00</u>
<u>[Signature]</u>	Planner signature / date	Project # <u>1002779</u>		

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.

SHAH RAM (SHAVYN) BIAZAR
Applicant name (print)
[Signature] 11-4-04
Applicant signature / date



Form revised 9/01, 8/03 and 9/03

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

Application case numbers
041DRB - 01730

[Signature] 11-5-04
Planner signature / date

Project # 1002779

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE

(PUBLIC HEARING CASE)

- ___ Application for subdivision (Plat) on FORM S-3, including those submittal requirements. **24 copies** of the plat are required. The Variance and subdivision should be applied for simultaneously.
 - ___ 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.

Shahram (Shawn) Biazar
 Applicant name (print)
[Signature] 11-5-04
 Applicant signature / date

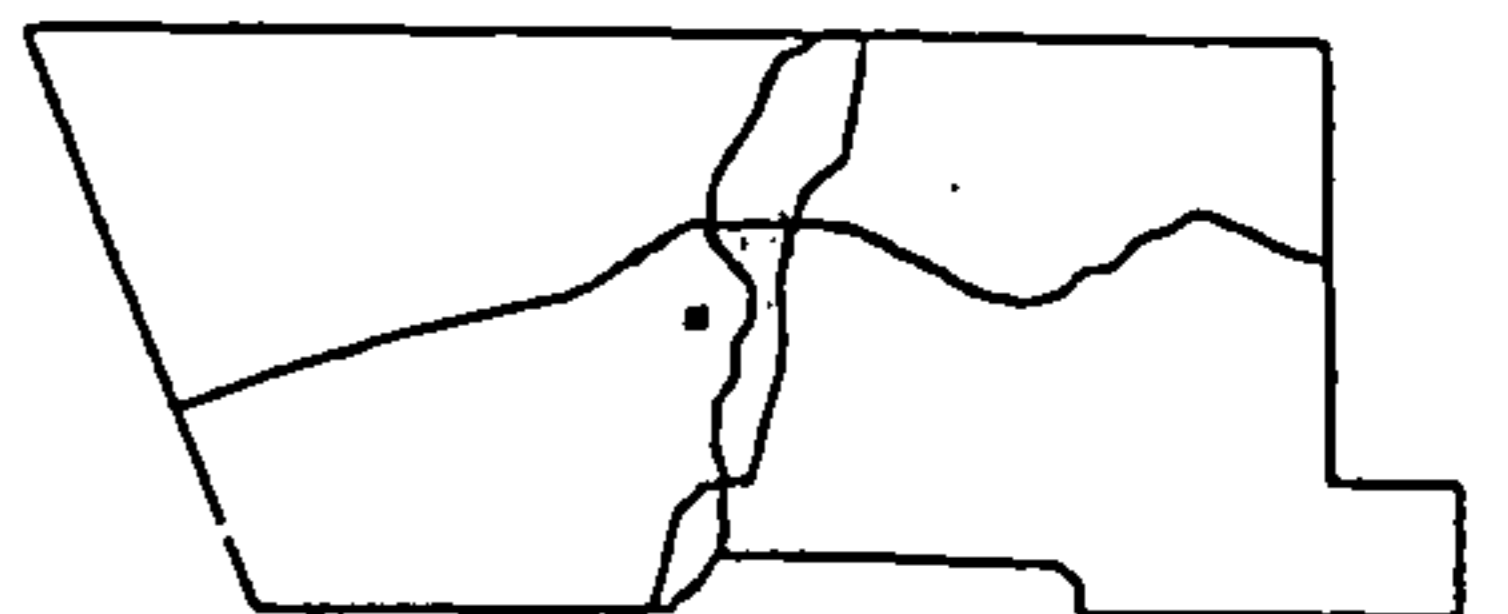
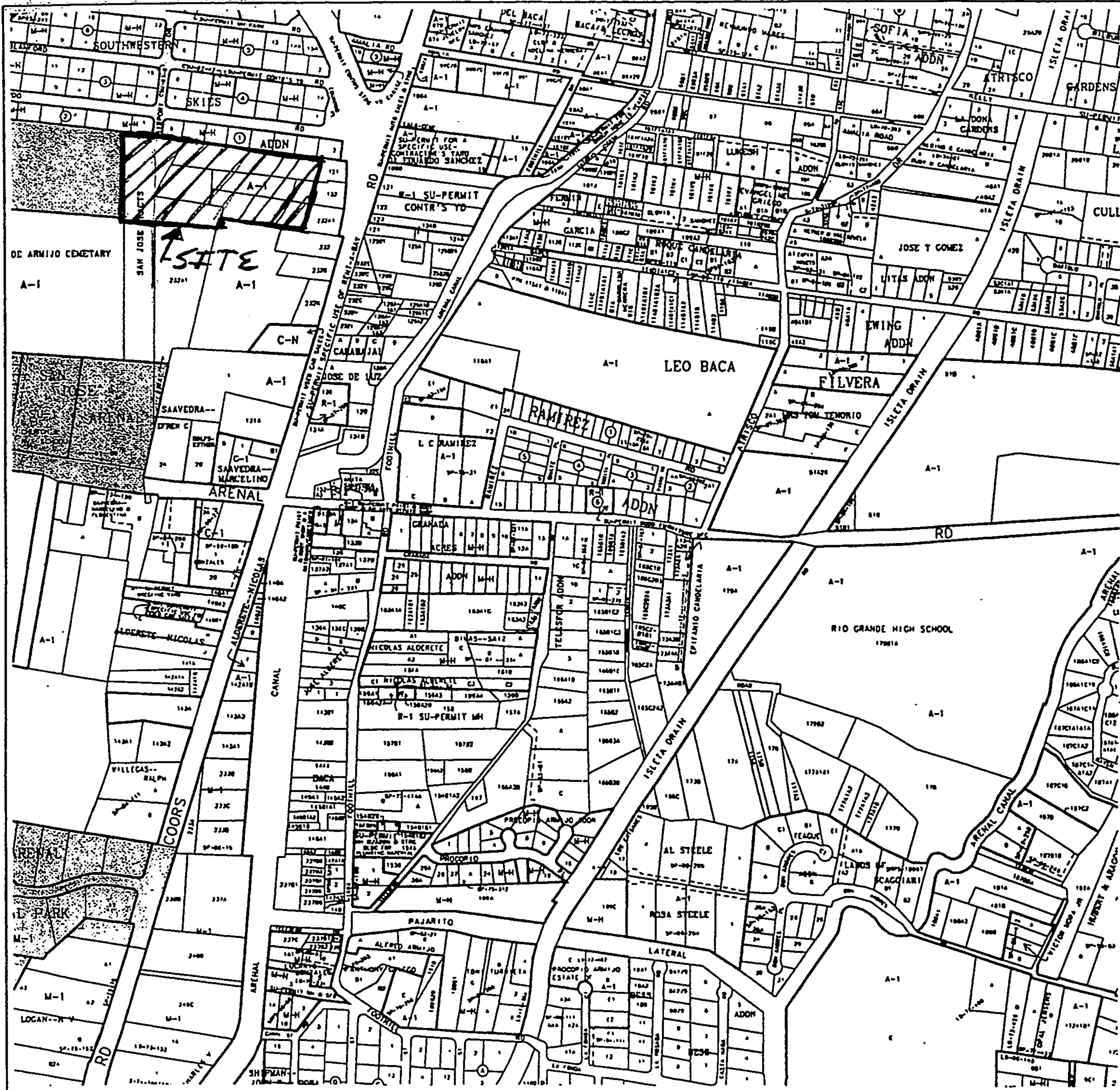


Form revised 4/03 and October 2003

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 04DRB-01731
 04DRB-01732

[Signature] 11-5-04
 Planner signature / date

Project # 1002779



LEGAL DESCRIPTION
 SECTION
 R2E
 SEC 35

UNIFORM PROPERTY CODE
 1-011-055



SCALE IN FEET

Map amended through November 2002



INFORMATION TECHNOLOGY
 GIS SECTION

This information is for reference only.
 Bernalillo County assumes no liability for errors
 associated with the use of these data. Users are
 solely responsible for confirming data accuracy
 when necessary. Source data are from
 Bernalillo County and the City of Albuquerque.

M-11-Z

Bernalillo County Map

200419



*Consulting
Design
Development
Management
Inspection
Surveying*

November 4, 2004

Ms. Sheran Matson, DRB Chair
City of Albuquerque Planning Department
600 2nd Street NW
Albuquerque, NM 87102

**Re: Preliminary Plat Approval for Cielo Lindo Subdivision, Vacation of Public
Drainage Easement, Temporary Deferral of Sidewalk Construction for Major
Subdivision, Containing ± 8.69 Acres, Zone Atlas Page M-11-Z
DRB Case # 1002779**

Dear Ms. Matson:

Advanced Engineering and Consulting, LLC (AEC) is requesting a Preliminary Plat Approval for Cielo Lindo Subdivision, a Vacation of a Public Drainage Easement, and a Temporary Deferral of Sidewalk Construction for the above referenced site.

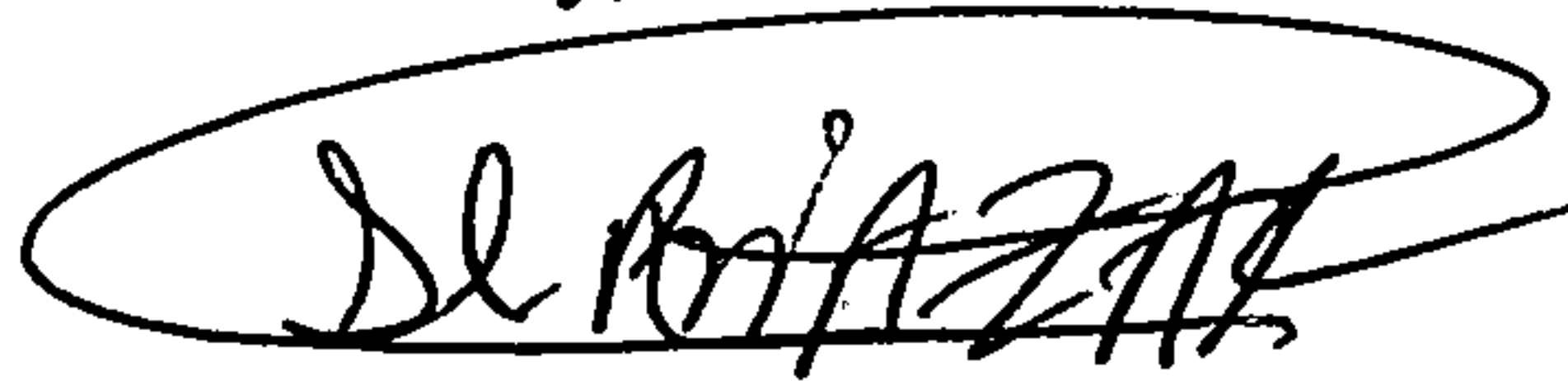
The site is located on Airport Drive, SW just south of Eduardo Road, SW and was recently annexed to the City of Albuquerque with R-1 designation and approved by the City Council in October 2004. The parcel contains approximately 8.69 acres, and we are proposing a 42 lot subdivision with a tract designated as a drainage easement. Presently, the property to the west is being developed with similar lot sizes. Our primary access will be from Airport Drive, SW, which is being constructed at the present time. We are requesting a preliminary plat approval and a temporary deferral of sidewalk construction fronting the lots to avoid damage to the sidewalks during the construction.

We are also requesting to vacate the existing drainage easement on Tract A-1, San Jose Tracts, which is a ponding area for the off-site drainage for the subdivision to the west. Subsequently, we will provide a ponding area to the east of our subdivision to replace the vacated Tract A-1 drainage easement. This will remedy flows from our subdivision and the subdivision to the west. This easement is shown on our plat as Tract A.

Please find attached 24 copies of the proposed preliminary plat, the grading plan and the document that created the public easement for your review.

If there are any questions concerning this request, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Biazar", is enclosed within a hand-drawn oval. The signature is fluid and cursive.

Shawn Biazar, Managing Member

Enclosure

cc: James Jaramillo

JN: 200419
ss/SB

FORM DRWS: DRAINAGE REPORT / WATER & SEWER AVAILABILITY

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW BOARD APPLICATION FOR MAJOR SUBDIVISIONS AND SITE DEVELOPMENT PLANS.

PROJECT NAME Cielo Lindo Subdivision

AGIS MAP # M-11-Z

LEGAL DESCRIPTION Tract C, Lands of Polo Chavez, and Tracts A-1, A-2, San Jose Tract, containing
± 8.69 acres

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 10-01-04 ⁰⁶ [date].

[Signature]
Applicant / Agent

11-5-04
Date

[Signature]
Hydrology Division Representative

11/5/04
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 06-14-04 [date].

[Signature] 11-5-04
Applicant / Agent

Date

[Signature]
Utilities Division Representative

11-5-04
Date

DRB# _____ - _____



To:	OFFICE OF NEIGHBORHOOD COORDINATION	FAX: 924-3913
		TOTAL OF (2) PAGE(S)
From:	SALLY SALAZAR, OFFICE MANAGER	
Subject:	HOMEOWNER'S ASSOCIATION INFORMATION	JN: 200419
Date:	October 26, 2004	

PLEASE FORWARD INFORMATION ON ANY HOMEOWNER ASSOCIATIONS IN THE AREA OF THE PROPERTY DESCRIBED AS:

Tract C, Lands of Polo Chavez, and Tracts A-1, A-2, San Jose Tracts

LEGAL DESCRIPTION

LOCATED ON: Airport Drive, SW

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN Dona Barbara Ave., SW AND Eduardo Road, SW

STREET NAME OR OTHER IDENTIFYING LANDMARK

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS SHEET (M-11-Z).

ZONE ATLAS #

SHOULD YOU HAVE ANY QUESTIONS REGARDING THIS TRANSMITTAL OR ANY OTHER ITEMS PERTAINING TO THIS PROJECT, PLEASE DO NOT HESITATE TO CONTACT OUR OFFICE.

200419



City of Albuquerque
P.O. Box 1293, Albuquerque, NM 87103

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.

October 27, 2004

Planning Department
One Stop Shop Division
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on October 26, 2004

CONTACT NAME: SALLY SALAZAR
COMPANY OR AGENCY: ADVANCED ENGINEERING & CONSULTING, LLC
4416 ANAHEIM AVE NE
ALBUQUERQUE, NM 87113
PHONE: 899-5570 FAX: 897-4996

contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at LOTS 1 THRU 7, TIERRA DEL ORO SUBDIVISION LOCATED ON ISELTA BLVD SW BETWEEN GUN CLUB SW AND SUNSHINE SW zone map Q-12-Z.

*Our records indicate that as of October 27, 2004, there were no Recognized Neighborhood Associations in this area.
The described area is in the Bernalillo County jurisdiction.
Please call Bernalillo County Zoning & Planning at 314-0305*

If you have any questions about the information provided, please contact me at (505) 924-3914 or via an e-mail message at juliaking@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Julia King

Julia King
Senior Office Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

planningnmaform(10/27/04)

The association(s) listed below is an "unrecognized" association and doesn't need to be "officially" notified of the project, but as a common courtesy you are welcomed to let them know.

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

TO BE COMPLETED BY APPLICANT

APPLICANT: SANHIL DEVELOPMENT Date of request: 11/5/04 Zone atlas page(s): M-11-Z

CURRENT: LTD CO.
Zoning R-1

Legal Description -
Lot or Tract # _____ Block # _____

Parcel Size (acres / sq.ft.) 8.69 acres

Subdivision Name Cielo Lindo Subdivision

REQUESTED CITY ACTION(S):

- | | | | | | | |
|------------|-----|-----------------|-----|------------------------|-----------------|-----|
| Annexation | [] | Sector Plan | [] | Site Development Plan: | Building Permit | [] |
| Comp. Plan | | Zone Change | [] | a) Subdivision | Access Permit | [] |
| Amendment | [] | Conditional Use | [] | b) Build'g Purposes | Other | [] |
| | | | | c) Amendment | | [] |

PROPOSED DEVELOPMENT:

- No construction / development []
 New Construction []
 Expansion of existing development []

GENERAL DESCRIPTION OF ACTION: 1

of units - 42 Lots
Building Size - _____ (sq. ft.)

Notes: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

Applicant or Representative [Signature] Date 11-5-04
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRANSPORTATION DEVELOPMENT

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO BORDERLINE []

Planning Dept., Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3994

THRESHOLDS MET? YES [] NO Mitigating reasons for not requiring TIS: Previously studied: []

Notes:

IF A TIS IS REQUIRED: A scoping meeting (as outlined in the Development Process Manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

[Signature]
TRAFFIC ENGINEER

11-5-04
DATE

ENVIRONMENTAL HEALTH

Per letter dated August 7, 2003 from the Director of the Environmental Health Department to the Director of the Planning Department, "all 5 CO monitors within Bernalillo County are yielding 8-hour average CO levels at less than 50% of the Federal CO standard ..." and "based on our review of the available scientific data, we do not foresee a circumstance where preparation of a detailed air quality study for a land use development will be warranted - regardless of the project size, location or traffic generated".

Required TIS must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS - SUBMITTED ___/___/___
- FINALIZED ___/___/___

TRAFFIC ENGINEER

DATE

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

PAID RECEIPT

APPLICANT NAME SANHIL DEV. LTD. CO
 AGENT ADVANCED ENGINEERING
 ADDRESS 4416 ANAHEIM NE.
 PROJECT & APP # 1002779/04DRB 01730/01731/01732
 PROJECT NAME LANDS OF PELO CHAVEZ & SAN JOSE TRACTS

\$ 20.00 441032/3424000 Conflict Management Fee
 \$ 1335⁰⁰ 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

\$ 1430.00 TOTAL AMOUNT DUE

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

City of Albuquerque
Treasury Division

11/5/2004 12:22PM LOC: ANNX
 RECEIPT# 00031386 WSH 006 TRANSH 0013
 Account 441006 Fund 0110
 Activity 4983000 TRSEJA
 Trans Amt \$1,430.00
 J24 Misc \$1,335.00

Thank You

City of Albuquerque
Treasury Division

11/5/2004 12:22PM LOC: ANNX
 RECEIPT# 00031385 WSH 006 TRANSH 0013
 Account 441032 Fund 0110
 Activity 3424000 TRSEJA
 Trans Amt \$1,430.00
 J24 Misc \$20.00

Thank You

City of Albuquerque
Treasury Division

11/5/2004 12:22PM LOC: ANNX
 RECEIPT# 00031387 WSH 006 TRANSH 0013
 Account 441018 Fund 0110
 Activity 4971000 TRSEJ
 Trans Amt \$1,430.00
 J24 Misc \$75.00
 VI \$1,430.00
 CHANGE \$0.00
 Counterreceipt.doc 6/21/04

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 \$3.50 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 11-16-04 To 12-1-04

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.

 (Applicant or Agent) 11-5-04 (Date)

I issued 1 signs for this application, 11-5-04 (Date)  (Staff Member)

DRB PROJECT NUMBER: 1002779

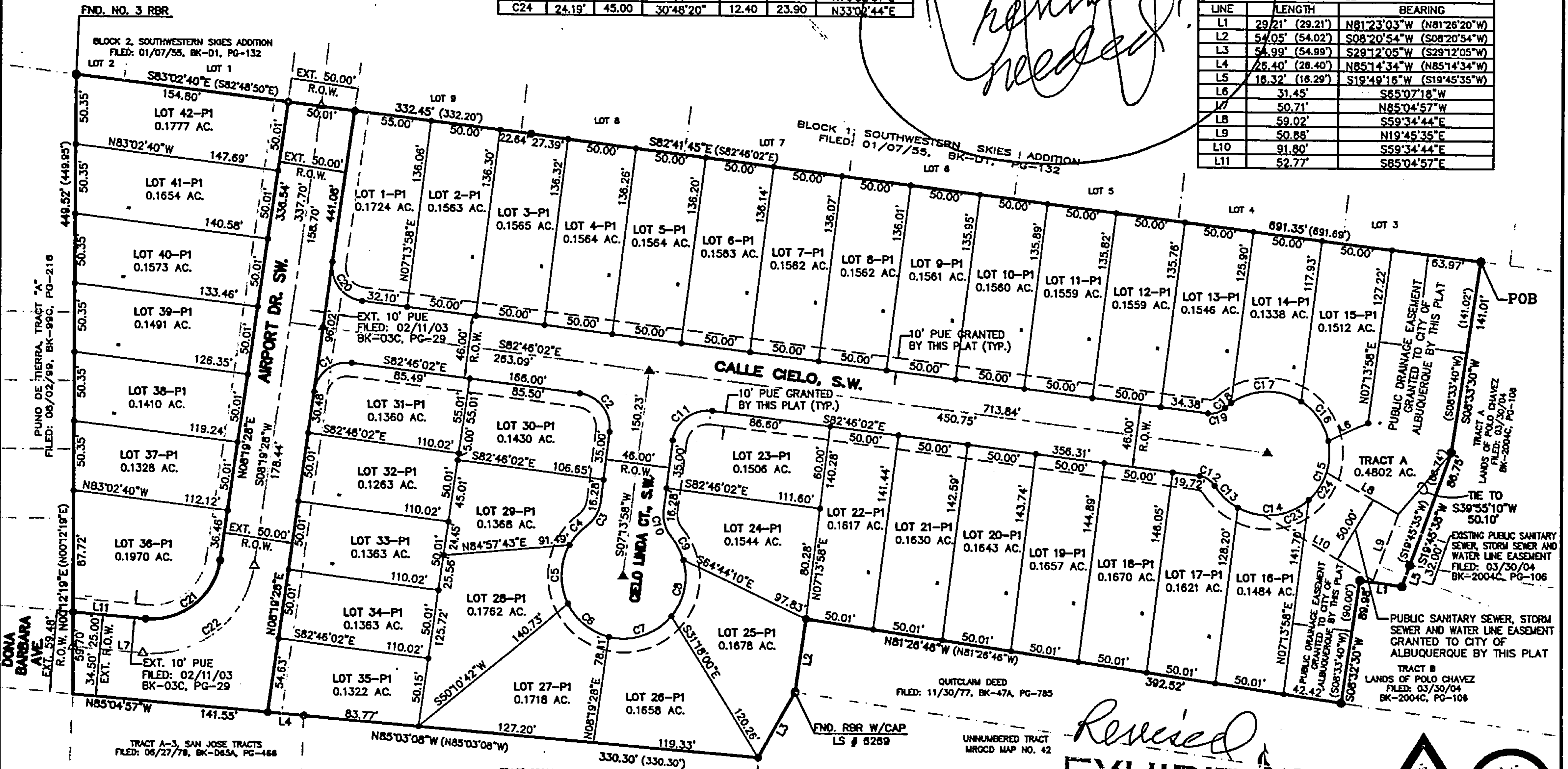
PLAT OF
CIELO LINDO SUBDIVISION
 WITHIN THE TOWN OF ATRISCO GRANT
 PROJECTED SECTION 35, T. 10 N., R. 2 E., NMPM
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 NOVEMBER, 2004

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	38.79'	25.00	88°54'30"	24.53	35.02	S52°46'43"W
C2	39.27'	25.00	90°00'00"	25.00	35.36	N37°46'02"W
C3	20.38'	25.00	46°42'29"	10.79	19.82	N30°35'13"E
C4	19.00'	45.00	24°11'30"	9.64	18.86	S41°50'43"W
C5	44.07'	45.00	56°06'26"	23.98	42.33	S01°41'45"W
C6	39.52'	45.00	50°18'47"	21.13	38.26	S51°30'51"E
C7	50.14'	45.00	63°50'45"	28.03	47.59	N71°24'22"E
C8	43.01'	45.00	54°46'02"	23.31	41.40	N12°05'59"E
C9	19.00'	45.00	24°11'30"	9.64	18.86	N27°22'47"W
C10	20.38'	25.00	46°42'29"	10.79	19.82	S16°07'17"E
C11	39.27'	25.00	90°00'00"	25.00	35.36	S52°13'58"W

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C12	13.27'	15.00	50°42'13"	7.11	12.85	N57°24'56"W
C13	23.30'	45.00	29°40'21"	11.92	23.05	S46°54'00"E
C14	54.83'	45.00	69°48'56"	31.40	51.50	N83°21'22"E
C15	47.28'	45.00	60°12'16"	26.09	45.14	N18°20'46"E
C16	35.95'	45.00	45°46'24"	19.00	35.00	N34°38'34"W
C17	53.76'	45.00	68°27'09"	30.61	50.62	S88°14'39"W
C18	5.88'	45.00	07°29'19"	2.94	5.88	S50°16'25"W
C19	13.27'	15.00	50°42'13"	7.11	12.85	N71°52'52"E
C20	39.75'	25.00	91°05'30"	25.48	35.69	S37°13'17"E
C21	75.57'	50.00	86°35'35"	47.11	68.58	N51°37'15"E
C22	113.35'	75.00	86°35'35"	70.67	102.87	N51°37'15"E
C23	35.22'	45.00	44°50'14"	18.56	34.32	N70°57'01"E
C24	24.19'	45.00	30°48'20"	12.40	23.90	N33°02'44"E

LINE	LENGTH	BEARING
L1	29.21' (29.21')	N81°23'03"W (N81°26'20"W)
L2	54.05' (54.02')	S08°20'54"W (S08°20'54"W)
L3	54.99' (54.99')	S29°12'05"W (S29°12'05"W)
L4	26.40' (26.40')	N85°14'34"W (N85°14'34"W)
L5	16.32' (16.29')	S19°49'16"W (S19°45'35"W)
L6	31.45'	S65°07'18"W
L7	50.71'	N85°04'57"W
L8	59.02'	S59°34'44"E
L9	50.88'	N19°45'35"E
L10	91.80'	S59°34'44"E
L11	52.77'	S85°04'57"E

new revision needed



ABBREVIATIONS:
 PUE PUBLIC UTILITY EASEMENT
 ROW RIGHT-OF-WAY
 AC. ACRES
 N.W. NORTH WEST
 AVE. AVENUE
 ST. STREET

NOTE:
 CENTERLINE (IN LIEU OF R/W) MONUMENTATION IS TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTION AS SHOWN HEREON, AND WILL CONSIST OF A FOUR INCH (4") ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE", "CENTERLINE MONUMENT", "DO NOT DISTURB", "PLS #9801".
 * ALL STREETS SHOWN HEREON ARE HEREBY DEDICATED AS PUBLIC RIGHT-OF-WAY.

LEGEND
 — BOUNDARY LINE
 - - - EASEMENT
 ⊙ FOUND REBAR W/CAP LS #7719 UNLESS NOTED
 ○ SET REBAR W/CAP LS #9801
 △ EXISTING CL MON.

Revised
EXHIBIT C
 Date 12/1/04

SCALE: 1"=50'

ADVANCED ENGINEERING and CONSULTING, LLC
 4416 ANAHEIM AVE. NE
 ALBUQUERQUE, NEW MEXICO 87113
 (505)899-5578

PLANNING TRACKING LOG

Date	Project Name & #	Action Request	Action Taken
6/30/04	1002779	sketch	comments

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Development Review Board
June 30, 2004 Comments**

ITEM # 20

PROJECT # 1002779

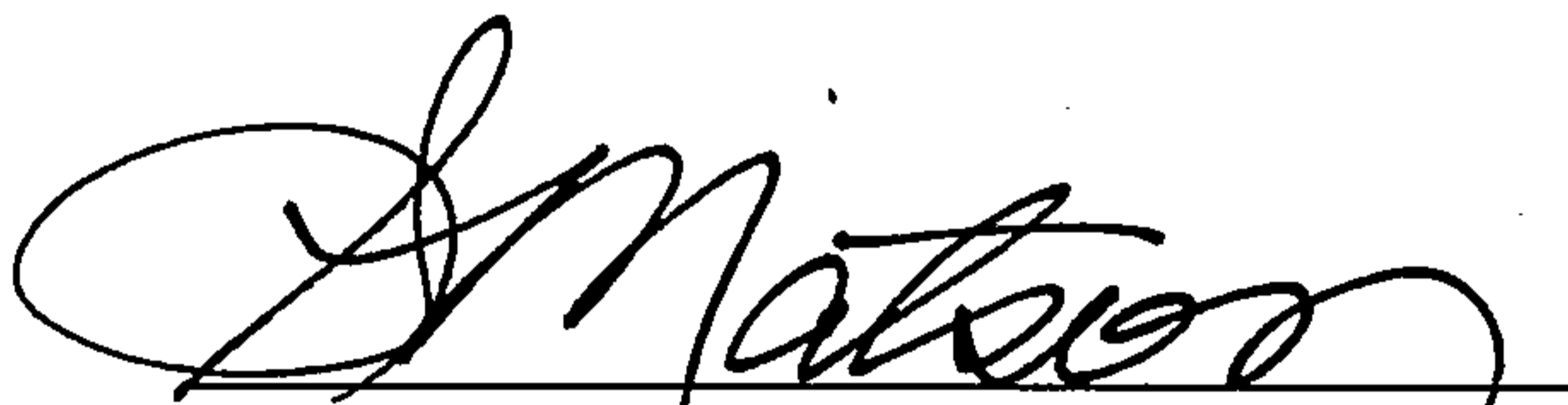
APPLICATION # 04-00959

RE: Lands of Polo Chavez & San Jose Tract/sketch

Applicant cannot proceed beyond sketch plat application until the EPC Notice of Decision on the annexation is available & included in the packet for future DRB application for preliminary plat, etc.

The minimum lot width is 60 feet and square footage is 6,000 square feet unless applicant can provide evidence that the surrounding subdivisions have smaller 50 feet width & 5,000 square feet lots.

Perimeter walls



Sheran Matson, AICP DRB Chair
924-3880 fax 924-3864 smatson@cabq.gov



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT DEVELOPMENT AND BUILDING SERVICES HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002779

AGENDA ITEM NO: 20

SUBJECT:

- | | | |
|--------------------------------|---------------------------------|-------------------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Development Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Other |

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

An approved drainage report is required for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED *discussed* X; WITHDRAWN

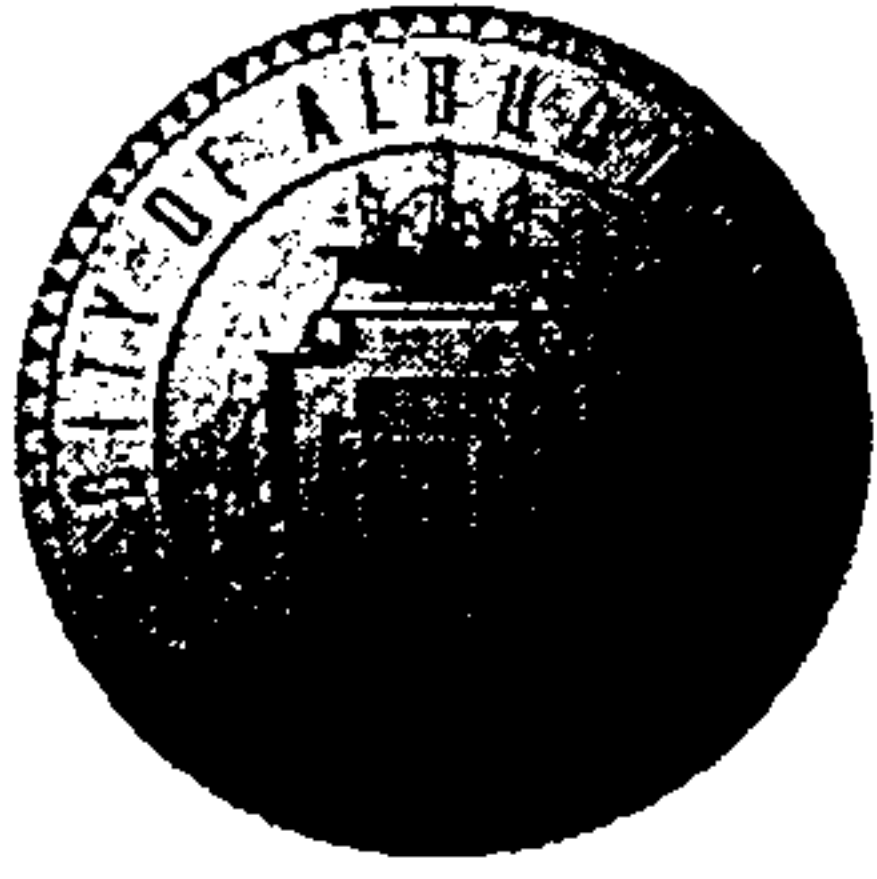
SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: June 30, 2004



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

Development Review Board Comments

Project Number: 1002779
Application Number: 04DRB-00959

DRB Date: 6/30/04
Item Number: 20

Subdivision:

Tract C, Lands of Polo Chavez and Tract A-1 & A-2, San Jose Tract

Zoning: County A-1

Zone Page: M-11

New Lots (or units) : 41

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:

This request will be subject to the following requirements of the City Park Dedication and Development Ordinance:

Prior to sign-off on the final plat, a fee in-lieu of and equal to the value of the required park land dedication for 41 new residential lots will be required. The fee will be based on an estimate of land value to be provided by the City Real Property office. Alternatively, the applicant may submit current appraisal information mutually acceptable to the applicant and the City.

The park development requirement will be met via the payment of a fee prior to issuance of building permit for each new dwelling unit.

Signed: 
Christina Sandoval, (DMD)

Phone: 768-3808



Supplemental form		Supplemental form	
SUBDIVISION	S	ZONING & PLANNING	Z
<input checked="" type="checkbox"/> Major Subdivision action		<input type="checkbox"/> Annexation	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> County Submittal	
<input type="checkbox"/> Vacation	V	<input type="checkbox"/> EPC Submittal	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)	
SITE DEVELOPMENT PLAN	P	<input type="checkbox"/> Sector Plan (Phase I, II, III)	
<input type="checkbox"/> ...for Subdivision Purposes		<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan	
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)	
<input type="checkbox"/> IP Master Development Plan			
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L		
		APPEAL / PROTEST of...	A
		<input type="checkbox"/> 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: James Jaramillo PHONE: (505) 480-1602
 ADDRESS: 407 Rio Grande Blvd., NW FAX: (505) 243-4440
 CITY: Albuquerque STATE NM ZIP 87104
 Proprietary interest in site: Owner List all owners: James Jaramillo
 AGENT (if any): Advanced Engineering and Consulting, LLC PHONE: (505) 899-5570
 ADDRESS: 4416 Anaheim Avenue, NE FAX: (505) 897-4996
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: AECLLC@aol.com

DESCRIPTION OF REQUEST: Sketch Plat Review and Comments for Major Subdivision

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. Tract C, Lands of Polo Chavez, and Tracts A-1, A-2, San Jose Tract, containing ±8.69 Acres
 Subdiv. / Adn. Lands of Polo Chavez & San Jose Tracts
 Current Zoning: A-1 County Proposed zoning: R-1
 Zone Atlas page(s): M-11-Z No. of existing lots: 3 No. of proposed lots: 41
 Total area of site (acres): 8.69 Acres Density if applicable: dwellings per gross acre: 4.72 dwellings per net acre: _____
 Within city limits? Yes. No , but site is within 5 miles of the city limits. Within 1000FT of a landfill? No
 UPC No. 101105500738820140, 101105500738820140, 101105506643420125, 101105508141220122
 LOCATION OF PROPERTY BY STREETS: On or Near: Airport Drive, SW
 Between: Dona Barbara Avenue, SW and Edwardo Road, SW

CASE HISTORY:

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

03-EPC 02049 03 EPC 01061

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____
 SIGNATURE Shahram (Shawn) Biazar DATE 06-14-04
 (Print) _____ Applicant Agent

FOR OFFICIAL USE ONLY

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

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>04 DRB - 00959</u>	<u>SR</u>	<u>SL3</u>	\$ <u>0</u>
<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	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>6-30-04</u>	_____	_____	Total \$ <u>0</u>

Shahram Biazar
 Planner signature / date 6-17-04

Project # 100 2779

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

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
- 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
- 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.

SHAH RAM (Shawn) BIAZAR
Applicant name (print)
[Signature] 6-16-04
Applicant signature / date

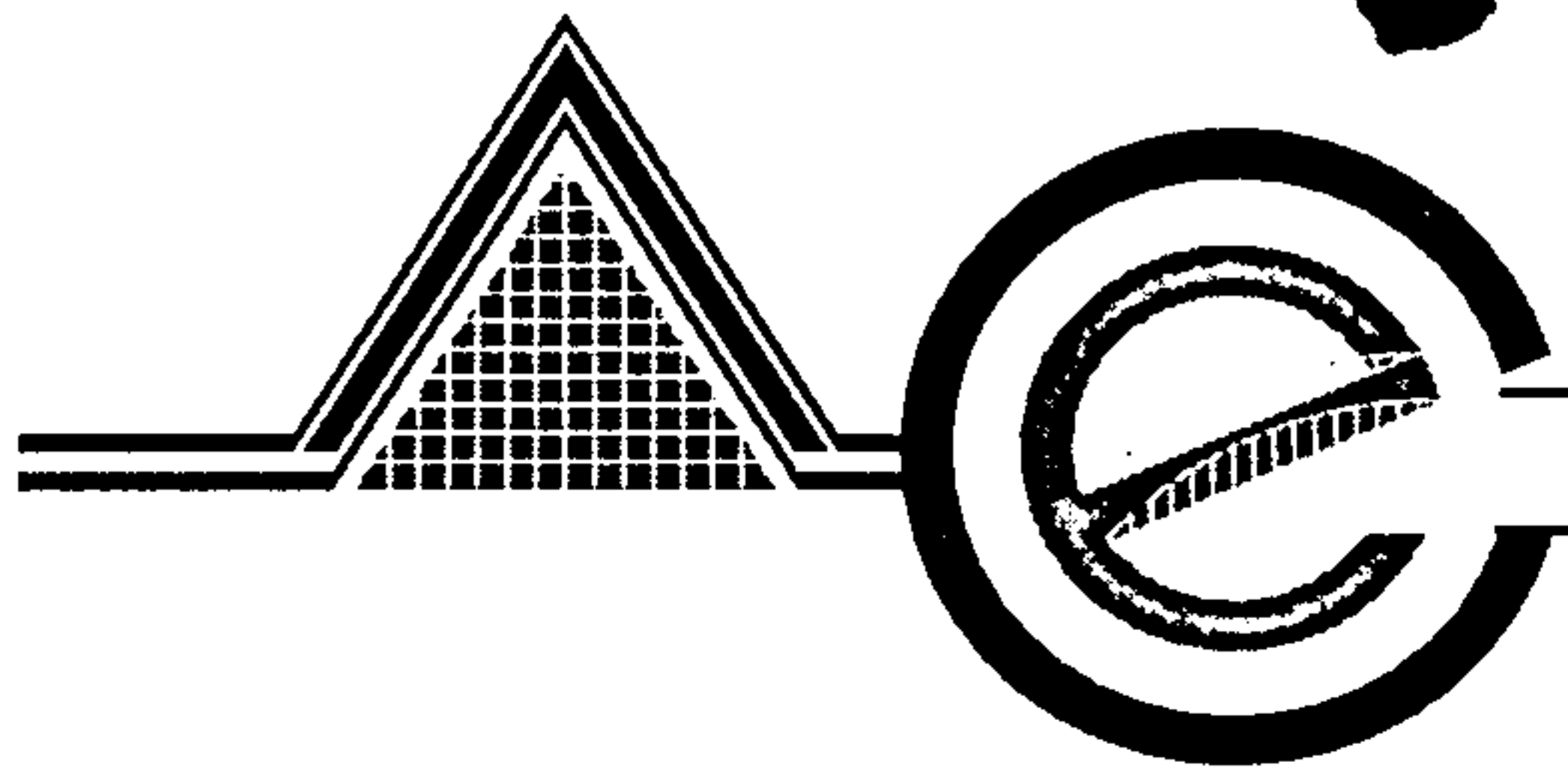


- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
04 DRB - 00959

Form revised 3/03, 8/03 and 11/03
[Signature] 6-7-04
Planner signature / date

Project # 1002779



ADVANCED ENGINEERING and CONSULTING, LLC

June 14, 2004

*Consulting
Design
Development
Management
Inspection
Surveying*

Ms. Sheran Matson, DRB Chair
City of Albuquerque Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Re: **Sketch Plat for Major Subdivision
Tract C, Lands of Polo Chavez and Tracts A-1, A-2, San Jose Tract
Containing ± 8.69 Acres, Zone Atlas Page M-11-Z**

Dear Ms. Matson:

Advanced Engineering and Consulting (AEC) is requesting Sketch Plat review and comments for the above referenced site. The site is being annexed to the City of Albuquerque with R-1 Zoning designation and will be heard by City Council this month. Please find attached six copies of the scale drawing of the proposed subdivision plat.

If there are any questions concerning this request, please contact me at your earliest convenience.

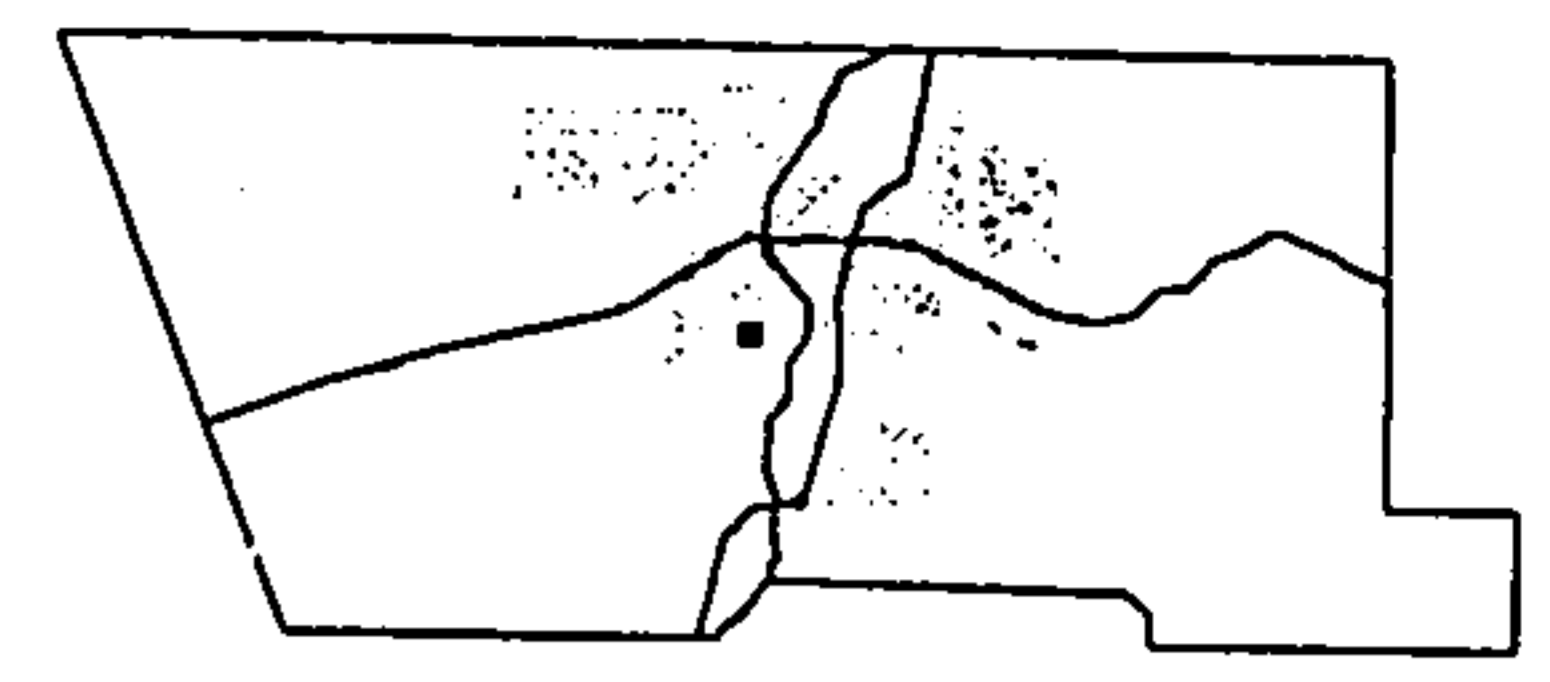
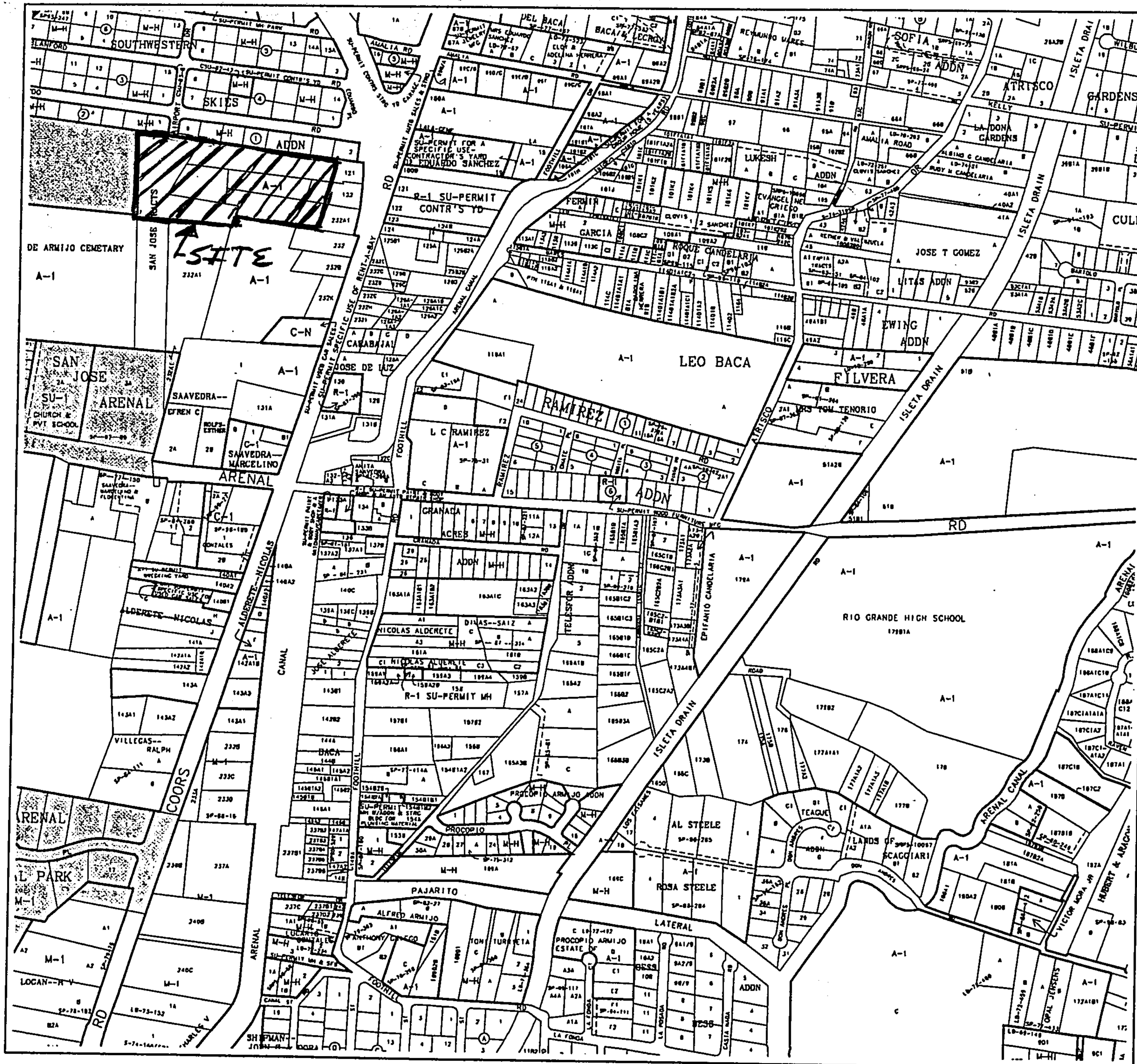
Sincerely,

Sally Salazar, Office Manager

Enclosure

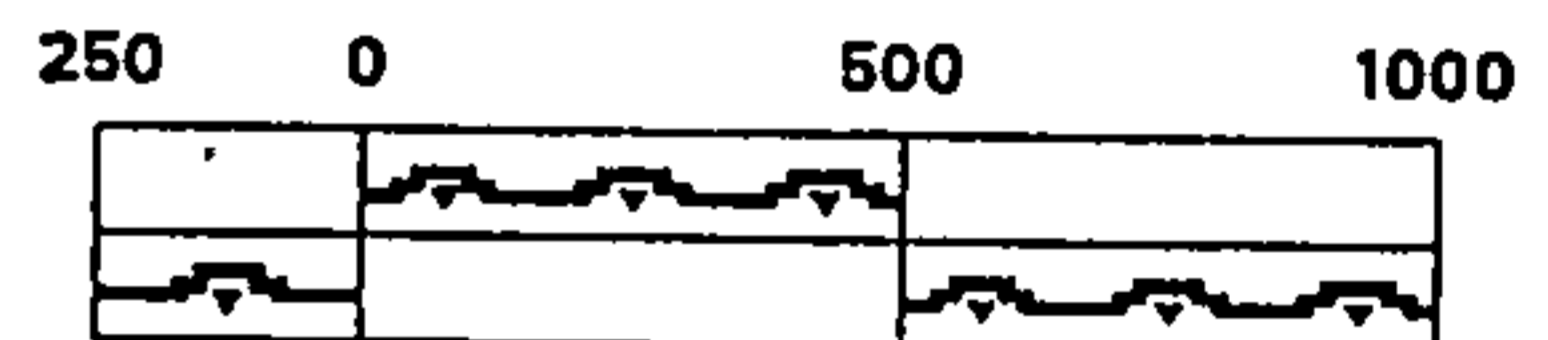
cc: James Jaramillo

JN: 200419
SS



LEGAL DESCRIPTION
 T10N
 R2E
 SEC 35

UNIFORM PROPERTY CODE
 1-011-055



SCALE IN FEET

Map amended through November 2002



INFORMATION TECHNOLOGY
 GIS SECTION


This information is for reference only. Bernalillo County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary. Source data are from Bernalillo County and the City of Albuquerque.

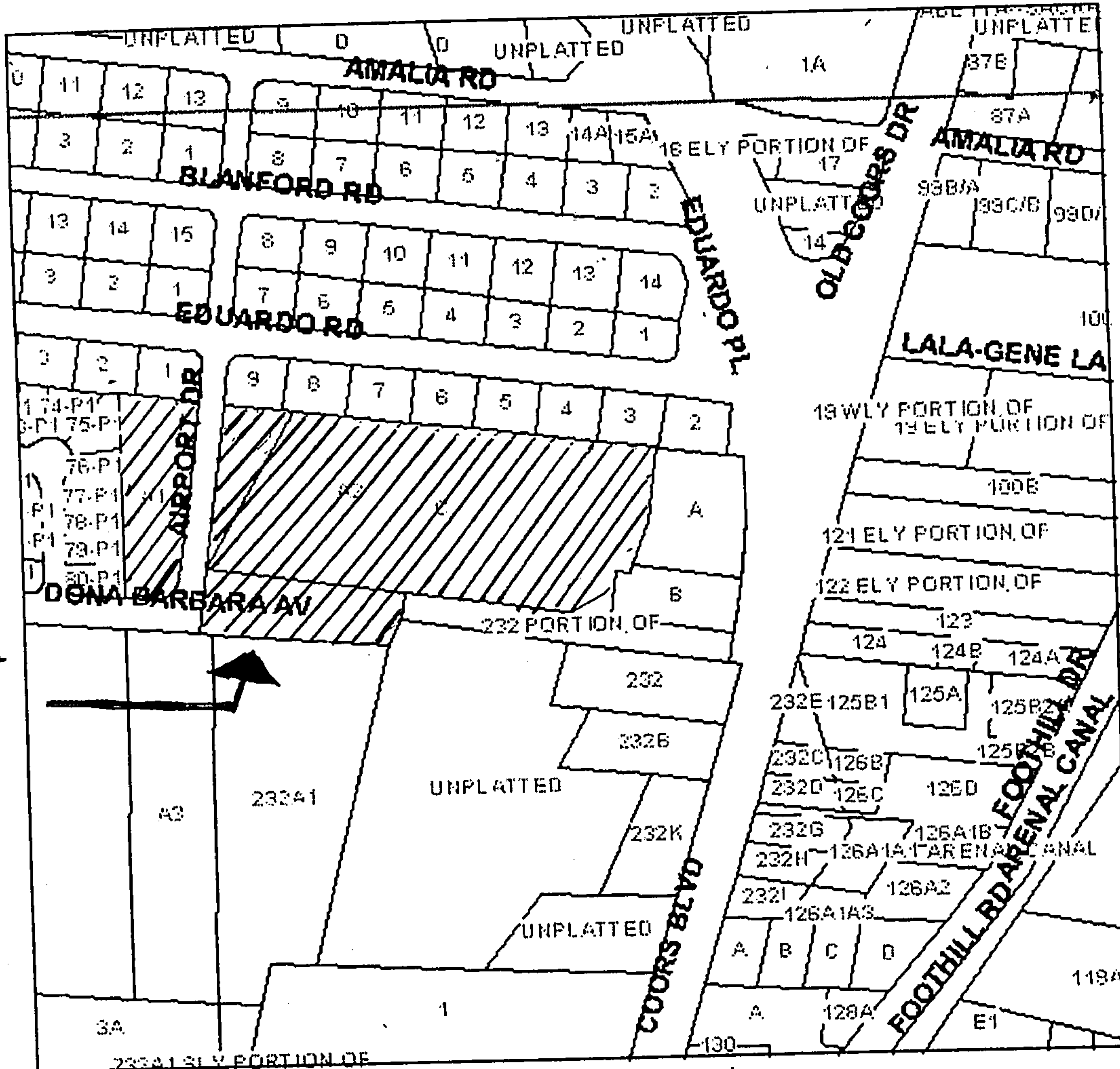
M-11-Z

ACTIVATE BUTTONS BY 'CLICKING' ON THE MAP

Zoom In Id Address Id ZM Pan Zoom Out

LAYER LEGEND

- STREET NAMES
- PARKS
- CITY LIMITS
- ZONE MAP GRID
- 
- NBR BOUNDARY
- COMMUNITY PLAN
- WATER LINES
- SEWER LINES
- STORM DRAINS
- ZONING
- LOT NUMBERS
- ZIP CODES
- COUNCIL DISTRICT
- FLOOD ZONES (dis)
- PARCELS
- CONTROL STATION
- SENATE DIST.
- REPRESENTATIVE I
- COUNTY COMMISSI
- PARCEL ADDRESS
- CRIMINAL ACTIVIT
- PUBLIC FACILITIES
- LAND USE
- 1960 CITY LIMITS
- LANDFILLS/BUFFE
- CRP LOCATIONS
- CASE HISTORY



SITE

Zone Atlas Page M-11-Z

ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAL

ZOOM LEVEL MEDIUM TEXT SIZE MEDIUM

NEW GIS QUERY