



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 3, 2014

Project# 1002848

14DRB-70283 VACATION OF PUBLIC WATER & SEWER EASEMENT
14DRB-70285 VACATION OF PRIVATE EASEMENTS

RIO GRANDE ENGINEERING agents for MILLER FAMILY TRUST request the referenced/ above actions on a portion of Tracts A-1 & B-1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 Auto Sales, Service & Repair or SU-2/ RC, located on the north side of ALAMEDA BLVD NE between SAN PEDRO BLVD NE and I-25 containing approximately 6.9398 acres. (C-18)

At the September 3, 2014 Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B)(1)(3) of the Subdivision Ordinance.

Findings

(A)(1) The vacation of easement request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the proposed replat to include abutting Lots 17 and 18 and alternate easements, the public welfare is in no way served by retaining the Easements. The City of Albuquerque does not need to utilize the platted easements based on the proposed development.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing, *notice was published in a newspaper of general circulation 15 days before the date of the hearing*, and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The vacated property shall be shown on a replat including abutting Lots 17 & 18 to be 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.

If you wish to appeal this decision, you must do so by September 18, 2014 in the manner described below.

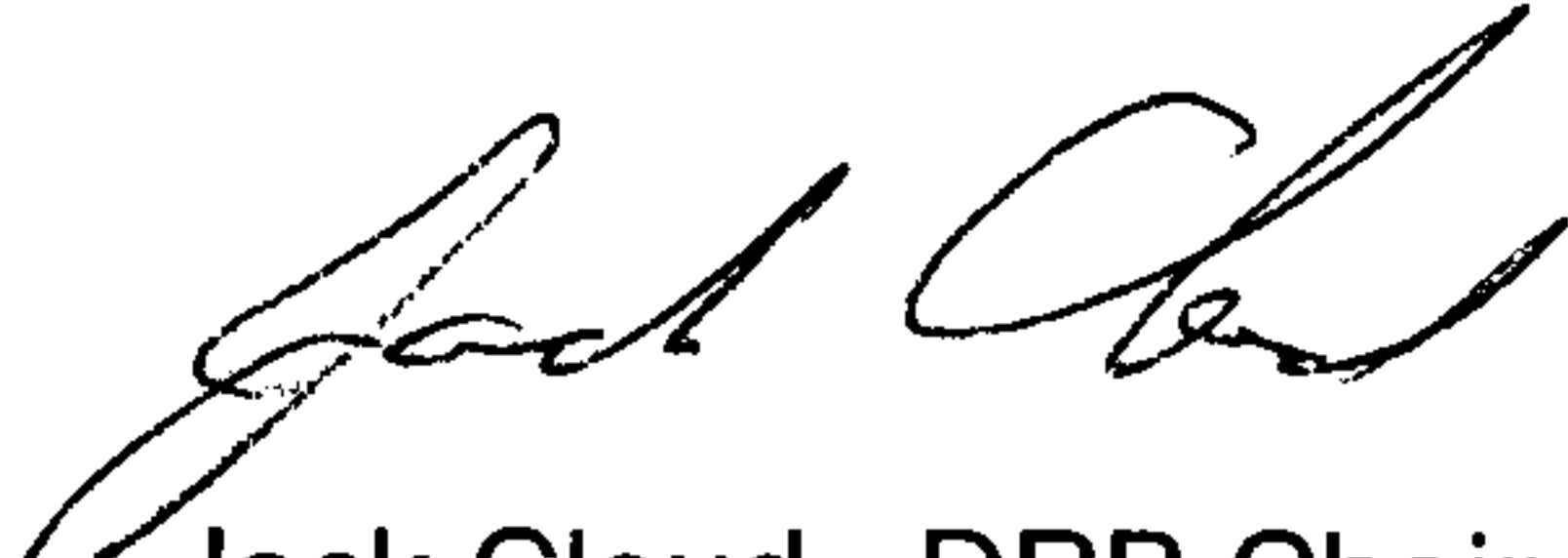
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

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



Jack Cloud, DRB Chair

Cc: RIO GRANDE ENGINEERING



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 3, 2014

Project# 1002848

14DRB-70283 VACATION OF PUBLIC WATER & SEWER EASEMENT
14DRB-70285 VACATION OF PRIVATE EASEMENTS

RIO GRANDE ENGINEERING agents for MILLER FAMILY TRUST request the referenced/ above actions on a portion of Tracts A-1 & B-1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 Auto Sales, Service & Repair or SU-2/ RC, located on the north side of ALAMEDA BLVD NE between SAN PEDRO BLVD NE and I-25 containing approximately 6.9398 acres. (C-18)

AMAFCA

No comment.

Lynn Mazur

COG

No comments provided.

Kendra Watkins/Andrew Gingerich

TRANSIT

Adjacent and nearby routes

Route #98, Alameda-Wyoming-KAFB Commuter route, passes the site on Wyoming.

Adjacent bus stops

There is an existing bus stop, adjacent to the property, serving the above-mentioned route in the westbound direction, located 100' west from the southwest corner of the property.

Site plan requirements

None

Large site TDM suggestions

None.

Other information

None.

Shabih Rizvi

ZONING ENFORCEMENT

No comments provided.

David Kilpatrick

NEIGHBORHOOD COORDINATION

Affected NA/HOA's: Nor Este NA (R), West La Cueva NA (R), Wildflower Area NA (R)

Stephani Winklepleck

APS

This will have no adverse impacts to the APS district.

April Winters

POLICE DEPARTMENT

No comments provided.

Steve Sink

FIRE DEPARTMENT

No comments provided.

Antonio Chinchilla

PNM ELECTRIC

No comments provided.

Daniel Aragon

NMGCO

No comments provided.

Patrick Sanchez

COMCAST

No comments provided.

Mike Mortus

CENTURYLINK

No comments provided.

ENVIRONMENTAL HEALTH

No comments provided.

Paul Olson

M.R.G.C.D

1. Previously reviewed 11/21/2011.
2. No Adverse Comments.

Ray Gomez

OPEN SPACE DIVISION

No comments provided.

Kent Reed Swanson

CITY ENGINEER

Curtis Cherne

TRANSPORTATION DEVELOPMENT

Kristal Metro

TRANSPORTATION PLANNING (DMD)

No comments provided.

John MacKenzie

PARKS AND RECREATION

No comments

Carol Dumont

ABCWUA

Allan Porter

PLANNING DEPARTMENT

Refer to comments from affected agencies and any public hearing comments regarding the proposed vacations.

1) The 2004 plat for American Toyota was apparently approved in error, in that it vacated portion "Oakland Avenue" which was not a right of way but was a Public Street Easement which partially encumbered the opposing Lots 17 and 18. This appears to have been a result of the previous American Toyota subdivision filed in 1986 which replatted their original North Albuquerque Acres lots and erroneously showed Oakland Avenue as an adjoining right of way. Lots 17 and 18 were not parties to the 2004 (or 1986) plat(s), which brings into question the validity of the 30' Public Water & Sewer Easement and the 24' Private Access Easement that are proposed for vacation. This matter needs to be resolved with the City Surveyor and/ or City Attorney prior to proceeding with the vacation application.

2) The requested vacation of the 10' Sanitary Sewer Easement does not appear to require DRE action, as it seems to be a private easement that has never been platted; Miller Family Real Estate LLC can release the easement to itself, as long as the release is done prior to any future replatting (additional to the easement does not appear to mean anything as it does not seem to serve any particular piece of property).

Jack Cloud

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 30, 2011

Project# 1002848

11DRB-70320 MAJOR - - 2YEAR EXTENSION OF SUBDIVISION
IMPROVEMENTS (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

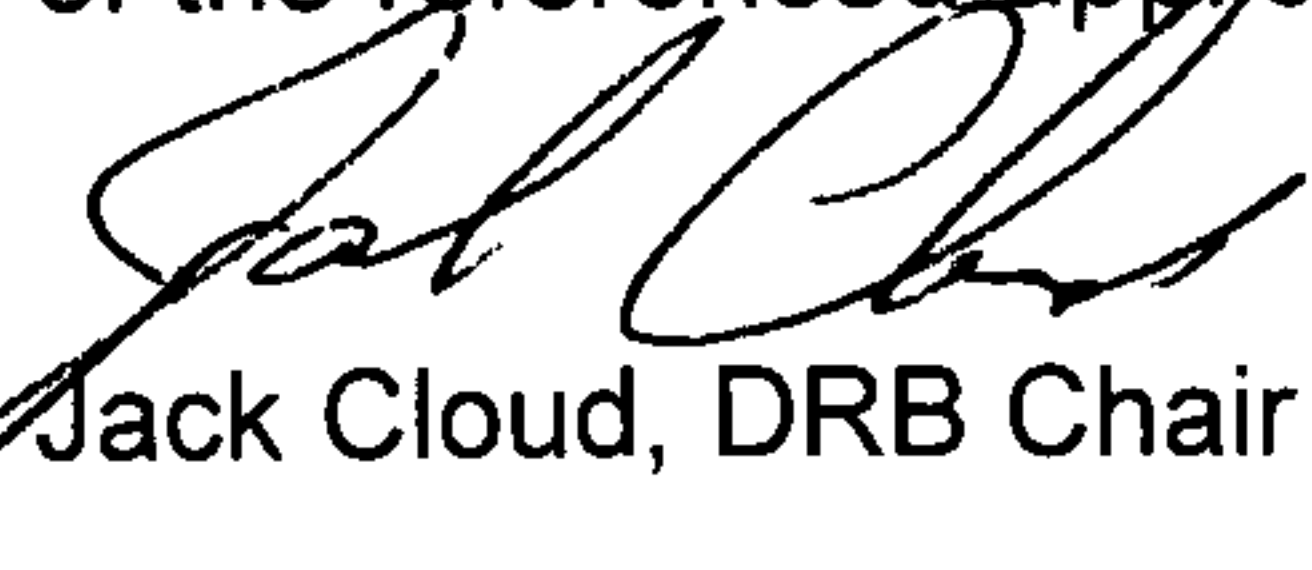
At the November 30, 2011 Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by December 8, 2011, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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



Jack Cloud, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150 E. Ste 1000 – Sandy UT, 84070
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 7, 2009

1 Project# 1002848

09DRB-70293 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE between I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

At the October 7, 2009, Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved. The sketch plat was reviewed and comments were given.

If you wish to appeal this decision, you must do so by October 22, 2009 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 87040
Marilyn Maldonado
File

HEARING DATE: 11-30-11(SIA)



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 27, 2010

Project# 1002848

10DRB-70282 MAJOR – 2 YEAR EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE between I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

At the October 27, 2010 Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 11, 2010, in the manner described below.

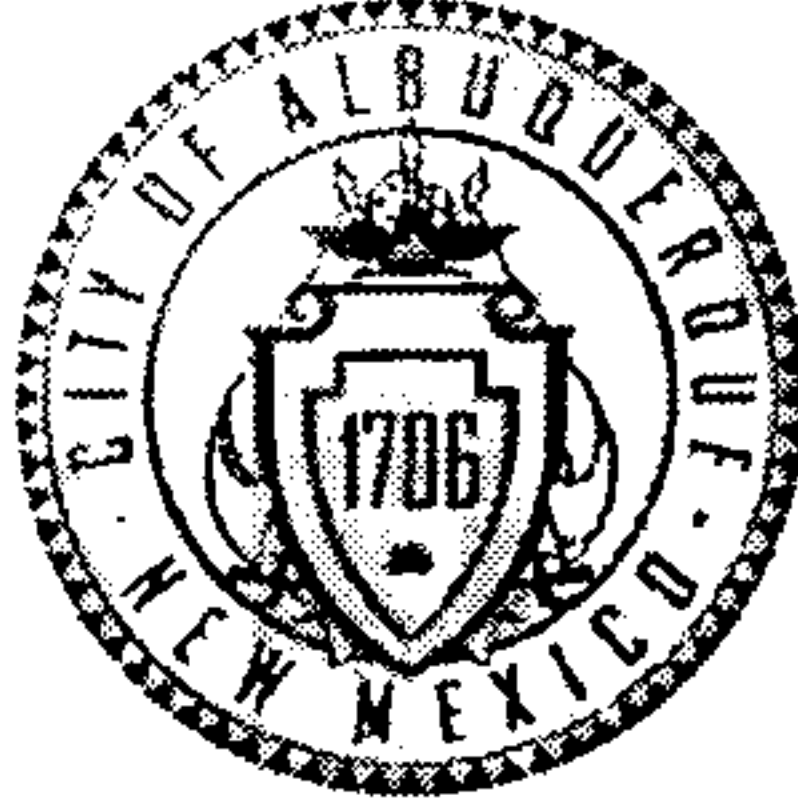
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 84070
Marilyn Maldonado
file



DEVELOPMENT REVIEW BOARD
Action Sheet

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

October 27, 2010 9:00 AM
MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department
Angela Gomez, Administrative Assistant

Kristal Metro, P.E. , Transportation Development
Brad Bingham, P.E., Hydrology/ Alternate City Engineer

Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1000762**
10DRB-70281 MAJOR – 2 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)

BOHANNAN HUSTON INC agent(s) for FIRST
BAPTIST CHURCH OF ALBUQUERQUE request(s) the
referenced/ above action(s) for all or a portion of **TRACT
I, FOUNTAIN HILLS PLAZA SUBDIVISION**, zoned
SU-1 FOR IP USES W/ EXCEPTIONS, and located on the
north side of PASEO DEL NORTE NW between
RICHLAND HILLS RD NW and EAGLE RANCH RD
NW containing approximately 13.8994 acre(s). (C-
12)**DEFERRED TO 11/3/10 AT THE AGENT'S REQUEST.**

2. **Project# 1002848**
10DRB-70282 MAJOR – 2 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/
AMERICAN TOYOTA request(s) the referenced/ above
action(s) for all or a portion of Tract(s) A1 & B1,
AMERICAN TOYOTA SUBDIVISION zoned SU-2/
SU-1 AUTO SALES, located on the north side of
ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN
FWY NE and SAN PEDRO DR NE containing
approximately 6.9398 acre(s). (C-18) **A ONE YEAR
EXTENSION OF THE SUBDIVISION IMPROVEMENT
AGREEMENT (SIA) WAS APPROVED.**

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1002848 AGENDA# 2 DATE: 10/27/10

Tierra west

1. Name: Jon Aiski Address: 5541 Midway Pl PL Zip: 87109
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: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

October 27, 2010

Project# 1002848
 10DRB-70282 MAJOR – 2 YEAR EXTENSION OF SUBDIVISION
 IMPROVEMENTS AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE between I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

AMAFCA No comments
COG MRCOG has no comment on the proposed application.
TRANSIT No comments
ZONING ENFORCEMENT No comments
NEIGHBORHOOD COORDINATION Letters sent to: Nor Este NA (R), West La Cueva NA (R), Wildflower Area NA (R).
APS This action will have no adverse impacts to the APS district.
POLICE DEPARTMENT No comments
FIRE DEPARTMENT No comments
PNM ELECTRIC & GAS No comments
COMCAST No comments
QWEST Concerning the subject case number(s), Qwest has no adverse comments at this time provided all utility easement rights are maintained. Prior to any final plat approval, we will need a copy for review.
ENVIRONMENTAL HEALTH No comments
M.R.G.C.D No comments
OPEN SPACE DIVISION Open Space has no adverse comments

CITY ENGINEER
TRANSPORTATION DEVELOPMENT A one year extension is preferred.
PARKS AND RECREATION No objection.
ABCWUA No objection.
PLANNING DEPARTMENT Refer to comments from affected agencies plus any public hearing comments regarding proposed extension.

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

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

Meeting Date: October 23, 2010
Zone Atlas Page: C-18
Notification Radius: 100 Ft.

Project # 1002848
App# 10DRB-70282

Cross Reference and Location: on ALAMEDA BLVD NE between PAN AMERICAN
FREEWAY NE and SAN PEDRO DR NE


Applicant: LARRY MILLER/AMERICAN TOYOTA
9350 SOUTH 150E, STE 1000
SANDY, UT 84070

Agent: ALPHA PROFESSIONAL SURVEYING INC
PO BOX 46316
ALBUQUERQUE, NM 87109

Special Instructions:

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

Date Mailed: October 8, 2010

Signature: 



SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S 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)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - 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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____

APPLICANT: Larry H. Miller/American Toyota PHONE: 801-563-4100
 ADDRESS: 9350 South 150E, Suite 1000 FAX: _____
 CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 & B1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: American Toyota
 Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: No Change MRGCD Map No _____
 Zone Atlas page(s): C-18 UPC Code: 101806421939920605/101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 03DRB-01270/04DRB-00571/DRB-95-41/05DRB-01620/07DRB-70267/#1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-

LOCATION OF PROPERTY BY STREETS: On or Near: Alameda Boulevard NE
 Between: Pan American FWY NE and San Pedro Drive NE

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

SIGNATURE [Signature] DATE 10/1/10
 (Print) Ronald R. Bohannon, P.E. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

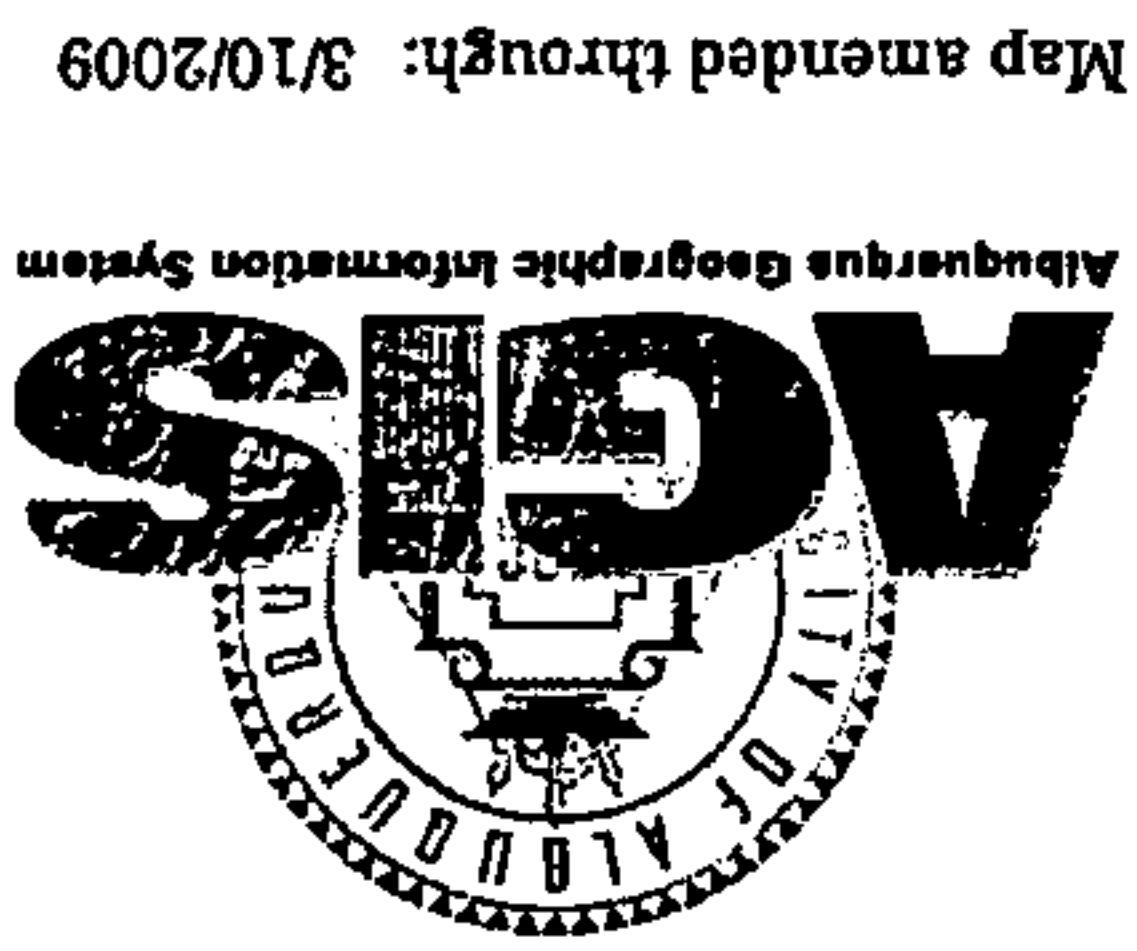
- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>10DRB 70282</u>	<u>SIA</u>		<u>\$ 50.00</u>
	<u>ADV</u>		<u>\$ 73.00</u>
	<u>CME</u>		<u>\$ 20.00</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>Total</u>
			<u>\$145.00</u>

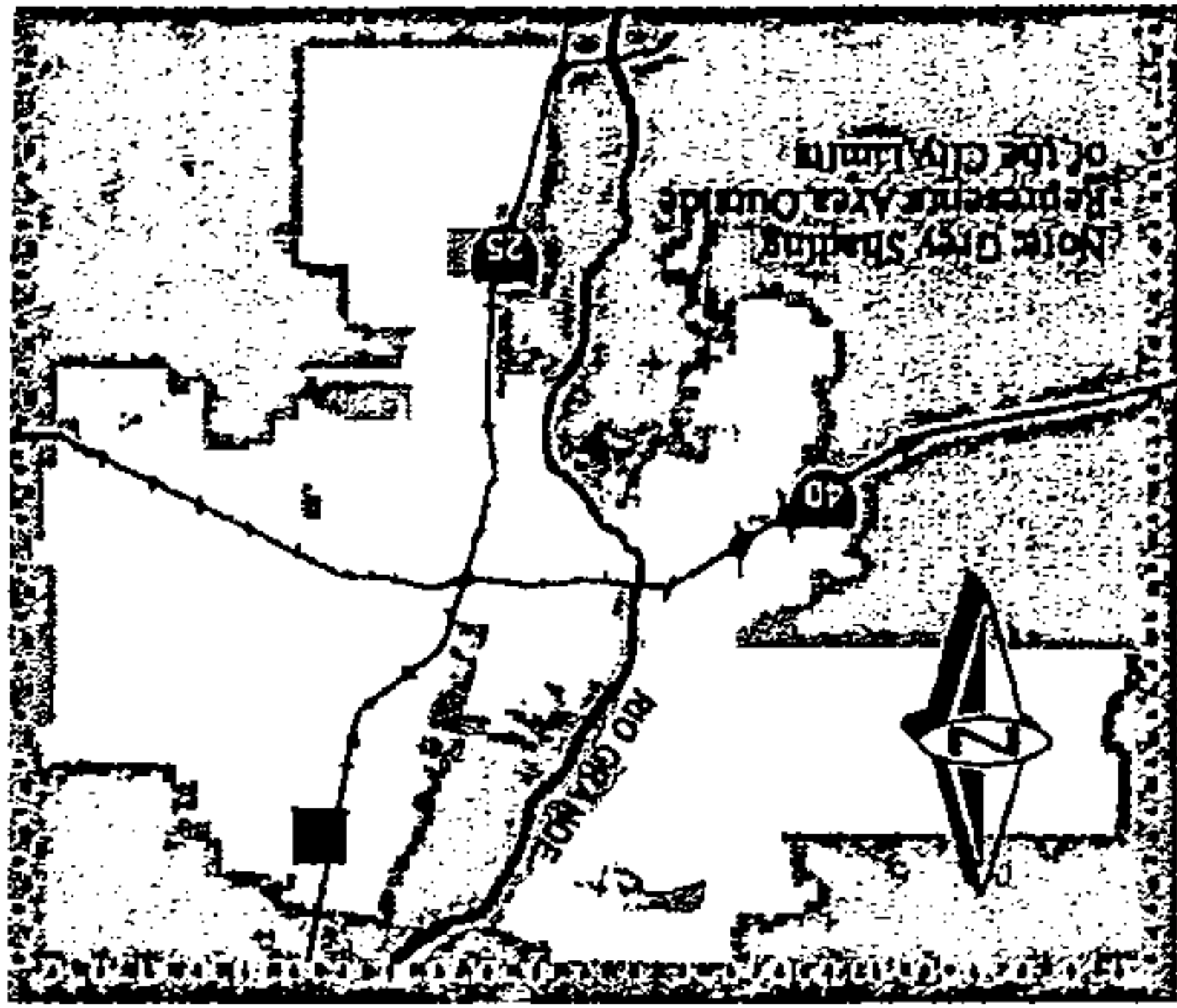
Hearing date October 27, 2010

Project # 1002848

[Signature] 10-1-10
 Planner signature / date



Albuquerque Geographic Information System
 Map amended through: 3/10/2009



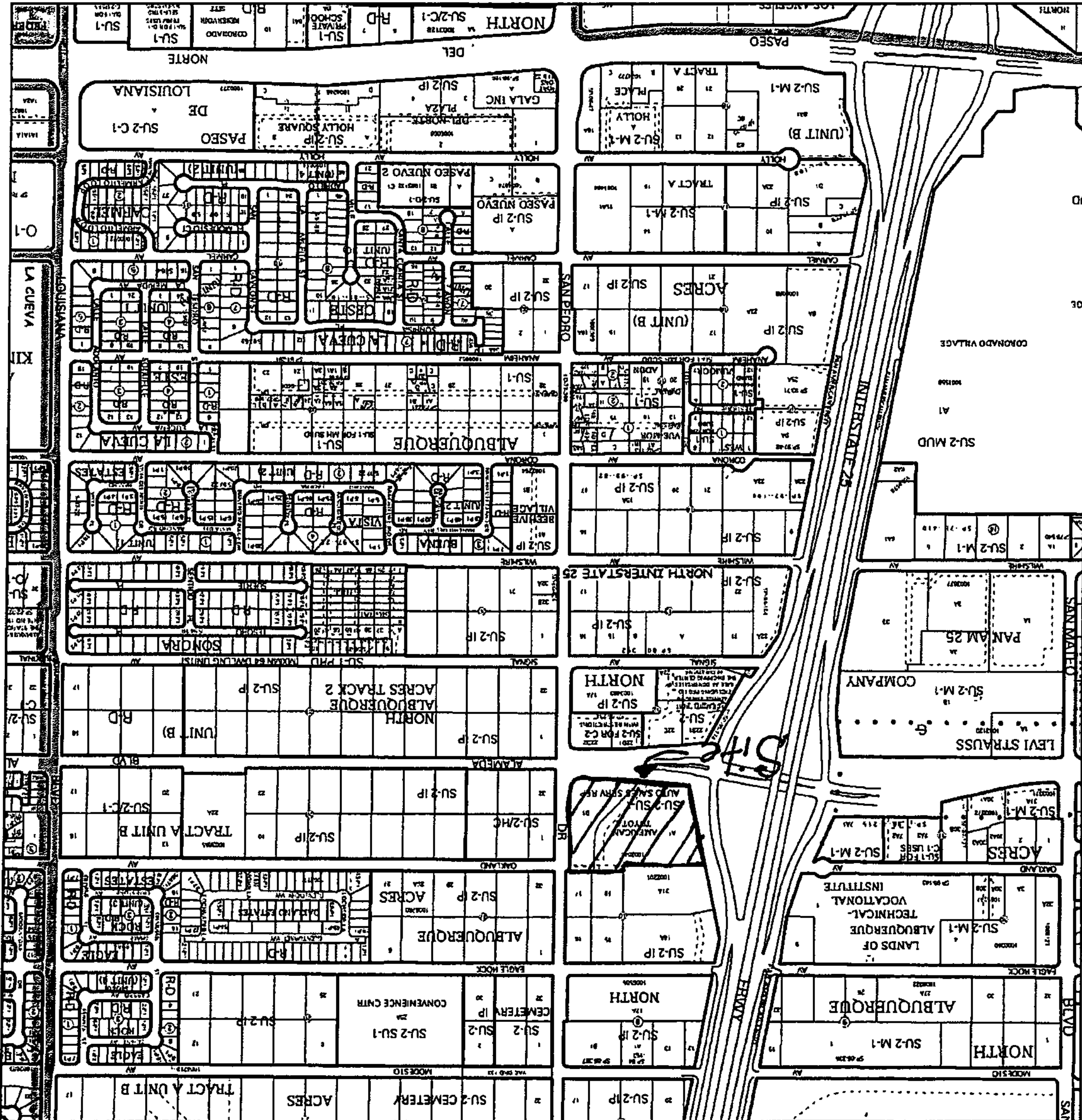
C-18-Z
 Zone Atlas Page:

Selected Symbols

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

0 750 1500
 Feet

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



UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	PROP CLASS	TAX DISTRICT	LEGAL
101806427343611000	CORONADO AUTO SALVAGE INC	9320 SAN PEDRO DR NE	ALBUQUERQUE	NM	87114	V	A1A	LT 32 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT .7252 AC
101806421135020000	PRP INC	3200 BROADWAY BLVD SE	ALBUQUERQUE	NM	87105	C	A1A	LT 22C BLK 12 CORRECTED PLAT FOR LTS 22A, 22B, 22C & 22D BLK 12 TR A UNIT B NORTH ALBUQUERQUE ACRES CONT 1.0101 AC M/L OR 44,000 SQ FT M/L
101806425243620000	MILLER FAMILY REAL ESTATE LLC	5995 ALAMEDA NE	ALBUQUERQUE	NM	87113	C	A1A	* 017 010NO ALBU AC TR A UNIT B
101806424535320000	QUALITY JEEP LIMITED PARTNERSHIP	8101 LOMAS BLVD NE	ALBUQUERQUE	NM	87110	C	A1A	LT 22-D-2 BLK 12 PLAT OF LOTS 22-D-1 AND 22-D-2 BEING AREPLAT OF LOT 22-D BLOCK 12 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT .9183 AC
101806421243520000	OMEGA AUTOMOTIVE REAL ESTATE LTD	930 WEST FIRST ST SUITE 303	FORT WORTH	TX	76102	C	A1A	LT 21-A BLK 10 PLAT OF LOTS 14-A AND 21-A BLOCK 10 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT 2.5605 AC
101806427340510000	VANDY INVESTMENTS LLC	6501 AMERICAS PARKWAY NE SUITE 1050	ALBUQUERQUE	NM	87110	V	A1A	* 001 028TRACT A UNIT B NORTH ALBUQUERQUE ACRES
101806419134820000	ALAMEDA GRANDE PARTNERSHIP	3535 PRINCETON AVE NE	ALBUQUERQUE	NM	87107	C	A1A	LT 22B-1 BLK 12 PLAT FOR LT 22B-1 BLK 12 TR A UNIT B NORTH ALBUQUERQUE ACRES CONT. 0.9288 (AC. +/-) OR 40,459 (SQ. FT. +/-)
101806427338310000	VANDY INVESTMENTS LLC	6501 AMERICAS PARKWAY NE SUITE 1050	ALBUQUERQUE	NM	87110	V	A1A	* 032 028TRACT A UNIT B NORTH ALBUQUERQUE ACRES
101806423843620000	MILLER FAMILY REAL ESTATE LLC	5995 ALAMEDA NE	ALBUQUERQUE	NM	87113	C	A1A	* 018 010NO ALBU AC TR A UNIT B
101806427335410000	V MOD LLC	11010 RANCHITOS RD NE	ALBUQUERQUE	NM	87122	V	A1A	* 001 029TRA UB N ALBU AC
101806422835120000	KAMEYAB IMPORTS INC	11409 FAIRINGTON NE	ALBUQUERQUE	NM	87111	C	A1A	LT 22 D-1 BLK 12 PLAT OF LOTS 22 D-1 & D-2 BLK 12 BEING AREPL OF LT 22 D BLK 12 TRACT A UNIT B NORTH ALBUO ACRES

OR CURRENT OWNER
ALAMEDA GRANDE PARTNERSHIP
3535 PRINCETON AVE NE
ALBUQUERQUE, NM 87107

OR CURRENT OWNER
CORONADO AUTO SALVAGE INC
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87114

OR CURRENT OWNER
KAMEYAB IMPORTS INC
11409 FAIRINGTON NE
ALBUQUERQUE, NM 87111

OR CURRENT OWNER
VANDY INVESTMENTS LLC
6501 AMERICAS PARKWAY NE SUITE 1050
ALBUQUERQUE, NM 87110

OR CURRENT OWNER
QUALITY JEEP LIMITED PARTNERSHIP
8101 LOMAS BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT OWNER
OMEGA AUTOMOTIVE REAL ESTATE LTD
930 WEST FIRST ST SUITE 303
FORT WORTH, TX 76102

OR CURRENT OWNER
PRP INC
3200 BROADWAY BLVD SE
ALBUQUERQUE, NM 87105

OR CURRENT OWNER
V MOD LLC
11010 RANCHITOS RD NE
ALBUQUERQUE, NM 87122



**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, October 27, 2010**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project# 1000762

10DRB-70281 MAJOR – 2 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)

BOHANNAN HUSTON INC agent(s) for FIRST BAPTIST CHURCH OF ALBUQUERQUE request(s) the referenced/ above action(s) for all or a portion of **TRACT I, FOUNTAIN HILLS PLAZA SUBDIVISION**, zoned SU-1 FOR IP USES W/ EXCEPTIONS, and located on the north side of PASEO DEL NORTE NW between RICHLAND HILLS RD NW and EAGLE RANCH RD NW containing approximately 13.8994 acre(s). (C-12)

Project# 1002848

10DRB-70282 MAJOR – 2 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

Project# 1003747

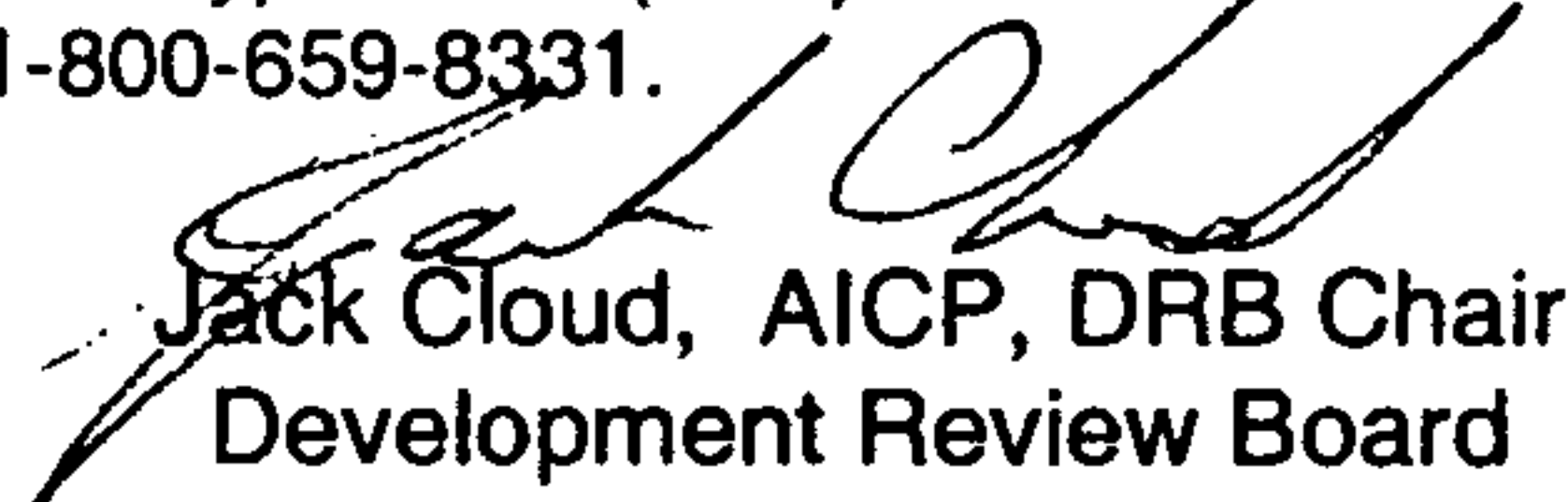
10DRB-70283 MAJOR – 1 YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(1YR SIA)

TIERRA WEST LLC agent(s) for WAL-MART STORES EAST LP request(s) the referenced/ above action(s) for all or a portion of Parcel 1-A, **WYOMING MALL** zoned C-2 (SC), located on the east side of WYOMING BLVD NE between MENUAL BLVD NE AND NORTHEASTERN ST NE containing approximately 22.2080 acre(s). (H-20)

Project# 1008533
10DRB-70284 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
10DRB-70285 VACATION OF PUBLIC
UTILITY EASEMENT

ALPHA PROFESSIONAL SURVEYING INC agent(s) for
MICHELLE & REMIJIO BARELA request(s) the
referenced/ above action(s) for all or a portion of Lot(s) 22 &
23, Block(s) 29, **THE KNOLLS OF PARADISE HILLS**
Unit(s) 2, zoned R-1, located on the norths side of
BUCKEYE ST NW east of CHANTILLY RD NW
containing approximately .3105 acre(s). (B-13)

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


Jack Cloud, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 10, 2010.

HEARING DATE 10-27-10 (SIA)

PHEN



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 7, 2009

1 Project# 1002848

09DRB-70293 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

At the October 7, 2009, Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved. The sketch plat was reviewed and comments were given.

If you wish to appeal this decision, you must do so by October 22, 2009 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

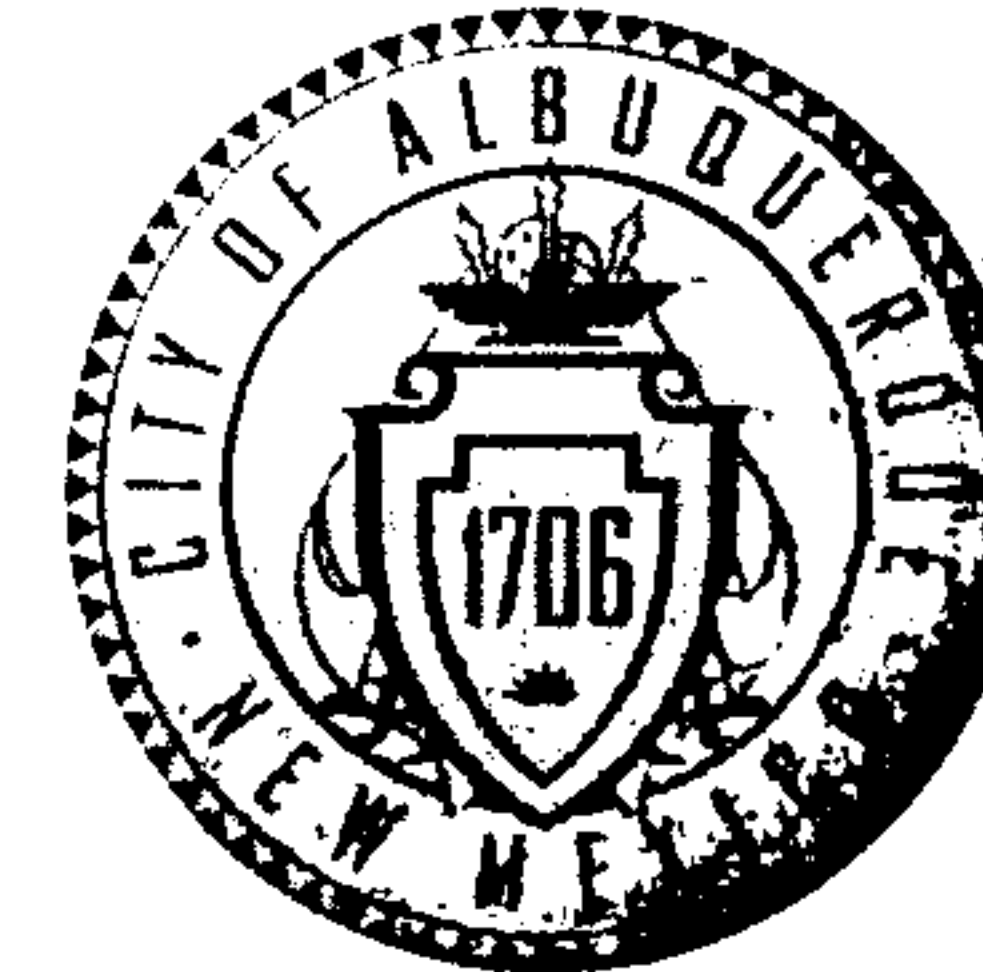

Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 87040
Marilyn Maldonado
File

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1002848 AGENDA# 1 DATE: 10/7/09

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: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002848

AGENDA ITEM NO: 1

SUBJECT:

SIA Extension

ACTION REQUESTED:

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

PO Box 1293

ENGINEERING COMMENTS:

Albuquerque

The Hydrology Section has no objection to a 1 year extension request in order to coordinate with the San Pedro Storm Drain Project.

NM 87103

RESOLUTION:

www.cabq.gov

APPROVED X^{1-yr}; 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
924-3986

DATE: October 7, 2009



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 7, 2009

Project# 1002848

09DRB-70293 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS
AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA SUBDIVISION** zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

AMAFCA No comments.
COG No comments.
TRANSIT No comments.
ZONING ENFORCEMENT No comments.
NEIGHBORHOOD COORDINATION Letters sent to: Nor Este NA (R) Wildflower Area NA (R) West La Cueva NA (R)
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT No comments.
FIRE DEPARTMENT No comments.
PNM ELECTRIC & GAS No comments.
COMCAST No comments.
QWEST No adverse comments.
ENVIRONMENTAL HEALTH No comments.
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION Open Space has no adverse comments

CITY ENGINEER

The Hydrology section has no objection to a 1 year extension. There is a nearby storm drain project under design that will need to be coordinated with this project.

TRANSPORTATION DEVELOPMENT

Records indicate this site has been open for business for a significant period of time. Further information needs to be provided clarifying why these improvements should be deferred. Please provide a timeline.

PARKS AND RECREATION

ABCWUA

No objection to Vacation request

PLANNING DEPARTMENT

Refer to comments from affected agencies plus any public hearing comments regarding proposed extension.

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

Cc:

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1002848

AGENDA ITEM NO: 1

SUBJECT:

SIA – 2 Year

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No adverse comments.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ^{2 yr} ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee 505-924-3986

DATE: OCTOBER 17, 2007

0



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

OCTOBER 17, 2007

Project# 1002848

07DRB-70267 MAJOR - 2YR SUBD IMP AGMT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18)

At the October 17, 2007 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 1, 2007, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87105
Cc: Larry Miller American Toyota – 9350 South 150E, Suite 1000 – Sandy, UT 84070
Marilyn Maldonado, Planning Department, 4th Floor, Plaza Del Sol Bldg.
File



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

October 17, 2007 9:00 AM

MEMBERS:

Sheran Matson, AICP, DRB Chair
Angela Gomez, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, ABCWUA
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 ANGELA GOMEZ, 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: Changes and/or Additions to the Agenda
- B. New or Old Business

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

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1002848**
07DRB-70267 MAJOR - 2YR SUBD IMP
AGMT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2,SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18) ~~THE TWO-YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.~~

2. **Project# 1005236**
07DRB-70268 VACATION OF PUBLIC
EASEMENT
07DRB-70269 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

ALPHA PROFESSIONAL SURVEYING INC. agent(s) for ZIA PARK TOWNEHOMES LLC request(s) the above action(s) for all or a portion of Tract(s) H & I, **LA CUESTA SUBDIVISION**, zoned SU-1/TOWNHOMES, located on ZIA RD NE BETWEEN JUAN TABO NE AND ZENA LONA RD NE containing approximately 2.9788 acre(s). (K-22) **DEFERRED TO 10/24/07 AT THE AGENTS REQUEST**

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

3. **Project# 1004873**
07DRB-70283 EPC APPROVED SDP
FOR BUILD PERMIT

DENISH & KLINE ASSOCIATES agent(s) for FOREST CITY COVINGTON NM, LLC request(s) the above action(s) for all or a portion of Tract(s) 23 & 24, **INNOVATION PARK**, zoned PC, located on STRYKER RD SE AND UNIVERSITY BLVD NORTHBOUND AND UNIVERSITY BLVD SOUTHBOUND containing 4.5 acre(s) *[Deferred from 10/10/07]* (R-16, R-17) *[Catalina Lehner, EPC Planner]* **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND TO PLANNING FOR CORRECTIONS TO NOTES 2, 9,10 AND 11 ON UTILITY PLAN, AND FOR 3 COPIES.**

4. **Project# 1000771**
07DRB-70281 EPC APPROVED SDP
FOR BUILD PERMIT

DEKKER PERICH SABATINI agent(s) for H R RENTAL PROPERTIES INC request(s) the above action(s) for all or a portion of Tract(s) C, **COTTONWOOD POINTE SUBDIVISION to be known as Eagle Vista Apartments**, zoned SU-1 FOR R-2, C-2 AND IP, located on EAGLE RANCH RD NW AND IRVING BLVD NW containing approximately 6.76 acre(s). (B-13) *[Deferred from 10/10/07]* *[Carol Toffaletti, EPC Planner]* **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/17/07, THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA, AND FOR EASEMENT TAPER, AND TO PLANNING FOR 3 COPIES.**

5. **Project# 1005132**
07DRB-70305 MINOR - SDP FOR
BUILDING PERMIT

THE DESIGN GROUP agent(s) for DR BERNITSKY request(s) the above action(s) for all or a portion of Tract(s) B-1, **NORTH ALBUQUERQUE ACRES Unit(s) B**, zoned SU-2 FOR O1, located on HOLLY AVENUE NE BETWEEN SAN PEDRO NE AND LOUISANNA NE containing approximately 0.76 acre(s). (C-18) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR SIDEWALK EASEMENT ON HOLLY AVE, FOR PARTICIPATION IN TRAFFIC SIGNAL AT HOLLY NE AND SAN PEDRO NE, AND TO PLANNING FOR 3 COPIES.**

- 07DRB-70306 MINOR - SDP FOR
BUILDING PERMIT

THE DESIGN GROUP agent(s) for ZIA RISING request(s) the above action(s) for all or a portion of Tract(s) C-1, **NORTH ALBUQUERQUE ACRES**, zoned SU-2 FOR O1, located on HOLLY PLACE NE BETWEEN SAN PEDRO NE AND LOUISIANA NE containing approximately 1.27 acre(s). (C-18) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR SIDEWALK EASEMENT ON HOLLY AVE, FOR PARTICIPATION IN TRAFFIC SIGNAL AT HOLLY NE AND SAN PEDRO NE, AND TO PLANNING FOR 3 COPIES.**

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

6. **Project# 1003238**
07DRB-70295 SIDEWALK WAIVER

EVERGREEN DURANES LTD CO request(s) the above action(s) for all or a portion of Lot(s) 29 P-1, **FLORAL MEADOWS**, zoned R-LT, located on ON SARITA AVE containing approximately 0.25 acre(s). (H-13) **THE SIDEWALK WAIVER WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

7. **Project# 1005539**
07DRB-70279 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WILSON AND COMPANY INC agent(s) for MGMe DEVELOPMENT INC request(s) the above action(s) for all or a portion of Lot(s) 1, Block(s) 5, **VOLCANO CLIFFS SUBDIVISION, Unit(s) 26, (to be known as TIERRA BUENA ESTATES)**, zoned SU-2 SRLL, located on KIMMICK DR NW BETWEEN ROSA PARKS RD NW AND VALIENTE RD NW containing approximately 3.62 acre(s). (C-11) *[Deferred from 10/03/07]* **DEFERRED TO 10/24/07 AT THE AGENTS REQUEST.**

8. **Project# 1005182**
07DRB-70309 MAJOR - FINAL PLAT APPROVAL
- WILSON AND COMPANY INC agent(s) for LA CUENTISTA II, LLC request(s) the above action(s) for all or a portion of Tract(s) C, **LA CUENTISTA SUBDIVISION Unit(s) 2**, zoned SU2-SRSL, located on ROSA PARKS ROAD NW BETWEEN ALOE ROAD NW AND KIMMICK DRIVE containing approximately 35.4714 acre(s). (C-10 C-11) **DEFERRED TO 10/24/07 AT THE AGENTS REQUEST.**
9. **Project# 1005271**
07DRB-70303 MINOR - PRELIMINARY/FINAL PLAT APPROVAL
- SURVEYS SOUTHWEST LTD agent(s) for WALDO GRIEGO request(s) the above action(s) for all or a portion of Lot(s) 31, **WEAKS ADDITION**, zoned R-1, located on 47TH STREET NW BETWEEN CENTRAL AVE NW AND GLENDALE PL NW containing approximately .1802 acre(s). (R-12) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR DRY UTILITY SIGNATURES.**
10. **Project# 1006890**
07DRB-70308 MINOR - PRELIMINARY/FINAL PLAT APPROVAL
- PRECISION SURVEYS INC agent(s) for NEW MEXICO BANK & TRUST request(s) the above action(s) for all or a portion of Lot(s) 5-11 AND PORTION OF 12 & 13-15, Block(s) 17, Tract(s) 15-A, **MONKBRIDGE ADDITION (TBK TRACTS A & B, NEW MEXICO BANK & TRUST)**, zoned P, C-1 & C-3, located on CANDELARIA NW BETWEEN 4TH ST NW AND 5TH ST NW containing approximately 1.9616 acre(s). (G-14) **DEFERRED TO 10/24/07.**
11. **Project # 1005070**
06DRB-01154 Major-Preliminary Plat Approval
06DRB-01156 Minor-Sidewalk Waiver
06DRB-01155 Minor-Temp Defer SDWK
- SURV-TEK INC & WILSON & COMPANY agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 8, **THE TRAILS, UNIT 2 (to be known as TAOS @ THE TRAILS, UNIT 2)** zoned SU-2-SRLL, located on WOODMONT AVE NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 9 acre(s). [Deferred from 9/6/06, 9/13/06, 9/27/06, 10/11/06, 10/25/06, 11/29/06, 12/20/06, 1/24/07, 4/18/07, 6/20/07, 7/18/07, 08/22/07 & 09/05/07 & 09/26/07]. (C-9) **DEFERRED TO 4/16/08 AT THE AGENTS REQUEST.**
12. **Project# 1005465**
07DRB-70277 MINOR - PRELIMINARY/FINAL PLAT APPROVAL
- THOMPSON ENGINEERING CONSULTANTS, INC agent(s) for DUKE CITY DISTRIBUTING request(s) the above action(s) for all or a portion of Tract(s) C, **SOUTH BROADWAY INDUSTRIAL ACRES**, zoned SU-2 HM, located on WOODWARD RD SE BETWEEN BROADWAY BLVD SE AND 2ND ST SE containing approximately 3.52 acre(s). (M-14) [Deferred from 10/03/07] **DEFERRED TO 10/24/07 AT THE AGENTS REQUEST.**

13. **Project #1003828**
07DRB-00717 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WILLIAM T CANIGLIA, agent(s) for CANDELARIA VILLAGE COMPANY request(s) the above action(s) for all or a portion of Lot(s) 38, **CANDELARIA VILLAGE**, zoned R-1, located on 12TH ST NW and DON FRANCISCO PL NW containing approximately 0.338 acre(s). [Defer from 06/20/07, 7/11/07 & 08/22/07] (G-13) **WITHDRAWN AT AGENTS REQUEST.**

NO ACTION IS TAKEN ON THESE CASES:

APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

14. **Project# 1006882**
07DRB-70304 SKETCH PLAT REVIEW
AND COMMENT

MONICA MONTOYA - BARELAS CPC agent(s) for VERA M MONTOYA request(s) the above action(s) for all or a portion of Lot(s) 12, Block(s) 4, **SANTA FE ADDITION**, zoned SU2-R1, located on SANTA FE SW BETWEEN 9TH ST SW AND 8TH ST SW containing approximately .1 acre(s). (K-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS GIVEN.**

15. Approval of the Development Review Board Minutes for August 22nd and August 29th 2007.

Other Matters: **Project # 1003102**

Application # 06DRB-00935 (Soft Lofts)

Application # 06DRB-00936 (Soft Lofts)

was withdrawn at the Agent's request.

ADJOURNED: 9:59 AM

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

Meeting Date: October 17, 2007
Zone Atlas Page: C-18
Notification Radius: 100 Ft.

Project#1002848
App#07DRB-70267

Cross Reference and Location: ALAMEDA BLVD NE BETWEEN PAN
AMERICAN FRWY NE AND SAN PEDRO DR NE

Applicant: LARRY MILLER AMERICAN TOYOTA
9350 SOUTH 150E STE 1000
SANDY, UT 84070

Agent: TIERRE WEST LLC
5571 MIDWAY PARK PL NE
ALBUQUERQUE, NM 87105

Special Instructions:

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

Date Mailed: SEPTEMBER 28, 2007
Signature: ERIN TREMLIN

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION		Supplemental form	
<input checked="" type="checkbox"/>	Major Subdivision action	S	Z
<input type="checkbox"/>	Minor Subdivision action	ZONING & PLANNING	
<input type="checkbox"/>	Vacation	Annexation	
<input type="checkbox"/>	Variance (Non-Zoning)	County Submittal	
SITE DEVELOPMENT PLAN		V	EPC Submittal
<input type="checkbox"/>	for Subdivision	Zone Map Amendment (Establish or Change Zoning)	
<input type="checkbox"/>	for Building Permit	P	Sector Plan (Phase I, II, III)
<input type="checkbox"/>	Administrative Amendment (AA)	Amendment to Sector, Area, Facility or Comprehensive Plan	
<input type="checkbox"/>	IP Master Development Plan	Text Amendment (Zoning Code/Sub Regs)	
<input type="checkbox"/>	Cert. of Appropriateness (LUCC)	D	Street Name Change (Local & Collector)
STORM DRAINAGE (Form D)		L A	APPEAL / PROTEST of...
<input type="checkbox"/>	Storm Drainage Cost Allocation Plan	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.

APPLICATION INFORMATION:

Professional Agent (if any): Tierra West LLC PHONE: 505-858-3100
ADDRESS: 5511 Midway Park Place NE FAX: 505-858-3100
CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: _____

APPLICANT: Larry Miller American Toyota PHONE: 801-563-4100
ADDRESS: 9350 South 150E, Suite 1000 FAX: _____
CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____
Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 + B1 Block: _____ Unit: _____
Subdiv/Addn/TBKA: American Toyota
Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: NO change MRGCD Map No _____
Zone Atlas page(s): C-18 UPC Code: 101806421939920605 / 101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): 03DRB-01270 / 04DRB-00571 / DRB-95-41 / 05DRB-01620 / # 1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-
LOCATION OF PROPERTY BY STREETS: On or Near: 5995 Alameda Blvd. NE
Between: Pan American Fwy NE and San Pedro Dr. NE

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

SIGNATURE [Signature] DATE 9/21/07
(Print) Ronald R Bohannan, PE Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>07DRB - 70267</u>	<u>SFA</u>	<u>52</u>	<u>\$ 50.⁰⁰</u>
_____	<u>ADV</u>	_____	<u>\$ 75.⁰⁰</u>
_____	<u>CWF</u>	_____	<u>\$ 20.⁰⁰</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>October 17, 2007</u>	_____	_____	Total
_____	_____	_____	<u>\$ 145.⁰⁰</u>

[Signature] 9/21/07 Project # 1002848
Planner signature / date

Form revised 4/07

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Ronald R. Bohannon, PE
 Applicant name (print)
9/21/07
 Applicant signature / date



Form revised 4/07

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- | | |
|--------------------------|--------|
| Application case numbers | |
| DRB - | -70267 |
| - | - |
| - | - |

Andrew Jones 9/21/07
 Planner signature / date
Project # 1002848

REC	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP CODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	10180 64273 40510 332	KASSAM ALEEM M & TAZIM P & FAIZ EL M KASSAM	8815 DAN CING EAG LE CT NE	ALB UQU ERQ UE	N M	871 13	V	A1 A	* 001 028TRACT A UNIT B NORTH ALBUQUERQUE A CRES
2	10180 64212 43520 803	OMEGA AUTOMOT IVE REAL ESTATE LTD	930 WES T FIRST S T SUITE 303	FOR T W ORT H	T X	761 02 310 4	C	A1 A	LT 21-A BLK 10 PLAT OF LOTS 14-A AND 21- A BLOCK 10 TRACT A UNIT B NORTH ALBUQUERQU E ACRES CONT 2.5605 AC
3	10180 64210 45520 810	OMEGA AUTOMOT IVE REAL ESTATE LTD	930 WES T FIRST S T SUITE 303	FOR T W ORT H	T X	761 02 310 4	C	A1 A	LT 14-A BLK 10 PLAT OF LOTS 14-A AND 21- A BLOCK 10 TRACT A UNIT B NORTH ALBUQUERQU E ACRES CONT 2.8716 AC
4	10180 64238 45820 809	LOUCKS RICHARD A	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	C	A1 A	LT 15 BLK 10 NORTH ALBUQUERQUE ACRES TR A UNIT B CONT .8864 AC
5	10180 64228 35120 409	KAMEYAB IMPORT S INC	11409 FAI RINGTON NE	ALB UQU ERQ UE	N M	871 11	C	A1 A	LT 22 D-1 BLK 12 PLAT OF LOTS 22 D-1 & D- 2 BLK 12 BEING A REPL OF LT 22 D BLK 12 TRACT A UNIT B NORTH ALBUQ ACRES
6	10180 64245 35320 408	QUALITY JEEP LIM ITED PARTNERSHI P	8101 LO MAS BLVD NE	ALB UQU ERQ UE	N M	871 10	C	A1 A	LT 22-D-2 BLK 12 PLAT OF LOTS 22-D-1 AND 22-D- 2 BEING A REPLAT OF LOT 22- D BLOCK 12 TRACT A UNIT B NORTH ALBUQUERQUE ACRES CONT .9183 AC
7	10180 64211 35020 411	PRP INC	3200 BR OADWAY BLVD SE	ALB UQU ERQ UE	N M	871 05	C	A1 A	LT 22C BLK 12 CORRECTED PLAT FOR LTS 22A, 22 B, 22C & 22D BLK 12 TR A UNIT B NORTH ALBUQUE RQUE ACRES CONT 1.0101 AC M/L O R 44,000 SQ F T M/L
8	10180 64191 34820 412	ALAMEDA GRAND E PARTNERSHIP	3535 PRI NCETON A VE NE	ALB UQU ERQ UE	N M	871 07	C	A1 A	LT 22B-1 BLK 12 PLAT FOR LT 22B- 1 BLK 12 TR A UNIT B NORTH A LBUQUERQUE ACR ES CONT. 0.9288 (AC. +/-) OR 40,459 (SQ. FT. +/-)
9	10180 64273 38310 301	KASSAM ALEEM M & TAZIM P & FAIZ EL M KASSAM	8815 DAN CING EAG LE CT NE	ALB UQU ERQ UE	N M	871 13	V	A1 A	* 032 028TRACT A UNIT B NORTH ALBUQUERQUE A CRES
0	10180 64288 38310 302	KASSAM ALEEM M & TAZIM P & FAIZ EL M KASSAM	8815 DAN CING EAG LE CT NE	ALB UQU ERQ UE	N M	871 13	V	A1 A	* 031 028TRACT A UNIT B NORTH ALBUQUERQUE A CRES
1	10180 64273 35410 232	H Aidari ESMail & GHAMAR ASGHAR ZADEH & V MOD L LC	12904 CA LLE DE SA NDIAS NE	ALB UQU ERQ UE	N M	871 11 292 3	V	A1 A	* 001 029TRA UB N ALBU AC
1	10180 64288 35410 231	H Aidari ESMail & GHAMAR ASGHAR ZADEH & V MOD L LC	12904 CA LLE DE SA NDIAS NE	ALB UQU ERQ UE	N M	871 11 292 3	V	A1 A	* 002 029TRA UB N ALBU AC
1	10180 64252 45820 808	LOUCKS RICHARD A	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	C	A1 A	* 016 010NO ALBU AC TR A UNIT B
1	10180 64288 40510 331	KASSAM ALEEM M & TAZIM P & FAIZ EL M KASSAM	8815 DAN CING EAG LE CT NE	ALB UQU ERQ UE	N M	871 13	V	A1 A	* 002 028TRACT A UNIT B NORTH ALBUQUERQUE A CRES

1 5	10180 64252 43620 807	LOUCKS RICHARD A	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	C	A1 A	* 017 010NO ALBU AC TR A UNIT B
1 6	10180 64238 43620 806	LOUCKS RICHARD A	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	C	A1 A	* 018 010NO ALBU AC TR A UNIT B
1 7	10180 64251 38720 610	MILLER LAWRENC E H & KAREN G	5995 ALA MEDA BLV D NE	ALB UQU ERQ UE	N M	871 13	C	A1 A	TR B-1 PLAT OF TRACTS A-1 AND B- 1 AMERICAN TOYOTA CONT 2.1455 AC
1 8	10180 64219 39920 605	MILLER LAWRENC E H & KAREN G	5995 ALA MEDA BLV D NE	ALB UQU ERQ UE	N M	871 13	C	A1 A	TR A-1 PLAT OF TRACTS A-1 AND B- 1 AMERICAN TOYOTA CONT 4.7491 AC
1 9	10180 64287 45811 702	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 13	C	A1 A	LT 2 BLK 27 TRACT A UNIT B NORTH ALBUQUERQU E ACRES CONT .8864 AC
2 0	10180 64287 43611 711	CORONADO AUTO SALVAGE INC	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	V	A1 A	LT 31 BLK 27 TRACT A UNIT B NORTH ALBUQUERQ UE ACRES CONT .8864 AC
2 1	10180 64272 45811 701	BAUER & LOUCKS ENTERPRISES LLC	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 13	C	A1 A	LOT 1 BLK 27 TRACT A UNIT B NORTH ALBUQUERQ UE ACRES CONT. 0.7553 AC.
2 2	10180 64273 43611 712	CORONADO AUTO SALVAGE INC	9320 SAN PEDRO D R NE	ALB UQU ERQ UE	N M	871 14	V	A1 A	LT 32 BLK 27 TRACT A UNIT B NORTH ALBUQUERQ UE ACRES CONT .7252 AC

Or Current Resident
ALAMEDA GRANDE PARTNERSHIP
3535 PRINCETON AVE NE
ALBUQUERQUE, NM 87107

Or Current Resident
HAIDARI ESMAIL & GHAMAR
ASGHARZADEH & V MOD LLC
12904 CALLE DE SANDIAS NE
ALBUQUERQUE, NM 87111 2923

Or Current Resident
LOUCKS RICHARD A
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87114

Or Current Resident
PRP INC
3200 BROADWAY BLVD SE
ALBUQUERQUE, NM 87105

Project# 1002848
LARRY MILER AMERICAN TOYOTA
9350 SOUTH 150E STE 1000
SANDY, UT 84070

Project# 1002848
LARRY T. CAUDILL
Wildflower Area N.A.
4915 WATERCRESS NE
ALBUQUERQUE, NM 87113

Project# 1002848
APRIL SWEET
West La Cueva N.A.
6939 CARMELITO LP NE
ALBUQUERQUE, NM 87113

Or Current Resident
BAUER & LOUCKS ENTERPRISES
LLC
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87113

Or Current Resident
KAMEYAB IMPORTS INC
11409 FAIRINGTON NE
ALBUQUERQUE, NM 87111

Or Current Resident
MILLER LAWRENCE H & KAREN G
5995 ALAMEDA BLVD NE
ALBUQUERQUE, NM 87113

Or Current Resident
QUALITY JEEP LIMITED
PARTNERSHIP
8101 LOMAS BLVD NE
ALBUQUERQUE, NM 87110

Project# 1002848
JEFF PETERSON
Nor Este N.A.
7800 EAGLE ROCK AVE NE
ALBUQUERQUE, NM 87111

Project# 1002848
RICK TREADWELL
Wildflower Area N.A.
5004 WATERCRESS NE
ALBUQUERQUE, NM 87113

Or Current Resident
CORONADO AUTO SALVAGE INC
9320 SAN PEDRO DR NE
ALBUQUERQUE, NM 87114

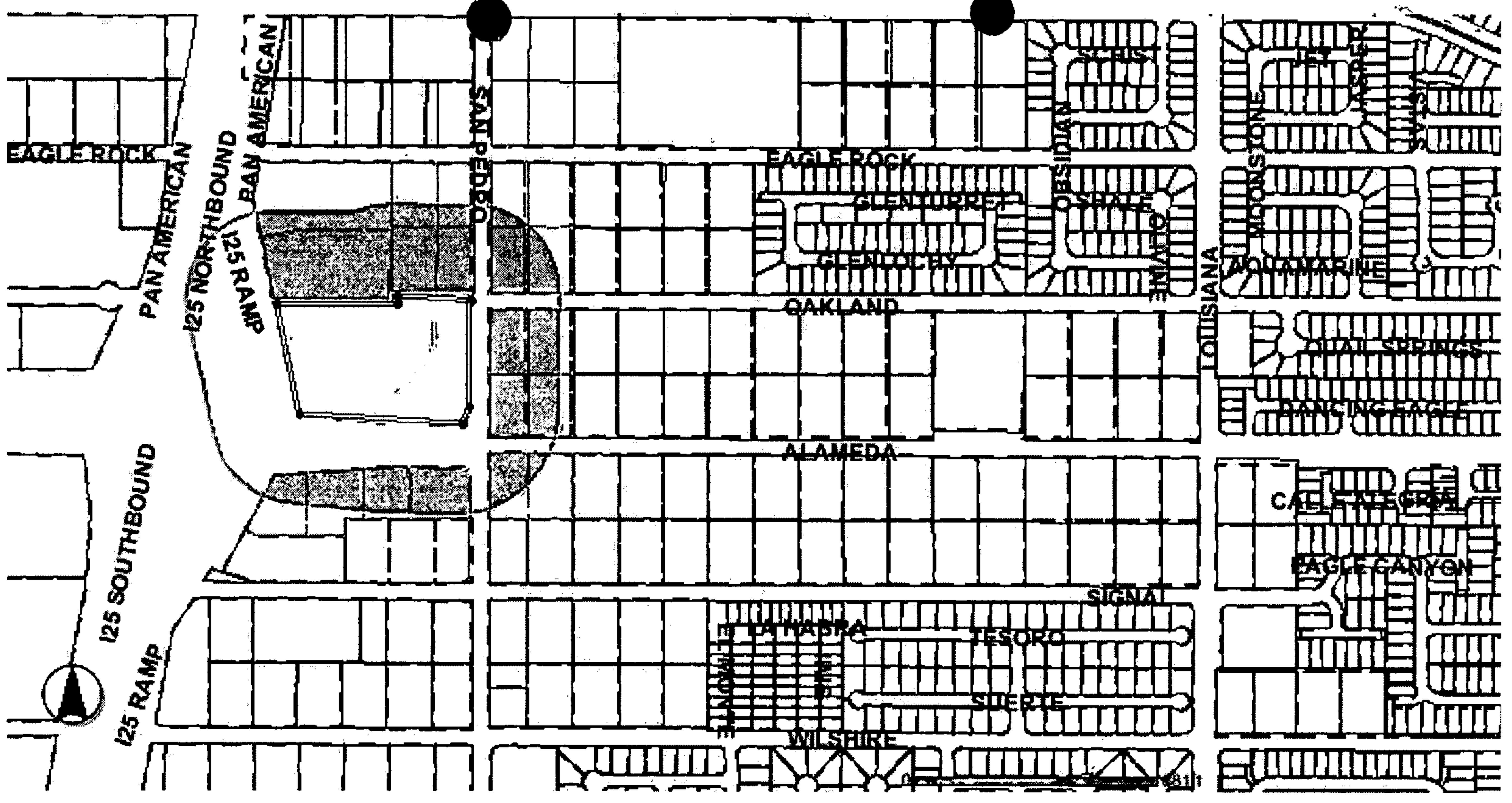
Or Current Resident
KASSAM ALEEM M & TAZIM P &
FAIZEL M KASSAM
8815 DANCING EAGLE CT NE
ALBUQUERQUE, NM 87113

Or Current Resident
OMEGA AUTOMOTIVE REAL ESTATE
LTD
930 WEST FIRST ST SUITE 303
FORT WORTH, TX 76102 3104

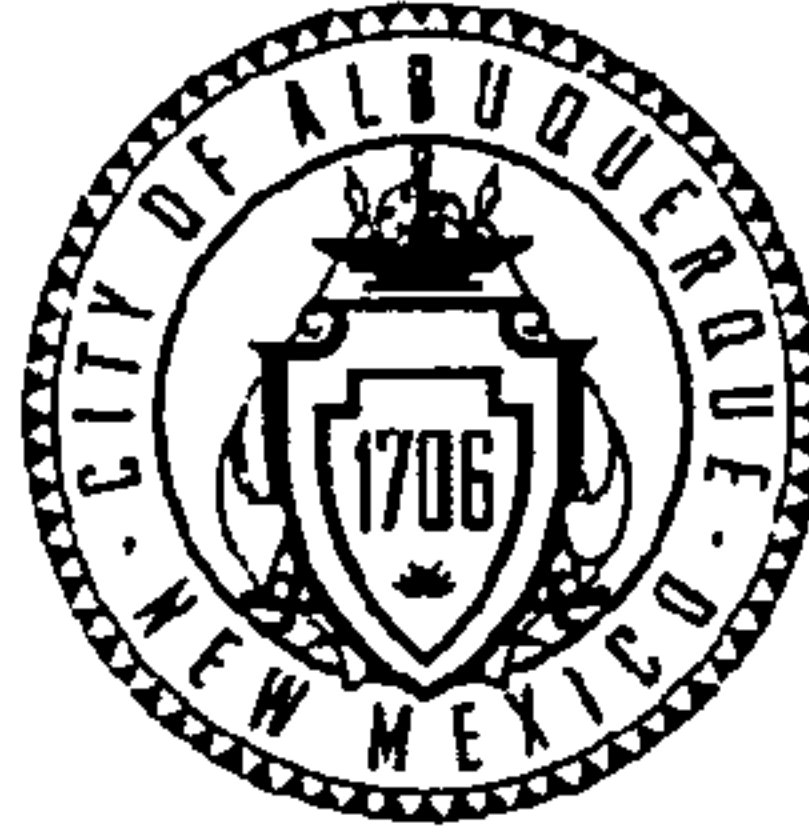
Project# 1002848
TIERRE WEST LLC
5571 MIDWAY PARK PL NE
ALBUQUERQUE, NM 87105

Project# 1002848
JOE YARDUMIAN
Nor Este N.A.
7801 RC GORMAN AVE NE
ALBUQUERQUE, NM 87122

Project# 1002848
PEGGY NEFF
West La Cueva N.A.
8305 CALLE SEQUELLE NE
ALBUQUERQUE, NM 87113



9



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

September 20, 2007

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
Email: kkruieger@tierrawestllc.com

Dear Keli:

Thank you for your inquiry of September 20, 2007 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **TRACTS A-1 AND B-1 AMERICAN TOYOTA, LOCATED ON ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map **C-18**.

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

NOR ESTE N.A. (NRE) "R"

Jeff Peterson, 7800 Eagle Rock Ave. NE/87111 797-3477 (h) 846-3476 (w) 615-6729 (c)
Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WILDFLOWER AREA N.A. (WFA) "R"

*Larry T. Caudill, 4915 Watercress NE/87113 857-0596 (h)
Rick Treadwell, 5004 Watercress NE/87113 821-6369 (h)

WEST LA CUEVA N.A. (WLC) "R"

*Peggy Neff, 8305 Calle Sequelle NE/87113 823-1041 (h)
April Sweet, 6939 Carmelito Lp. NE/87113 280-8586 (c)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

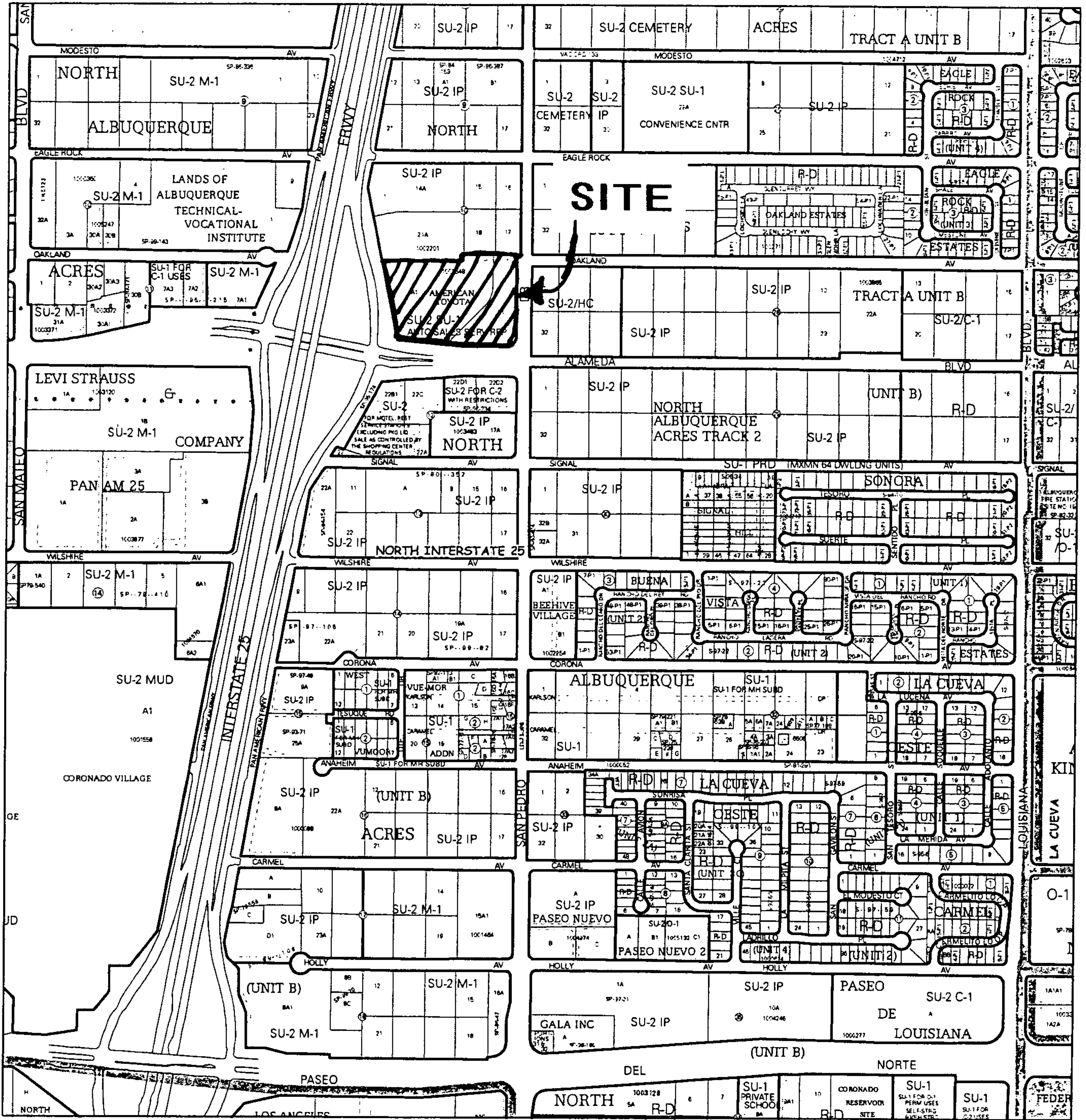
Stephani Winklepleck

Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION

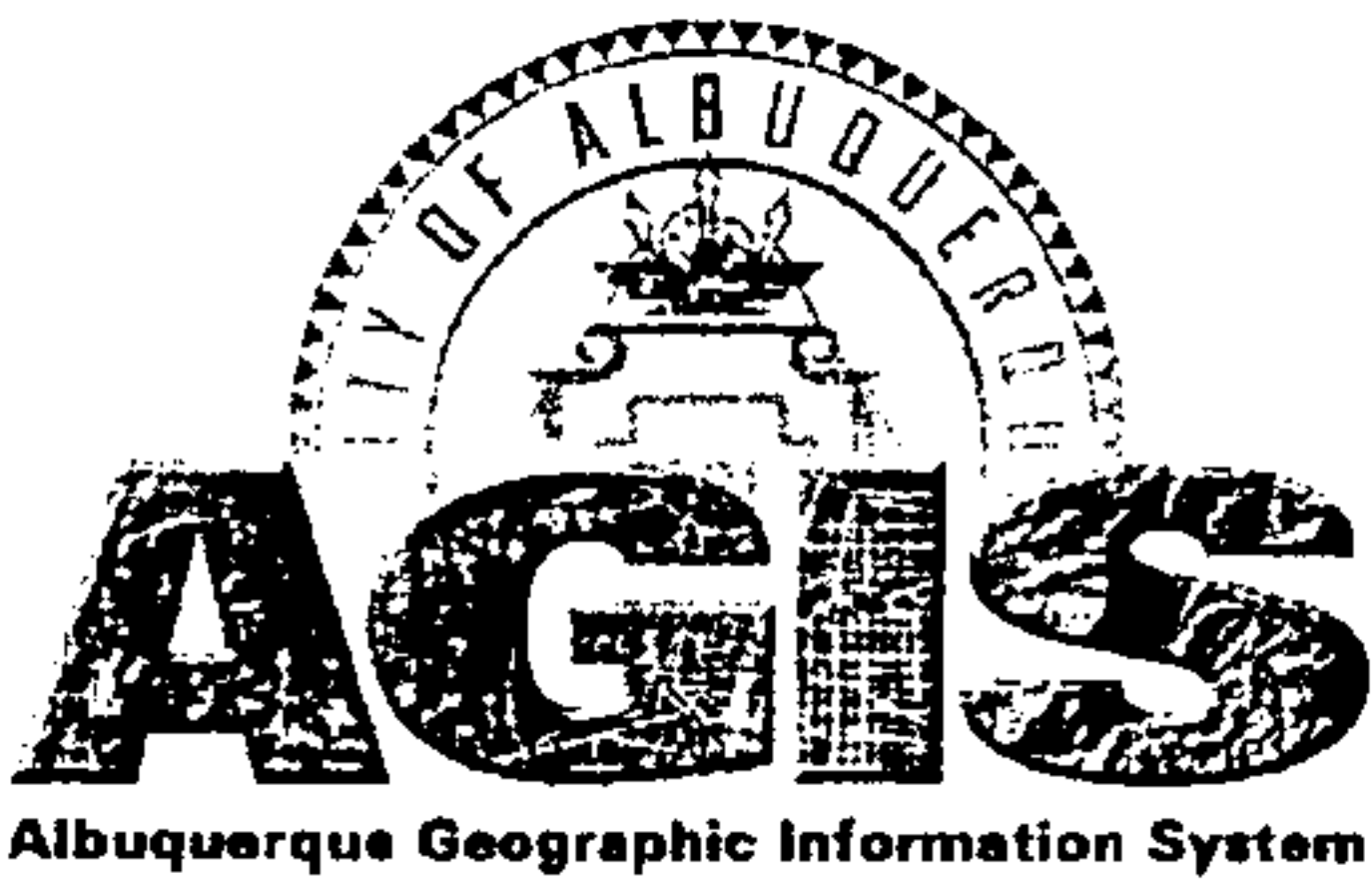
PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information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

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

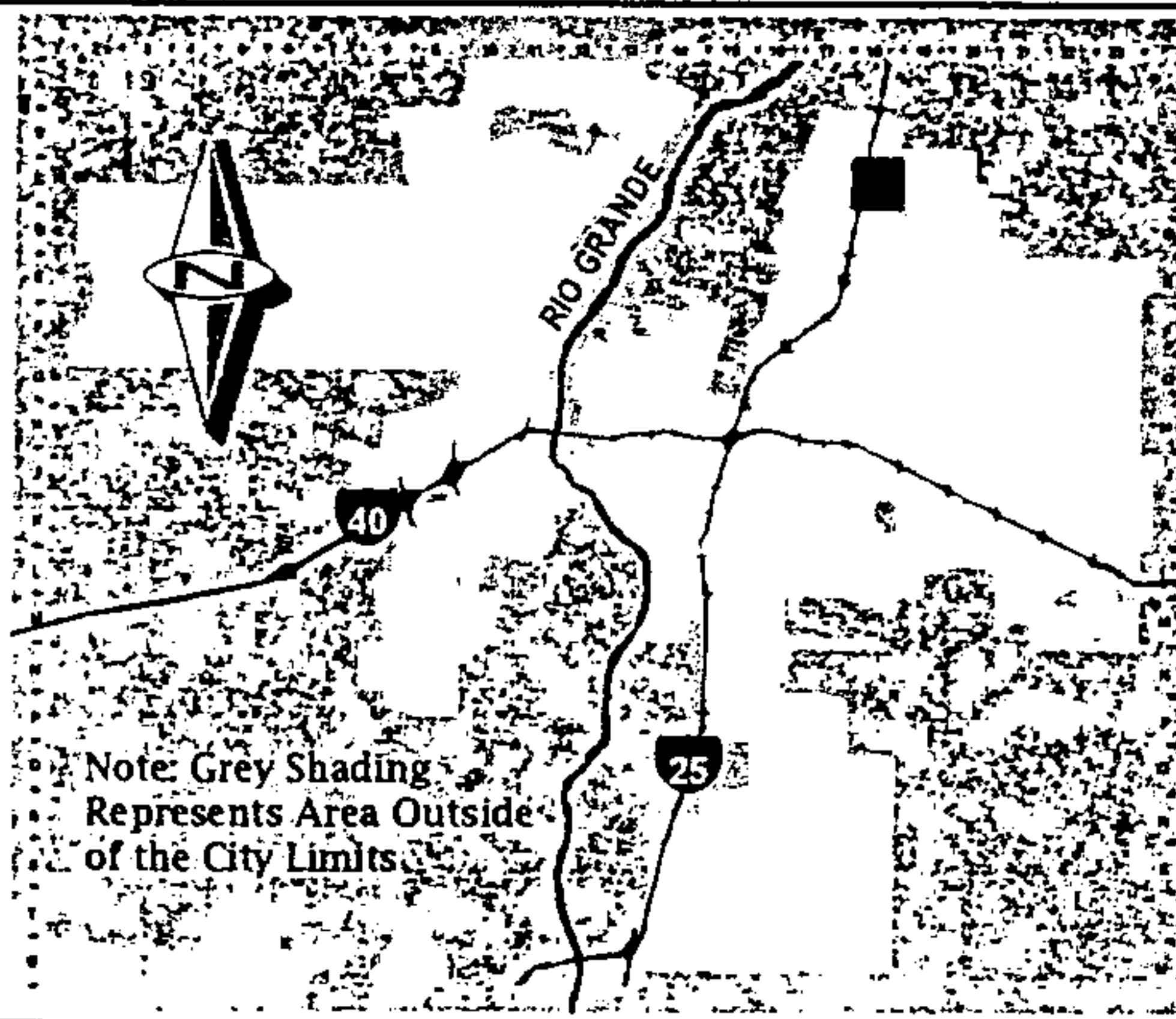
Planning Department



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



Map amended through: 9/6/2007



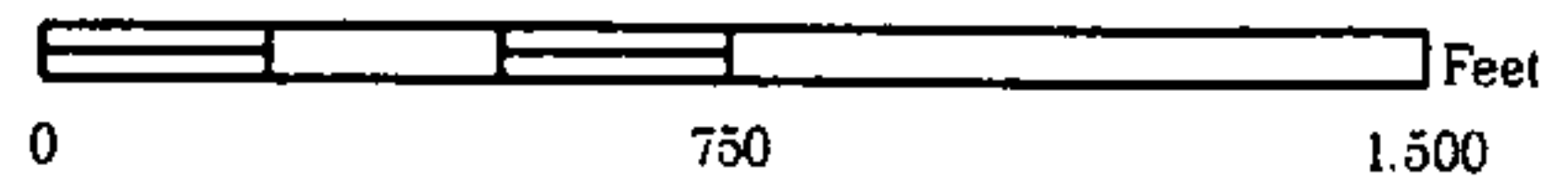
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

C-18-Z

Selected Symbols

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



TIERRA WEST, LLC

5571 Midway Park Place NE
Albuquerque, NM 87109

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

September 21, 2007

Ms. Sheran Matson
Planning Manager, DRB Chair
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Extension of Subdivision Improvements Agreement
American Toyota
Project # 1002848, Zone Atlas Page C-18**

Dear Ms. Matson:

Tierra West LLC, on behalf of Larry Miller American Toyota, requests approval of a 2 year extension to the Subdivision Improvements Agreement for the above-referenced project. This project is located along at 5995 Alameda Boulevard NE, between San Pedro drive NE and Pan American Freeway NE and contains \pm 5 acres. These improvements were a result of the expansion of the American Toyota service lot to incorporate the vacated Oakland Avenue ROW. The owners have purchased the property immediately north of the site that extends to Eagle Rock and are starting the development process on that parcel. The development of the new parcel will require additional public infrastructure improvements to be designed and constructed. American Toyota desires to incorporate these improvements and build one project

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

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Pat Joseph
Jeff Peterson, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Larry Caudill, Wildflower Area N.A.
Rick Treadwell, Wildflower Area N.A.
Peggy Neff, West La Cueva N.A.
April Sweet, West La Cueva N.A.

JN: 22082.101
RRB/cla

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1002848 AGENDA# 1 DATE: 10/17/07

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: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



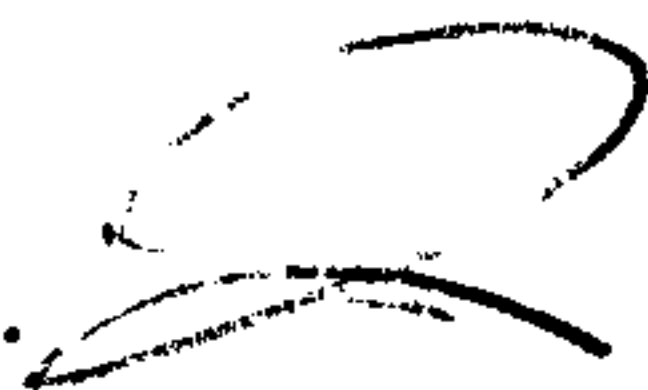
INTERA Incorporated
6000 Uptown Boulevard NE
Suite 100
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: October 15, 2007

TO: Sheran Matson, Planning Department – Design Review Board

COPY: Suzanne Busch, Environmental Health Department
Kevin Curran, Legal Department
Tierra West, LLC

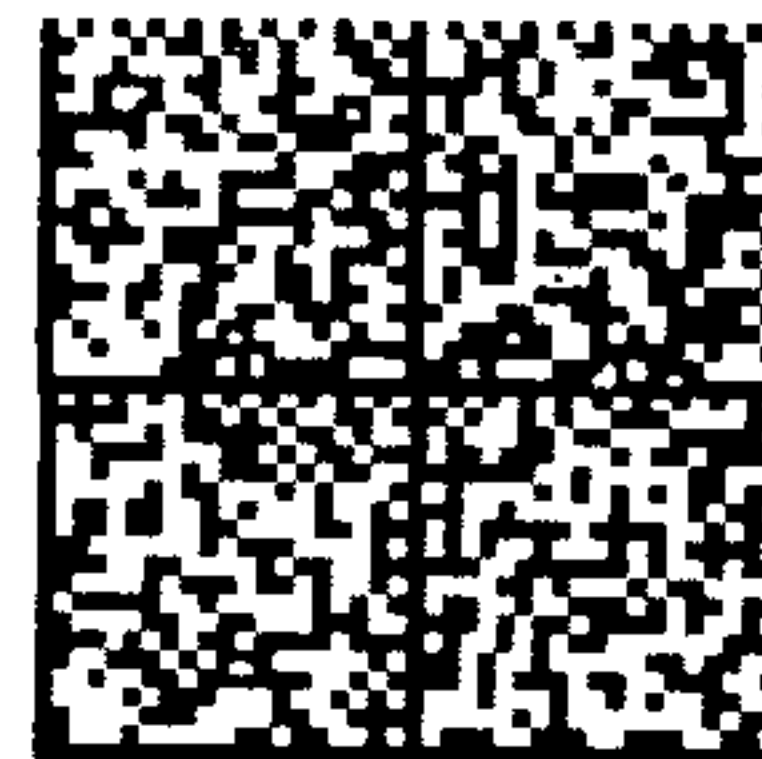
FROM: Jim Joseph, P.E., INTERA Inc. 

SUBJECT: Project # 1002848, 07DRB-70267 MAJOR – 2YR SUBD IMP AGMT (2YR SIA), American Toyota, Tracts A1 & B1, Located on Alameda Blvd. NE Between Pan American Freeway NE and San Pedro Dr. NE


There is the potential for above-named project to be impacted by the presence of landfill gas generated by a former privately owned/operated landfill (Oakland Avenue Landfill). The Albuquerque Environmental Health Department (AEHD) realizes this agenda item reflects only administrative filings for subdivision improvement agreements; however, if development/redevelopment does occur, the developers of this site are required to follow the most current version of the "Interim Guidelines for Development within City Designated Landfill Buffer Zones." A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department, Environmental Services Division.



Intera Incorporated
 6000 Uptown Boulevard NE, Suite 100
 Albuquerque, New Mexico 87110



neopost N042J80017107
\$0.41
 10/16/07
 Mailed From 87110



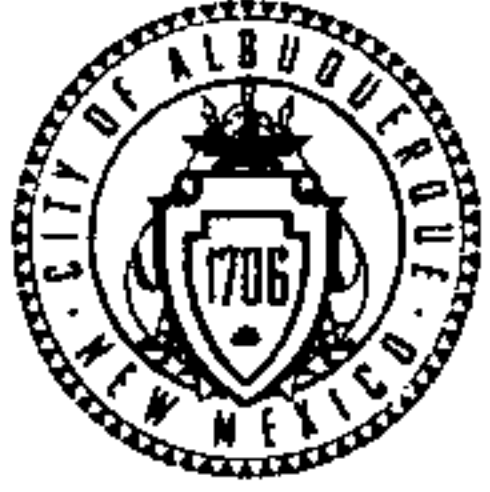
US POSTAGE

Sheran Matson
 Design Review Board
 600 2nd Street NW
 Suite 201
 Albuquerque, NM 87102

87102+9999 0007



AS



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 17, 2007

~~Project# 1002848~~

07DRB-70267 MAJOR - 2YR SUBD IMP AGMT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18)

AMAFCA No adverse comments.

COG No comments received.

Transit No comments received.

Zoning Enforcement No adverse comments.

Neighborhood Coordination
No Neighborhood Association(s)

APS

Police Department No crime prevention or CPTED comments at this time.

Fire Department No adverse comments.

PNM Electric & Gas No adverse comments.

Comcast No comments received.

QWEST No comments received.

Environmental Health No comments received.

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

Open Space Division Open Space has no adverse comments.

City Engineer
The Hydrology section has no objection to the extension request.

Transportation Development
When are these improvements proposed to be constructed?

Parks & Recreation
No objection.

ABCWUA
No objection to Extension request

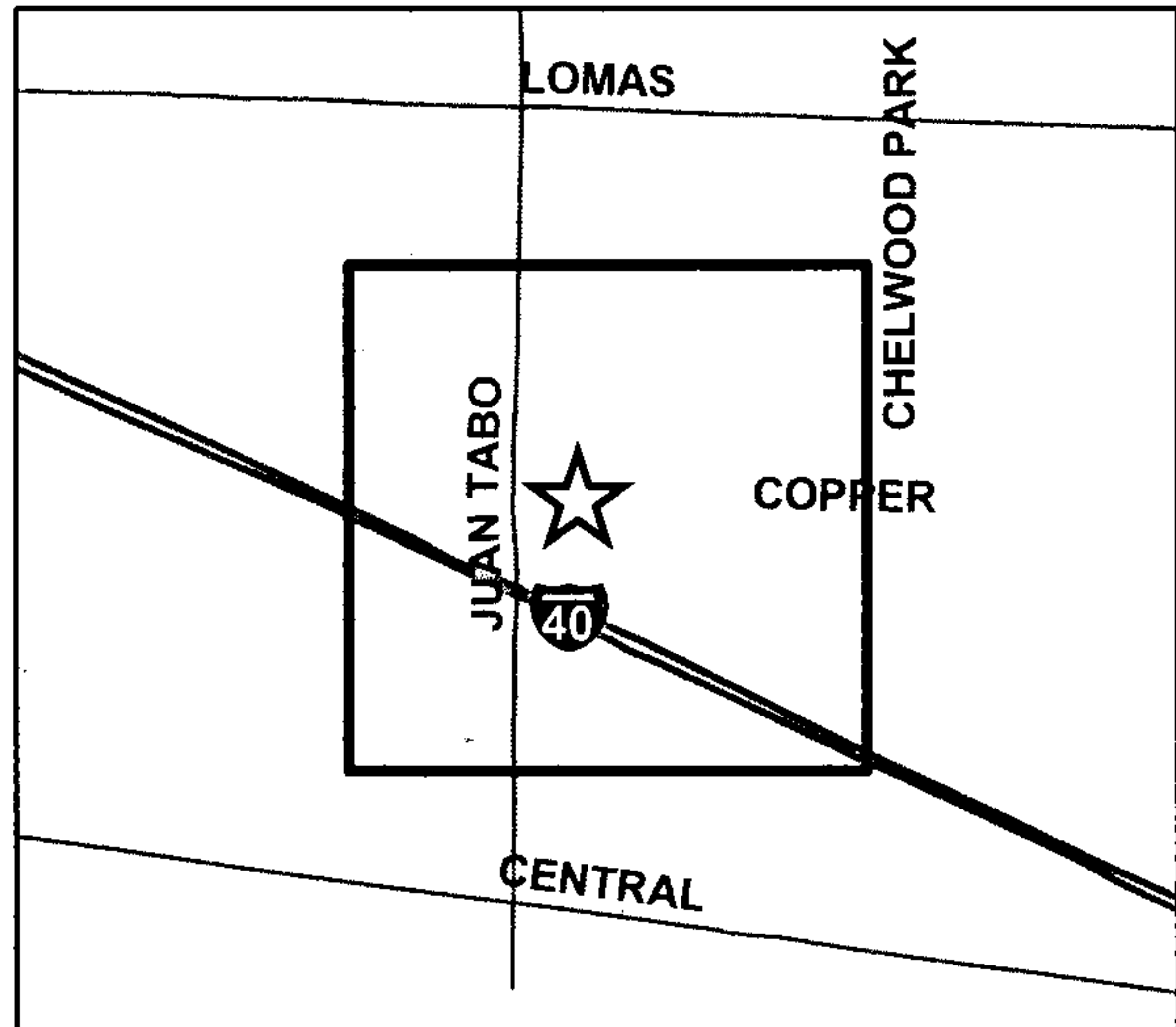
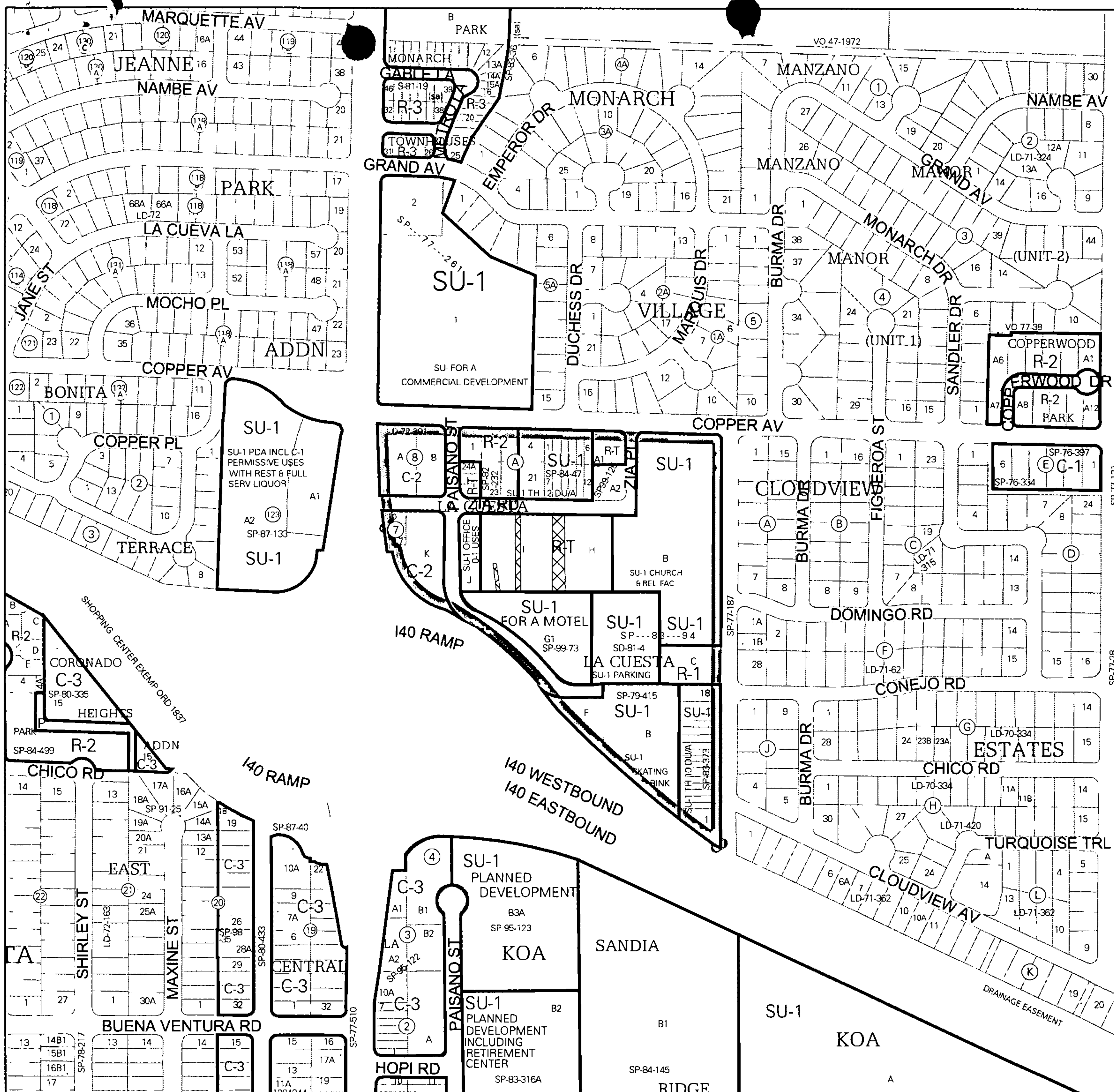
Planning Department
No objection to the requested 2 year extension to the SIA.

Impact Fee Administrator
No comment on extension of SIA.

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

Cc: Tierra West LLC 5571 Midway Park Place NE Albuquerque, NM 87105

Cc: Larry Miller American Toyota 9350 South 150E, Suite 1000 Sandy, Utah 84070



ZONING MAP

Note: Grey shading indicates County.



1 inch equals 500 feet

Project Number:
1005236
Hearing Date:
October 10, 2007
Zone Map Page:
K-22

Additional Case Numbers:
07DRB-70268 07DRB-70269



**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, October 17, 2007, beginning at 9:00 a.m. for the purpose of considering the following:

~~Project# 1002848~~

07DRB-70267 MAJOR - 2YR SUBD IMP
AGMT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18)

Project# 1005236

07DRB-70268 VACATION OF PUBLIC
EASEMENT
07DRB-70269 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

ALPHA PROFESSIONAL SURVEYING INC. agent(s) for ZIA PARK TOWNEHOMES LLC request(s) the above action(s) for all or a portion of Tract(s) H & I, **LA CUESTA SUBDIVISION**, zoned SU-1/TOWNHOMES, located on ZIA RD NE BETWEEN JUAN TABO NE AND ZENA LONA RD NE containing approximately 2.9788 acre(s). (K-22)

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

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 1, 2007.



FILE


Intera Incorporated
One Park Square
6501 Americas Parkway NE
Suite 820
Albuquerque, NM 87110
Telephone: 505 246 1600
Fax: 505 246 2600

MEMORANDUM

DATE: November 9, 2005

TO: Sheran Matson, Planning Department – Design Review Board

COPY: Marcia A. Pincus, Environmental Health Department
Kevin Curran, Legal Department
Tierra West LLC

FROM: Jim Joseph, P.E., INTERA Inc. 

SUBJECT: **Project # 1002848** Major Two-Year SIA, American Toyota, Tracts A1 and B1
Zoned SU-2, SU-1, located on Alameda Blvd. NE, between Pan American
Freeway and San Pedro Dr. NE

There is the potential for above-named project to be impacted by the presence of landfill gas generated by a former privately owned/operated landfill (Oakland Avenue Landfill). The Albuquerque Environmental Health Department (AEHD) realizes this agenda item reflects only administrative filings for subdivision improvement agreements; however, if development/redevelopment does occur, the developers of this site are required to follow the most current version of the "Interim Guidelines for Development Within City Designated Landfill Buffer Zones." A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department, Environmental Services Division, Groundwater and Landfill Section.



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 9, 2005

2. Project # 1002848
05DRB-01620 Major-Two Year SIA

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 5 acre(s). [REF: 03DRB0127, DRB-95-75,04DRB00571] (C-18)

At the November 9, 2005, Development Review Board meeting, a two-year extension of the Subdivision Improvements Agreement was approved. This will be the last extension.

If you wish to appeal this decision, you must do so by November 28, 2005 (due to the City observed Thanksgiving holiday) in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC, 8509 Jefferson NE, 87113
PJ Development Commercial Construction, P.O. Box 14903, 87191
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002848 AGENDA#: 2 DATE: 11.9.05

1. Name: Jon Niski Address: Tierra West 8509 Joffe Zip: 87115

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: _____

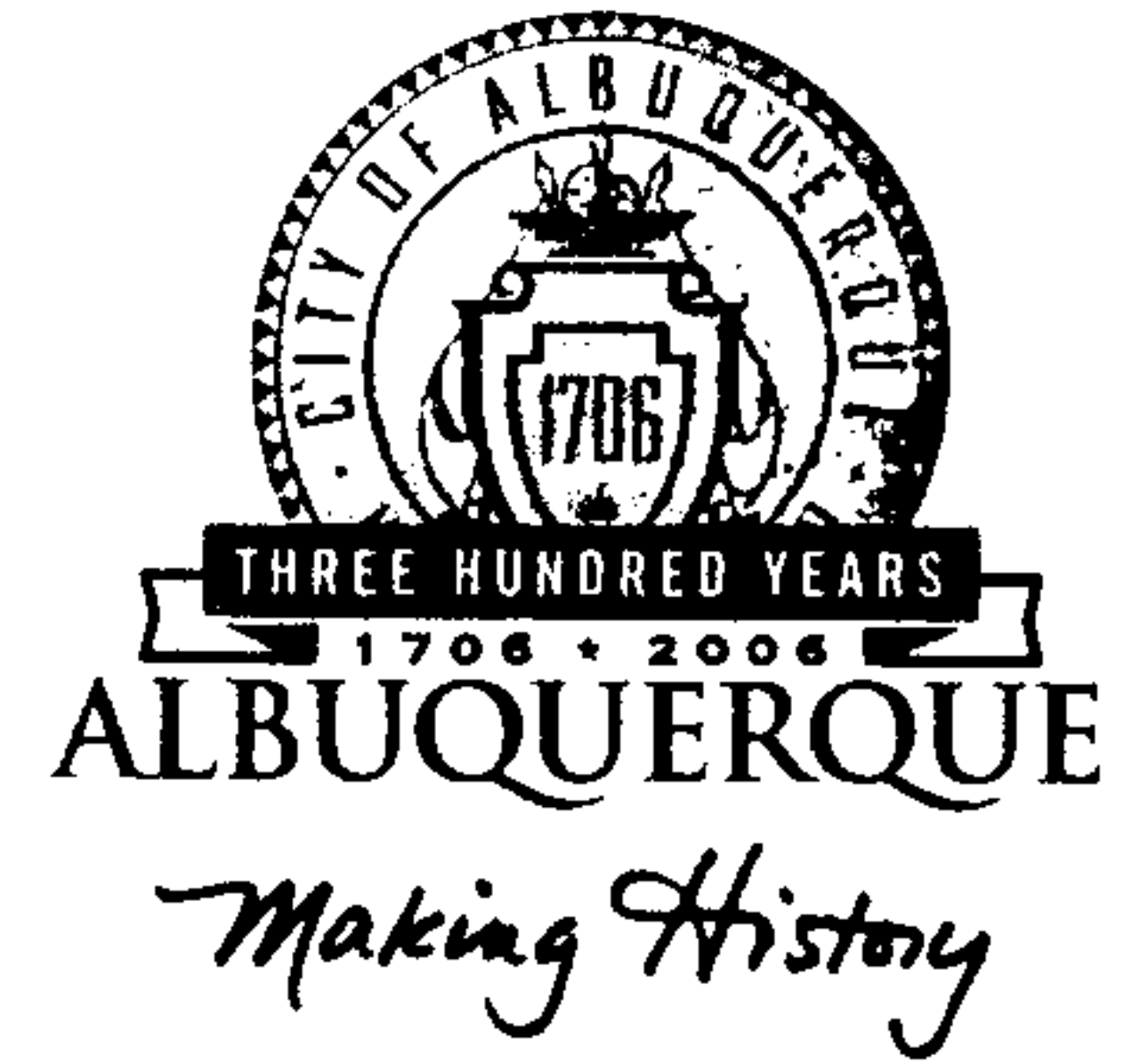
12. Name: _____ Address: _____ Zip: _____

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: 1002848

AGENDA ITEM NO: 2

SUBJECT:

SIA Extension

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the extension request.

Albuquerque

New Mexico 87103

RESOLUTION:

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

www.cabq.gov

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: November 9, 2005



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 9, 2005

Project # 1002848
05DRB-01620 Major-Two Year SIA

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 5 acre(s).[REF: 03DRB0127, DRB-95-75,04DRB00571] (C-18)

AMAFCA	No adverse comments.
COG	No adverse comments.
Transit	No objection to the request.
Zoning Enforcement	No adverse comments.
Neighborhood Coordination	
Letters sent to Nor Este NA (R) and Wildflower Area NA (R).	
APS	No adverse comments.
Police Department	No CPTED or crime prevention comments at this time.
Fire Department	No adverse comments.
PNM Electric & Gas	No adverse comments.
Comcast	No comments received.
QWEST	No comments received.
Environmental Health	No comments received.
M.R.G.C.D.	No comments received.
Open Space Division	No adverse comments.

City Engineer

The Hydrology section has no objection to the extension request. When will this be constructed?

Transportation Development

No objection to request, however, the applicant should coordinate with DMD. A project was proposed at this location. If DMD agrees, the funds should be converted to a Modified "C" to allow DMD to build the improvements as one project

Parks & Recreation No objection.

Utilities Development No objection to Extension request.

Planning Department No objection.

Impact Fee Administrator No comment.

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

cc:P J Development Commercial Construction, P.O. Box 14903, 87191

Tierra West LLC, 8509 Jefferson NE, 87113



**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, November 9, 2005, beginning at 9:00 a.m.** for the purpose of considering the following:

Project # 1001875
05DRB-01607 Major-Two Year SIA

TIERRA WEST LLC agent(s) for ARGUS DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 2, KINSCHERFF & UNPLATTED LAND OF PRESLEY CO OF N.M. (to be known as **WESTERN TRAILS ESTATES**, zoned SU-1 FOR PRD, located on COORS BLVD NW, between WESTERN TRAILS NW and SAN ANTONIO ARROYO containing approximately 22 acre(s). [REF: 02DRB-00570, 02EPC-00838, 02DRB-01493, 02DRB-01495, 02DRB-01507, 02DRB-01508] (F-11)

Project # 1002848
05DRB-01620 Major-Two Year SIA

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 5 acre(s). [REF: 03DRB0127, DRB-95-75, 04DRB00571] (C-18)

Project # 1000650
05DRB-01067 Major-SiteDev Plan BldPermit


TIERRA WEST LLC agent(s) for DOUBLE CHEESE CORP request(s) the above action(s) for all or a portion of Tract(s) 1A2, **LANDS OF LAMONICA**, zoned SU-1/C-1 permissive use, located on COORS BLVD SW, between LAMONICA RD SW and RIO BRAVO BLVD SW containing approximately 2 acre(s). [Deferred from 7/20/05. Indefinitely deferred on a no show on 8/10/05] (P-10)

[NO NEW SUBMITTAL]

Project # 1001370
05DRB-01619 Major-Vacation of Public Easements

MARK GOODWIN & ASSOCIATES agent(s) for JTH LLC request(s) the above action(s) for all or a portion of Tract(s) 5, **JUAN TABO HILLS, UNIT 1**, zoned R-D residential and related uses zone, developing area, located on JUAN TABO BLVD SE, between EUBANK BLVD SE and FOUR HILLS RD SE containing approximately 102 acre(s). [REF: S-98-30, DRB-98-20, AX-80-10, Z-80-30] (M-21)

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


for Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, OCTOBER 24, 2005.

15



Complete 9-24-04
Bl.

DRB CASE ACTION LOG

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.: 04DRB-00571 (FP) Project # 1002848
 Project Name: AMERICAN TOYOTA
 Agent: Tierra West LLC Phone No.: 858-3100

Project Number

1002848

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

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

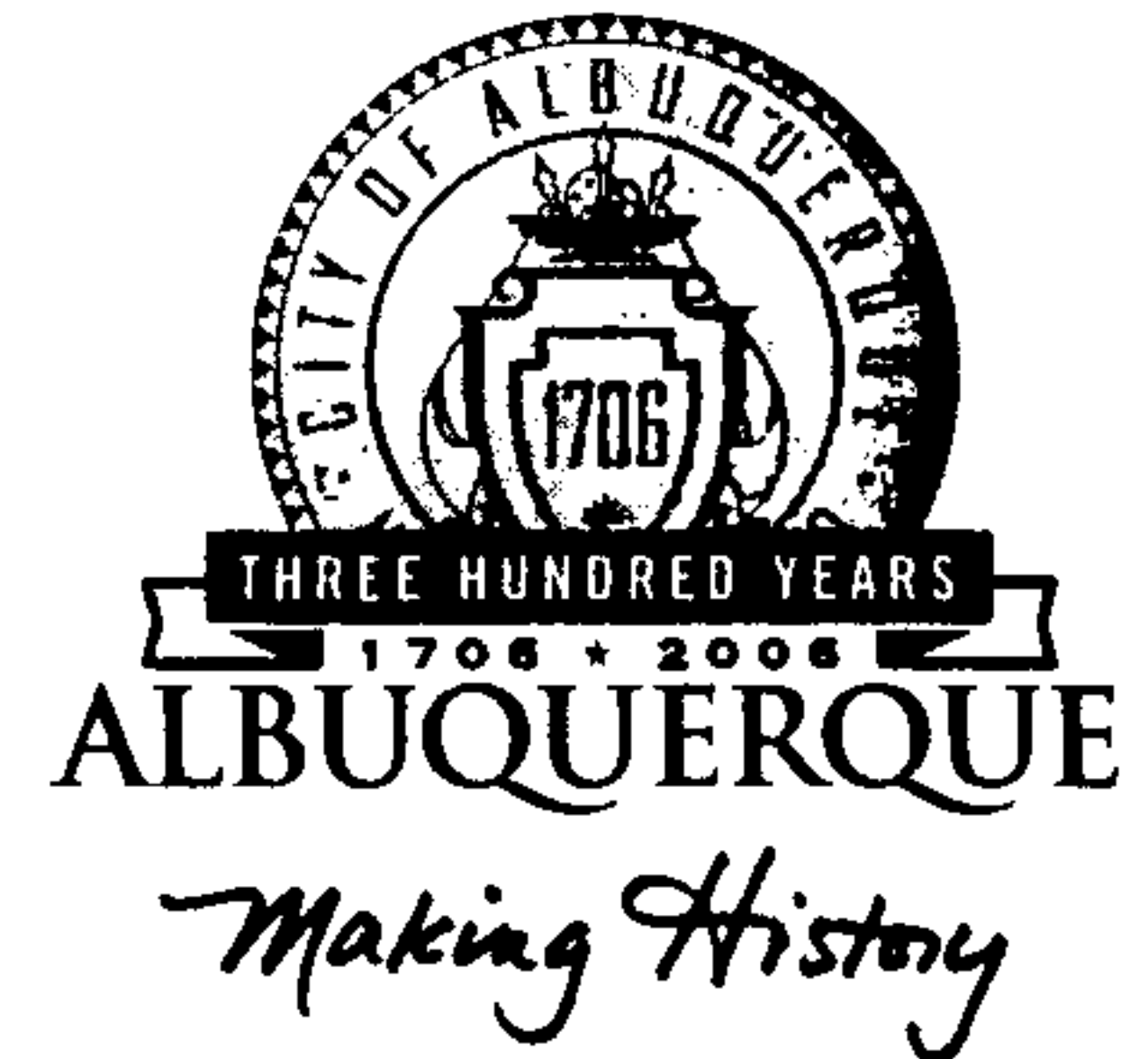
PARKS / CIP: _____

PLANNING (Last to sign):
 perimeter walls
 prop. mgmnt sig.

- 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: 9-24-04
 - 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. OK
- Copy of recorded plat for Planning.

Recorded Mylar P/u
Done Date 9.27.04
Need By Fri 9/24/04

F Y I



NOTIFICATION OF HEARING for the DEVELOPMENT REVIEW BOARD

October 24, 2005

TO: Lelani McGranahan and Joe Yardumian, Nor Este NA
Larry T. Caudill and Rick Treadwell, Wildflower Area NA

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately five (5) acre(s): Major Two Year Subdivision Improvement Agreement for American Toyota, 5995 Alameda Boulevard NE.**

Proposed by: Tierra West, LLC at 858-3100
Agent for: P. J. Development Commercial Construction

P.O. Box 1293

For property located: **On or near Alameda Boulevard NE between Pan American Freeway NE and San Pedro Drive NE.**

Albuquerque

The case number(s) assigned is: **05DRB- 01620, Project # 1002848.**

New Mexico 87103

City Planning accepted application for this request on **October 14, 2005.**

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

www.cabq.gov

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at **9 a.m. on Wednesday, November 9, 2005** in the **Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.**

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

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

Sincerely,

Stephani J. Winklepleck

Stephani I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

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

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

Meeting Date: NOVEMBER 9, 2005
Zone Atlas Page: C-18-Z
Notification Radius: 100 Ft.

Project# 1002848
App#05DRB-01620

Cross Reference and Location: 5995 ALAMEDA BLVD NE / BETWEEN PAN
AMERICAN FWY NE AND SAN PEDRO DRIVE NE

Applicant: PJ DEVELOPMENT COMMERCIAL CONSTRUCTION
Address: PO BOX 14903
ALBUQUERQUE, NM 87191

Agent: TIERRA WEST LLC
8509 JEFFERSON NE
ALBUQUERQUE, NM 87113

Special Instructions:

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

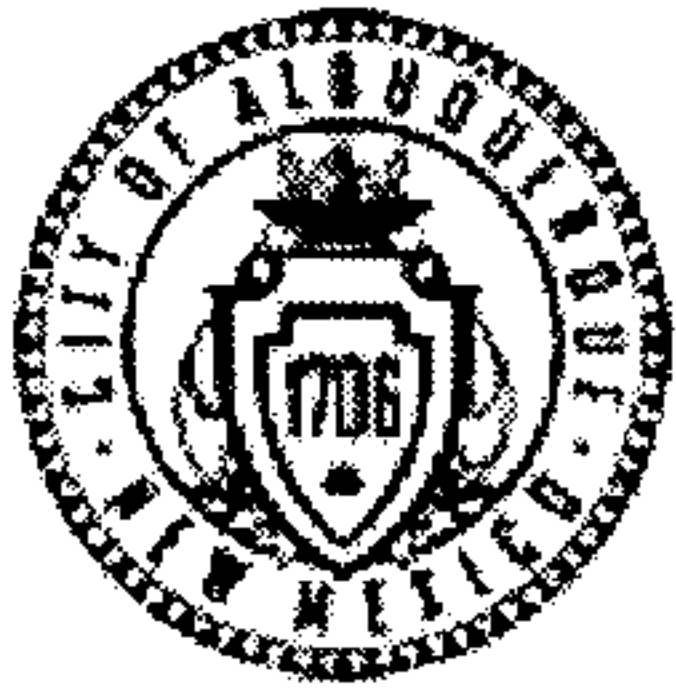
Date Mailed: OCTOBER 21, 2005
Signature: YVONNE SAAVEDRA

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

Project# 1002848
Application# C5DRB-01620

PAGE 1 OF 2

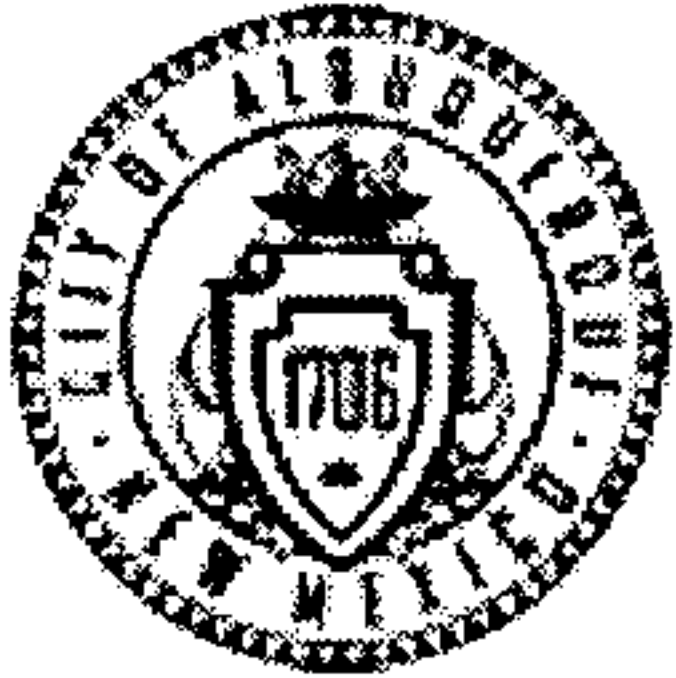
Zone Atlas Page #	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
C-18	1018064	219-399	206-05	✓ Dup
		251-387	10	✓ Dup ²
		212-435	208-03	✓
		238-436	06	✓ Dup
		252-436	07	✓ Dup ²
		252-458	08	✓ Dup ²
		238-458	09	✓ Dup ²
		210-455	10	✓
		272-458	117-01	✓ Dup ²
		287-458	02	✓ Dup ²
		303-458	03	✓ Dup ²
		303-436	10	✓ Dup ²
		287-436	11	✓ Dup ²
		273-436	12	✓ Dup ²
		273-405	103-32	✓ Dup
		288-405	31	✓ Dup ²
		303-406	30	✓ Dup ²
		303-383	03	✓ Dup ²
		288-383	02	✓ Dup ²
		273-383	01	✓ Dup ²
		303-354	102-30	✓ Dup
		288-354	31	✓ Dup ²
		273-354	32	✓ Dup ²
		245-353	204-08	✓



Yvonne C.
Saavedra/APD/CABQ
10/17/2005 04:33 PM

To Yvonne C. Saavedra/APD/CABQ@COA
cc
bcc
Subject labels

----- Forwarded by Yvonne C. Saavedra/APD/CABQ on 10/17/2005 04:33 PM -----



mainframe@coa1mp3.ca
bq.gov
10/17/2005 04:32 PM

To
cc
Subject

1	R E C O R D S	W I T H	L A B E L S	PAGE
1				
01018064			*** THIS UPC CODE HAS NO MASTER RECORD ON FILE	
0101806421939920605			LEGAL: TR A -1 P LAT OF TRACTS A-1 AND B-1 AMERICAN	
TOYOTA LAND USE:				
			PROPERTY ADDR: 00000 ALAMEDA	
			OWNER NAME: MILLER LAWRENCE H & KAREN G	
			OWNER ADDR: 05995 ALAMEDA	BL NE
ALBUQUERQUE NM			87113	
0101806425138720610			LEGAL: TR B -1 P LAT OF TRACTS A-1 AND B-1 AMERICAN	
TOYOTA LAND USE:				
			PROPERTY ADDR: 00000 ALAMEDA	
			OWNER NAME: MILLER LAWRENCE H & KAREN G	
			OWNER ADDR: 05995 ALAMEDA	BL NE
ALBUQUERQUE NM			87113	
0101806421243520803			LEGAL: LT 2 1-A BLK 10 PLAT OF LOTS 14-A AND 21-A BLOCK	
10 LAND USE:				
			PROPERTY ADDR: 00000 OAKLAND	
			OWNER NAME: OMEGA AUTOMOTIVE REAL ESTATE L	
			OWNER ADDR: 00930 WEST FIRST	ST
FORT WORTH TX			76102	
0101806423843620806			LEGAL: 018 010N O ALBU AC TR A UNIT B	
LAND USE:				
			PROPERTY ADDR: 00000 OAKLAND	
			OWNER NAME: LOUCKS RICHARD A	
			OWNER ADDR: 09320 SAN PEDRO	DR NE
ALBUQUERQUE NM			87114	
0101806425243620807			LEGAL: 017 010N O ALBU AC TR A UNIT B	
LAND USE:				
			PROPERTY ADDR: 00000 SAN PEDRO	
			OWNER NAME: LOUCKS RICHARD A	
			OWNER ADDR: 09320 SAN PEDRO	DR NE
ALBUQUERQUE NM			87114	
0101806425245820808			LEGAL: 016 010N O ALBU AC TR A UNIT B	
LAND USE:				
			PROPERTY ADDR: 00000 SAN PEDRO	
			OWNER NAME: LOUCKS RICHARD A	
			OWNER ADDR: 09320 SAN PEDRO	DR NE
ALBUQUERQUE NM			87114	

0101806423845820809 B LAND USE: LEGAL: LT 1 5 BL K 10 NORTH ALBUQUERQUE ACRES TR A UNIT
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: LOUCKS RICHARD A
OWNER ADDR: 09320 SAN PEDRO DR NE
87114

ALBUQUERQUE NM 0101806421045520810 10 LAND USE: LEGAL: LT 1 4-A BLK 10 PLAT OF LOTS 14-A AND 21-A BLOCK
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: OMEGA AUTOMOTIVE REAL ESTATE L
OWNER ADDR: 00930 WEST FIRST ST
76102

FORT WORTH TX 0101806427245811701 ACRE LAND USE: LEGAL: LOT 1 BL K 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: BAUER & LOUCKS ENTERPRISES LLC
OWNER ADDR: 09320 SAN PEDRO DR NE
87113

ALBUQUERQUE NM 0101806428745811702 ACRES LAND USE: LEGAL: LT 2 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 EAGLE ROCK
OWNER NAME: BAUER & LOUCKS ENTERPRISES LLC
OWNER ADDR: 09320 SAN PEDRO DR NE
87113

ALBUQUERQUE NM 0101806430345811703 ACRES LAND USE: LEGAL: LT 3 BLK 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 EAGLE ROCK
OWNER NAME: BAUER & LOUCKS ENTERPRISES LLC
OWNER ADDR: 09320 SAN PEDRO DR NE
87113

ALBUQUERQUE NM 0101806430343611710 ACRE LAND USE: LEGAL: LT 3 0 BL K 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: CORONADO AUTO SALVAGE INC
OWNER ADDR: 09320 SAN PEDRO DR NE
87114

ALBUQUERQUE NM 0101806428743611711 ACRE LAND USE: LEGAL: LT 3 1 BL K 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: CORONADO AUTO SALVAGE INC
OWNER ADDR: 09320 SAN PEDRO DR NE
87114

ALBUQUERQUE NM 0101806427343611712 ACRE LAND USE: LEGAL: LT 3 2 BL K 27 TRACT A UNIT B NORTH ALBUQUERQUE
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: CORONADO AUTO SALVAGE INC
OWNER ADDR: 09320 SAN PEDRO DR NE
87114

ALBUQUERQUE NM 0101806427340510332 LAND USE: LEGAL: 001 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAI
OWNER ADDR: 05812 VULCAN VISTA NE
87111

ALBUQUERQUE NM 87111

page 3

0101806428840510331 LEGAL: 002 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAI
OWNER ADDR: 05812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

0101806430340610330 LEGAL: 003 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 OAKLAND
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAIZ
OWNER ADDR: 05812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

0101806430338310303 LEGAL: 030 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAI
OWNER ADDR: 05812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

0101806428838310302 LEGAL: 031 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAI
OWNER ADDR: 05812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

0101806427338310301 LEGAL: 032 028T RACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: KASSAM ALEEM M & TAZIM P & FAI
OWNER ADDR: 05812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

0101806430335410230 LEGAL: 003 029T RA UB N ALBU AC
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: MOYER LAND LTD CO
OWNER ADDR: PO BOX 9304 AMF
ALBUQUERQUE NM 87119

0101806428835410231 LEGAL: 002 029T RA UB N ALBU AC
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: MOYER LAND LTD CO
OWNER ADDR: PO BOX 9304 AMF
ALBUQUERQUE NM 87119

0101806427335410232 LEGAL: 001 029T RA UB N ALBU AC
LAND USE:
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: MOYER LAND LTD CO
OWNER ADDR: PO BOX 9304
ALBUQUERQUE NM 87119

0101806424535320408 LEGAL: LT 2 2-D- 2 BLK 12 PLAT OF LOTS 22-D-1 AND 22-D-2
BE LAND USE:
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: MOSER PROPERTIES LLC
OWNER ADDR: 10000 RIO GRANDE BL NW
ALBUQUERQUE NM 87114

page 4

0101806422835120409 12 LAND USE: LEGAL: LT 2 2 D- 1 BLK 12 PLAT OF LOTS 22 D-1 & D-2 BLK
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: KAMEYAB IMPORTS INC
OWNER ADDR: 11409 FAIRINGTON NE
ALBUQUERQUE NM 87111
0101806421135020411 22C LAND USE: LEGAL: LT 2 2C B LK 12 CORRECTED PLAT FOR LTS 22A, 22B,
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: PRP INC
OWNER ADDR: 03200 BROADWAY BL SE
ALBUQUERQUE NM 87105
0101806419134820412 UNIT LAND USE: LEGAL: LT 2 2B-1 BLK 12 PLAT FOR LT 22B-1 BLK 12 TR A
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: ALAMEDA GRANDE PARTNERSHIP
OWNER ADDR: 03535 PRINCETON AV NE
ALBUQUERQUE NM 87107
0101806419833120402 22C LAND USE: LEGAL: LT 2 2A B LK 12 CORRECTED PLAT FOR LTS 22A, 22B,
PROPERTY ADDR: 00000 SIGNAL
OWNER NAME: SONMAR OF ALBUQUERQUE LMTD
OWNER ADDR: PO BOX 9118
FARGO ND 58106
0101806422133020405 LAND USE: LEGAL: 019 012Q UERQUE ACRES TRACT A UNIT B NORTH ALBU
PROPERTY ADDR: 00000 SIGNAL
OWNER NAME: MODY B H & C B
OWNER ADDR: 00601 PAISANO DR NE
ALBUQUERQUE NM 87123
0101806422133020406 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101806423833020407 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101806407333520317 LEGAL: TR 1 -B P LAT OF TRACTS 1-A & 1-B LEVI STRAUSS &
CO LAND USE: PROPERTY ADDR: 00000 PAN AMERICAN
OWNER NAME: COMMERCIAL NET LEASE REALTY IN
OWNER ADDR: 00450 SOUTH ORAGE AV
ORLANDO FL 32801
0101806411240820512 TR A LAND USE: LEGAL: LT 7 A1 B LK 11 PLAT OF LTS 7A1 THRU 7A3 BLK 11
PROPERTY ADDR: 00000 ALAMEDA
OWNER NAME: SANDIA RESORTS INC
OWNER ADDR: 05601 ALAMEDA BL NE
ALBUQUERQUE NM 87113
0101806409043620704 ALBUQUERQU LAND USE: LEGAL: TRAC T 1 BLK 10 PLAT OF TRACT 1 LANDS OF
PROPERTY ADDR: 00000 EAGLE ROCK
OWNER NAME: ALBUQUERQUE TECHNICAL
OWNER ADDR: 00525 BUENA VISTA DR SE
ALBUQUERQUE NM 87106
0101806414545720711 ALBUQ LAND USE: LEGAL: LT 9 & P OR OF LT 10 BLK 10 TR A UNIT B NORTH
PROPERTY ADDR: 00000 PAN AMERICAN FWY
OWNER NAME: PEPPLA LAUREN H & MARY L W
OWNER ADDR: PO BOX 1535
CEDAR CREST NM 87008

QUIT

101806430335410230 LEGAL: *003 029TRA UB N ALBUQUERQUE AC
PROPERTY ADDR: ALAMEDA BLVD NE

OWNERS NAME: MOYER LAND LTD CO
OWNERS ADDR: PO BOX 9304 AMF
 ALBUQUERQUE, NM 87119

101806428835410231 LEGAL: *002 029TRA UB N ALABUQUERQUE AC
PROPERTY ADDR: ALAMEDA BLVD NE

OWNERS NAME: MOYER LAND LTD CO
OWNERS ADDR: PO BOX 9304 AMF
 ALBUQUERQUE, NM 87119

101806427335410232 LEGAL: *001 029 TRA UR N ALBUQUERQUE AC
PROPERTY ADDR: ALAMEDA BLVD NE

OWNERS NAME: MOYER LAND LTD CO
OWNERS ADDR: PO BOX 9304 AMF
 ALBUQUERQUE, NM 87119

101806419833120402 LEGAL: LOT 22A BLK 12 CORRECTED PLAT FOR LOTS 22A, 22K, 12 TRA A
UNIT B NO
PROPERTY ADDR: 5811 SIGNAL NE

OWNERS NAME: SONMAR OF ALBUQUERQUE LMTD
OWNERS ADDR: PO BOX 9118
 FARGO, ND 58106

101806414545720711 LEGAL: LOT 9 & PORTION OF LOT 10 BLK 10 TRA A UNIT B NORTH R ES
CONT 0.9480 AC
PROPERTY ADDR: 8921 PAN AMERICAN FWY NE

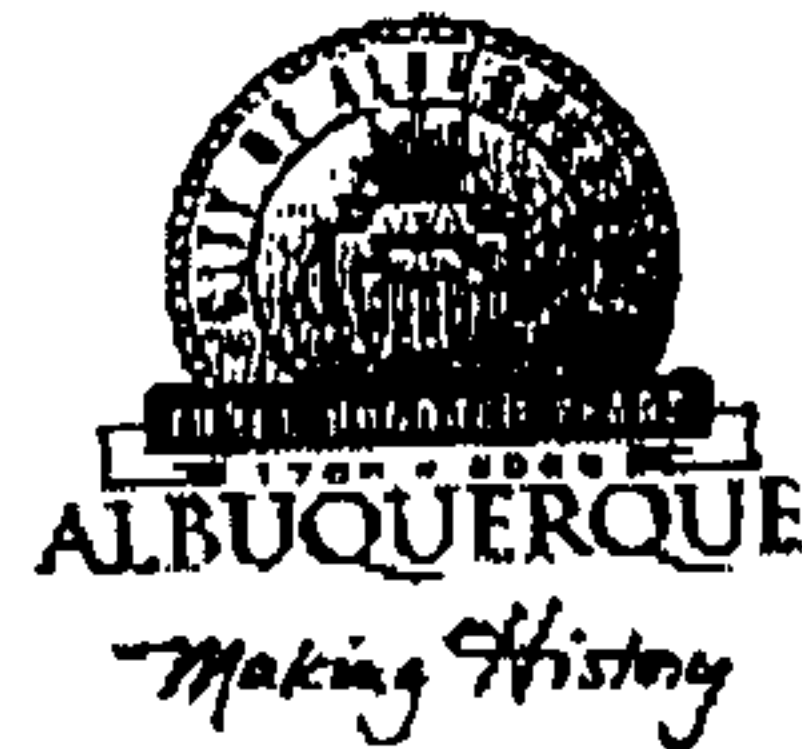
OWNERS NAME: PEPPLE LAUREN H & MARY L W
OWNERS ADDR: PO BOX 1535
 CEDAR CREST, NM 87008

101806422133020406 LEGAL: *018 012 TRACT A UNIT B NORTH ALBUQUERQUE AC
PROPERTY ADDR: SIGNAL AVE NE

OWNERS NAME: MODY B H & C B
OWNERS ADDR: 601 PAISANO DR NE
 ALBUQUERQUE, NM 87123

101806423833020407 LEGAL: LOT 17 BLK 12 TR A UNIT B NORTH ALBUQUERQUE A Y PORTIO
OUT TO R/
PROPERTY ADDR: SIGNAL

OWNERS NAME: MODY B H & C B
OWNERS ADDR: 601 PAISANO DR NE
 ALBUQUERQUE, NM 87123



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 14, 2005

Karen Kline
Tierra West, LLC
8509 Jefferson NE/87113
Phone: 858-3100/Fax: 858-1118
Email: kkline@tierrawestllc.com

Dear Karen:

Thank you for your inquiry of October 14, 2005 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **AMERICAN TOYOTA (TRACT A1 AND B1, AMERICAN TOYOTA) LOCATED AT 5995 ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map C-18.

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

NOR ESTE N.A. (NRE) "R"

*Leilani McGranahan

7600 Rio Guadalupe NE/87122 293-5209 (h)

Joe Yardumian

7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WILDFLOWER AREA N.A. (WFA) "R"

*Larry T. Caudill

4915 Watercress NE/87113 857-0596 (h)

Rick Treadwell

5004 Watercress NE/87113 821-6369 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

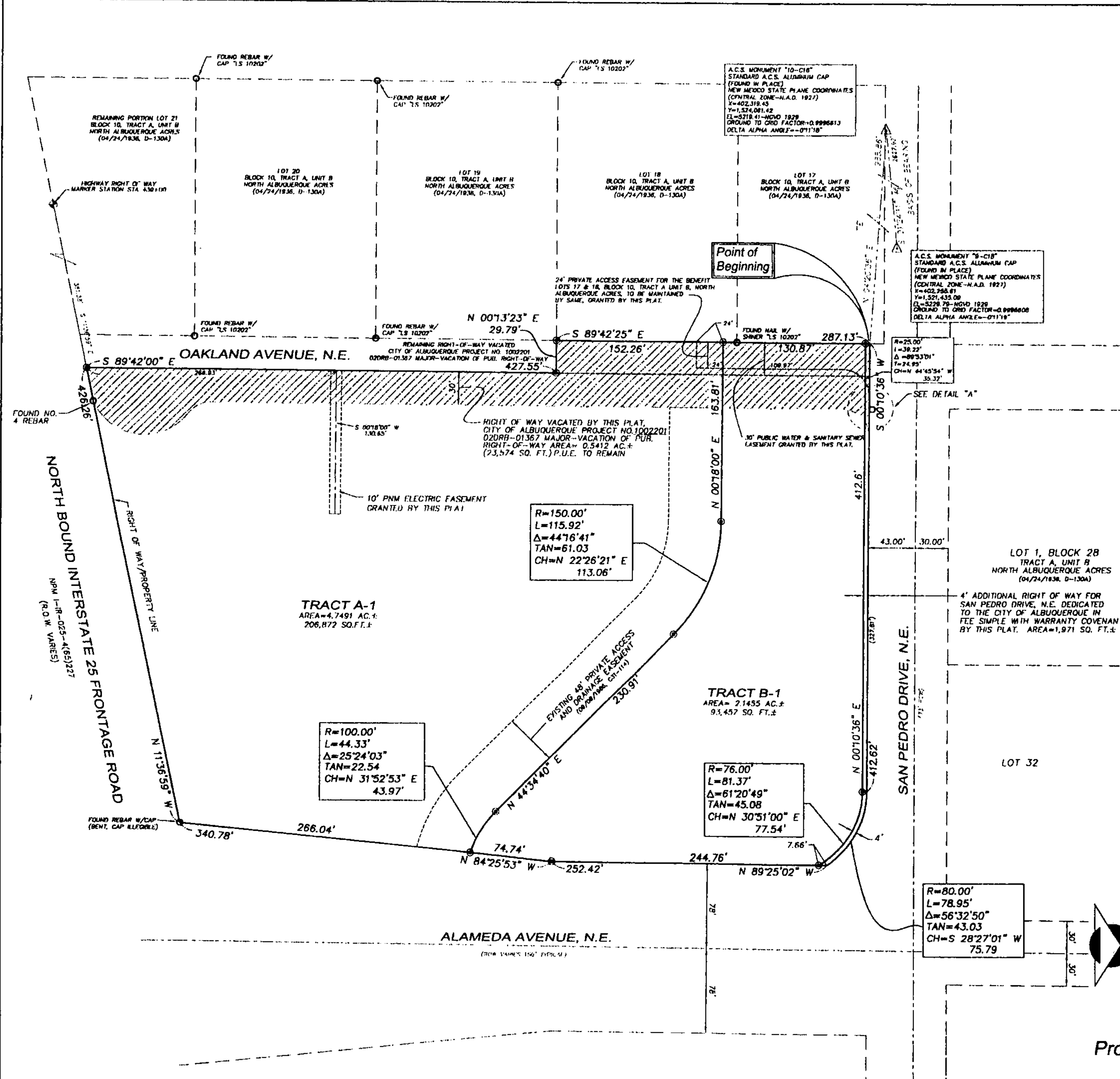
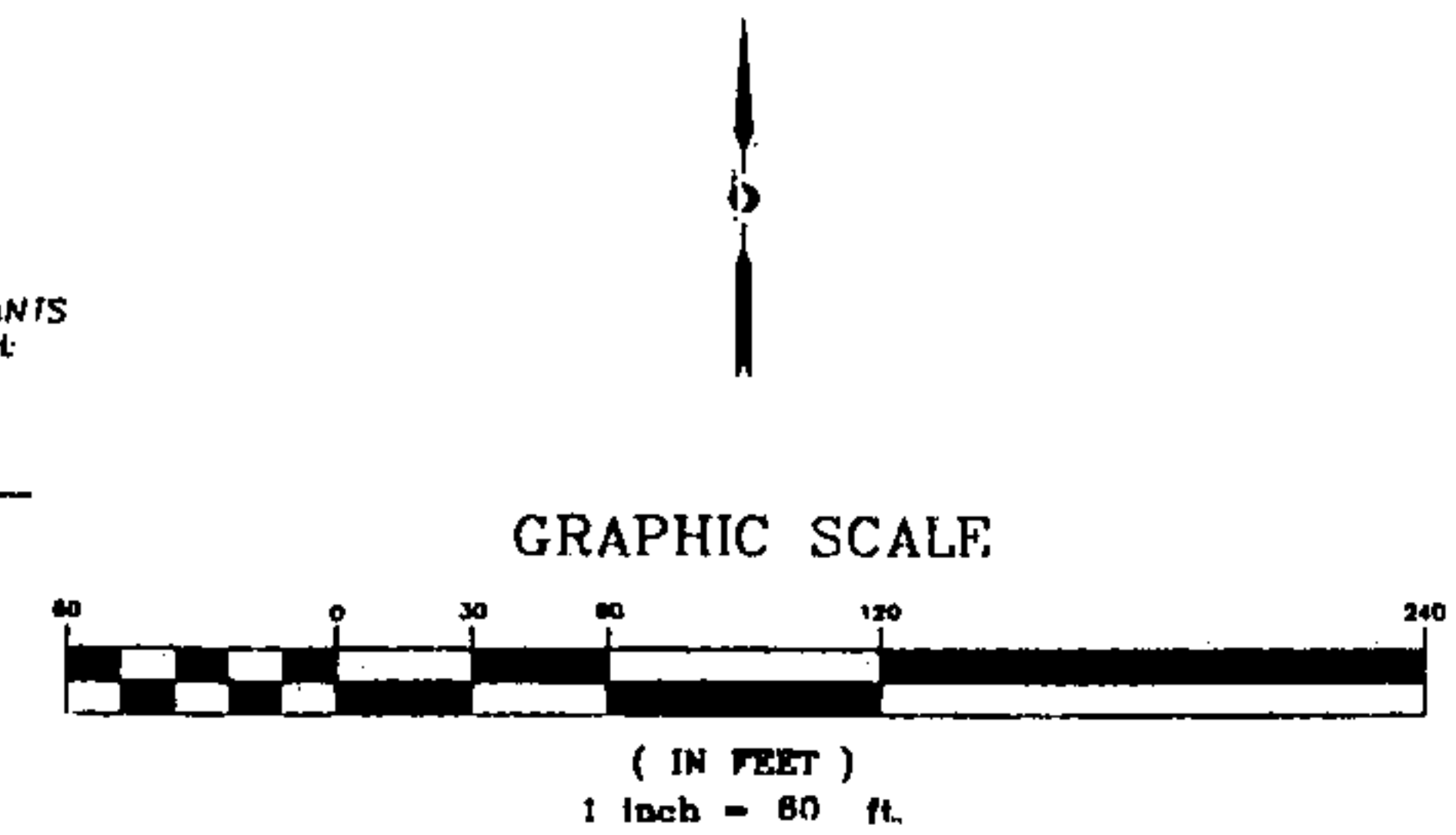
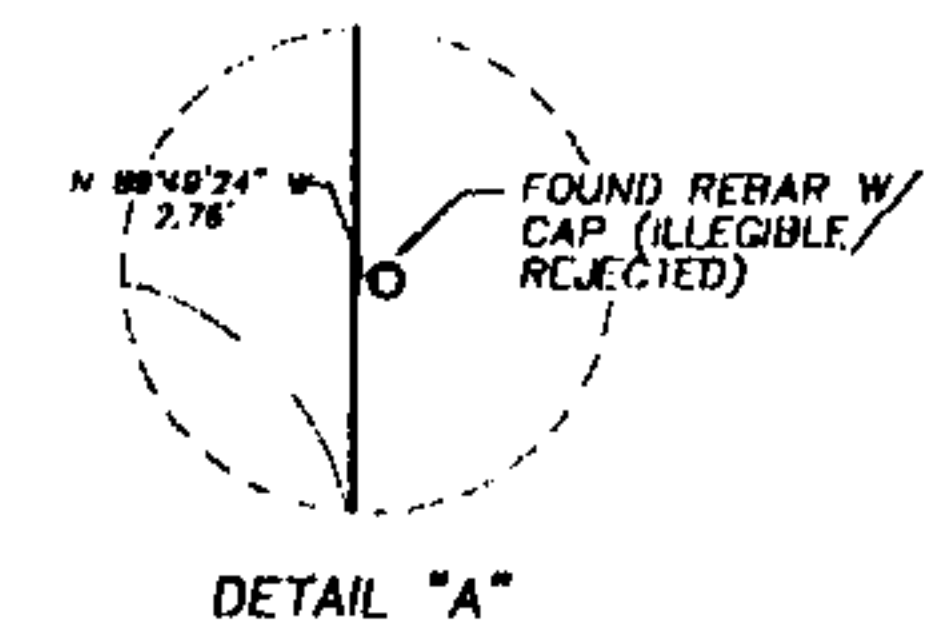
Neighborhood Program Coordinator
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

Plat of
Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legend

N 90°00'00" E	MEASURED BEARING AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
●	DENOTES REBAR W/CAP "PS 11983" SET THIS SURVEY UNLESS OTHERWISE NOTED



PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900

Project No. 1002848

Project # 1002848

PJ DEVELOPMENT COMMERCIAL CONT.
PO BOX 14903
ALBUQUERQUE, NM 87191

Project # 1002848

TIERRA WEST LLC
8509 JEFFERSON NE
ALBUQUERQUE, NM 87113

Project # 1002848

LEILANI MCGRANAHAN
Nor Este N.A.
7600 RIO GUADALUPE NE
ALBUQUERQUE, NM 87122

Project # 1002848

JOE YARDUMIAN
Nor Este N.A.
7801 R.C. GORMAN AVE NE
ALBUQUERQUE, NM 87122

Project # 1002848

LARRY T CAUDILL
Wildflower Area N.A.
4915 WATERCRESS NE
ALBUQUERQUE, NM 87113

Project # 1002848

RICK TREADWELL
Wildflower Area N.A.
5004 WATERCRESS NE
ALBUQUERQUE, NM 87113

101806421939920605

MILLER LAWRENCE H & KAREN G
5995 ALAMEDA BL NE
ALBUQUERQUE NM 87113

101806421243520803

OMEGA AUTOMOTIVE REAL ESTATE
930 WEST FIRST ST
FORT WORTH TX 76102

101806423843620806

LOUCKS RICHARD A
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114

101806421045520810

OMEGA AUTOMOTIVE REAL ESTATE
930 WEST FIRST ST
FORT WORTH TX 76102

101806427245811701

BAUER & LOUCKS ENTERPRISES LL
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87113

101806430343611710

CORONADO AUTO SALVAGE INC
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114

101806427340510332

KASSAM ALEEM M & TAZIM P & FA
5812 VULCAN VISTA NE
ALBUQUERQUE NM 87111

101806430335410230

MOYER LAND LTD CO
PO BOX 9304 AMF
ALBUQUERQUE, NM 87119

101806424535320408

MOSER PROPERTIES LLC
10000 RIO GRANDE BL NW
ALBUQUERQUE NM 87114

101806422835120409

KAMEYAB IMPORTS INC
11409 FAIRINGTON NE
ALBUQUERQUE NM 87111

101806421135020411

PRP INC
3200 BROADWAY BL SE
ALBUQUERQUE NM 87105

101806419134820412

ALAMEDA GRANDE PARTNERSHIP
3535 PRINCETON AV NE
ALBUQUERQUE NM 87107

101806419833120402

SONMAR OF ALBUQUERQUE LMTD
PO BOX 9118
FARGO, ND 58106

101806422133020405

MODY B H & C B
601 PAISANO DR NE
ALBUQUERQUE NM 87123

101806407333520317

COMMERCIAL NET LEASE REALTY I
450 SOUTH ORAGE AV
ORLANDO FL 32801

101806411240820512

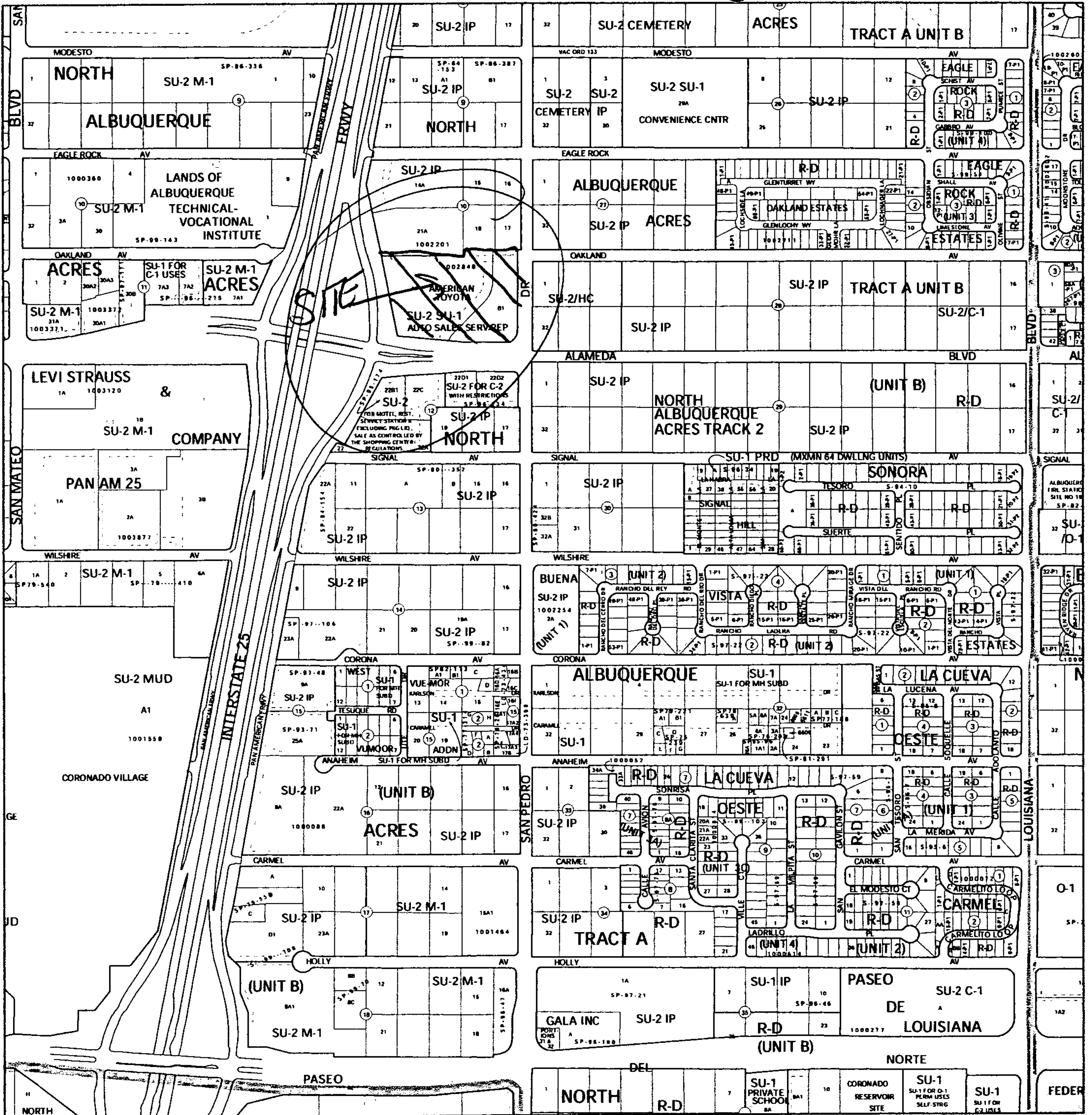
SANDIA RESORTS INC
5601 ALAMEDA BL NE
ALBUQUERQUE NM 87113

101806409043620704

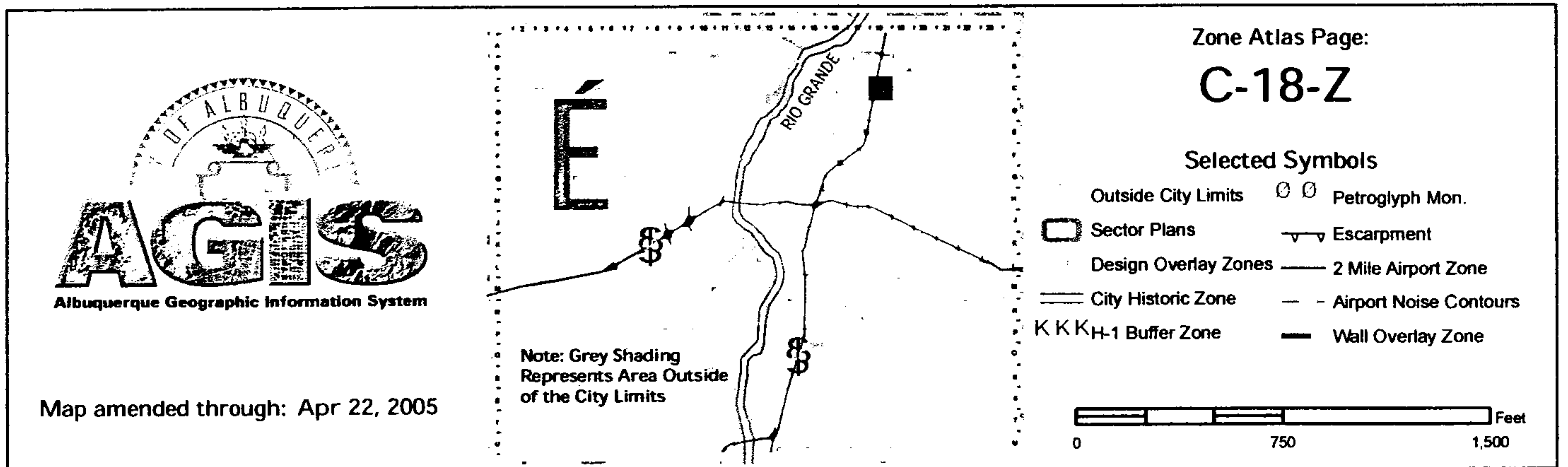
ALBUQUERQUE TECHNICAL
525 BUENA VISTA DR SE
ALBUQUERQUE NM 87106

101806414545720711

PEPPLE LAUREN H & MARY L W
601 PAISANO DR NE
ALBUQUERQUE, NM 87123



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



TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

October 14, 2005

Ms. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**RE: Two Year Subdivision Improvement Agreement Extension
Tracts A1 & B1, American Toyota, Zone Atlas Map C18, Project #1002848**

Dear Ms. Matson:

Tierra West LLC, on behalf of PJ Development Commercial Construction, requests the approval of a Two Year Subdivision Improvement Agreement Extension for American Toyota. The site is located on 5995 Alameda Boulevard NE between Pan American Freeway NE and San Pedro Drive NE. We are requesting approval for the extension of the SIA to complete the construction plans and construct the improvements.

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

Sincerely,


Sara Lavy, P.E.

Enclosure/s

cc: Pat Joseph
Leilani McGranahan, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Larry T. Caudill, Wildflower Area N.A.
Rick Treadwell, Wildflower Area N.A.

JN: 22082.1004
SL/kk

15



Complete

9-24-04
Bl.

DRB CASE ACTION LOG

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.: 04DRB-00571 (FP)

Project # 1002848

Project Name: AMERICAN TOYOTA

Agent: Tierra West LLC

Phone No.: 858-3100

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

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign):
perimeter walls
prop mgmnt sig.

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: 9-24-04
- 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. OK
- Copy of recorded plat for Planning.

Project Number

1002848

Need By FR, 9/24/04

15



DRB CASE ACTION LOG

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.: 04DRB-00571 (FP)

Project # 1002848

Project Name: AMERICAN TOYOTA

Agent: Tierra West LLC

Phone No.: 858-3100

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

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign):
 perimeter walls
 prop mgmnt sig.

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. OK
- Copy of recorded plat for Planning.

Project Number

1002848

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Development Review Board
April 221, 2004
Comments**

ITEM # 15

PROJECT # 1002848

APPLICATION # 04-00571

RE: Tracts A & B, Am. Toyota/final plat

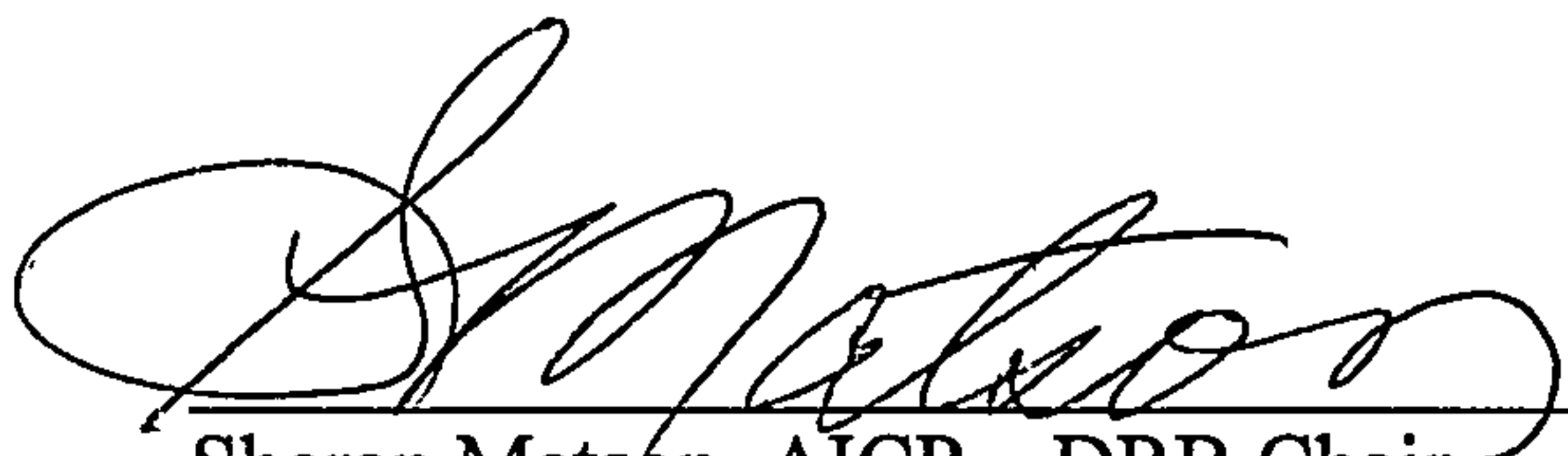
The perimeter wall design submittal is different than the wall shown on the site plan. In addition, the submittal does not meet submittal requirements or the proposed zone code amendments which must be met for approval during the wall moratorium period.

The zoning must be listed on the plat under "Subdivision Notes" per the Subdivision Ordinance.

Property Management must sign this plat as it vacates City right of way. Planning can not sign until this happens.

AGIS dxf approval has occurred.

Are there any changes between the preliminary plat & the final plat?



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



City of Albuquerque
CITY OF ALBUQUERQUE
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002848

AGENDA ITEM NO: 15

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; 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: April 21, 2004



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

April 21, 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.

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: 11:50 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 # 1000131**
04DRB-00460 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA agent(s) for BROADWAY DEVELOPMENT CO. request(s) the above action(s) for all or a portion of **BROADWAY INDUSTRIAL CENTER, UNIT 2**, zoned SU-2 HM, located on SAN JOSE AVE, between BROADWAY BLVD and I-25 containing approximately 45 acre(s). [REF: DRB-97- 271, 04DRB-00383] (M-14) **TWO-YEAR EXTENSION OF THE SIA WAS APPROVED.**

2. **Project # 1000364**
04DRB-00448 Major-Two Year SIA

BRET OR DEBRA A TABOR request(s) the above action(s) for all or a portion of Block(s) 1, Tract(s) 1-B-1, **CHANSLOR'S REPLAT OF GALLAGHER ADDITION**, zoned C-2 community commercial zone, located on CENTRAL AVE NE, between BURMA NE and LINN AVE NE containing approximately 1 acre(s). [REF: DRB-97-396, 00410-00363] (L-22) **TWO-YEAR EXTENSION OF THE**

3. **Project # 1000515**
04DRB-00444 Major-Two Year SIA –
Procedure "B" Modified

WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Tract(s) B, **MIREHAVEN ARROYO, THE CROSSING**, zoned SU-2/R-LT, located west of UNSER BLVD NW, between LADERA DR NW and TIERRA PINTADA ST containing approximately 50 acre(s). [REF: 00420-00632, 00440-00631, 02500-00159] (H-9) **TWO-YEAR EXTENSION OF**

4. **Project # 1003354**
04DRB-00458 Major-Vacation of Public
Easements
04DRB-00457 Major-Preliminary Plat
Approval
04DRB-00459 Minor-Temp Defer SDWK
04DRB-00461 Minor-Sidewalk Waiver

ISAACSON & ARFMAN P.A. agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) A, **THE TRAILS**, (to be known as **HERITAGE @ THE TRAILS, UNIT 1**), zoned R-D residential and related uses zone, developing area, located on PASEO DEL NORTE BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 14 acre(s). [REF: 1002962, 03DRB-01528] (C-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/24/04 THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION OF FINAL PLAT: AN APPROVED PERIMETER WALL SUBMITTAL IS REQUIRED PRIOR TO CONSTRUCTION TAKING PLACE. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. A SIDEWALK VARIANCE FOR WAVIER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

5. **Project # 1003353**
04DRB-00454 Major-Vacation of Public Easements
04DRB-00452 Major-Preliminary Plat Approval
04DRB-00456 Minor-Sidewalk Waiver
04DRB-00453 Minor- Temp Deferral of Sidewalk

ISAACSON & ARFMAN, P.A. agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) B, THE TRAILS, (To be known as **HERITAGE @ THE TRAILS, UNIT 2**, zoned R-D, located on PASEO DEL NORTE BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 10 acre(s). [REF: 1002962, 03DRB-01528 (C-9) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 3/24/04 THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION OF FINAL PLAT: AN APPROVED PERIMETER WALL SUBMITTAL IS REQUIRED PRIOR TO CONSTRUCTION TAKING PLACE. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE SIDEWALK WAIVER EXHIBIT HAS BEEN REVISED TO SHOW LOT 27 IS NOT TO BE INCLUDED. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

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

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

6. **Project # 1001074**
04DRB-00564 Minor-SiteDev Plan
BldPermit/EPC

LEE GAMELSKY ARCHITECTS P.C. agent(s) for CITY OF ALBUQUERQUE, OPEN SPACE DIVISION request(s) the above action(s) for all or a portion of Tract(s) R-1A, C1, **ROBERSON RANCH** and Tract(s) F, **MARIAN ROCCO**, zoned SU-1 FOR MPOS, located on COORS BLVD NW, between BOSQUE MEADOWS NW and LA ORILLA NW containing approximately 56 acre(s). [REF: 04EPC-00129, Z-88-20, DRB-94-104, DRB-97-145, V-97-52, 01EPC-00244, 01DRB-00614] [**Debbie Stover, EPC Case Planner**] (D-13) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

7. **Project # 1002459**
04DRB-00566 Minor-SiteDev Plan
BldPermit/EPC
04DRB-00567 Minor- SitePlan Subd/EPC
- TIERRA WEST LLC agent(s) for SCM PROPERTY COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) 358 & 359 and a portion of Tract(s) A21, **W. H. BRUNELL ADDITION & UNIT 8 ATRISCO GRANT**, zoned SU-1 COMMUNITY DEVELOPMENT C-2 USES & TRUCK TERM, located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 8 acre(s). [REF: Z-71-204, Z-77-155, 03EPC-00159, 03EPC-00160, 03EPC-02187] [Juanita Vigil, EPC Case Planner] (H-11) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD. SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD.**
8. **Project # 1003378**
04DRB-00559 Minor-SiteDev Plan
BldPermit
- GORDON HALL ARCHITECT agent(s) for JOE GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4, **VOLCANO BUSINESS PARK, PHASE 1**, zoned SU-1 special use zone, for C-1 & IP, located on TODOS SANTOS ST NW, between OURAY RD NW and LADERA DR NW containing approximately 1 acre(s). [REF:Z-80-87-6] [Deferred from 4/21/04] (G-10) **DEFERRED AT THE AGENT'S REQUEST TO 5/5/04.**
9. **Project # 1003383**
04DRB-00569 Minor-SiteDev Plan
BldPermit
- MULLEN HELLER ARCHITECTURE PC agent(s) for AVALON INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 3-C, **LANDS OF LOS ANGELES INVESTORS**, zoned SU-2, M1, located on PASEO DEL NORTE FRONTAGE RD NE, between JEFFERSON NE and INTERSTATE 25 containing approximately 2 acre(s). [Deferred from 4/21/04] (C-17) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

10. **Project # 1003012**
04DRB-00523 Minor-SiteDev Plan
BldPermit/EPC

WILLIAM MCCONNELL ARCHITECT agent(s) for TOWER ROAD BAPTIST CHURCH, BILL PADILLA request(s) the above action(s) for all or a portion of Lot(s) 430, TOWER ROAD BAPTIST CHURCH, **TOWN OF ATRISCO GRANT, UNIT 3**, zoned SU-1 special use zone Church Facility, located on 86th STREET SW, between TOWER RD SW and SAN YGNACIO RD SW containing approximately 2 acre(s). [REF: 03EPC-01675, 03EPC-01796] **[Mary Piscitelli, EPC Case Planner]** *[Deferred from 4/14/04]* (L-9) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

11. **Project # 1002423**
04DRB-00565 Minor-Final Plat Approval

BOHANNAN HUSTON, INC agent(s) for CENTEX HOMES, request(s) the above action(s) for all or a portion of Tract(s) E-1, **EL RANCHO GRANDE, UNIT 10**, zoned R-2 for R-T and R-LT, located on CARTAGENA AVE SW, between GIBSON BLVD SW and DE ANZA DR SW containing approximately 20 acre(s). [REF: 03DRB-00749] (N-9) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

12. **Project # 1002663**
04DRB-00552 Major-Final Plat Approval

GREATER ALBUQUERQUE HOUSING PARTNERSHIP, request(s) the above action(s) for all or a portion of Tract(s) E, NEW MEXICO CREDIT CORPORATION, **EL PORVENIR**, zoned C-3, located on BROADWAY NE, between LOMAS BLVD NE and MARBLE NE containing approximately 2 acre(s). (J-14) **FINAL PLAT WAS APPROVED AND DELEGATED TO PLANNING FOR REAL PROPERTY'S SIGNATURE.**

13. **Project # 1002798**
04DRB-00572 Minor-Vacation of Private Easements

ADVANCED ENGINEERING & CONSULTING agent(s) for WILLIAM HOLLER request(s) the above action(s) for all or a portion of Tract(s) 83-A-2, M.R.G.C.D. MAP 34, Tract(s) A, **RIMA ADDITION**, and Tract(s) A-1, **LANDS OF CONRADO GARCIA**, zoned C-2, located on CANDELARIA RD NW, between 12TH ST NW and RIO GRANDE BLVD NW containing approximately 3 acre(s). [REF: Z-72-Z16, 03DRB-01122, 03EPC-01673, 03EPC-01674] (G-13) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

14. **Project # 1003381**
04DRB-00561 Minor-Prelim&Final Plat Approval

SURV-TEK, INC agent(s) for CUMMINS ROCKY MOUNTAIN, LLC request(s) the above action(s) for all or a portion of Block(s) 10-A, Tract(s) 6-A, **FRANCISCAN ACRES**, zoned SU-2 / M-1, located on INDIAN SCHOOL RD NE, between COMMERCIAL ST NE and BROADWAY BLVD NE containing approximately 6 acre(s). [REF: DRB-99-240, V-99-78] (H-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CROSS SECTION TO EVALUATE DEDICATION REQUIREMENTS AND RADIUS DEDICATIONS AND PLANNING FOR AGIS DXF FILE.**

15. **Project # 1002848**
~~04DRB-00571~~ Minor-Final Plat Approval

TIERRA WEST LLC agent(s) for PJ DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2, SU-1 AUTO SALES SERVICE REP, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DRIVE NE containing approximately 5 acre(s). [REF: 1002201, DRB-95-74, 03DRB-01270] (C-18) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING-FOR-PERIMETER WALL SUBMITTAL AND PROPERTY MANAGEMENT'S SIGNATURE.**

16. **Project # 1003384**
04DRB-00570 Minor-Prelim&Final Plat
Approval

TIERRA WEST LLC agent(s) for RSF LAND & CATTLE COMPANY LLC request(s) the above action(s) for all or a portion of Tract(s) TR.MM-1, **SEVEN BAR RANCH**, zoned C-2 (SC), located on SEVEN BAR LOOP RD NW, between COTTONWOOD DR NW and OLD AIRPORT AVE NW containing approximately 7 acre(s). [REF: AX-85-28, Z-85-34-1(2 SD-78-3-2, Z-93-35, CZ-85-72] (B-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO CITY ENGINEER FOR CROSS LOT DRAINAGE EASEMENT AND NEW MEXICO UTILITIES INC. SIGNATURE ON THE PLAT.**

17. **Project # 1003291**
04DRB-00528 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for JOSEPH & KATHLEEN COWHAM request(s) the above action(s) for all or a portion of Tract(s) 14, M.R.G.C.D. MAP 35, **LANDS OF COWHAM-BOWEN**, zoned R-LT residential zone, located on RIO GRANDE BLVD NW, between CONTRERAS PL NW and MATTHEW AVE NW containing approximately 2 acre(s). [REF: 04DRB-00322] [*Deferred from 4/14/04*] (H-13) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

18. **Project # 1003260**
04DRB-00213 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for STEVEN KANIG request(s) the above action(s) for all or a portion of Lot(s) 2-A, **LANDS OF ALBUQUERQUE BOARD OF REALTORS**, zoned C-3, located on UNIVERSITY BLVD NE, between MENAUL BLVD NE and INDIAN SCHOOL BLVD NE containing approximately 3 acre(s). [*Was Indefinitely deferred at the agent's request on 2/24/04*] (H-15) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/21/04 THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

19. **Project # 1003133**
03DRB-02076 Minor- Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for TRICOR SOUTHWEST CORP. request(s) the above action(s) for all or a portion of Lot(s) L-1, M,N,P, **FRANKLIN PLAZA**, zoned C-3/C-2 (SU), located on CENTRAL NE, between JUAN TABO NE and CENTRAL NE containing approximately 9 acre(s). [REF: Z-88-53] [Deferred from 1-7-04] *[The Final Plat was Indefinitely Deferred on 1/21/04]* (L-22) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

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

20. **Project # 1002798**
04DRB-00562 Minor-Sketch Plat or Plan

MARQUEZ SURVEYING, agent(s) for WILLIAM HOLLER request(s) the above action(s) for all or a portion of Tract(s) A, RIMA ADDITION AND Tract(s) A, **LANDS OF CONRADO GARCIA**, zoned C-2, RA-2, located on CANDELARIA NW, between SAN ISIDRO NW and LVA'S LANE NW containing approximately 3 acre(s). [REF: 03EPC-01673, 03EPC-01674] (G-13) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

21. **Project # 1003280**
04DRB-00568 Minor-Sketch Plat or Plan

TIERRA WEST LLC agent(s) for STILLBROOKE HOMES INC request(s) the above action(s) for all or a portion of Tract(s) 168, **TOWN OF ATRISCO GRANT, UNIT 6**, zoned R-1, located on GONZALES RD SW, between OASIS DR SW and CORREGIDOR DR SW containing approximately 5 acre(s). (K-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

22. **Project # 1003382**
04DRB-00563 Minor-Sketch Plat or Plan

ENCINO DEVELOPMENT & MANAGEMENT c/o MAC MANAGEMENT, request(s) the above action(s) for all or a portion of Tract(s) A-1, **LADERA HEIGHTS SUBDIVISION**, zoned R-3, located on the east side of LADERA RD NW, north of SEQUOIA NW and containing approximately 4 acre(s). (G-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

23. Approval of the Development Review Board Minutes for April 7, 2004. **THE APRIL 7, 2004 DEVELOPMENT REVIEW BOARD MINUTES WERE APPROVED.**

ADJOURNED: 11:50 A.M.

AGIS ELECTRONIC PLAT APPROVAL FORM

DRB Project Case # 1002848
 Subdivision Name American Toyota, Tr. A1 & B1
 Surveyor Larry Medrano
 Company/Agent Tierra West
 Contact Person Karen Kline Phone # 858-3100 email _____

DXF Received Date: 4/13/04
 Hard-Copy Date: 4/13/04

Coordinate system: NMSP Grid (NAD 83) NMSP Grid (NAD 27) Ground rotated to NMSP Grid Other

Patricia M. Gyst 4/13/04
 Approved Date

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

AGIS Use Only		
Copied cov <u>2848</u> to agiscov.	Date: <u>4/13/04</u>	Contact person Notified on: <u>4/13/04</u>

18
~~18~~



DRB CASE ACTION LOG

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.

1002848

DRB Application No.: 04DRB-00395 (SBP)

Project # 1002201

Project Name: AMERICAN TOYOTA

Agent: Tierra West LLC

Phone No.: 858-3100

Your request for (SDP for SUB), (SDP for BP) (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 4/26/04 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: _____
- _____
- _____
- _____
- _____

- UTILITIES: _____
- _____
- _____
- _____

- CITY ENGINEER / AMAFCA: _____
- _____
- _____
- _____

- PARKS / CIP: _____
- _____
- _____
- _____

- PLANNING (Last to sign): _____
- _____
- _____
- _____

- 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 1002201



City of Albuquerque
CITY OF ALBUQUERQUE
 P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
 HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

1002848

DRB CASE NO/PROJECT NO: 1002201

AGENDA ITEM NO: 18

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

APPROVED ____; 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: April 7, 2004



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

April 7, 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.

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: 11:10 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 # 1002224**

04DRB-00335 Major-Vacation of Pub
Right-of-Way

ISAACSON & ARFMAN, P.A. agent(s) for CITY OF ALBUQUERQUE, OPEN SPACE DIVISION request(s) the above action(s) for all or a portion of Tract(s) 8-A1-2-B-1, M.R.G.C.D. MAP 31, **LOS POBLANOS RANCH**, zoned CITY OF ALBUQUERQUE, OPEN SPACE, located on CITY OPEN SPACE, between ADOBE ROAD NW and MONTANO ROAD NW containing approximately 7 acre(s). [REF: 1002634, 03DRB-01172, 03EPC-00695, 02EPC-01482, 02DRB-01425] [*Deferred from 4/7/04*] (F-13) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

2. **Project # 1003167**
04DRB-00336 Major-Bulk Land Variance
04DRB-00337 Minor-Prelim&Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES, INC agent(s) for ALBUQUERQUE PUBLIC SCHOOLS request(s) the above action(s) for all or a portion of Tract(s) 18-22, **TOWN OF ATRISCO GRANT, UNIT 2**, zoned R-D/R-1, located on 86TH ST SW, between TOWER RD SW and EUCARIZ AVE SW containing approximately 25 acre(s). [REF:03DRB-02189] (L-9) **THE BULK LAND VARIANCE WAS APPROVED. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SAD 222 READJUSTMENT AND PLANNING FOR AGIS DXF FILE.**

3. **Project # 1003273**
04DRB-00338 Major-Vacation of Public
Easements

TIERRA WEST LLC agent(s) for ARC INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 5A - 13A, **VISTA**, zoned C-2 community commercial zone, located on CENTRAL AVE SW, between 94TH ST SW and 98TH ST SW containing approximately 2 acre(s). [REF: Z-85-93, Z-88-3, V-85-44, 04DRB-00279] (K-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1003293**
04DRB-00333 Major-Vacation of
Public Easements

JEFF HENRY agent(s) for JEFFERSON ONE, LLC request(s) the above action(s) for all or a portion of Lot(s) F-7, **ATRISCO BUSINESS PARK, UNIT 3**, zoned SU-1 special use zone, **PLANNED INDUSTRIAL PARK**, located on COORS BLVD NW, between LOS VOLCANOS NW and BLUEWATER NW containing approximately 3 acre(s). (J-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1002051**
03DRB-02009 Major-Vacation of Public Easements
03DRB-02008 Major-Preliminary Plat
03DRB-02011 Minor-Temp Defer SDWK
03DRB-02010 Minor-Vacation of Private Easements

TIERRA WEST LLC agent(s) for GELTMORE LAND LTD CO request(s) the above action(s) for all or a portion of Tract(s) A, **CHAMISA RIDGE UNIT 1**, zoned R-LT, located on PARADISE BLVD NW, between BIG SAGE DR NW and CONEFLOWER DR NW containing approximately 18 acre(s). [REF: 02DRB-00963] [Deferred from 1/14/04 & 1/28/04 & 2/4/04 & 2/25/04 & 3/17/04 & 4/7/04] (B-10) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

6. **Project # 1003232**
04DRB-00254 Major-Vacation of Pub Right-of-Way
04DRB-00255 Major-Vacation of Public Easements
04DRB-00253 Minor-Prelim&Final Plat Approval

COMMUNITY SCIENCES CORP. agent(s) for ENTRADA DEVELOPMENT LTD. CO. request(s) the above action(s) for all or a portion of Lot(s) 8-P2, **CAMPBELL FARM SUBDIVISION AND Tract(s) A, LANDS OF ANDREWS**, zoned RA-2 residential and agricultural zone, located on CAMPBELL LANE NW, between CAMPBELL RD NW and MATTHEW RD NW containing approximately 2 acre(s). [REF: DRB-98-195, 04DRB-00139] [Deferred from 3/24/04 & 4/7/04] (G-13) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

7. **Project # 1003231**
04DRB-00261 Major-Preliminary Plat Approval
04DRB-00263 Minor-Temp Defer SDWK

WILSON & COMPANY INC agent(s) for LONGFORD @ ARROWWOOD LLC request(s) the above action(s) for all or a portion of Tract(s) 29A & 30A1, **LANDS OF SALAZAR/QUATRO/SJ HANNETT, (to be known as LONGFORD @ ARROWWOOD SUBDIVISION)** zoned R-LT residential zone, located on 98TH ST SW, between RIO BRAVO SW and BLAKE SW containing approximately 59 acre(s). [REF: 02DRB-01621, 01622, 04DRB-00137] [Deferred from 3/24/04 & 4/7/04] (N-9) **DEFERRED AT THE AGENT'S REQUEST TO 4/28/04.**

8. **Project # 1002856**
04DRB-00230 Major-Preliminary Plat
Approval
04DRB-00231 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS LLC request(s) the above action(s) for all or a portion of Lot(s) 1-5, **THE MEADOWS @ ANDERSON HILLS**, zoned RLT, located on DENNIS CHAVEZ BLVD SW, between UNSER BLVD SW and 98TH SW containing approximately 49 acre(s). [REF:Z-99-58, 03DRB-00234, 03DRB-01891, 01892, 01893, 01894, 03DRB-01974] *[Deferred from 3/17/04 & 3/31/04]* (P-9) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/7/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 1/8/04 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT APPROVAL FROM UTILITIES DEVELOPMENT, THE OFFSITE 2W WATERLINE MUST BE OPERATIONAL AND PLANNING MUST RECEIVE PHOTOS OF ALREADY BUILT WALLS WITH PROJECT NUMBER, LOCATION AND NAME OF SUBDIVISION LISTED. THE SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

9. **Project # 1002857**
04DRB-00232 Major-Preliminary Plat
Approval
04DRB-00233 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) A & B, **HIGHLANDS @ ANDERSON HILLS, UNITS 2 & 3**, zoned RLT, located on 98TH ST SW, between DENNIS CHAVEZ BLVD SW and 98TH SW containing approximately 62 acre(s). [REF:Z-99-58, 03DRB-01200, 01201, 01202, 01203, 01204, 01205] *[Deferred from 3/17/04 & 3/31/04]* (P-9) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/7/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/22/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT APPROVAL FROM UTILITIES DEVELOPMENT, THE OFFSITE 2W WATERLINE MUST BE OPERATIONAL AND PLANNING MUST RECEIVE PHOTOS OF ALREADY BUILT WALLS WITH PROJECT NUMBER, LOCATION AND NAME OF SUBDIVISION LISTED. THE SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

10. **Project # 1002858**
04DRB-00234 Major-Preliminary Plat
Approval
04DRB-00235 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) G, H AND I, **MESA @ ANDERSON HILLS**, zoned SU-1/C-1 & R-2, located on DENNIS CHAVEZ BLVD SW, between UNSER BLVD SW and GRACE VIGIL RD SW containing approximately 36 acre(s). [REF: Z-99-58, 03DRB-01206, 01207, 01208, 01209] *[Deferred from 3/17/04 & 3/31/04]* (P-9) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/7/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/22/03 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT APPROVAL FROM UTILITIES DEVELOPMENT, THE OFFSITE 1W WATERLINE IN UNSER MUST BE OPERATIONAL AND PLANNING MUST RECEIVE PHOTOS OF ALREADY BUILT WALLS WITH PROJECT NUMBER, LOCATION AND NAME OF SUBDIVISION LISTED. THE SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

11. **Project # 1000766**
04DRB-00306 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA agent(s) for PULTE HOMES OF NEW MEXICO INC request(s) the above action(s) for all or a portion of Tract(s) 3A, **TOWN OF ATRISCO GRANITE; UNIT 2**, zoned RD (9DU/AC), located on TOWER SW, between UNSER SW and 75TH ST SW containing approximately 20 acre(s). [REF:DRB-97-202] *[Deferred from 3/31/04]* (L-10) **A TWO-YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED.**

12. **Project # 1003279**
04DRB-00294 Major-Vacation of Public
Easements

MARK GOODWIN & ASSOCIATES PA agent(s) for D. R. HORTON CUSTOM HOMES request(s) the above action(s) for all or a portion of Lot(s) 13-P1, Block(s) 7, **VISTA SANDIA, UNIT 2**, zoned RD, located on EUCARIZ AVE SW, between 82ND ST SW and UNSER BLVD SW containing approximately 1 acre(s). *[Deferred from 3/31/04]* (L-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

13. **Project # 1002423**
04DRB-00302 Major-Vacation of Public
Easements

BOHANNAN HUSTON, INC agent(s) for CURB INC request(s) the above action(s) for all or a portion of Tract(s) E-1, ALBUQUERQUE SOUTH, UNIT 3, (to be known as **EL RANCHO GRANDE, UNIT 10**, zoned R-2, located on VALLEY VIEW SW, between CARTAGENA AVE SW and DE ANZA DR SW containing approximately 20 acre(s). [REF: 03DRB-00749] [*Deferred from 3/31/04*] (N-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

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

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

14. **Project # 1003168**
04DRB-00475 Minor-SiteDev Plan
BldPermit/EPC

ISAAC BENTON & ASSOCIATES AIA agent(s) for AL SOTO request(s) the above action(s) for all or a portion of Block(s) 4, Tract(s) 29, **PALISADES ADDITION**, zoned R-1, located on LOMA ALTA CT NW, between PALISADES DR NW and ATRISCO DR NW containing approximately 2 acre(s). [REF: 03EPC-02191] [*Elvira Lopez, EPC Case Planner*] (J-11) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR FIRE FLOW CALCULATION SHEET FROM THE FIRE MARSHAL.**

15. **Project # 1003358**
04DRB-00478 Minor-SiteDev Plan
BldPermit

KEN HOVEY agent(s) for COMMERCIAL ENTERPRISES INC request(s) the above action(s) for all or a portion of Tract(s) 49, **CLIFFORD INDUSTRIAL PARK**, zoned SU-2 / M-1, located on WASHINGTON PL NE and ANAHEIM NE and containing approximately 3 acre(s). (C-17) **INDEFINITELY DEFERRED ON A NO SHOW.**

16. **Project # 1003296**
04DRB-00341 Minor-SiteDev Plan
BldPermit

DAVID PACHECO, agent(s) for VERNON DORRIS, request(s) the above action(s) for all or a portion of Tract(s) 11, **ALAMEDA BUSINESS PARK**, zoned SU-2, IP-EP, located on ALAMEDA BLVD NE between EDITH NE and JEFFERSON NE containing approximately 1 acre(s). [REF: DRB-98-223, V-99-9, 10001321, 1003114] *[Deferred from 3/24/04]* (C-16) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

17. **Project # 1003299**
04DRB-00346 Minor-SiteDev Plan
BldPermit

STERLING CAPITAL DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 16A, Block(s) 18, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B**, zoned SU-2 special neighborhood zone, M-1, located on SAN PEDRO DR NE, between PASEO DEL NORTE NE and HOLLY AVE. NE containing approximately 2 acre(s). [REF: DRB-96-67] *[Deferred from 3/24/04]* (C-18) **THE INFRASTRUCTURE LIST DATED 4/7/04 WAS APPROVED. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR LANDFILL LANGUAGE ON SITE PLAN, MARCIA PINCUS SIGNATURE ON SITE PLAN, VERIFICATION THAT PLANNING COMMENTS HAVE BEEN ADDRESSED AND A VARIANCE PER NORTH I-25 LANDSCAPE SETBACK REQUIREMENT.**

1002848
18. **Project # 1002201**
04DRB-00395 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for LARRY H. MILLER GROUP request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2, SU-1 AUTO SALES SERV REP, located on ALAMEDA BLVD NE, between PAN AMERICAN FREEWAY NE and SAN PEDRO DR NE containing approximately 5 acre(s). [REF: Z-86-8, 03DRB-01382, 03EPC-02047, Project #1002848] **[Debbie Stover, EPC Case Planner]** *[Deferred from 3/31/04]* (C-18) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

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

19. **Project # 1000542**
04DRB-00468 Minor-Ext of SIA for Temp
Defer SDWK

BOHANNAN HUSTON, INC. agent(s) for HIGH DESERT INVESTMENT CORP. request(s) the above action(s) for all or a portion of Lot(s) 42, 43, 46, 47, 48, 50, 51, 55, 56, 57, 58, 60, 61, 62, 63 and 64, **CANYONS @ HIGH DESERT**, zoned SU-2 special neighborhood zone, located on CANYON BLUFF TR NE, between JUNIPER CANYON TR NE and CANYON EDGE TR NE [REF: 02DRB-01289] (F-23) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

20. **Project # 1003328**
04DRB-00422 Minor-Ext of SIA for Temp
Defer SDWK

CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) 2A-1C-1A, **SOLTERRA AT HIGH DESERT, UNIT 1**, zoned SU-2/HD-RT, located on CORTADERIA ST NE, between IMPERATA ST NE and SPAIN RD NE containing approximately 9 acre(s). [REF: DRB-95-457] (E-23) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

21. **Project # 1001557**
04DRB-00443 Minor-Final Plat
Approval
04DRB-00541 Minor-Final Plat

MARK GOODWIN & ASSOCIATES, PA agent(s) for ASI ES, INC request(s) the above action(s) for all or a portion of Tract(s) A-1, **PUNO DE TIERRA ESTATES, UNIT 3 AND UNIT 4**, zoned R-LT, located on COORS BLVD SW, between ARENAL RD SW and EDUARDO RD SW containing approximately 13 acre(s). [REF: DRB-97-498] (M-10) **FINAL PLAT FOR UNIT 3 WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR CASH-IN-LIEU AND TO ELIMINATE PUBLIC TRAIL RIGHT-OF-WAY IN UNIT 3 AND PLANNING FOR PHOTOS OF BUILT WALLS TO BE ID'D, AND A NEW AGIS DXF FILE FOR UNIT 3.**

THE FINAL PLAT FOR UNIT 4 WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR PHOTOS OF BUILT WALLS TO BE ID'D.

A CONDITION OF FINAL PLAT FOR UNITS 3 & 4 IS THAT THE PLATS BE RECORDED AT THE SAME TIME.

22. **Project # 1002339**
04DRB-00449 Minor-Vacation of
Private Easements
04DRB-00450 Minor-Prelim&Final Plat
Approval

HOLLY ARROYO & RICHARD TARANGO request(s) the above action(s) for all or a portion of Tract(s) 10-A-2, **ALVARADO GARDENS UNIT 2**, zoned RA-2, M7, located on CAMPBELL RD NW, between RIO GRANDE BLVD NW and TRELIS DR NW containing approximately 1 acre(s). [REF:02DRB-01711, 02DRB-01958, 03DRB-00571, 03DRB-00769, 03DRB-01035] (G-12) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR THE BENEFICIARY OF EASEMENT SIGNATURE ON THE PLAT.**

23. **Project # 1002981**
03DRB-02132 Minor-Prelim&Final Plat
Approval

SURV-TEK, INC. agent(s) for 1224 BELLAMAH, LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-A-3-A, **DUKE CITY LUMBER COMPANY ADDITION**, zoned S/M-1, located on BELLAMAH AVE. NW, between 12TH ST. and SAWMILL ROAD NW containing approximately 12 acre(s). [REF: 03ZHE 01596, DRB-95-360] *[Was indefinitely deferred on 1/21/04]* (J-13). **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/7/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 12/16/03 THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

24. **Project # 1002531**
03DRB-01460 Minor- Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for WAYNE A. MCFADDEN request(s) the above action(s) for all or a portion of Lot(s) 33 & 34, ALVARADO GARDENS, (to be known as **CIELO SU TIERRA SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on GRANDE BLVD NW, between WILMA RD NW and VILLA DORO WAY NW containing approximately 3 acre(s). [REF: 03DRB-00604 SK, ZA-97-249] *[Final plat was indefinitely deferred for the SIA]* (G-13) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR CASH-IN-LIEU AND TRANSPORTATION DEVELOPMENT, THE WALL NEEDS TO BE MOVED TO NOT IMPEDED ACCESS.**

25. **Project # 1003229**
04DRB-00397 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for TOBY & DOROTHY DEVARGAS request(s) the above action(s) for all or a portion of Lot(s) 25, Block(s) NA, Tract(s) NA, **LINDA VISTA ADDITION**, zoned R-1 residential zone, located on HENDRIX AVE NW, between 4th ST NW and SANCHEZ AVE NW containing approximately 1 acre(s). [Project # changed from Project #1003322 now void] *[Deferred from 3/31/04]* (F-14) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

26. **Project # 1002743**
04DRB-00399 Minor-Final Plat Approval

BORDENAVE DESIGNS agent(s) for HARVEST HOMES, LLC request(s) the above action(s) for all or a portion of Tract(s) H, **LA LUZ DEL OESTE, UNIT 4**, zoned SU-1 special use zone, PRD, located on COORS BLVD NW, between WESTERN TRAILS NW and DELLYNE AVE NW containing approximately 2 acre(s). [REF: 03DRB-00989, 03DRB-01544, Z-77-28] *[Deferred from 3/31/04]* (F-11) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

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

27. **Project # 1003355**
04DRB-00466 Minor-Sketch Plat or Plan

WAYJOHN SURVEYING, INC. agent(s) for JOSEPH GREVEY request(s) the above action(s) for all or a portion of Lot(s) 162, 163, 164 & 165, **TOWN OF ATRISCO GRANT, AIRPORT UNIT**, zoned C-1 (SC) & C-2, located on COORS BLVD NW, between GLENRIO RD NW and FORTUNA RD NW containing approximately 14 acre(s). (J-10/J-11) **INDEFINITELY DEFERRED ON A NO SHOW. LATER CAME IN AND REQUEST DEFERRAL TO 4/14/04.**

28. Approval of the Development Review Board Minutes for March 24, 2004. **THE DEVELOPMENT REVIEW BOARD MINUTES FOR MARCH 24, 2004 WERE APPROVED.**

ADJOURNED: 11:10 A.M.



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

March 31, 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.

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.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

Adjourned: 10:50 A.M.

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000269**
04DRB-00312 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 NM request(s) the above action(s) for all or a portion of Tract(s) 5B2C1B, **RENAISSANCE CENTER**, zoned SU-1, C-2 USES, located on MERCANTILE AVE NE, and CULTURE AVE NE between MONTANO NE and COMMERCE NE containing approximately 5 acre(s). [REF: 03DRB-01269] (F-16) **THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED TO JANUARY 8, 2005.**

2. **Project # 1000662**
04DRB-00310 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 NM request(s) the above action(s) for all or a portion of Tract(s) 3A3A3, **RENAISSANCE CENTER**, zoned SU-1 IP USES, located on MISSION AVE NE, between ALEXANDER BLVD NE and CULTURE DR NE containing approximately 2 acre(s). [REF: 03DRB-00469] (F-16) **THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED TO JANUARY 8, 2005.**

3. **Project # 1000874**
04DRB-00313 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 NM request(s) the above action(s) for all or a portion of Tract(s) B1, C2, C3 and C4, **RENAISSANCE CENTER**, zoned SU-1 FOR C-2 PERMISSIVE USE, located on MONTANO RD NE, between ALEXANDER BLVD NE and PAN AMERICAN FWY NE containing approximately 10 acre(s). [REF: 03DRB-00444] (F-16) **THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED TO JANUARY 8, 2005.**

4. **Project # 1001118**
04DRB-00309 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2-NM request(s) the above action(s) for all or a portion of Tract(s) 4A1 & 4A2, **RENAISSANCE CENTER**, zoned SU-1 IP USES, located on RENAISSANCE BLVD NE, between CULTURE AVE NE and ALEXANDER BLVD NE containing approximately 9 acre(s). [REF: 03AA-02065] (F-16) **THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED TO JANUARY 8, 2005.**

5. **Project # 1000766**
04DRB-00306 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA agent(s) for PULTE HOMES OF NEW MEXICO INC request(s) the above action(s) for all or a portion of Tract(s) 3A, **TOWN OF ATRISCO GRANT, UNIT 2**, zoned RD (9DU/AC), located on TOWER SW, between UNSER SW and 75TH ST SW containing approximately 20 acre(s). [REF:DRB-97-202] *[Deferred from 3/31/04]* (L-10) **DEFERRED TO 4/7/04 ON A NO SHOW.**

6. **Project # 1003279**
04DRB-00294 Major-Vacation of
Public Easements

MARK GOODWIN & ASSOCIATES PA agent(s) for D. R. HORTON CUSTOM HOMES request(s) the above action(s) for all or a portion of Lot(s) 13-P1, Block(s) 7, **VISTA SANDIA, UNIT 2**, zoned RD, located on EUCARIZ AVE SW, between 82ND ST SW and UNSER BLVD SW containing approximately 1 acre(s). *[Deferred from 3/31/04]* (L-10) **DEFERRED TO 4/7/04 ON A NO SHOW.**

7. **Project # 1002423**
04DRB-00302 Major-Vacation of
Public Easements

BOHANNAN HUSTON, INC agent(s) for CURB INC request(s) the above action(s) for all or a portion of Tract(s) E-1, ALBUQUERQUE SOUTH, UNIT 3, (to be known as **EL RANCHO GRANDE, UNIT 10**), zoned R-2, located on VALLEY VIEW SW, between CARTAGENA AVE SW and DE ANZA DR SW containing approximately 20 acre(s). [REF: 03DRB-00749] *[Deferred from 3/31/04]* (N-9) **DEFERRED TO 4/7/04 ON A NO SHOW.**

8. **Project # 1002856**
04DRB-00230 Major-Preliminary Plat
Approval
04DRB-00231 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS LLC request(s) the above action(s) for all or a portion of Lot(s) 1-5, **THE MEADOWS @ ANDERSON HILLS**, zoned RLT, located on DENNIS CHAVEZ BLVD SW, between UNSER BLVD SW and 98TH SW containing approximately 49 acre(s). [REF:Z-99-58, 03DRB-00234, 03DRB-01891, 01892, 01893, 01894, 03DRB-01974] [Deferred from 3/17/04 & 3/31/04] (P-9) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

9. **Project # 1002857**
04DRB-00232 Major-Preliminary Plat
Approval
04DRB-00233 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) A & B, **HIGHLANDS @ ANDERSON HILLS, UNITS 2 & 3**, zoned RLT, located on 98TH ST SW, between DENNIS CHAVEZ BLVD SW and 98TH SW containing approximately 62 acre(s).[REF:Z-99-58, 03DRB-01200, 01201, 01202, 01203, 01204,01205] [Deferred from 3/17/04 & 3/31/04] (P-9) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

10. **Project # 1002858**
04DRB-00234 Major-Preliminary Plat
Approval
04DRB-00235 Minor-Sidewalk Variance

MARK GOODWIN & ASSOCIATES, PA agent(s) for ANDERSON HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) G, H AND I, **MESA @ ANDERSON HILLS**, zoned SU-1/C-1 & R-2, located on DENNIS CHAVEZ BLVD SW, between UNSER BLVD SW and GRACE VIGIL RD SW containing approximately 36 acre(s). [REF: Z-99-58, 03DRB-01206, 01207, 01208, 01209] [Deferred from 3/17/04 & 3/31/04] (P-9) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

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

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

11. **Project # 1003010**
04DRB-00366 Minor-SiteDev Plan
Subd/EPC
04DRB-00368 Minor-SiteDev Plan
BldPermit/EPC
- DEKKER PERICH SABATINI, agent(s) for ALBUQUERQUE LITTLE THEATER request(s) the above action(s) for all or a portion of Lot(s) 5, 6 & 7, Tract(s) 135-B, 136-A, 137 & 138, Block(s) 4, Unit(s) 2, **SECTION 18, T10N, R3E, NMPM Bernalillo Co., NM PLUS HUNING CASTLE ADDITION**, zoned SU-2 special neighborhood zone, SU-1, Abq. Little Theater, located on SAN PASQUALE AVE SW, between CENTRAL AVE SW and CHACOMA PL SW containing approximately 5 acre(s). [REF: 03EPC-01669, 03EPC-01670,.71 &, 03EPC-01704] **[Makita Hill, EPC Case Planner] (J-13) SITE PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD. SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**
- 04DRB-00325 Minor-Prelim&Final Plat
Approval
- SURVEYS SOUTHWEST LTD agent(s) for LARRY PARKER request(s) the above action(s) for all or a portion of Lot(s) 5, 6, & 7, Block(s) 4, Tract(s) 135B, 136A, 136B, 137 & 138, **HUNING CASTLE ADDITION**, zoned SU-2, SU-1, located on SAN PASQUALE AVE SW, between CENTRAL AVE SW and CHACOMA PL SW containing approximately 5 acre(s). [REF: 03EPC-01669, 01670, 01671, 03EPC-01704] *[Was indefinitely deferred for the site plan submittal]* **(J-13) PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

1002848

12. **Project # 1002201**
04DRB-00395 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for LARRY H. MILLER GROUP request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2, SU-1 AUTO SALES SERV REP, located on ALAMEDA BLVD NE, between PAN AMERICAN FREEWAY NE and SAN PEDRO DR NE containing approximately 5 acre(s). [REF: Z-86-8, 03DRB-01382, 03EPC-02047, Project #1002848] [**Debbie Stover, EPC Case Planner**] [*Deferred from 3/31/04*] (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

13. **Project # 1000560**
04DRB-00089 Minor-Amnd SiteDev Plan
Subd

PRECISION SURVEYS INC agent(s) for JOURNAL CENTER request(s) the above action(s) for all or a portion of Tract(s) 1A-2-A, **JOURNAL CENTER**, zoned IP industrial park zone, located on PASEO DEL NORTE NE, between LANG AVE NE and HEADLINE BLVD NE containing approximately 10 acre(s). [REF: 04-DRB00028, 01DRB-00863, 01DRB-00453, 01DRB-00454, 00DRB-00801, 00DRB-00733, 00DRB-01428, 00DRB-01713] [*Deferred from 3/17/04*] (D-17) **THE AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD.**

04DRB-00028 Minor-Prelim&Final Plat
Approval

PRECISION SURVEYS INC agent(s) for JOURNAL CENTER CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1A-2-A, **JOURNAL CENTER**, zoned IP, located on PASEO DEL NORTE AVE NE, between LANG AVE NE and HEADLINE BLVD NE containing approximately 10 acre(s). [REF: 1000560, SV-94-48, S-94-58] [HEARD UNDER PROJECT #1003184 IN ERROR] [*Deferred from 1/21/04 & 3/17/04*] (D-17) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

14. **Project # 1000650**
04DRB-00277 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for WALMART STORES INC request(s) the above action(s) for all or a portion of Lot(s) 1-A, **LANDS OF LAMONICA & WENK**, zoned SU-1, C-1 PERMANENT USES, located on COORS BLVD SW, between RIO BRAVO BLVD SW and LAMONICA RD SW containing approximately 21 acre(s). [REF: AX-88-7, Z-99-78, 03EPC-00905, 00907, 03DRB-01906] [**Carmen Marrone, EPC Case Planner**] [*Deferred from 3/10/04 & 3/24/04*] (P-10) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 3/31/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 2/26/04 THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR PERIMETER WALLS AND EPC CASE PLANNER'S INITIALS.**

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

15. **Project # 1003229**
04DRB-00397 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for TOBY & DOROTHY DEVARGAS request(s) the above action(s) for all or a portion of Lot(s) 25, **LINDA VISTA ADDITION**, zoned R-1 residential zone, located on HENDRIX AVE NW, between 4th ST NW and SANCHEZ AVE NW containing approximately 1 acre(s). [Project # changed from Project #1003322 now void] [*Deferred from 3/31/04*] (F-14) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

16. **Project # 1002743**
04DRB-00399 Minor-Final Plat
Approval

BORDENAVE DESIGNS agent(s) for HARVEST HOMES, LLC request(s) the above action(s) for all or a portion of Tract(s) H, **LA LUZ DEL OESTE, UNIT 4**, zoned SU-1 special use zone, PRD, located on COORS BLVD NW, between WESTERN TRAILS NW and DELLYNE AVE NW containing approximately 2 acre(s). [REF: 03DRB-00989, 03DRB-01544, Z-77-28] *[Deferred from 3/31/04]* (F-11) **DEFERRED AT THE AGENT'S REQUEST TO 4/7/04.**

17. **Project # 1003308**
04DRB-00380 Minor-Prelim&Final Plat
Approval

FRED FRENCH agent(s) for BROGDON LLC request(s) the above action(s) for all or a portion of Block(s) 10, Tract(s) 3, 4, & 5, **FAIRGROUNDS ADDITION**, zoned C-3, located on the corner of ACOMA RD SE and CALIFORNIA SE, containing approximately 1 acre(s). (K-18) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR DEDICATION OF A 20-FOOT RADIUS AND PLANNING FOR A REAPPROVED AGIS DXF FILE.**

18. **Project # 1002645**
04DRB-00400 Minor-Final Plat
Approval

TIERRA WEST LLC agent(s) for AMC DEVELOPMENT SERVICES, request(s) the above action(s) for all or a portion of Tract(s) 1-B-1-A, **SEVILLE SUBDIVISION, UNIT 8**, zoned R-LT residential zone, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 03DRB-01465, 03DRB-01440, 01441] **(A-10) FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR STORM DRAIN EASEMENTS, WATER AND SANITARY SEWER TO CITY OF ALBUQUERQUE, PUBLIC ACCESS MAINTAINED BY HOME OWNERS ASSOCIATION AND PLANNING FOR PERIMETER WALL DESIGN.**

19. **Project # 1002506**
04DRB-00360 Minor-Vacation of
Private Easements

TIERRA WEST LLC agent(s) for STH INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 12A & 12B, **BLACK RANCH**, zoned RA-1, located on CORRALES MAIN CANAL, between COORS BLVD NW and RIVERFRONTE DR NW containing approximately 43 acre(s). [REF: 03EPC-00300, 03EPC-00301, 04DRB-00217] [*Deferred from 3/24/04*] **(C-13) VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

20. **Project # 1001087**
04DRB-00004 Minor- Amended
Preliminary Plat & Final Plat Approval

HALE & SUN CONSTRUCTION INC request(s) the above action(s) for all or a portion of Lot(s) 3-4, **MAJOR ACRES SUBDIVISION**, zoned SU-2,R-T, located on 12th ST NW, between CANDELARIA RD NW and MATTHEW AVE NW containing approximately 1 acre(s). [REF: 1002231, 02ZHE-01435, 01DRB-002688, 01DRB-01891] [Final Plat was indefinitely deferred on 3/31/04] (G-14) **THE AMENDED PRELIMINARY PLAT WAS APPROVED. THE AMENDED INFRASTRUCTURE LIST DATED 3/31/04 WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT. THE FINAL PLAT WAS INDEFINITELY DEFERRED.**

21. **Project # 1003258**
04DRB-00205 Minor-Prelim&Final Plat
Approval

PHILIP W. TURNER agent(s) for SALVADOR PEREZ request(s) the above action(s) for all or a portion of Lot(s) 280 B, **TOWN OF ATRISCO GRANT, UNIT 8**, zoned R-T residential zone, located on 55TH ST NW, between BICE RD NW and JUNIPER RD NW containing approximately 1 acre(s). [REF: DRB-97-205] [*Deferred from 2/25/04, 3/10/04 & 3/24/04*] (H-11) **PRELIMINARY PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO PARKS FOR PARK DEDICATION FEE AND PLANNING FOR AGIS DXF FILE.**

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

22. **Project # 1003303**
04DRB-00361 Minor-Sketch Plat or Plan

MARK GOODWIN & ASSOCIATES, PA agent(s) for ARGUS DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 349A, **TOWN OF ATRISCO GRANT, UNIT 8**, zoned RD-Office, located on LADERA DR NW, between 72ND ST NW and OURAY BLVD NW containing approximately 3 acre(s). (H-10) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

23. **Project # 1003304**
04DRB-00362 Minor-Sketch Plat or Plan

MARK GOODWIN & ASSOCIATES, PA agent(s) for ARGUS DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) C, Section 10, **MARIPOSA SQUARE, UNIT 8**, zoned RD-Office, located on 72ND ST SW, between LADERA DR SW and MIAMI RD SW containing approximately 3 acre(s). (H-10) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

24. Approval of the Development Review Board Minutes for March 17, 2004. **THE DEVELOPMENT REVIEW BOARD MINUTES FOR MARCH 17, 2004 WERE APPROVED.**

ADJOURNED: 10:50 A.M.



City of Albuquerque
 CITY OF ALBUQUERQUE
 P.O. BOX 1295 ALBUQUERQUE, NEW MEXICO 87103
 PUBLIC WORKS DEPARTMENT
 DEVELOPMENT SERVICE
 HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

2848

DRB CASE NO/PROJECT NO: 1002201

AGENDA ITEM NO: 12

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:() APP:() SIGN-OFF:(x) EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments.

RESOLUTION:

4-7-04

APPROVED ____; DENIED ____; DEFERRED X; 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: March 31, 2004

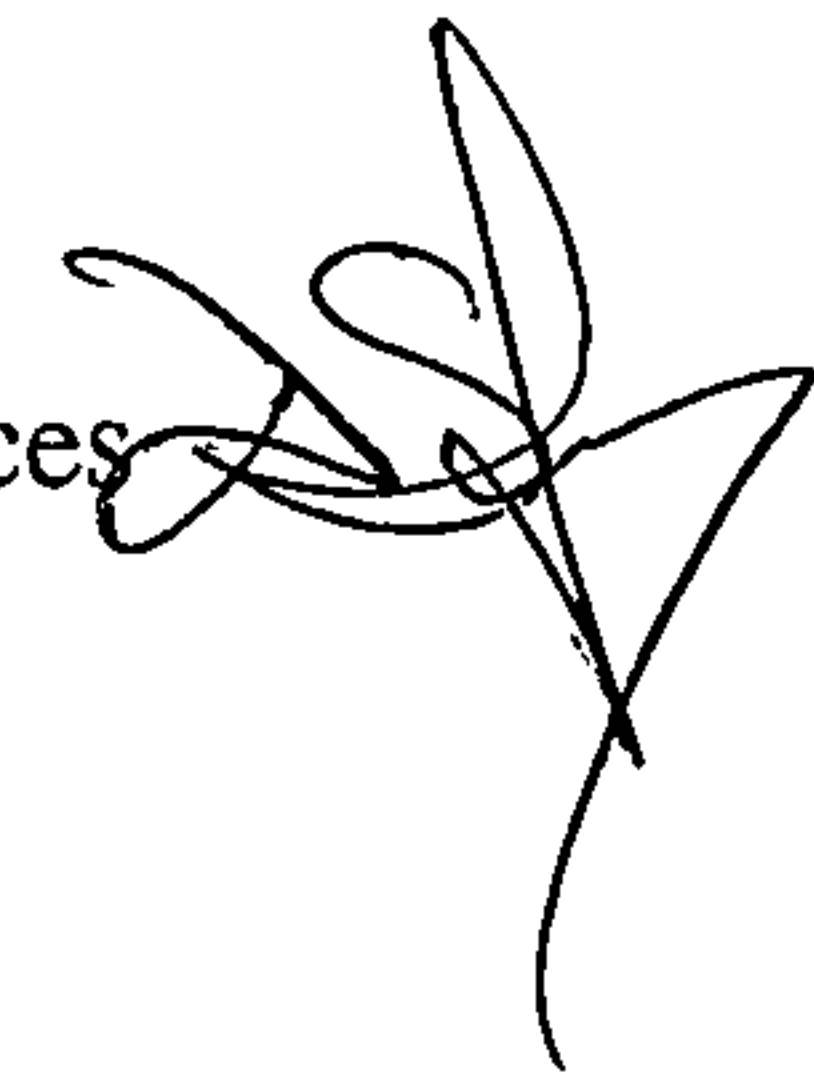
CITY OF ALBUQUERQUE

Planning Department

Development Services Division

#12

TO: Sheran Matson, Chair, Development Review Board
FROM: Deborah L. Stover, Senior Planner, Development Services
DATE: 3-30-04
SUBJECT: EPC CONDITIONS FOR PROJECT 1002848



The purpose of this memo is to address the itemized letter from Tierra West for the above referenced case:

Site Development Plan for Building Permit

All EPC conditions have been met with the following exceptions:

Condition #4: A minimum of 7 bicycle parking spaces shall be provided.

OK
now

The site plan states that 4 bicycle parking spaces are provided.

Staff defers to Transportation Development Services regarding conditions related to traffic and transportation issues.



DEVELOPMENT REVIEW BOARD

Agenda

Plaza del Sol Building
Basement Hearing Room


December 10, 2014

MEMBERS:

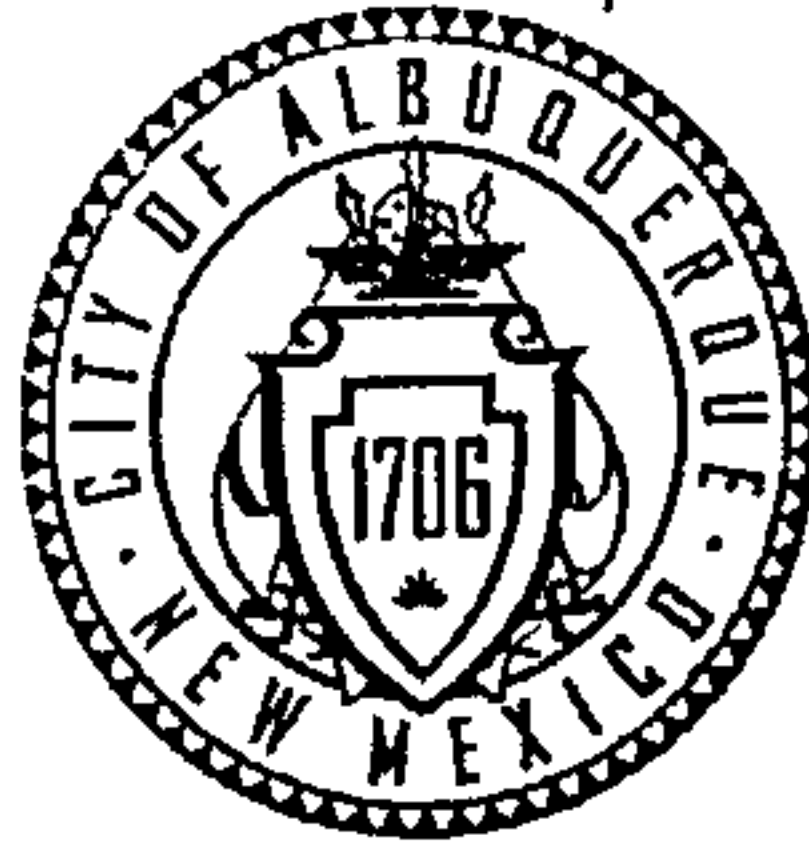
Jack Cloud..... DRB Chair
Kristal Metro..... Transportation Development
Allan Porter..... ABCWUA
Curtis Cherne.....City Engineer
Carol Dumont..... Parks & Recreation

Angela Gomez ~ Administrative Assistant

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

- 1. **Project# 1002848**
14DRB-70395 EPC APPROVED SDP
FOR BUILD PERMIT
14DRB-70399 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

RIO GRANDE ENGINEERING & CONSENSUS
PLANNING agent(s) for MILLER FAMILY request(s) the
above action(s) for all or a portion of Lot(s) 15,16,17,18,
Block(s) 10, Tract A, Unit B, **NORTH ALBUQUERQUE
ACRES** and TRACT A-1 & B-1, **AMERICAN TOYOTA**,
zoned SU-2 FOR IP, located on ALAMEDA NE
BETWEEN I-25 AND SAN PEDRO containing
approximately 10.33 acre(s). (C-18) **THE SITE
DEVELOPMENT PLAN FOR BUILDING INDEFINITELY
DEFERRED. THE PRELIMINARY/FINAL PLAT WAS
DEFERRED TO 12/17/14.**



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

TRANSPORTATION DEVELOPMENT*John MacKenzie*
TRANSIT & PARKING DEPARTMENT*Shabih Rizvi*
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*
AMAFCA.....*Lynn Mazur*
APD CRIME PREVENTION.....*Steve Sink*
OPEN SPACE DIVISION.....*Kent Reed Swanson*
FIRE DEPARTMENT.....*Antonio Chinchilla*
ZONING ENFORCEMENT INSPECTOR.....*David Kilpatrick*
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*
PNM.....*Daniel Aragon*
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*
COMCAST CABLE.....*Mike Mortus*
Mid.Rio Grande Conserv. Dist. (MRGCD).....*Ray Gomez*
ENVIRONMENTAL HEALTH.....*Paul Olson*

Your comments on the following case(s) are requested.

PROJECT # 1002848

Board hearing date:

WEDNESDAY, September 3, 2014

Comments must be received by:

August 27, 2014



Supplemental Form (SF)

<p>SUBDIVISION</p> <p>___ Major subdivision action</p> <p>___ Minor subdivision action</p> <p><u>X</u> Vacation</p> <p>___ Variance (Non-Zoning)</p> <p>SITE DEVELOPMENT PLAN</p> <p>___ for Subdivision</p> <p>___ for Building Permit</p> <p>___ Administrative Amendment/Approval (AA)</p> <p>___ IP Master Development Plan</p> <p>___ Cert. of Appropriateness (LUCC)</p> <p>STORM DRAINAGE (Form D)</p> <p>___ Storm Drainage Cost Allocation Plan</p>	<p>S Z ZONING & PLANNING</p> <p>___ Annexation</p> <p>V ___ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)</p> <p>P ___ Adoption of Rank 2 or 3 Plan or similar</p> <p>___ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations</p> <p>D ___ Street Name Change (Local & Collector)</p> <p>L A APPEAL / PROTEST of...</p> <p>___ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other</p>
---	--

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

APPLICATION INFORMATION:

Professional/Agent (if any): RIO GRANDE ENGINEERING PHONE: 505.321.9099
 ADDRESS: PO BOX 93924 FAX: _____
 CITY: ALB STATE NM ZIP 87199 E-MAIL: david@riograndeengineering.com

APPLICANT: MILLER FAMILY TRUST PHONE: _____
 ADDRESS: 5995 ALAMEDA BLVD NE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: VACATION OF PUBLIC AND PRIVATE EASEMENTS

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

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

Lot or Tract No. LOTS 17&18, Block: 10 Unit: _____
 Subdiv/Addn/TBKA: TRACT A, UNIT B NORTH ALBUQUERQUE ACRES
 Existing Zoning: SU2FOR RC OR SU1 Proposed zoning: SU2RC OR SU1 MRGCD Map No _____
 Zone Atlas page(s): C18 UPC Code: 101806425243620807

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): _____
PROJECT#1002848

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
 No. of existing lots: 4 No. of proposed lots: 4 Total site area (acres): 8.5
 LOCATION OF PROPERTY BY STREETS: On or Near: ALAMEDA
 Between: SAN PEDRO NE and INTERSTATE 25 NE

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) . Review Date: _____

SIGNATURE [Signature] DATE 8/7/14
 (Print Name) DAVID SOULE Applicant Agent

FOR OFFICIAL USE ONLY

Revised: 4/2012

<p><input checked="" 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 checked="" type="checkbox"/> AGIS copy has been sent</p> <p><input checked="" 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>14 DRB 70283</u></p> <p><u>70285</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Action</p> <p><u>VPE</u></p> <p><u>VPRE</u></p> <p><u>CMF</u></p> <p><u>ADV</u></p> <p>_____</p> <p>_____</p>	<p>S.F.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Fees</p> <p>\$ <u>45.00</u></p> <p>\$ <u>135.00</u></p> <p>\$ <u>20.00</u></p> <p>\$ <u>75.00</u></p> <p>_____</p> <p>Total</p> <p>\$ <u>275.00</u></p>
--	---	--	--	--

Hearing date Sept. 3, 2014
8-7-14 Staff signature & Date
 Project # 1002848

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 - ___ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 - ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 - ___ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 - ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application

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

- VACATION OF PUBLIC EASEMENT (DRB27) - 1**
- VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
 - The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
(Not required for City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ___ Sign Posting Agreement
 - ___ Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)**
 - ___ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the variance or waiver
 - ___ List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

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

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
 - ___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the deferral or extension
 - ___ List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- VACATION OF PRIVATE EASEMENT (DRB26) - 3**
- VACATION OF RECORDED PLAT (DRB29)**
 - The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 - Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 - Letter of authorization from the grantors and the beneficiaries (private easement only)
 - ___ Fee (see schedule)
 - List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

David Sal
Applicant name (print)

DM
Applicant signature / date



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

Application case numbers
14 - DRB - 70283

[Signature] 8-7-14
Planner signature / date

Project # 1002848

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from Aug. 19, 2014 To Sept. 3, 2014

5. REMOVAL

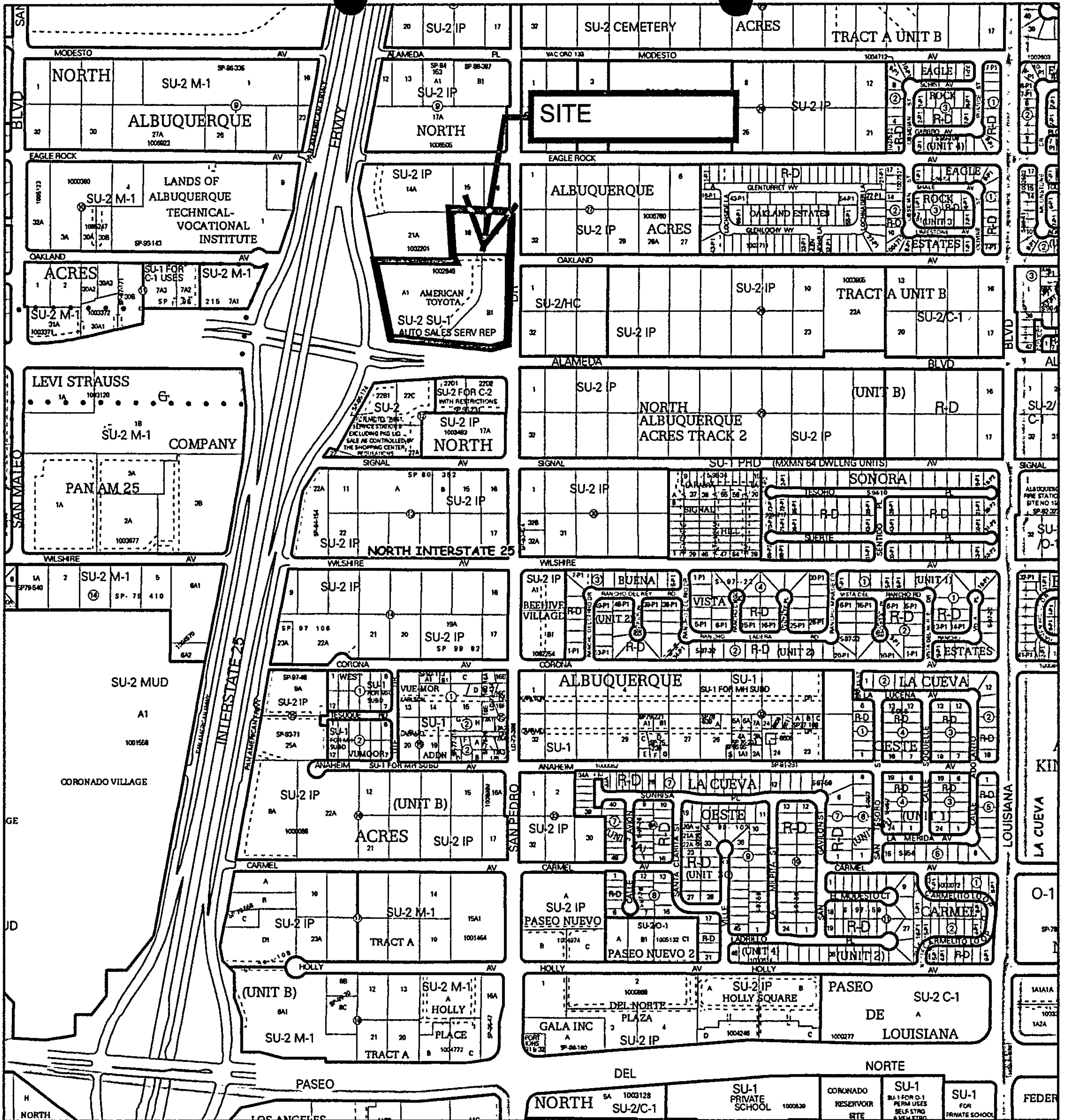
- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

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.

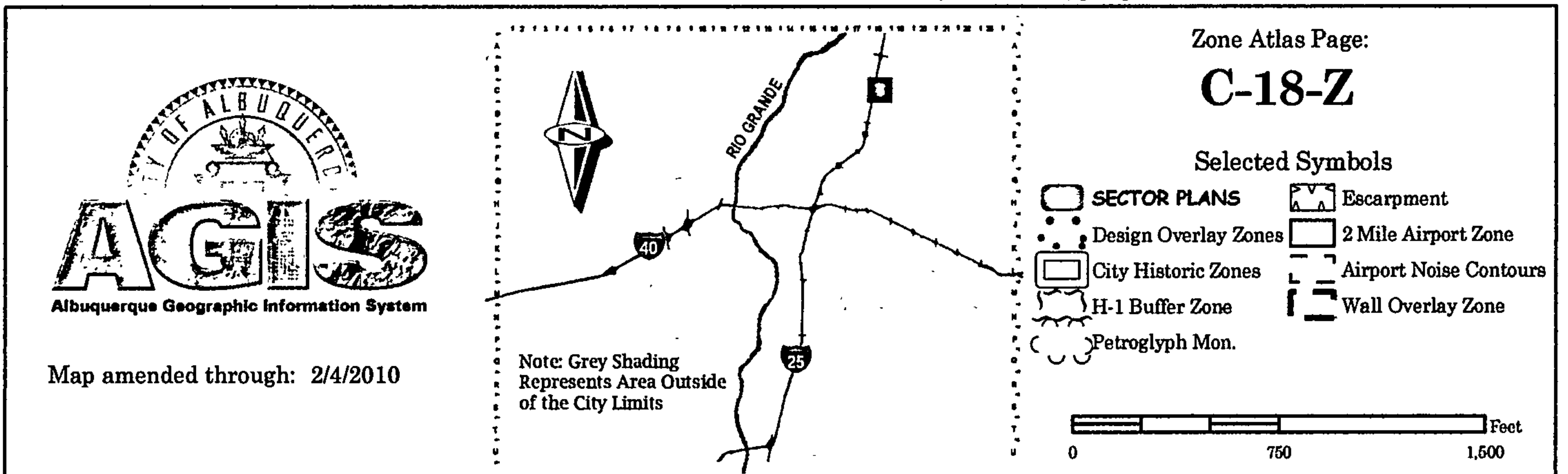
David Sorkin (Applicant or Agent) 8/17/14 (Date)

I issued 2 signs for this application, 8-7-14 (Date) [Signature] (Staff Member)

PROJECT NUMBER: 1002848



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



Letter of Authorization

We MILLER FAMILY REAL ESTATE LLC, owners of lots 17 & 18, Block 10, Tract A, Unit B, North Albuquerque Acres and Tract A-1 and B-1, of American Toyota subdivision hereby authorize Rio Grande Engineering of New Mexico, LLC, to obtain Development Review Board approval to vacate Private access and drainage easements on the subject property within the City of Albuquerque, Bernalillo County, New Mexico

Property Owners: Mike & Kelly J.R.

Date 8/7/14

J.R. Malouff
Miller Family Real Estate

August 6, 2014

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102


**RE: Preliminary Plat Approval
American Toyota
Vacation of Private and Public easements
Albuquerque, New Mexico**

Dear Mr. Cloud:

Rio Grande Engineering requests vacation approval for several private and public easements. We have enclosed exhibits for the vacation of 30' public water and sewer easement, as well as a 10' sanitary sewer easement located in the old Oakland alignment. In addition we have provided exhibit showing the vacation of a 24' private access and an additional 48' private access and drainage easement. The purpose of these vacations is to allow the subsequent lot combination and lot redevelopment. The property is currently in the process of obtaining a zone change and subsequent site plan approvals. This letter is also being sent the neighborhood associations with a copy of the proposed preliminary plat.

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

Sincerely,


David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

Enclosures

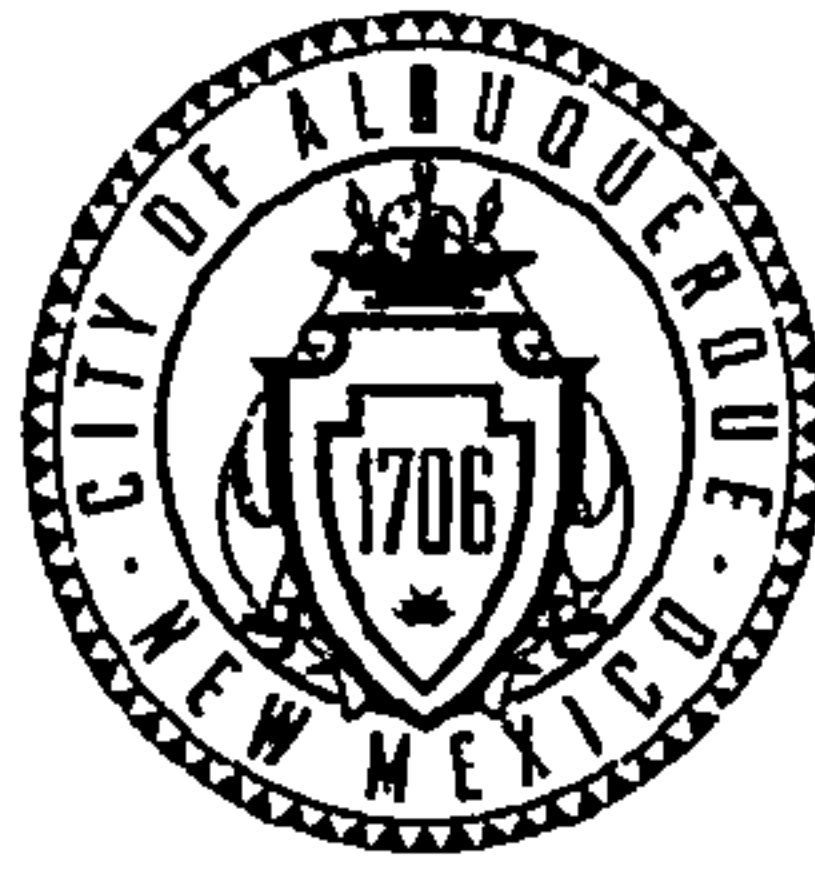
Cc;

Jeff Peterson,
7800 Eagle Rock NE
Albuquerque NM 87122

Joe Yardumian
7801 RC Gorman NE
Albuquerque, NM 87122

Peggy Neff
8305 Calle Sequelle
Albuquerque, 87113

Brenda Holley
8208 Santa Clarita NE
Albuquerque, NM 87113



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

August 6, 2014

David Soule
Rio Grande Engineering
P.O. Box 93924
Phone: 505-321-9099 Fax: 505-872-0999

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.

Dear David:

Thank you for your inquiry of August 6, 2014 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at (DRB SUBMITTAL) BLOCK 17, 18, BLOCK 10, TRACT A, UNIT B NORTH ALBUQUERQUE ACRES LOCATED ON OAKLAND NE BETWEEN SAN PEDRO NE AND INTERSTATE 25 zone map C-18.

Our records indicate that the ALL Neighborhood and/or Homeowners Associations affected by this proposal and the contact names are as follows:

SEE ATTACHMENT "A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3906 or via an e-mail message at dlcarmona@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Dalaina Carmona

Senior Administrative Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Dalaina at 924-3906 or via an e-mail message at dcarmona@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **8/6/14** Time Entered: **3:30 p.m.** ONC Rep. Initials: **DC**

ATTACHMENT "A"

August 6, 2014

David Soule
Rio Grande Engineering
P.O. Box 93924
Phone: 505-321-9099 Fax: 505-872-0999

NOR ESTE N.A. (NRE) "R"

***Jeff Peterson**

7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)

Joe Yardumian

7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WEST LA CUEVA N.A. (WLC) "R"

***Peggy Neff**

8305 Calle Sequelle NE/87113 823-1041 (h)

Terry Daughton

8309 Calle Soquelle NE/87113

WILDFLOWER AREA N.A. (WFA) "R"

***Larry T. Caudill**

4915 Watercress NE/87113 857-0596 (h)

Tony Perry

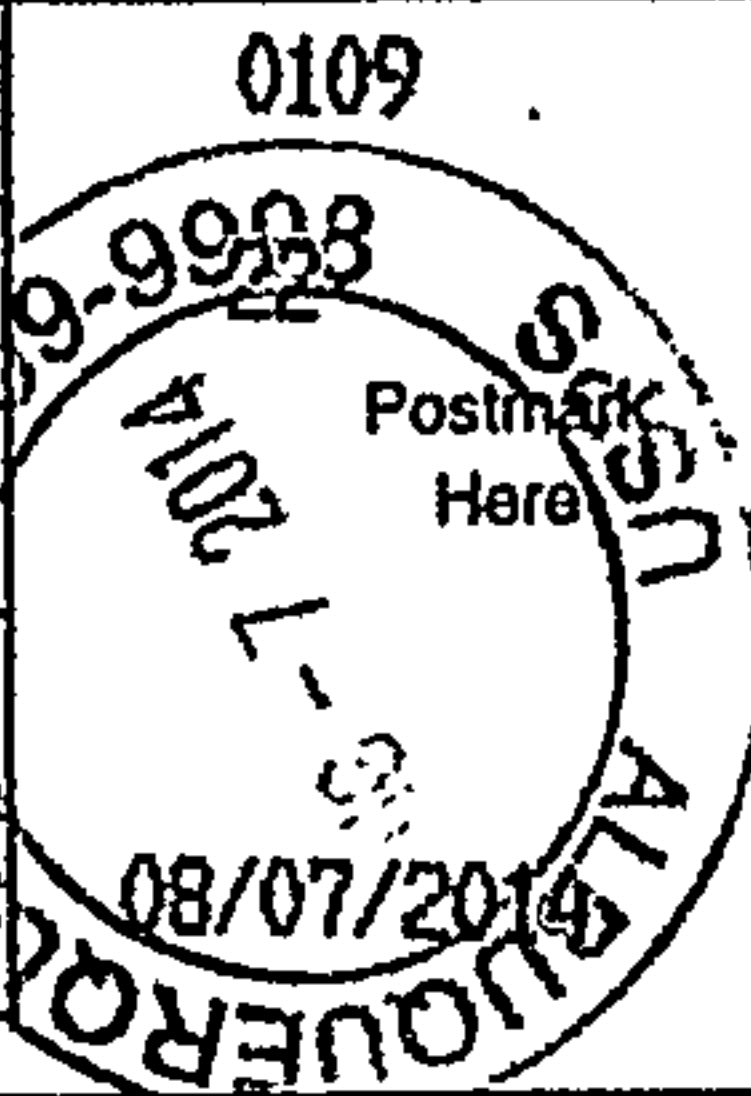
4909 Watercress NE/87113 797-7098 (h)

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

ALBUQUERQUE NM 87113
OFFICIAL USE

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Brenda Holly
 Street, Apt. No., or PO Box No.: 8203 Santa Clara NE
 City, State, ZIP+4: Alb NM 87113

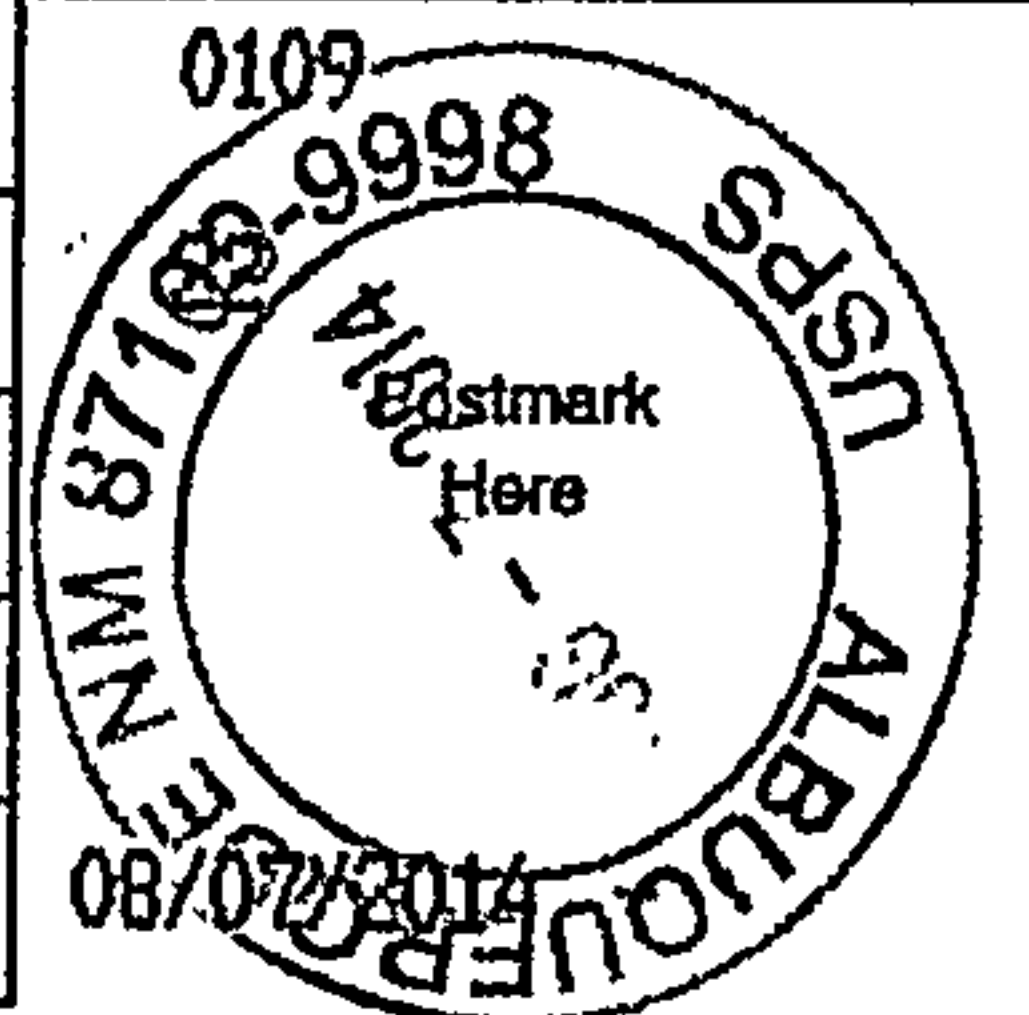
PS Form 3800, August 2006 See Reverse for Instructions

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

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

ALBUQUERQUE NM 87113
OFFICIAL USE

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Larry Caudill
 Street, Apt. No., or PO Box No.: 4915 Water Cross NE
 City, State, ZIP+4: Alb NM 87113

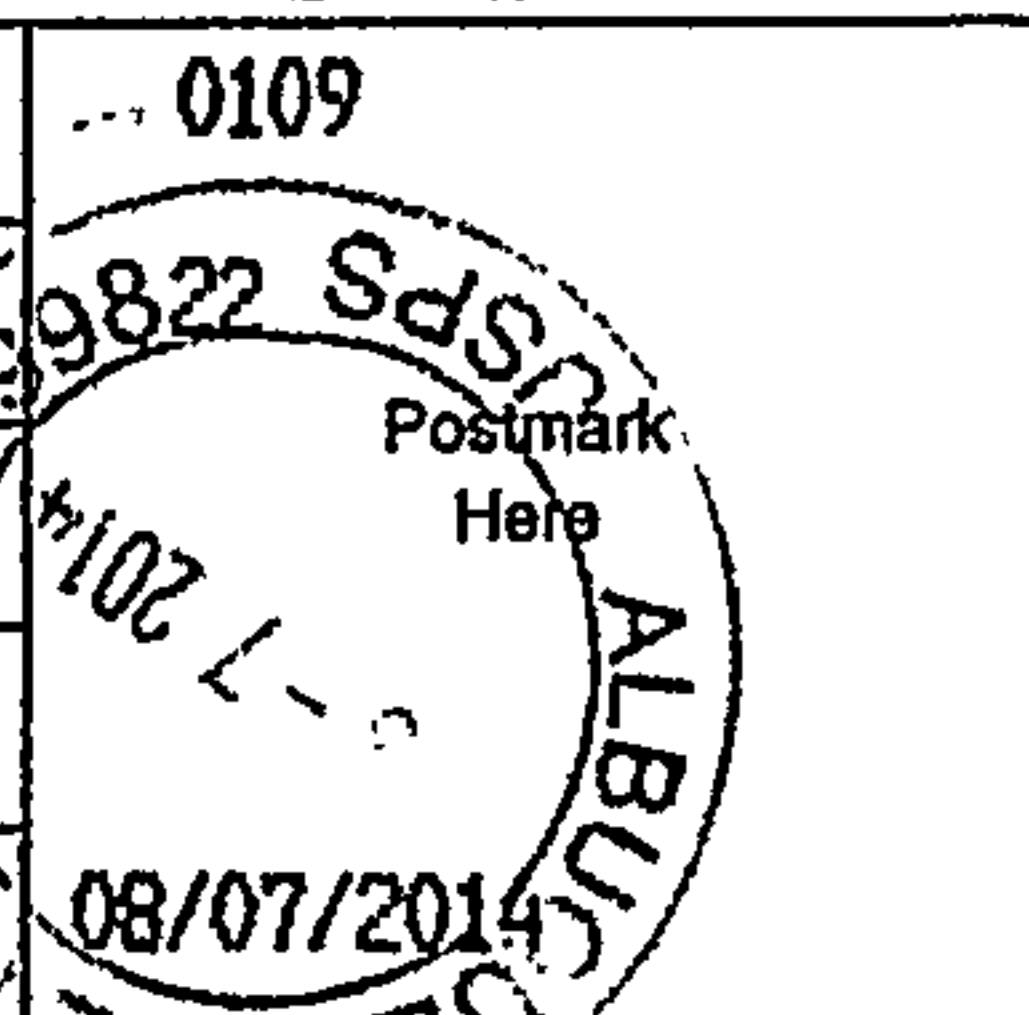
PS Form 3800, August 2006 See Reverse for Instructions

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

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

ALBUQUERQUE NM 87113
OFFICIAL USE

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Tony Perry
 Street, Apt. No., or PO Box No.: 4909 Water Cross
 City, State, ZIP+4: Alb NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

ALBUQUERQUE NM 87122
OFFICIAL USE

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Jeff Peterson
 Street, Apt. No., or PO Box No.: 7800 Eagle Rock
 City, State, ZIP+4: Alb NM 87122

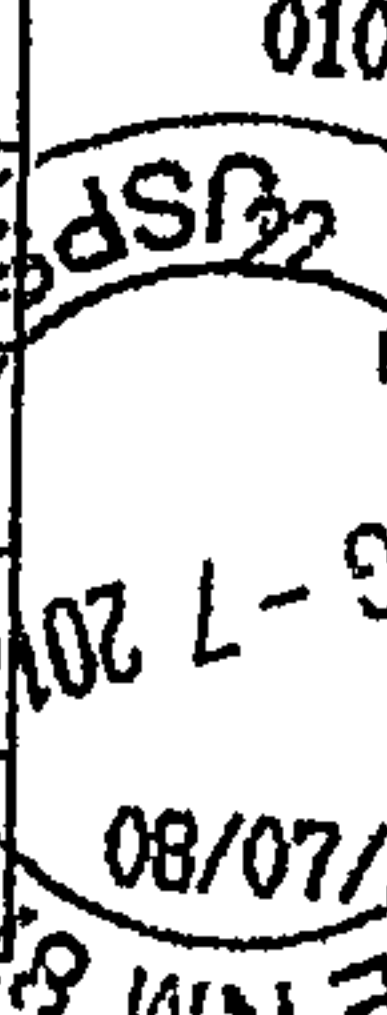
PS Form 3800, August 2006 See Reverse for Instructions

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

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

ALBUQUERQUE NM 87122
OFFICIAL USE

Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Joe Padman
 Street, Apt. No., or PO Box No.: 7801 RL Gorman
 City, State, ZIP+4: Alb NM 87122

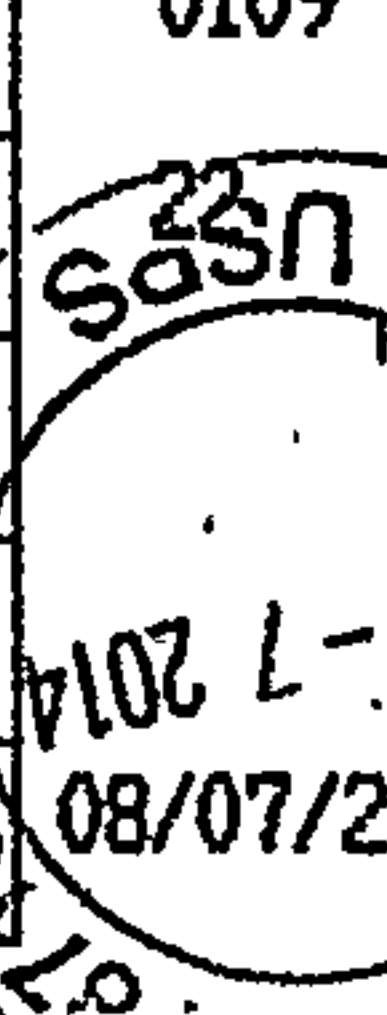
PS Form 3800, August 2006 See Reverse for Instructions

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

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

ALBUQUERQUE NM 87113
OFFICIAL USE

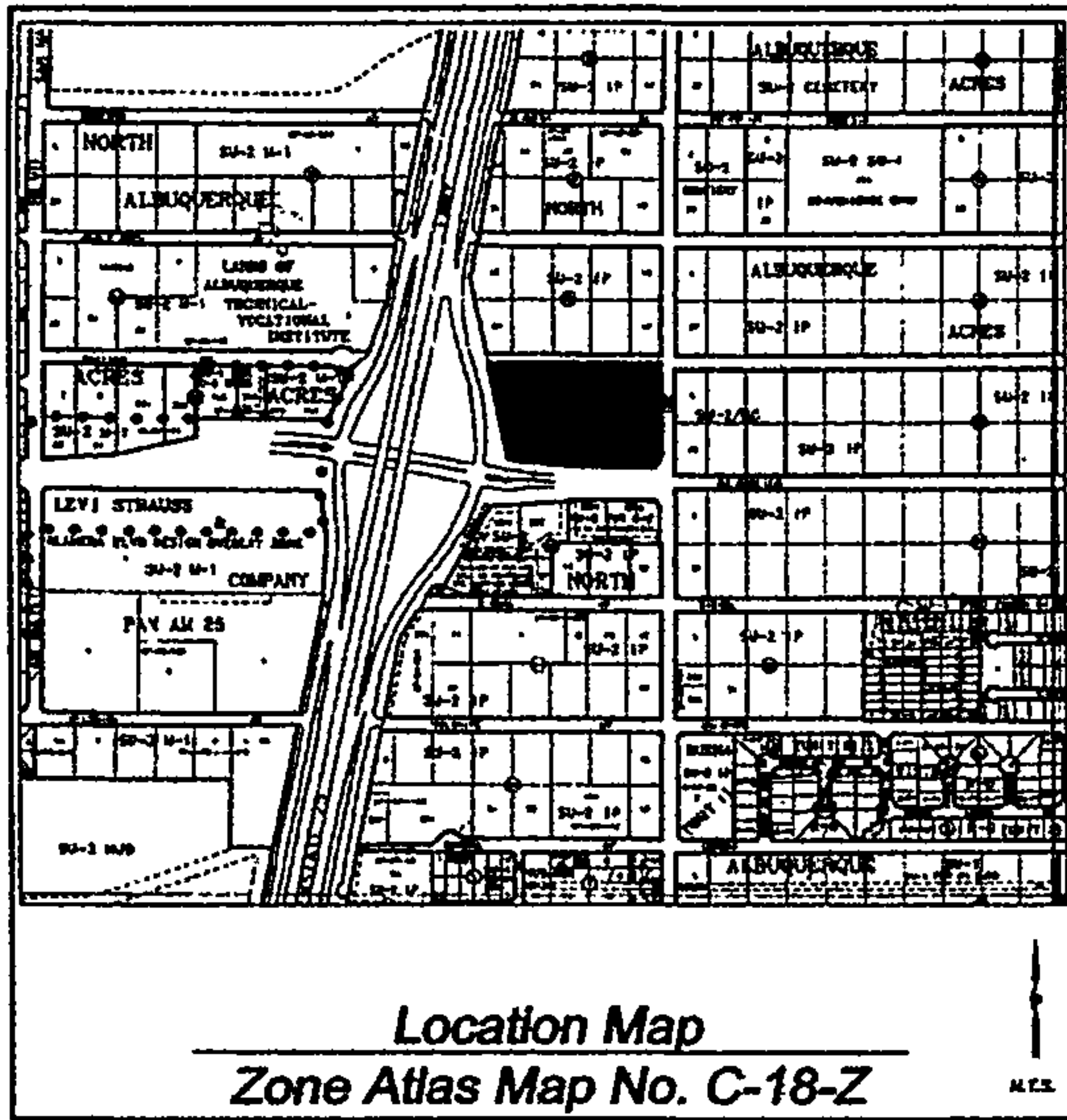
Postage	\$ 0.70
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70



Sent To: Peggy Neff
 Street, Apt. No., or PO Box No.: 8305 Calle Segue
 City, State, ZIP+4: Alb NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

7013 1090 0002 4289 3685
7013 1090 0002 4289 3685
7013 1090 0002 4289 3685
7013 1090 0002 4289 3685
7013 1090 0002 4289 3685



Plat of
Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS A AND B OF AMERICAN TOYOTA AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT ENTITLED "BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" FILED BY THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON SEPTEMBER 9, 1998, IN VOLUME C31, FOLIO 114, TOGETHER WITH THE VACATED SOUTHERLY THIRTY (30) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, FROM WHENCE A TIE TO THE ALBUQUERQUE CITY MONUMENT "10-C18" BEARS N 04°20'36" E, A DISTANCE OF 885.86 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";
 THENCE, FROM SAID BEGINNING POINT, S 00°10'36" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.82 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";
 THENCE, LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 58°22'50", AN ARC LENGTH OF 78.89 FEET AND A CHORD OF S 28°27'01" W, A DISTANCE OF 75.79 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";
 THENCE, ALONG SAID NORTH RIGHT OF WAY LINE, N 89°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";
 THENCE, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BENT/ALLEGIBLE);
 THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND INTERSTATE 25 FRONTAGE ROAD N 11°36'58" W, A DISTANCE OF 428.28 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";
 THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";
 THENCE, N 00°13'23" E, A DISTANCE OF 28.78 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";
 THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.8398 ACRES (302,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Approvals	Application No.	Date
Sharon Matson CITY PLANNER, ALBUQUERQUE PLANNING DEPARTMENT	04-00571	9/24/04
Brad S. Byler CITY ENGINEER		4/21/04
Brad S. Byler A.M.A.F.C.A.		4/21/04
Mike Day TRAFFIC ENGINEER		4-21-04
Mike Day CITY SURVEYOR		3-16-04
John McDaniel PROPERTY MANAGEMENT		9-21-04
Roger L. Shuman UTILITY DEVELOPMENT DIVISION		4/21/04
Christina Sandoral PARKS AND RECREATION DEPARTMENT		4-21-04
Lead B. Mut PMM ELECTRIC SERVICES		4-6-04
Lead B. Mut PMM GAS SERVICES		4-6-04
Dave O.P. Muller QUEST CORPORATION		4-6-04
Rita E. Sisker COMCAST CABLE		7/6/04

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.8398 ACRES
 ZONE ATLAS INDEX NO. C-18-Z
 NO. OF TRACTS CREATED: 2
 NO. OF LOTS CREATED: 0
 MILES OF FULL-WIDTH STREETS CREATED: 0
 DATE OF SURVEY: JANUARY 13, 2003

Notes:

- MISC. DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1927).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
- THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- SP NO. 2003051240

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- PMM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
- PMM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
- QUEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
- COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRICAL TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

IN APPROVING THIS PLAT, PMM ELECTRIC SERVICES AND GAS SERVICES (PMM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PMM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEDICATE RIGHT OF WAY

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR. EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE TO THE LAND SUBDIVIDED.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

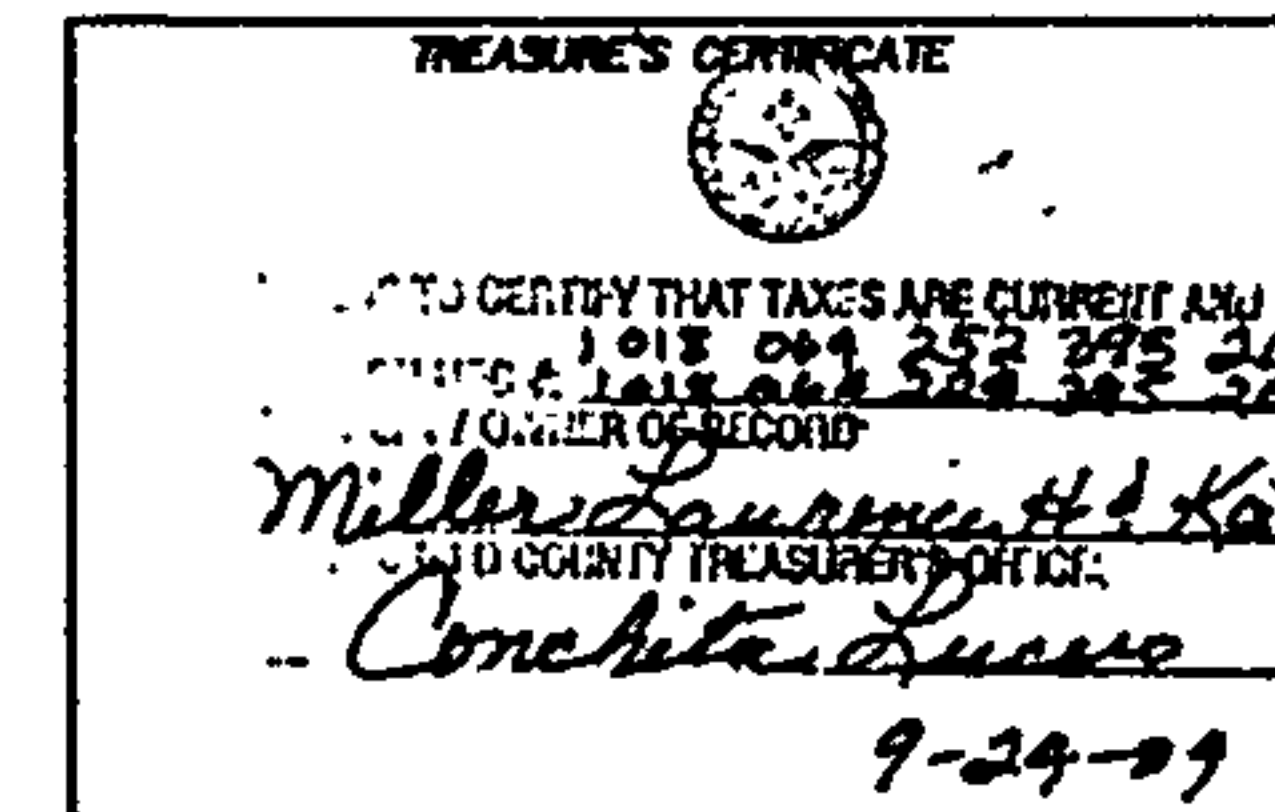
SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

Michael Malouff, Jr.
 MICHAEL MALOUFF, JR.
 AGENT FOR MILLER FAMILY REAL ESTATE, LLC
 A UTAH PARTNERSHIP
 DATE: 2/27/04

Acknowledgment

STATE OF NEW MEXICO) SS
 COUNTY OF BERNALILLO)
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004
 MICHAEL MALOUFF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTAH PARTNERSHIP

BY *Michael Malouff, Jr.* MY COMMISSION EXPIRES: 10-11-2004
 NOTARY PUBLIC



Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medrano
 LARRY W. MEDRANO
 N.M.B.S. No. 11993
 DATE: 2/27/04



8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7800

Project No. 1002848

Sheet 1 of 2

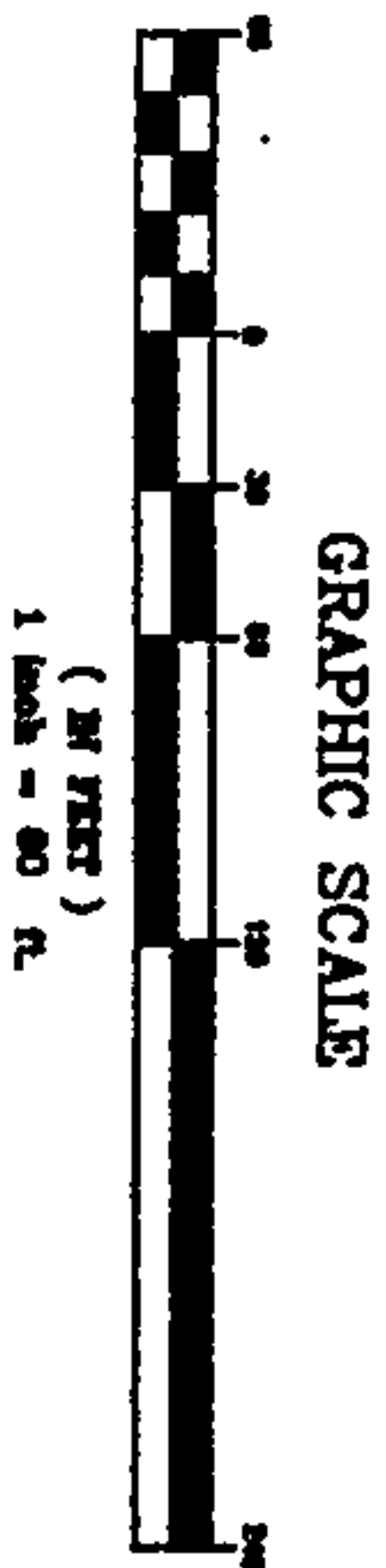
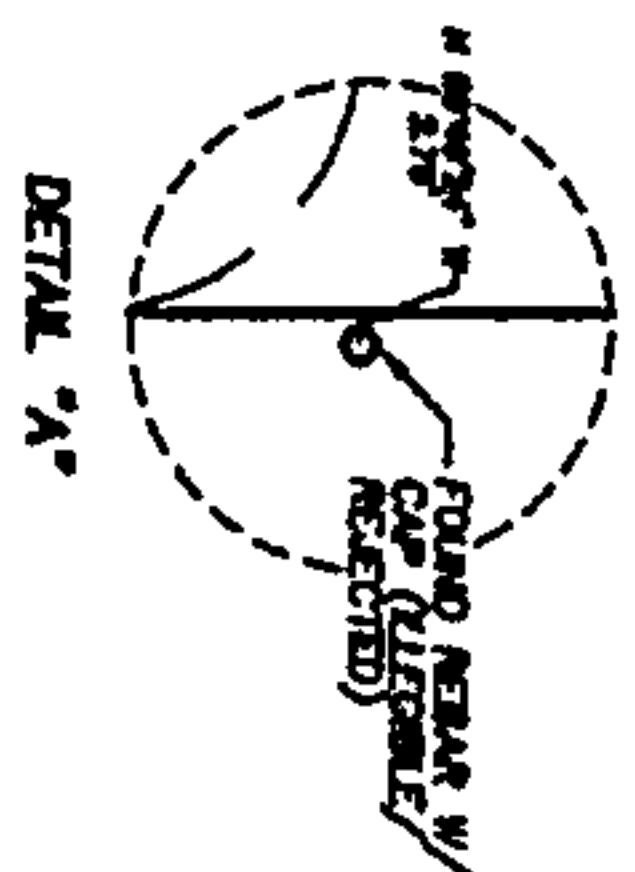
6: PLATS\2002\02244p.dwg Thu Feb 26 10:06:58 2004

0224P

Part of
Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legend

- N 80°07'00" E
- INDICATES EXISTING AND PROPOSED
- ALSO INDICATES EXISTING AND PROPOSED
- ROAD AND LOTS
- TO BE REMOVED
- REMOVING EXISTING ROAD TO TRACT
- BY THE SURVEY (SEE SURVEY RECORD)

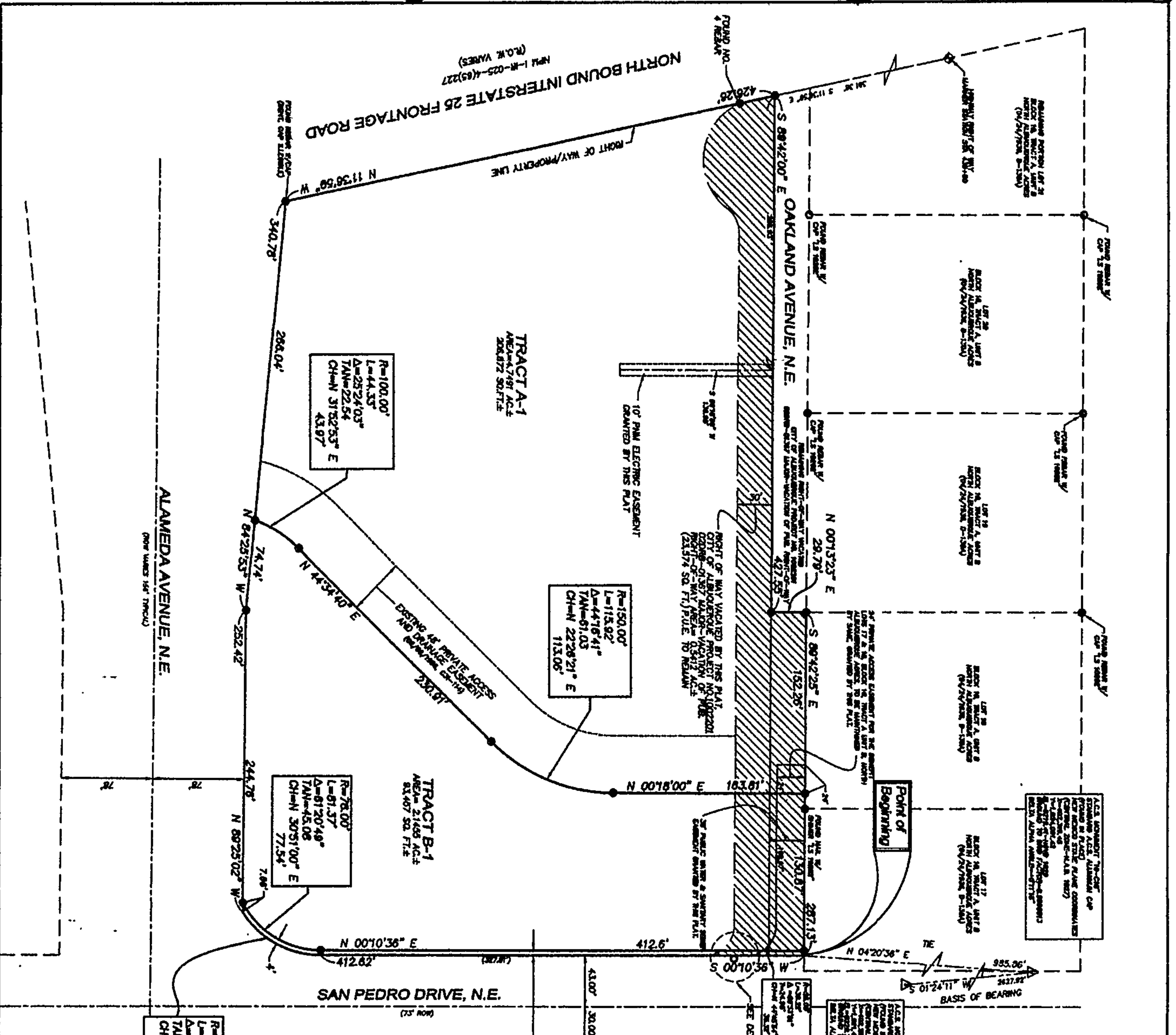


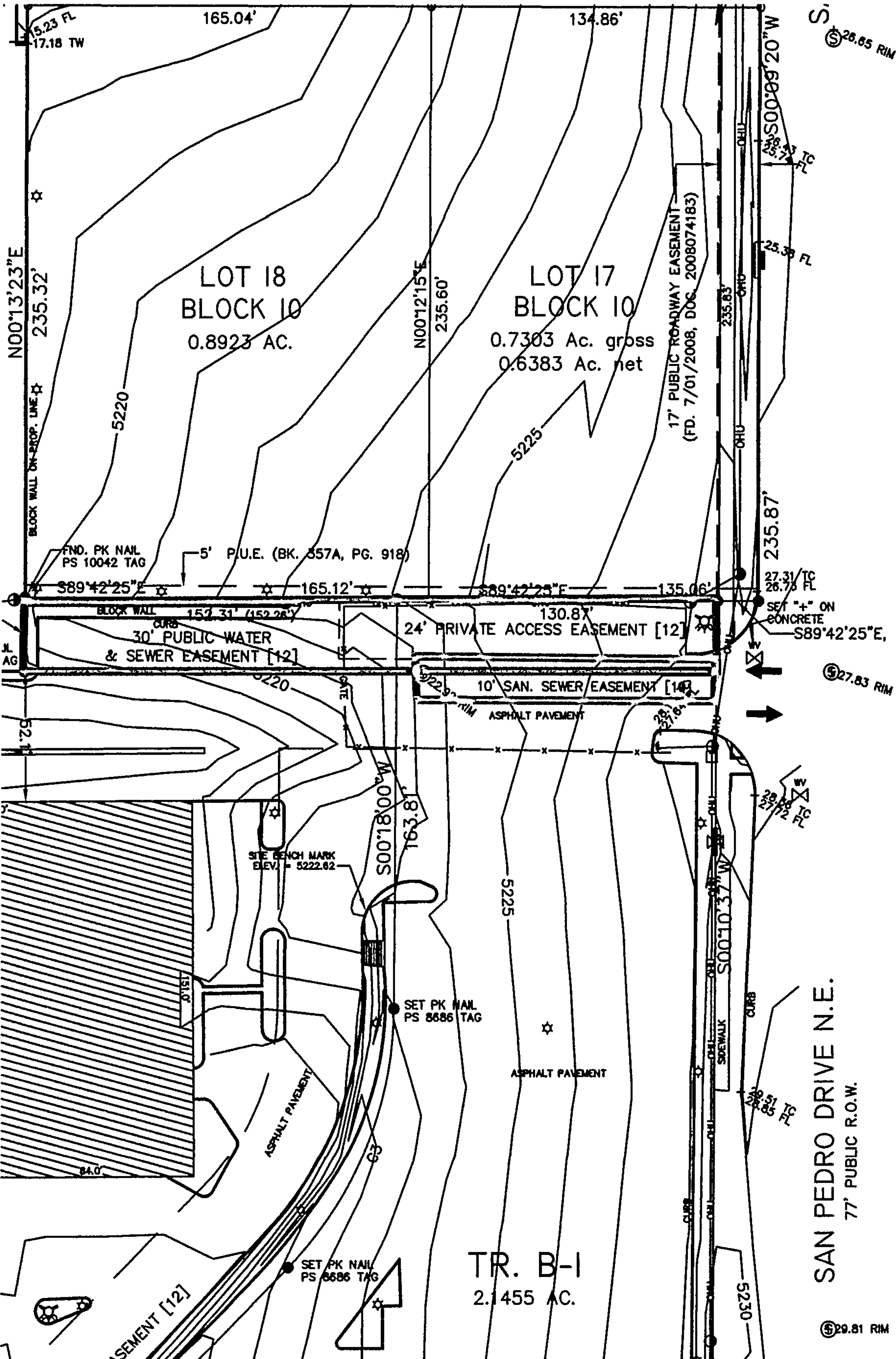
PRECISION SURVEYS, INC.

84140 SEPTEMBER ST., N.E. PHONE 505 886 6700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 886 7800

Project No. **1002848**

Sheet 2 of 2





OAKLAND AVE. N.E.

SAN PEDRO DRIVE N.E.
77' PUBLIC R.O.W.

Grant of Sanitary Sewer Easement

Miller Family Real Estate, L.L.C. (Grantor) whose address is **9350 South 150E, Suite 1000, Sandy, Utah, 84070** being the owner of the property described herein, for good and valuable consideration, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto **Miller Family Real Estate, L.L.C.** (Grantee) and its successors and assigns, the permanent right and easement for a **Sanitary Sewer line** and the construction, reconstruction, operation and maintenance of, and access to such facilities, on, in, under, over, and across that certain real property located within the City of Albuquerque, in Bernalillo County, New Mexico and more particularly described in "Exhibit A" attached hereto and incorporated herein by this reference.

Except by the written approval of Grantee, no fence, building, or other obstruction may be placed or maintained in said easement. The granting of this easement shall not obligate Grantee to maintain facilities within said easement, or facilities that do not meet the standards for design and construction, nor shall this granting require the protection of property outside of the easement granted.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee, its successors and assigns, forever, except that any portion of the easement granted herein shall revert to Grantor, its successors and assigns

THERE IS RESERVED to use said lands for open space, landscaping, parking and other purposes which will not interfere with the rights and easements hereby granted.

WITNESS its hand and seal this 9th day of June, 2009.

GRANTOR: **Miller Family Real Estate, L.L.C.**

BY: 

(Corporation or Partnership)

Print Name: **Gregory S. Miller**

Title: **Operating Manager**

Date: **June 9, 2009**

Doc# 2009068169

06/18/2009 09:21 AM Page: 1 of 4
EASE R:\$15.00 M. Toulouse Oliver, Bernalillo County




Corporate Acknowledgment

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 9th day of June, 2009 by Gregory S. Miller, Operating Manager of Miller Family Real Estate LLC.

My commission expires:
7-1-2011


Notary Public

 JANET B. LAYOSA
NOTARY PUBLIC-STATE OF UTAH
9350 S. 150 E. # 1000
SANDY, UTAH 84070
COMM. EXP. 07-01-2011

Legal Description Public Sanitary Sewer Easement

A PUBLIC SANITARY SEWER EASEMENT LYING AND SITUATE WITHIN THE ELENA GALLEGOS GRANT, PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING A PORTION OF OF TRACT B-1, AMERICAN TOYOTA RECORDED IN THE BERNALILLO COUNTY CLERKS OFFICE ON SEPTEMBER 29, 2004, IN BOOK 2004C, PAGE 300, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY AS FOLLOW:

BEGINNING AT THE NORTHEAST CORNER OF DESCRIBED EASEMENT LYING ON THE WEST RIGHT OF WAY LINE OF SAN PEDRO DRIVE, N.E., FROM WHENCE A TIE TO ALBUQUERQUE CONTROL SURVEY MONUMENT 10-C18 BEARS N 04°26'44" E, A DISTANCE OF 1016.06 FEET;

THENCE FROM SAID BEGINNING POINT, ALONG SAID WEST RIGHT OF WAY LINE, S 00°10'36" W, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF DESCRIBED EASEMENT;

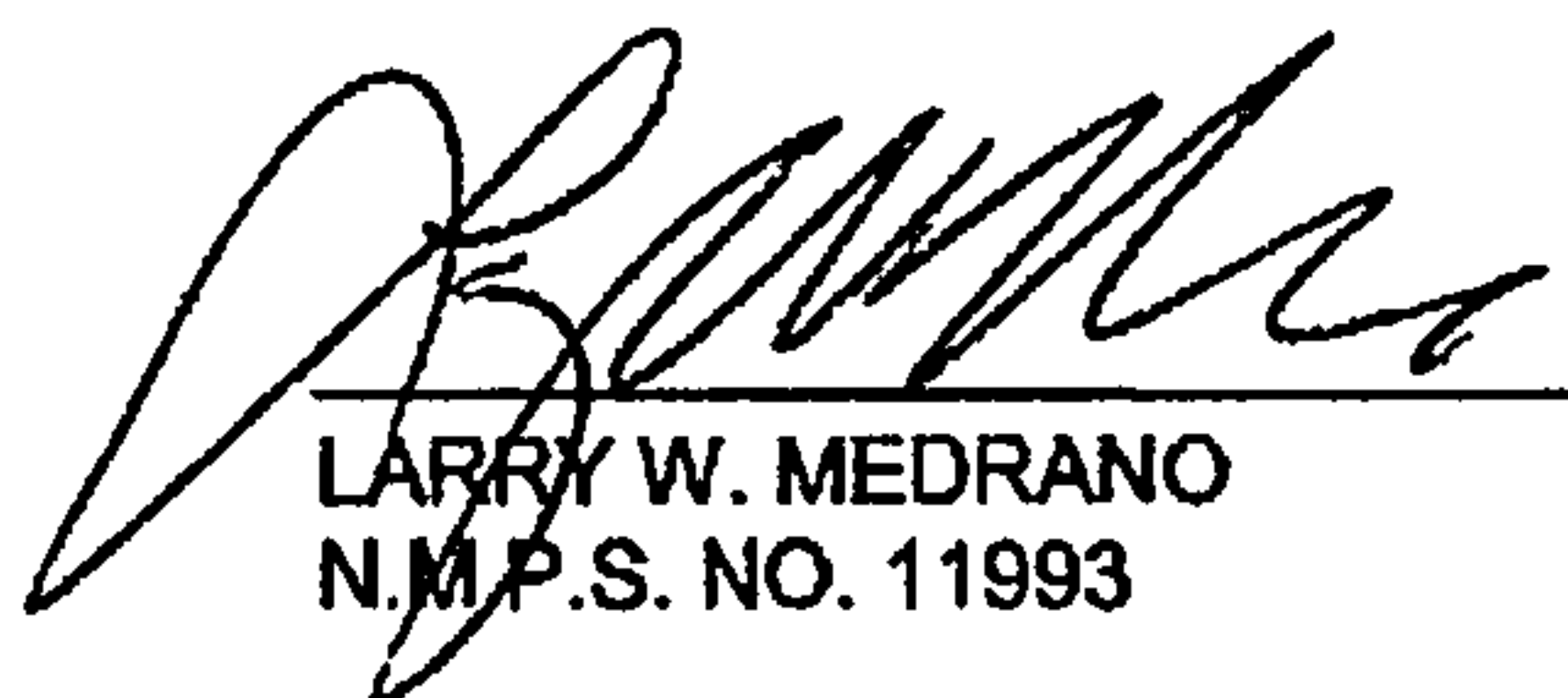
THENCE LEAVING SAID WEST RIGHT OF WAY LINE, N 89°42'25" W, A DISTANCE OF 123.27 FEET TO THE SOUTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE N 00°17'35" E, A DISTANCE OF 10.00 FEET TO THE NORTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE S 89°42'25" E, A DISTANCE OF 123.25 FEET TO THE POINT OF BEGINNING, ALL AS SHOWN ON THE ATTACHED EXHIBIT "A".

Surveyor's Certificate

I, LARRY W. MEDRANO LICENSED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION, EXHIBIT AND EASEMENT SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION FROM NOTES OF AN ACTUAL FIELD SURVEY, AND THE SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.


LARRY W. MEDRANO
N.M.P.S. NO. 11993

02/17/09
DATE



EXHIBIT "A"

A.C.S. MONUMENT "10-C18"
 STANDARD A.C.S. ALUMINUM CAP
 (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES
 (CENTRAL ZONE-N.A.D. 1927)
 X=402,319.45
 Y=1,524,061.42
 EL=5219.41-NGVD 1929
 GROUND TO GRID FACTOR=0.9996613
 DELTA ALPHA ANGLE=-0°11'18"

LOT 19
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

LOT 18
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

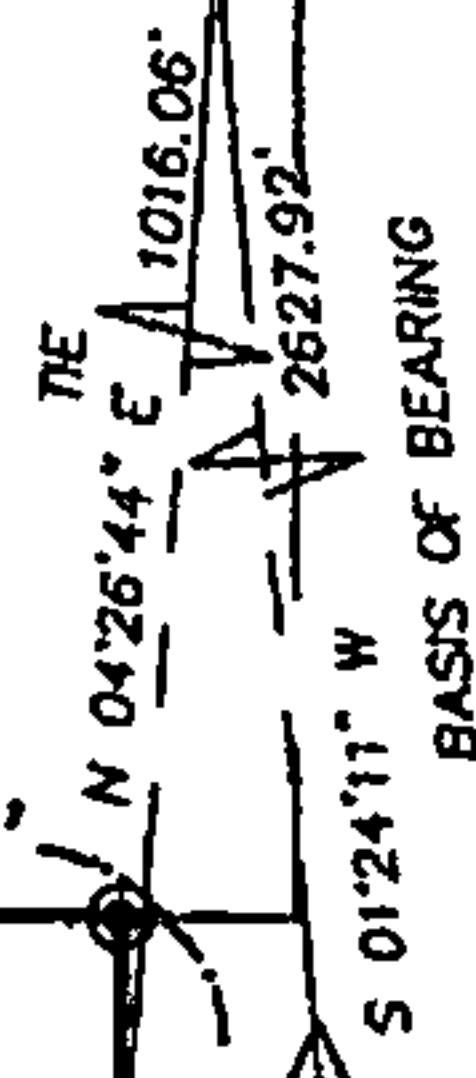
LOT 17
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

Oakland Avenue, N.E.

EXISTING 24' PRIVATE ACCESS EASEMENT

FOUND NAIL W/ SHINER "LS 10202"

S 89°42'25" E 130.87'



EXISTING 30' PUBLIC UTILITY EASEMENT

EXISTING 30' PUBLIC WATER & SANITARY SEWER

S 89°42'25" E 123.25'

N 89°42'25" W 123.27'

10' PUBLIC SANITARY SEWER EASEMENT GRANTED BY THIS DOCUMENT

Line Table

LINE	BEARING	DISTANCE
L1	S 00°10'38" W	10.00'
L2	S 00°17'35" W	10.00'

A.C.S. MONUMENT "9-C18"
 STANDARD A.C.S. ALUMINUM CAP
 (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES
 (CENTRAL ZONE-N.A.D. 1927)
 X=402,255.61
 Y=1,521,435.09
 EL=5229.79-NGVD 1929
 GROUND TO GRID FACTOR=0.9996608
 DELTA ALPHA ANGLE=-0°11'19"

San Pedro Drive, N.E.
 (73' ROW)

TRACT A-1
 AMERICAN TOYOTA
 (09/29/2004, 2004C-300)

TRACT B-1
 AMERICAN TOYOTA
 (09/29/2004, 2004C-300)

EXISTING 48' PRIVATE ACCESS AND DRAINAGE EASEMENT
 (09/09/1988, C31-114)
 230.91'

N 44°34'40" E

N 00°10'36" E

N 84°25'53" W 74.74'

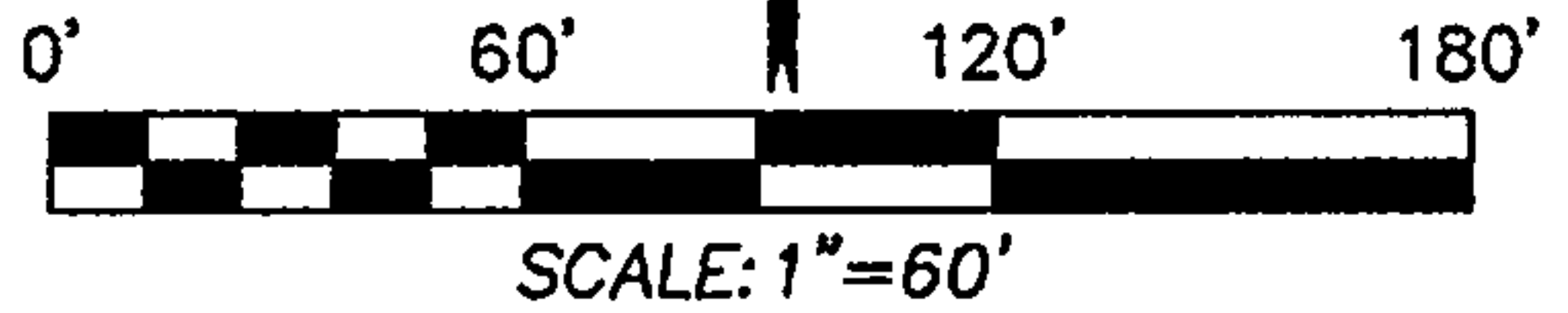
N 244.76' N 89°25'02" W

Curve Table

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	76.00'	81.37'	61°20'49"	45.08'	N 30°51'00" E	77.54'
C2	100.00'	44.33'	25°24'03"	22.54'	S 31°52'53" W	43.97'
C3	150.00'	115.92'	44°16'41"	61.03'	N 22°26'21" E	113.06'

Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT (UN-CLASSIFIED SURVEYING SURVEY) WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF SURVEY AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



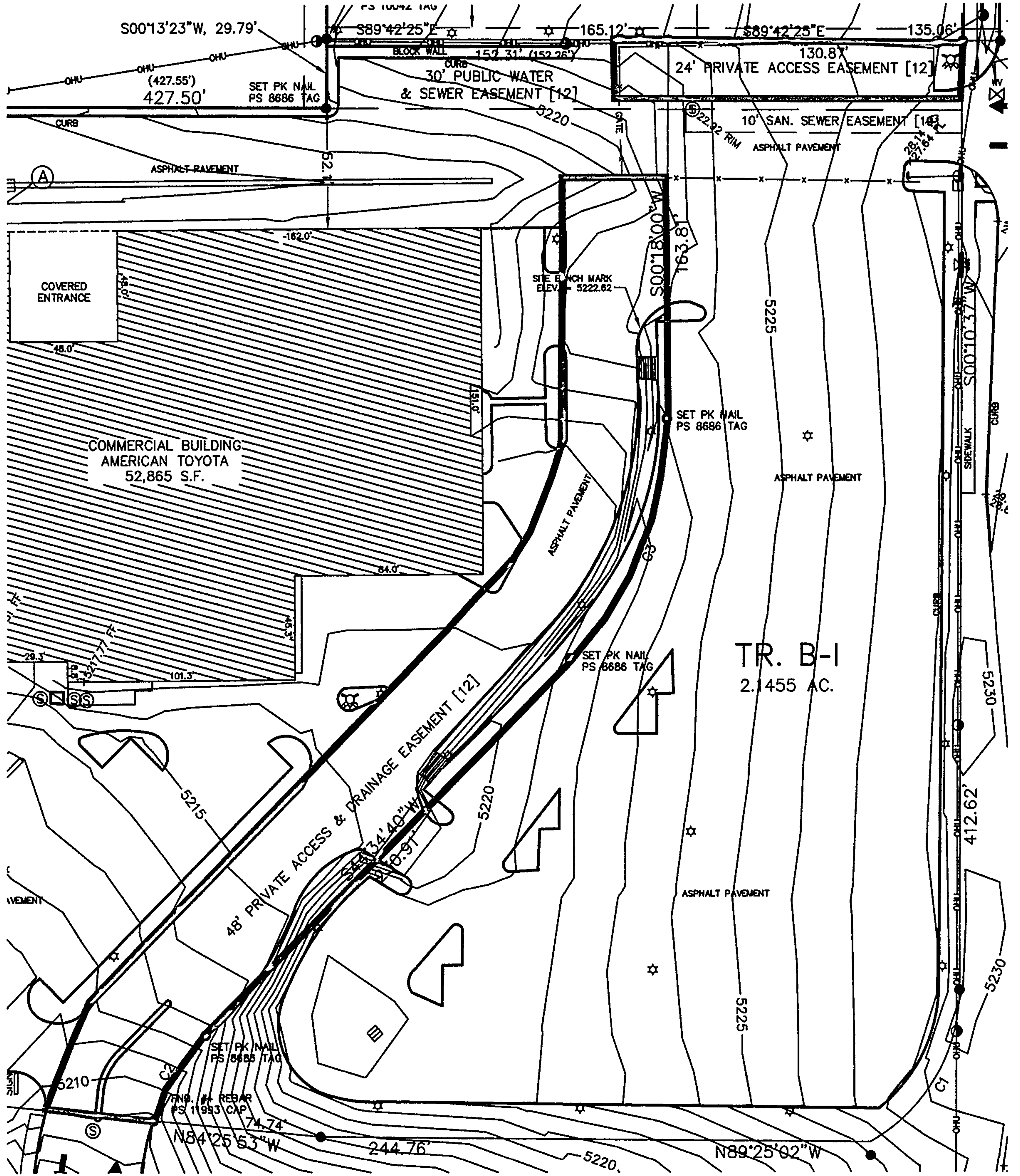
[Signature]
 LARRY W. MEDRANO
 N.M.P.S. No. 11993
 DATE 02/17/09



PRECISION SURVEYS, INC.

8500-A Jefferson Street, NE
 Albuquerque, NM 87113

866.442.8011 TOLL FREE
 505.856.5700 PHONE
 505.856.7900 FAX



TR. B-1
2.1455 AC.

COMMERCIAL BUILDING
AMERICAN TOYOTA
52,865 S.F.

COVERED
ENTRANCE

SITE BENCH MARK
ELEV. 5222.82

SET PK NAIL
PS 8686 TAG

SET PK NAIL
PS 8686 TAG

SET PK NAIL
PS 8686 TAG

FIN. # REBAR
PS 11993 CAP.

N84°25'53"W

244.76'

N89°25'02"W

S00°10'37"W

412.62'

5230

C1

(A)

(S)

(S)

NE

August 6, 2014

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102

**RE: Preliminary Plat Approval
American Toyota
Vacation of Private and Public easements
Albuquerque, New Mexico**

Dear Mr. Cloud:

Rio Grande Engineering requests vacation approval for several private and public easements. We have enclosed exhibits for the vacation of 30' public water and sewer easement, as well as a 10' sanitary sewer easement located in the old Oakland alignment. In addition we have provided exhibit showing the vacation of a 24' private access and an additional 48' private access and drainage easement. The purpose of these vacations is to allow the subsequent lot combination and lot redevelopment. The property is currently in the process of obtaining a zone change and subsequent site plan approvals. This letter is also being sent the neighborhood associations with a copy of the proposed preliminary plat.

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

Sincerely,

David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

Enclosures

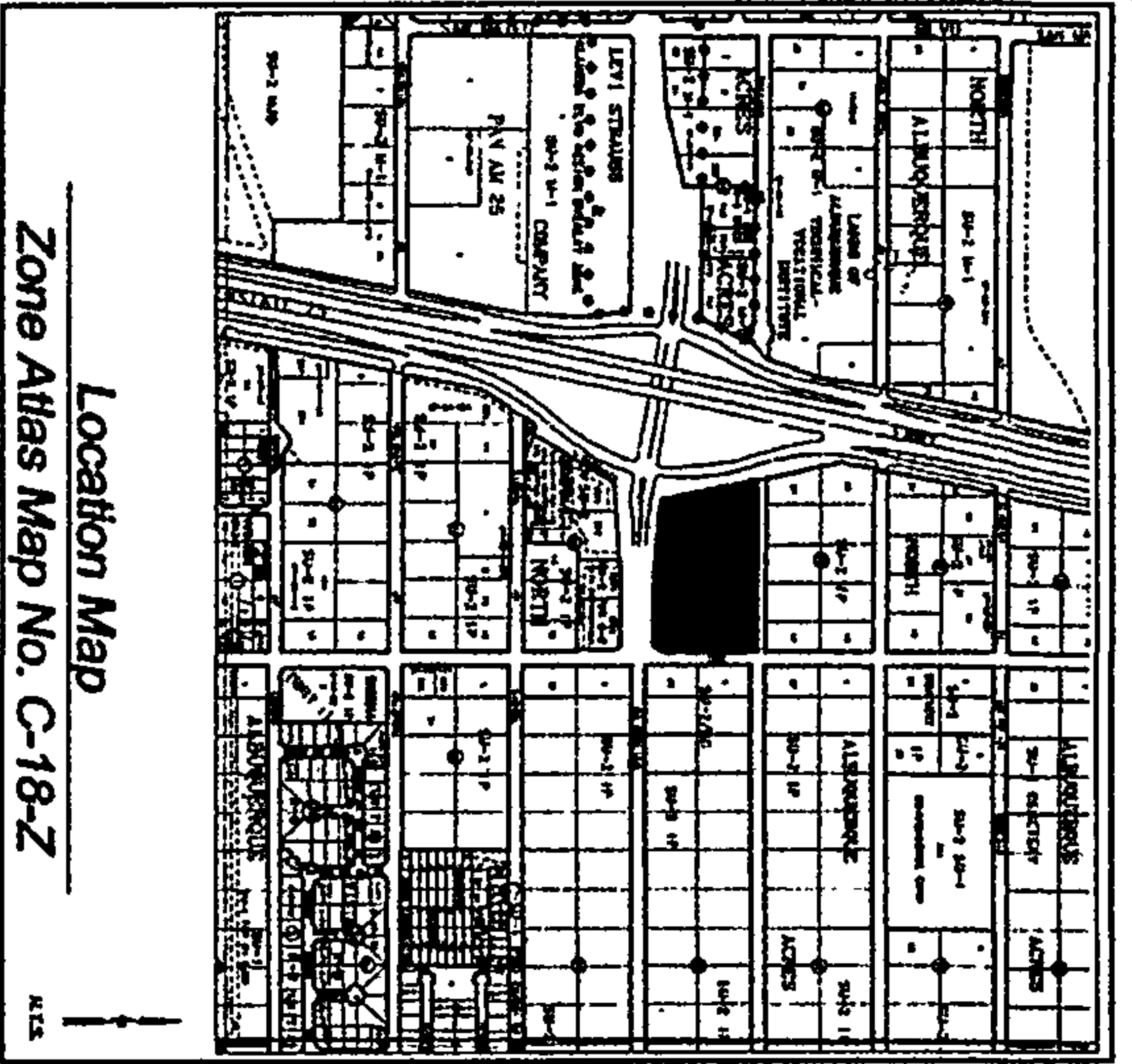
Cc;

Jeff Peterson,
7800 Eagle Rock NE
Albuquerque NM 87122

Joe Yardumian
7801 RC Gorman NE
Albuquerque, NM 87122

Peggy Neff
8305 Calle Sequelle
Albuquerque, 87113

Brenda Holley
8208 Santa Clarita NE
Albuquerque, NM 87113



Subdivision Data:

GROSS SUBDIVISION ACRES: 6.398 ACRES
 ZONE ATLAS INDEX NO.: C-18-Z
 NO. OF TRACTS CREATED: 2
 NO. OF LOTS CREATED: 0
 NO. OF FULL-WIDTH STREETS CREATED: 0
 DATE OF SURVEY: JANUARY 13, 2003

Notes:

1. UASC DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES SERVICE AND REPAIR
2. BEYONDS SHOWN ARE GRID BEYONDS (NEW MEXICO STATE PLATE CENTRAL ZONE - NAD 1927).
3. ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
4. THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
5. PLAT SHOWS ALL EASEMENTS OF RECORD.
6. SP NO. 2003021240.

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

1. PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:
 - a. PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSMISSION POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
 - b. PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES, AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
 - c. ONEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURNED AND GENERAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
 - d. COAXIAL CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REPAIR, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, ACQUIRE, MAINTAIN, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRAIL AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, POOL, CARPORT, GARAGE, OR SUBSTANTIAL HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL, BE DRILLED OR OPERATED THEREON, PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CONNECTING TO ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSMISSIONS/TRANSFORMERS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DO NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON, CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Legal Description

A TRACT OF LAND LYING AND SITING WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING PART OF THE NORTH-EAST CORNER OF SAID LOT, FROM WHENCE A BE TO THE ALBUQUERQUE CITY COUNCIL TO-CITY BEARS N 04°20'35" E A DISTANCE OF 362.88 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET BEARER WITH YELLOW PLASTIC CAP STAMPED "S 119855";

THENCE FROM SAID BEARING POINT, S 07°10'35" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 412.62 FEET TO A SET BEARER WITH YELLOW PLASTIC CAP STAMPED "S 119855";

THENCE LEAVING SAID WEST RIGHT-OF-WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 58°32'50", AN ARC LENGTH OF 73.49 FEET AND A CHORD OF S 28°27'00" W, A DISTANCE OF 75.78 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF ALAMEDA AVENUE, N.E., BOUNDED BY A SET BEARER WITH YELLOW PLASTIC CAP STAMPED "S 119855";

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N 89°25'02" W, A DISTANCE OF 232.42 FEET TO A SET BEARER WITH YELLOW PLASTIC CAP STAMPED "S 119855";

THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, N 84°25'33" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER BOUNDED BY A FOUND BEARER WITH CAP (BEAT/ALBUQUERQUE);

THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH BOUND INTERSTATE 25 FRONTAGE ROAD N 11°36'39" W, A DISTANCE OF 428.28 FEET TO A SET BEARER WITH YELLOW PLASTIC CAP STAMPED "S 119855";

THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, N 89°42'00" E, A DISTANCE OF 427.66 FEET TO AN ANGLE POINT BOUNDED BY A SET BEARER WITH YELLOW PLASTIC CAP "S 119855";

THENCE N 00°13'23" E, A DISTANCE OF 29.79 FEET TO AN ANGLE POINT BOUNDED BY A SET BEARER WITH YELLOW PLASTIC CAP "S 119855";

THENCE S 86°42'25" E, A DISTANCE OF 267.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.398 ACRES (202,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT-OF-WAY AND TO CONSOLIDATE THE VACATED RIGHT-OF-WAY AND OF EXISTING TWO TRACTS INTO TWO NEW TRACTS TO GRANT EASEMENTS AND TO DEDICATE RIGHT-OF-WAY.

Free Consent and Dedication

THE HERETOFOR SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE TERMS OF THE UNDERSTOOD OWNER AND/OR PROMOTOR, EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER, AND COMMUNICATION SERVICES FOR BURNED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF ACCESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS, SAID OWNER AND/OR PROMOTOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED, SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND UNDESTRUCTIBLE TITLE TO THE LAND SUBDIVIDED.

SAID OWNER AND/OR PROMOTOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BEYONDS AND STIPULATIONS.

SAID OWNER AND/OR PROMOTOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY, COVENANTS.

Michael Waldorf, Jr.
 AGENT FOR MILLER FAMILY REAL ESTATE, LLC
 A UTILITY PARTNERSHIP
 DATE: 2/20/04

Acknowledgment

STATE OF NEW MEXICO) ss
 COUNTY OF BERNALILLO) ss
 I, MICHAEL WALDORF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTILITY PARTNERSHIP, DO HEREBY ACKNOWLEDGE BEFORE ME THIS 22 DAY OF FEBRUARY, 2004, BY MICHAEL WALDORF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTILITY PARTNERSHIP, THAT THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF FEBRUARY, 2004, BY MICHAEL WALDORF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTILITY PARTNERSHIP, A UTILITY PARTNERSHIP.



Plat of
 Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Approvals Application No. 04-00571
 9/24/04

Sharon Mators
 ALBUQUERQUE PLANNING DIRECTOR
 DATE: 4/21/04

City Engineer
 DATE: 4/21/04

Tracy Sponser
 DATE: 3-16-04

City Surveyor
 DATE: 9-21-04

PNM Gas Services
 DATE: 4-6-04

PNM Electric Services
 DATE: 4-6-04

Utility Development Division
 DATE: 4/21/04

Parks and Recreation Department
 DATE: 4-6-04

City of Albuquerque
 DATE: 4-6-04

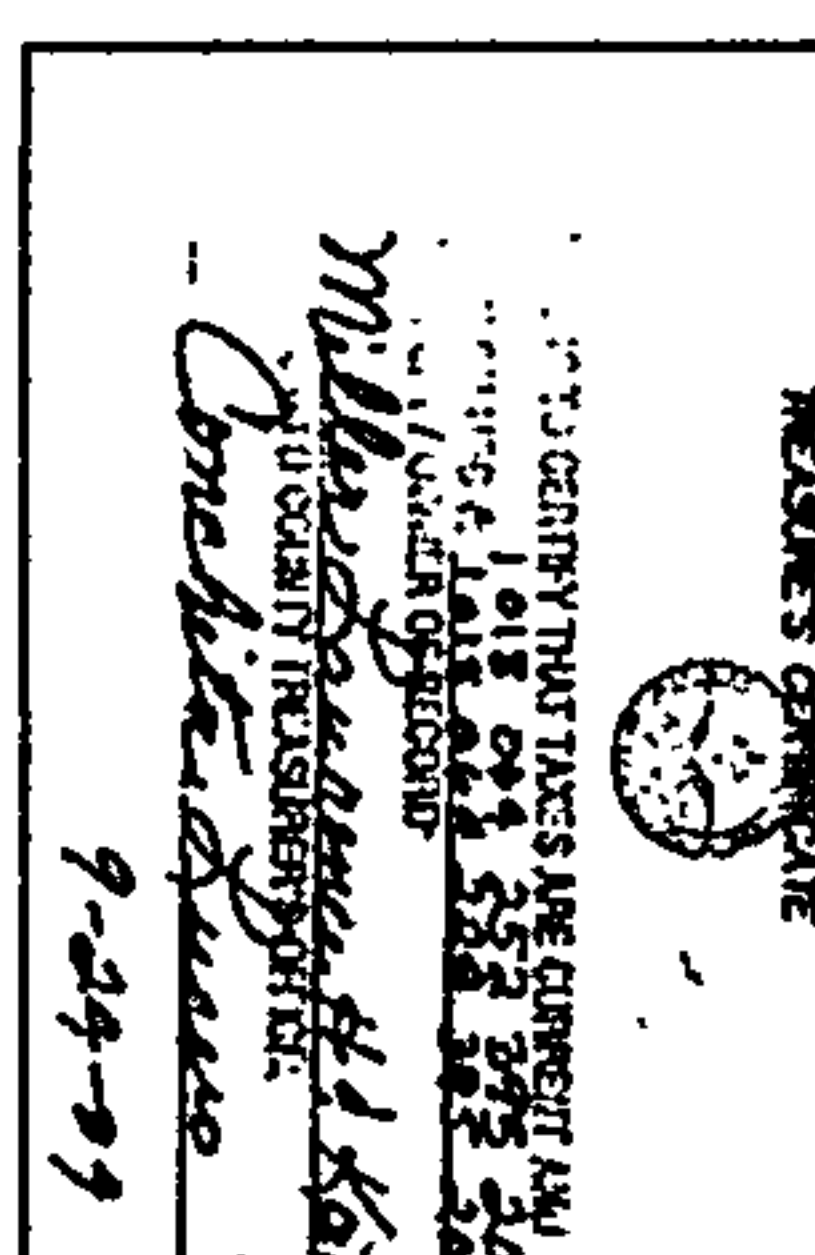
Christine Stansfield
 DATE: 4/21/04

PNM Gas Services
 DATE: 4-6-04

PNM Electric Services
 DATE: 4-6-04

City of Albuquerque
 DATE: 4-6-04

Christine Stansfield
 DATE: 4/21/04



Surveyor's Certificate

LARRY W. MERRIAM, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORIGINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSES FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT NO ENCUMBRANCES EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Merriam
 DATE: 2/24/04



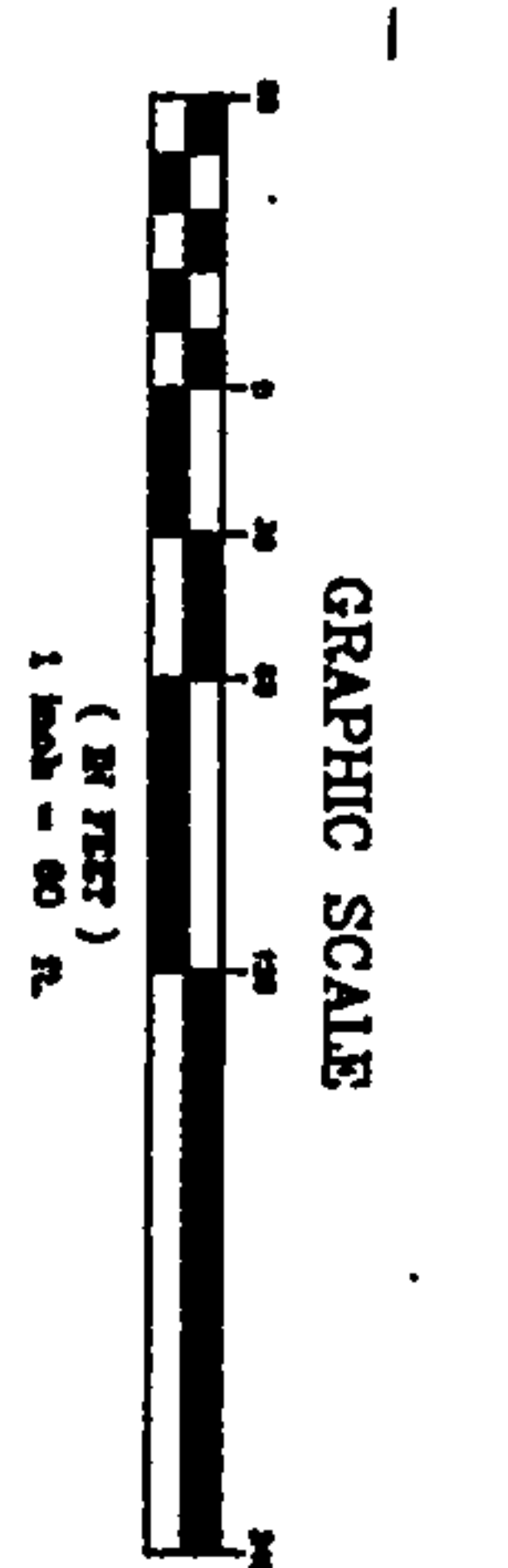
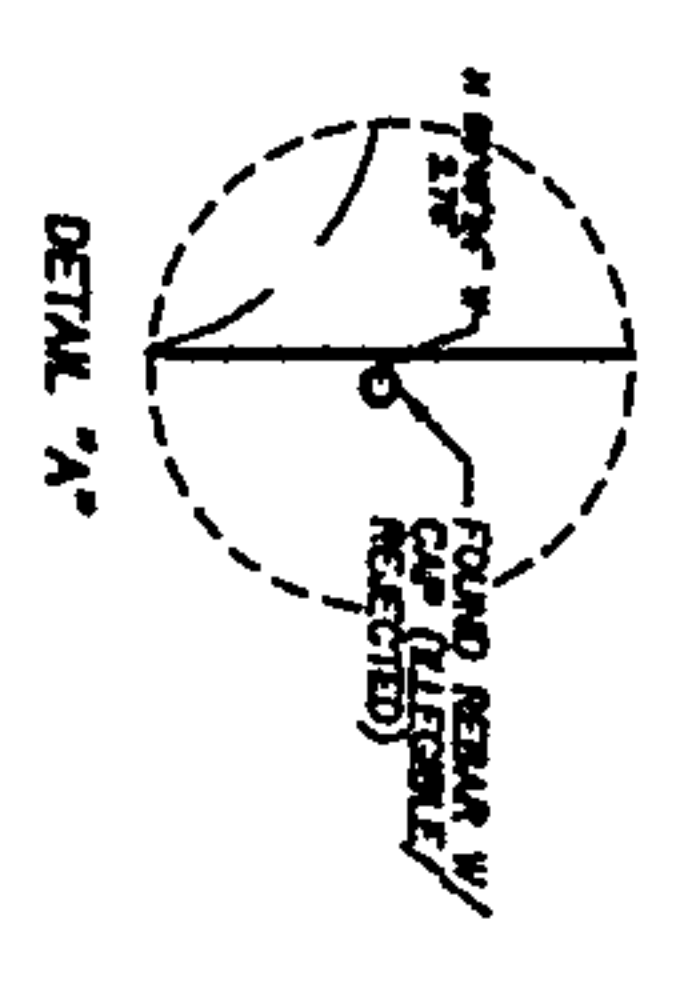
Project No. 1002848 Sheet 1 of 2

Plat of
Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legend

- N 00°00'00" E
- BOUNDARY LINE AND DISTANCE
- RIGHT OF WAY BOUNDARY
- FOUND AND LOST BOUNDARY
- AS SHOWN ON
- BY THE SURVEYOR'S FIELD NOTES

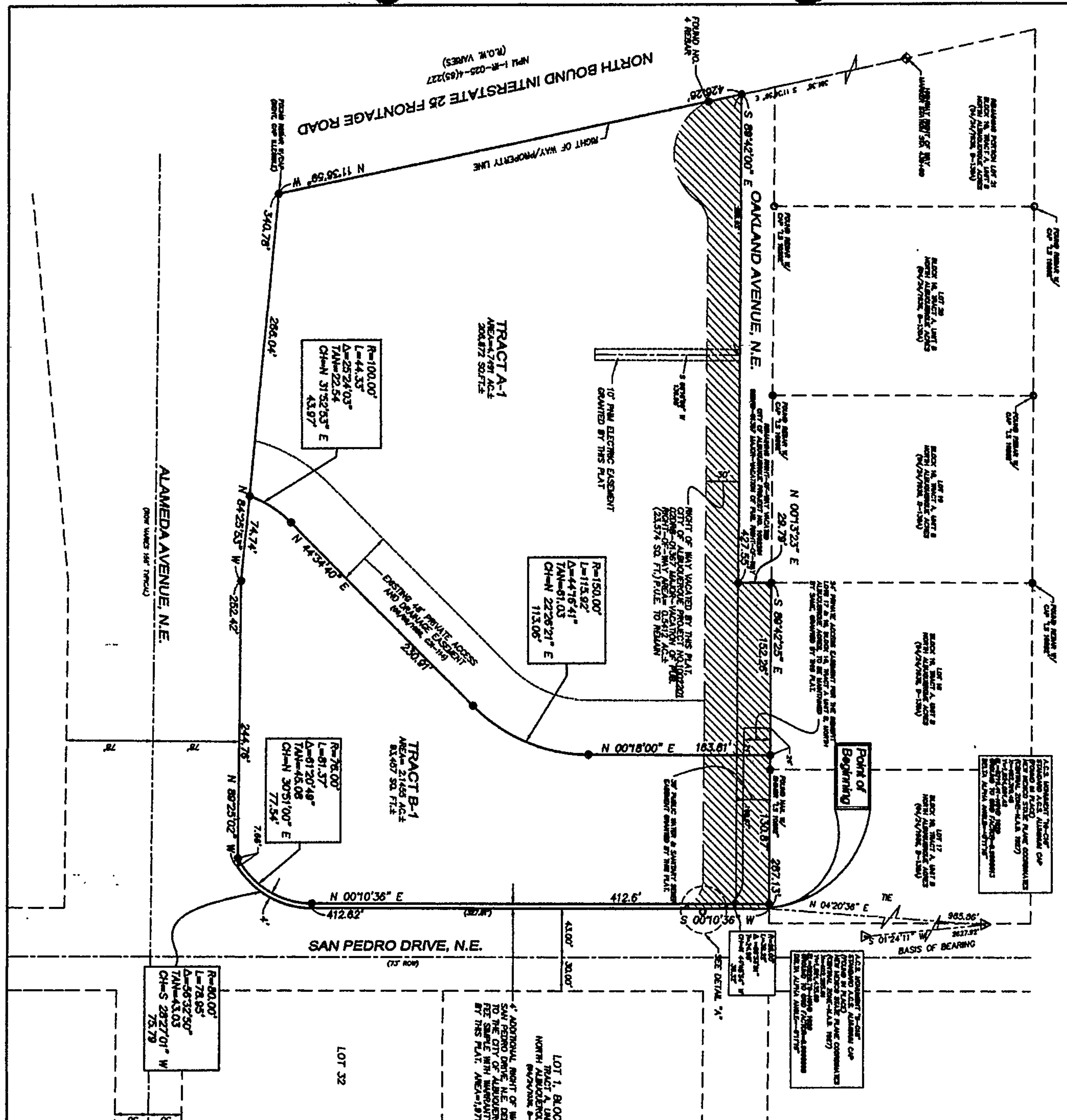
2004/12/09
 11:00 AM
 00/24/2004 03:11P
 00/24/2004 03:11P
 00/24/2004 03:11P
 00/24/2004 03:11P

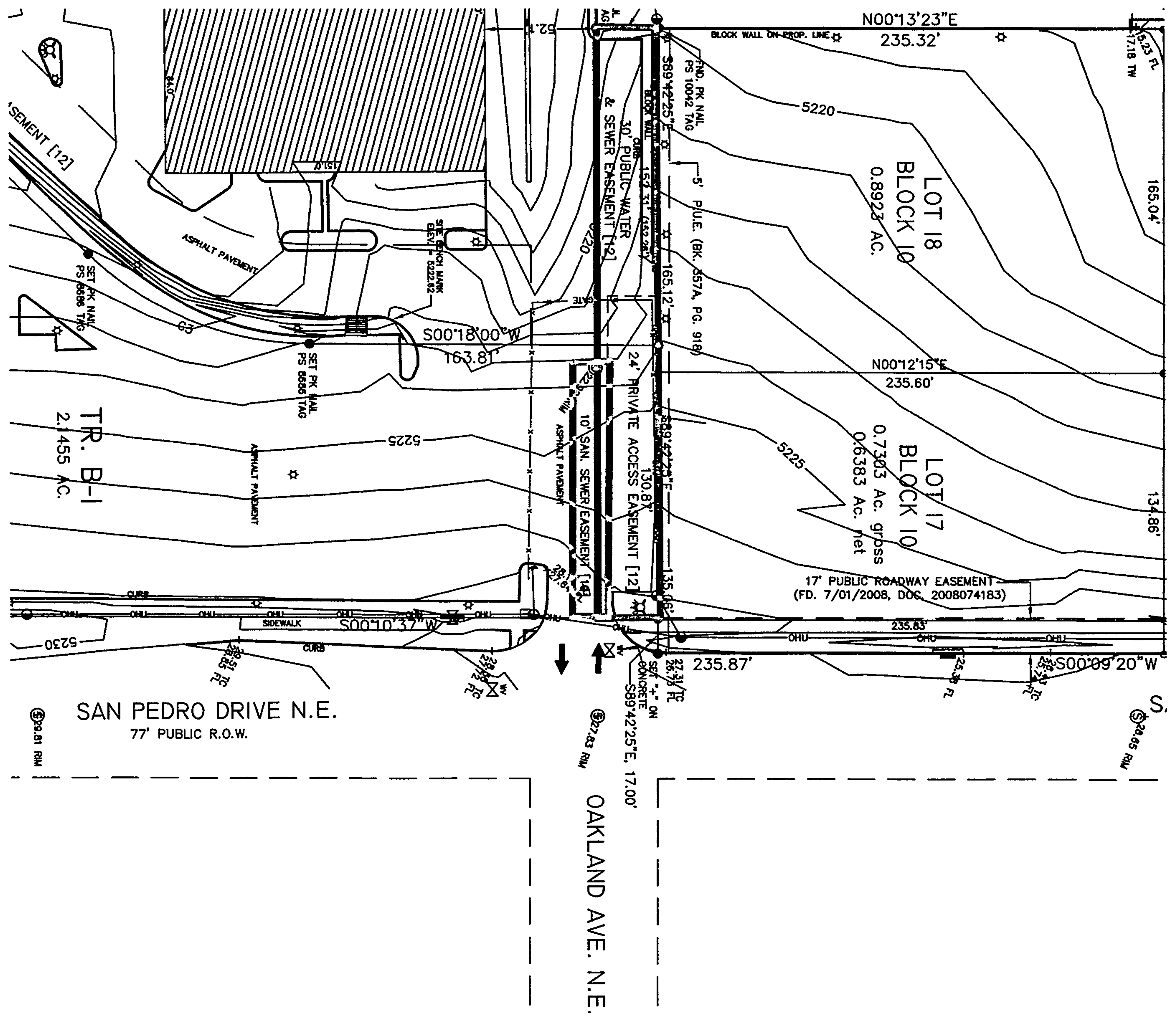


PRECISION SURVEYS, INC.

8144D JEFFERSON ST., N.E. PHONE 808 808 8700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 805 848 7100

Project No. **1002848** Sheet 2 of 2





SAN PEDRO DRIVE N.E.
77' PUBLIC R.O.W.

OAKLAND AVE. N.E.

N00°13'23"E
235.32'

LOT 18
BLOCK 10
0.8923 AC.

N00°12'15"E
235.60'

LOT 17
BLOCK 10
0.7303 Ac. gross
0.6383 Ac. net

17' PUBLIC ROADWAY EASEMENT
(FD. 7/01/2008, DOC. 2008074183)

S00°18'00"W
163.81'

S00°10'37"W
235.87'

S00°09'20"W
235.83'

Ⓢ29.81 RIM

Ⓢ27.85 RIM

Ⓢ30.65 RIM

CEMENT [12]

TR. B-1
2.1455 AC.

30' PUBLIC WATER
& SEWER EASEMENT [12]

24' PRIVATE ACCESS EASEMENT [12]

10' SAN. SEWER EASEMENT [1A]

BLOCK WALL ON PROP. LINE

FIND. PK NAIL
PS 10042 TAG

5' P.U.E. (BK. 857A, PG. 918)

89°42'25"E
130.87'

89°42'25"E
135.06'

27.31/TC
CONCRETE

89°42'25"E, 17.00'

SITE BENCH MARK
ELEV. = 5222.82

SET PK NAIL
PS 8686 TAG

SET PK NAIL
PS 8686 TAG

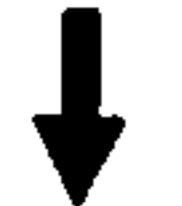
ASPHALT PAVEMENT

ASPHALT PAVEMENT

SHEDWALK

38.51/TC
28.85/TC

OHU



Grant of Sanitary Sewer Easement

Miller Family Real Estate, L.L.C. (Grantor) whose address is **9350 South 150E, Suite 1000, Sandy, Utah, 84070** being the owner of the property described herein, for good and valuable consideration, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto **Miller Family Real Estate, L.L.C.** (Grantee) and its successors and assigns, the permanent right and easement for a **Sanitary Sewer line** and the construction, reconstruction, operation and maintenance of, and access to such facilities, on, in, under, over, and across that certain real property located within the City of Albuquerque, in Bernalillo County, New Mexico and more particularly described in "Exhibit A" attached hereto and incorporated herein by this reference.


Except by the written approval of Grantee, no fence, building, or other obstruction may be placed or maintained in said easement. The granting of this easement shall not obligate Grantee to maintain facilities within said easement, or facilities that do not meet the standards for design and construction, nor shall this granting require the protection of property outside of the easement granted.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee, its successors and assigns, forever, except that any portion of the easement granted herein shall revert to Grantor, its successors and assigns


THERE IS RESERVED to use said lands for open space, landscaping, parking and other purposes which will not interfere with the rights and easements hereby granted.

WITNESS its hand and seal this 9th day of June, 2009.

GRANTOR: **Miller Family Real Estate, L.L.C.**

BY: 
(Corporation or Partnership)
Print Name: **Gregory S. Miller**
Title: **Operating Manager**
Date: **June 9, 2009**

Doc# 2009068169

06/18/2009 09:21 AM Page: 1 of 4
EASE R:\$15.00 M. Toulouse Oliver, Bernalillo County


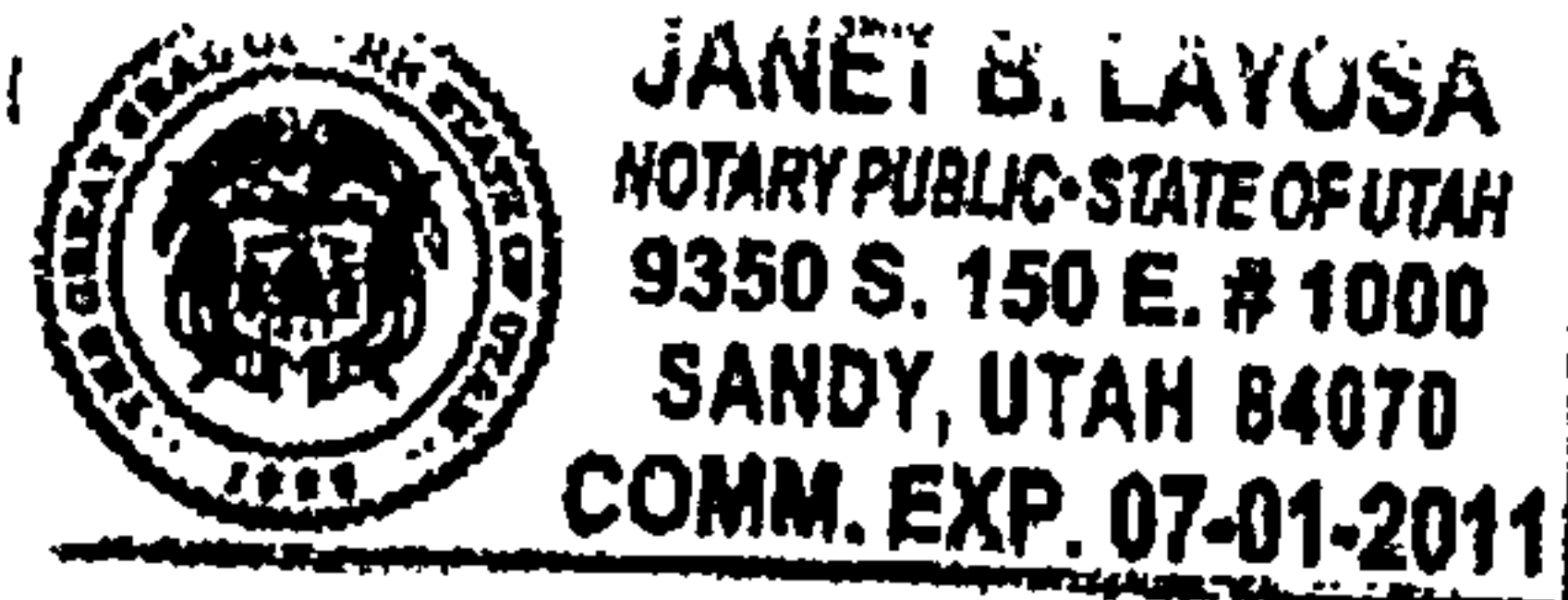
Corporate Acknowledgment

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 9th day of June, 2009 by Gregory S. Miller, Operating Manager of Miller Family Real Estate LLC.

My commission expires:
7-1-2011


Notary Public



Legal Description Public Sanitary Sewer Easement

A PUBLIC SANITARY SEWER EASEMENT LYING AND SITUATE WITHIN THE ELENA GALLEGOS GRANT, PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING A PORTION OF OF TRACT B-1, AMERICAN TOYOTA RECORDED IN THE BERNALILLO COUNTY CLERKS OFFICE ON SEPTEMBER 29, 2004, IN BOOK 2004C, PAGE 300, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY AS FOLLOW:

BEGINNING AT THE NORTHEAST CORNER OF DESCRIBED EASEMENT LYING ON THE WEST RIGHT OF WAY LINE OF SAN PEDRO DRIVE, N.E., FROM WHENCE A TIE TO ALBUQUERQUE CONTROL SURVEY MONUMENT 10-C18 BEARS N 04°26'44" E, A DISTANCE OF 1016.06 FEET;

THENCE FROM SAID BEGINNING POINT, ALONG SAID WEST RIGHT OF WAY LINE, S 00°10'36" W, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF DESCRIBED EASEMENT;


THENCE LEAVING SAID WEST RIGHT OF WAY LINE, N 89°42'25" W, A DISTANCE OF 123.27 FEET TO THE SOUTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE N 00°17'35" E, A DISTANCE OF 10.00 FEET TO THE NORTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE S 89°42'25" E, A DISTANCE OF 123.25 FEET TO THE POINT OF BEGINNING, ALL AS SHOWN ON THE ATTACHED EXHIBIT "A".

Surveyor's Certificate

I, LARRY W. MEDRANO LICENSED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION, EXHIBIT AND EASEMENT SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION FROM NOTES OF AN ACTUAL FIELD SURVEY, AND THE SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.


LARRY W. MEDRANO
N.M.P.S. NO. 11993

02/17/09
DATE

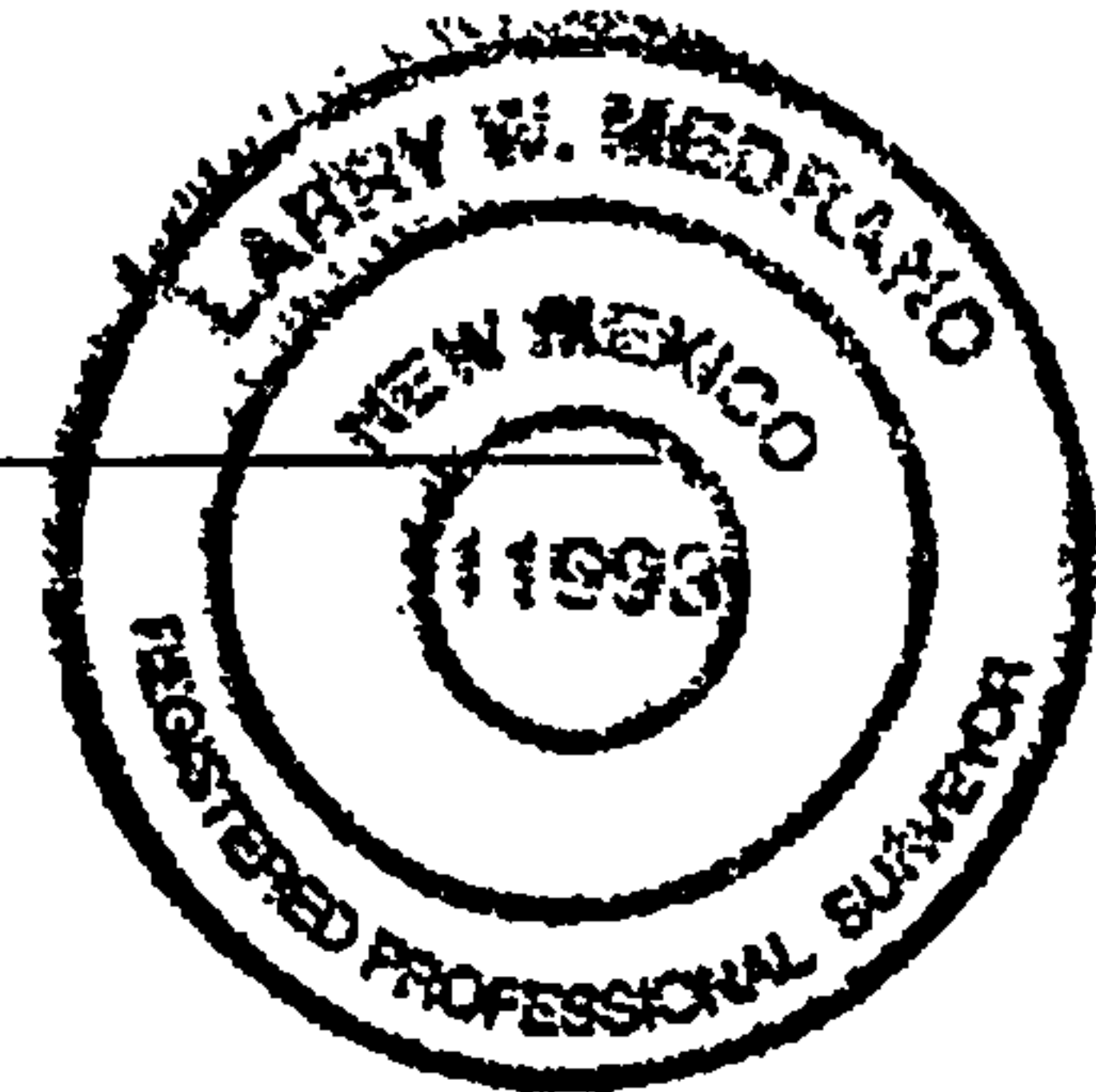


EXHIBIT "A"

A.C.S. MONUMENT "10-C18"
 STANDARD A.C.S. ALUMINUM CAP
 (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES
 (CENTRAL ZONE-N.A.D. 1927)
 X=402,319.45
 Y=1,524,061.42
 EL=5219.41-NGVD 1929
 GROUND TO GRID FACTOR=0.9996613
 DELTA ALPHA ANGLE=-0°11'18"

LOT 19
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

LOT 18
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

LOT 17
 BLOCK 10, TRACT A, UNIT B
 NORTH ALBUQUERQUE ACRES
 (04/24/1936, D-130A)

Oakland Avenue, N.E.

EXISTING 24' PRIVATE ACCESS EASEMENT

EXISTING 30' PUBLIC WATER & SANITARY SEWER

EXISTING 30' PUBLIC UTILITY EASEMENT

10' PUBLIC SANITARY SEWER EASEMENT GRANTED BY THIS DOCUMENT

Line Table

LINE	BEARING	DISTANCE
L1	S 00°10'36" W	10.00'
L2	S 00°17'35" W	10.00'

A.C.S. MONUMENT "9-C18"
 STANDARD A.C.S. ALUMINUM CAP
 (FOUND IN PLACE)
 NEW MEXICO STATE PLANE COORDINATES
 (CENTRAL ZONE-N.A.D. 1927)
 X=402,255.01
 Y=1,521,435.09
 EL=5229.79-NGVD 1929
 GROUND TO GRID FACTOR=0.9996608
 DELTA ALPHA ANGLE=-0°11'19"

TRACT A-1
 AMERICAN TOYOTA
 (09/29/2004, 2004C-300)

EXISTING 48' PRIVATE ACCESS AND DRAINAGE EASEMENT
 (09/08/1988, C31-114)
 230.91'

TRACT B-1
 AMERICAN TOYOTA
 (09/29/2004, 2004C-300)

San Pedro Drive, N.E.
 (73' ROW)

Curve Table

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	78.00'	81.37'	61°20'49"	45.08'	N 30°51'00" E	77.54'
C2	100.00'	44.33'	25°24'03"	22.54'	S 31°52'53" W	43.97'
C3	150.00'	115.92'	44°16'41"	81.03'	N 22°26'21" E	113.06'

Surveyor's Certificate

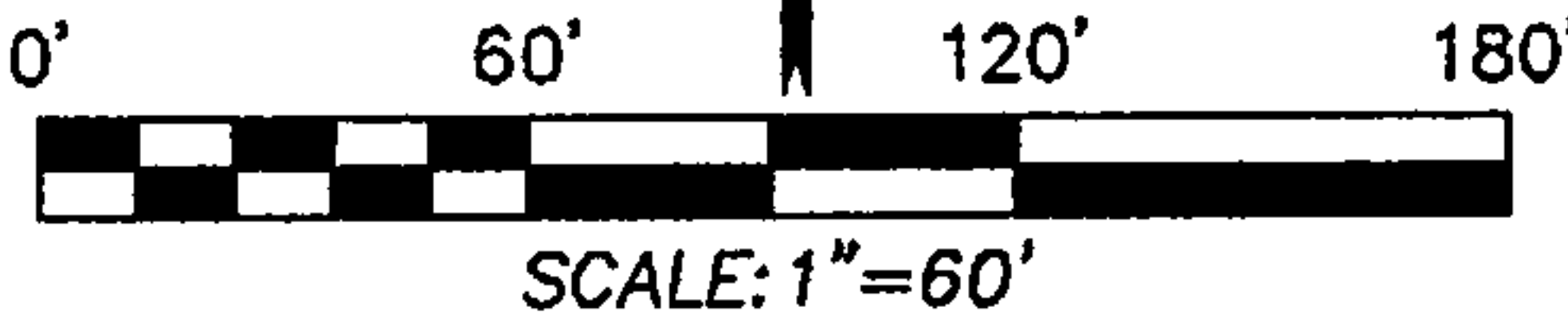
I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT (UN-CLASSIFIED SURVEYING SURVEY) WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF SURVEY AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
 LARRY W. MEDRANO
 N.M.P.S. No. 11993
 DATE 02/17/09

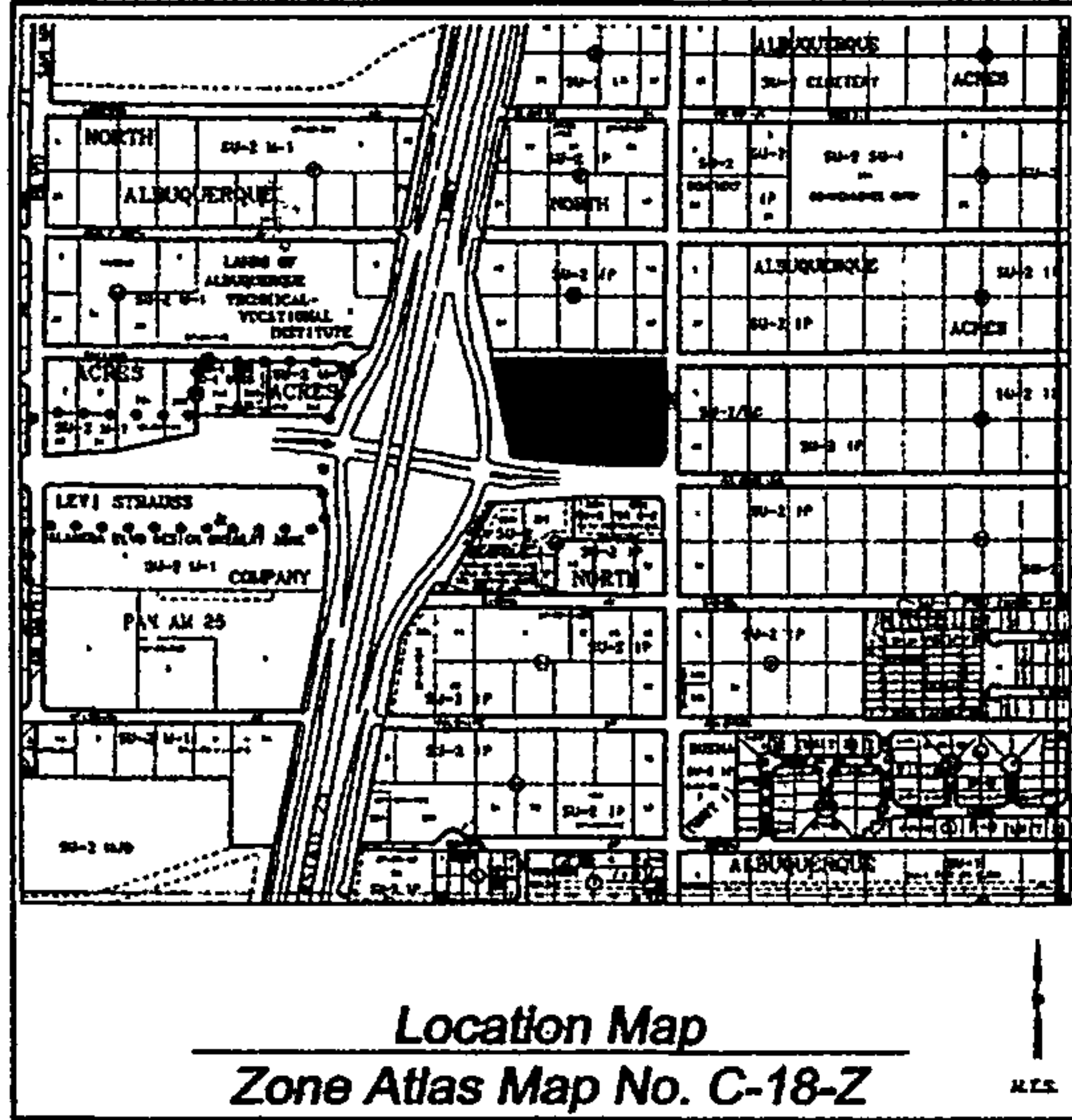


PRECISION SURVEYS, INC.

8500-A Jefferson Street, NE
 Albuquerque, NM 87113
 866.442.8011 TOLL FREE
 505.856.5700 PHONE
 505.856.7900 FAX



示示示示示



Plat of
Tracts A-1 and B-1
American Toyota
Albuquerque, Bernalillo County, New Mexico
February 2004

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS A AND B OF AMERICAN TOYOTA AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT ENTITLED "BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON SEPTEMBER 9, 1998, IN VOLUME C31, FOLIO 114, TOGETHER WITH THE VACATED SOUTHERLY THIRTY (30) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, FROM WHENCE A TIE TO THE ALBUQUERQUE CITY MONUMENT "10-C18" BEARS N 04°20'36" E, A DISTANCE OF 985.86 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, FROM SAID BEGINNING POINT, S 00°10'36" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.62 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 56°32'50", AN ARC LENGTH OF 78.95 FEET AND A CHORD OF S 28°27'01" W, A DISTANCE OF 75.79 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE, N 89°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BENT/ALLEGIBLE);

THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND INTERSTATE 25 FRONTAGE ROAD N 11°36'39" W, A DISTANCE OF 426.28 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, N 00°13'23" E, A DISTANCE OF 29.79 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.9308 ACRES (302,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Approvals	Application No.	Date
Sharon Matson CITY PLANNER, ALBUQUERQUE PLANNING DIVISION	04-00571	9/24/04
Bradley S. Byler CITY ENGINEER		9/21/04
Bradley S. Byler A.M.A.F.C.A.		4/21/04
John A. Arz TRAFFIC ENGINEER		4-21-04
John A. Arz CITY SURVEYOR		3-16-04
John A. Arz PROPERTY MANAGEMENT		9-21-04
Roger J. Thomas UTILITY DEVELOPMENT DIVISION		4/21/04
Christina Sandoval PARKS AND RECREATION DEPARTMENT		4/21/04
Lead S. Muts PNM ELECTRIC SERVICES		4-6-04
Lead S. Muts PNM GAS SERVICES		4-6-04
Dan O.P. Muller QUEST CORPORATION		4-6-04
Rita Erickson COMCAST CABLE		7/6/04

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.9308 ACRES
ZONE ATLAS INDEX NO: C-18-Z
NO. OF TRACTS CREATED: 2
NO. OF LOTS CREATED: 0
MILES OF FULL-WIDTH STREETS CREATED: 0
DATE OF SURVEY: JANUARY 13, 2003

Notes:

- MISC. DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1927).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
- THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- SP NO. 2003021240.

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
- PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
- QUEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
- COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, REPAIR, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEDICATE RIGHT OF WAY

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR. EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE TO THE LAND SUBDIVIDED.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

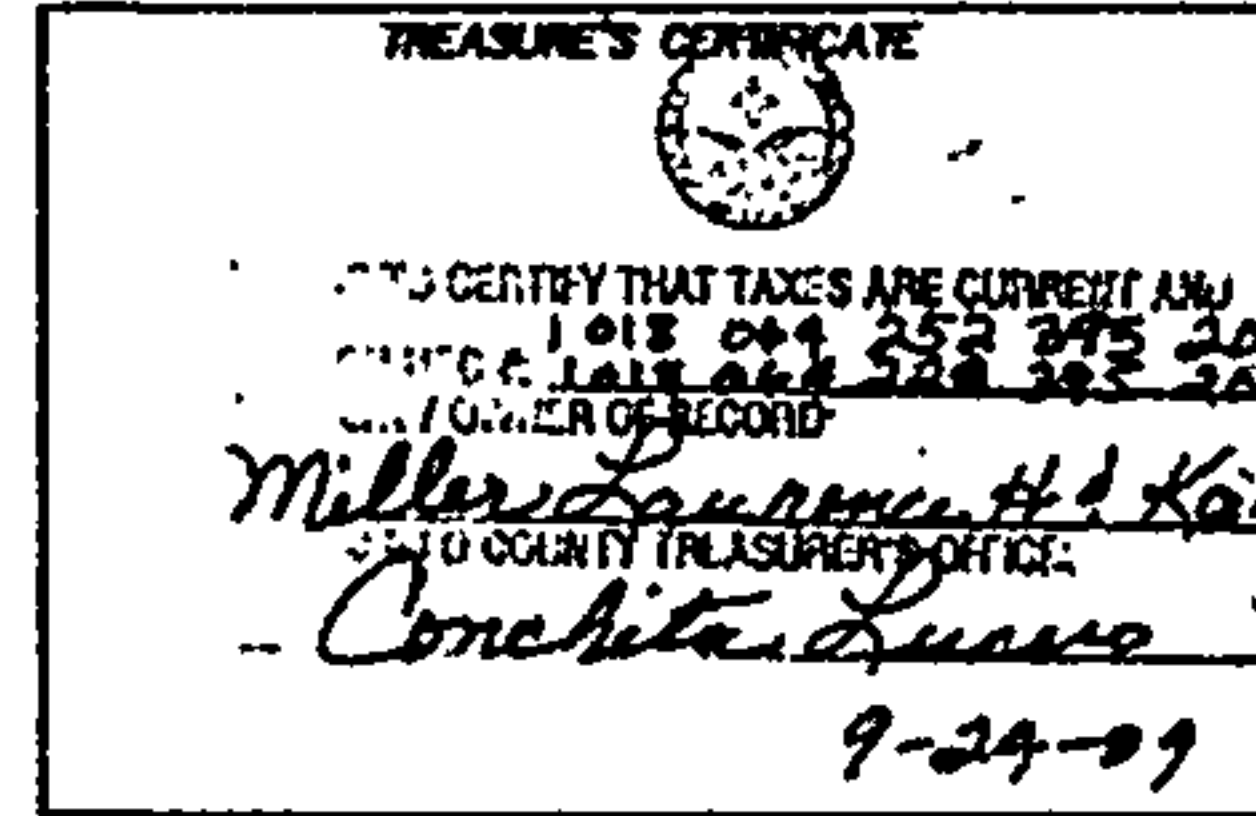
SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

Michael Malouff, Jr. 2/27/04
MICHAEL MALOUFF, JR.
AGENT FOR MILLER FAMILY REAL ESTATE, LLC
A UTAH PARTNERSHIP

Acknowledgment

STATE OF NEW MEXICO) SS
COUNTY OF BERNALILLO)
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004 BY
MICHAEL MALOUFF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTAH PARTNERSHIP (LLC)

BY *Michael Malouff, Jr.* MY COMMISSION EXPIRES: 10-11-2004
NOTARY PUBLIC



Surveyor's Certificate

LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medrano 2/26/04
LARRY W. MEDRANO
N.M.B.S. No. 11993

PRECISION SURVEYS, INC.
8414-D JEFFERSON ST., N.E. PHONE 606 858 6700
ALBUQUERQUE, NEW MEXICO 87113 FAX 606 858 7900

Project No. **1002848**
Sheet 1 of 2

6: 15:15 2002 02:42:44.049 Thu Feb 26 10:06:59 2004

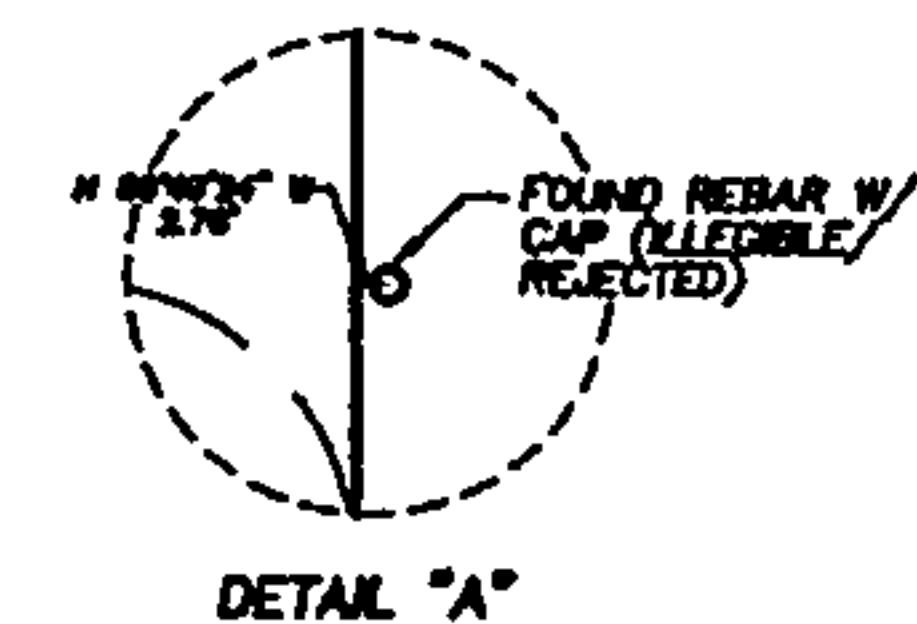
Plat of
Tracts A-1 and B-1
American Toyota
Albuquerque, Bernalillo County, New Mexico
February 2004

Legend

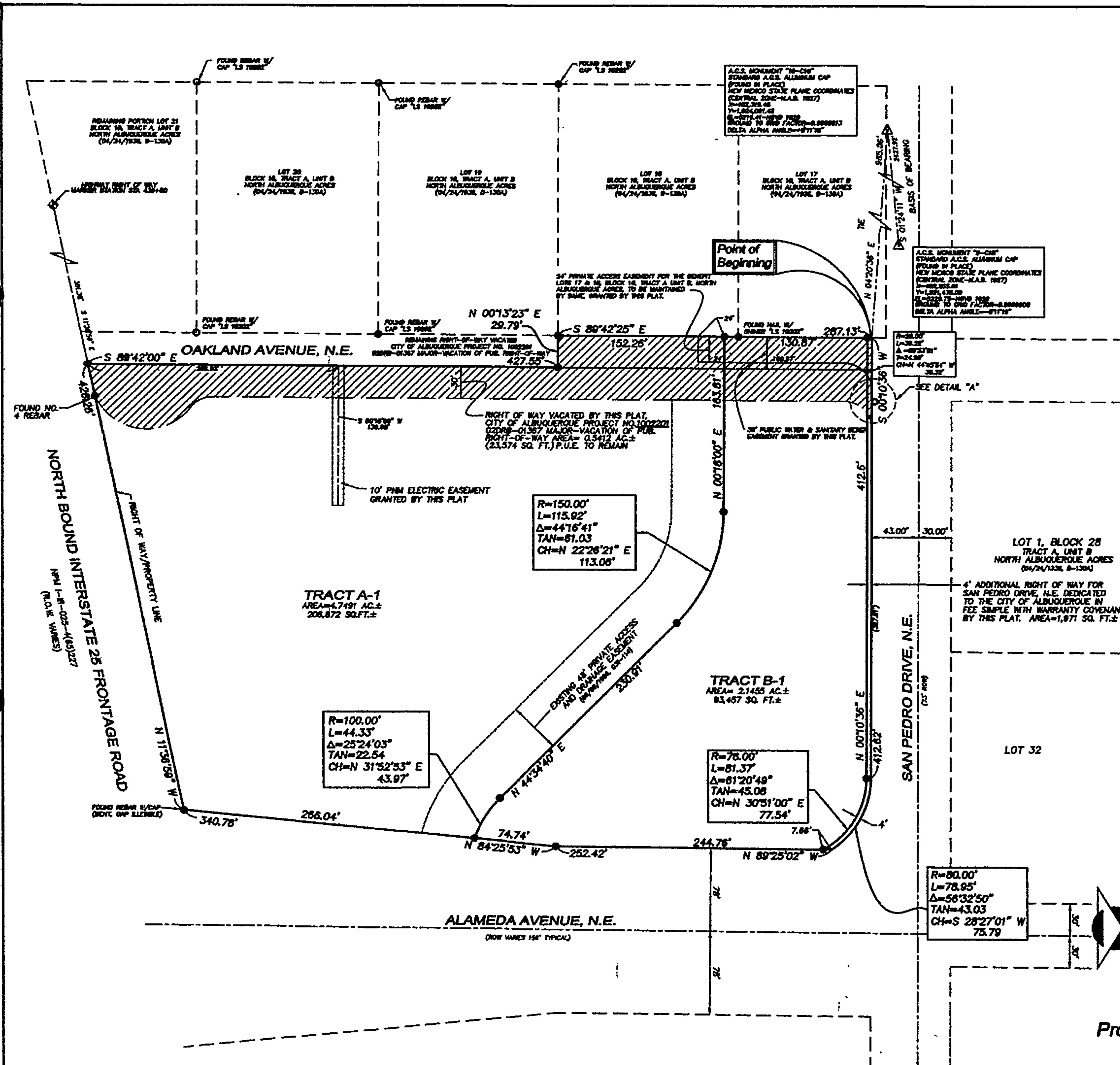
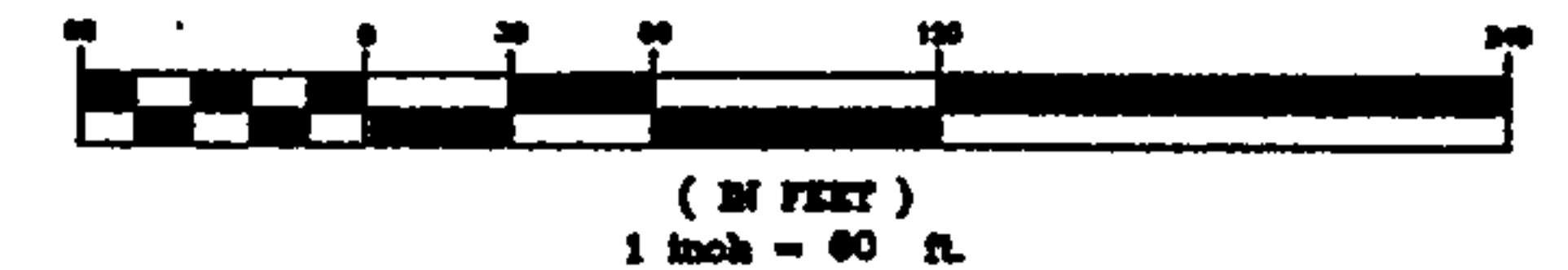
N 90°00'00" E	MEASURED BEARINGS AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
●	DESIGNED REBAR 3/4" CAP. 75 TONS SET THIS SURVEY UNLESS OTHERWISE NOTED

2861125885
01-4234
Page 1 of 2
08/24/2004 03:11P
08-2004C Pg.308

Barry Herrera Bern. Co. P.M. 8/22/00 08-2004C Pg.308



GRAPHIC SCALE



R=150.00'
L=115.92'
 $\Delta=44^{\circ}16'41''$
TAN=61.03
CH=N 22^{\circ}26'21" E
113.08'

R=100.00'
L=44.33'
 $\Delta=25^{\circ}24'03''$
TAN=22.54
CH=N 31^{\circ}52'53" E
43.97'

R=78.00'
L=81.37'
 $\Delta=61^{\circ}20'49''$
TAN=45.08
CH=N 30^{\circ}51'00" E
77.54'

R=80.00'
L=78.95'
 $\Delta=56^{\circ}32'50''$
TAN=43.03
CH=S 28^{\circ}27'01" W
75.79'

PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE 806 866 6700
ALBUQUERQUE, NEW MEXICO 87113 FAX 806 866 7900

Project No. **1002848**

Sheet 2 of 2

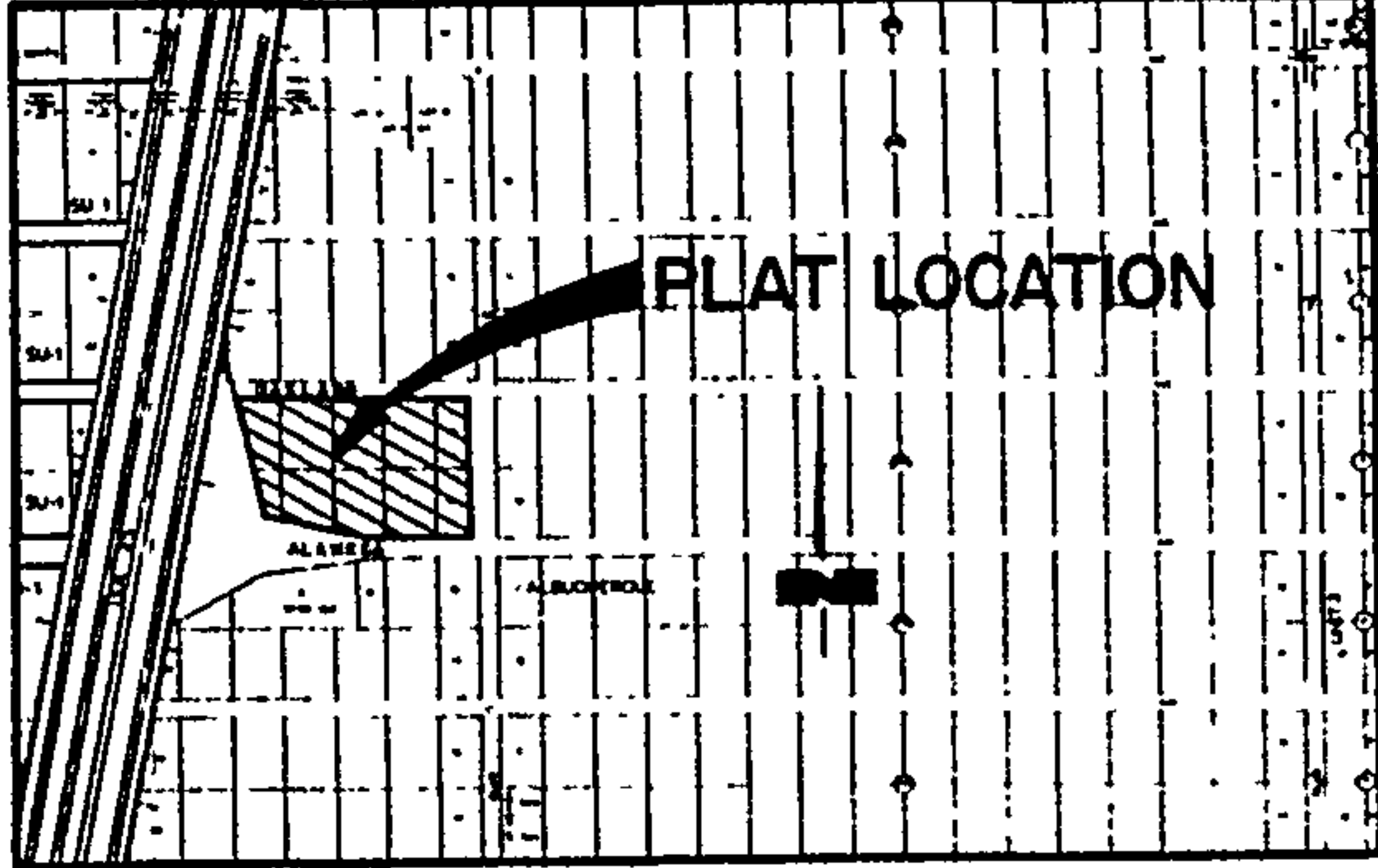
C31-114(1)

C31-114(1)

UTILITY COUNCIL LOCATION SYSTEM LOG No. SP 03-18-1369

88 55964

BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B BERNALILLO COUNTY, NEW MEXICO SEPTEMBER, 1986



LOCATION MAP

C-18

SCALE: 1" = 800' SUBDIVISION DATA

- DRB Case No.
Zone Atlas Index No. C-18
3. Total Number Lots Created: 2
4. Gross Subdivision Acreage: 6.2692
5. Date of Survey: February 13, 1986 (F.B. #103)

PURPOSE OF PLAT

- 1. Vacate interior lot lines of Lots 12 through 21, Block 11, Tract A, Unit B, North Albuquerque Acres.
2. Create Tracts A & B.
3. Dedicate additional rights-of-way as shown hereon.
4. Grant private access and private drainage easements as shown hereon.

NOTES

- 1. Bearings are New Mexico State Plane Grid Bearings (Central Zone).
2. Distances are ground distances.
3. Bearings and distances in parenthesis are record.
4. Unless otherwise indicated, all points marked with an open circle are set 5/8" rebar with cap "EH&A L.S. 7719".

NOTE: These lots are apparently affected by the following reservations and restrictions:

- 1. Reservations contained in Patent from United States of America, recorded in Book 80, page 53, records of Bernalillo County, New Mexico.
2. Restrictions contained in Book D376, page 281, records of Bernalillo County, New Mexico.

SUBDIVISION CONDITIONS

A variance or waiver from certain subdivision requirements has been granted by the City of Albuquerque and the Albuquerque Metropolitan Arroyo Flood Control Authority in connection with this plat.

Future subdivision of lands within this plat, zoning site development plan approvals, and development permits may be conditioned upon dedication of rights-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading and parks in accordance with current resolutions, ordinances and policies in effect at the time for any specific proposal.

The City of Albuquerque (and AMAFCA with reference to drainage) may require and/or permit easements to be added, modified or removed when future plats or site development plans are approved.

By its approval the City of Albuquerque makes no representation or warranties as to availability of utilities, or final approval of all requirements including (but not limited to) the following items: water and sanitary sewer availability; future street dedications and/or improvements; park and open space requirements; drainage requirements and/or improvements; and excavation, filling or grading requirements. Any person intending development of lands within this subdivision is cautioned to investigate the status of these items.

DESCRIPTION

A tract of land situate within projected Section 13, Township 11 North, Range 3 East, New Mexico Principal Meridian within the Elena Gallegos Grant, Bernalillo County, New Mexico being Lots 13, 14, 15, and portions of Lots 12, 16, 17, 18, 19, 20 and 21, BLOCK 11, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES, as the same as is shown and designated on said plat, filed in the office of the County Clerk of Bernalillo County, New Mexico on April 24, 1936 (D-130), and being more particularly described as follows:

BEGINNING at the northeast corner of the herein described tract, said point being the intersection of the south right-of-way line of Oakland Avenue NE and the west right-of-way line of San Pedro Drive NE;

THENCE along the west right-of-way line of San Pedro Drive NE, S 00° 10' 36" W, 419.76 feet to the southeast corner, said point being on the north right-of-way line of Alameda Avenue NE;

THENCE along said right-of-way line N 89° 25' 02" W, 288.32 feet to a point;

THENCE continuing N 84° 25' 53" W, 340.78 feet to the southwest corner, said point being on the east right-of-way line of Interstate Highway 25;

THENCE along said right-of-way line N 11° 36' 59" W, 395.57 feet to the northwest corner, said point being on the south right-of-way line of Oakland Avenue NE;

THENCE along said right-of-way line S 89° 42' 00" E, 708.43 feet to the point of beginning and containing 6.2692 acres more or less.

FREE CONSENT AND DEDICATION

The subdivision hereon described is with the free consent and in accordance with the desires of the undersigned owners and/or proprietors thereof, said owners and/or proprietors do hereby dedicate all public rights-of-way shown hereon to the City of Albuquerque in fee simple and does hereby grant Electrical Power and Communication easements reserved for overhead distribution lines for pole type utilities and buried distribution lines, conduits, and pipes for underground utilities where shown or indicated, and including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The undersigned owners and/or proprietors do hereby consent to the vacation of interior lot lines between LOTS 12 through 25, BLOCK 11, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES as shown hereon and said owners and/or proprietors do hereby grant private access and private drainage easements shown hereon to be indivisibly and privately and collectively owned by the owners of the individual properties which the easements serve. It shall be the duty of said owners and/or proprietors to maintain said access and drainage easements and facilities at owners and/or proprietors cost and said owners and/or proprietors do hereby agree not to obstruct or alter contours of said drainage easements and facilities thereof.

Beatriz Rivera 04 September 1986 Date

STATE OF NEW MEXICO) SS COUNTY OF BERNALILLO)

On this 4 day of Sept, 1986, the foregoing instrument was acknowledged before me. My commission expires 9-14-88

Thomas Walker Notary Public

State of New Mexico) SS County of Bernalillo) This instrument was filed for record on

SEP 9 1986 Recorded in Vol 91 of records of said County folio 114

Deputy Clerk

BULK LAND VARIANCE

Bulk land variance for a portion of the infrastructure improvements for DRB-86-120, is approved with the following Findings and Conditions:

- 1. The variance will not be injurious to the public safety, health or welfare or to the adjacent property, neighborhood or community.
2. The variance will not conflict significantly with the goals and provisions of any city, county or AMAFCA adopted plan or policy, the applicable zoning ordinance or any other city code or ordinance.
3. The variance will not permit, encourage, or make possible undesired development in the 100 year flood plain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.
5. (As to Tract B). The use of the land for building purposes is not expected by the Development Review Board prior to further subdivision or zoning Site Development Plan approval.
6. The specific infrastructure improvements which are being waived are listed in the infrastructure list being approved July 15, 1986, and are to be constructed as a part of Phase II Development Plan or this particular site.

APPROVED AND ACCEPTED BY: Misc. 371 A Pg. 949-950

Subdivision Case No. S-86-18 PKB 86-120

Richard Domeen 9-9-86 Planning Director, City of Albuquerque, N.M. Date
Frank J. Ogden 9-9-86 City Engineer, City of Albuquerque, N.M. Date
Frank J. Ogden 9-9-86 Albuquerque Metropolitan Arroyo Flood Control Authority Date

Traffic Engineer, City of Albuquerque, N.M. Date

Phonard J. Taught 9-8-86 Water Resources Department, City of Albuquerque, N.M. Date

Paul H. Stae 09-5-86 Parks & Recreation Department, City of Albuquerque, N.M. Date

Fred Witt 09-5-86 Chief City Surveyor, City of Albuquerque, N.M. Date

O. Valverde 9-5-86 Property Management, City of Albuquerque, N.M. Date

Mal Gordon 9-8-86 Gas Company of New Mexico Date

Wayne Herring 9-5-86 Mountain Bell Telephone Date

John Myer 9-6-86 Public Service Company of New Mexico Date

SURVEYOR'S CERTIFICATION

"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat was prepared by me or under my supervision, shows all easements as shown on the plat of record, and noted in title reports prepared by SAFECO TITLE INSURANCE COMPANY on April 15, 1985, Policy No. 603658 and on February 25, 1986, Policy No. 604904, or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties expressing an interest. I further certify that this plat meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, meets the requirements set forth by the State of New Mexico, and is true and correct to the best of my knowledge and belief."

Timothy Aldrich 03-19-86 Timothy Aldrich, N.M. P.L.S. No. 7719 Date

STATE OF NEW MEXICO) SS COUNTY OF BERNALILLO) 11-21-87

On this 19th day of March, 1986, the SURVEYOR'S CERTIFICATION was acknowledged before me.

Carol Eng Notary Public

Job No 7830 Office TA/JL Draft CR/JL E.B. 103 Date 3/19/86 ESPEY, HUSTON & ASSOC., INC. Engineering & Architectural Consultants 4401 NEBAN BOOOL ROAD N.E. SUITE 204 ALBUQUERQUE, NEW MEXICO 87110 PHONE (505) 266-1228

C31-114(1)

PROJECT #

81-82001

September 3, 2014

VAC
VAC

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S 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)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- 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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____

APPLICANT: Larry H. Miller/American Toyota PHONE: 801-563-4100
 ADDRESS: 9350 South 150E, Suite 1000 FAX: _____
 CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 & B1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: American Toyota
 Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: No Change MRGCD Map No _____
 Zone Atlas page(s): C-18 UPC Code: 101806421939920605/101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): 03DRB-01270/04DRB-00571/DRB-95-41/05DRB-01620/07DRB-70267/#1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-
 LOCATION OF PROPERTY BY STREETS: On or Near: Alameda Boulevard NE
 Between: Pan American FWY NE and San Pedro Drive NE

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

SIGNATURE [Signature] DATE November 03, 2011
 (Print) Ronald R. Bohannon, P.E. Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers
11DRB - 70320

 Hearing date NOV. 30, 2011

Action	S.F.	Fees
<u>S/A</u>	_____	<u>\$ 50.00</u>
<u>ADV</u>	_____	<u>\$ 75.00</u>
<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	\$ _____
_____	_____	\$ _____
Total		<u>\$ 145.00</u>

Form revised 4/07

[Signature] 11-4-11
 Planner signature / date

Project # 1002848

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Ronald R. Bohannon, P.E.

Applicant name (print)
November 03, 2011
Applicant signature / date



Form revised October 2007

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

Application case numbers
WDRB - _____ - 70320
_____-_____-_____
_____-_____-_____

Planner signature / date
Project # 1002848

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

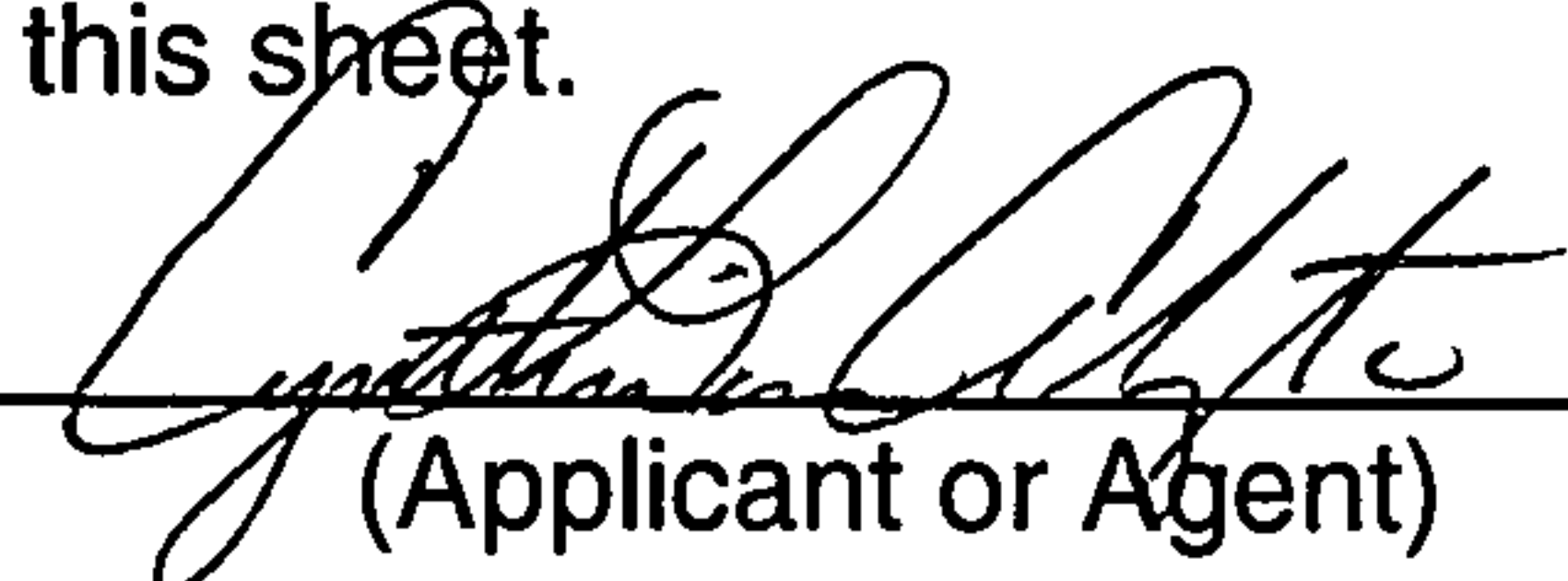
4. TIME


Signs must be posted from Nov 13, 2011 To Nov 30, 2011

5. REMOVAL

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

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

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

I issued 2 signs for this application, 11-4-11, 
(Date) (Staff Member)

gar

TIERRA WEST, LLC

November 3, 2011

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

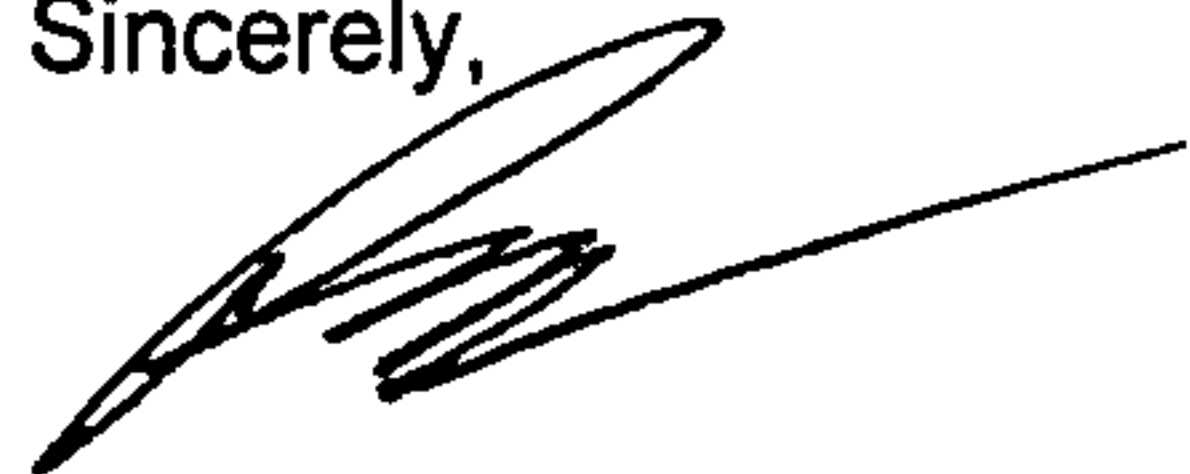
**RE: EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT
AMERICAN TOYOTA
PROJECT # 1002484
ZONE ATLAS PAGE C-18**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Larry H. Miller and American Toyota, requests approval of a 2-year extension to the Subdivision Improvements Agreement for the above-referenced project. This project is located at the northeast corner of Interstate 25 and Alameda Boulevard NE and contains +/- 5.0 acres. The improvements associated with this SIA were the result of the expansion of the American Toyota service lot to incorporate vacated Oakland ROW and the purchase of the property immediately north of the site, which extends to Eagle Rock. The development of the additional parcel requires additional public infrastructure improvements. We have been coordinating with Public Works and DMD on a project to the south. We have finalized the design and are back at DRC for final approval. The owner is moving forward with bidding the project and going to construction on the required improvements, which are now being coordinated with the City, due to additional improvements in the same area that are being constructed by the City of Albuquerque.

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

Sincerely,



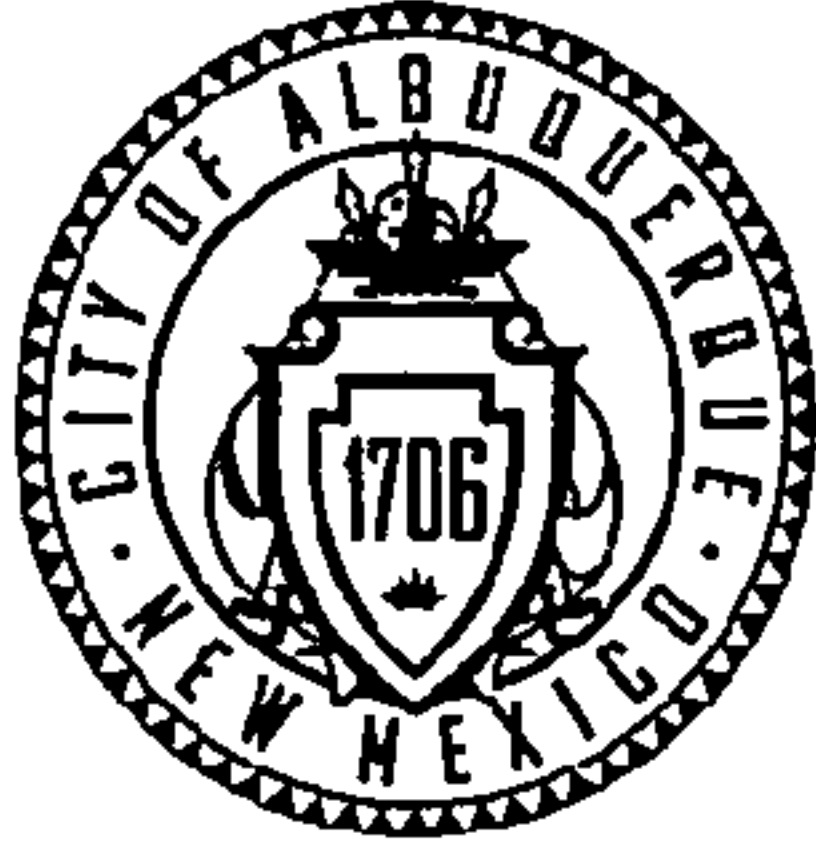
Ronald R. Bohannon, P.E.

Enclosure/s

- cc: Pat Joseph
- Jeff Peterson – Nor Este N.A.
- Joe Yardumian – Nor Este N.A.
- Peggy Neff – West La Cueva N.A.
- Lee Hanson – West La Cueva N.A.
- Larry T. Caudill – Wildflower Area N.A.
- Tony Perry – Wildflower Area N.A.

JN: 22082PJ
RRB/cla

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



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

November 3, 2011

Cynthia Abeyta
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
E-Mail: cabeyta@tierrawestllc.com

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

Dear Cynthia:

Thank you for your inquiry of November 3, 2011 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACTS A1 AND B1, AMERICAN TOYOTA, LOCATED ON ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map **C-18**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

SEE "ATTACHMENT A" FOR NAMES OF NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS TO CONTACT FOR THIS (DRB SUBMITTAL) – swinklepleck – 11-03-11.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,
Stephani Winklepleck
Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **11/03/11** Time Entered: **1:15 p.m.** ONC Rep. Initials: **siw**

“ATTACHMENT A”

Cynthia Abeyta
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
E-Mail: cabeyta@tierrawestllc.com
Zone Map: C-18

NOR ESTE N.A. (NRE) “R”

***Jeff Peterson**

7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)

Joe Yardumian

7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WEST LA CUEVA N.A. (WLC) “R”

***Peggy Neff**

8305 Calle Sequelle NE/87113 823-1041 (h)

Lee Hanson

6909 La Lucena Ave. NE/87113 822-6372 (h)

WILDFLOWER AREA N.A. (WFA) “R”

***Larry T. Caudill**

4915 Watercress NE/87113 857-0596 (h)

Tony Perry

4909 Watercress NE/87113 797-7098 (h)

*** denotes president of association**



DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. **Your Developer Inquiry is for the following:**

Cell Tower & Type: Free-Standing Tower -OR- Concealed Tower

Private Development EPC DRB LUCC Liquor Submittal
 Administrative Amendments (AA's)

City Project Special Exception Application (ZHE)

CONTACT NAME: Cynthia Abeyta

COMPANY NAME: Tierra West LLC

ADDRESS/ZIP: 5571 Midway Park Place NE, Albuquerque, NM 87109

PHONE: 505-858-3100

FAX: 505-858-1118

LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

Tracts A1 & B1, American Toyota

LEGAL DESCRIPTION

LOCATED ON Alameda Boulevard NE

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN Pan American FWY NE

STREET NAME OR OTHER IDENTIFYING LANDMARK

AND

San Pedro Drive NE

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (C-18).

(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)

(Zone Map **MUST** be provided with request)

9568 8998 0000 0002 7102

CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Mr. Joe Yardumain
Nor Este N.A.
7801 R.C. Gorman Avenue, NE
Albuquerque, NM 87122

PS Form 3800

9568 8998 0000 0002 7102

CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Ms. Peggy Neff
West La Cueva N.A.
8305 Calle Sequelle, NE
Albuquerque, NM 87113

PS Form 3800

9568 8998 0000 0002 7102

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Mr. Larry T. Caudill
Wildflower Area N.A.
4915 Watercress, NE
Albuquerque, NM 87113

PS Form 3800

9568 8998 0000 0002 7102

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Mr. Tony Perry
Wildflower Area N.A.
4909 Watercress, NE
Albuquerque, NM 87113

PS Form 3800

9568 8998 0000 0002 7102

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Mr. Lee Hanson
West La Cueva N.A.
6909 La Lucena Avenue, NE
Albuquerque, NM 87113

PS Form 3800

9568 8998 0000 0002 7102

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

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

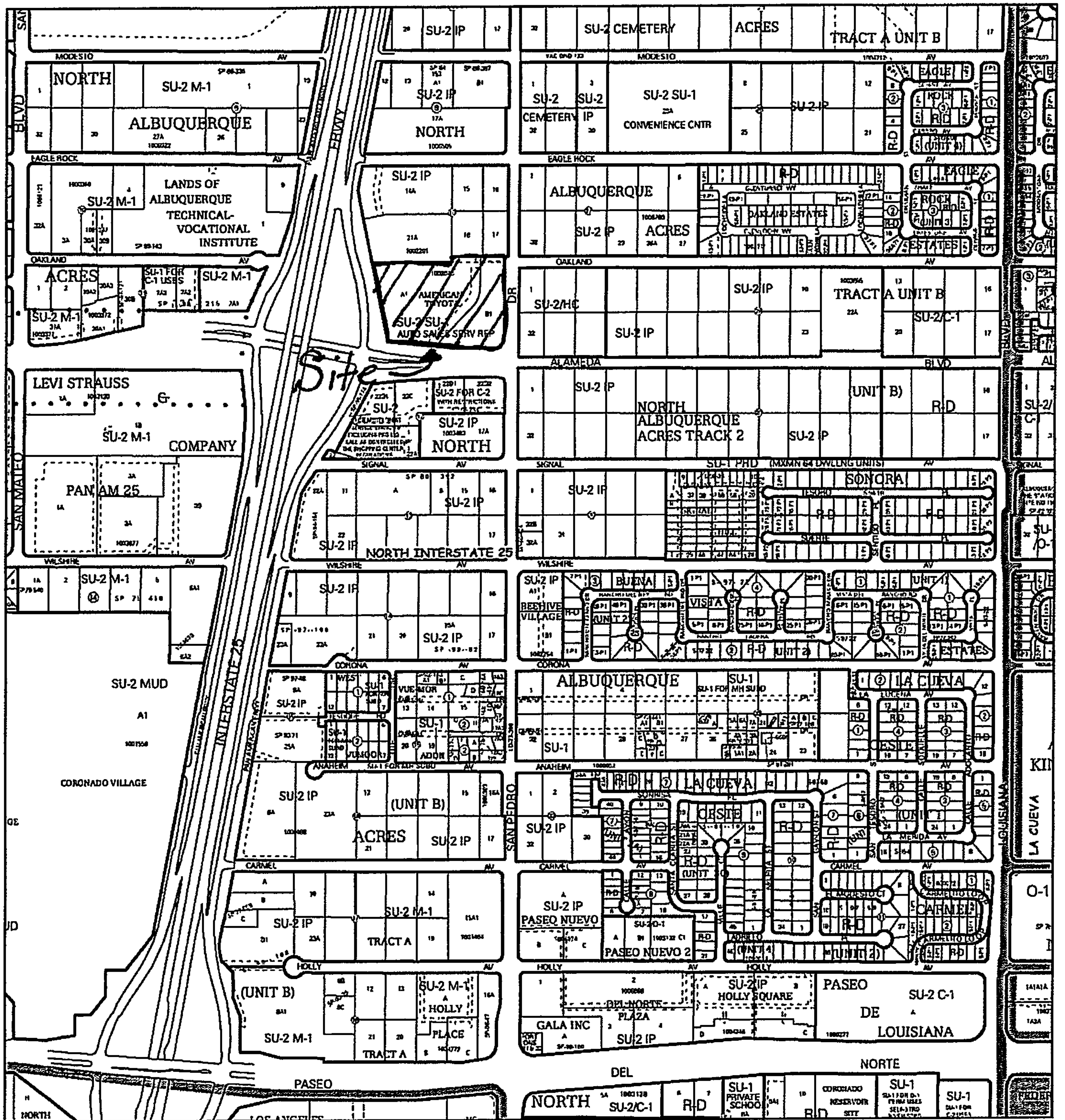
OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

PERFECTLY LEGAL
CPU
NOV 04 2011
ALBUQUERQUE, NM 87109

Sent To: Mr. Jeff Peterson
Nor Este N.A.
7800 Eagle Rock Avenue, NE
Albuquerque, NM 87122

PS Form 3800



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

Map amended through: 3/10/2009

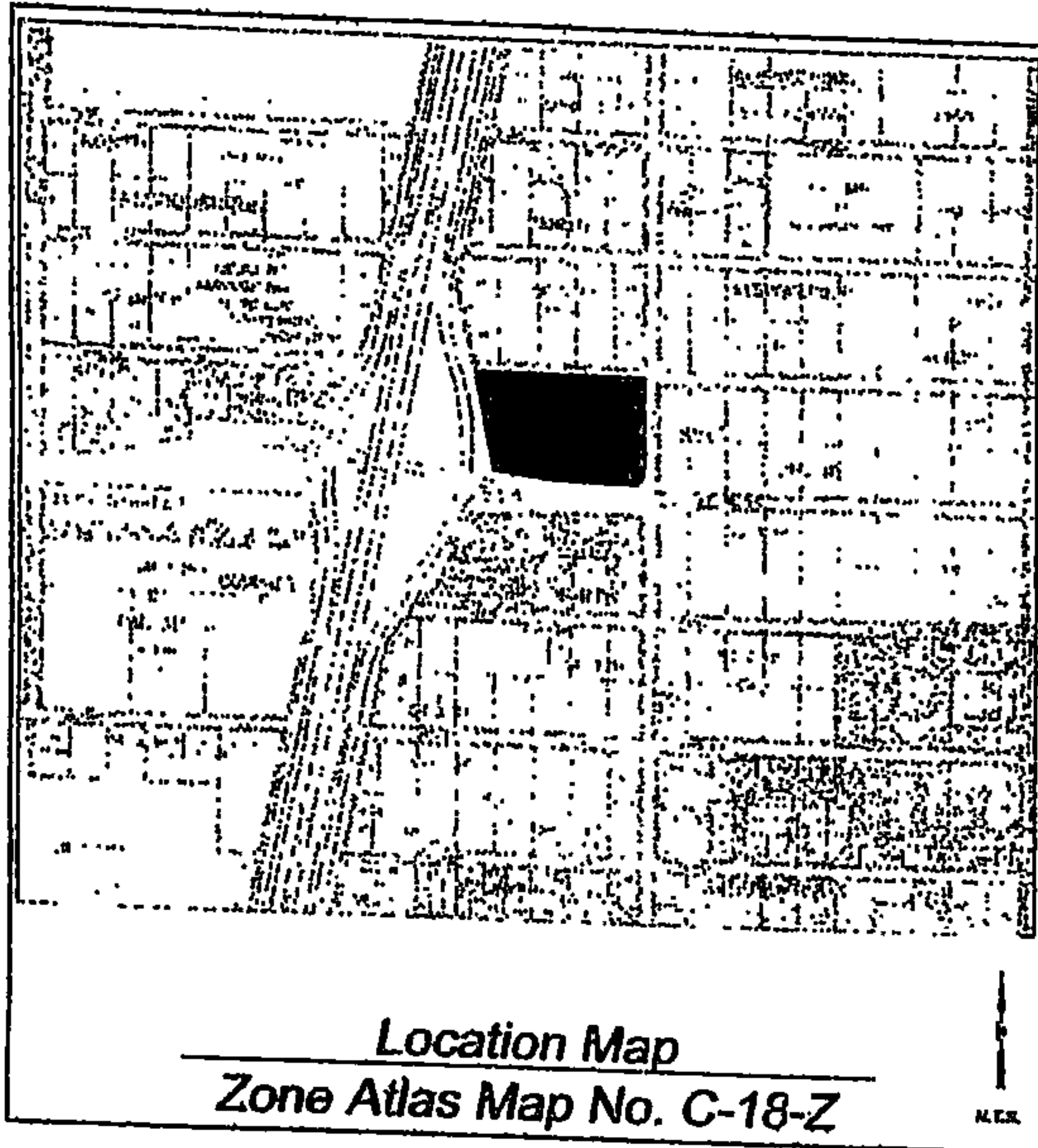
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

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

0 750 1500 Feet



Plat of
Tracts A-1 and B-1
American Toyota
Albuquerque, Bernalillo County, New Mexico
February 2004

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS A AND B OF AMERICAN TOYOTA AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT ENTITLED "BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON SEPTEMBER 8, 1996, IN VOLUME C31, FOLIO 114, TOGETHER WITH THE VACATED SOUTHERLY THIRTY (30) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, FROM WHENCE A TIE TO THE ALBUQUERQUE CITY MONUMENT "10-C18" BEARS N 04°20'36" E, A DISTANCE OF 985.06 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, FROM SAID BEGINNING POINT, S 00°10'38" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.82 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 56°32'50", AN ARC LENGTH OF 78.95 FEET AND A CHORD OF S 28°27'01" W, A DISTANCE OF 75.79 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE, N 88°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BENT/ILLEGIBLE);

THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND INTERSTATE 28 FRONTAGE ROAD N 11°36'58" W, A DISTANCE OF 426.28 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, N 00°13'23" E, A DISTANCE OF 28.78 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.9388 ACRES (302,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Approvals	Application No.	Date
<i>Sharon Matson</i>	04-00571	9/29/04
DEB CHAIRMAN, ALBUQUERQUE PLANNING DIVISION		
<i>David S. Byham</i>		9/29/04
CITY ENGINEER		
<i>David S. Byham</i>		9/29/04
A.M.A.F.C.A.		
<i>David S. Byham</i>		9/29/04
TRAFFIC ENGINEER		
<i>David S. Byham</i>		9/29/04
CITY SURVEYOR		
<i>David S. Byham</i>		9/29/04
PROPERTY MANAGEMENT		
<i>David S. Byham</i>		9/29/04
UTILITY DEVELOPMENT DIVISION		
<i>Christina Grandora</i>		9/29/04
PARKS AND RECREATION DEPARTMENT		
<i>David S. Byham</i>		9/29/04
PNM ELECTRIC SERVICES		
<i>David S. Byham</i>		9/29/04
PNM GAS SERVICES		
<i>David S. Byham</i>		9/29/04
QUEST CORPORATION		
<i>David S. Byham</i>		9/29/04
COMCAST CABLE		
<i>David S. Byham</i>		9/29/04

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.9388 ACRES
ZONE ATLAS INDEX NO.: C-18-Z
NO. OF TRACTS CREATED: 2
NO. OF LOTS CREATED: 0
MILES OF FULL-WIDTH STREETS CREATED: 0
DATE OF SURVEY: JANUARY 13, 2003

Notes:

- MISC. DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1927).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
- THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- SP NO. 2003051240.

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

- PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:
- PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
 - PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
 - QUEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
 - COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEDICATE RIGHT OF WAY.

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR. EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS, SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED, SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE TO THE LAND SUBDIVIDED.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

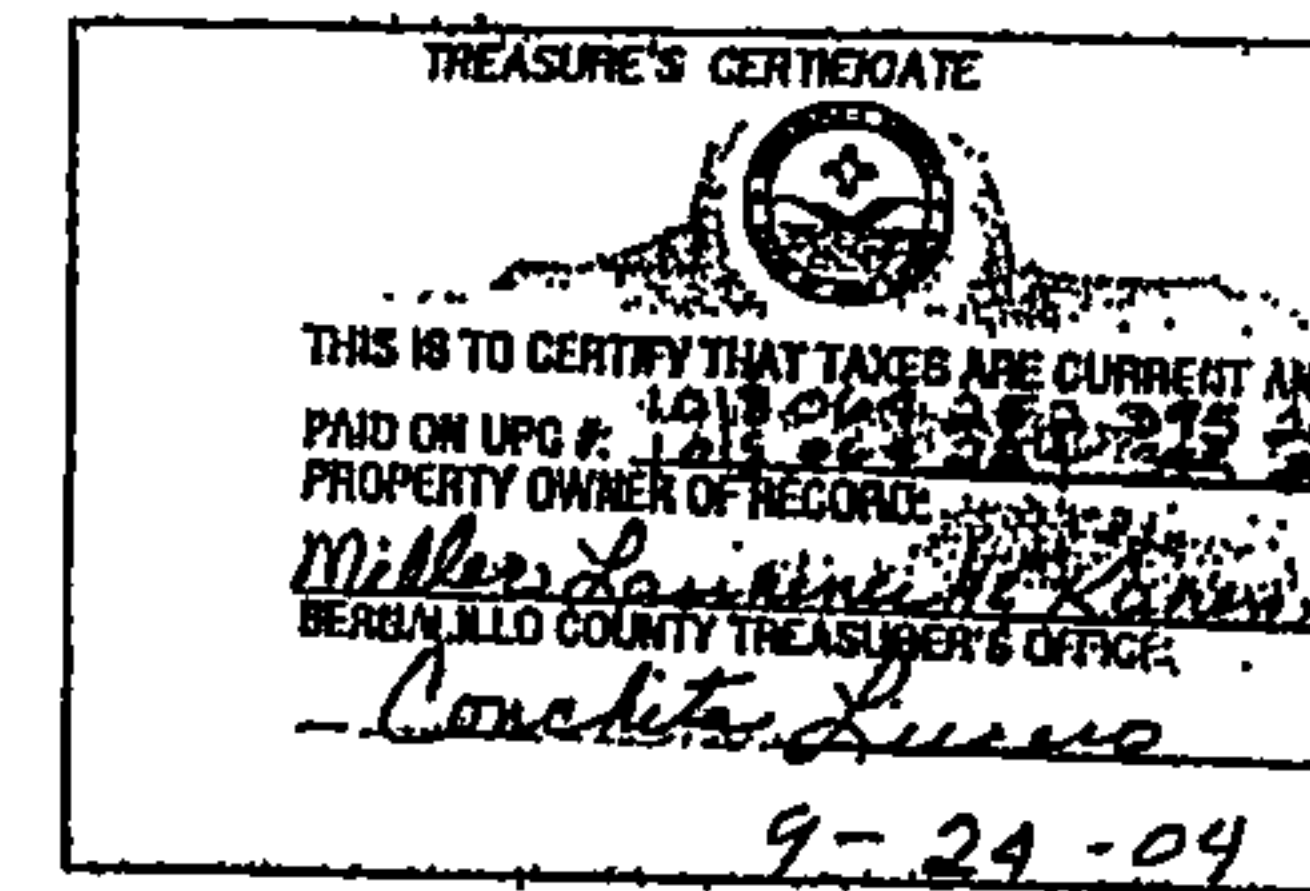
Michael Malouff, Jr.
MICHAEL MALOUFF, JR.
AGENT FOR MILLER FAMILY REAL ESTATE, LLC
A UTAH PARTNERSHIP

Acknowledgment

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

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004 BY MICHAEL MALOUFF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTAH PARTNERSHIP.

BY *Marlene Hearn* NOTARY PUBLIC MY COMMISSION EXPIRES: 10-18-06



Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medrano
LARRY W. MEDRANO
N.M.P.S. No. 11993



8414-D JEFFERSON ST., N.E. PHONE 505 858 5700
ALBUQUERQUE, NEW MEXICO 87113 FAX 505 858 7900

Project No. 1002848

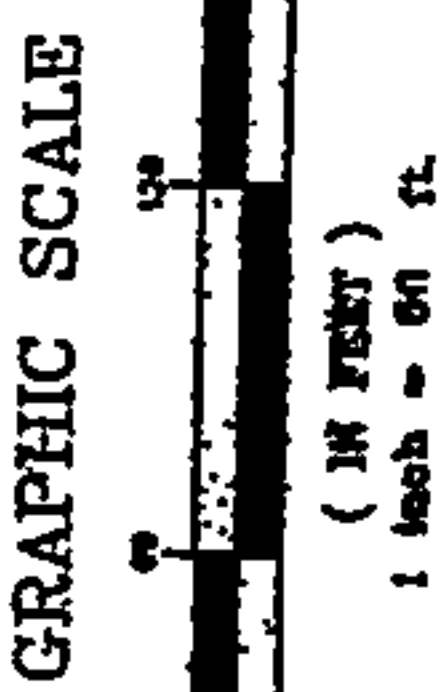
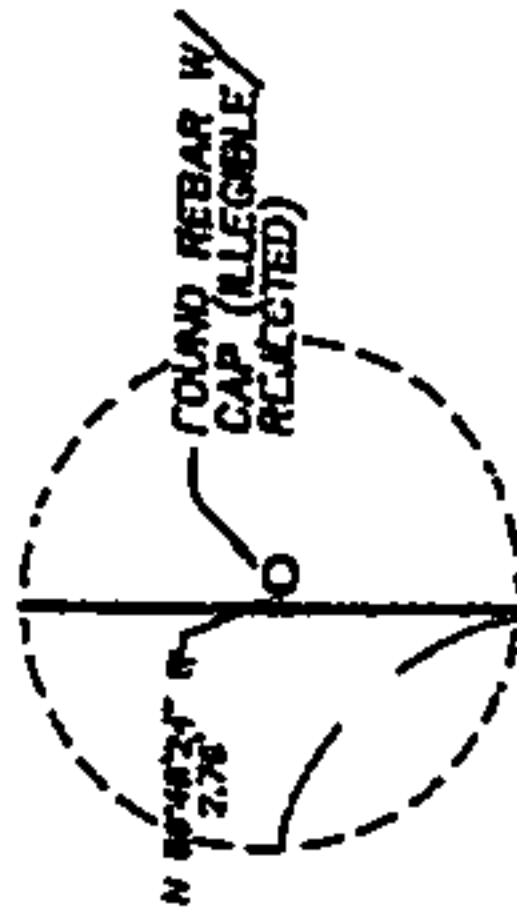
Plat of
Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legend

- N 90°00'00" E LOCATIONS BEARING AND DISTANCES WHICH DEFINE BEARINGS AND DISTANCES AS DESCRIBED
- CORNER AND USER UNMARKED AS DESCRIBED
- CORNER BEARING MARKS FOR WHICH SET WAS SURVEY MADE OR OTHERWISE NOTED

ALL INSTRUMENTS "AS SHOWN" STATIONING ALONG ALAMEDA CUP FOUND IN PLACE PER BERNALILLO COUNTY PLATING COMMUNITIES (CENTRAL RECORDS - JULY 1937) PLATS 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000

2004153500
 BERNALILLO COUNTY PLATING COMMUNITIES
 Page 2 of 2
 08/24/2004 03:11 P
 12.00 BR-2004C Pg.008

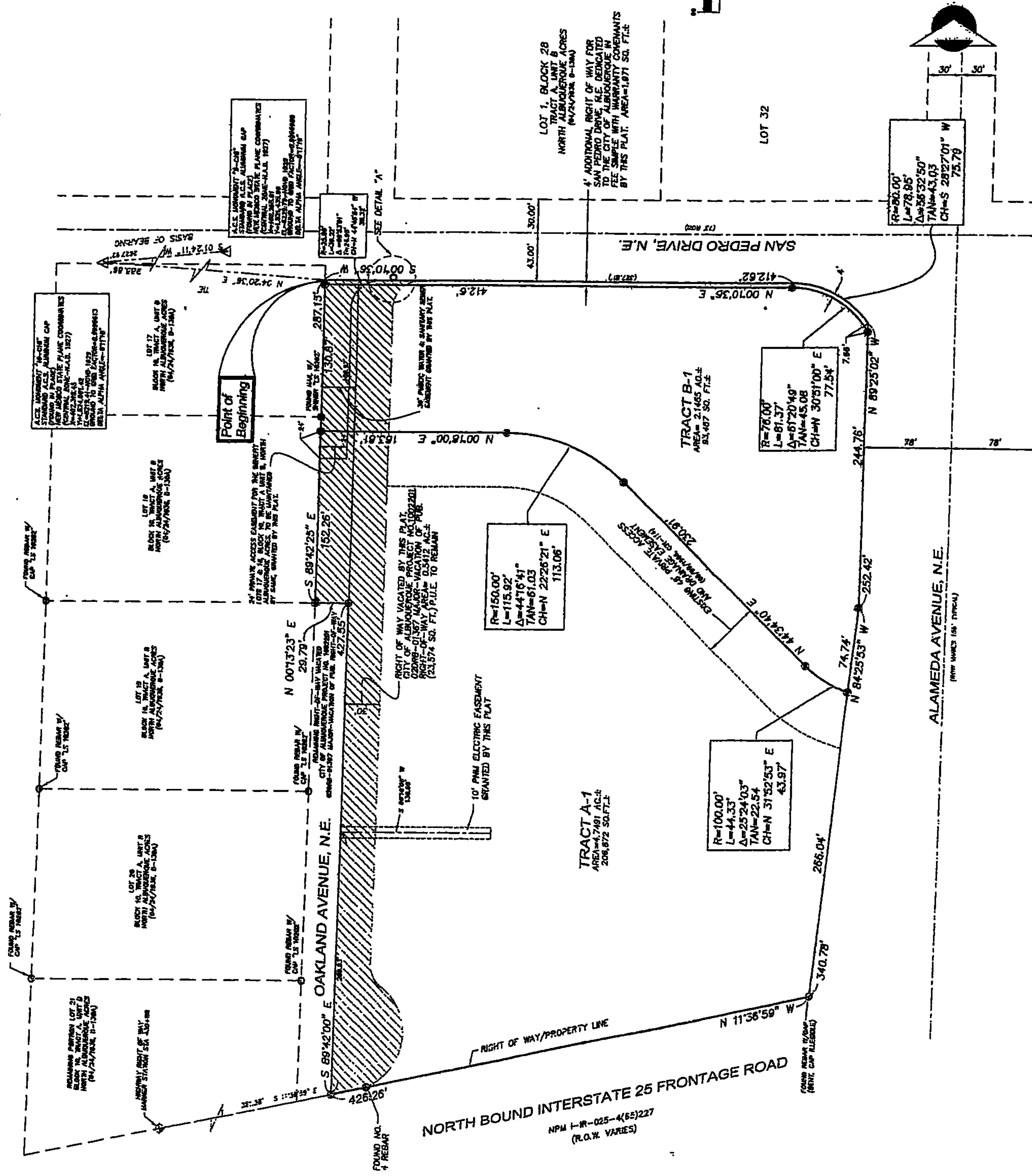


PRECISION SURVEYS, INC.

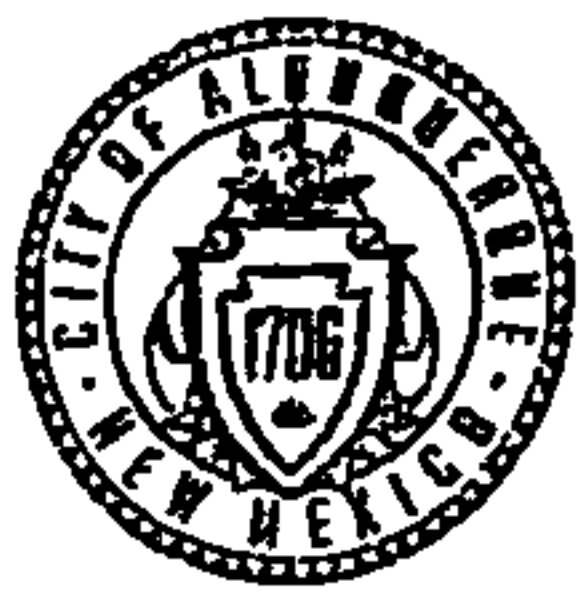
8414-D JEFFERSON ST., N.E. PHONE 808 868 6700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 808 868 7900

Project No. 1002848

Sheet 2 of 2



NPM I-W-025-4(65)227
 (R.O.W. VARIES)



J. B. ...
...

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, AMERICAN TOYOTA, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

Current DRC
Project Number: _____

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

American Toyota

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/18/03
 Date Preliminary Plat Expires: 12/18/07
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Const Engineer
07	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	1	1	1
✓		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	1	1	1
			Catch Basins and RCP connections included with Storm Sewar				1	1	1

MB-1 ✓ 8' * 5AS 140 20' Public Easement San Pedro 10' West of lot 17



ORIGINAL NOTES

* Referred Item

1 _____

2 _____

3 _____

4 _____

5 _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT / OWNER	DRB CHAIR - date	PARKS & GENERAL SERVICES - date
---------------	------------------	---------------------------------

Ronald R. Bohannon
NAME (print)

Christina Sandbrook
10/8/03

Tierra West LLC
FIRM

Shelly A. ...
TRANSPORTATION DEVELOPMENT - date

Robert ...
UTILITY DEVELOPMENT - date 10/8/03

AMAFCA - date

SIGNATURE - date

Bruce D. Bigham
CITY ENGINEER - date 10/8/03

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

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT OWNER



620821
SIA

No. Of Lots 2

Nearest Major Streets ALAMEDA BOULEVARD NE

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 8th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

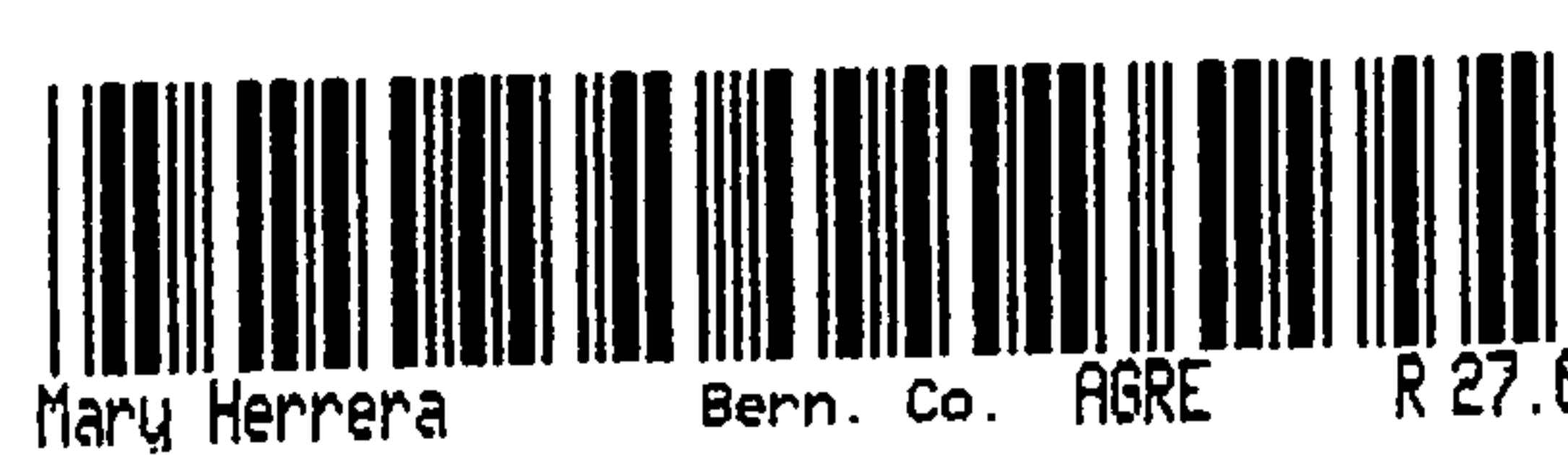
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 19 86 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (the "Subdivision"). The Subdivider 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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("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. 6924.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



2004031626
6045111
Page: 1 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

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

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured's. 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 & Sidewalk Fees</u>	<u>As required per City-approved estimate</u>
<u>Street Restoration Fees</u>	<u>As required per City-approved estimate (Fig. 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 PRECISION SURVEYS, and construction surveying of the Private Improvements shall be performed by PRECISION SURVEYS. 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 TIERRA WEST LLC, and inspection of the Private Improvements shall be performed by TIERRA WEST 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.



2004031626
6045111
Page: 2 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

C. Field Testing. Field-testing of the construction of the Public Improvements shall be performed by VINYARD & ASSOC., and field testing of the Private Improvements shall be performed by VINYARD & ASSOC., 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 the 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 therefore.

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: SUBDIVISION BOND # 929323941

Amount: \$ 158,565.75

Name of Financial Institution or Surety providing Guaranty:

WESTERN SURETY COMPANY

Date City first able to call Guaranty: OCTOBER 8, 2005

[Construction Completion Deadline]: OCTOBER 8, 2005

If Guarantee other than a Bond, last day City able to call on Guaranty is:

Additional information: PAVING & UTILITY IMPROVEMENTS

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 notation 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 Guaranty other than a loan reserve letter has been provided, the completed Improvements must be freestanding, 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 Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer 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 Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer 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 posted a suitable financial guaranty and entered into a Subdivision Improvements Agreement with the City. Thereafter, when 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 the Financial Guaranty.

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

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

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

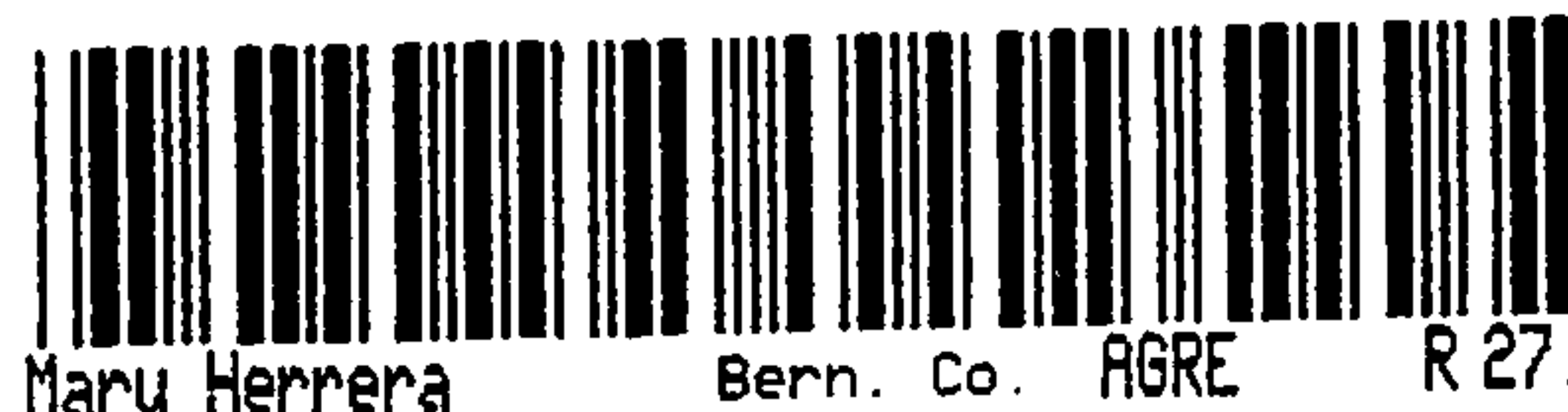
17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

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

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

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

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



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

SUBDIVIDER:

CITY OF ALBUQUERQUE

By [Signature]: 02-20-04
Name: LARRY H. MILLER
Title: MANAGING MEMBER
Dated: [Signature]
MILLER FAMILY REAL ESTATE LLC

Approved by: [Signature]
City Engineer
Dated: 3-08-04

Arrola *He 3/4/04*

Mary Herrera Bern. Co. AGRE R 27.00
2004031626
6045111
Page: 6 of 10
03/10/2004 11:14A
BX-A74 Pg-1543

SUBDIVIDER'S NOTARY

STATE OF Utah)
COUNTY OF Salt Lake) ss.

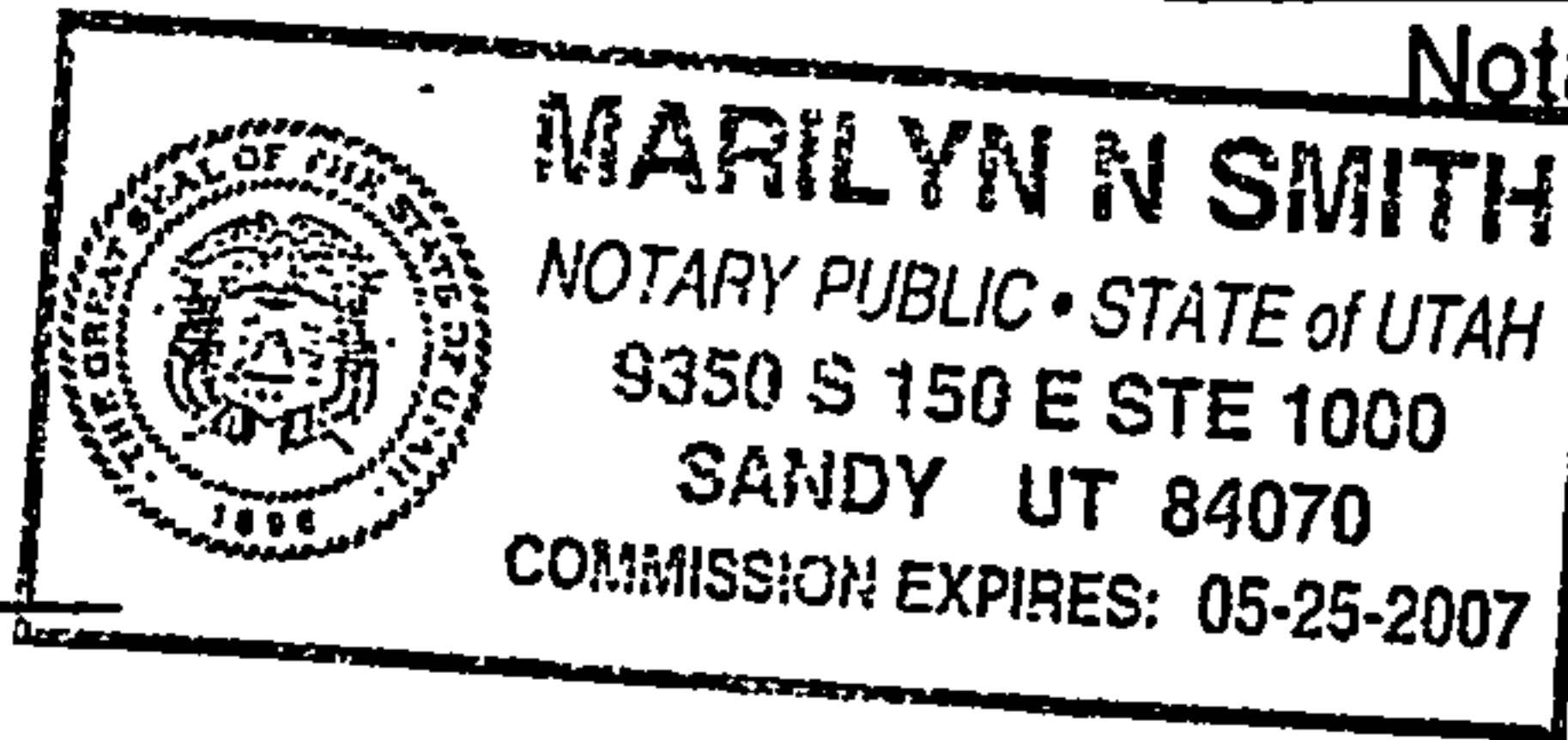
This instrument was acknowledged before me on 20th day of February, 2004
by [name(s) of person(s):] LARRY H. MILLER, [title or capacity, for instance, "President" or
"Owner":] MANAGING MEMBER of [Subdivider:] MILLER FAMILY REAL ESTATE LLC.

Marilyn N. Smith

Notary Public

My Commission Expires:

5-25-2007



CITY'S NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on 8th day of March, 2004 by
Richard Soutte, City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

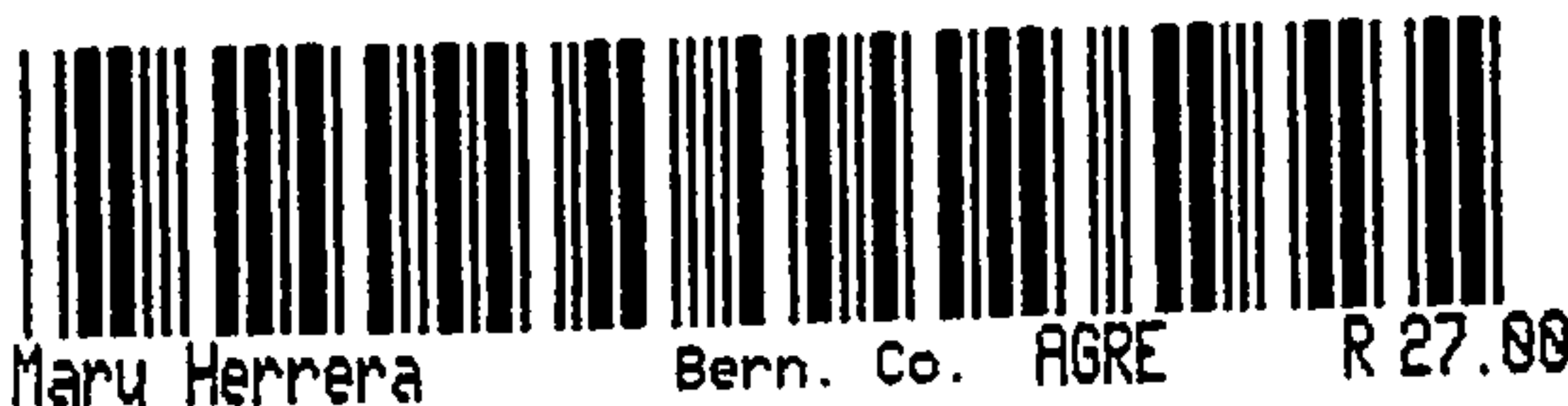
Gloria J. Saavedra

Notary Public

My Commission Expires:

11-25-2007

EXHIBIT A AND POWER OF ATTORNEY ATTACHED



2004031626
6045111
Page: 7 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

FINANCIAL GUARANTY AMOUNT

10/24/2003

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

Project Description:

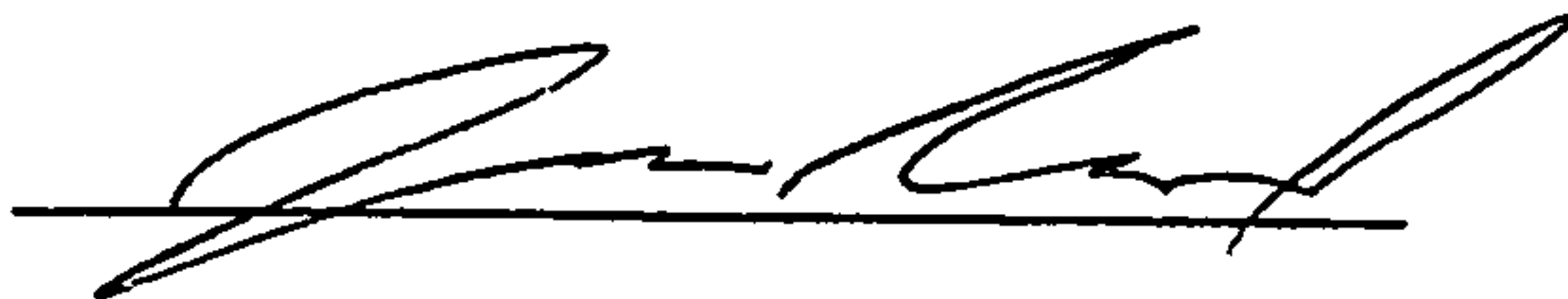
Project ID #: 692481, AmericanToyota,Paving & Utility Improv's, Phase/U

Requested By: Sara Lavy, PE w/ Tierra West LLC

Approved estimate amount:		\$100,355.22
Contingency Amount:	10.00%	\$10,035.52
Subtotal:		\$110,390.74
NMGRT	5.8125%	\$6,416.46
Subtotal:		\$116,807.20
Engineering Fee	6.60%	\$7,709.27
Testing Fee	2.00%	\$2,336.14
Subtotal:		\$126,852.60
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		\$158,565.75

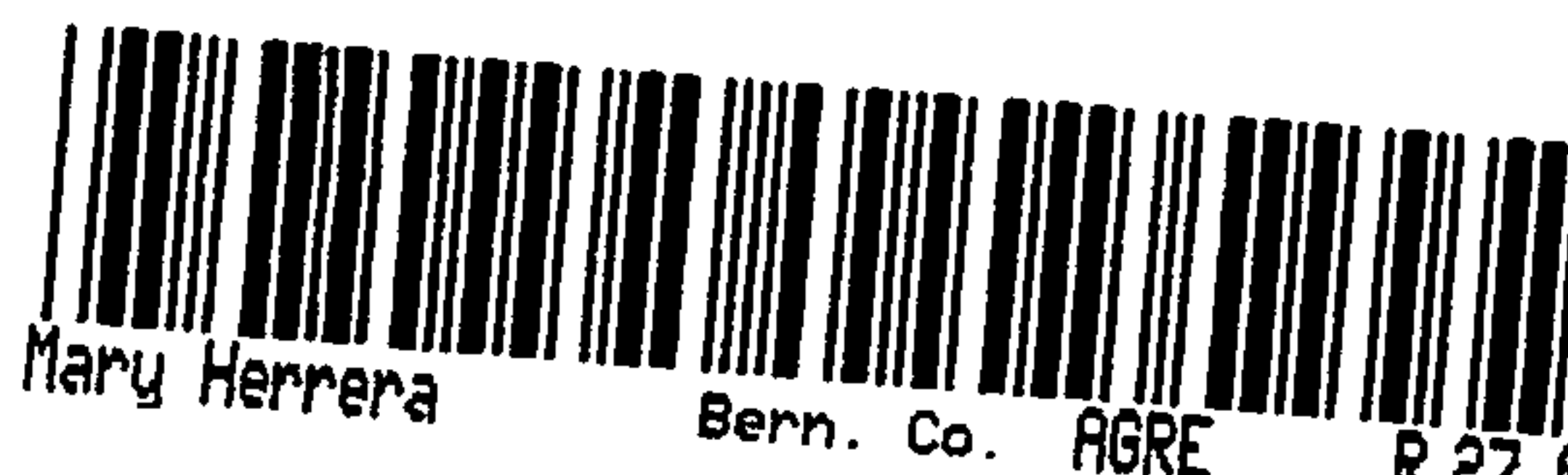
APPROVAL:

DATE:



10-24-2003

Notes: 10% contingency, plans not approved.



Mary Herrera

Bern. Co. AGRE

R 27.00

2004031626

6945111

Page: 8 of 10

03/10/2004 11:14A

Bk-A74 Pg-1543

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/8/09
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 10/8/09
 Date Preliminary Plat Expires: 10/8/09
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

ORIGINAL

INFRASTRUCTURE LIST

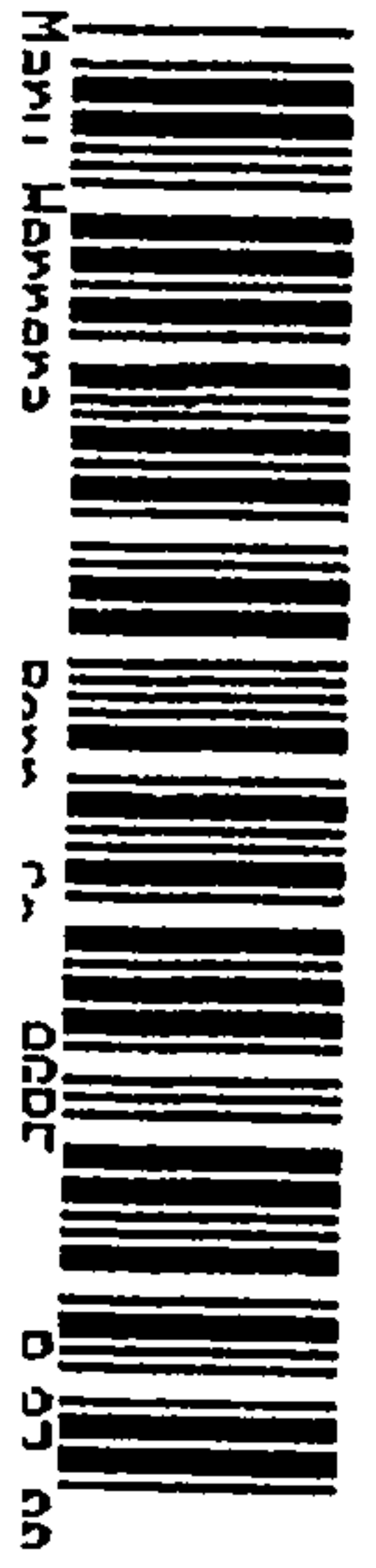
EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

American Toyota
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
		Catch Basins and RCP connections included with Storm Sewer							
MB-1	✓	8" * 140	SAS	30' Public Easement	San Pedro	10' West of Lot 17			



ORIGINAL

NOTES

* Deferred Item

1
2
3
4
5

AGENT / OWNER

Ronald R. Bohannan
NAME (print)

Terra West LLC
FIRM

[Signature]
SIGNATURE - date

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

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature]
DRB CHAIR - date

Christina Sandoval 10/8/03
PARKS & GENERAL SERVICES - date

[Signature]
TRANSPORTATION DEVELOPMENT - date

[Signature] 10/8/03
UTILITY DEVELOPMENT - date

Brad D. Bigham 10/8/03
CITY ENGINEER - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER

Mary Herrera

Bern. Co. RGRE

R 27.00

2004031626
6945111
Page: 10 of 10
09/10/2004 11:14A
BK-A74 Pg-1543

SUBDIVISION IMPROVEMENTS BOND

Bond No. 929323941

KNOW ALL MEN BY THESE PRESENTS: That we, MILLER FAMILY REAL ESTATE, LLC, A LIMITED LIABILITY COMPANY, as "Principal", and WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota and authorized to do business in the state of New Mexico, as "Surety", whose address is c/o CNA Surety, 230 South 500 East, Suite 480, Salt Lake City, UT 84102 and whose telephone number is (801) 321-4960, are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of ONE HUNDRED FIFTY EIGHT THOUSAND FIVE HUNDRED SIXTY-FIVE AND 75/100 Dollars, (\$158,565.75), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as AMERICAN TOYOTA ("Subdivision"), City Project No. 6924.81; and

WHEREAS, the Subdivision Ordinance is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: PAVING & UTILITY IMPROVEMENTS ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between MILLER FAMILY REAL ESTATE, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. 474, pages 1543 through 1543, as amended by change orders or amendments to the Agreement.

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before OCTOBER 8, 2005 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed this 17th day of February, 2004.

SUBDIVIDER: MILLER FAMILY REAL ESTATE, LLC

SURETY: WESTERN SURETY COMPANY

By: Lawrence H. Miller

By: Thomas W. Kershaw

Name: Lawrence H. Miller

Name: Thomas W. Kershaw

Title: Managing Member

Title: Attorney-in-Fact

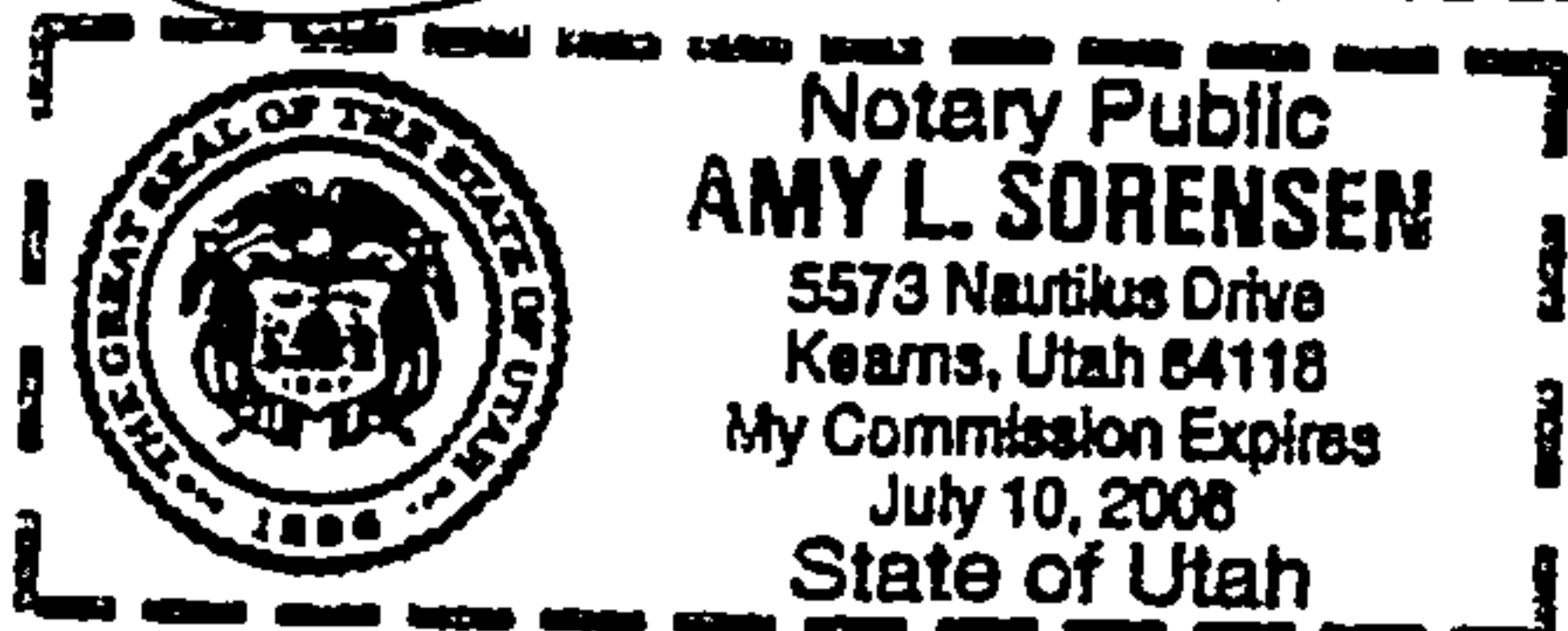
Dated: 2-17-04

Dated: February 17, 2004

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)
Subscribed to and sworn to before me this 17th day of February, 2004.

My Commission Expires: July 10, 2006

[Signature]
NOTARY PUBLIC



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 28th day of July, 2003.

WESTERN SURETY COMPANY

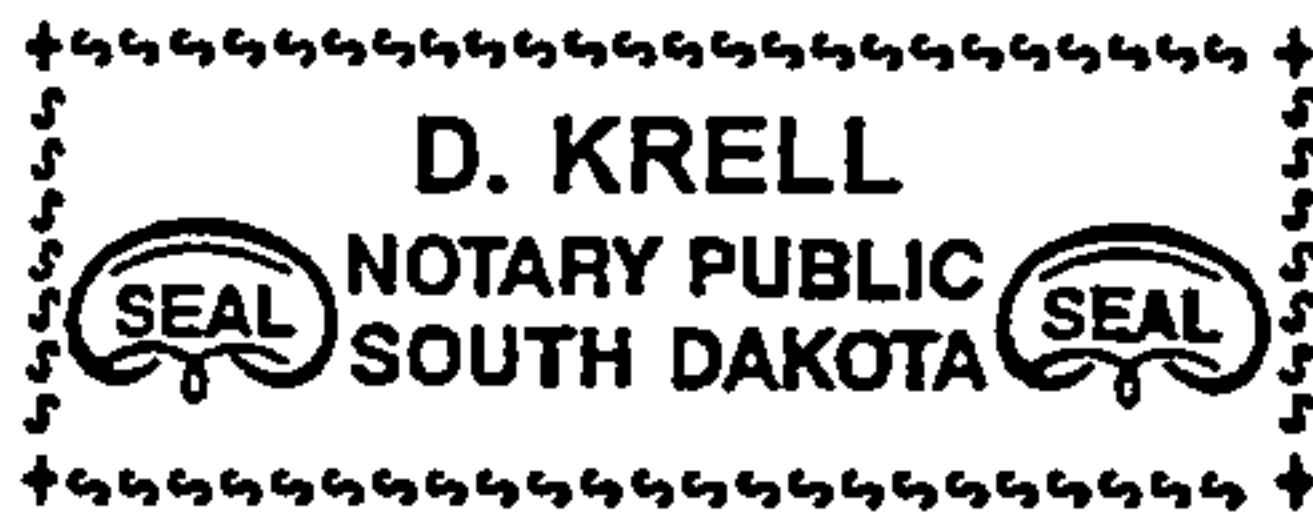


Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 28th day of July, 2003, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 17th day of FEBRUARY, 2004.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

UNWDR
SIA

FIGURE 12

**SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B Modified Non-Work Order)
CITY PROJECT # 692481**

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

THIS AGREEMENT is made this 5th day of March, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, 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 [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 19 86 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: The Construction Completion Deadline can be no later than two years after execution of this 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. Financial Guaranty. 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 immediat



2004031627
6645112
Page: 1 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

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

Type of Financial Guaranty: SUBDIVISION BOND #929323942
Amount: \$8,732.63
Name of Financial Institution or Surety providing Guaranty:
WESTERN SURETY COMPANY
Date City first able to call Guaranty: OCTOBER 8, 2005
[Construction Completion Deadline]: OCTOBER 8, 2005
If Guaranty other than a Bond, last day City able to call Guaranty is:

Additional information: PAVING & UTILITY IMPROVEMENTS—FOR THE SAS

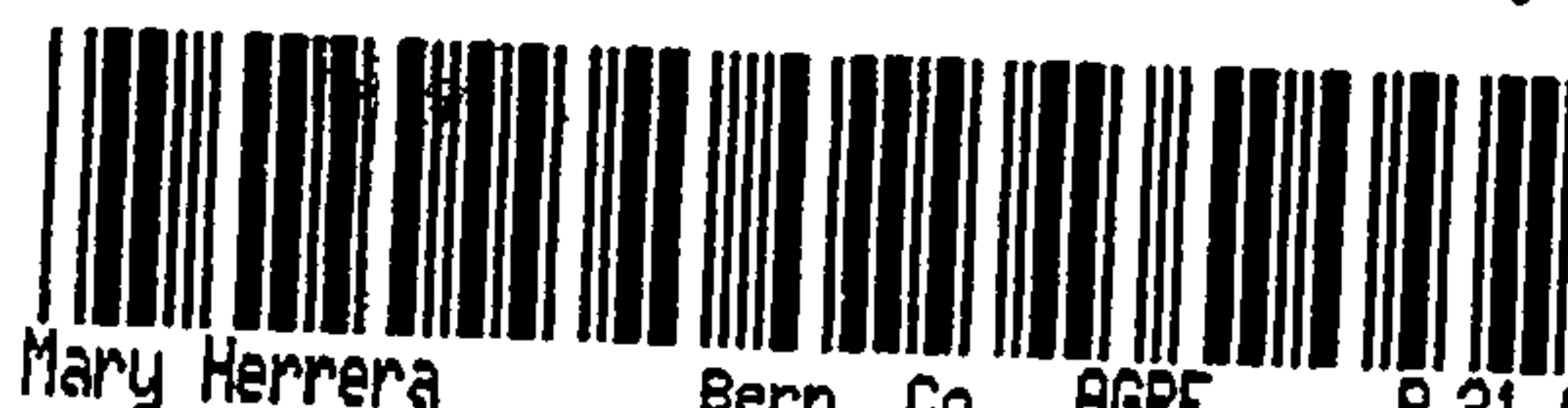
4. Completion, Acceptance and Termination. Upon completion of the required infrastructure, the Subdivider shall notify the City Engineer and the Design Review Section of Public works Department. After the City Engineer approves the construction, the City will promptly release this Agreement and the Financial Guaranty.

5. Indemnification. Until the Improvements are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer 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 Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer 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.

6. 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.

7. 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.

8. 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 and damages to the City exceed the am



2004031627
6045112
Page: 2 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

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.

9. 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.

10. 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.

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

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

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

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

15. Form not 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.

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

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

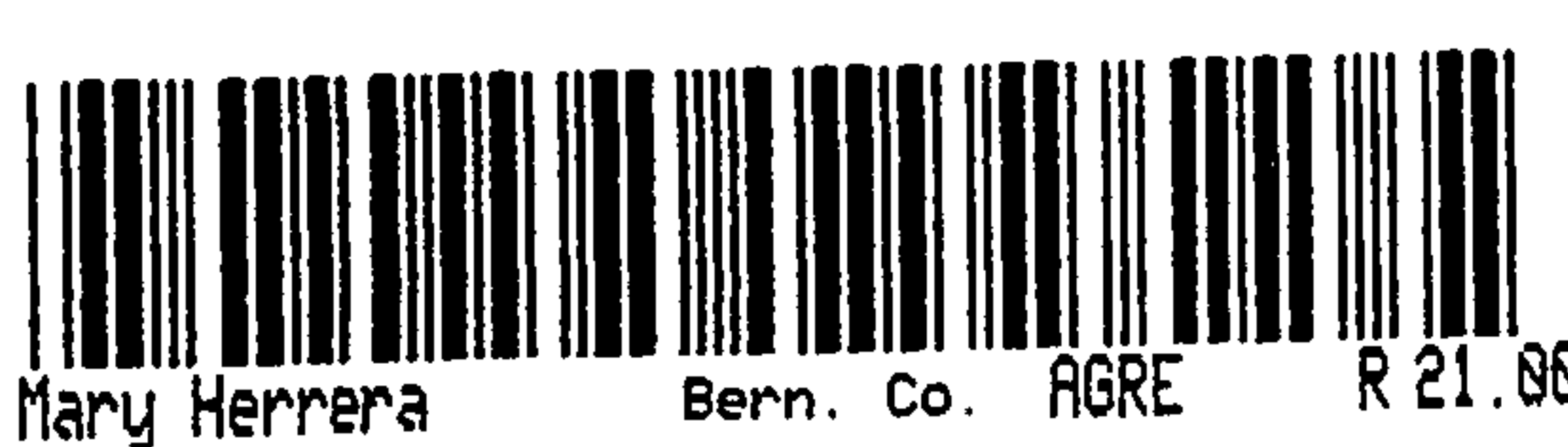
SUBDIVIDER:

By [Signature] Larry H. Miller
Name: LARRY H. MILLER
Title: MANAGING MEMBER
Dated: 02-20-04
MILLER FAMILY REAL ESTATE LLC

CITY OF ALBUQUERQUE
[Signature]
City Engineer
Dated: 3-05-04

2/26/04

Kyle 3/1/04



2004031627
6045112
Page: 3 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

SUBDIVIDER'S NOTARY

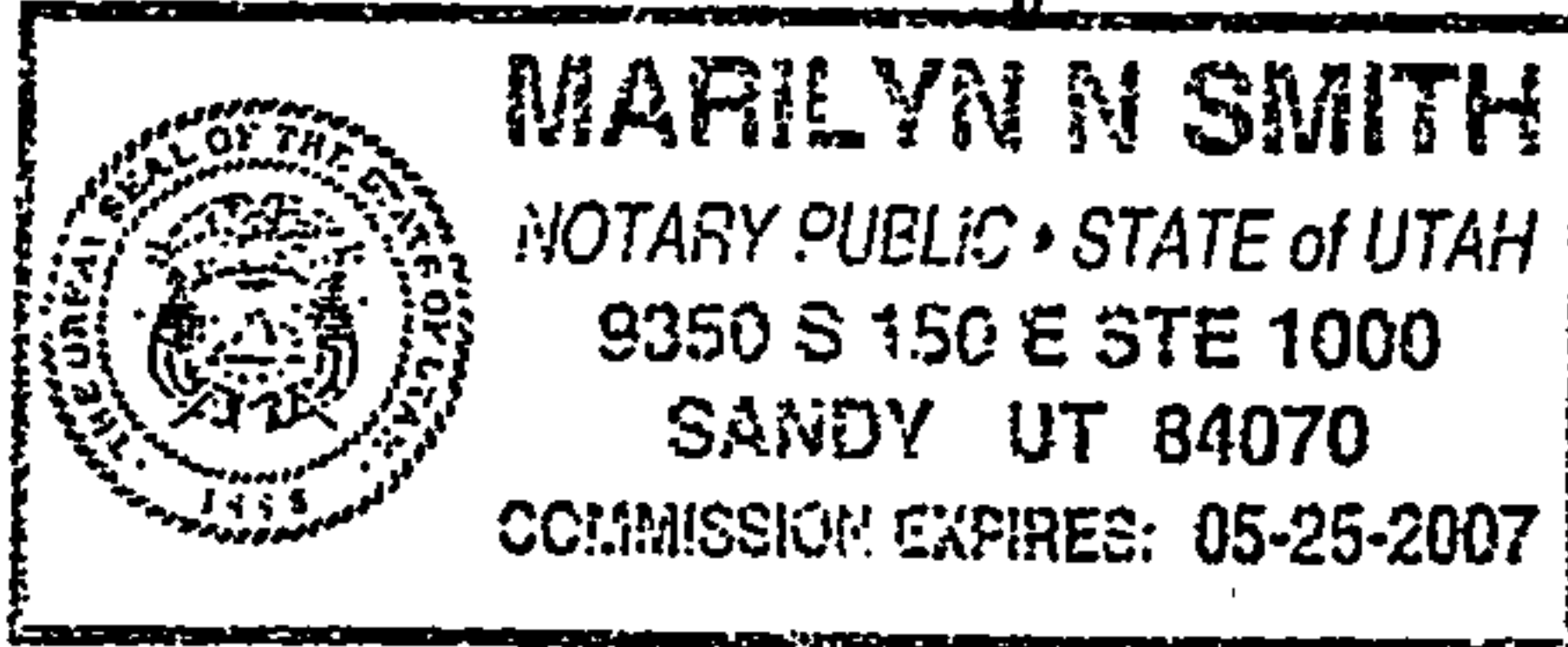
STATE OF Utah)
COUNTY OF Salt Lake) ss.

This instrument was acknowledged before me on 20th day of February, 2004 by [name of person:] LARRY H. MILLER, [title or capacity, for instance, "President" or "Owner":] MANAGING MEMBER of [Subdivider:] MILLER FAMILY REAL ESTATE LLC.

Marilyn N. Smith
Notary Public

My Commission Expires:

5-25-2004



CITY'S NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on 8th day of March, 2004 by Richard Tourte, City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Gloria S. Saavedra
Notary Public

My Commission Expires:

11-25-2007

Barcode with text: Mary Herrera, Bern. Co. AGRE, \$ 21.00, 2004031627, 6945112, Page: 4 of 7, 03/10/2004 11:14A, Bk-A74 Pg-1544

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 10/18/03
 Date Preliminary Plat Expires: 10/18/05
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

ORIGINAL

INFRASTRUCTURE LIST

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

American Toyota

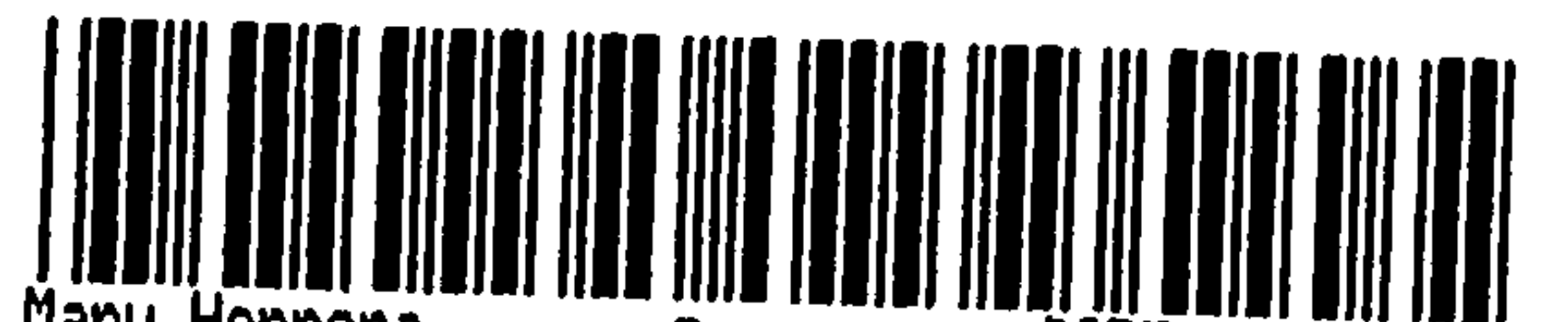
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30" F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4" Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓			Catch Basins and RCP connections included with Storm Sewer				/	/	/
* MB-1	✓	8" *	SAS 140	20' Public Easement	San Pedro	10' West of Lot 17			



Mary Herrera

Bern. Co. AGRE

R 21.00

2004031627
6045112
Page: 5 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

ORIGINAL
NOTES

- 1 * Deferred Item
- 2
- 3
- 4
- 5

AGENT / OWNER

Ronald R. Bohannon
NAME (print)

Tierra West LLC
FIRM

[Signature]
SIGNATURE - date

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

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature]
DRB CHAIR - date

Christina Sandoval 10/8/03
PARKS & GENERAL SERVICES - date

[Signature]
TRANSPORTATION DEVELOPMENT - date

Doreen Dean 10/8/03
UTILITY DEVELOPMENT - date

Brad J. Bigham 10/8/03
CITY ENGINEER - date

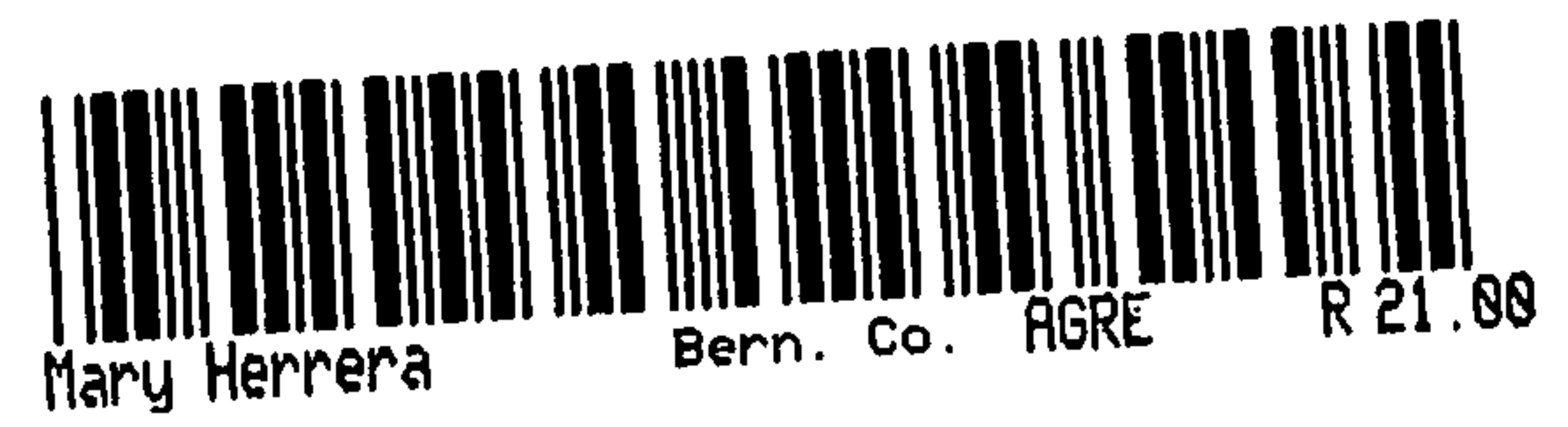
AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER



2004031627
6045112
Page: 6 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

FINANCIAL GUARANTY AMOUNT

10/24/2003

Type of Estimate: SIA Procedure - B - Modified Non-W.O.- w/F.G.

Project Description:

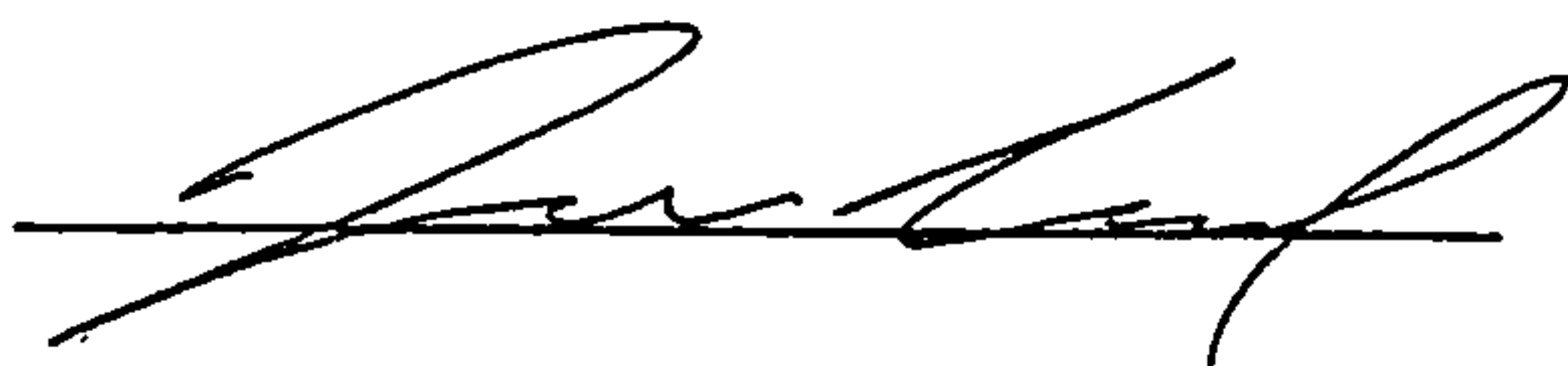
Project ID #: 692481, AmericanToyota,Paving & Utility Improv's, Phase/U

Requested By: Sara Lavy, PE w/ Tierra West LLC

Approved estimate amount:		\$4,355.68
Contingency Amount:	30.00%	\$1,306.70
Subtotal:		\$5,662.38
NMGRT	5.8125%	\$329.13
Subtotal:		\$5,991.51
Engineering Fee	6.60%	\$395.44
Testing Fee	10.00%	\$599.15
Subtotal:		\$6,986.10
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$8,732.63</u>

APPROVAL:

DATE:



10-24-2003

Notes: 30% contingency, plans not approved. This financial guaranty is for the SAS.



2004031627
6045112
Page: 7 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

SUBDIVISION IMPROVEMENTS BOND

Bond No. 929323942

KNOW ALL MEN BY THESE PRESENTS: That we, MILLER FAMILY REAL ESTATE, LLC, A LIMITED LIABILITY COMPANY, as "Principal", and WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota and authorized to do business in the state of New Mexico, as "Surety", whose address is c/o CNA Surety, 230 South 500 East, Suite 480, Salt Lake City, UT 84102 and whose telephone number is (801) 321-4960, are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of EIGHT THOUSAND SEVEN HUNDRED THIRTY-TWO AND 63/100 Dollars, (\$8,732.63), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as AMERICAN TOYOTA ("Subdivision"), City Project No. 6924.81; and

WHEREAS, the Subdivision Ordinance is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: PAVING & UTILITY IMPROVEMENTS FOR THE SAS ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between MILLER FAMILY REAL ESTATE, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. A 24, pages 1544 through 1544, as amended by change orders or amendments to the Agreement.

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before OCTOBER 8, 2005 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed this 17th day of February, 2004.

SUBDIVIDER: MILLER FAMILY REAL ESTATE, LLC

SURETY: WESTERN SURETY COMPANY

By: Lawrence H. Miller

By: Thomas W. Kershaw

Name: Lawrence H. Miller

Name: Thomas W. Kershaw

Title: Managing Member

Title: Attorney-in-Fact

Dated: 2-17-04

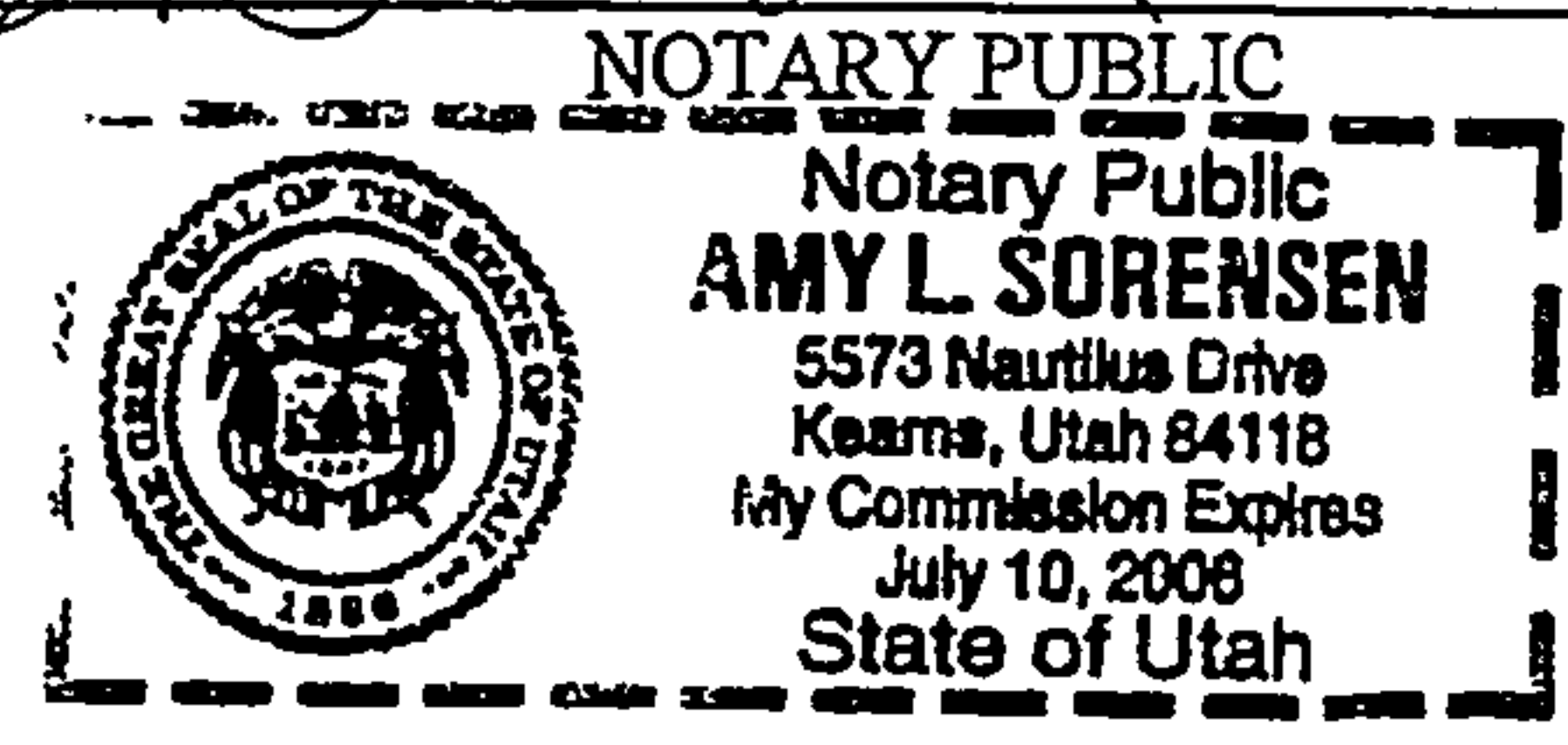
Dated: February 17, 2004

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

Subscribed to and sworn to before me this 17th day of February, 2004.

My Commission Expires: July 10, 2006

Amy L. Sorensen



WESTERN SURETY COMPANY

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 28th day of July, 2003.

WESTERN SURETY COMPANY



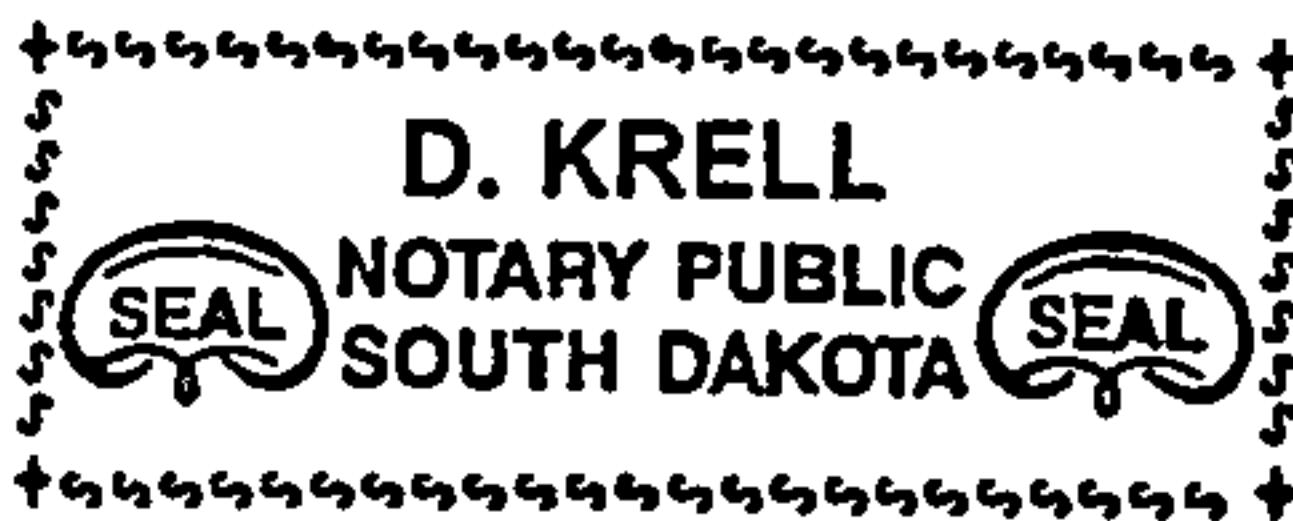
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 28th day of July, 2003, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 17th day of FEBRUARY, 2004.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

157

FIGURE 18

4th EXTENSION AGREEMENT
Procedure "B"
PROJECT NO. 692481

This Agreement made this 17th day of December, 2010, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) Miller Family Real Estate LLC ("Developer"), whose address is 9350 South 150 E, Suite 1000, Sandy, Utah 84070 and whose telephone number is 801-563-4100 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8th day of March, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on March 10, 2004, at Book Misc. A-74, pages 1543 through ----, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 8th day of October, 2005; and

WHEREAS, the Earlier Agreement was amended by a First Extension Agreement dated December 19, 2005 recorded December 19, 2005, in Book Misc. A108, pages 4899 through ----, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

WHEREAS, the Earlier Agreement was amended by a Second Extension Agreement dated December 18, 2007 recorded December 20, 2007, Document number 2007170565, pages 1 thru 3, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2009; and

WHEREAS, the Earlier Agreement was amended by a Third Extension Agreement dated January 5, 2010 recorded January 6, 2010, Document number 2010001169, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2010; and

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

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

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

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

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

A. For all improvements, the 9th day of November, 2011.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: Subdivision Bond # 929323941
Amount: \$ 276,672.40
Name of Financial Institution or Surety providing Guaranty: Western Surety Company
Date City first able to call Guaranty (Construction Completion Deadline): November 9, 2011
If Guaranty other than a Bond, last day City able to call Guaranty s: _____
Additional information: _____

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

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

DEVELOPER:
Miller Family Real Estate LLC
By: [Signature]
Name: Gregory S. Miller
Engineer
Title: Managing Member
Dated: 11-9-2010

CITY OF ALBUQUERQUE:
By: [Signature]
Richard Dourte, City

Dated: 12-8-10

[Signature] 12/17/10

[Signature]
12-2-10

DEVELOPER'S NOTARY

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

This instrument was acknowledged before me on 9th day of November, 2010 by Gregory S. Miller, Managing Member of Miller Family Real Estate LLC.

My Commission Expires: 7-1-2011



JANET B. LAYOSA
NOTARY PUBLIC-STATE OF UTAH
9350 S. 150 E. # 1000
SANDY, UTAH 84079
COMM. EXP. 07-01-2011

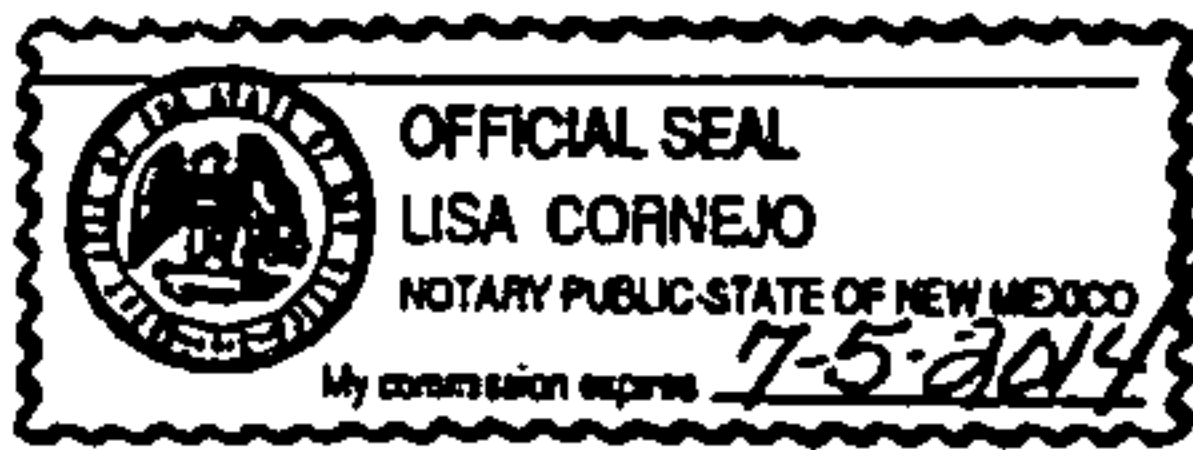
[Signature]
Notary Public

CITY'S NOTARY

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

This instrument was acknowledged before me on 8 day of December, 2010 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

My Commission Expires:



[Signature]
Notary Public



22082
DRB



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 27, 2010

Project# 1002848
10DRB-70282 MAJOR – 2 YEAR EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, AMERICAN TOYOTA SUBDIVISION zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

At the October 27, 2010 Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 11, 2010, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 84070
Marilyn Maldonado
file

1300

FIGURE 18

4th EXTENSION AGREEMENT
Procedure B Modified Non-Work Order
PROJECT NO. 692481

This Agreement made this 8th day of December, 2010, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) Miller Family Real Estate LLC ("Developer"), whose address is 9350 South 150E, Suite 1000, Sandy, Utah 84070 and whose telephone number is 801-563-4100 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8th day of March, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on March 10, 2004, at Book Misc. A74, pages 1544 through ---, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 8th day of October 2005; and

WHEREAS, the Earlier Agreement was amended by a First Extension Agreement dated December 19, 2005 recorded December 19, 2005, in Book Misc. A108, pages 4898 through ---, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

WHEREAS, the Earlier Agreement was amended by a Second Extension Agreement dated December 18, 2007 recorded December 20, 2007, Document number 2007170560, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2009; and

WHEREAS, the Earlier Agreement was amended by a Third Extension Agreement dated January 5, 2010 recorded January 6, 2010, Document number 2010001168, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2010; and

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

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

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

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

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

A. For all improvements, the **9th** day of **November, 2011**.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: **Subdivision Bond # 929323942**

Amount: **\$17,763.39**

Name of Financial Institution or Surety providing Guaranty: **Western Surety Company**

Date City first able to call Guaranty (Construction Completion Deadline): **November 9, 2011**

If Guaranty other than a Bond, last day City able to call Guaranty s:

Additional information: _____

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

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

DEVELOPER:

Miller Family Real Estate LLC
By: [Signature]
Name: Gregory S. Miller
Title: Managing Member
Dated: 11-9-2010

CITY OF ALBUQUERQUE:

By: [Signature]
Richard Dourte, City Engineer
Dated: 12-8-10
12-17-10 12-2-10

DEVELOPER'S NOTARY

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

This instrument was acknowledged before me on 9th day of November, 2010 by Gregory S. Miller, Managing Member of Miller Family Real Estate LLC.

My Commission Expires: 7-1-2011
[Signature]
Notary Public
COMM. EXP. 07-01-2011



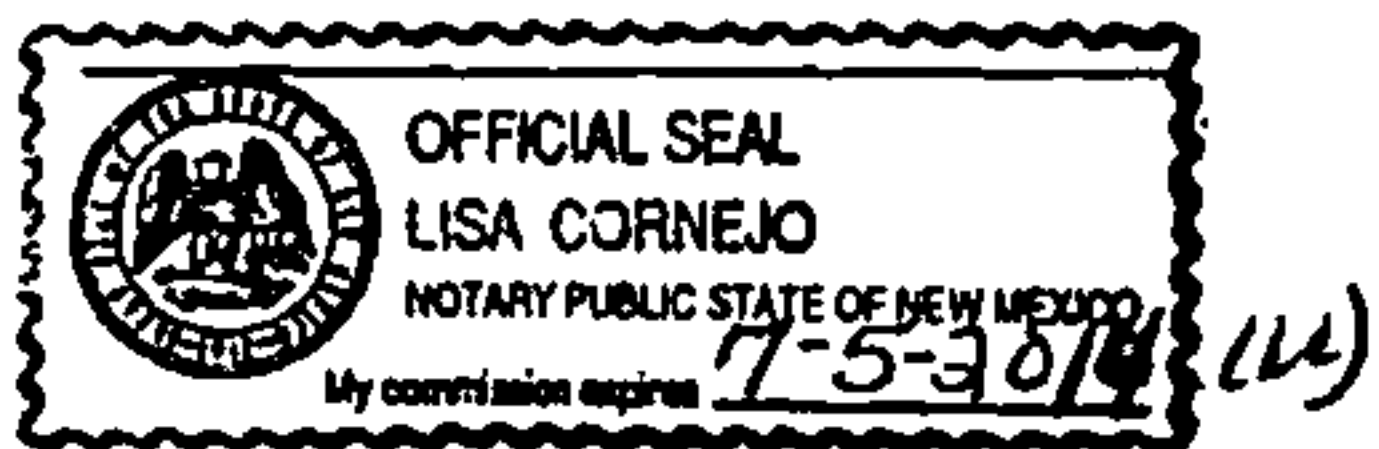
CITY'S NOTARY

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

This instrument was acknowledged before me on 8 day of December, 2010 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

My Commission Expires:

[Signature]
Notary Public



22082
DRB



OFFICIAL NOTICE OF DECISION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD**

October 27, 2010

**Project# 1002848
10DRB-70282 MAJOR - 2 YEAR EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT (2YR SIA)**

**TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA
request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1,
AMERICAN TOYOTA SUBDIVISION zoned SU-2/ SU-1 AUTO SALES, located on
the north side of ALAMEDA BLVD NE between I-25/ PAN AMERICAN FWY NE and
SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)**

At the October 27, 2010 Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 11, 2010, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC - 5571 Midway Park Place NE - Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota - 9350 South 150E, Ste 1000 - Sandy, UT 84070
Marilyn Maldonado
file



Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S 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)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- 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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____

APPLICANT: Larry H. Miller/American Toyota PHONE: 801-563-4100
 ADDRESS: 9350 South 150E, Suite 1000 FAX: _____
 CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 & B1 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: American Toyota
 Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: No Change MRGCD Map No _____
 Zone Atlas page(s): C-18 UPC Code: 101806421939920605/101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 03DRB-01270/04DRB-00571/DRB-95-41/05DRB-01620/07DRB-70267/#1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-
 LOCATION OF PROPERTY BY STREETS: On or Near: Alameda Boulevard NE
 Between: Pan American FWY NE and San Pedro Drive NE

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

SIGNATURE [Signature] DATE 10/1/10
 (Print) Ronald R. Bohannon, P.E. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>10DRB - 70282</u>	<u>SIA</u>	_____	<u>\$ 50.00</u>
_____	<u>ADV</u>	_____	<u>\$ 75.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>October 27, 2010</u>	_____	_____	Total <u>\$145.00</u>

[Signature] 10-1-10
 Planner signature / date

Project # 1002848

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Ronald R. Bohannon, P.E.

Applicant name (print)

Applicant signature / date



Form revised **October 2007**

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

Application case numbers
 19 DRB - 70282

Planner signature / date
 Project # 1002848

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from October 12, 2010 To October 27, 2010

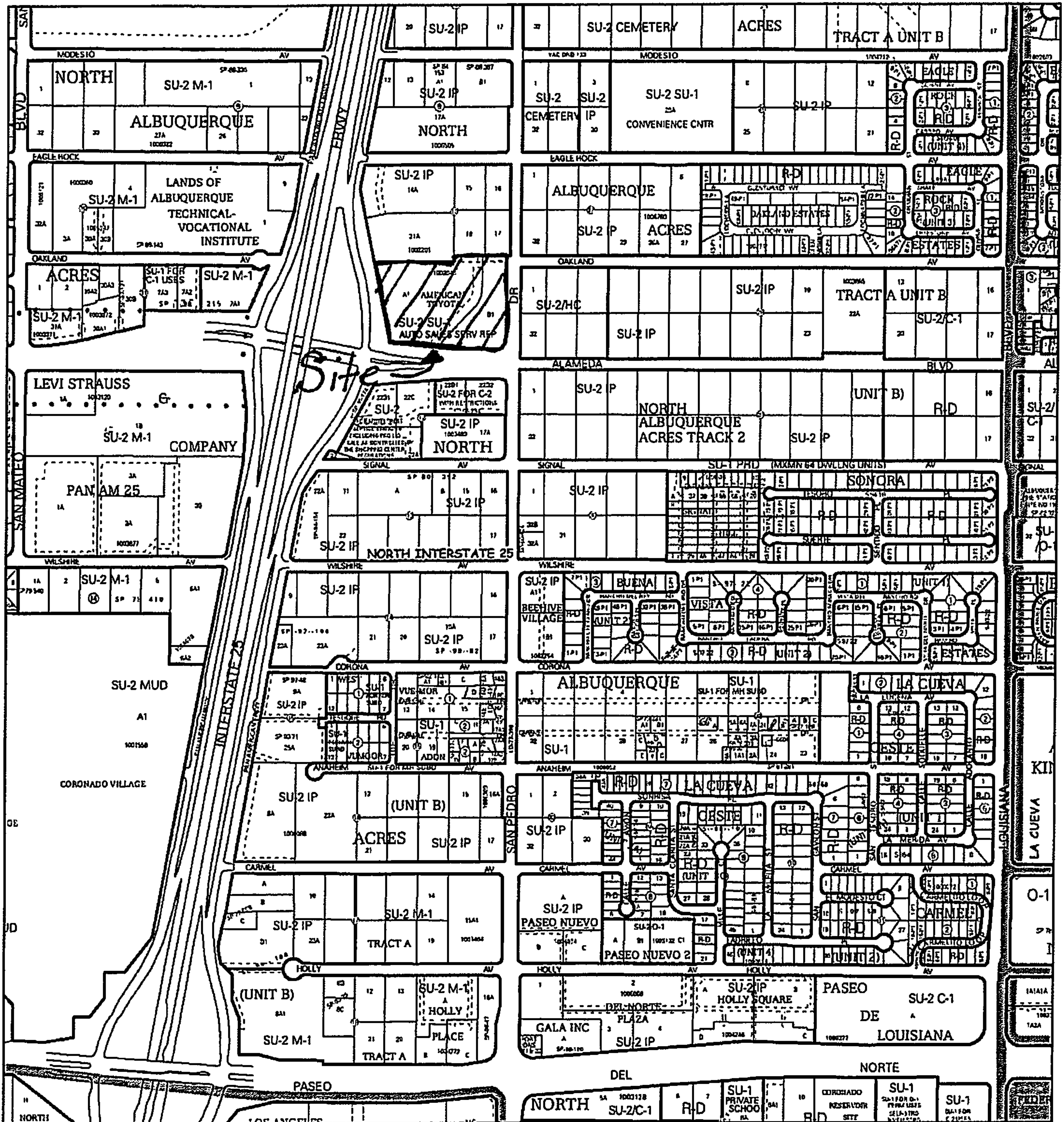
5. REMOVAL

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

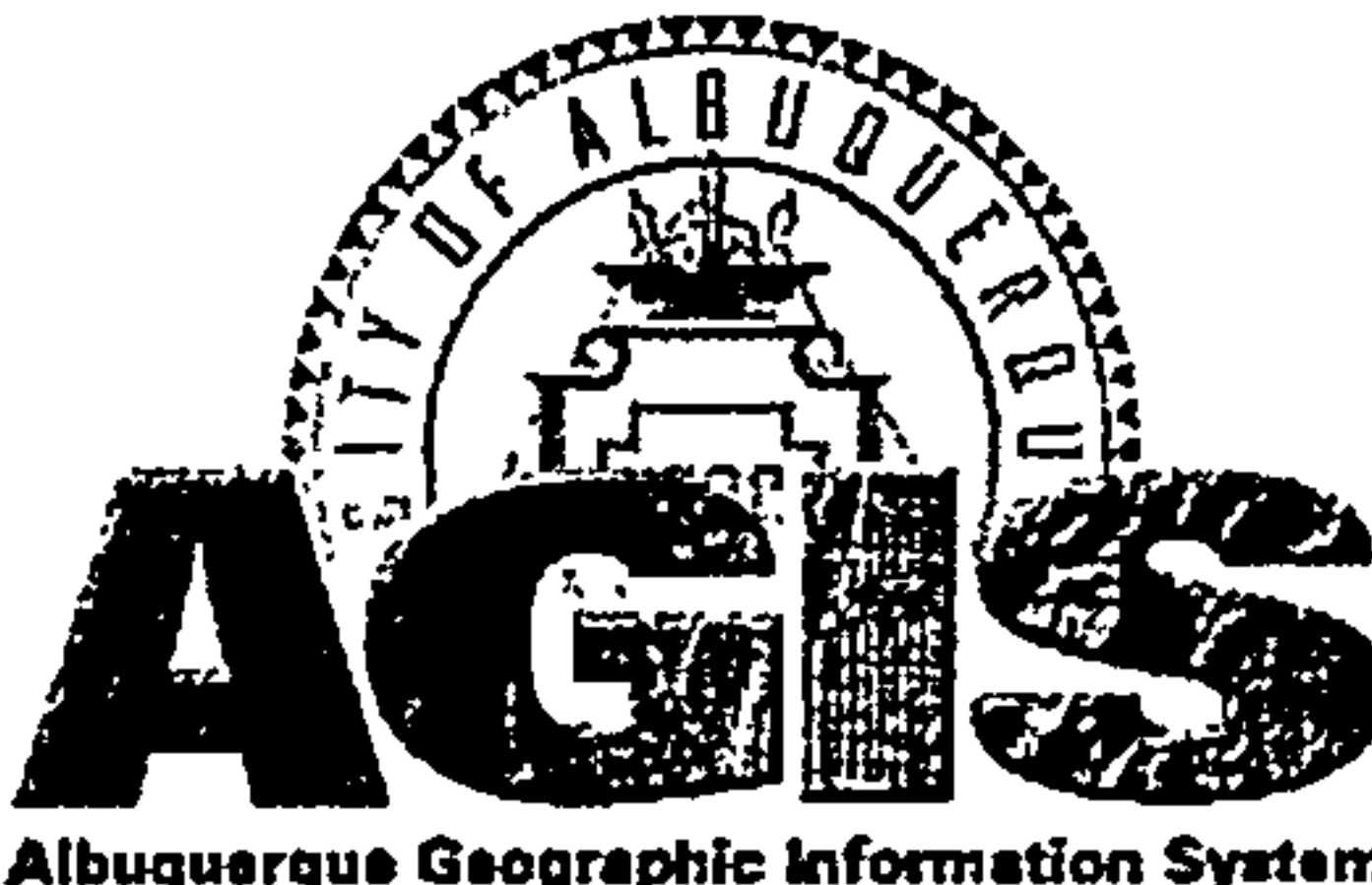
I have read this sheet and discussed it with the Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Keli D. Krueger, 10-1-10
(Applicant or Agent) (Date)

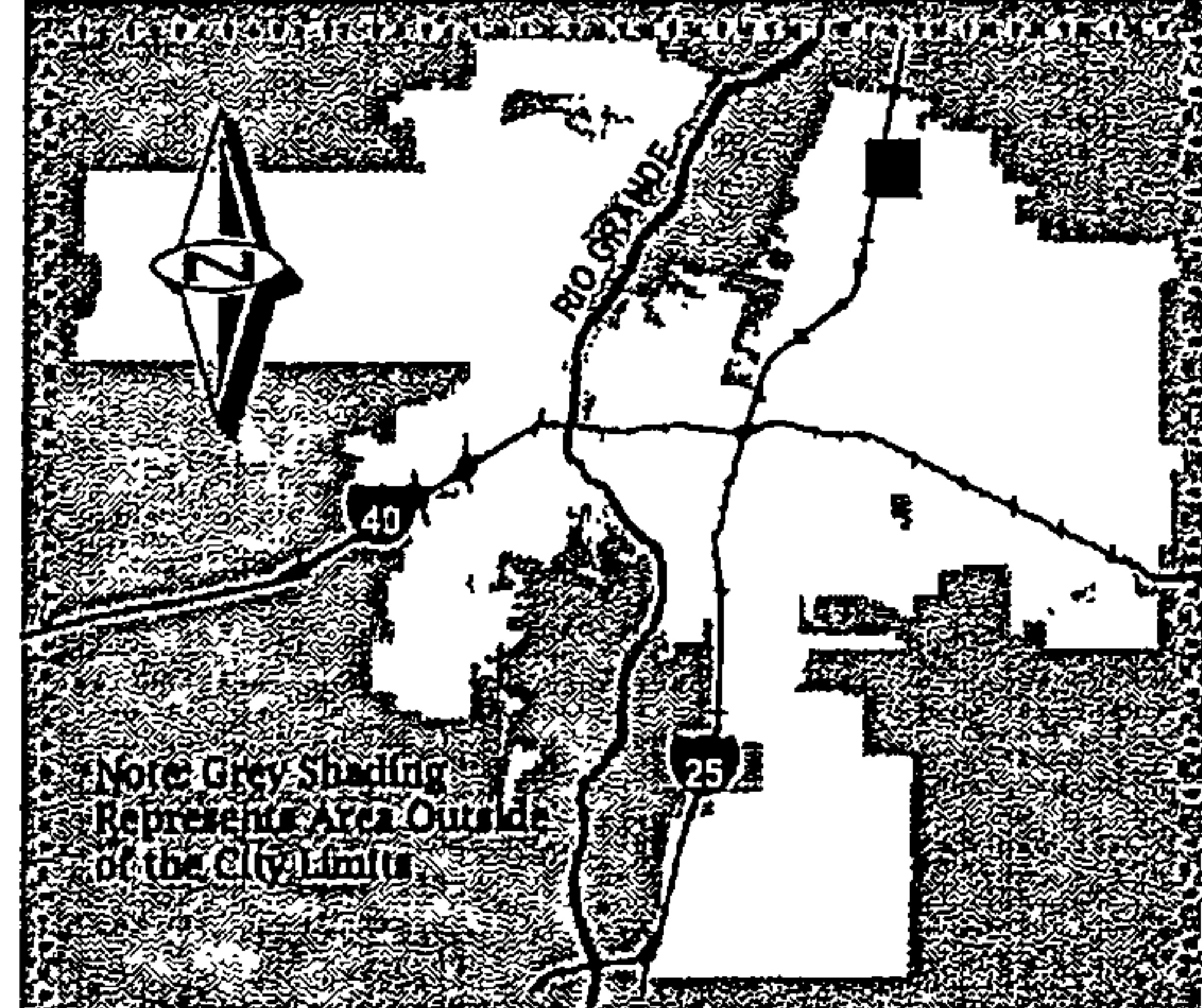
I issued 2 signs for this application, 10-1-10, [Signature]
(Date) (Staff Member)



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



Map amended through: 3/10/2009




Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

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



gaw
□

TIERRA WEST, LLC

October 1, 2010

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

**RE: Extension of Subdivision Improvements Agreement
American Toyota
Project # 1002484
Zone Atlas Page C-18**

Dear Mr. Cloud:

Tierra West LLC, on behalf of Larry H. Miller and American Toyota, requests approval of a 2-year extension to the Subdivision Improvements Agreement for the above-referenced project. This project is located at the northeast corner of Interstate 25 and Alameda Boulevard NE and contains +/- 5.0 acres. The improvements associated with this SIA were the result of the expansion of the American Toyota service lot to incorporate vacated Oakland ROW and the purchase of the property immediately north of the site, which extends to Eagle Rock. The development of the additional parcel requires additional public infrastructure improvements. We have been coordinating with Public Works on a project to the North and have been waiting on the City to have the utilities moved to finish the project. We have finalized the design and are back at DRC for final approval. The owner is moving forward with bidding the project and going to construction on the required improvements, which are now being coordinated with the City, due to additional improvements in the same area that are being constructed by the City of Albuquerque.

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

Sincerely,



Ronald R. Bohannon, P.E.

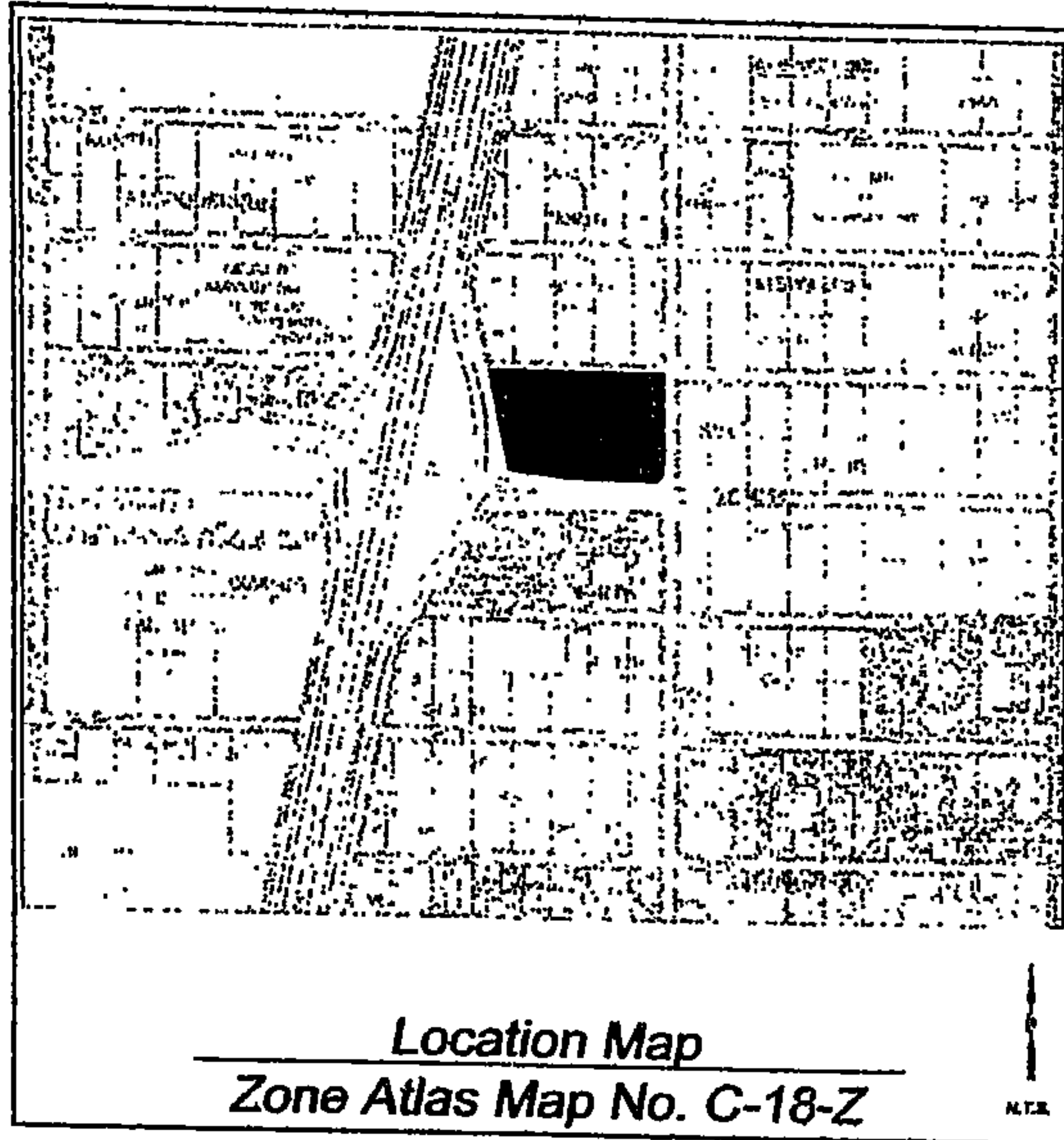
Enclosure/s

cc: Pat Joseph
Jeff Peterson, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Peggy Neff, West La Cueva N.A.
Lee Hanson, West La Cueva N.A.
Larry T. Caudill, Wildflower Area N.A.
Rick John Gaydos, Wildflower Area N.A.

JN: 22082PJ
RRB/kdk

2002: 22082PJ Jack Cloud SIA Extension 100110

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



Plat of
Tracts A-1 and B-1
American Toyota
Albuquerque, Bernalillo County, New Mexico
February 2004

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING TRACTS A AND B OF AMERICAN TOYOTA AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT ENTITLED "BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON SEPTEMBER 8, 1986, IN VOLUME G31, FOLIO 114, TOGETHER WITH THE VACATED SOUTHERLY THIRTY (30) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, FROM WHENCE A TIE TO THE ALBUQUERQUE CITY MONUMENT "10-C18" BEARS N 04°20'36" E, A DISTANCE OF 985.86 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, FROM SAID BEGINNING POINT, S 00°10'38" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.82 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 58°32'50", AN ARC LENGTH OF 78.95 FEET AND A CHORD OF S 28°27'01" W, A DISTANCE OF 75.79 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE, N 89°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BENT/ILLEGIBLE);

THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND INTERSTATE 25 FRONTAGE ROAD N 11°36'58" W, A DISTANCE OF 426.28 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, N 00°13'23" E, A DISTANCE OF 28.78 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6,9388 ACRES (302,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEDICATE RIGHT OF WAY

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR, EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS, SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED, SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE TO THE LAND SUBDIVIDED.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

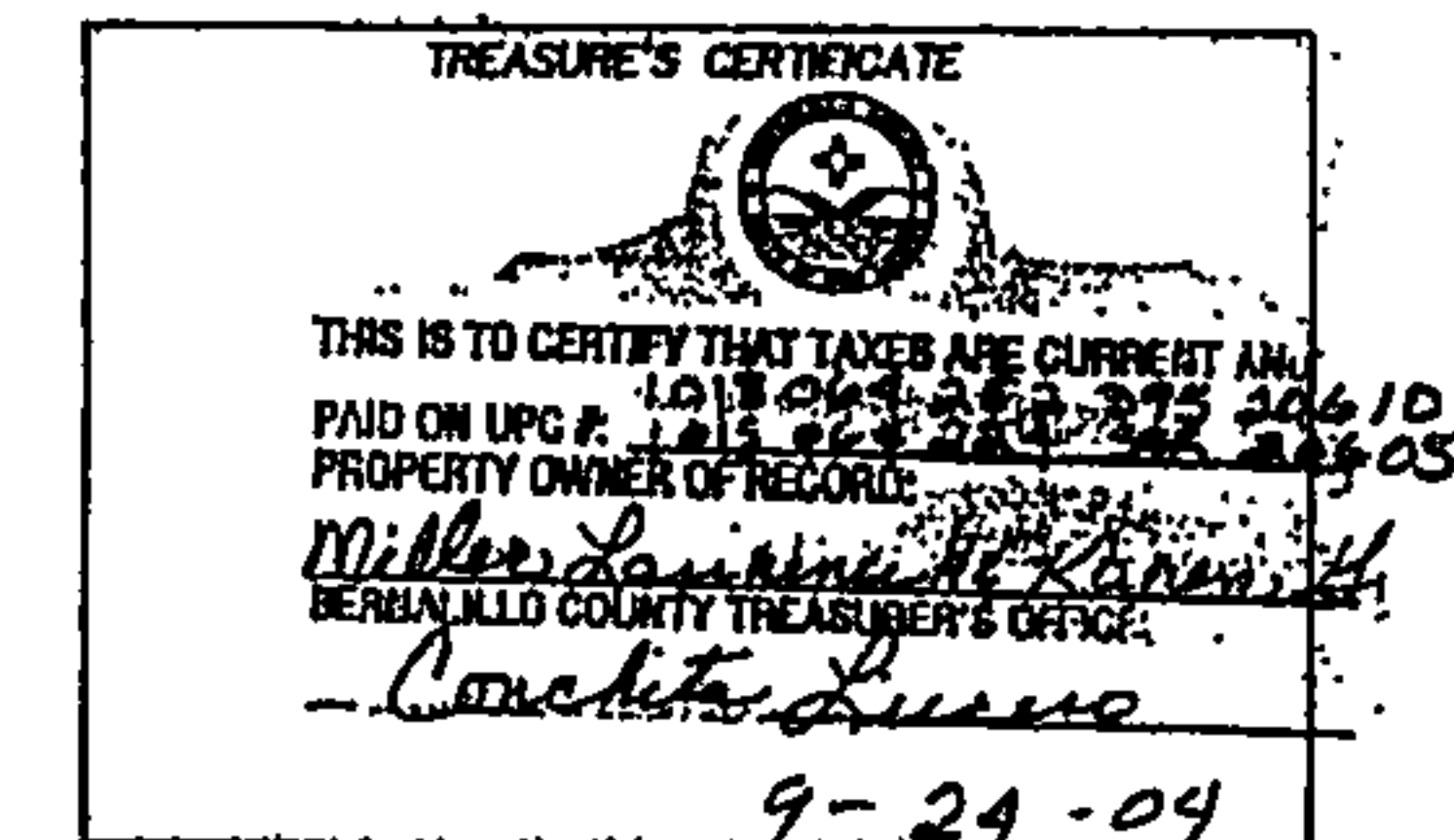
Michael Malouff, Jr.
MICHAEL MALOUFF, JR.
AGENT FOR MILLER FAMILY REAL ESTATE, LLC
A UTAH PARTNERSHIP

Acknowledgment

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004
MICHAEL MALOUFF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTAH PARTNERSHIP

BY Harold H. Heston MY COMMISSION EXPIRES: 10-16-06
NOTARY PUBLIC

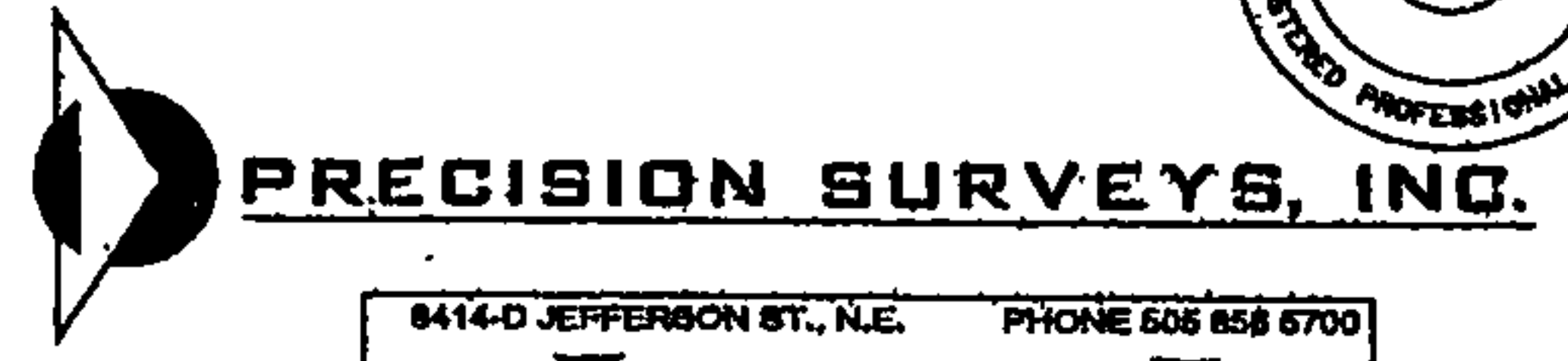
Approvals	Application No. 04-00571
<i>Dheran Matson</i> DRB CHAIRMAN, CITY PLANNER, ALBUQUERQUE PLANNING DIVISION	9/29/04
<i>David S. Johnson</i> CITY ENGINEER	9/29/04
<i>Russell A. Boyle</i> A.M.A.F.C.	8/21/04
<i>John A. ...</i> TRAFFIC ENGINEER	4-21-04
<i>John B. ...</i> CITY SURVEYOR	3-16-04
<i>Jack McDonald</i> PROPERTY MANAGEMENT	9-21-04
<i>Roger L. ...</i> UTILITY DEVELOPMENT DIVISION	4/21/04
<i>Christina ...</i> PARKS, AND RECREATION DEPARTMENT	4/19/04
<i>Frank ...</i> PNM ELECTRIC SERVICES	4-6-04
<i>Frank ...</i> PNM GAS SERVICES	4-6-04
<i>David R. Muller</i> OWEST CORPORATION	4-16-04
<i>Rita ...</i> COMCAST CABLE	7/6/04



Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medrano
LARRY W. MEDRANO
N.M.P.S. No. 11993



Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.9388 ACRES
ZONE ATLAS INDEX NO: C-18-Z
NO. OF TRACTS CREATED: 2
NO. OF LOTS CREATED: 0
MILES OF FULL-WIDTH STREETS CREATED: 0
DATE OF SURVEY: JANUARY 13, 2003

Notes:

- MISC. DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1927).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
- THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- SP NO. 2003051240

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
- PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
- OWEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
- COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

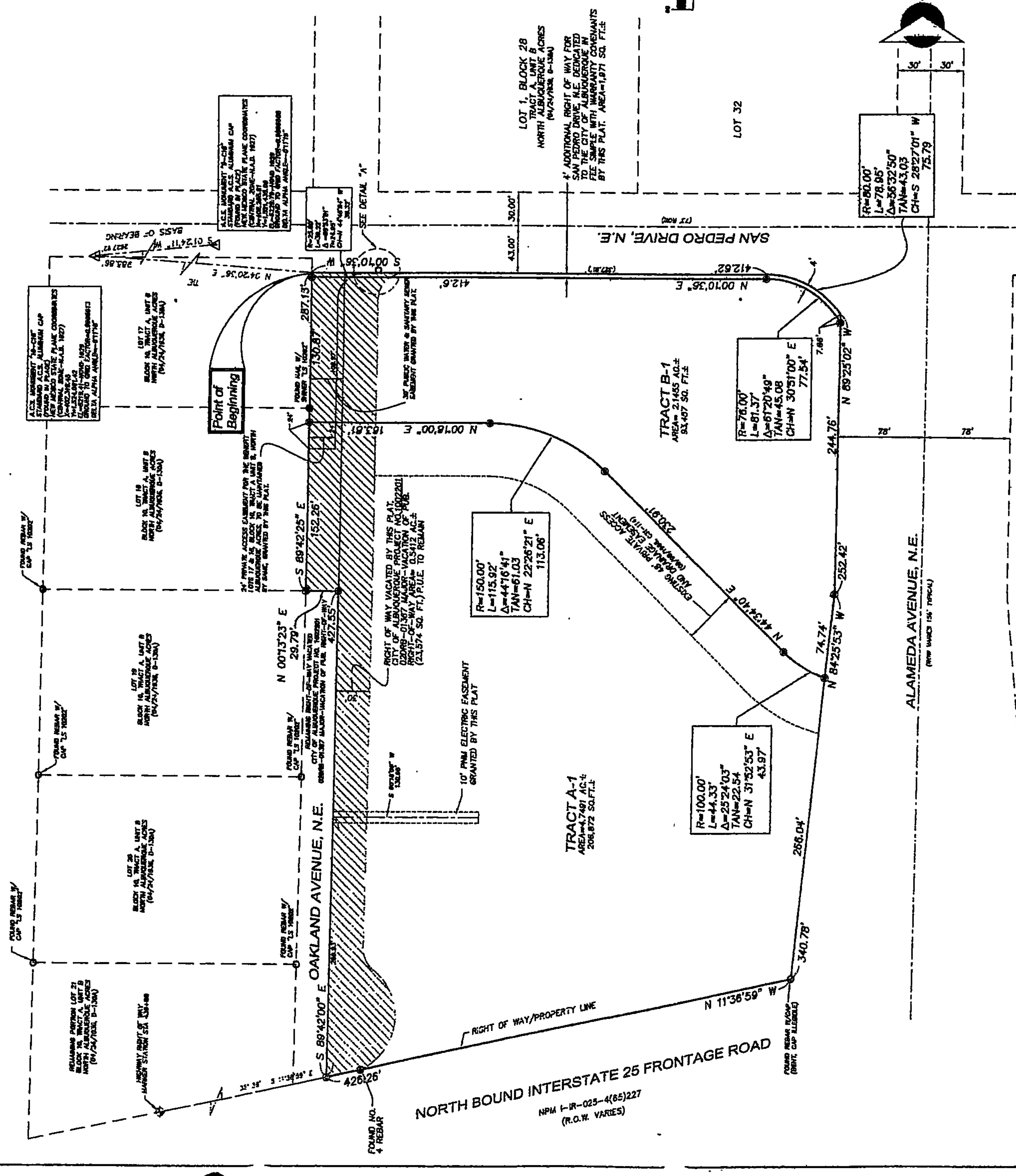
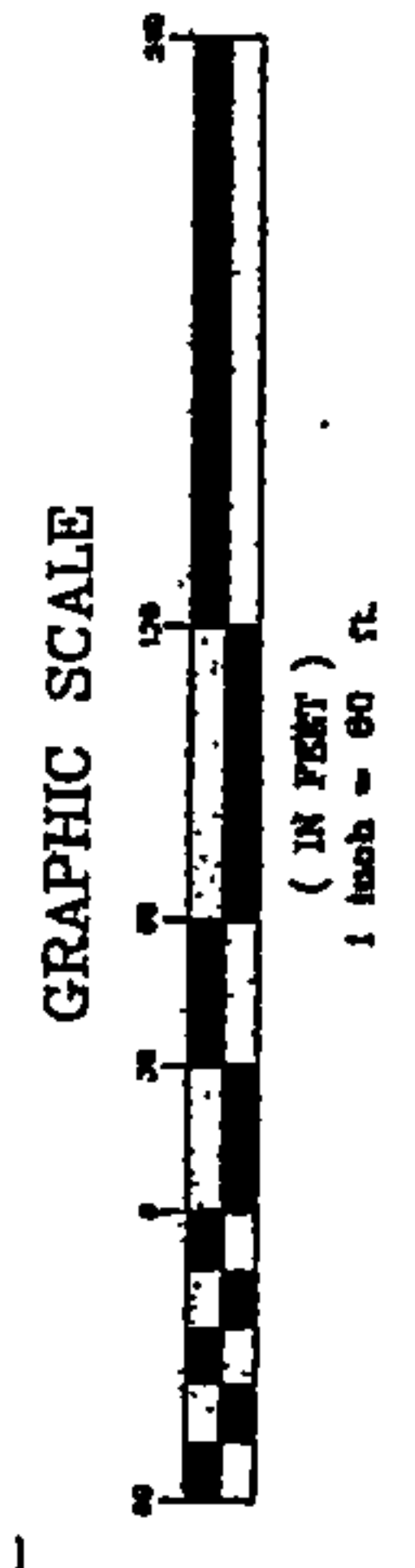
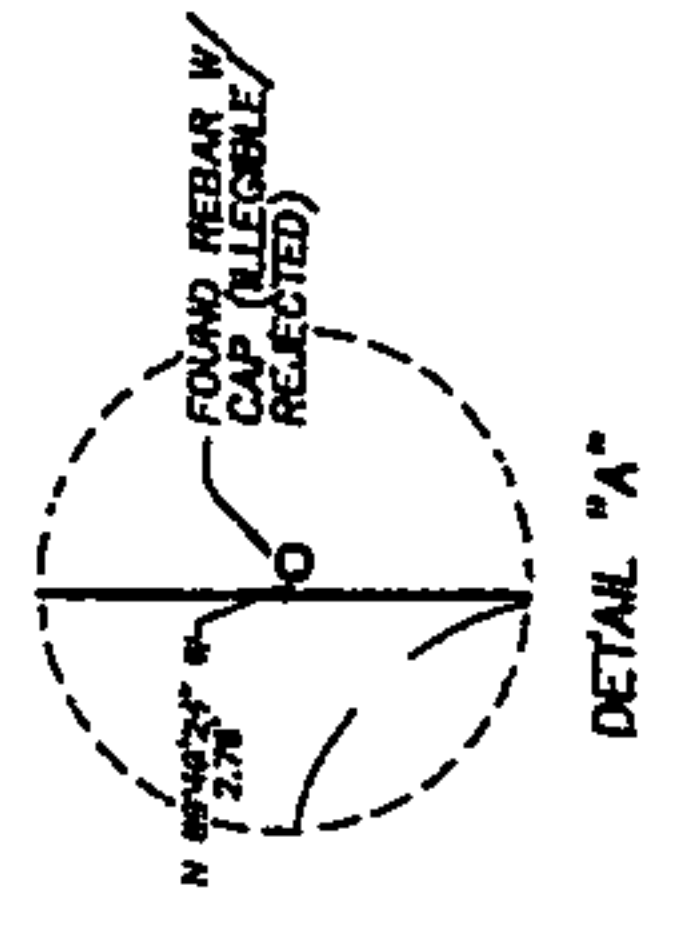
IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Plat of
Tracts A-1 and B-1
American Toyota
Albuquerque, Bernalillo County, New Mexico
February 2004

Legend

N 80°00'00" E	MEASURED BEARINGS AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES AS RECORDED
○	POINTS AND USED INSTRUMENT
⊙	GENERIC BEARING W/ CAP "P" IS SHOWN SET THIS SURVEY MEASUREMENT OVERLAYS

09/11/2003
Page 2 of 2
08/24/2004 13:11P
MAY 1997
Berm. Co. PLAT # 12, 00 BR-2004C Pg. 208



ALAMEDA AVENUE, N.E.
(NEW WIDE 156' TRUCK)

NORTH BOUND INTERSTATE 25 FRONTAGE ROAD
NPM 1-IR-025-4(65)227
(R.O.W. VARIES)

PRECISION SURVEYS, INC.
8414-D JEFFERSON ST., N.E. PHONE 505 866-6700
ALBUQUERQUE, NEW MEXICO 87113 FAX 505 866-7900

Project No. **1002848**

Sheet 2 of 2



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, AMERICAN TOYOTA, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/8/03
 Date Preliminary Plat Expires: 10/8/05
 DRB Project No.: 1002201
 DRB Application No.: 03 DRB 01270

ORIGINAL

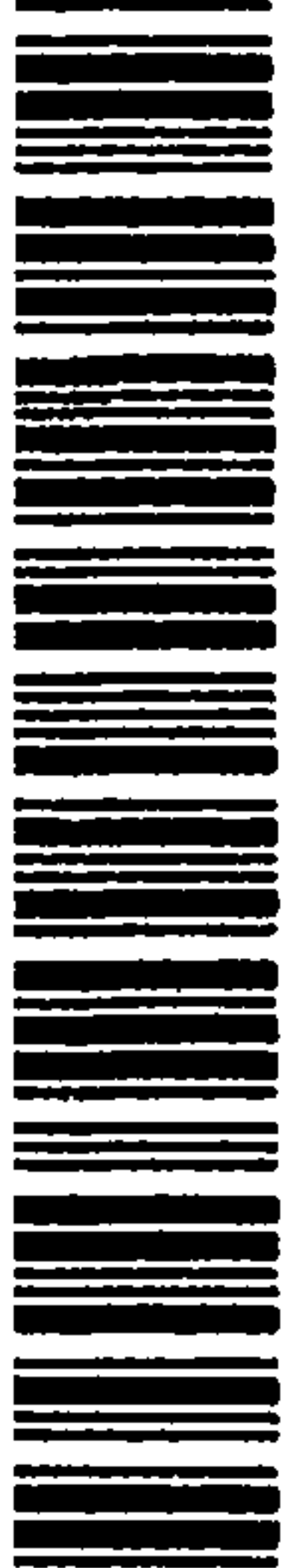
INFRASTRUCTURE LIST

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

American Toyota
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
American Toyota
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, <u>560</u> Curb and Gutter (West Side) <u>400</u> 4' Sidewalk (West Side) <u>400</u>	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain <u>400</u>	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
			Catch Basins and RCP connections included with Storm Sewer						
MB-1	✓	8" * <u>140</u>	SAS	20' public easement	San Pedro	10' west of lot 17			



10/16/03 THU 08:38 FAX 5059243864

1 * Referred Item

2

3

4

5

10/16/03 THU 08:38 FAX 5059243864

AGENT / OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Ronald R. Bohannan
NAME (print)

Susan Maturo 10/8/03
DRB CHAIR - date

Christina Sandora 10/8/03
PARKS & GENERAL SERVICES - date

Tierra West LLC
FIRM

[Signature]
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

[Signature]
SIGNATURE - date

Doug Dean 10/8/03
UTILITY DEVELOPMENT - date

- date

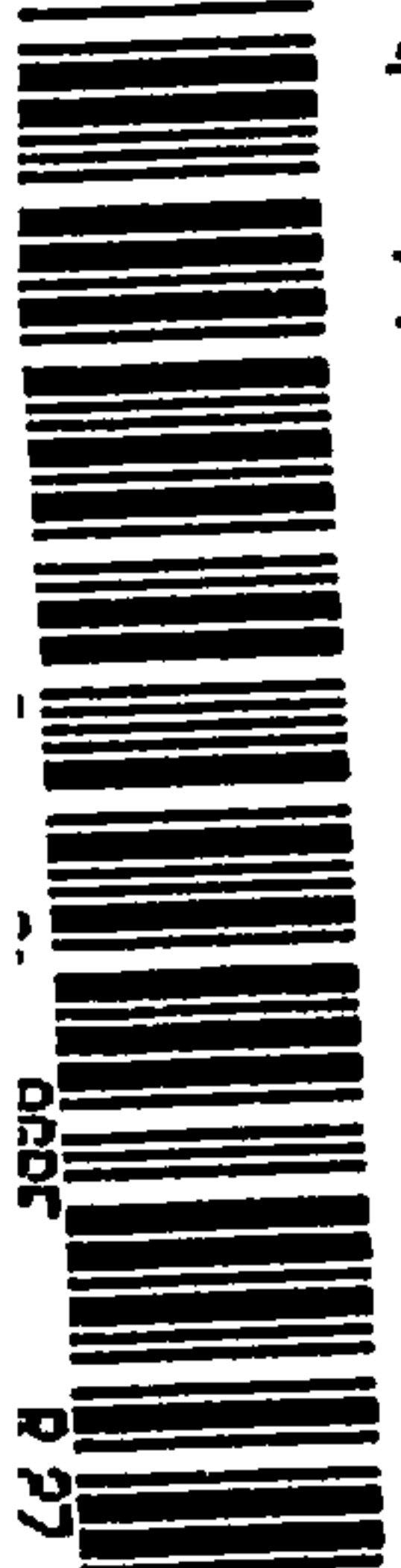
MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB
EXTENSION: _____

Brad J. Bigham 10/8/03
CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER



2004031626
8945111
Page: 10 of 10
03/10/2004 11:14A
BK-974 Pg-1543

TIERRA WEST
005



DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. **Your Developer Inquiry is for the following:**

Cell Tower Submittal: Free-Standing Tower -OR- Concealed Tower
 EPC Submittal DRB Submittal LUCC Submittal Liquor Submittal
 Administrative Amendments (AA's) Submittal City Project Submittal

CONTACT NAME: Keli Krueger

COMPANY NAME: Tierra West LLC

ADDRESS/ZIP: 5571 Midway Park Place NE, Albuquerque, NM 87109

PHONE: 505-858-3100 FAX: 505-858-1118

LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

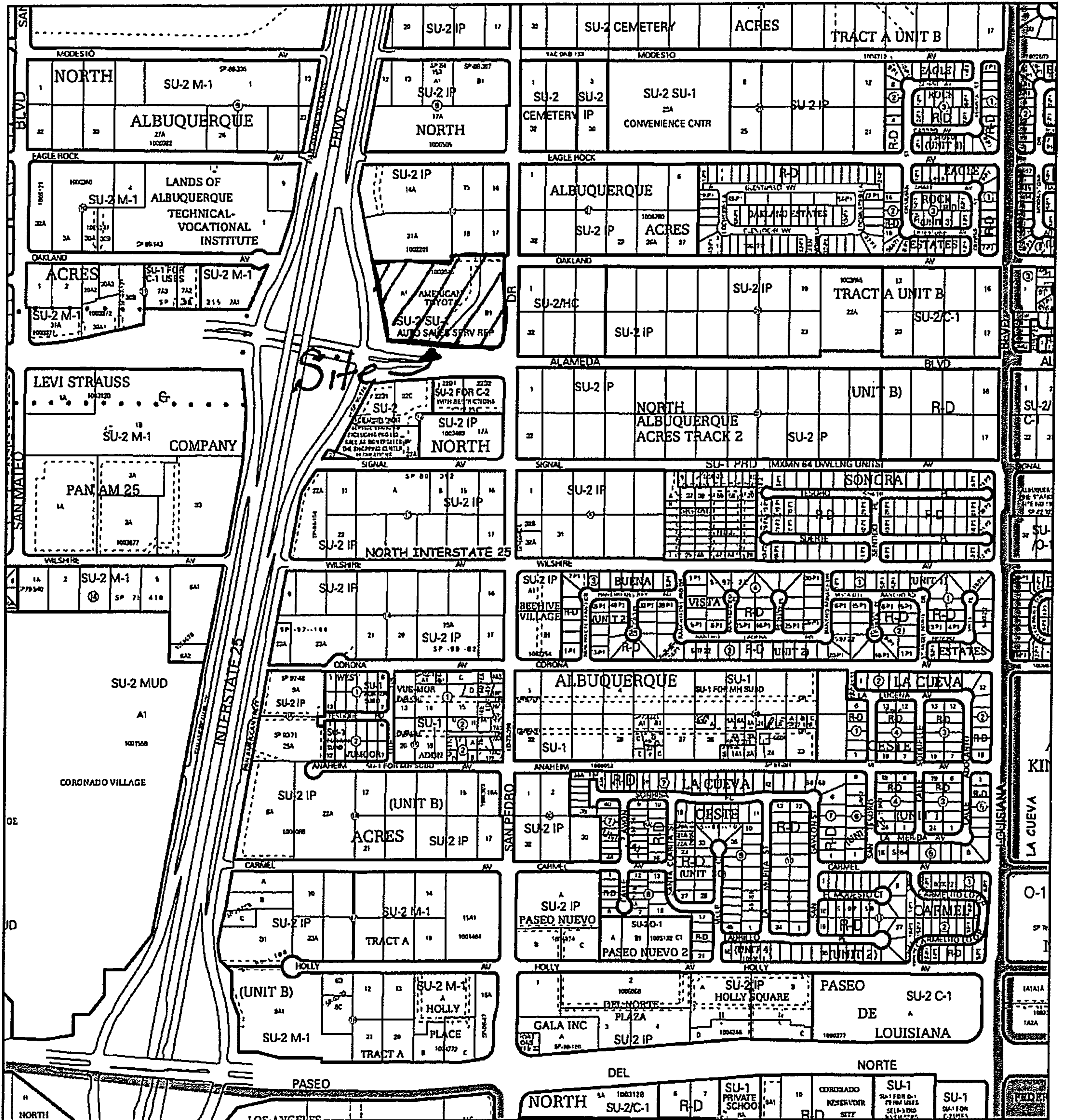
Tracts A-1 and H-1, American Toyota

LOCATED ON Alameda Boulevard NE LEGAL DESCRIPTION
STREET NAME OR OTHER IDENTIFYING LANDMARK

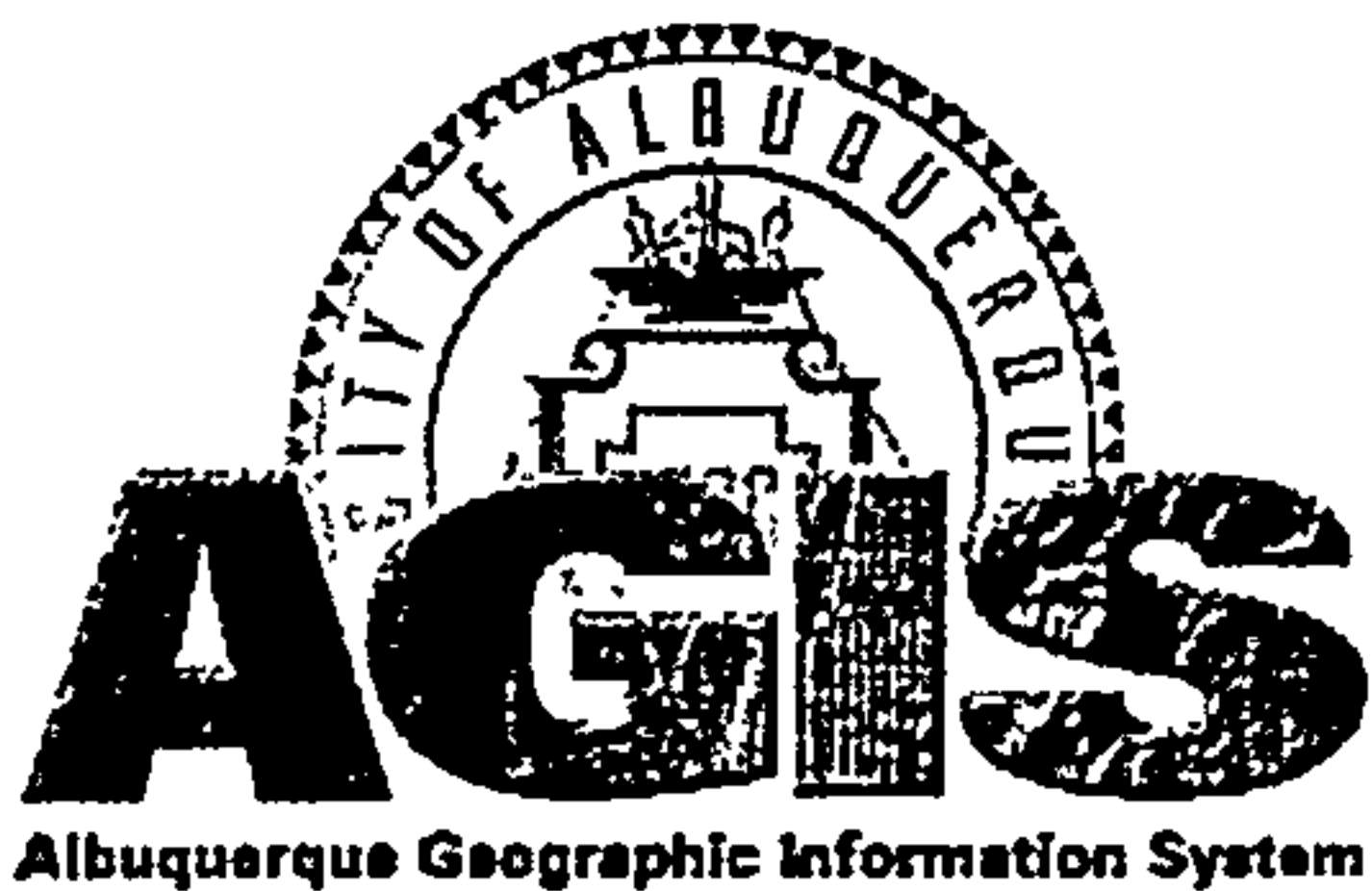
BETWEEN Pan American Freeway NE AND
STREET NAME OR OTHER IDENTIFYING LANDMARK

San Pedro Drive NE
STREET NAME OR OTHER IDENTIFYING LANDMARK

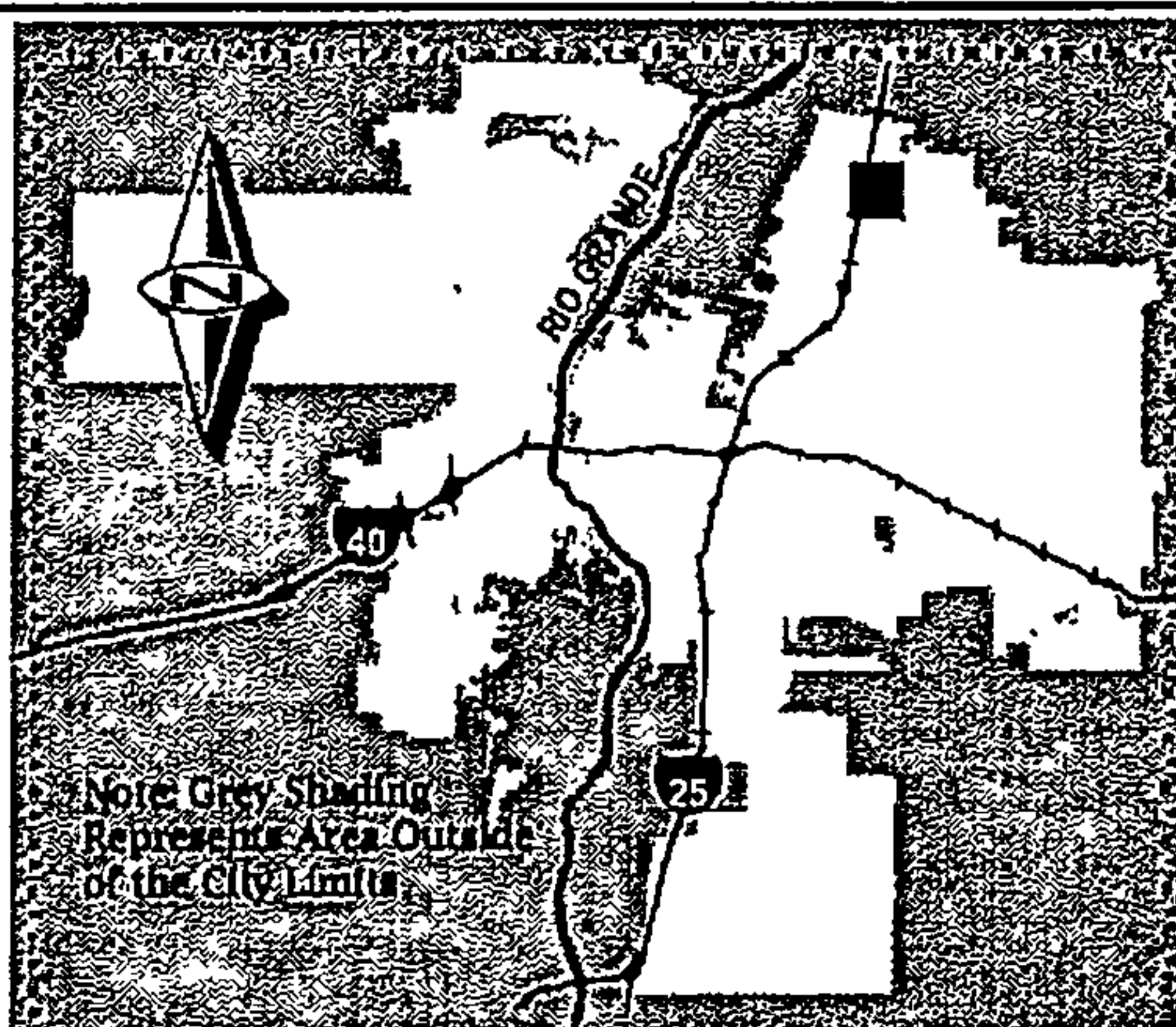
THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (C-18).
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)
(Zone Map **MUST** be provided with request)



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



Map amended through: 3/10/2009



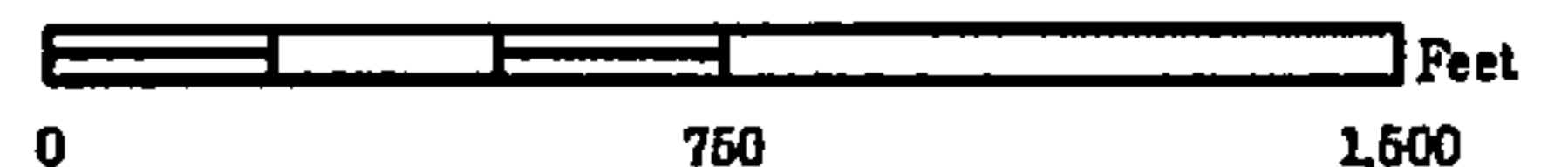
Note Grey Shading Represents Area Outside of the City Limits

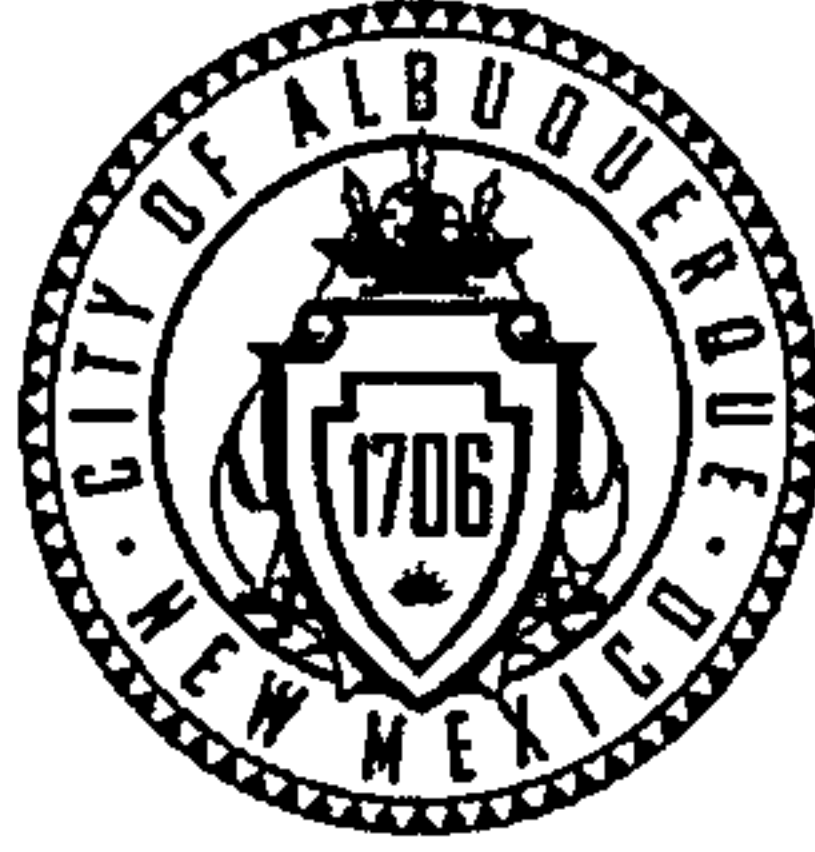
Zone Atlas Page:

C-18-Z

Selected Symbols

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





City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

September 29, 2010

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
E-mail: KKrueger@tierrawestllc.com

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

Dear Keli:

Thank you for your inquiry of September 29, 2010 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACTS A-1 AND H-1, AMERICAN TOYOTA, LOCATED ON ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map **C-18**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

NOR ESTE N.A. (NRE) "R"

Jeff Peterson, 7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)
Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WEST LA CUEVA N.A. (WLC) "R"

Peggy Neff, 8305 Calle Sequelle NE/87113 823-1041 (h)
Lee Hanson, 6909 La Lucena Ave. NE/87113 822-6372 (h)

WILDFLOWER AREA N.A. (WFA) "R"

Larry T. Caudill, 4915 Watercress NE/87113 857-0596 (h)
John Gaydos, 4911 Watercress Dr. NE/87113 797-3917 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD AND/OR
HOMEOWNER ASSOCIATION.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **09/29/10** Time Entered: **1:40 p.m.** ONC Rep. Initials: **siw**

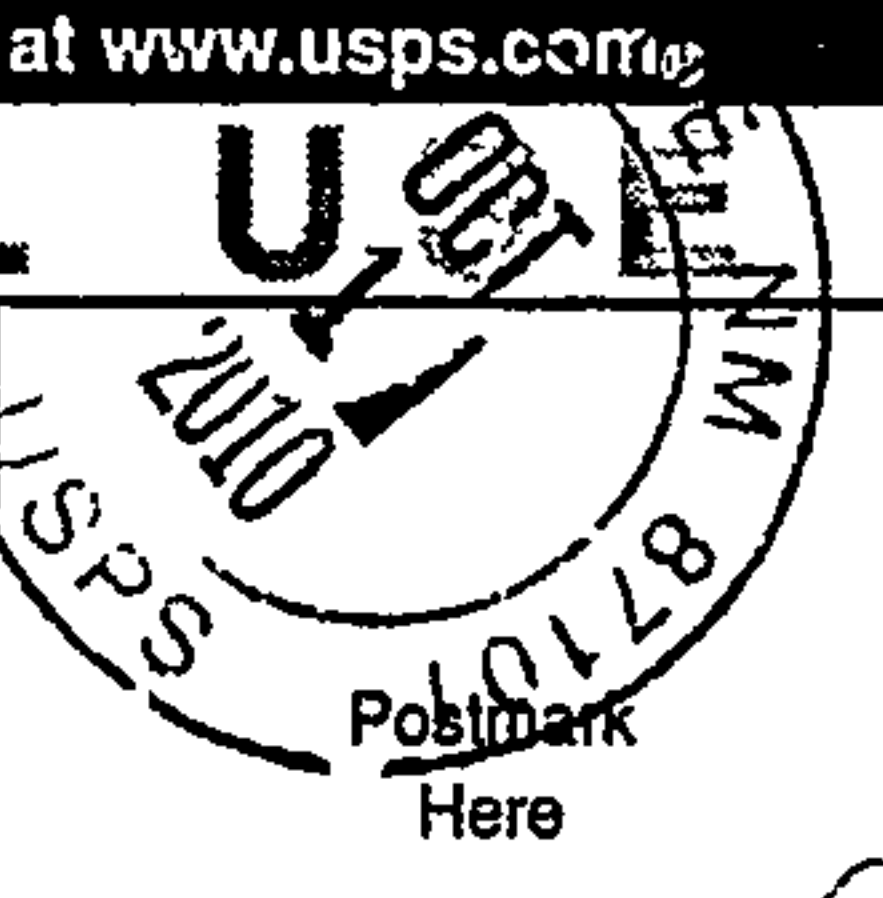
7009 2820 0000 7578 7155

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. John Gaydos
 Wildflower Area N.A.
 City, State, ZIP+4 4911 Watercress Dr. NE
 Albuquerque, NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

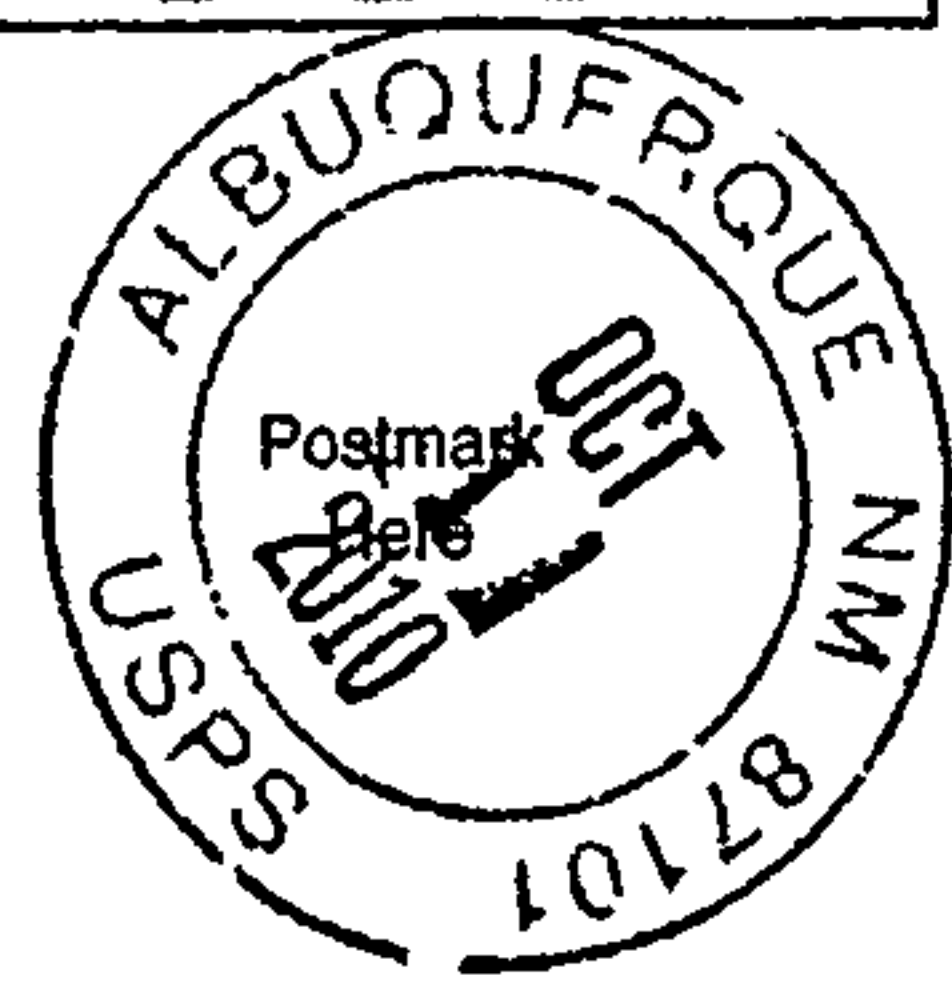
7009 2820 0000 7578 7158

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. Larry T. Caudill
 Wildflower Area N.A.
 City, State, ZIP+4 4915 Watercress NE
 Albuquerque, NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

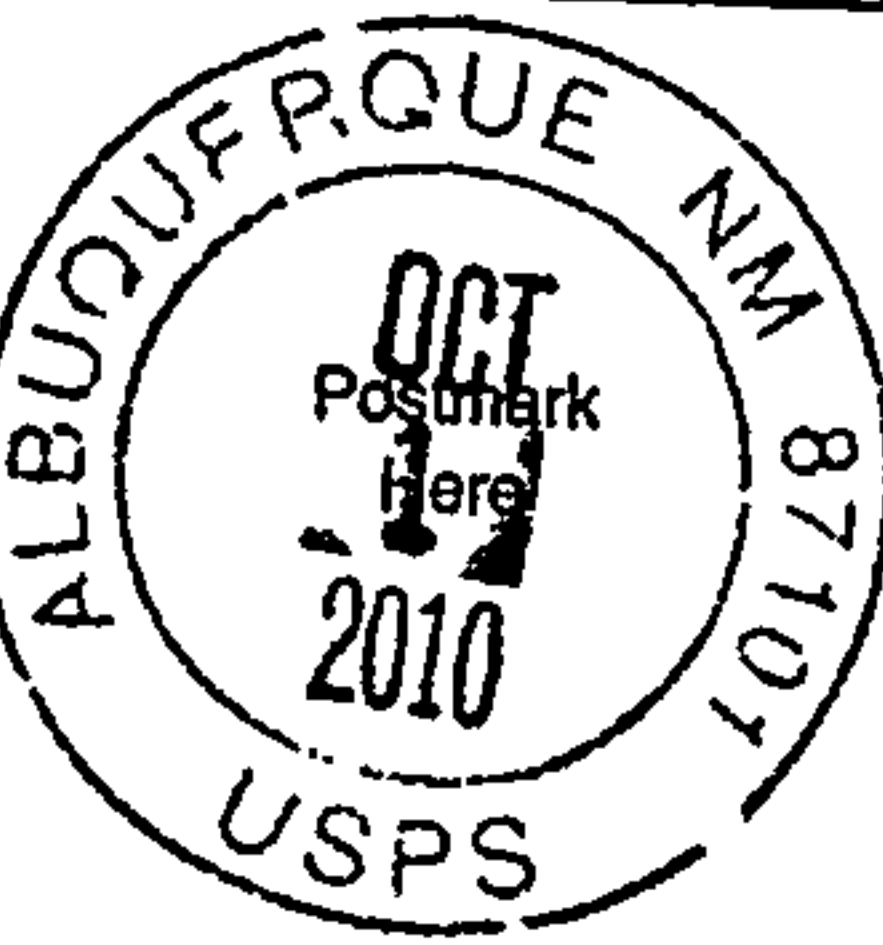
7009 2820 0000 7578 7189

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. Peggy Neff
 West La Cueva N.A.
 City, State, ZIP+4 83.05 Calle Sequelle NE
 Albuquerque, NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

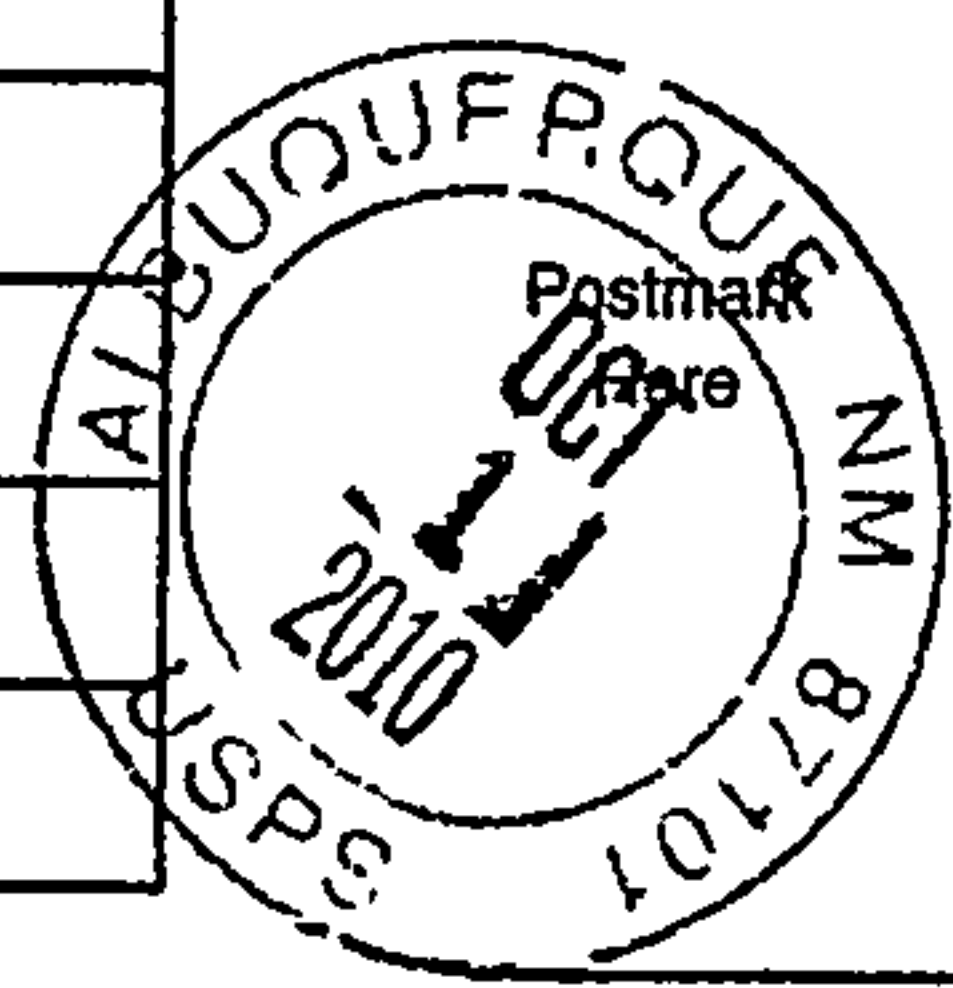
7009 2820 0000 7578 7172

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. Lee Hanson
 West La Cueva N.A.
 City, State, ZIP+4 6909 La Lucena Ave. NE
 Albuquerque, NM 87113

PS Form 3800, August 2006 See Reverse for Instructions

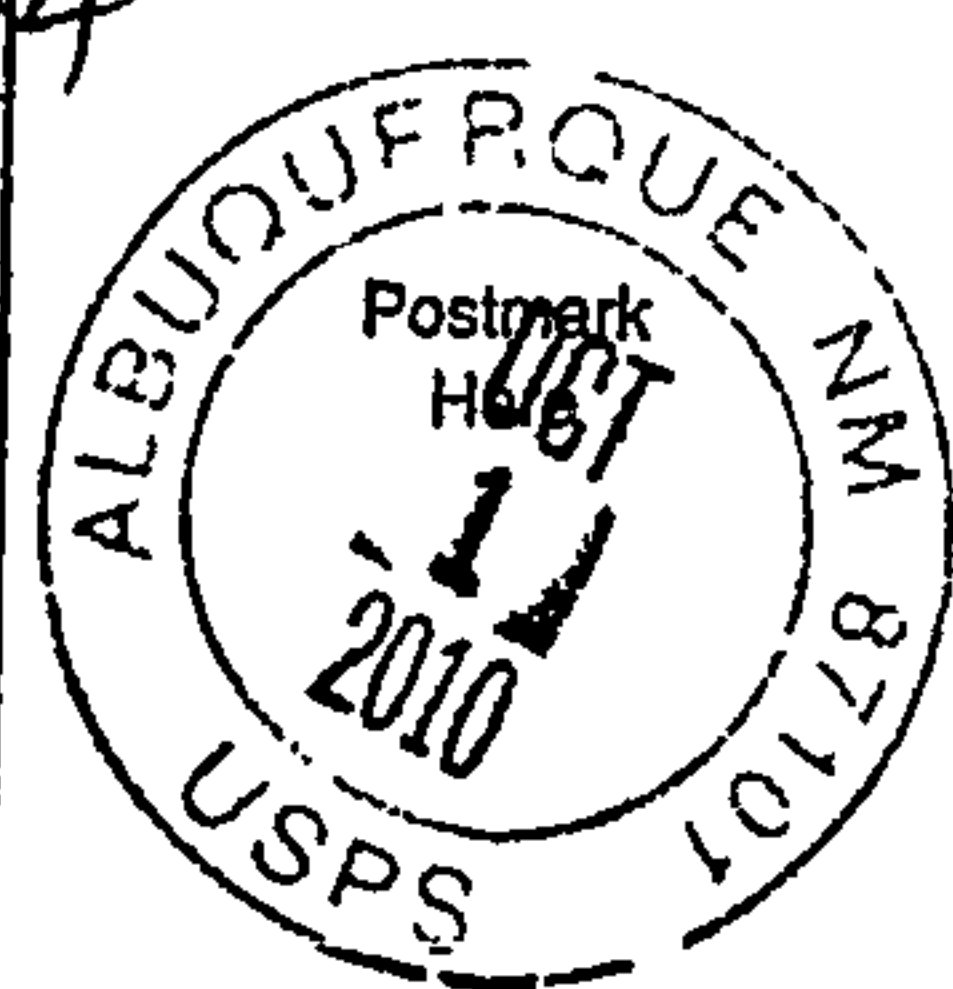
7009 2820 0000 7578 7516

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

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

OFFICIAL USE

Postage	\$ 5.54 .44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. Joe Yardumian
 Nor Este N.A.
 City, State, ZIP+4 7801 R.C. Gorman Ave. NE
 Albuquerque, NM 87122-2748

PS Form 3800, August 2006 See Reverse for Instructions

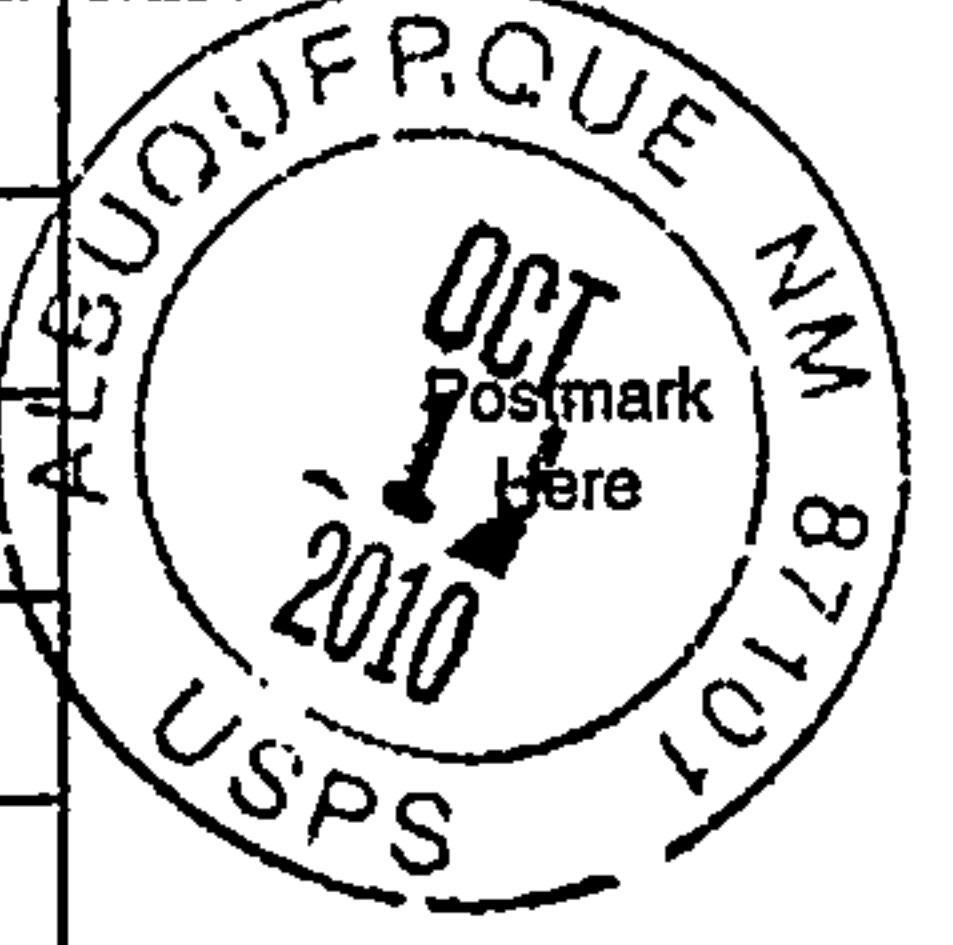
7009 2820 0000 7578 7523

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To _____
 Street, Apt. No., or PO Box No. Jeff Peterson
 Nor Este N.A.
 City, State, ZIP+4 7800 Eagle Rock Ave. NE
 Albuquerque, NM 87122-2723

PS Form 3800, August 2006 See Reverse for Instructions

1501

FIGURE 18

3rd EXTENSION AGREEMENT
Procedure "B"
PROJECT NO. 692481

This Agreement made this 5th day of January, 2010, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) **Miller Family Real Estate LLC** ("Developer"), whose address is **9350 South 150 E, Suite 1000, Sandy, Utah 84070** and whose telephone number is **801-563-4100** is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8th day of March, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on March 10, 2004, at Book Misc. A-74, pages 1543 through ---, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 8th day of October, 2005; and

WHEREAS, the Earlier Agreement was amended by a First Extension Agreement dated December 19, 2005 recorded December 19, 2005, in Book Misc. A108, pages 4899 through ---, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

WHEREAS, the Earlier Agreement was amended by a Second Extension Agreement dated December 18, 2007 recorded December 20, 2007, Document number 2007170565, pages 1 thru 3, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2009; and

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

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

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

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

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

A. For all improvements, the 9th day of November, 2010.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: Subdivision Bond # 929323941
Amount: \$ 276,672.40
Name of Financial Institution or Surety providing Guaranty: Western Surety Company
Date City first able to call Guaranty (Construction Completion Deadline): November 9, 2010
If Guaranty other than a Bond, last day City able to call Guaranty s:

Additional information: _____

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

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

DEVELOPER:
Miller Family Real Estate LLC
By: _____
Name: Gregory S. Miller
Title: Managing Member
Dated: 12/24/2009

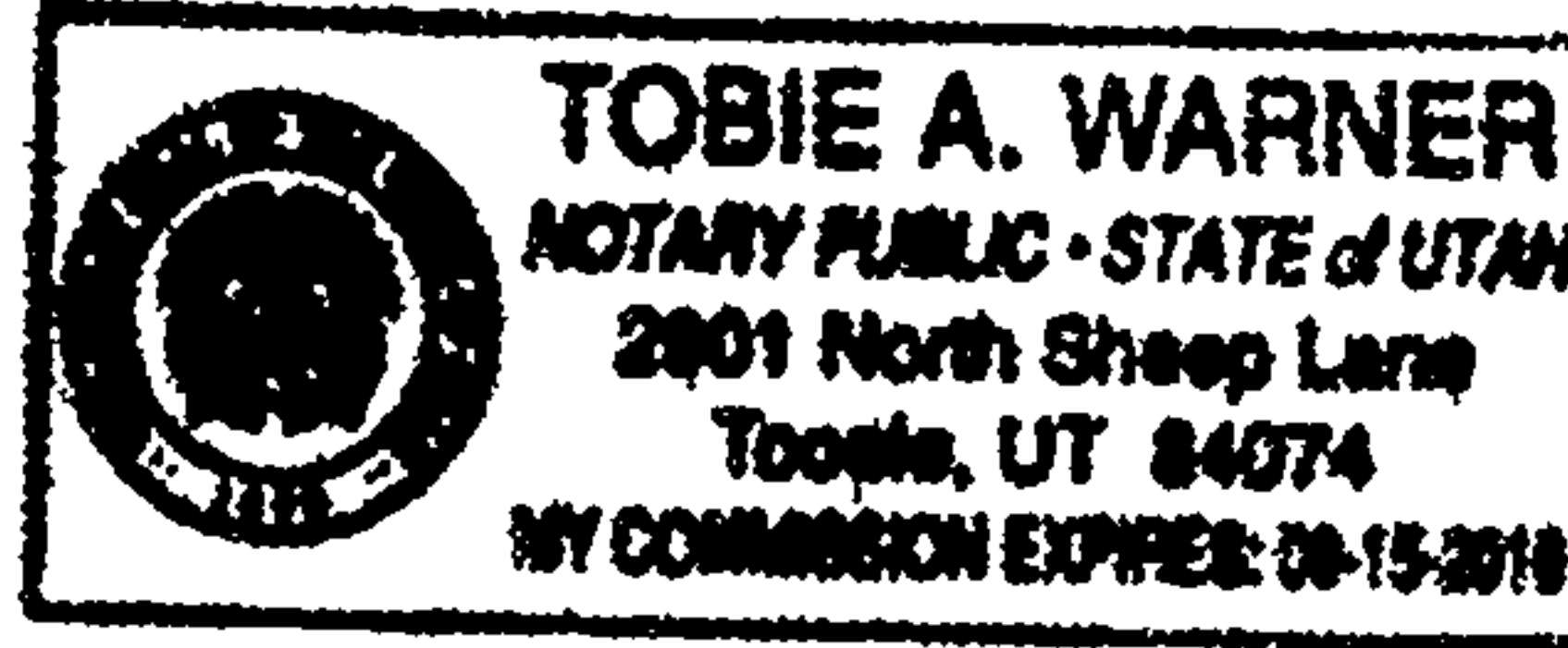
CITY OF ALBUQUERQUE:
By: _____
Richard Dourte, City Engineer
Dated: 1-05-10

use 1/4/10

01-4-10

DEVELOPER'S NOTARY

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)



This instrument was acknowledged before me on 24 day of DECEMBER, 2009 by Gregory S. Miller, Managing Member of Miller Family Real Estate LLC.

My Commission Expires:
09-15-2010

Tobie A. Warner
Notary Public

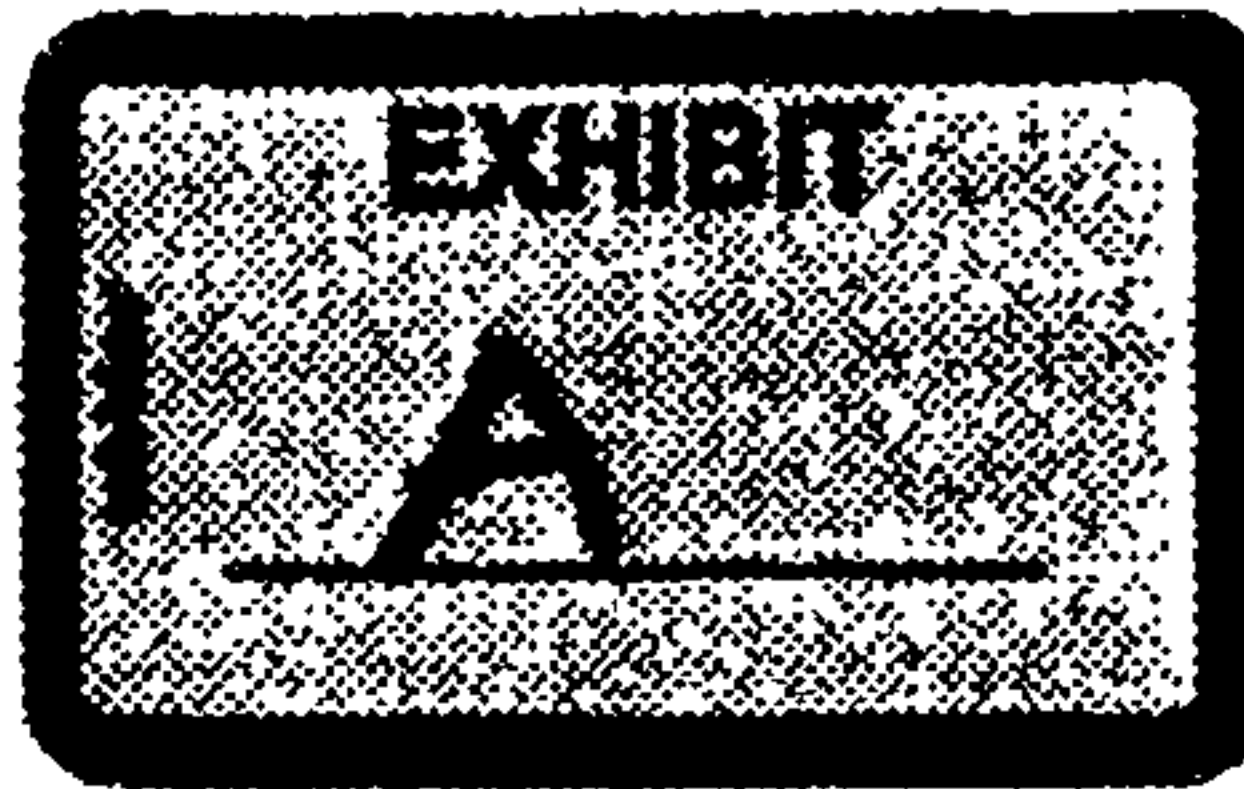
CITY'S NOTARY

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

This instrument was acknowledged before me on 5th day of January, 2010 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

My Commission Expires:
10-07-12

Linda A. Davis
Notary Public



22086
DRB



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 7, 2009

1 Project# 1002848
09DRB-70293 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS
AGREEMENT (2YR SIA)

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, AMERICAN TOYOTA SUBDIVISION zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

At the October 7, 2009, Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved. The sketch plat was reviewed and comments were given.

If you wish to appeal this decision, you must do so by October 22, 2009 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 87040
Marilyn Maldonado
File

154

FIGURE 18

3rd EXTENSION AGREEMENT
Procedure B Modified Non-Work Order
PROJECT NO. 692481

This Agreement made this 5th day of January, 2010, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) Miller Family Real Estate LLC ("Developer"), whose address is 9350 South 150E, Suite 1000, Sandy, Utah 84070 and whose telephone number is 801-563-4100 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8th day of March, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on March 10, 2004, at Book Misc. A74, pages 1544 through ---, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 8th day of October 2005; and

WHEREAS, the Earlier Agreement was amended by a First Extension Agreement dated December 19, 2005 recorded December 19, 2005, in Book Misc. A108, pages 4898 through ---, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

WHEREAS, the Earlier Agreement was amended by a Second Extension Agreement dated December 18, 2007 recorded December 20, 2007, Document number 2007170560, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2009; and

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

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

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

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

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

A. For all improvements, the 9th day of November, 2010.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: Subdivision Bond # 929323942
Amount: \$17,763.39
Name of Financial Institution or Surety providing Guaranty: Western Surety Company
Date City first able to call Guaranty (Construction Completion Deadline): November 9, 2010
If Guaranty other than a Bond, last day City able to call Guaranty s: _____
Additional information: _____

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

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

DEVELOPER:

Miller Family Real Estate LLC
By: _____
Name: Gregory S. Miller
Title: Managing Member
Dated: 12/24/2009

CITY OF ALBUQUERQUE:

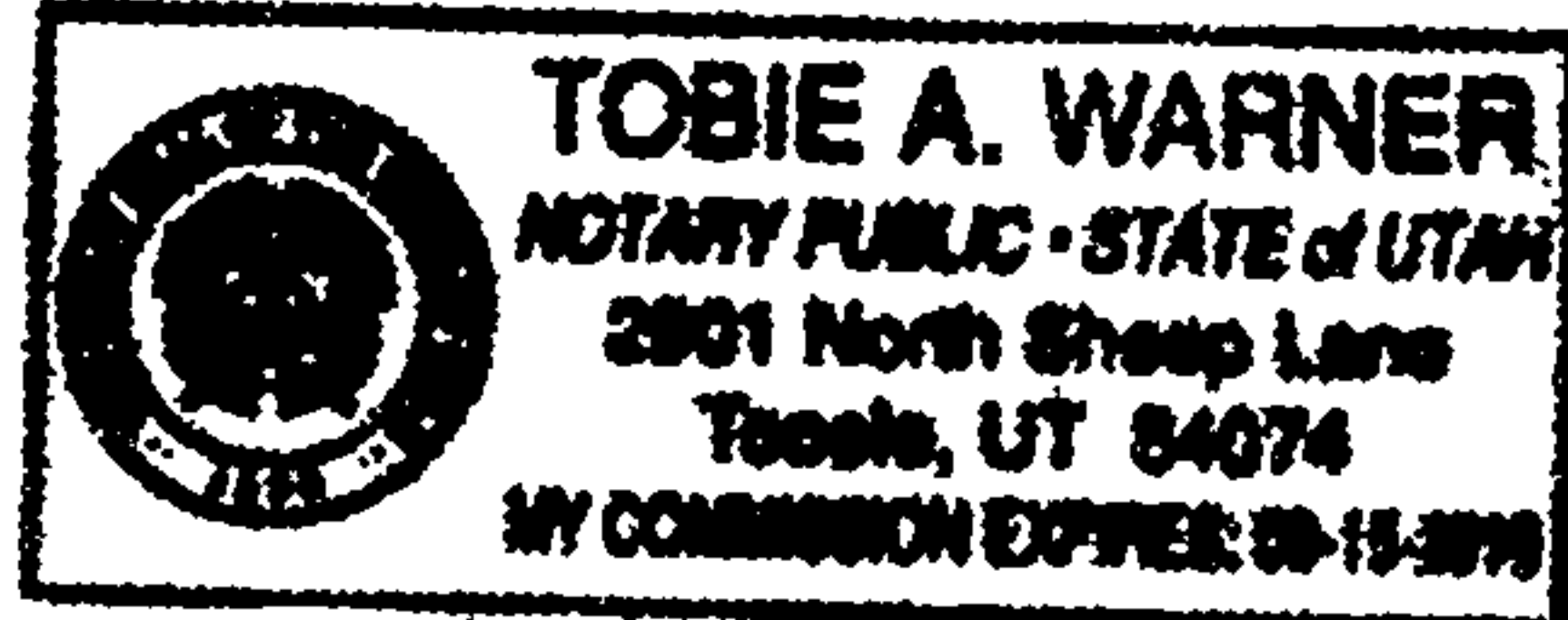
By: _____
Richard Dourte, City Engineer
Dated: 1-05-10

vs 1/4/10

an
01-4-10

DEVELOPER'S NOTARY

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)



This instrument was acknowledged before me on 24 day of DECEMBER,
2009 by Gregory S. Miller, Managing Member of Miller Family Real Estate LLC.

My Commission Expires:
09-15-2010

Tobie A. Warner
Notary Public

CITY'S NOTARY

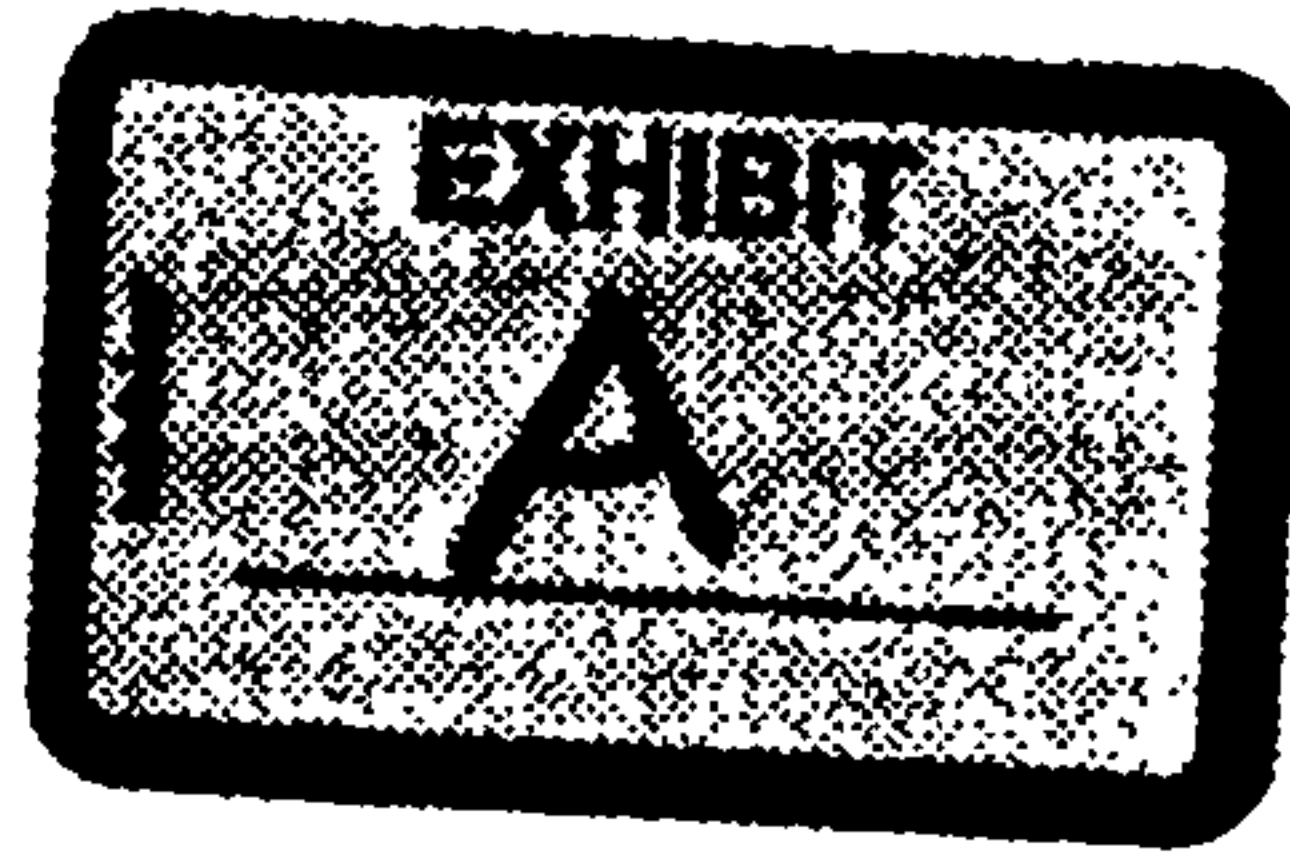
STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 5th day of January,
2010 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal
corporation, on behalf of said corporation.

My Commission Expires:
10-07-12

Linda A. Gans
Notary Public

22084
DRB



OFFICIAL NOTICE OF DECISION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD**

October 7, 2009

**1 Project# 1002848
09DRB-70293 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS
AGREEMENT (2YR SIA)**

TIERRA WEST LLC agent(s) for LARRY H. MILLER/ AMERICAN TOYOTA request(s) the referenced/ above action(s) for all or a portion of Tract(s) A1 & B1, AMERICAN TOYOTA SUBDIVISION zoned SU-2/ SU-1 AUTO SALES, located on the north side of ALAMEDA BLVD NE bewteen I-25/ PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6.9398 acre(s). (C-18)

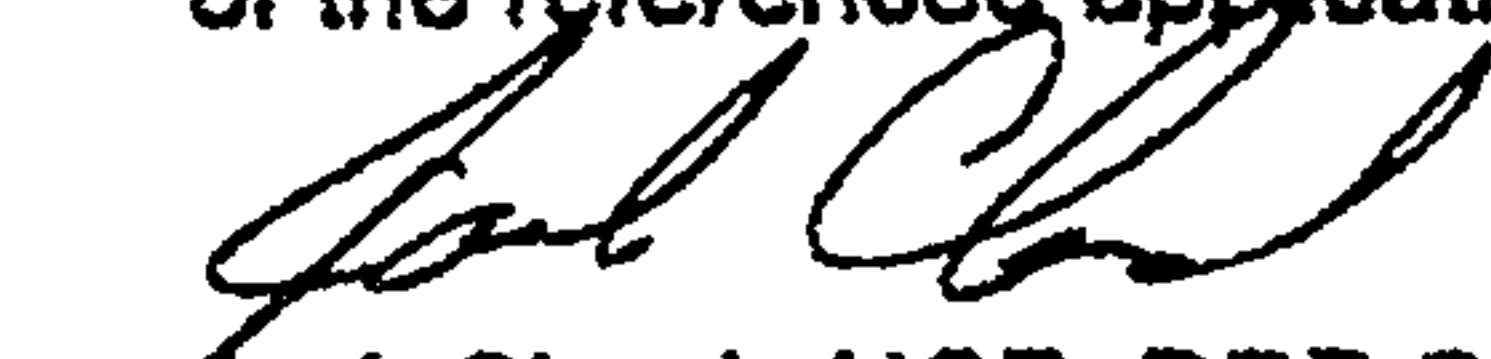
At the October 7, 2009, Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved. The sketch plat was reviewed and comments were given.

If you wish to appeal this decision, you must do so by October 22, 2009 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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


Jack Cloud, AICP, DRB Chair

**Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Larry H. Miller/American Toyota – 9350 South 150E, Ste 1000 – Sandy, UT 87040
Marilyn Maldonado
File**

6200821-
SIA

No. Of Lots 2

Nearest Major Streets ALAMEDA BOULEVARD NE

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 8th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

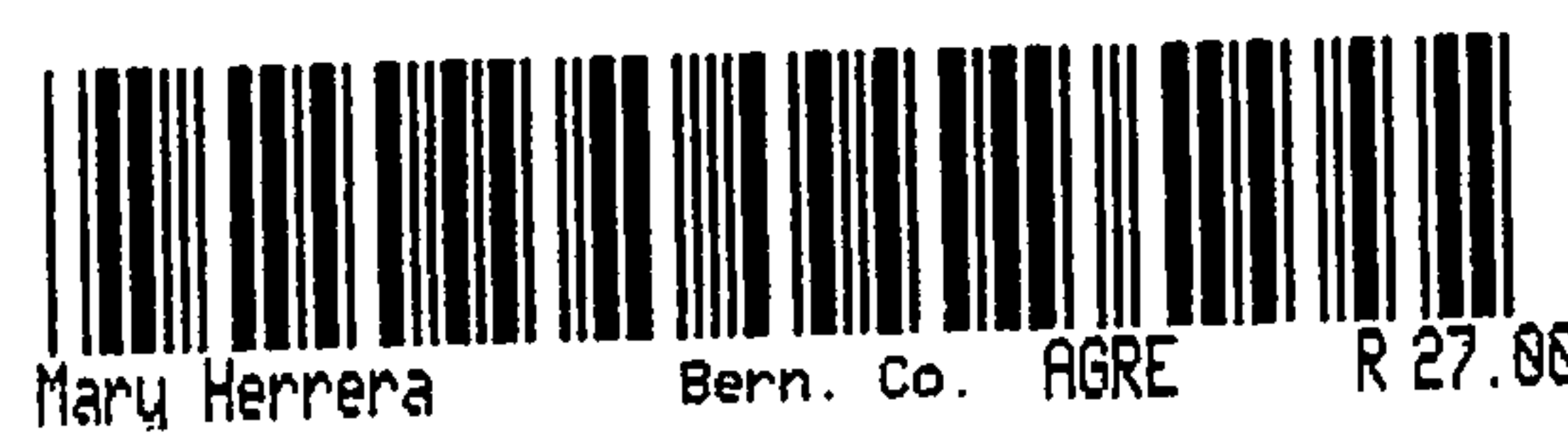
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 19 86 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (the "Subdivision"). The Subdivider 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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("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. 6924.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



2004031626
6845111
Page: 1 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

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

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured's. 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 & Sidewalk Fees</u>	<u>As required per City-approved estimate</u>
<u>Street Restoration Fees</u>	<u>As required per City-approved estimate (Fig. 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 PRECISION SURVEYS, and construction surveying of the Private Improvements shall be performed by PRECISION SURVEYS. 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 TIERRA WEST LLC, and inspection of the Private Improvements shall be performed by TIERRA WEST 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.



Maru Herrera

Bern. Co. AGRE

R 27.00

2004031626

6045111

Page: 2 of 10

03/10/2004 11:14A

Bk-A74 Pg-1543

C. Field Testing. Field-testing of the construction of Public Improvements shall be performed by VINYARD & ASSOC., and field testing of the Private Improvements shall be performed by VINYARD & ASSOC., 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 the 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 therefore.

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: SUBDIVISION BOND # 929323941
Amount: \$ 158,565.75
Name of Financial Institution or Surety providing Guaranty:
WESTERN SURETY COMPANY
Date City first able to call Guaranty: OCTOBER 8, 2005
[Construction Completion Deadline]: OCTOBER 8, 2005
If Guarantee other than a Bond, last day City able to call on Guaranty is:

Additional information: PAVING & UTILITY IMPROVEMENTS

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 location 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.

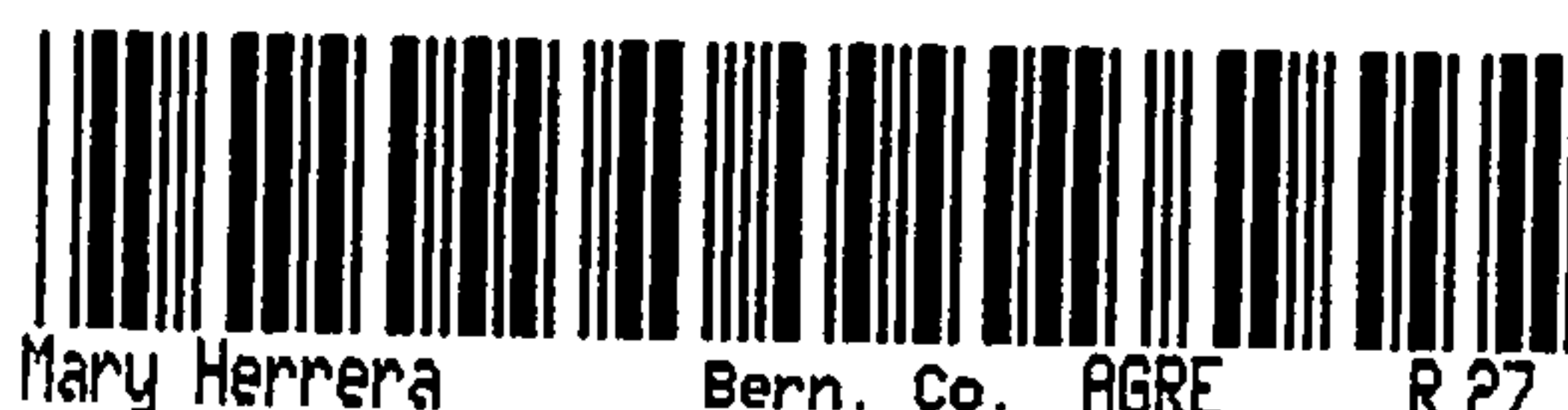
B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty other than a loan reserve letter has been provided, the completed Improvements must be freestanding, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved 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 Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer 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 Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer 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 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 posted a suitable financial guaranty and entered into a Subdivision Improvements Agreement with the City. Thereafter, when 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 the Financial Guaranty.

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

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

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

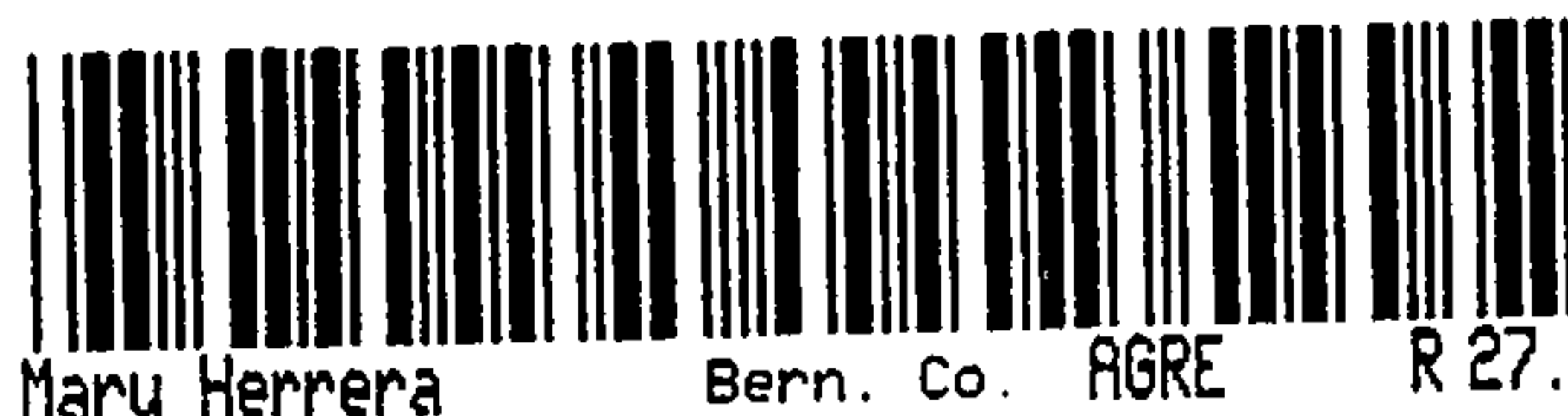
17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

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

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

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

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



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

SUBDIVIDER:

CITY OF ALBUQUERQUE

By [Signature]: 02-20-04
Name: LARRY H. MILLER
Title: MANAGING MEMBER
Dated: *Larry H. Miller*
MILLER FAMILY REAL ESTATE LLC

Approved by: *[Signature]*
City Engineer
Dated: 3-08-04

Arzola

Healy

Mary Herrera
Bern. Co. AGRE R 27.00
2004031626
6045111
Page: 6 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

SUBDIVIDER'S NOTARY

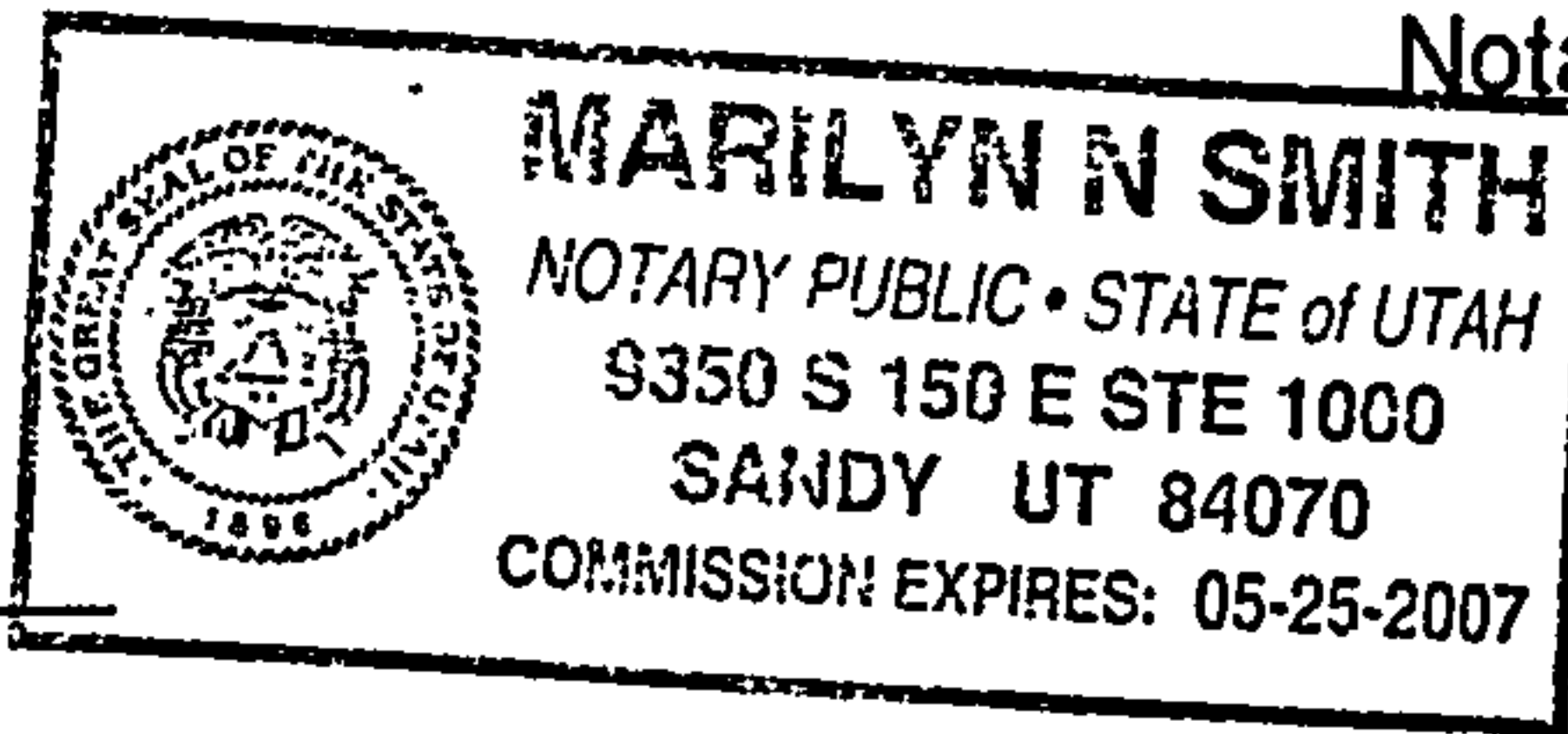
STATE OF Utah)
COUNTY OF Salt Lake) ss.

This instrument was acknowledged before me on 20th day of February, 2004
by [name(s) of person(s):] LARRY H. MILLER, [title or capacity, for instance, "President" or
"Owner":] MANAGING MEMBER of [Subdivider:] MILLER FAMILY REAL ESTATE LLC.

Marilyn N. Smith
Notary Public

My Commission Expires:

5-25-2007



CITY'S NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

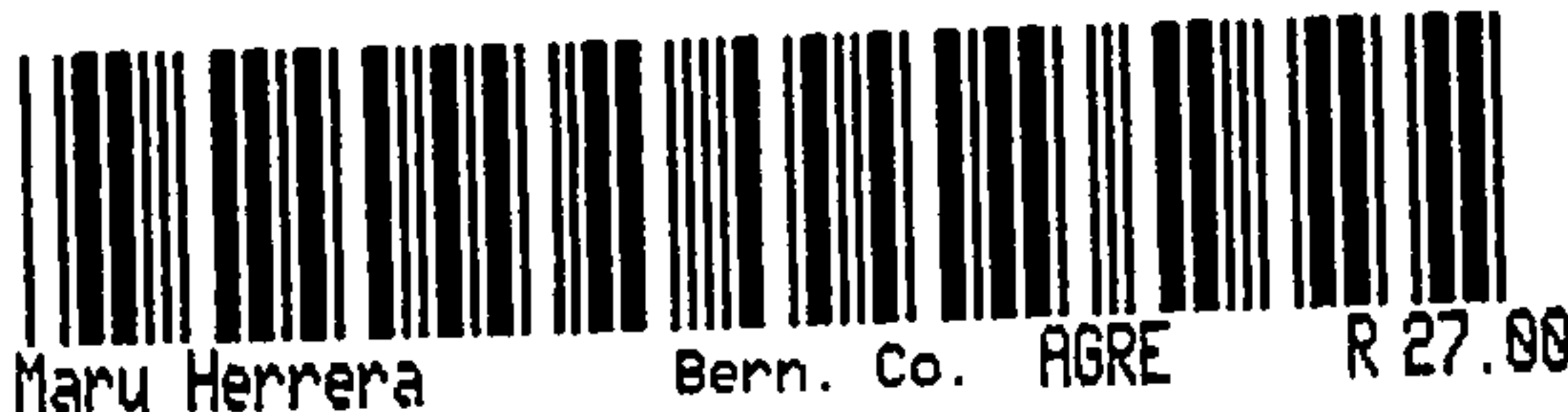
This instrument was acknowledged before me on 8th day of March, 2004 by
Richard Bourte, City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

Gloria J. Saavedra
Notary Public

My Commission Expires:

11-25-2007

EXHIBIT A AND POWER OF ATTORNEY ATTACHED



2004031626
6045111
Page: 7 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

FINANCIAL GUARANTY AMOUNT

10/24/2003

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

Project Description:

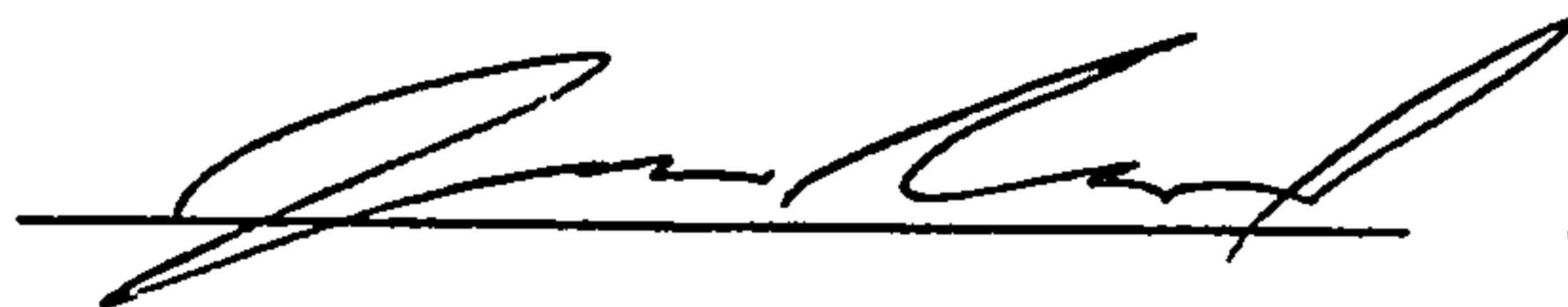
Project ID #: 692481, AmericanToyota,Paving & Utility Improv's, Phase/U

Requested By: Sara Lavy, PE w/ Tierra West LLC

Approved estimate amount:		\$100,355.22
Contingency Amount:	10.00%	\$10,035.52
Subtotal:		\$110,390.74
NMGRT	5.8125%	\$6,416.46
Subtotal:		\$116,807.20
Engineering Fee	6.60%	\$7,709.27
Testing Fee	2.00%	\$2,336.14
Subtotal:		\$126,852.60
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$158,565.75</u>

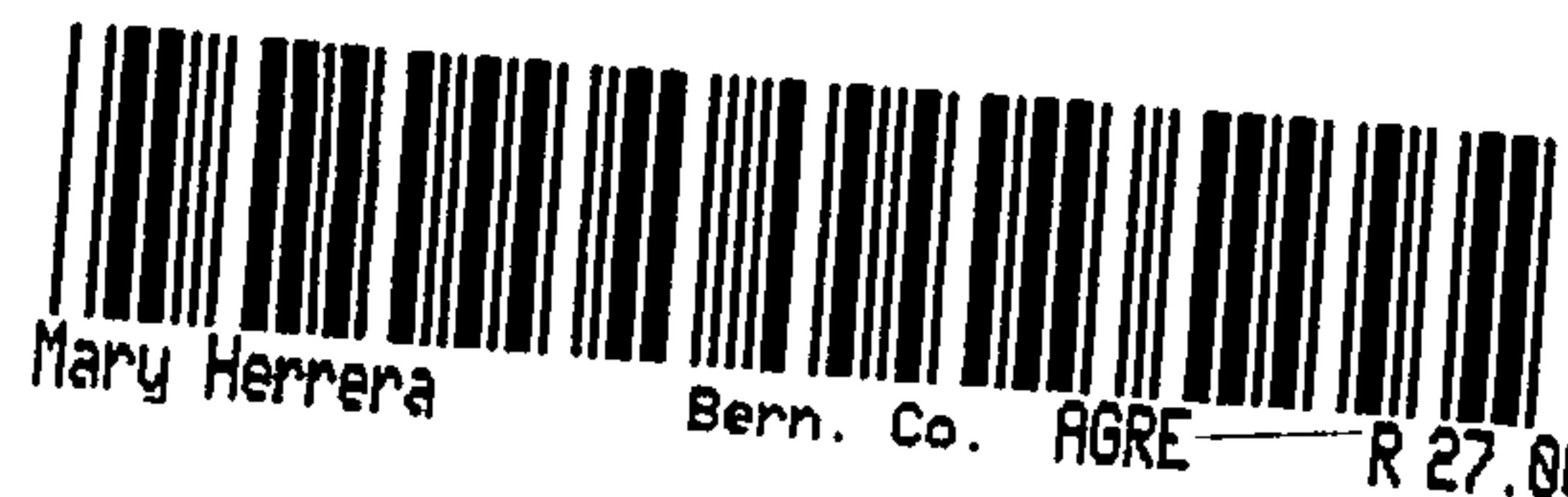
APPROVAL:

DATE:



10-24-2003

Notes: 10% contingency, plans not approved.



Mary Herrera

Bern. Co. AGRE R 27.00

2004031626

6945111

Page: 8 of 10

03/10/2004 11:14A

Bk-A74 Pg-1543

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/8/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/8/03
 Date Preliminary Plat Expires: 12/8/05
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

ORIGINAL

INFRASTRUCTURE LIST

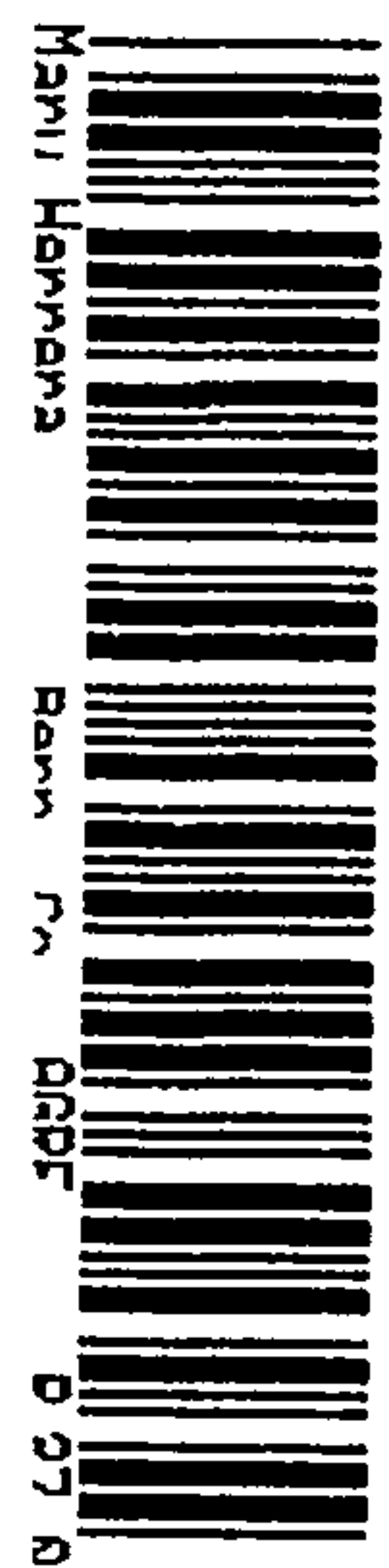
EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

American Toyota
 PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, <u>560</u> Curb and Gutter (West Side) <u>400</u> 4' Sidewalk (West Side) <u>400</u>	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain <u>400</u>	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
			Catch Basins and RCP connections included with Storm Sewer				/	/	/
MB-1	✓	8" * <u>140</u>	SAS	20' Public Easement	San Pedro	10' West of Lot 17			



ORIGINAL
NOTES

* Referred Item

1 _____

2 _____

3 _____

4 _____

5 _____

AGENT / OWNER

Ronald R. Bohannon

NAME (print)

Tierra West LLC

FIRM

[Signature]

SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Susan Matroyok

DRB CHAIR - date

Christina Sanborn 10/8/03

PARKS & GENERAL SERVICES - date

[Signature]

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

Rogert Dean 10/8/03

UTILITY DEVELOPMENT - date

- date

Brad D. Bigham 10/8/03

CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER

Mary Herrera

Bern. Co. FGRE

R 27.09

2004031626
684511
Page: 10 of 10
03/10/2004 11:14R
Bk-A74 Pg-1543

777 ALVARO BLVD
CAG FB

SUBDIVISION IMPROVEMENTS BOND

Bond No. 929323941

KNOW ALL MEN BY THESE PRESENTS: That we, MILLER FAMILY REAL ESTATE, LLC, A LIMITED LIABILITY COMPANY, as "Principal", and WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota and authorized to do business in the state of New Mexico, as "Surety", whose address is c/o CNA Surety, 230 South 500 East, Suite 480, Salt Lake City, UT 84102 and whose telephone number is (801) 321-4960, are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of ONE HUNDRED FIFTY EIGHT THOUSAND FIVE HUNDRED SIXTY-FIVE AND 75/100 Dollars, (\$158,565.75), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as AMERICAN TOYOTA ("Subdivision"), City Project No. 6924.81; and

WHEREAS, the Subdivision Ordinance is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: PAVING & UTILITY IMPROVEMENTS ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between MILLER FAMILY REAL ESTATE, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. 474, pages 1543 through 1543, as amended by change orders or amendments to the Agreement.

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before OCTOBER 8, 2005 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed this 17th day of February, 2004.

SUBDIVIDER: MILLER FAMILY REAL ESTATE, LLC

SURETY: WESTERN SURETY COMPANY

By: Lawrence H. Miller

By: Thomas W. Kershaw

Name: Lawrence H. Miller

Name: Thomas W. Kershaw

Title: Managing Member

Title: Attorney-in-Fact

Dated: 2-17-04

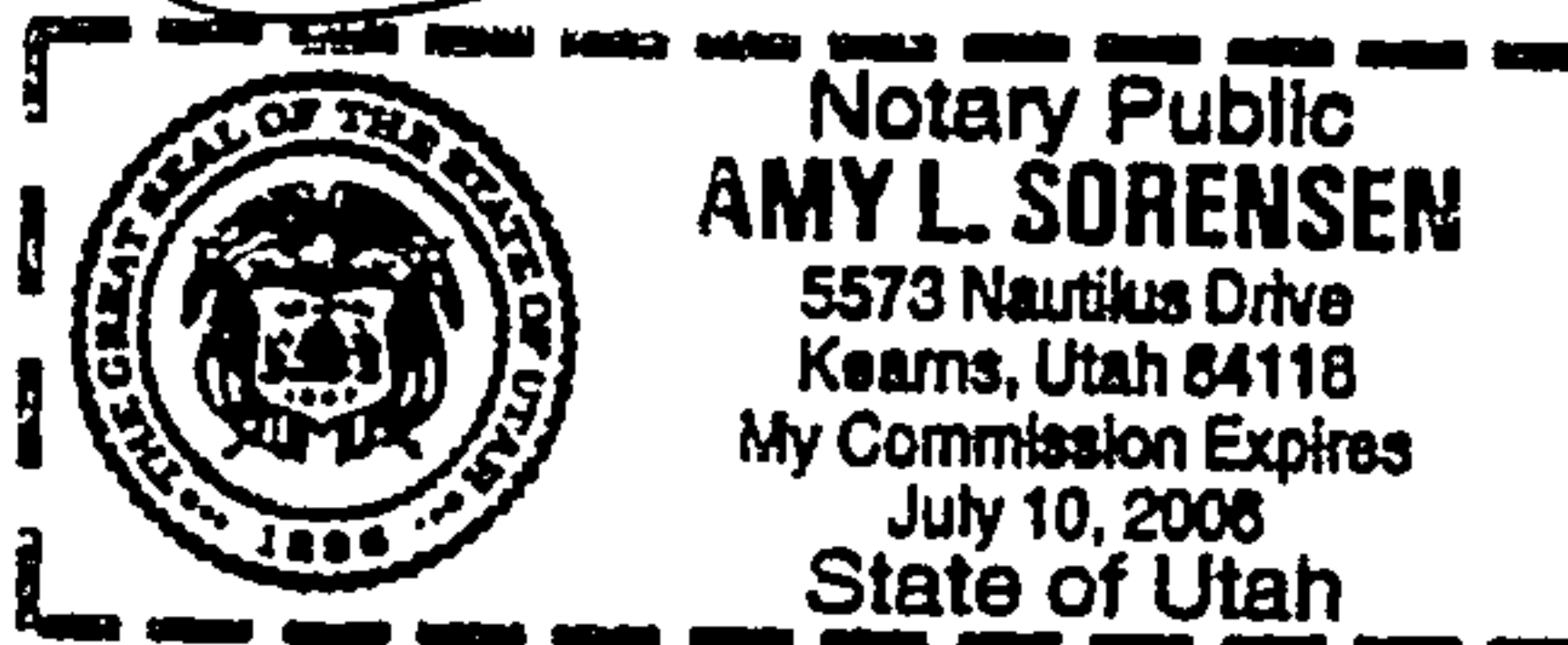
Dated: February 17, 2004

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

Subscribed to and sworn to before me this 17th day of February, 2004.

My Commission Expires: July 10, 2006

Amy L. Sorensen
NOTARY PUBLIC



Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 28th day of July, 2003.

WESTERN SURETY COMPANY



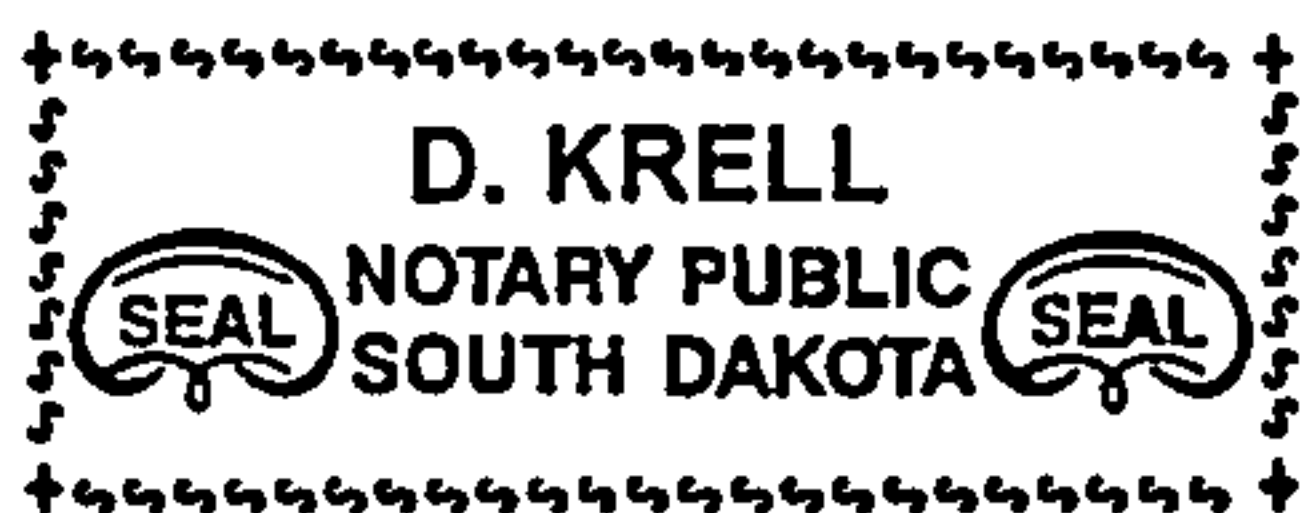
Paul T. Bruffat
Paul T. Bruffat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 28th day of July, 2003, before me personally came Paul T. Bruffat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 17th day of FEBRUARY, 2004.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

LWVDR
SIA

FIGURE 12

**SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B Modified Non-Work Order)
CITY PROJECT # 692481**

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

THIS AGREEMENT is made this 5th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, 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 [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 1986 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: The Construction Completion Deadline can be no later than two years after execution of this 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. Financial Guaranty. 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 immediat



2004031627
6945112
Page: 1 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

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

Type of Financial Guaranty: SUBDIVISION BOND #929323942

Amount: \$8,732.63

Name of Financial Institution or Surety providing Guaranty:

WESTERN SURETY COMPANY

Date City first able to call Guaranty: OCTOBER 8, 2005

[Construction Completion Deadline]: OCTOBER 8, 2005

If Guaranty other than a Bond, last day City able to call Guaranty is:

Additional information: PAVING & UTILITY IMPROVEMENTS—FOR THE SAS

4. Completion, Acceptance and Termination. Upon completion of the required infrastructure, the Subdivider shall notify the City Engineer and the Design Review Section of Public works Department. After the City Engineer approves the construction, the City will promptly release this Agreement and the Financial Guaranty.

5. Indemnification. Until the Improvements are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer 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 Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer 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.

6. 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.

7. 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.

8. 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 a and damages to the City exceed the am



2004031627

6045112

Page: 2 of 7

03/10/2004 11:14A

Bk-A74 Pg-1544

the Subdivider shall be liable 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.

9. 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.

10. 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.

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

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

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

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

15. Form not 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.

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

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

SUBDIVIDER:

By [Signature]: *Larry H. Miller*
Name: LARRY H. MILLER
Title: MANAGING MEMBER
Dated: 02-20-04
MILLER FAMILY REAL ESTATE LLC

CITY OF ALBUQUERQUE
[Signature]
City Engineer
Dated: 3-05-04

2/26/04
Kyle 3/1/04

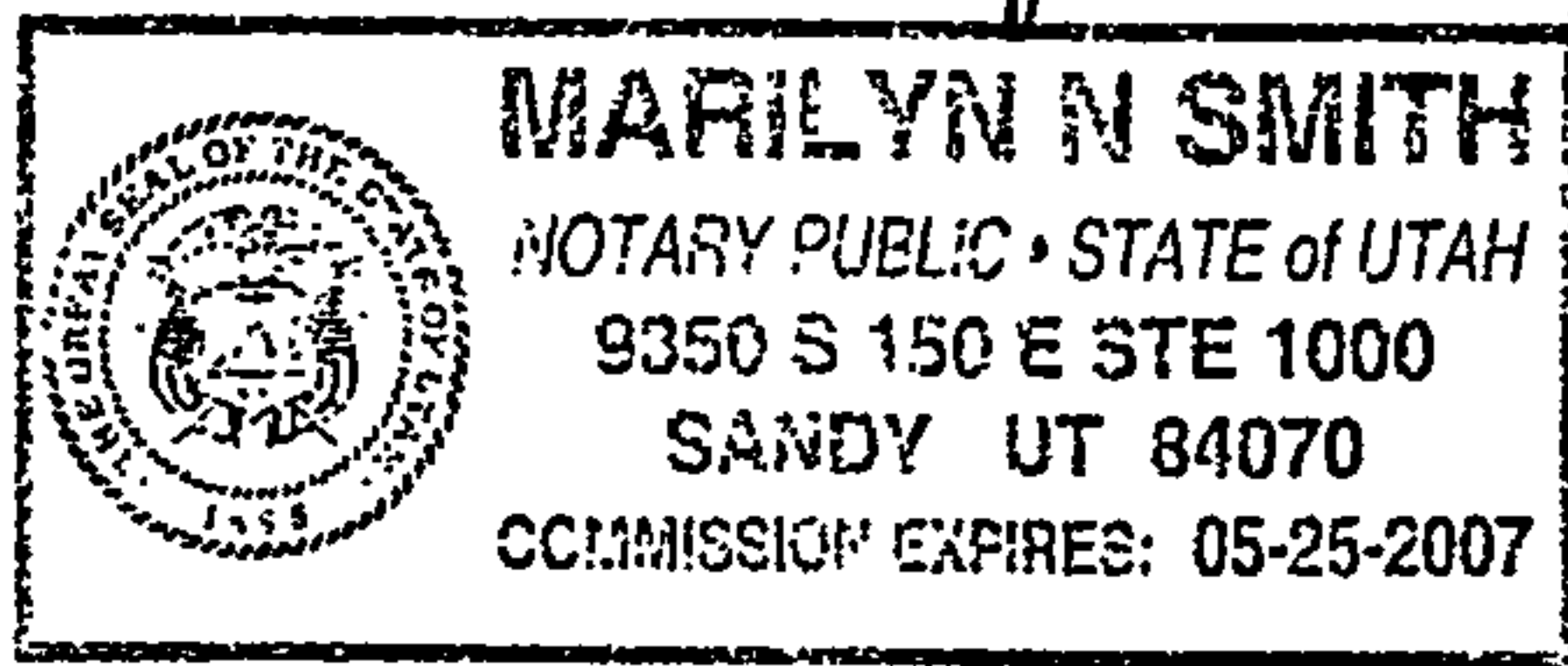
SUBDIVIDER'S NOTARY

STATE OF Utah)
COUNTY OF Salt Lake) ss.

This instrument was acknowledged before me on 20th day of February, 2004 by [name of person:] LARRY H. MILLER, [title or capacity, for instance, "President" or "Owner":] MANAGING MEMBER of [Subdivider:] MILLER FAMILY REAL ESTATE LLC.

Marilyn N. Smith
Notary Public

My Commission Expires:
5-25-2004



CITY'S NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on 8th day of March, 2004 by Richard Tourte, City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Gloria S. Saavedra
Notary Public

My Commission Expires:
11-25-2007

Barcode with text: Mary Herrera, Bern. Co. AGRE, R 21.00, 2004031627, 6845112, Page: 4 of 7, 03/10/2004 11:14A, Bk-A74 Pg-1544

Current DRC
Project Number: _____

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

Date Submitted: 10/16/03
Date Site Plan Approved: NA
Date Preliminary Plat Approved: 10/18/03
Date Preliminary Plat Expires: 10/18/04
DRB Project No.: 1002201
DRB Application No.: 03DRB01270

American Toyota

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
		Catch Basins and RCP connections included with Storm Sewer							

* MB-1 8" SAS 140 20' Public Easement San Pedro 10' West of Lot 17

ORIGINAL
NOTES

1. ~~Referred item~~

2.

3.

4.

5.

AGENT / OWNER

Ronald R. Bohannon
NAME (print)

Tierce Wood LLC
FIRM

SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

[Signature] 10/8/03
PARKS & GENERAL SERVICES - date

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

UTILITY DEVELOPMENT - date

_____ - date

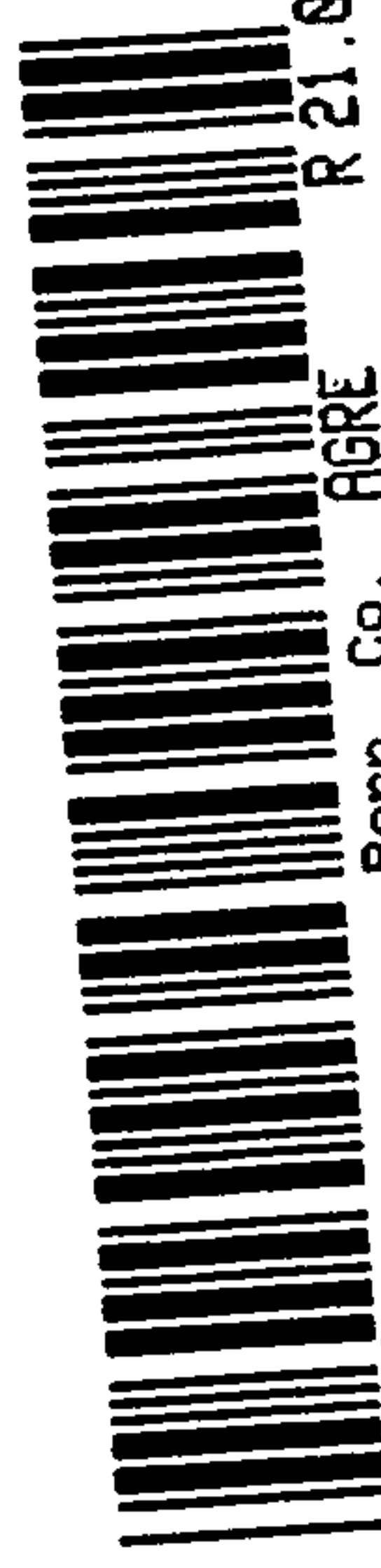
_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER

PAGE 2 OF 2

2004031627
6845112
Page: 6 of 7
03/10/2004 11:14A
BK-R74 Pg-1544



Mary Herrera
Bern. Co. AGRE
R 21.00

FINANCIAL GUARANTY AMOUNT

10/24/2003

Type of Estimate: SIA Procedure - B - Modified Non-W.O.- w/F.G.

Project Description:

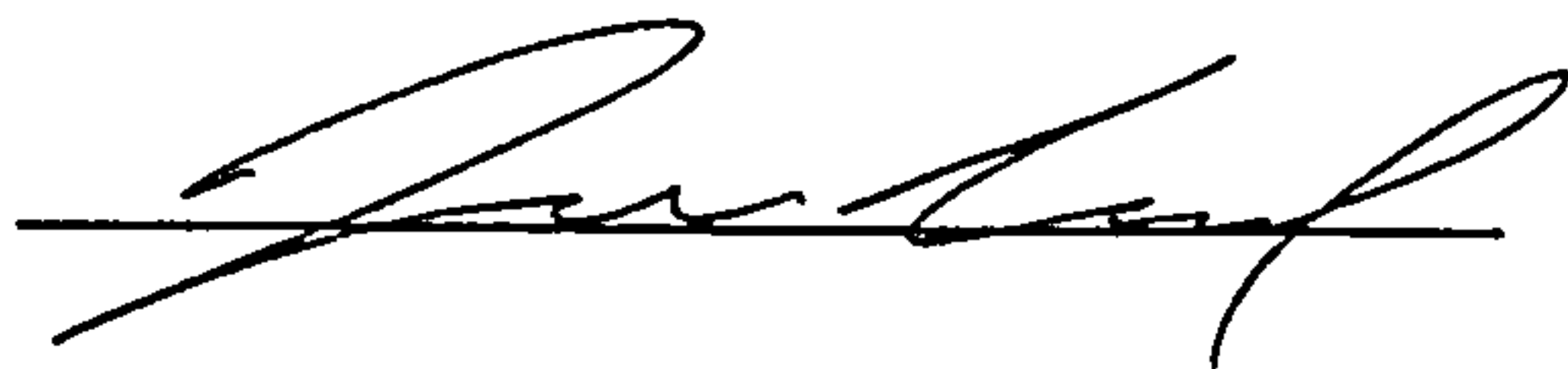
Project ID #: 692481, AmericanToyota,Paving & Utility Improv's, Phase/U

Requested By: Sara Lavy, PE w/ Tierra West LLC

Approved estimate amount:		\$4,355.68
Contingency Amount:	30.00%	\$1,306.70
Subtotal:		\$5,662.38
NMGRT	5.8125%	\$329.13
Subtotal:		\$5,991.51
Engineering Fee	6.60%	\$395.44
Testing Fee	10.00%	\$599.15
Subtotal:		\$6,986.10
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$8,732.63</u>

APPROVAL:

DATE:



10-24-2003

Notes: 30% contingency, plans not approved. This financial guaranty is for the SAS.



2004031627
6845112
Page: 7 of 7
03/10/2004 11:14A
BK-A74 Pg-1544

SUBDIVISION IMPROVEMENTS BOND

Bond No. 929323942

KNOW ALL MEN BY THESE PRESENTS: That we, MILLER FAMILY REAL ESTATE, LLC, A LIMITED LIABILITY COMPANY, as "Principal", and WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota and authorized to do business in the state of New Mexico, as "Surety", whose address is c/o CNA Surety, 230 South 500 East, Suite 480, Salt Lake City, UT 84102 and whose telephone number is (801) 321-4960, are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of EIGHT THOUSAND SEVEN HUNDRED THIRTY-TWO AND 63/100 Dollars, (\$8,732.63), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as AMERICAN TOYOTA ("Subdivision"), City Project No. 6924.81; and

WHEREAS, the Subdivision Ordinance is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: PAVING & UTILITY IMPROVEMENTS FOR THE SAS ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between MILLER FAMILY REAL ESTATE, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. A 24, pages 1544 through 1544, as amended by change orders or amendments to the Agreement.

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before OCTOBER 8, 2005 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed this 17th day of February, 2004.

SUBDIVIDER: MILLER FAMILY REAL ESTATE, LLC

SURETY: WESTERN SURETY COMPANY

By: Lawrence H. Miller

By: Thomas W. Kershaw

Name: Lawrence H. Miller

Name: Thomas W. Kershaw

Title: Managing Member

Title: Attorney-in-Fact

Dated: 2-17-04

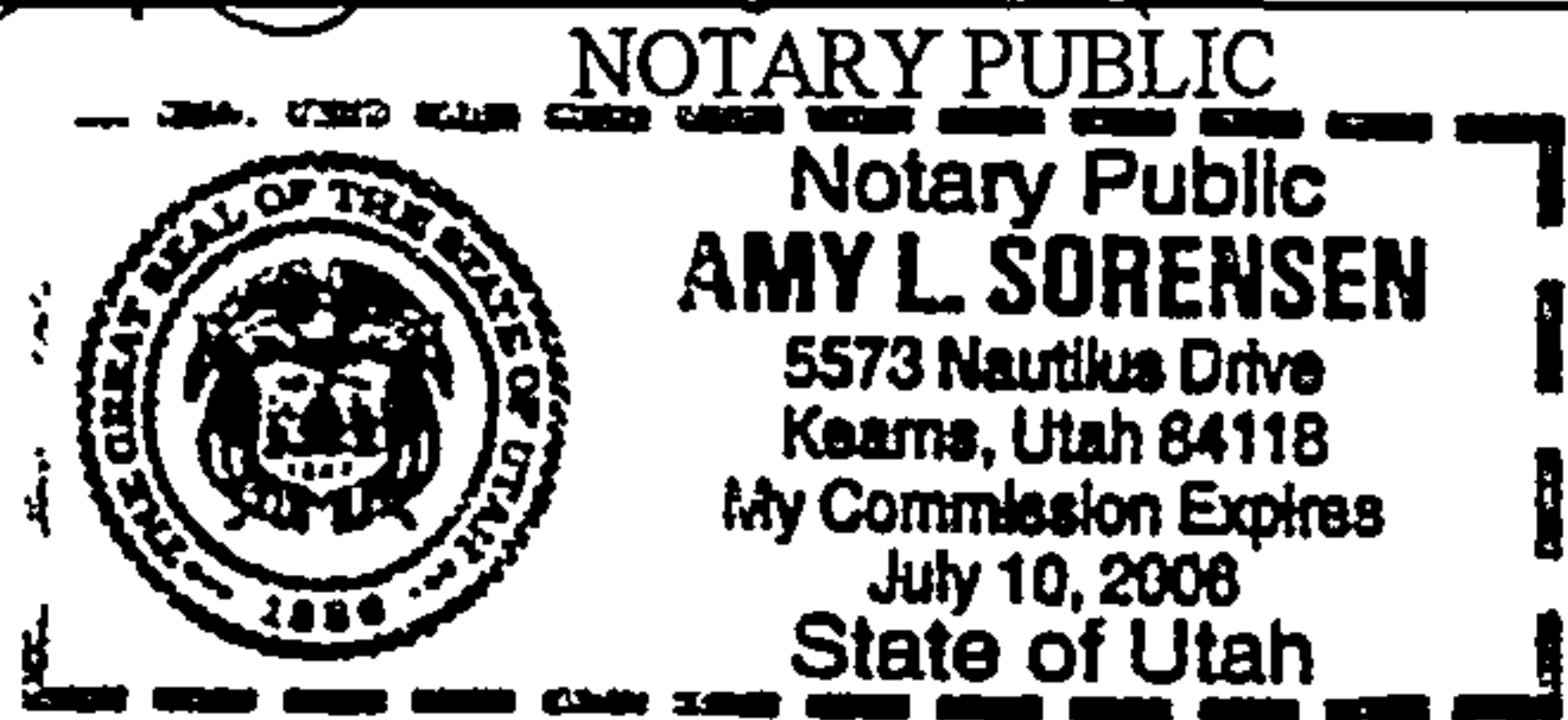
Dated: February 17, 2004

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

Subscribed to and sworn to before me this 17th day of February, 2004.

My Commission Expires: July 10, 2006

Amy L. Sorensen



Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 28th day of July, 2003.

WESTERN SURETY COMPANY

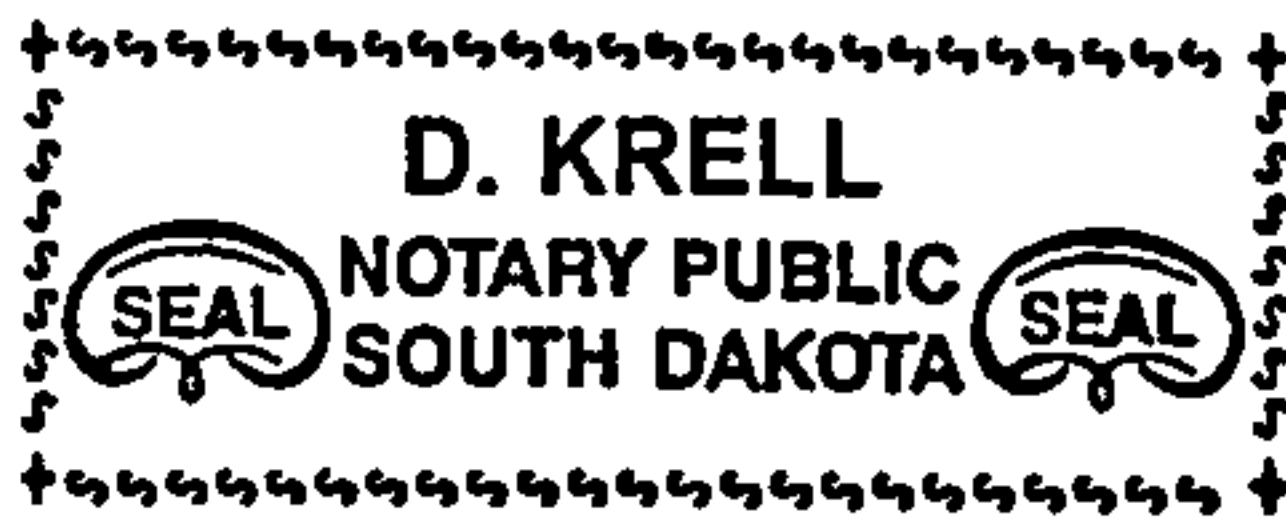


Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 28th day of July, 2003, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 17th day of FEBRUARY, 2004.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S 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)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- 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.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100

ADDRESS: 5571 Midway Park Place NE FAX: 505-858-1118

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

APPLICANT: Larry H. Miller/American Toyota PHONE: 801-563-4100

ADDRESS: 9350 South 150E, Suite 1000 FAX: _____

CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 & B1 Block: _____ Unit: _____

Subdiv/Addn/TBKA: American Toyota

Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: No Change MRGCD Map No _____

Zone Atlas page(s): C-18 UPC Code: 101806421939920605/101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 03DRB-01270/04DRB-00571/DRB-95-41/05DRB-01620/07DRB-70267/#1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No

No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-

LOCATION OF PROPERTY BY STREETS: On or Near: Alameda Boulevard NE

Between: Pan American FWY NE and San Pedro Drive NE

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

SIGNATURE [Signature] DATE 9/9/09

(Print) Ronald R. Bohannon, P.E. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>09DRB-70293</u>	<u>SLA</u>	<u>512</u>	<u>\$ 50.00</u>
_____	<u>ADV</u>	_____	<u>\$ 75.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

Hearing date 10/07/09

Total \$ 145.00

Sandy Handley 09/10/09
Planner signature / date

Project # 1002848

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Ronald R. Behannan, P.E.

[Signature]
 Applicant name (print) _____
 Applicant signature / date 9/9/09

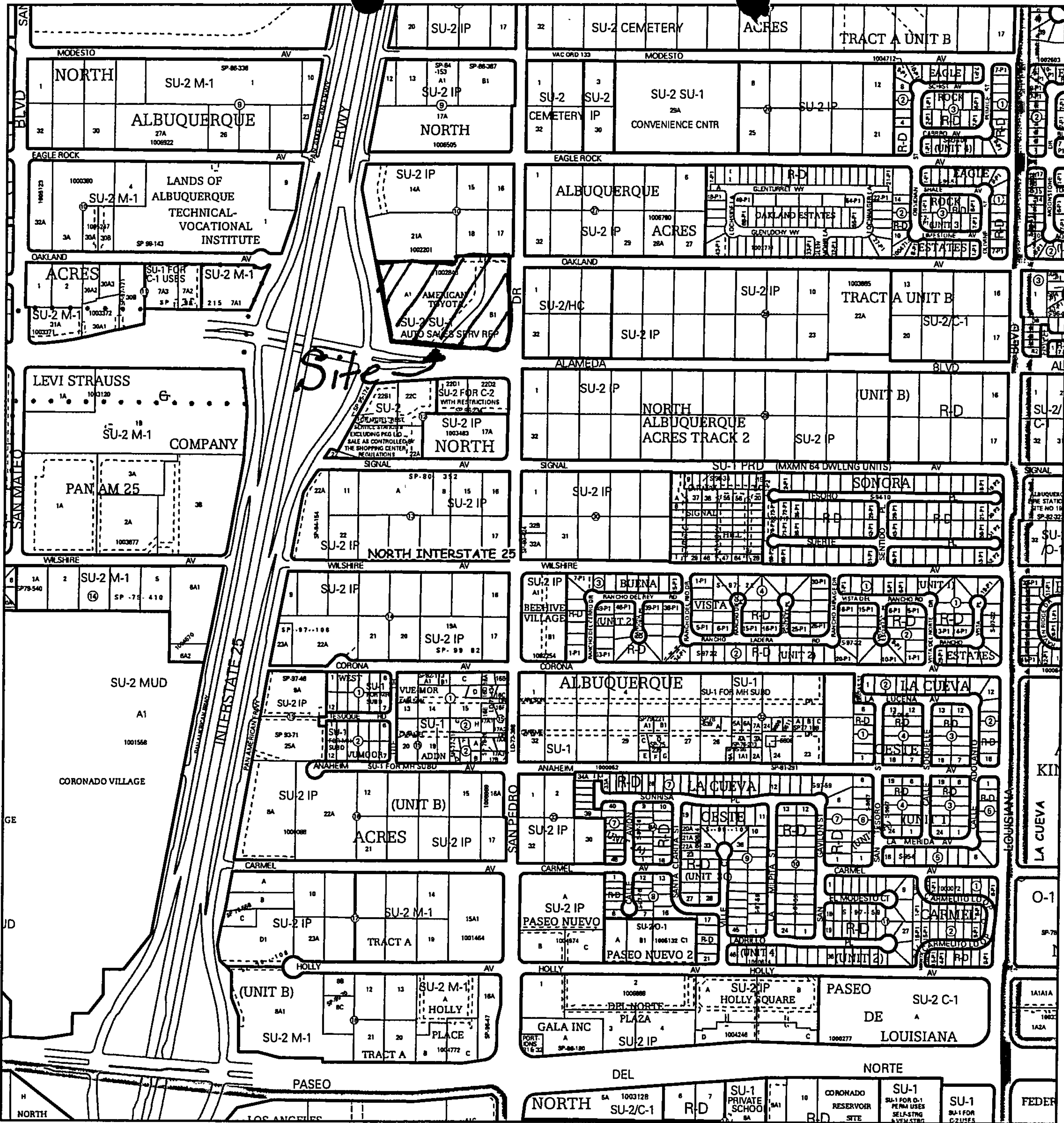


Form revised **October 2007**

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

Application case numbers
09DRB - 70293

[Signature]
 Planner signature / date 09/10/09
 Project # 1002848



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

AGIS
Albuquerque Geographic Information System

Map amended through: 3/10/2009

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

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

0 750 1,500 Feet

gwr

TIERRA WEST, LLC

September 9, 2009

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

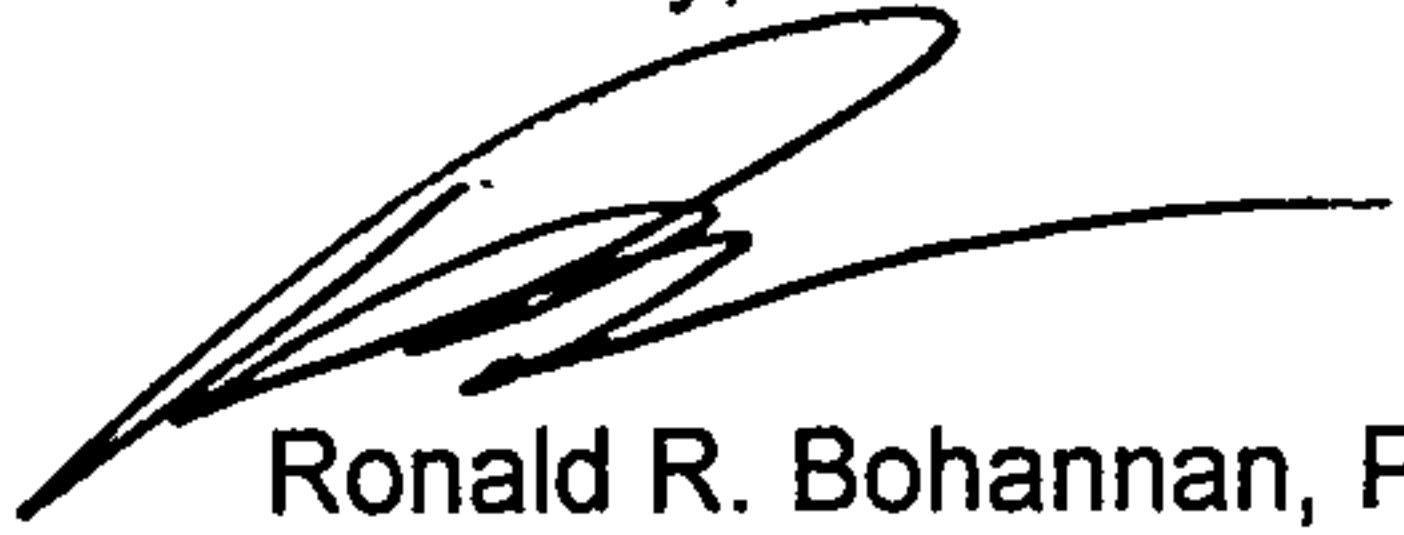
**RE: Extension of Subdivision Improvements Agreement
American Toyota
Project # 1002484
Zone Atlas Page C-18**

Dear Mr. Cloud:

Tierra West LLC on behalf of Larry H. Miller and American Toyota, requests approval of a 2 year extension to the Subdivision Improvements Agreement for the above-referenced project. This project is located at the northeast corner of Interstate 25 and Alameda Boulevard NE and contains +/- 5.0 acres. The improvements associated with this SIA were the result of the expansion of the American Toyota service lot to incorporate vacated Oakland ROW and the purchase of the property immediately north of the site, which extends to Eagle Rock. The development of the additional parcel requires additional public infrastructure improvements. The owner had hoped to have the construction complete before the SIA was due again. The design of the improvements is mostly complete, however, due to the current economic conditions, American Toyota is reluctant to do any improvements at this time.

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

Sincerely,



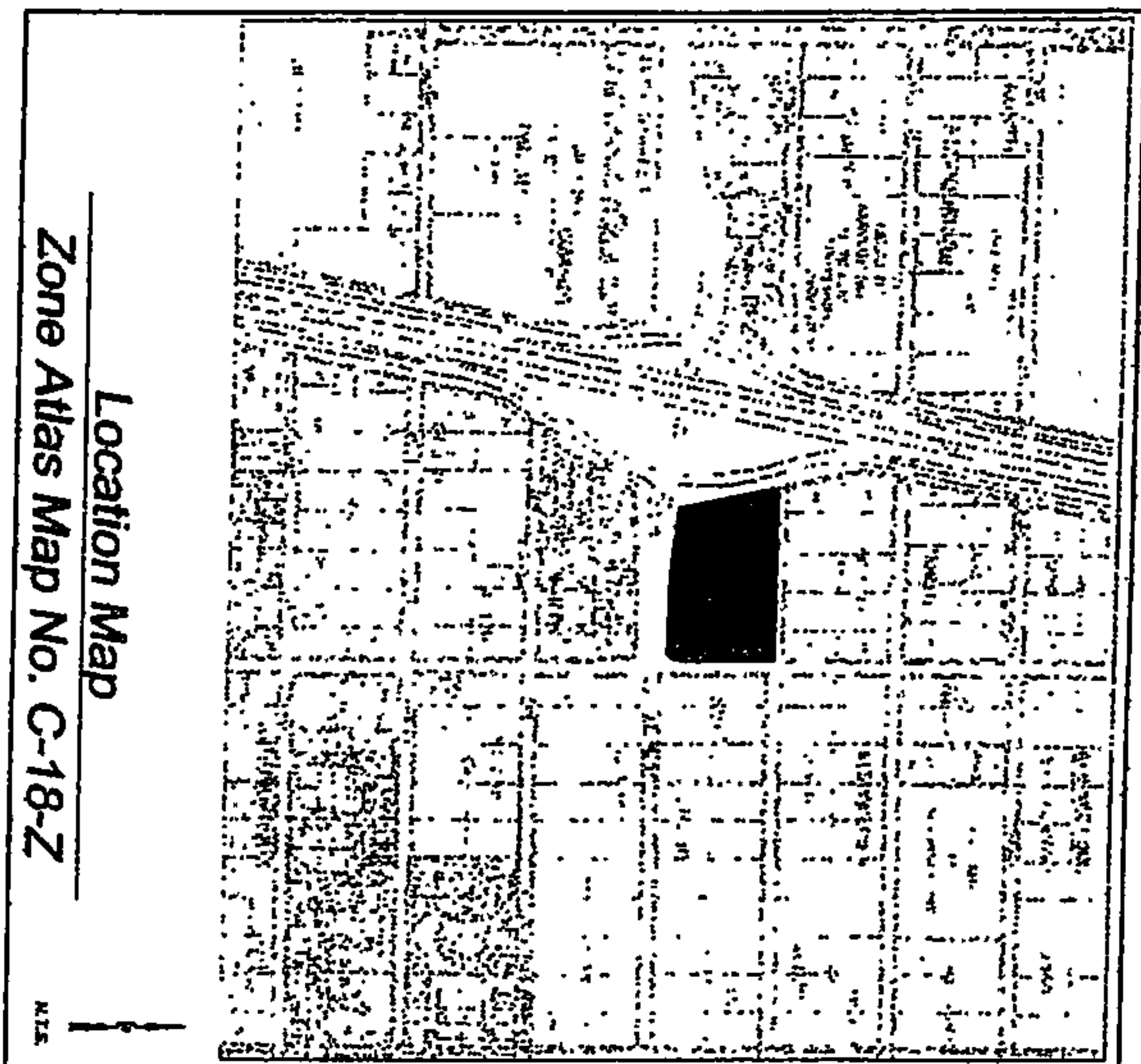
Ronald R. Bohannon, P.E.

Enclosure/s

cc: Pat Joseph
Jeff Peterson, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Peggy Neff, West La Cueva N.A.
Erica Vasquez, West La Cueva N.A.
Larry T. Caudill, Wildflower Area N.A.
Rick Treadwell, Wildflower Area N.A.

JN: 22082PJ
RRB/SL/kdk

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



Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.8398 ACRES
 ZONE ATLAS INDEX NO.: 0-18-Z
 NO. OF TRACTS CREATED: 2
 NO. OF LOTS CREATED: 0
 DATES OF FULL-DEPTH STREETS CREATED: 0
 DATE OF SURVEY: JANUARY 13, 2003

Notes:

1. MISC. DATA: ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
2. BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - MAG 1927).
3. ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
4. THIS PROPERTY LIES WITHIN PROJECTED SECTION 13 TOWNSHIP 11 NORTH, RANGE 3 EAST, ELVA GALLEGOS GRANT, N.M.P.L., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
5. PLAT SHOWS ALL EASEMENTS OF RECORD.
6. SP NO. 2003051240.

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED. PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF: 1. PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ALL OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE. 2. T&M GAS SERVICES FOR INSTALLATION, MAINTENANCE AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS. 3. JOINT COOPERATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURRED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES INCLUDING BUT NOT LIMITED TO ABOVE GROUND PESTICIDES AND CLOSURES. 4. CABLECAST CABLE FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, REPAIR, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SPACE BEHIND, BETWEEN AND TOGETHER WITH ELECTRICAL TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRAIL AND BURNING, AND SPACE FOR WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, STRIKE, OR BUSHES OR SUBSTANCES, HOT TUB, CONCRETE OR WOOD POOL, RECORDS, OR OTHER STRUCTURE, SIGN, STRIKE, OR BUSHES OR CONSTRUCTION ON SAID EASEMENTS, NOR SHALL ANY WELL, BE DRILLED OR OPERATED THEREIN. OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT. EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE. IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DO NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PNM DOES NOT MAKE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELVA GALLEGOS GRANT, NEW MEXICO PARISH OF BERNALILLO, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS A-1 AND B-1 OF AMERICAN TOYOTA AS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "TRACTS A-1 AND B-1 OF AMERICAN TOYOTA TRACTS A-1 AND B-1, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO," FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON SEPTEMBER 9, 2003, AND THE COUNTY TOGETHER WITH THE VACATED SOUTHERLY TWENTY (20) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT FROM WHENCE A TR. TO THE ALBUQUERQUE CITY MANAGEMENT "TO-CITY" BEARS N 04°20'58" E A DISTANCE OF 0.6289 FEET; SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "75 11983";

THENCE FROM SAID BEGINNING POINT, S 00°10'58" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.82 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "75 11983";

THENCE LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 56°32'50", AN ARC LENGTH OF 78.95 FEET AND A CHORD OF S 28°27'00" W, A DISTANCE OF 73.78 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "75 11983";

THENCE ALONG SAID NORTH RIGHT OF WAY LINE, N 88°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "75 11983";

THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BEH/ALLEGRE);

THENCE LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND WINTERSTATE 25 FRONTAGE ROAD, N 11°36'59" W, A DISTANCE OF 428.28 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "75 11983";

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "75 11983";

THENCE, N 00°33'23" E, A DISTANCE OF 29.79 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "75 11983";

THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.8398 ACRES (0.02350 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEPOSIT RIGHT OF WAY.

Free Consent and Dedication

THE REBAR SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR, EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL, POWER AND COMMUNICATION SERVICES FOR BURRED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF ACCESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRAIL INTERFERING TREES AND SHRUBS, SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED, SAID OWNERS WARRANT THAT THEY HOLD AROUND THESE COMPLETE AND INDEPENDENT TITLE TO THE LAND SUBDIVIDED.

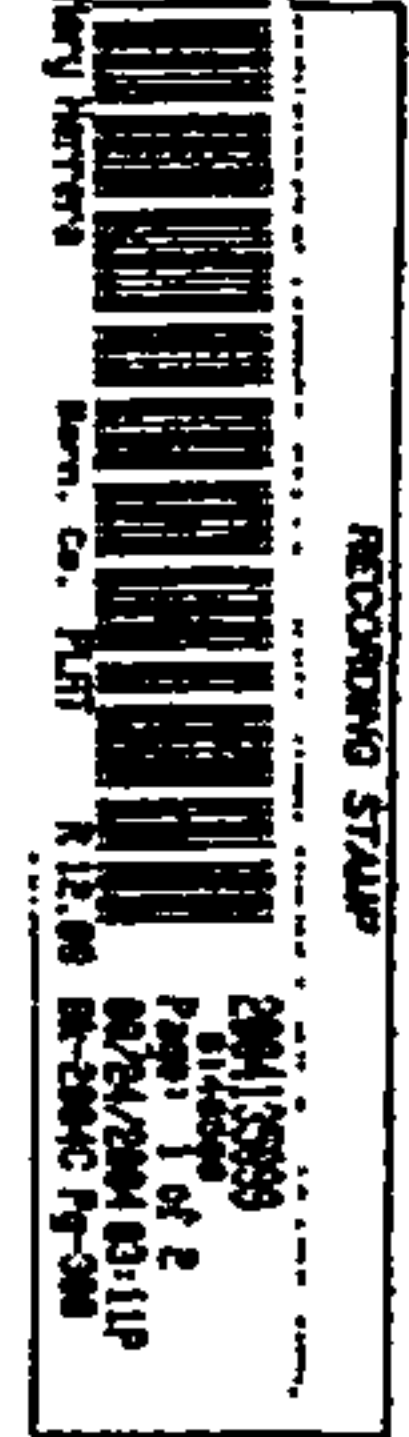
SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

BY: Michael Walcott, Jr. AGENT FOR MILLER FAMILY REAL ESTATE LLC
 DATE: 2/24/04

Acknowledgment

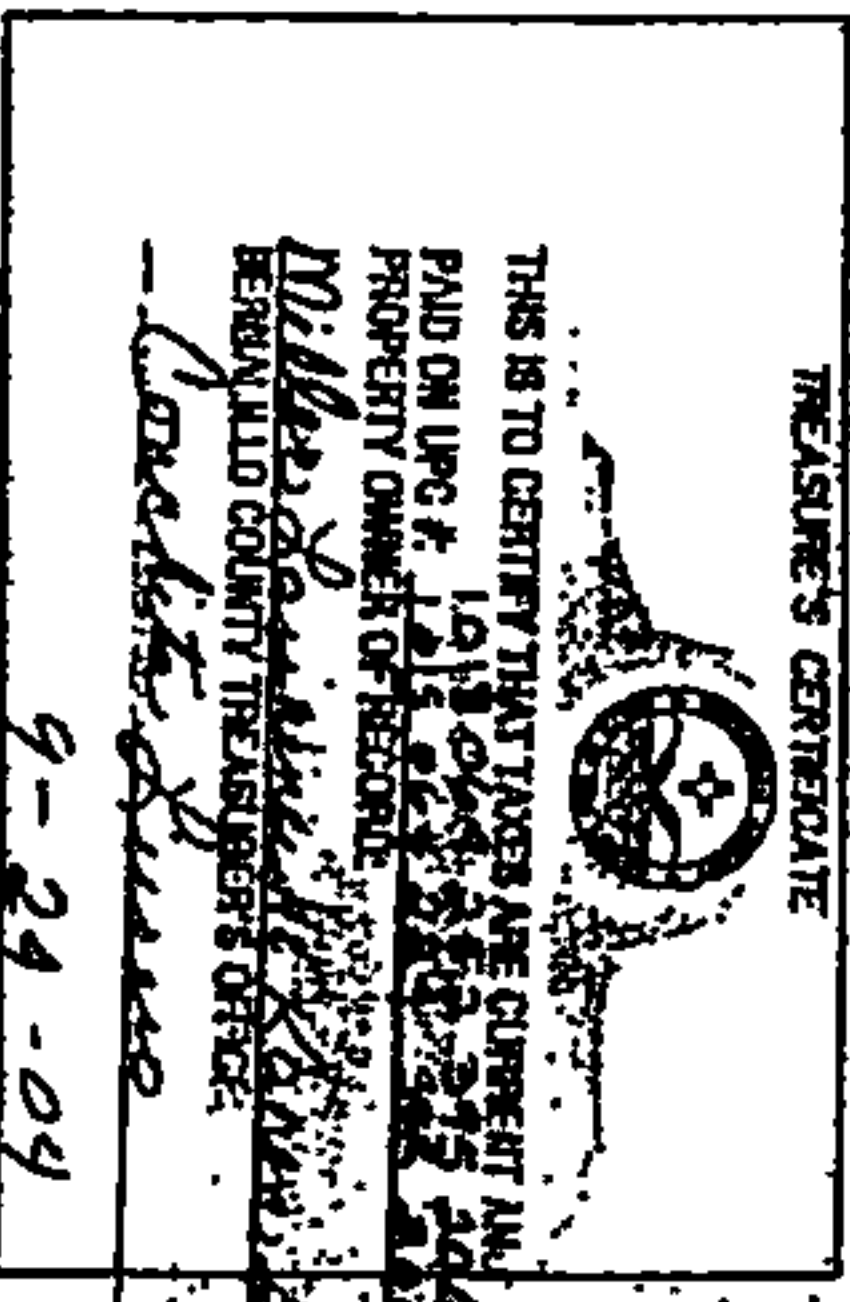
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004, BY: Michael Walcott, Jr. MY COMMISSION EXPIRES: 10-11-03



Plat of
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Application No. **04-00571**

DESIGNER	<u>William M. Miller</u>	DATE	<u>9/24/04</u>
CITY ENGINEER	<u>[Signature]</u>	DATE	<u>4/21/04</u>
ALTAIR	<u>[Signature]</u>	DATE	<u>4/21/04</u>
TRACER MONITOR	<u>[Signature]</u>	DATE	<u>3-16-04</u>
CITY SURVEYOR	<u>[Signature]</u>	DATE	<u>9-21-04</u>
UTILITY DEVELOPMENT DIVISION	<u>[Signature]</u>	DATE	<u>4/21/04</u>
PARIS AND RECREATION DEPARTMENT	<u>[Signature]</u>	DATE	<u>4-6-04</u>
PNM ELECTRIC SERVICES	<u>[Signature]</u>	DATE	<u>4-6-04</u>
PNM GAS SERVICES	<u>[Signature]</u>	DATE	<u>4-6-04</u>
QUEST CORPORATION	<u>[Signature]</u>	DATE	<u>4-16-04</u>
CONCAST CABLE	<u>[Signature]</u>	DATE	<u>7/16/04</u>



Surveyor's Certificate

LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSES FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

PRECISION SURVEYS, INC.

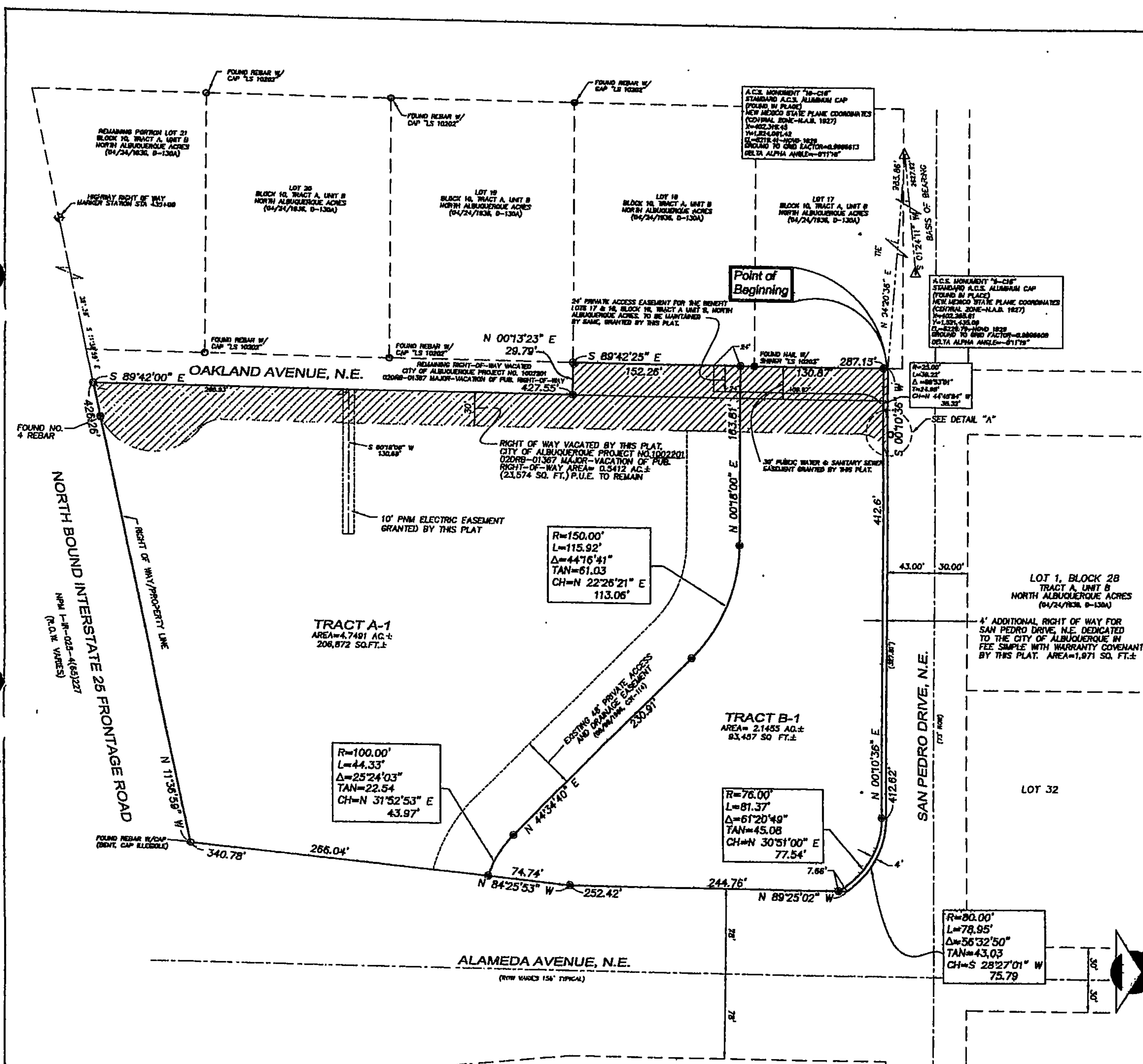
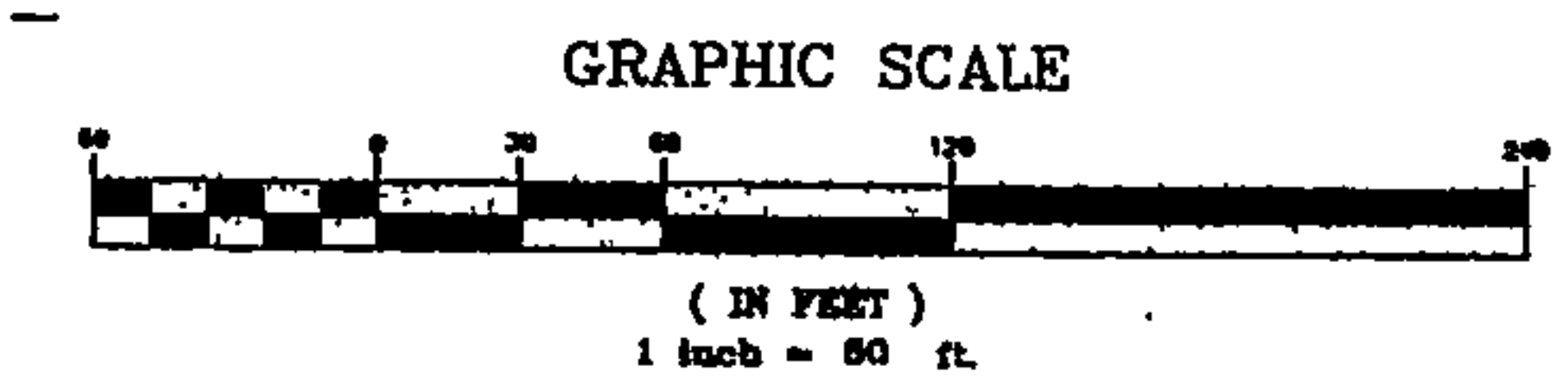
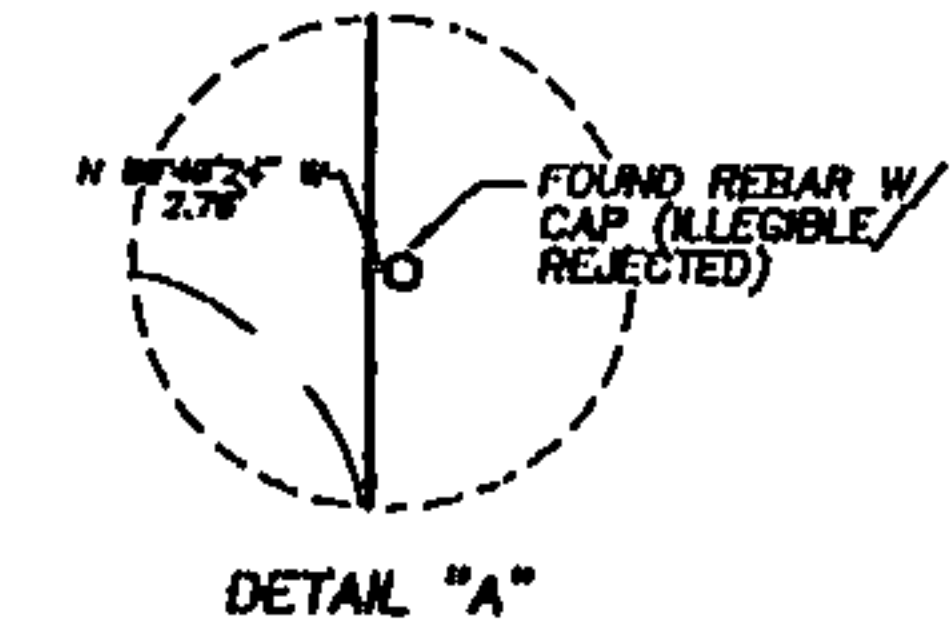
Project No. **1002848**
 Sheet 1 of 2

Plat of
 Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

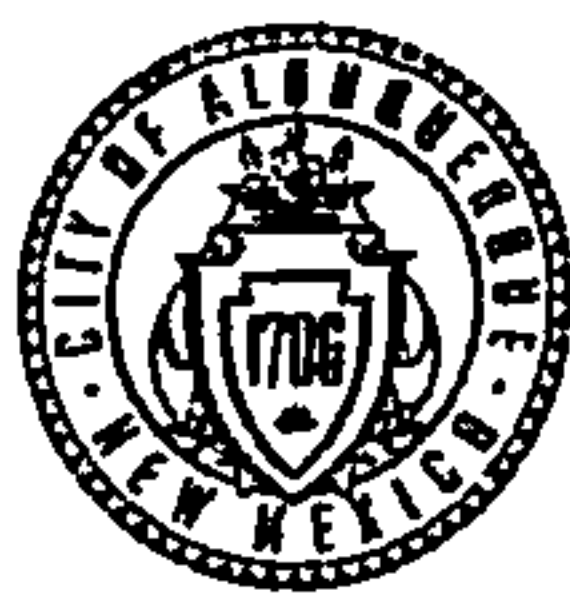
Legend

N 80°00'00" E	MEASURED BEARINGS AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
⊙	DISPOSSE REBAR W/CAP "P2 11983" SET THIS SURVEY UNLESS OTHERWISE NOTED

2004135839
 81 0000
 Page 2 of 2
 02/24/2004 03:11P
 Gary Herrera Bern. Co. PLAT R 12.00 BK-2804C Pg-288



PRECISION SURVEYS, INC.
 8414-D JEFFERSON ST., N.E. PHONE 505 866-5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 858-7800



Handwritten signatures and initials in the top right corner.

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

Current DRC Project Number: _____

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

Date Submitted: 10/16/03
Date Site Plan Approved: NA
Date Preliminary Plat Approved: 12/18/03
Date Preliminary Plat Expires: 12/18/04
DRB Project No.: 1002201
DRB Application No.: 03 DEB 01270

American Toyota

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
B-1	692481	30' F-E	Permanent Paving, Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
V		72'	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
			Catch Basins and RCP connections included with Storm Sewer				/	/	/

MB-1 V 8' * 5AS 140 20' Public Easement San Pedro 10' West of lot 17



ORIGINAL NOTES

* Referred item

1 _____

2 _____

3 _____

4 _____

5 _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT / OWNER: Progress Bohannan NAME (prin): Christine Sanderson 10/16/03
 PARKS & GENERAL SERVICES - date

FIRM: Tierra West LLC AMAFCA - date _____

SIGNATURE - date: [Signature] TRANSPORTATION DEVELOPMENT - date: 10/18/03

UTILITY DEVELOPMENT - date: _____

CITY ENGINEER - date: 10/18/03

EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT OWNER

PAGE 2 OF 2



13

FIGURE 18
EXTENSION AGREEMENT
Procedure "B"
PROJECT NO. 6924.81

This Agreement made this ^{18th} day of December, 2007, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of developer/subdivider:] MILLER FAMILY REAL ESTATE LLC ("Developer"), whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is 801.563.4100, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8TH day of MARCH, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on MARCH 10, 2004 at Book Misc. A74, pages 1543 through --, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the day of OCTOBER 8, 2005; and

WHEREAS, the Earlier Agreement was amended by an Extension Agreement dated December 19, 2005, recorded December 19, 2005, in Book Misc. A-108, pages 4899 through --, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

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

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

WHEREAS, the Developer is able to provide the required financial guaranty:

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

1. The required completion date for construction of the improvements, as set forth in paragraph A of the Earlier Agreement, is extended [Complete either A or B:]

A. for all improvements, the 9th day of NOVEMBER, 2009.

B. on portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
<u>Paving & Utility Improvements</u>	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: SUBDIVISION BOND #929323941
Amount: \$ 158,565.75
Name of Financial Institution or Surety providing Guaranty:
WESTERN SURETY COMPANY
Date City first able to call Guaranty: NOVEMBER 9, 2009
[Construction Completion Deadline]: NOVEMBER 9, 2009
If Guarantee other than a Bond, last day City able to call on Guaranty is:
JANUARY 9, 2010

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

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

SUBDIVIDER:
Miller Family Real Estate LLC

By [Signature]: Larry H. Miller
Name: Larry H. Miller
Title: Managing Member
Dated: 12-10-07

CITY OF ALBUQUERQUE

Approved by: [Signature]
Dated: 12-18-07

[Signature]
12-14-07

SUBDIVIDER'S NOTARY

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

This instrument was acknowledged before me on 10th day of December, 2007 by
[name(s) of person(s):] Larry H. Miller, [title or capacity, for instance, "President" or "Owner":]
Managing Member of [Subdivider:] Miller Family Real Estate LLC.

Janet B Layosa
Notary Public

My Commission Expires:



JANET B. LAYOSA
NOTARY PUBLIC-STATE OF UTAH
9350 S. 150 E. # 1000
SANDY, UTAH 84070
COMM. EXP. 07-01-2011

CITY'S NOTARY

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

This instrument was acknowledged before me on 18 day of December, 2007 by
Richard Cornejo, City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

Lisa Cornejo
Notary Public

My Commission Expires:

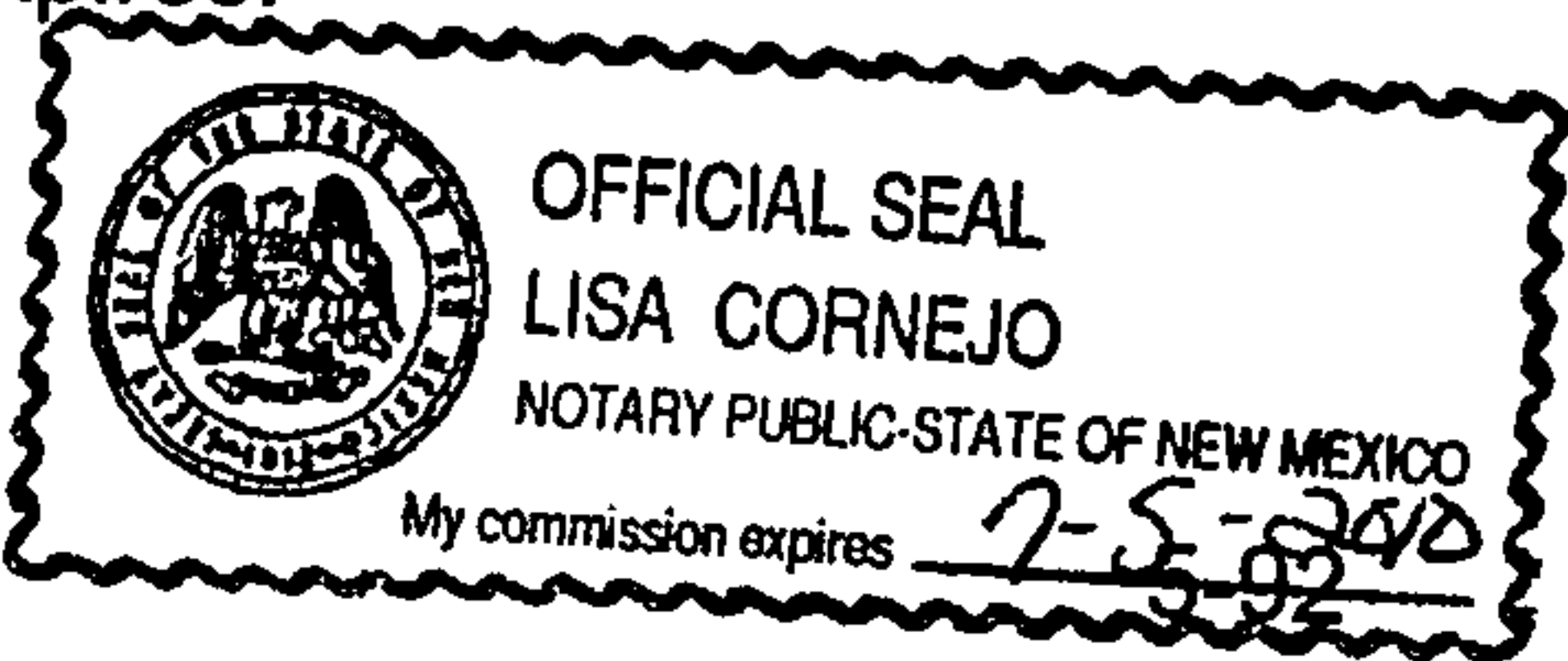




EXHIBIT A

OFFICIAL NOTICE OF DECISION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD**

OCTOBER 17, 2007

Project# 1002848
07DRB-70267 MAJOR - 2YR SUBD IMP AGMT (2YR SIA)

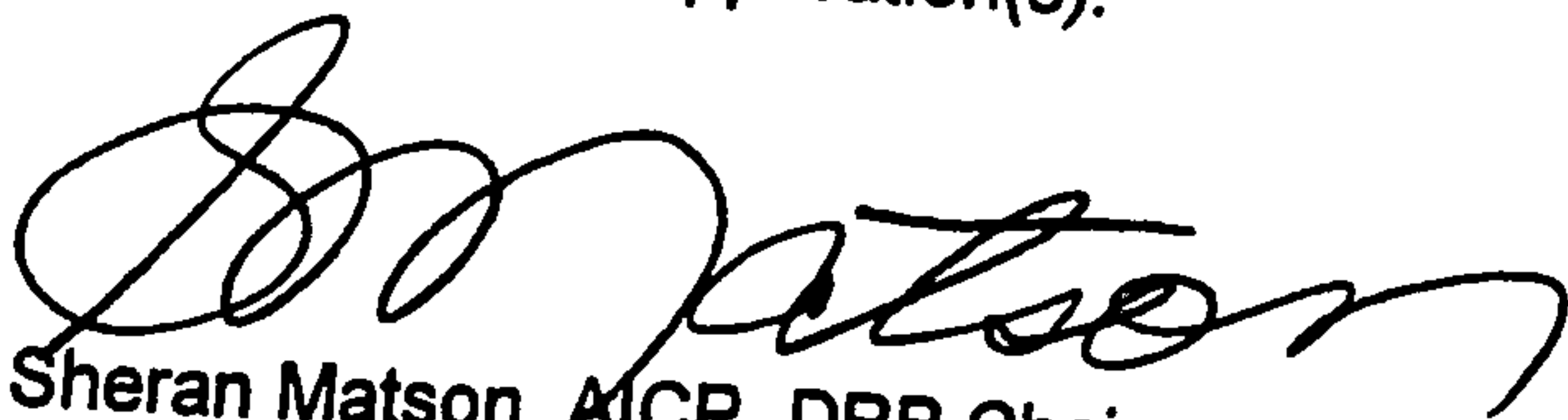
TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18)

At the October 17, 2007 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 1, 2007, in the manner described below.

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

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


Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87105
Cc: Larry Miller American Toyota – 9350 South 150E, Suite 1000 – Sandy, UT 84070
Marilyn Maldonado, Planning Department, 4th Floor, Plaza Del Sol Bldg.
File

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 929323941 effective February 17, 2004
issued by the WESTERN SURETY COMPANY
in the amount of One Hundred Fifty Eight Thousand, Five Hundred Sixty-Six and 00/100 (\$158,566.00) DOLLARS,
on behalf of MILLER FAMILY REAL ESTATE, LLC
as Principal and in favor of CITY OF ALBUQUERQUE, NM
as Obligee:

Now, Therefore, it is agreed that:
THE COMPLETION DATE FOR THE AMERICAN TOYOTA IMPROVEMENT CITY PROJECT NO. 6924.81
WILL BE NOVEMBER 9, 2009

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 9TH day of NOVEMBER, 2007.

Signed, sealed and dated this 6TH day of DECEMBER, 2007.

MILLER FAMILY REAL ESTATE, LLC
(Principal)

By: Laurence A Miller

WESTERN SURETY COMPANY
(Surety)

By: Ronald M. Mitchell
RONALD M. MITCHELL, Attorney-in-Fact

Accepted By:
Paul Dank

Handwritten: 12-14-07

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of Salt Lake City, UT, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 2nd day of November, 2006.



WESTERN SURETY COMPANY

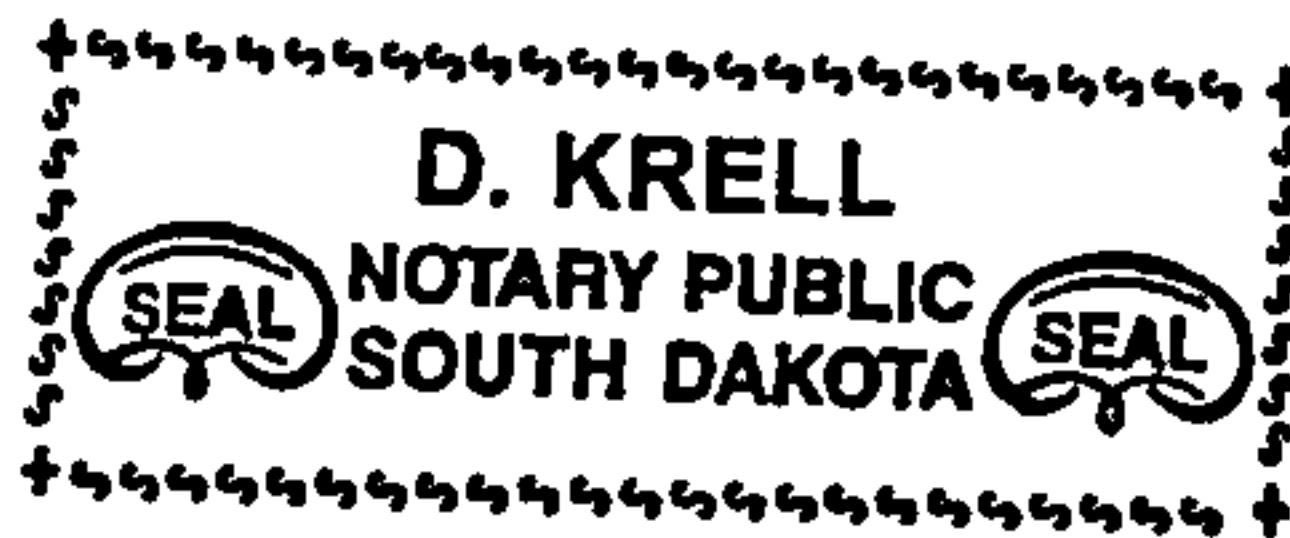
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 2nd day of November, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 6TH day of DECEMBER, 2007.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

FIGURE 18
EXTENSION AGREEMENT

Procedure B Modified Non-Work Order

PROJECT NO. 6924.81

This Agreement made this day of December, 2007, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of developer/subdivider:] MILLER FAMILY REAL ESTATE LLC ("Developer"), whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is 801.563.4100, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8TH day of MARCH, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on MARCH 10, 2004 at Book Misc. A74, pages 1544 through --, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the day of OCTOBER 8, 2005; and

WHEREAS, the Earlier Agreement was amended by an Extension Agreement dated December 19, 2005, recorded December 19, 2005, in Book Misc. A-108, pages 4898 through --, records of Bernalillo County, New Mexico, extending the construction deadline to November 9, 2007; and

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

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

WHEREAS, the Developer is able to provide the required financial guaranty:

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

1. The required completion date for construction of the improvements, as set forth in paragraph A of the Earlier Agreement, is extended [Complete either A or B:]

A. for all improvements, the 9th day of NOVEMBER, 2009.

B. on portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
<u>Paving & Utility Improvements</u>	_____
_____	_____
_____	_____



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

Type of Financial Guaranty: SUBDIVISION BOND #929323942
Amount: \$ 8,732.63
Name of Financial Institution or Surety providing Guaranty: _____
WESTERN SURETY COMPANY
Date City first able to call Guaranty: NOVEMBER 9, 2009
[Construction Completion Deadline]: NOVEMBER 9, 2009

If Guarantee other than a Bond, last day City able to call on Guaranty is:
JANUARY 9, 2010

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

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

SUBDIVIDER:
Miller Family Real Estate LLC

By [Signature]: Larry H. Miller
Name: Larry H. Miller
Title: Managing Member
Dated: 12-10-07

CITY OF ALBUQUERQUE

Approved by: [Signature]
Dated: 12-18-07


12/17/07

12-14-07

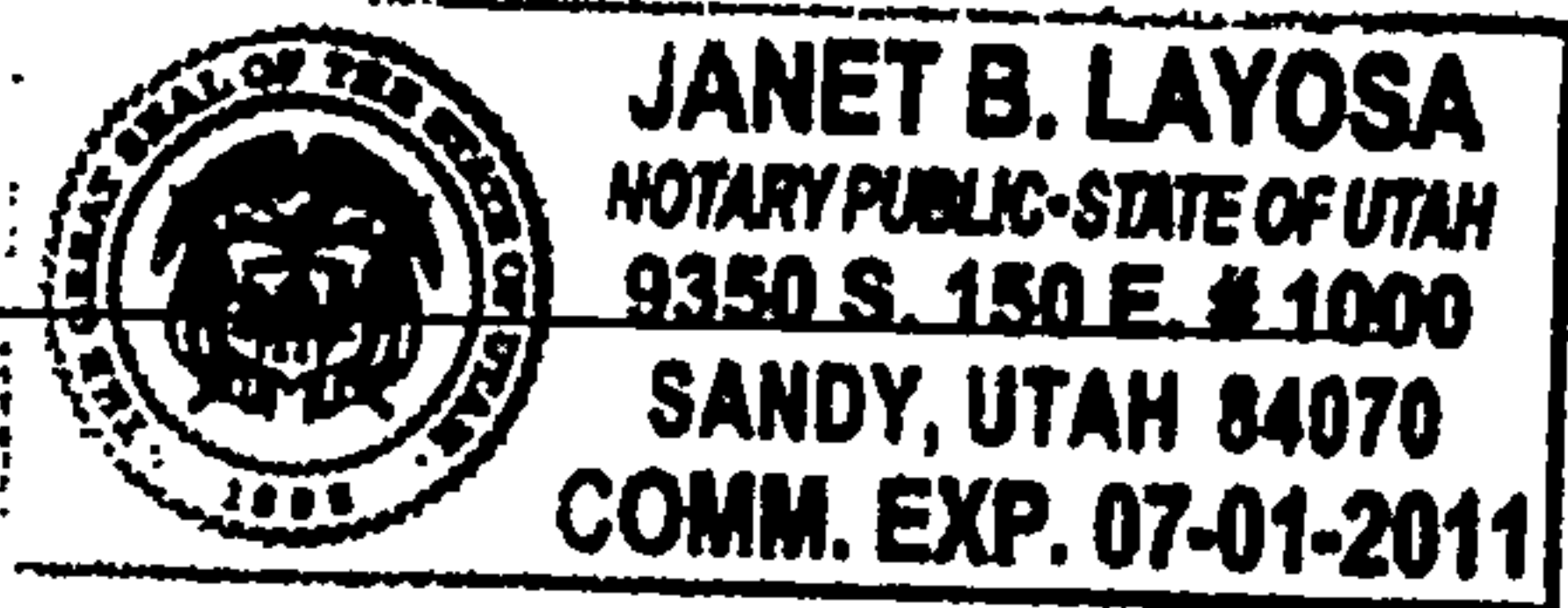
SUBDIVIDER'S NOTARY

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

This instrument was acknowledged before me on 10th day of December, 2007 by
[name(s) of person(s):] Larry H. Miller, [title or capacity, for instance, "President" or "Owner":]
Managing Member of [Subdivider:] Miller Family Real Estate LLC.


Notary Public

My Commission Expires:



CITY'S NOTARY

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

This instrument was acknowledged before me on 18 day of December 2007 by
Richard Douke, City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.


Notary Public

My Commission Expires:

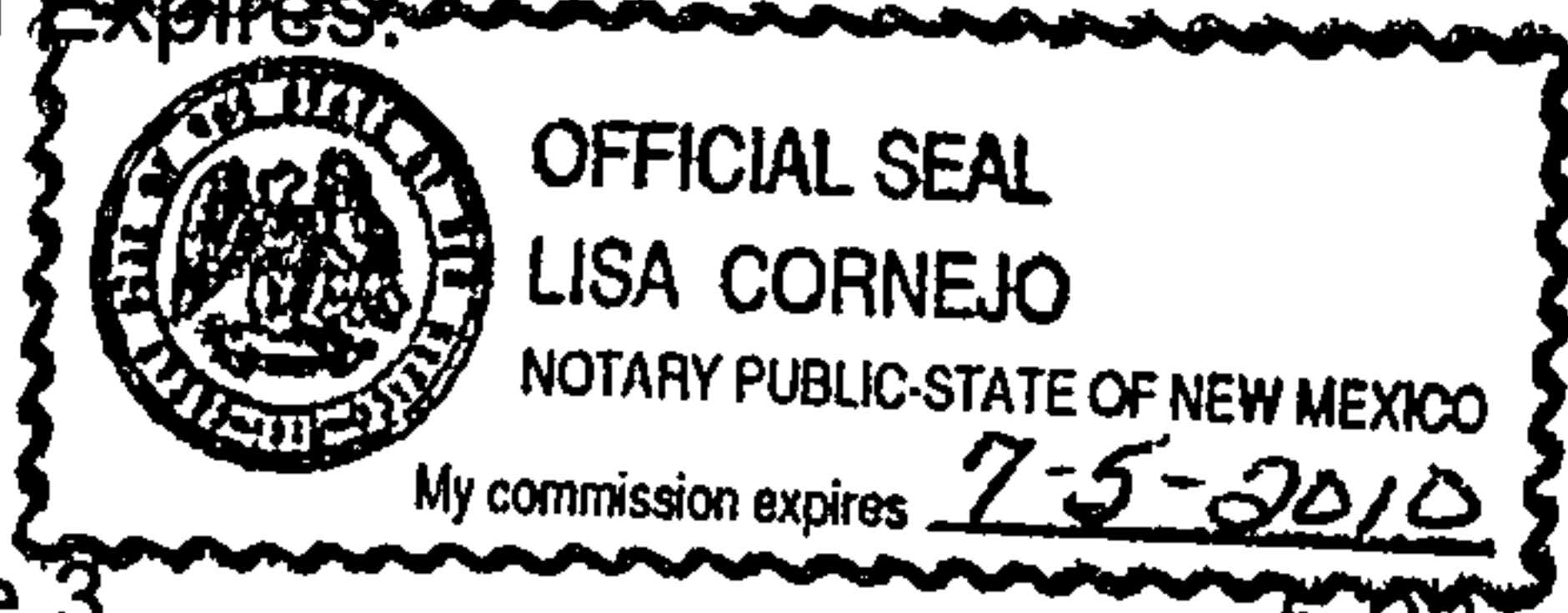




EXHIBIT "A"

OFFICIAL NOTICE OF DECISION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD**

OCTOBER 17, 2007

**Project# 1002848
07DRB-70267 MAJOR - 2YR SUBD IMP AGMT (2YR SIA)**

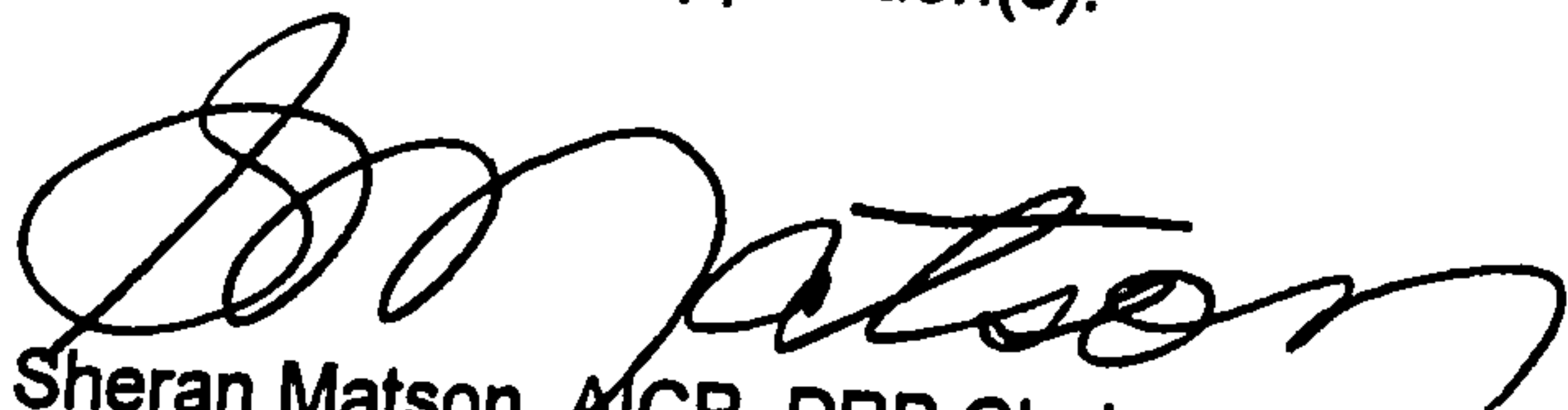
TIERRA WEST LLC agent(s) for LARRY MILLER AMERICAN TOYOTA request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1 FOR AUTO SALES, located on ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE containing approximately 5 acre(s). (C-18)

At the October 17, 2007 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 1, 2007, in the manner described below.

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

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


Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87105
Cc: Larry Miller American Toyota – 9350 South 150E, Suite 1000 – Sandy, UT 84070
Marilyn Maldonado, Planning Department, 4th Floor, Plaza Del Sol Bldg.
File

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 929323942 effective February 17, 2004
issued by the WESTERN SURETY COMPANY
in the amount of EIGHT THOUSAND SEVEN HUNDRED THIRTY-THREE AND 00/100 (\$8,733.00) DOLLARS,
on behalf of MILLER FAMILY REAL ESTATE, LLC
as Principal and in favor of CITY OF ALBUQUERQUE, NM
as Obligee:

Now, Therefore, it is agreed that:

THE COMPLETION DATE FOR THE AMERICAN TOYOTA IMPROVEMENT CITY PROJECT NO. 6924.81
WILL BE NOVEMBER 9, 2009

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 9TH day of NOVEMBER, 2007.

Signed, sealed and dated this 6TH day of DECEMBER, 2007.

MILLER FAMILY REAL ESTATE, LLC

By: *Lawrence A Miller* (Principal)

WESTERN SURETY COMPANY

By: *Ronald M Mitchell* (Surety)
RONALD M. MITCHELL, Attorney-in-Fact

Accepted By:

Bill D...

12/14/07

12-14-07

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of Salt Lake City, UT, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 2nd day of November, 2006.



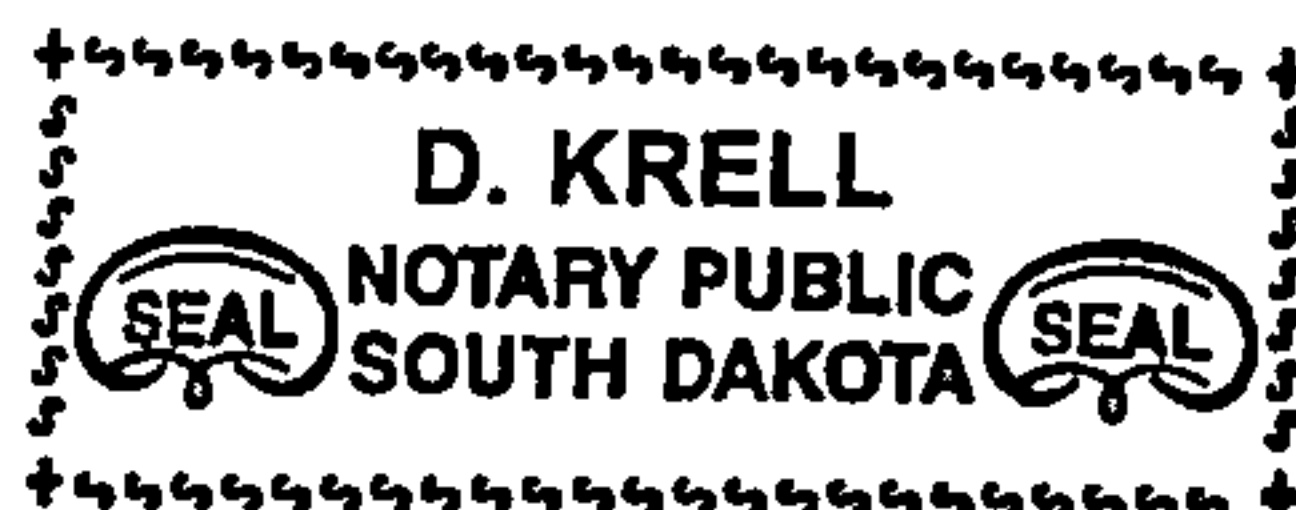
WESTERN SURETY COMPANY

Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 2nd day of November, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2012



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 6TH day of DECEMBER, 2007.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary



DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. **Your Developer Inquiry is for the following:**

Cell Tower & Type: Free-Standing Tower -OR- Concealed Tower

Private Development EPC DRB LUCC Liquor Submittal

Administrative Amendments (AA's)

City Project

Special Exception Application (ZHE)

CONTACT NAME: Keli Krueger

COMPANY NAME: Tierra West LLC

ADDRESS/ZIP: 5571 Midway Park Place NE, Albuquerque, NM 87109

PHONE: 505-858-3100 FAX: 505-858-1118

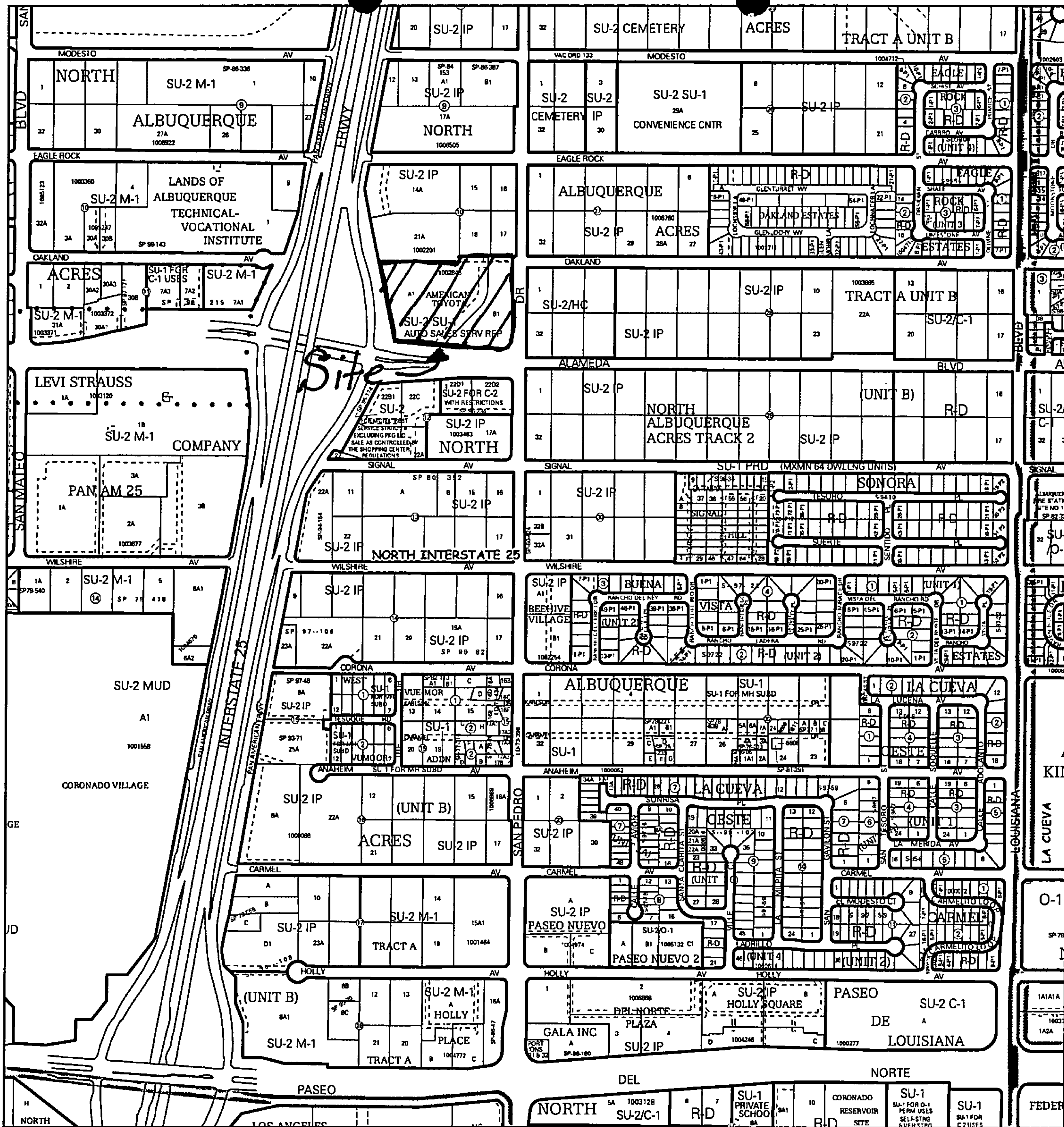
LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

Tracts A1 & B1, American Toyota

LOCATED ON Alameda Boulevard NE LEGAL DESCRIPTION
STREET NAME OR OTHER IDENTIFYING LANDMARK
BETWEEN Pan American FWY NE AND
STREET NAME OR OTHER IDENTIFYING LANDMARK
San Pedro Drive NE
STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (C-18).
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)
(Zone Map **MUST** be provided with request)



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

AGIS
Albuquerque Geographic Information System

Map amended through: 3/10/2009

Note: Grey Shading Represents Area Outside of the City Limits

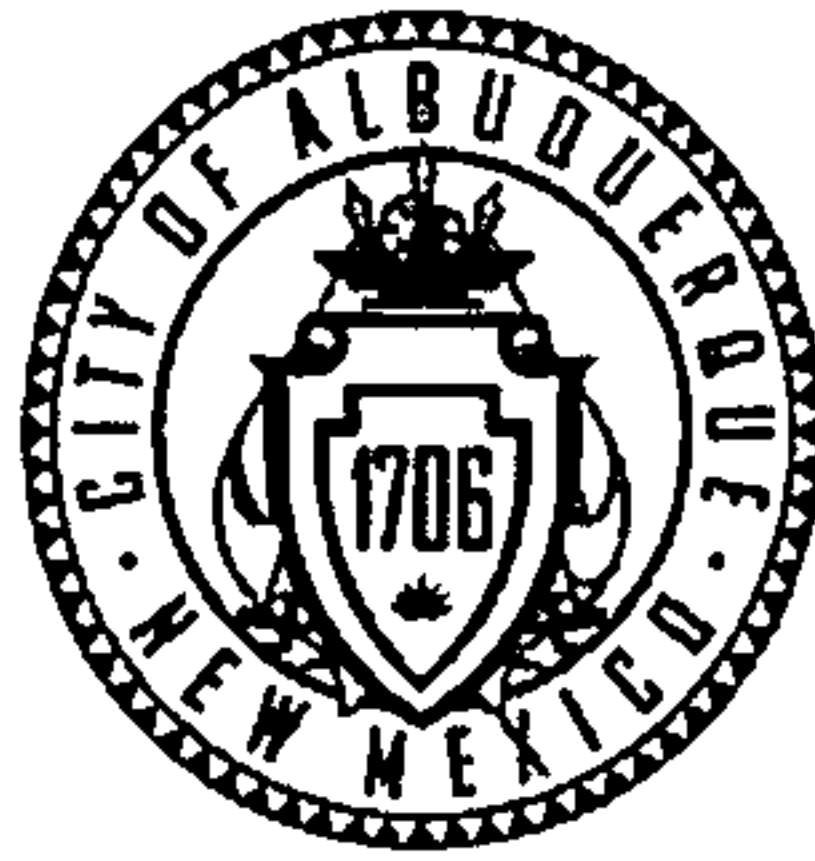
Zone Atlas Page:
C-18-Z

Selected Symbols

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

Feet

0 750 1,500



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

September 9, 2009

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118

PLEASE NOTE: The Neighborhood and/or Homeowner 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.

Dear Keli:

Thank you for your inquiry of September 9, 2009 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACTS A1 AND B1, AMERICAN TOYOTA, LOCATED ON ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map **C-18**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

NOR ESTE N.A. (NRE) "R"

- ✓ Jeff Peterson, 7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)
- ✓ Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WEST LA CUEVA N.A. (WLC) "R"

- ✓ Peggy Neff, 8305 Calle Sequelle NE/87113 823-1041 (h) 977-8903 (c)
- ✓ Erica Vasquez, 8511 Rancho Del Oro Pl. NE/87113

WILDFLOWER AREA N.A. (WFA) "R"

- ✓ Larry T. Caudill, 4915 Watercress NE/87113 857-0596 (h)
- ✓ Rick Treadwell, 5004 Watercress NE/87113 821-6369 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD AND/OR
HOMEOWNER ASSOCIATION.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: 00/09/09 Time Entered: 9 a.m. ONC Rep. Initials: siw

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Larry T. Caudill**
 Street, Apt. No.; or PO Box No. **Wildflower Area N.A.
 4915 Watercress NE**
 City, State, ZIP+4 **Albuquerque, NM 87113**

PS Form 3800, June 2002 See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Jeff Peterson**
 Street, Apt. No.; or PO Box No. **Nor Este N.A.
 7800 Eagle Rock Ave. NE**
 City, State, ZIP+4 **Albuquerque, NM 87122-2723**

PS Form 3800, June 2002 See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Rick Treadwell**
 Street, Apt. No.; or PO Box No. **Wildflower Area N.A.
 5004 Watercress NE**
 City, State, ZIP+4 **Albuquerque, NM 87113**

PS Form 3800, June 2002 See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Joe Yardumian**
 Street, Apt. No.; or PO Box No. **Nor Este N.A.
 7801 R.C. Gorman Ave. NE**
 City, State, ZIP+4 **Albuquerque, NM 87122-2748**

PS Form 3800, June 2002 See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Erica Vasquez**
 Street, Apt. No.; or PO Box No. **West La Cueva N.A.
 8544 Rancho Del Oro Pl. NE**
 City, State, ZIP+4 **Albuquerque, NM 87113**

PS Form 3800, June 2002 See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

Postmark Here
 SEP 10 2009
 ALBUQUERQUE NM 87101

Sent To **Peggy Neff**
 Street, Apt. No.; or PO Box No. **West La Cueva N.A.
 8305 Calle Sequelle NE**
 City, State, ZIP+4 **Albuquerque, NM 87113**

PS Form 3800, June 2002 See Reverse for Instruction

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from SEPT 22, 2009 To OCT. 07, 2009

5. REMOVAL

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

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

Keeli D. Krueger, 9/10/09
(Applicant or Agent) (Date)

I issued 3 signs for this application, 09/10/09, Sandy Handley
(Date) (Staff Member)

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

09/21/2007 Issued By: PLNABG

Permit Number: 2007 070 267 **Category Code 910**

Application Number: 07DRB-70267, Major - 2yr Subd Imp Agmt (2yr Sia)

Address:

Location Description: ALAMEDA BLVD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DR NE

Project Number: 1002848

Applicant

Larry Miller American Toyota

9350 South 150e, Suite 1000
Sandy, UT 84070
801-583-4100

Agent / Contact

Tierra West Llc
Ronald Bohannon
5571 Midway Park Pl Ne
Albuquerque, NM 87109

twllc@tierrawestllc.com

Application Fees

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$50.00
TOTAL:		\$145.00

City Of Albuquerque
Treasury Division

9/21/2007 11:05AM LDC: ANNX
WS# 008 TRANS# 0022
RECEIPT# 00081644-00081644
PERMIT# 2007070267 TRSLJS
Trans Amt \$145.00
APN Fee \$75.00
Conflict Manag. Fee \$20.00
DRB Actions \$50.00
CK \$145.00
CHANGE \$0.00

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S 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)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- 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.

APPLICATION INFORMATION:

Professional Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5511 Midway Park Place NE FAX: 505-858-3100
 CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: _____

APPLICANT: Larry Miller American Toyota PHONE: 801-563-4100
 ADDRESS: 9350 South 150E, Suite 1000 FAX: _____
 CITY: Sandy STATE UT ZIP 84070 E-MAIL: _____

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Extension Subdivision Improvements Agreement

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

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

Lot or Tract No. Tracts A1 + B1 Block: _____ Unit: _____

Subdiv/Addn/TBKA: American Toyota

Existing Zoning: SU-2 SU-1 Auto Sales Proposed zoning: NO change MRGCD Map No _____

Zone Atlas page(s): C-18 UPC Code: 101806421939920605/101806425138720610

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 03DRB-01270/04DRB-00571/DRB-95-41/05DRB-01620 / # 1002848

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No

No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 5 +/-

LOCATION OF PROPERTY BY STREETS: On or Near: 5995 Alameda Blvd. NE

Between: Pan American Fwy NE and San Pedro Dr. NE

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

SIGNATURE _____ DATE 9/21/07

(Print) Ronald Robohannan, PE. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
07DRB - 70267	SFA	502	\$ 50. ⁰⁰
- - -	Adv	-	\$ 75. ⁰⁰
- - -	CMF	-	\$ 20. ⁰⁰
- - -	-	-	\$ -
- - -	-	-	\$ -

Hearing date October 17, 2007

Total \$ 145.⁰⁰

Andrew Gomez 9/21/07
 Planner signature / date

Project # 1002848

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (DRB11) (with significant changes)

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Original Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed amended plat, if applicable
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Ronald R. Bohannon, PE
 Applicant name (print)
9/21/07
 Applicant signature / date



Form revised 4/07

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

Application case numbers
 01 DRB - -70267
 _____ - _____
 _____ - _____

Andrew Jones 9/21/07
 Planner signature / date
Project # 1002848

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from October 2, 2007 To October 17, 2007

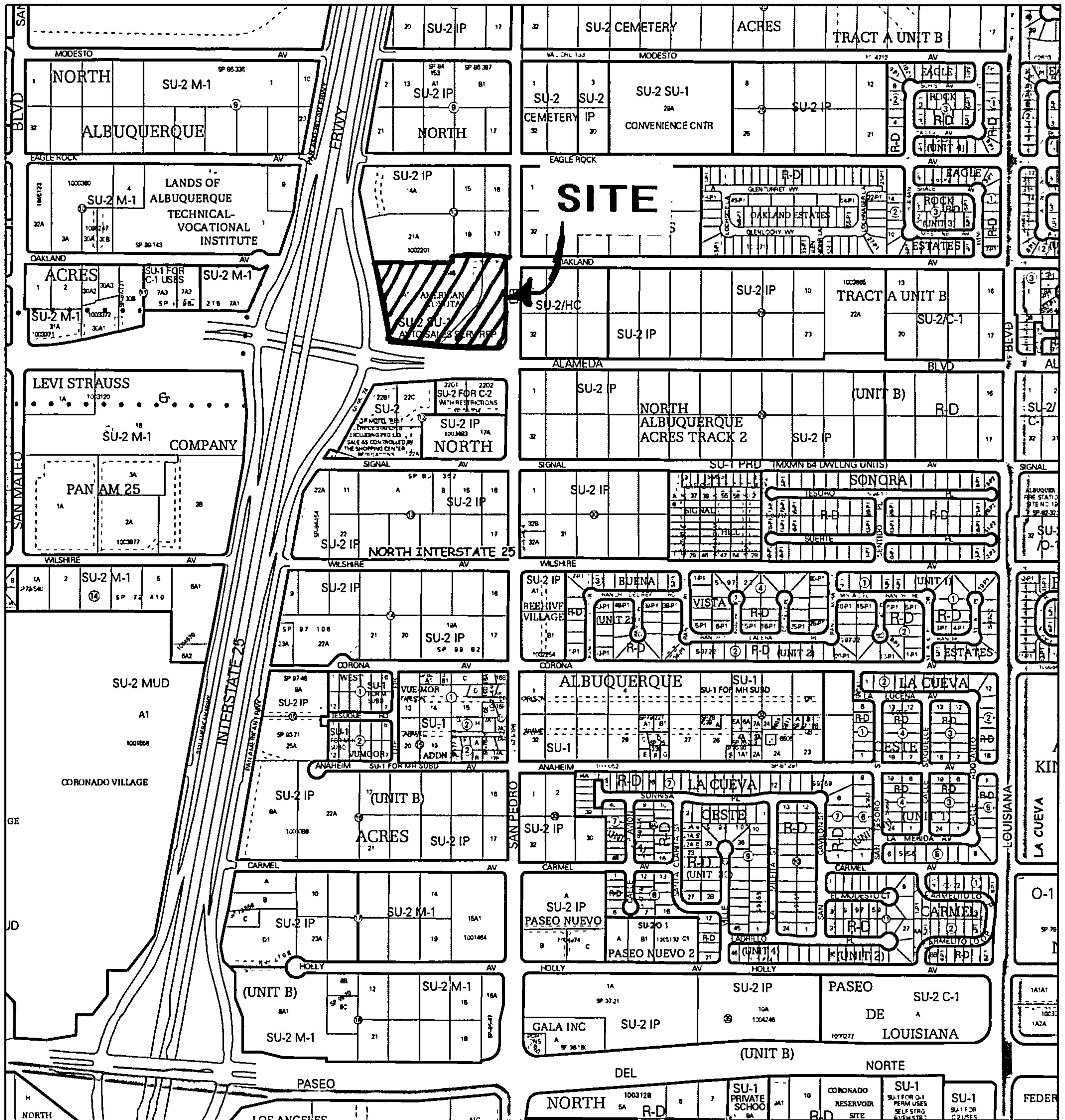
5. REMOVAL

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


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

Kelli D. Krueger, 9-21-07
(Applicant or Agent) (Date)

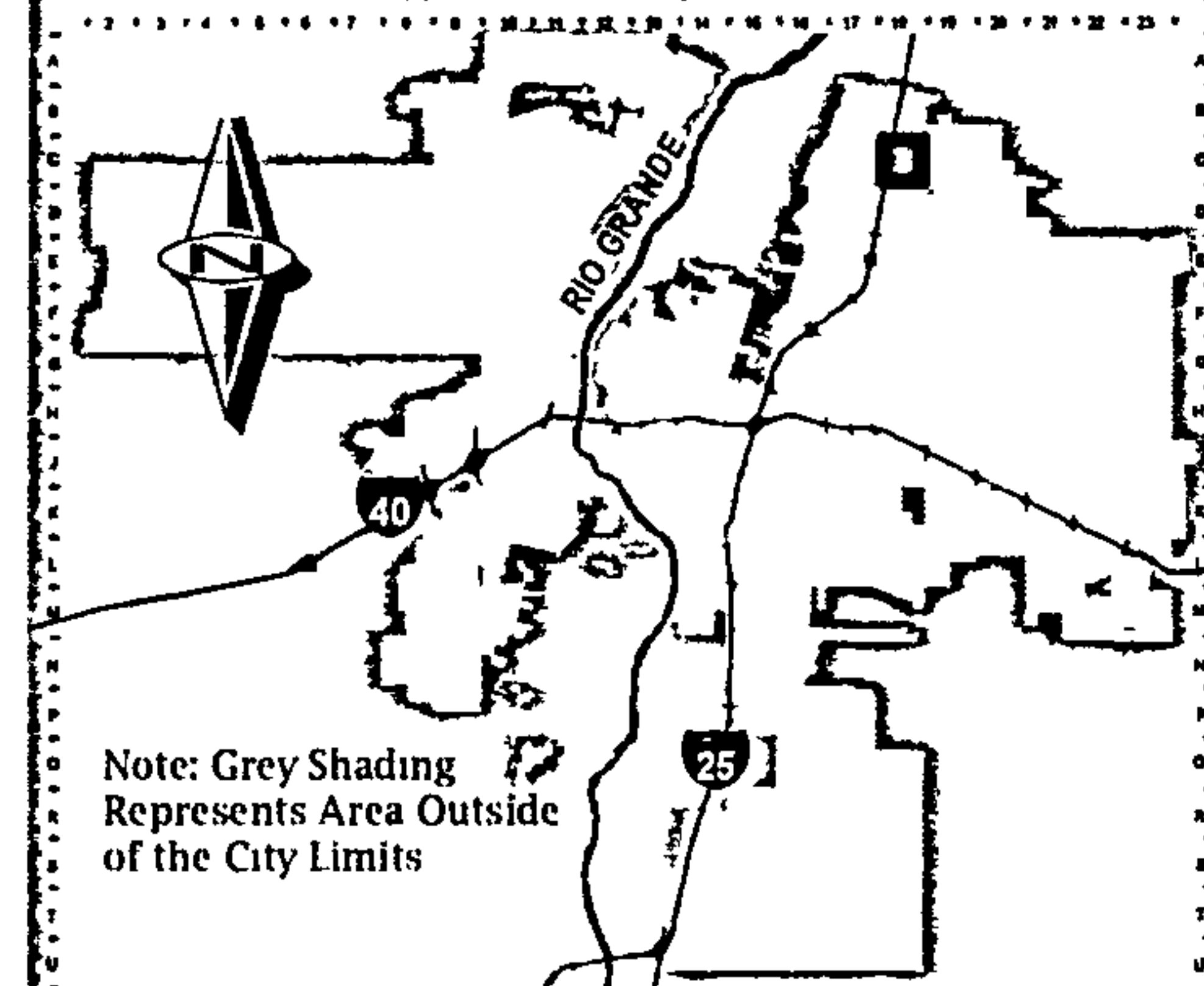
I issued 2 signs for this application, 9/21-07, Andrew J. Mac
(Date) (Staff Member)



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



Map amended through: 9/6/2007



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

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

0 750 1500 Feet

TIERRA WEST, LLC

5571 Midway Park Place NE
Albuquerque, NM 87109

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

September 21, 2007

Ms. Sheran Matson
Planning Manager, DRB Chair
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Extension of Subdivision Improvements Agreement
American Toyota
Project # 1002848, Zone Atlas Page C-18**

Dear Ms. Matson:

Tierra West LLC, on behalf of Larry Miller American Toyota, requests approval of a 2 year extension to the Subdivision Improvements Agreement for the above-referenced project. This project is located along at 5995 Alameda Boulevard NE, between San Pedro drive NE and Pan American Freeway NE and contains \pm 5 acres. These improvements were a result of the expansion of the American Toyota service lot to incorporate the vacated Oakland Avenue ROW. The owners have purchased the property immediately north of the site that extends to Eagle Rock and are starting the development process on that parcel. The development of the new parcel will require additional public infrastructure improvements to be designed and constructed. American Toyota desires to incorporate these improvements and build one project

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

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Pat Joseph
Jeff Peterson, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Larry Caudill, Wildflower Area N.A.
Rick Treadwell, Wildflower Area N.A.
Peggy Neff, West La Cueva N.A.
April Sweet, West La Cueva N.A.

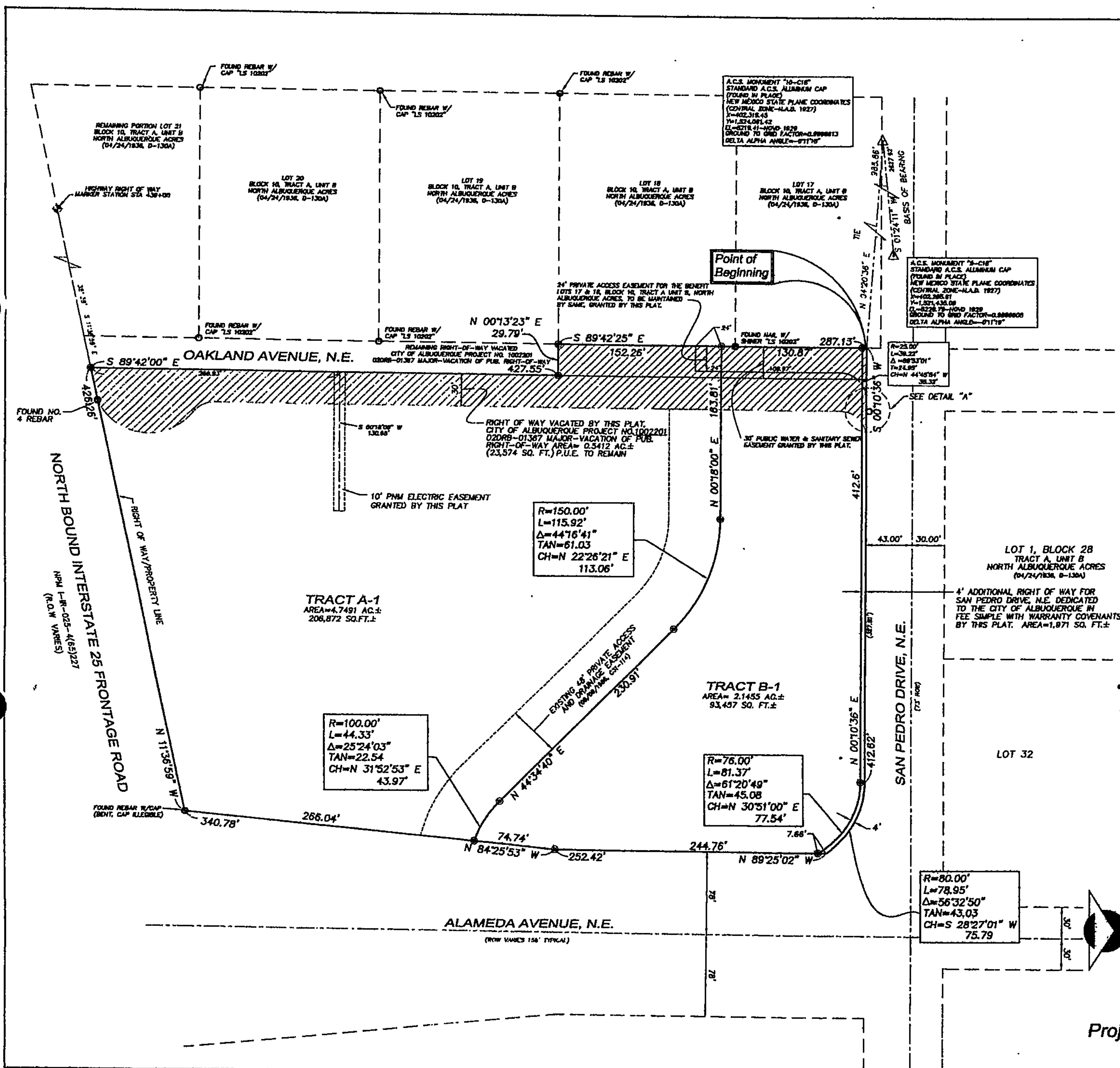
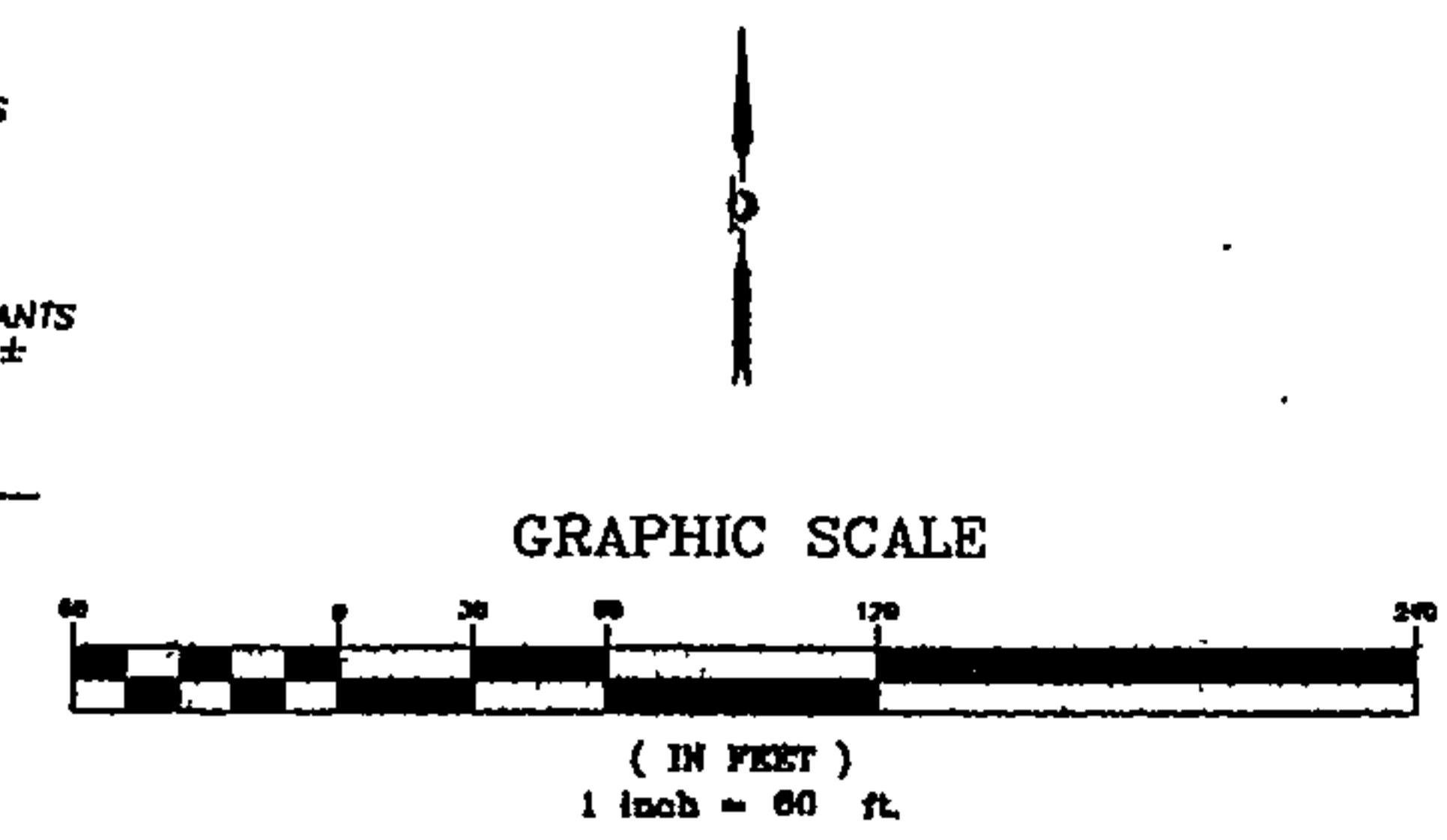
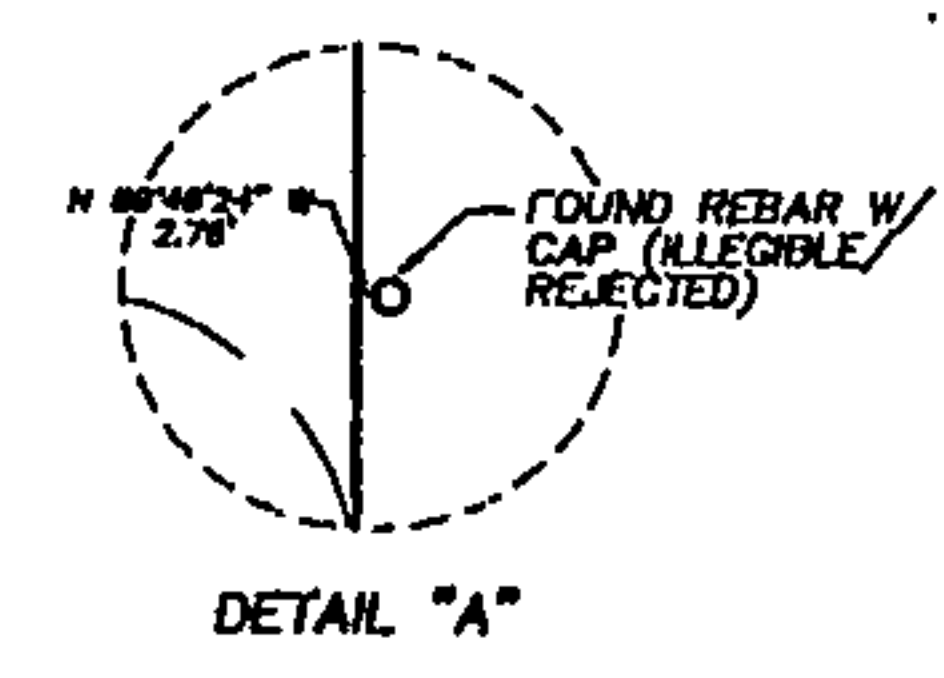
JN: 22082.101
RRB/cla

Plat of
 Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legend

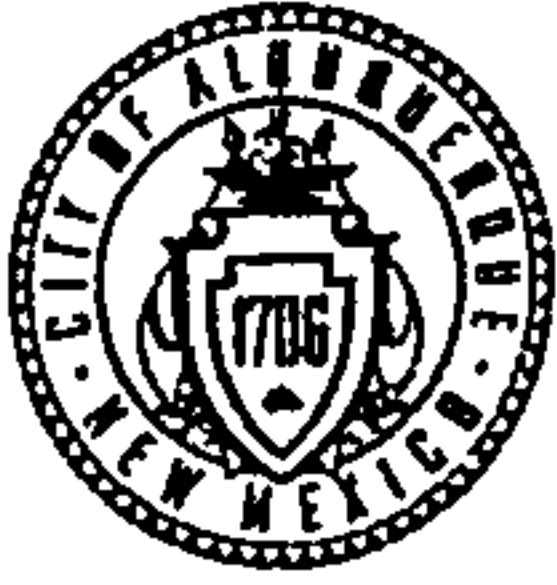
N 80°00'00" E	MEASURED BEARINGS AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
⊙	DEMONSTRATES REBAR W/CAP "PS" TYPED SET THIS SURVEY UNLESS OTHERWISE NOTED

2004125899
 01-00-00
 Page 2 of 2
 02/24/2004 03:11P
 Mary Herrera Bern Co. PLT R.12.00 BL-2004C Pg.200



PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900



J5 220082
Inventory
→ Sent DRB

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/18/03
 Date Preliminary Plat Expires: 12/18/07
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

ORIGINAL

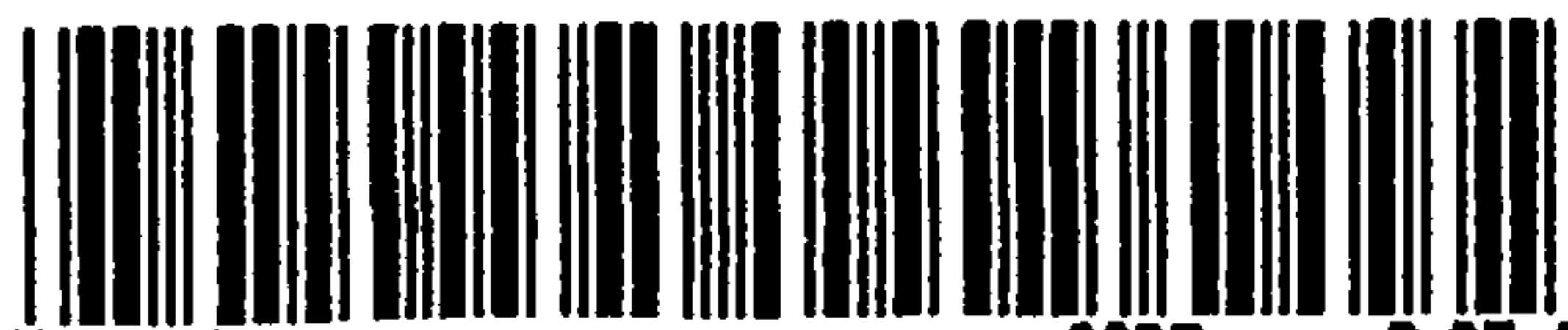
Current DRC
 Project Number: _____

American Toyota
 PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
 American Toyota
 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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
1	692181	30" F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
2		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
3			Catch Basins and RCP connections included with Storm Sewer				/	/	/

MB-1 8" * 5AS 140 20' Public Easement San Pedro 10' West of Lot 17



ORIGINAL NOTES

* Referred Item

1 _____

2 _____

3 _____

4 _____

5 _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT / OWNER: Ronald R. Behanna
 NAME (print): Ronald R. Behanna

DRB CHAIR - date: Sharon M. Peterson 10/8/03
 PARKS & GENERAL SERVICES - date: Christine Sandwood 10/8/03

TRANSPORTATION DEVELOPMENT - date: _____
 UTILITY DEVELOPMENT - date: _____
 CITY ENGINEER - date: _____

TRANSPORTATION DEVELOPMENT - date: 10/8/03
 UTILITY DEVELOPMENT - date: 10/8/03
 CITY ENGINEER - date: 10/8/03

AMAFCA - date: _____
 SIGNATURE - date: _____
 MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT / OWNER

PAGE 2 OF 2



2004031626
 6045111
 Page: 10 of 10
 03/10/2004 11:14A
 Bk-A74 Pg-1543

13⁰⁰

220822
SIA

FIGURE 18
EXTENSION AGREEMENT
Procedure "B"
PROJECT NO. 6924.81

This Agreement made this day of 19th December, 2005, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of developer/subdivider:] **MILLER FAMILY REAL ESTATE LLC** ("Developer"), whose address is **9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070** and whose telephone number is **801.563.4100**, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8TH day of **MARCH**, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on **MARCH 10**, 2004 at Book Misc. A74, pages 1543 through ---, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the day of **OCTOBER 8**, 2005; and

WHEREAS, the Earlier Agreement was amended by an Extension Agreement dated _____, recorded _____, in Book Misc. _____, pages _____ through _____, records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

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

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

WHEREAS, the Developer is able to provide the required financial guaranty:

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

1. The required completion date for construction of the improvements, as set forth in paragraph **A** of the Earlier Agreement, is extended [Complete either A or B:]

A. for all improvements, the 9th day of **NOVEMBER**, 2007.

B. on portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
<u>PAVING & UTILITY IMPROVEMENTS</u>	_____
_____	_____
_____	_____



Mary Herrera Bern. Co. AGRE R 13.00 2005185398
6381452
Page: 1 of 3
12/19/2005 03:30P
Bk-A108 Pg-4899

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

Type of Financial Guaranty: SUBDIVISION BOND #929323941
Amount: \$ 158,565.75
Name of Financial Institution or Surety providing Guaranty:
WESTERN SURETY COMPANY
Date City first able to call Guaranty: NOVEMBER 9, 2007
[Construction Completion Deadline]: NOVEMBER 9, 2007
If Guarantee other than a Bond, last day City able to call on Guaranty is:
JANUARY 9, 2008

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

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

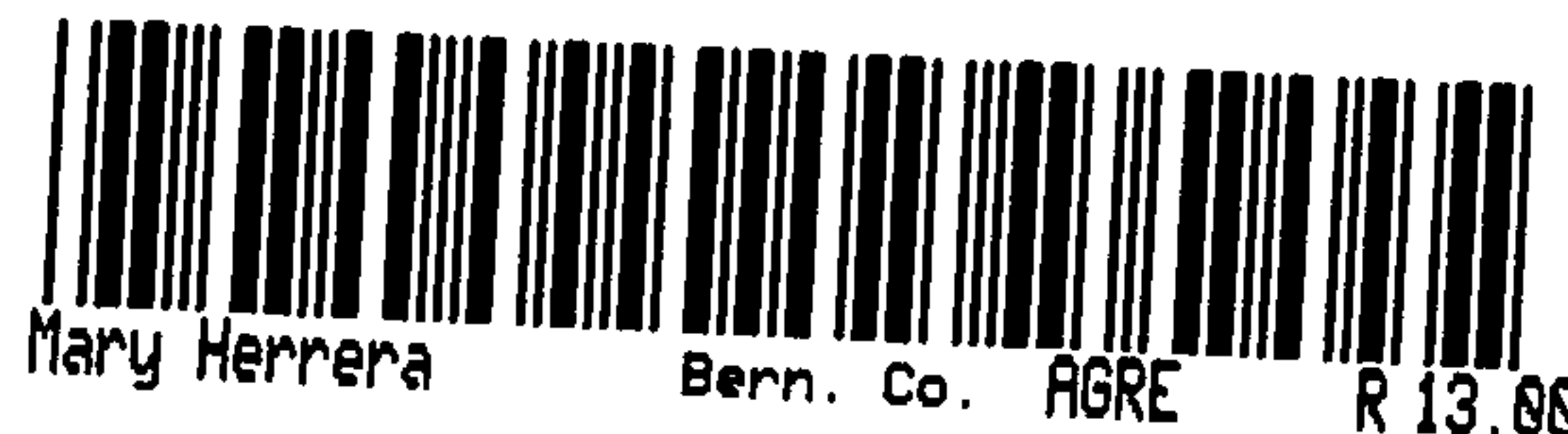
SUBDIVIDER:
Miller Family Real Estate LLC

By [Signature] Larry H Miller
Name: Larry H. Miller
Title: Managing Member
Dated: 12-7-05

CITY OF ALBUQUERQUE

Approved by: Bradley S. Bingham
Dated: 12/19/05

Wg 12/17/05 JW
12-8-05



2005185398
6381452
Page: 2 of 3
12/19/2005 03:30P
Bk-A108 Pg-4899

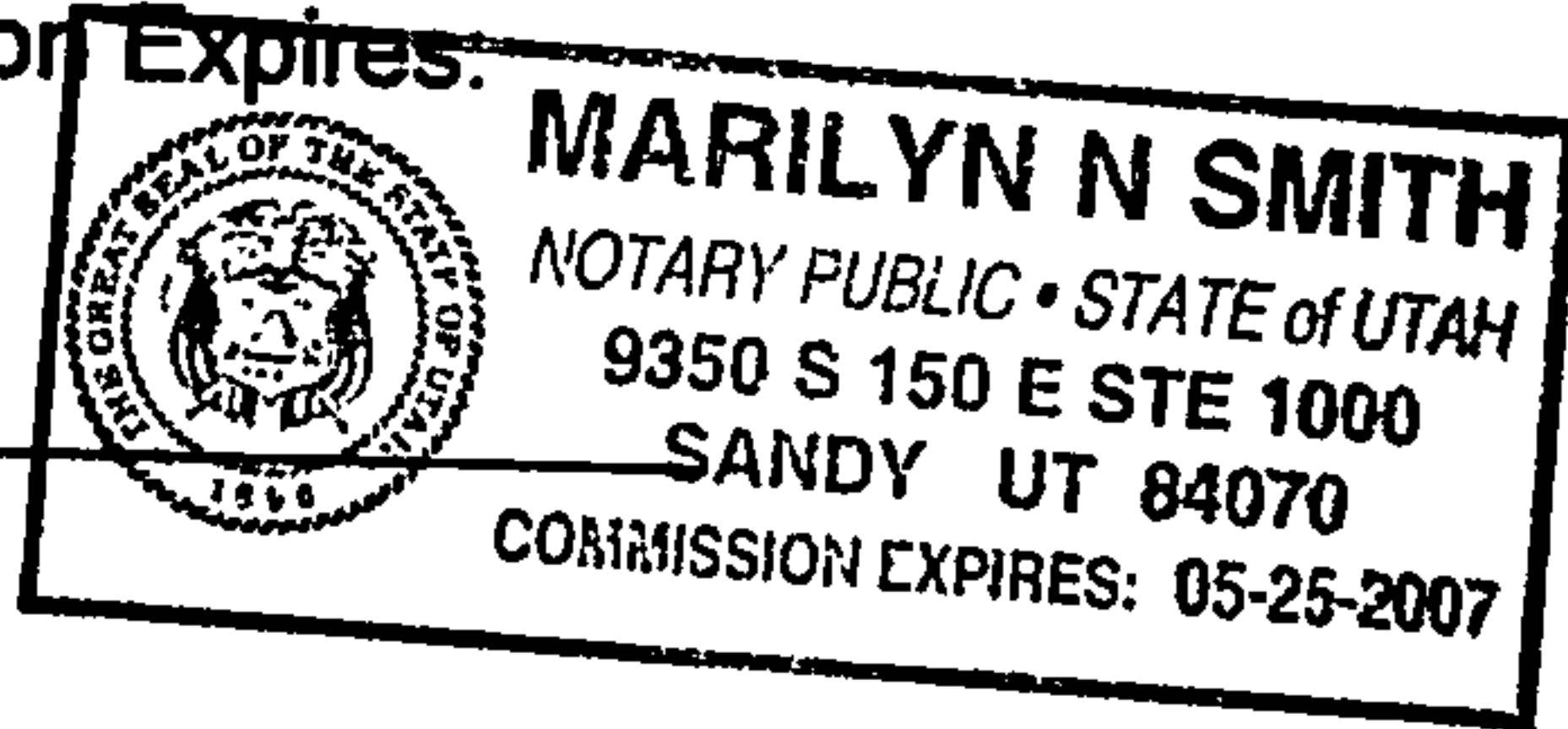
SUBDIVIDER'S NOTARY

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

This instrument was acknowledged before me on 7th day of December 2005 by
[name(s) of person(s):] Larry H. Miller, [title or capacity, for instance, "President" or "Owner":]
Managing Member of [Subdivider:] Miller Family Real Estate LLC.

Marilyn N. Smith
Notary Public

My Commission Expires:



CITY'S NOTARY

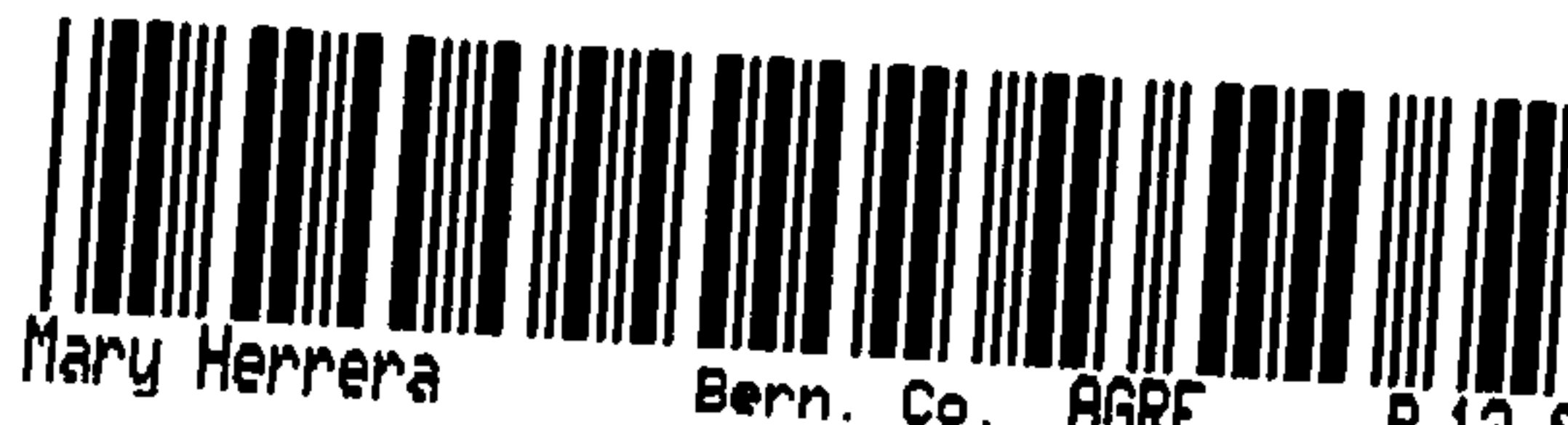
STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 19th day of December 2005 by
Bradley J. Bingham City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

Gloria D. Saavedra
Notary Public

My Commission Expires:

11-25-2007



2005185398
6381452
Page: 3 of 3
12/19/2005 03:30P
BK-A108 Pg-4899



EXHIBIT "A"

DOWDIN
DRB**OFFICIAL NOTICE OF DECISION**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 9, 2005

2. **Project # 1002848**
05DRB-01620 Major-Two Year SIA

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION request(s) the above action(s) for all or a portion of Tract(s) A1 & B1, **AMERICAN TOYOTA**, zoned SU-2, SU-1, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 5 acre(s). [REF: 03DRB0127, DRB-95-75,04DRB00571] (C-18)

At the November 9, 2005, Development Review Board meeting, a two-year extension of the Subdivision Improvements Agreement was approved. This will be the last extension.

If you wish to appeal this decision, you must do so by November 28, 2005 (due to the City observed Thanksgiving holiday) in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC, 8509 Jefferson NE, 87113
PJ Development Commercial Construction, P.O. Box 14903, 87191
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

Current DRC

Project Number: _____

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

Date Submitted: 10/6/09

Date Site Plan Approved: NA

Date Preliminary Plat Approved: 10/8/09

Date Preliminary Plat Expires: 10/8/09

DRB Project No.: 1002201

DRB Application No.: 03 DRB 0127

ORIGINAL

American Toyota

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
<input type="text"/>	<input type="text"/>	30' F-E	Permanent Paving, Curb and Gutter (West Side) 4' Sidewalk (West Side)	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
<input type="text"/>	<input type="text"/>	72"	RCP Storm Drain	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
<input type="text"/>	<input type="text"/>	Catch Basins and RCP connections included with Storm Sewer							
<p><i>Handwritten:</i> 8" * SAS 30' Public Easement San Pedro 10' West of Lot 17</p>									

1
2
3
4
5

* Referred Item

AGENT / OWNER

Ronald R. Bohannan

NAME (print)

Terra West LLC

FIRM

[Signature]

SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 10/8/03

DRB CHAIR - date

Christina Sandoral 10/8/03

PARKS & GENERAL SERVICES - date

[Signature]

TRANSPORTATION DEVELOPMENT - date

[Signature] 10/8/03

UTILITY DEVELOPMENT - date

Brad D. Bigham 10/8/03

CITY ENGINEER - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

General Purpose Rider

TO BE ATTACHED TO and form part of Bond Number 929323941 issued by the WESTERN SURETY COMPANY

as Surety, on behalf of MILLER FAMILY REAL ESTATE, LLC

of SALT LAKE CITY, UTAH, hereinafter referred to as the Principal, and in

favor of CITY OF ALBUQUERQUE

of ALBUQUERQUE, NM, hereinafter referred to as the Obligee, in the sum of

ONE HUNDRED FIFTY EIGHT THOUSAND FIVE HUNDRED SIXTY SIX AND NO/100
Dollars

(\$158,566.00), effective the 17TH day of FEBRUARY, 2004.

NOW, THEREFORE, it is agreed THAT THE COMPLETION DATE FOR THE AMERICAN TOYOTA IMPROVEMENT CITY PROJECT NUMBER 6924.81, WILL BE NOVEMBER 9TH, 2007

IT IS FURTHER AGREED that all other terms and conditions of this bond shall remain unchanged.

THIS RIDER IS TO BE EFFECTIVE the 1st day of DECEMBER, 2005.

SIGNED, SEALED AND DATED this 1ST day of DECEMBER, 2005.

Accepted By:

CITY OF ALBUQUERQUE

By: Bradley K. Bingham
bjz/klg

MILLER FAMILY REAL ESTATE, LLC
(Principal)

By: Laurence H. Miller *Seal*
managing member

WESTERN SURETY COMPANY
(Surety)

By: Thomas S. Kershaw (seal)
Thomas S. Kershaw, Attorney-in-fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of Salt Lake City, UT, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 6th day of December, 2004.



WESTERN SURETY COMPANY

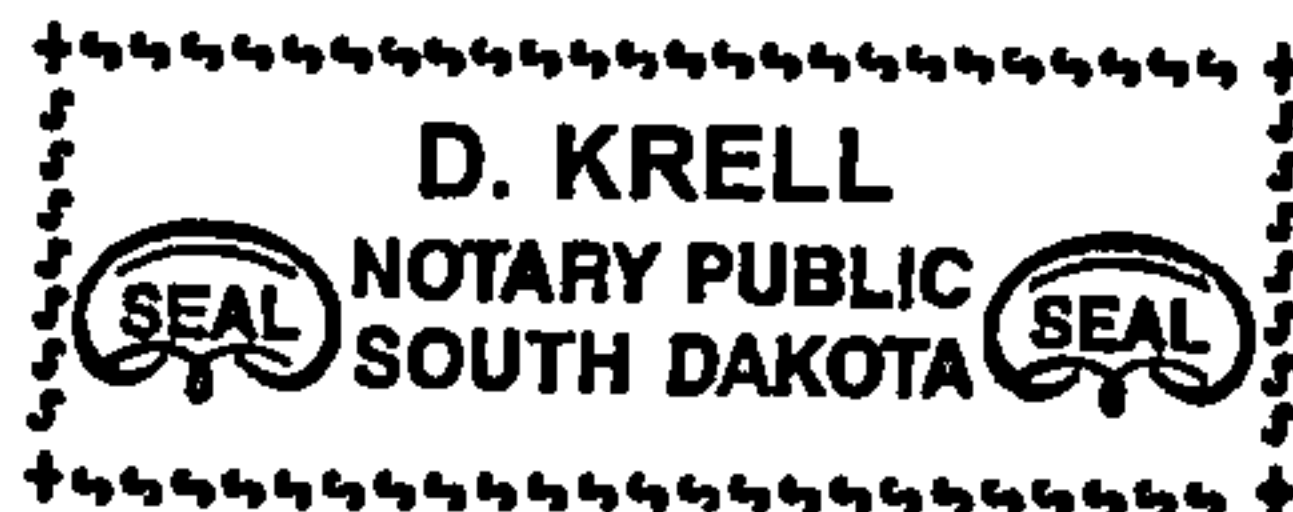
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 6th day of December, 2004, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 1st day of December, 2005.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

1300

22082H
SIA

**FIGURE 18
EXTENSION AGREEMENT**

**Procedure "B" Modified Non-Work Order
PROJECT NO. 6924.81**

This Agreement made this day of 19th December, 20 05, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of developer/subdivider:] MILLER FAMILY REAL ESTATE LLC ("Developer"), whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is 801.563.4100, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 8TH day of MARCH, 2004, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on MARCH 10, 2004 at Book Misc. A74, pages 1544 through ---, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the day of OCTOBER 8, 20 05; and

WHEREAS, the Earlier Agreement was amended by an Extension Agreement dated ---, recorded ---, in Book Misc. ---, pages --- through ---, records of Bernalillo County, New Mexico, extending the construction deadline to ---; and

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

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

WHEREAS, the Developer is able to provide the required financial guaranty:

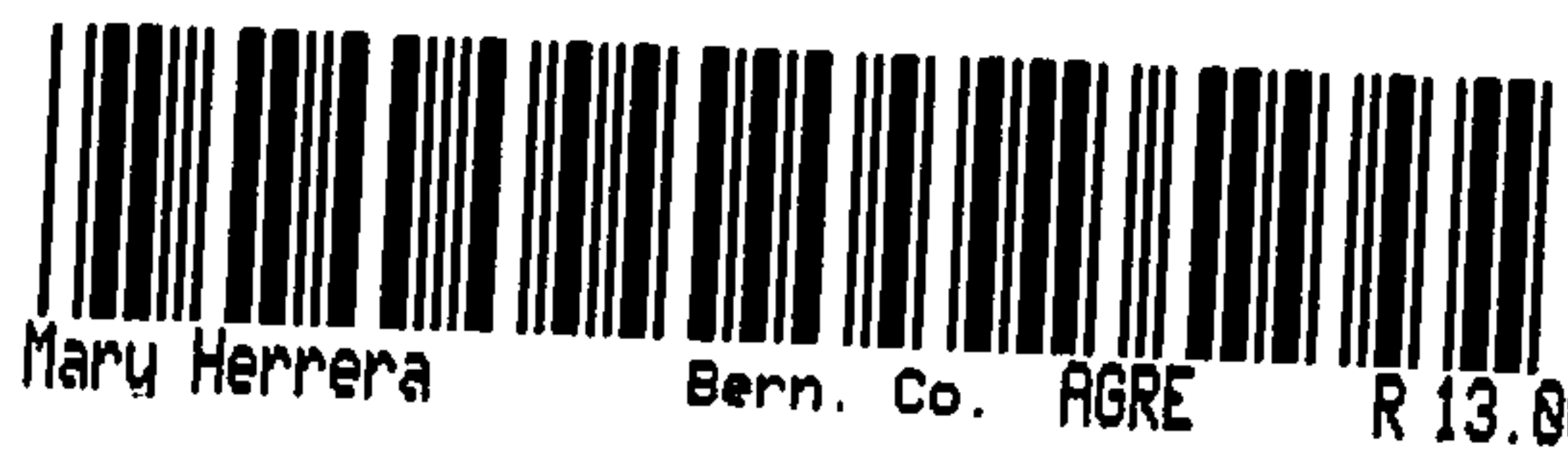
NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

1. The required completion date for construction of the improvements, as set forth in paragraph A of the Earlier Agreement, is extended [Complete either A or B:]

A. for all improvements, the 9th day of NOVEMBER, 2007.

B. on portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
<u>Paving & Utility Impvmnts for the SAS</u>	<u>---</u>
<u>---</u>	<u>---</u>
<u>---</u>	<u>---</u>



2005185397
8381451
Page: 1 of 3
12/19/2005 03:30P
Bk-A108 Pg-4898

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

Type of Financial Guaranty: SUBDIVISION BOND #929323942
Amount: \$ 8,732.63
Name of Financial Institution or Surety providing Guaranty:
WESTERN SURETY COMPANY
Date City first able to call Guaranty: NOVEMBER 9, 2007
[Construction Completion Deadline]: NOVEMBER 9, 2007
If Guarantee other than a Bond, last day City able to call on Guaranty is:
JANUARY 9, 2008

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

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

SUBDIVIDER:
Miller Family Real Estate LLC

By [Signature]: Larry H. Miller
Name: Larry H. Miller
Title: Managing Member
Dated: 12-7-05

CITY OF ALBUQUERQUE

Approved by: Bradley L. Bingham
Dated: 12/19/05

WJH 12/17/05

JM
12-8-05



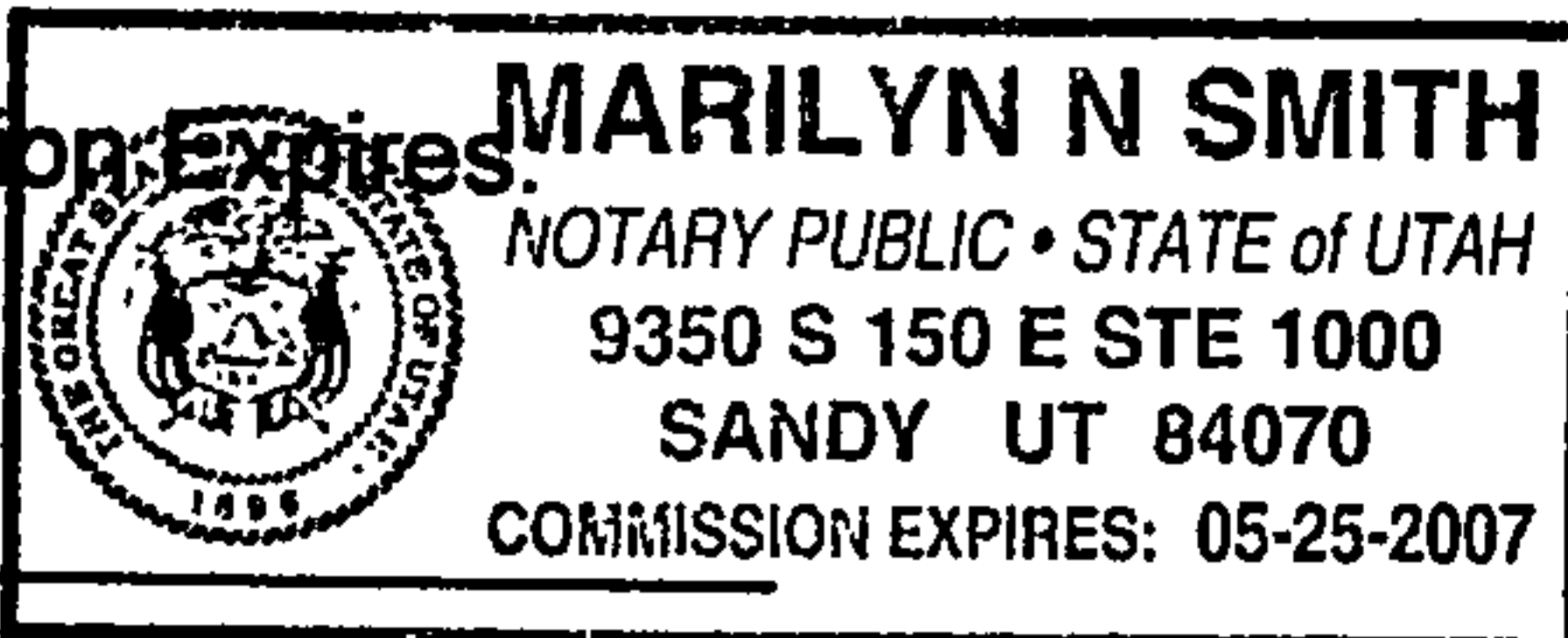
2005185397
8381451
Page: 2 of 3
12/19/2005 03:30P
Bk-A108 Pg-4898

SUBDIVIDER'S NOTARY

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

This instrument was acknowledged before me on 7th day of December, 2005 by
[name(s) of person(s):] Larry H. Miller, [title or capacity, for instance, "President" or "Owner":]
Managing Member of [Subdivider:] Miller Family Real Estate LLC.

Marilyn N. Smith
Notary Public

My Commission Expires:  **MARILYN N SMITH**
NOTARY PUBLIC • STATE of UTAH
9350 S 150 E STE 1000
SANDY UT 84070
COMMISSION EXPIRES: 05-25-2007

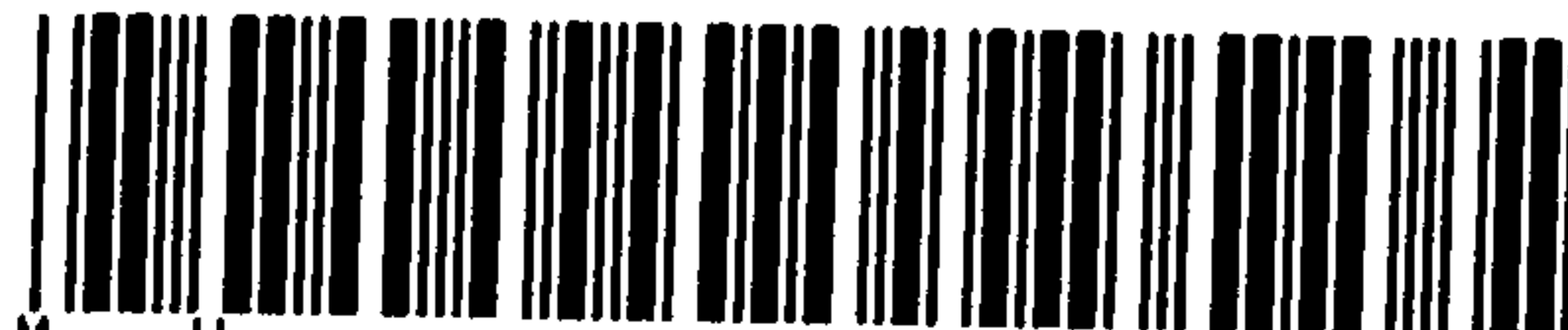
CITY'S NOTARY

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

This instrument was acknowledged before me on 19th day of December, 2005 by
Bradley L. Bingham City Engineer, of the City of Albuquerque, a municipal corporation, on
behalf of said corporation.

Gloria D. Saavedra
Notary Public

My Commission Expires:
11-25-2007



Bond No. 929323942

General Purpose Rider

TO BE ATTACHED TO and form part of Bond Number 929323942 issued by the WESTERN SURETY COMPANY

as Surety, on behalf of MILLER FAMILY REAL ESTATE, LLC

of SALT LAKE CITY, UTAH, hereinafter referred to as the Principal, and in

favor of CITY OF ALBUQUERQUE

of ALBUQUERQUE, NM, hereinafter referred to as the Oblige, in the sum of

EIGHT THOUSAND SEVEN HUNDRED THIRTY THREE AND NO/100 Dollars

(\$8,733.00), effective the 17TH day of FEBRUARY, 2004.

NOW, THEREFORE, it is agreed THAT THE COMPLETION DATE FOR THE AMERICAN TOYOTA IMPROVEMENT CITY PROJECT NUMBER 6924.81, WILL BE NOVEMBER 9TH, 2007

IT IS FURTHER AGREED that all other terms and conditions of this bond shall remain unchanged.

THIS RIDER IS TO BE EFFECTIVE the 1st day of DECEMBER, 2005.

SIGNED, SEALED AND DATED this 1ST day of DECEMBER, 2005.

Accepted By:

CITY OF ALBUQUERQUE

By:

Bradley L. Bingham

12/17/05

MILLER FAMILY REAL ESTATE, LLC

(Principal)

By:

Lawrence A. Mulla
managing member

Seal

WESTERN SURETY COMPANY

(Surety)

By:

Thomas S. Kershaw

(seal)

Thomas S. Kershaw, Attorney-in-fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jon S. Way, Thomas W. Kershaw, Ronald M. Mitchell, Individually

of Salt Lake City, UT, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 6th day of December, 2004.



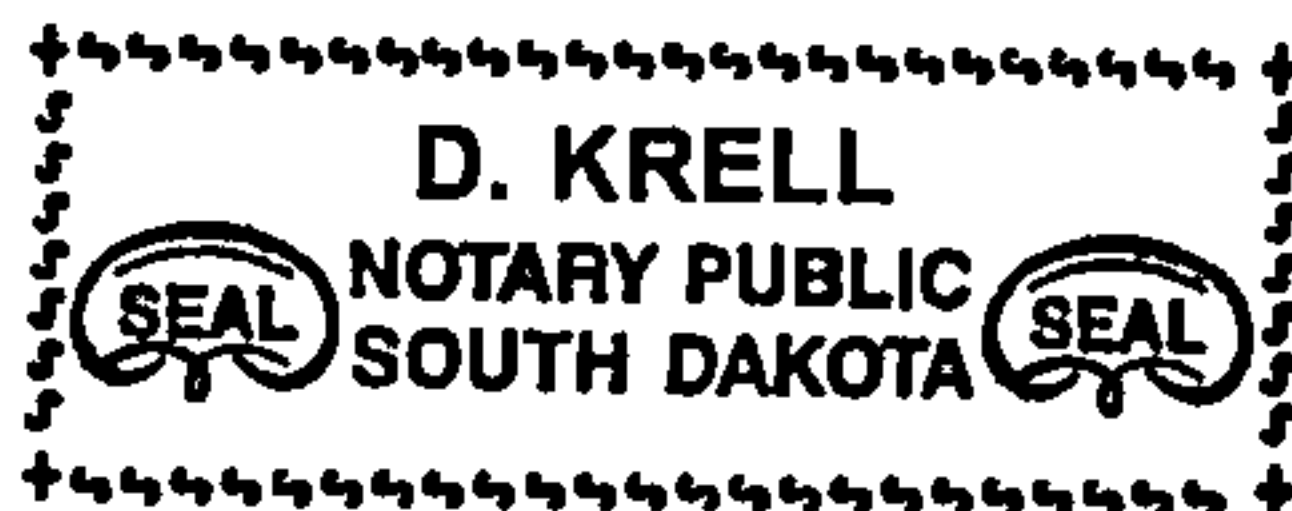
WESTERN SURETY COMPANY

Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 6th day of December, 2004, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2006



D. Krell
D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 12 day of December, 2005.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

TIERRA WEST, LLC

5571 Midway Park Place NE
Albuquerque, NM 87109

Phone: 505-858-3100
Fax: 505-858-1118

FACSIMILE TRANSMITTAL

To: OFFICE OF NEIGHBORHOOD COORDINATION FAX: 924-3913
TOTAL OF (2) PAGES

From: KELI KRUEGER (kkrueger@tierrawestllc.com)
Subject: HOMEOWNERS ASSOCIATION INFORMATION
JN: 22082

Date: September 20, 2007

**PLEASE FORWARD INFORMATION ON ALL RECOGNIZED AND UNRECOGNIZED
HOMEOWNER ASSOCIATIONS IN THE AREA OF THE PROPERTY DESCRIBED AS:**

Tracts A-1 & B-1 American Toyota

LEGAL DESCRIPTION

LOCATED ON Alameda Blvd. NE

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN Pan Amercian Fwy. NE **AND** San Pedro Dr. NE

STREET NAME OR OTHER IDENTIFYING LANDMARK

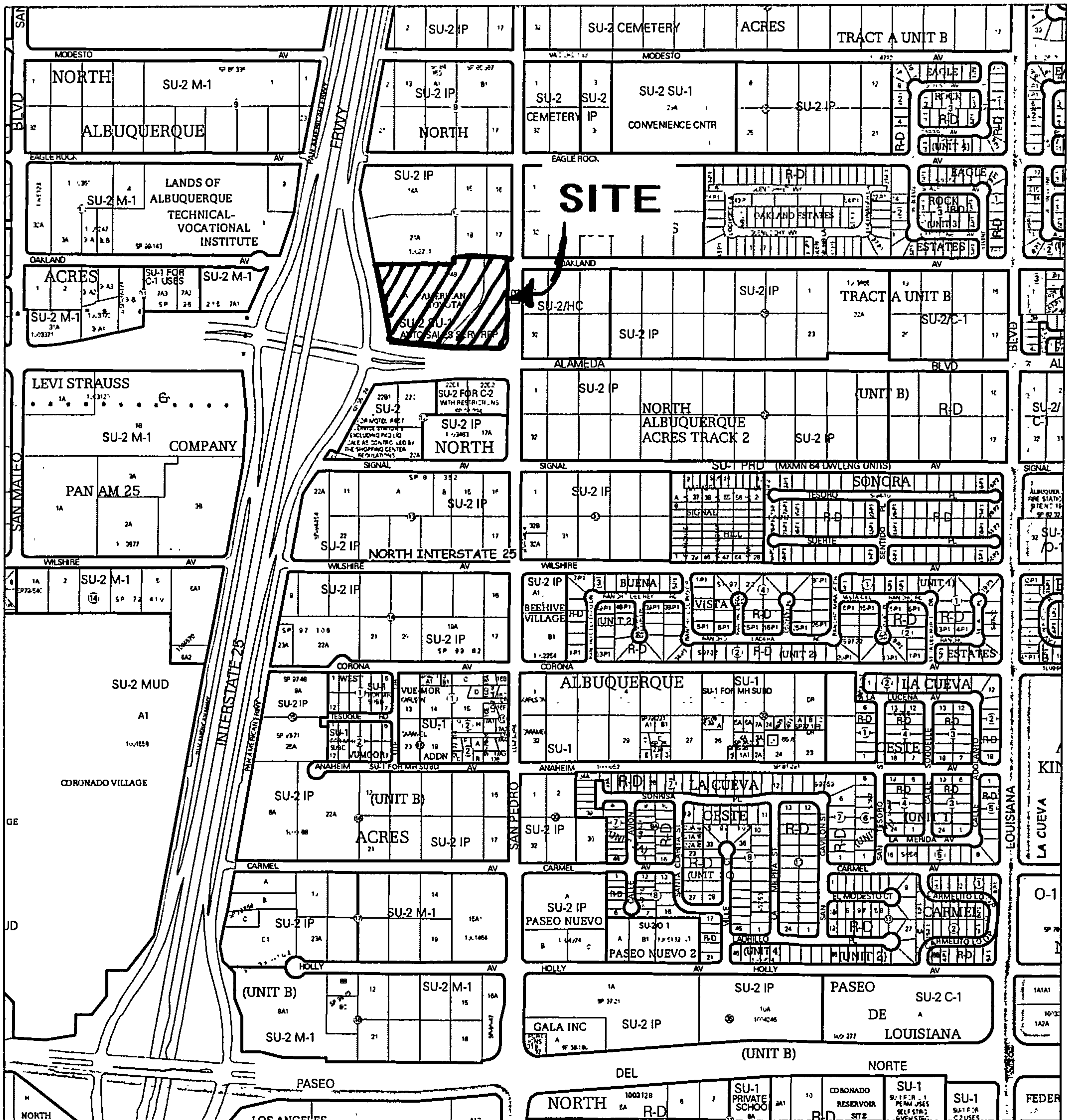
STREET NAME OR OTHER IDENTIFYING LANDMARK

**THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS SHEET: C-18
PLEASE CALL IF YOU HAVE ANY QUESTIONS.**

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

**IF YOU DO NOT RECEIVE ALL PAGES OF THIS TRANSMITTAL, OR IF MATERIAL IS NOT LEGIBLE,
PLEASE CONTACT OUR OFFICE FROM 7:00 AM TO 5:00 PM, MST, MONDAY THROUGH THURSDAY,
8:00 AM TO 12:00 PM, MST, FRIDAY. THANK YOU.**

C:ONC -- NA Info Request.WPD



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

Map amended through: 9/6/2007

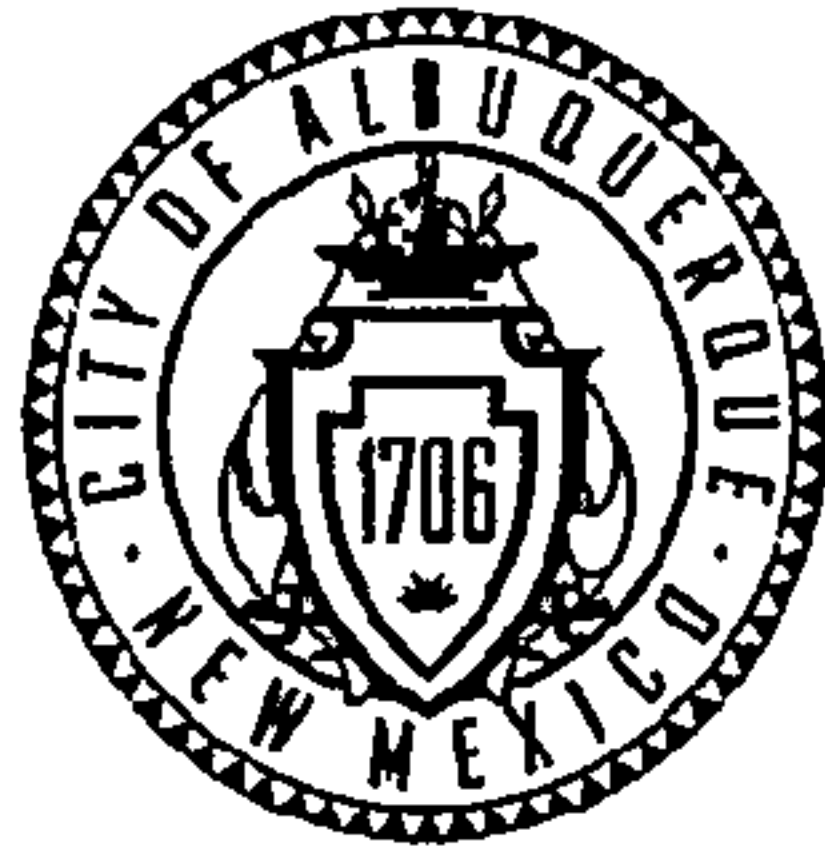
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

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

0 750 1500 Feet



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

September 20, 2007

Keli Krueger
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
Email: kkrueger@tierrawestllc.com

Dear Keli:

Thank you for your inquiry of **September 20, 2007** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **TRACTS A-1 AND B-1 AMERICAN TOYOTA, LOCATED ON ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map **C-18**.

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

NOR ESTE N.A. (NRE) "R"

Jeff Peterson, 7800 Eagle Rock Ave. NE/87111 797-3477 (h) 846-3476 (w) 615-6729 (c)
Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WILDFLOWER AREA N.A. (WFA) "R"

***Larry T. Caudill**, 4915 Watercress NE/87113 857-0596 (h)
Rick Treadwell, 5004 Watercress NE/87113 821-6369 (h)

WEST LA CUEVA N.A. (WLC) "R"

***Peggy Neff**, 8305 Calle Sequelle NE/87113 823-1041 (h)
April Sweet, 6939 Carmelito Lp. NE/87113 280-8586 (c)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION

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.

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

Planning Department

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-

The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.

Copies of Letters to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.

Copies of the certified receipts to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **09/20/07** Time Entered: **3:35 p.m.** ONC Rep. Initials: **SW**

You are not required by the O-92 Ordinance to “officially notify” these neighborhood associations of this project. You did request the names of the following “Unrecognized” associations in the area of the property to let them know.

FOR JN: 22082 – NONE - swinklepleck@cabq.gov

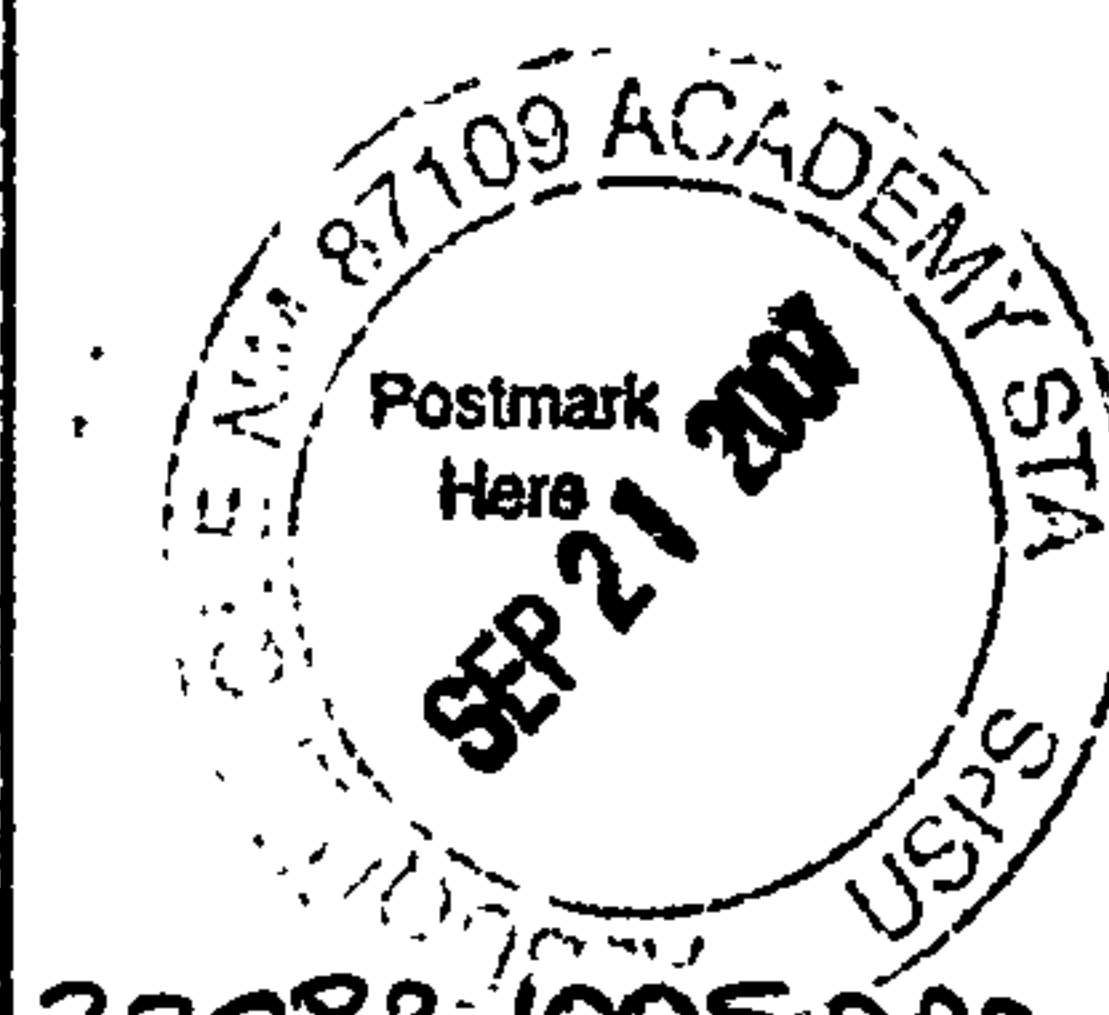
5209 0001 1000 6025 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **Joe Yardumian** 22082-1005 DRB
 Nor Este N.A.
 Street, Apt. No.; or PO Box No. 7801 R.C. Gorman Ave. NE
 City, State, ZIP+4 Albuquerque, NM 87122-2748

PS Form 3800, June 2002 See Reverse for Instructions

8109 0001 1000 6018 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **Jeff Peterson** 22082-1005 DRB
 Nor Este N.A.
 Street, Apt. No.; or PO Box No. 7800 Eagle Rock Ave. NE
 City, State, ZIP+4 Albuquerque, NM 87111

PS Form 3800, June 2002 See Reverse for Instructions

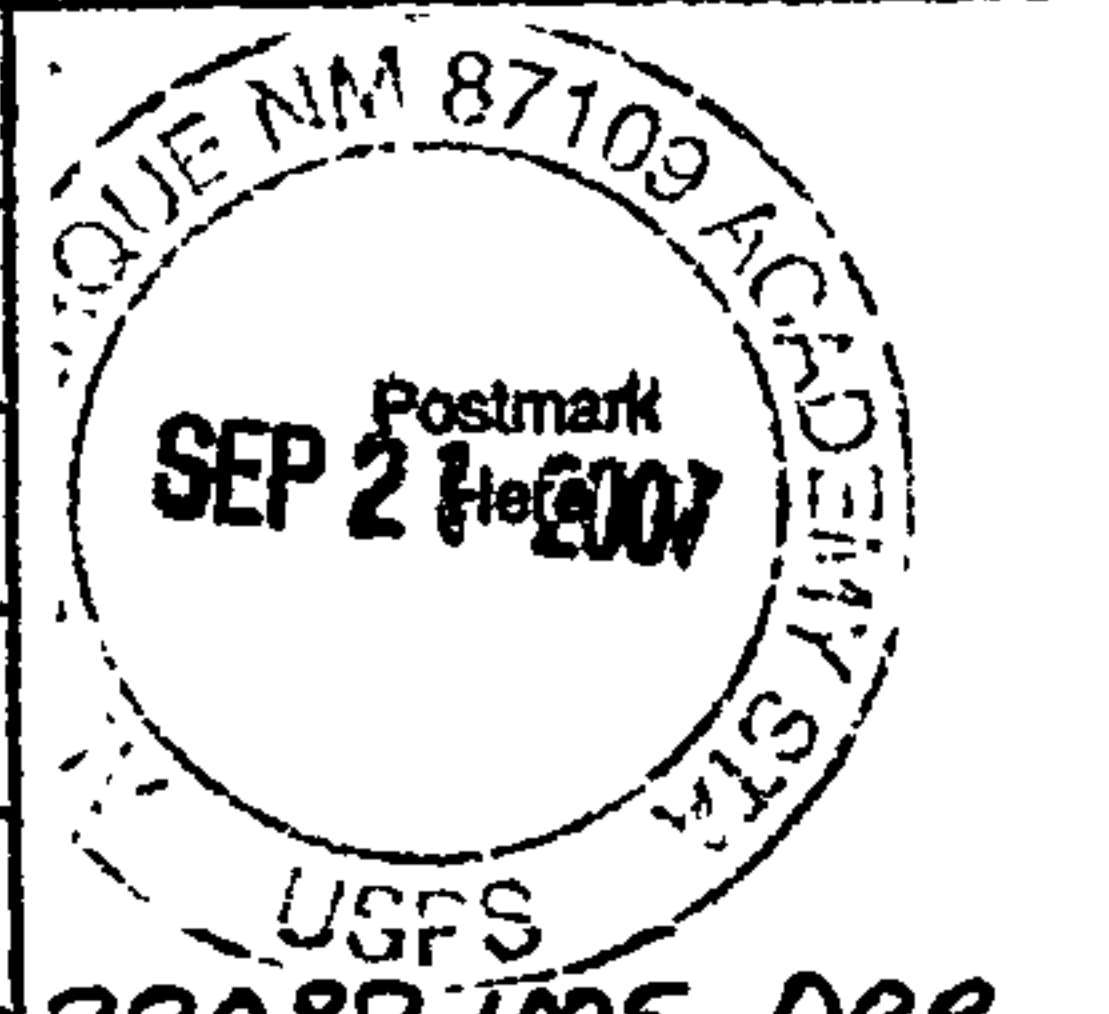
2609 0001 1000 6032 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **Larry T. Caudill** 22082-1005 DRB
 Wildflower Area N.A.
 Street, Apt. No.; or PO Box No. 1915 Watercress NE
 City, State, ZIP+4 Albuquerque, NM 87113

PS Form 3800, June 2002 See Reverse for Instructions

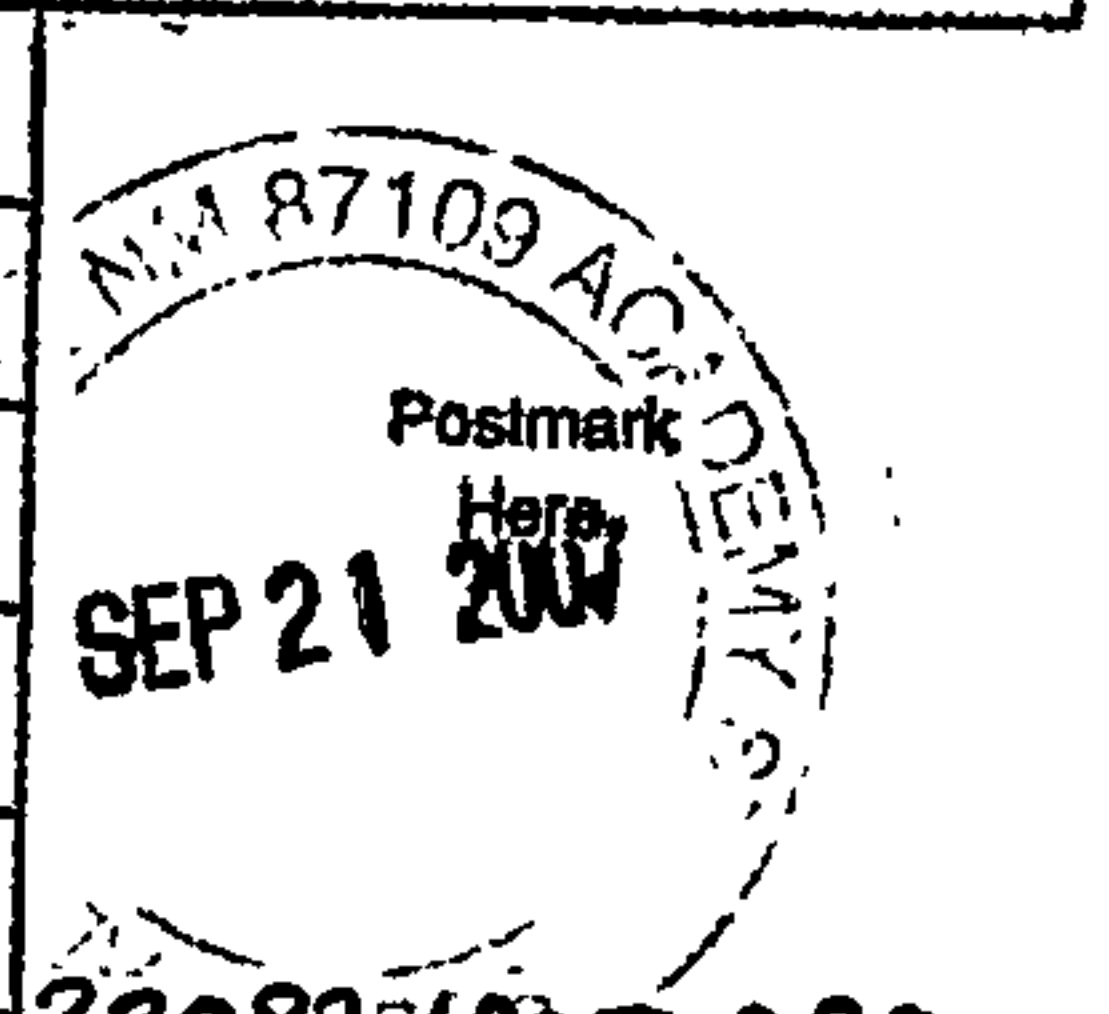
6409 0001 1000 6047 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **Rick Treadwell** 22082-1005 DRB
 Wildflower Area N.A.
 Street, Apt. No.; or PO Box No. 5004 Watercress NE
 City, State, ZIP+4 Albuquerque, NM 87113

PS Form 3800, June 2002 See Reverse for Instructions

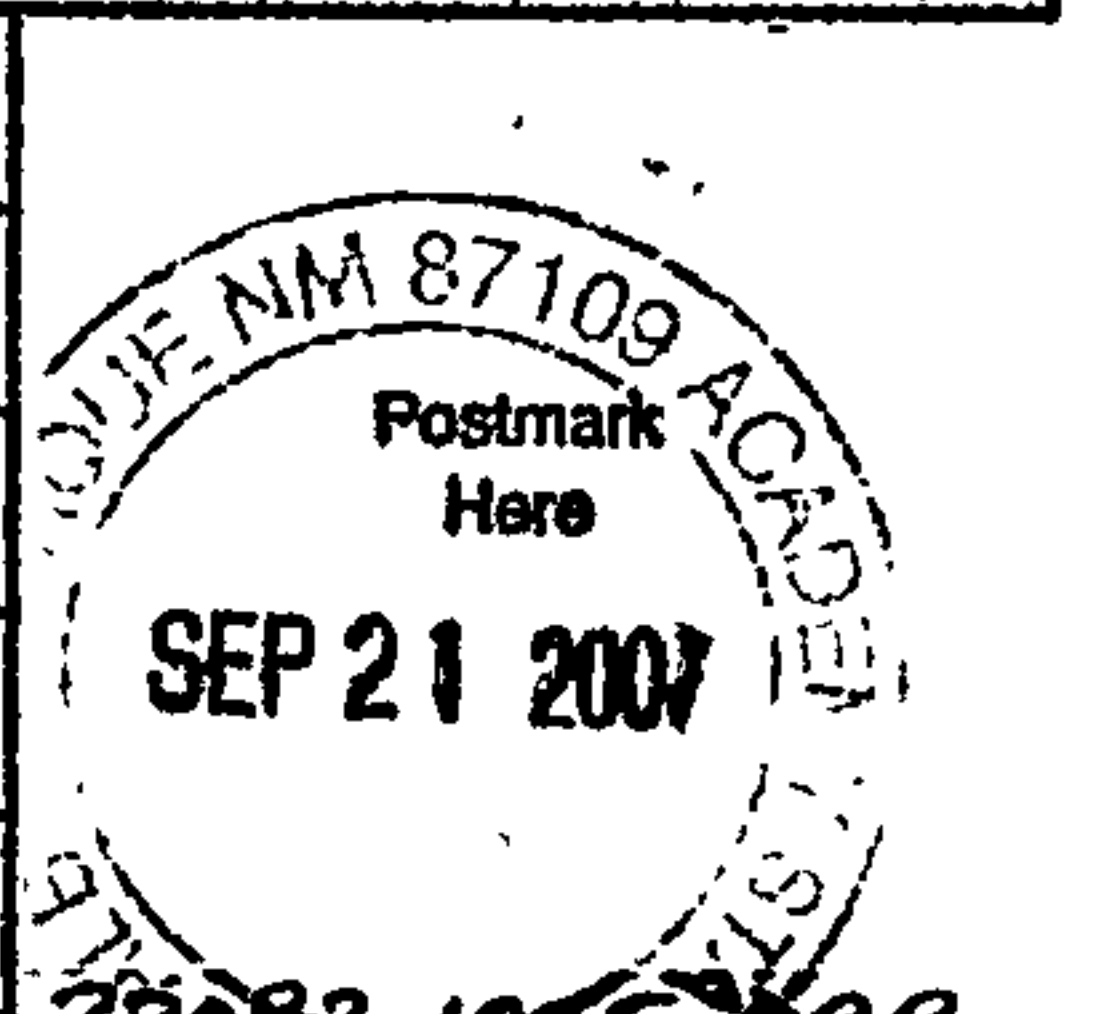
9509 0001 1000 6056 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **Peggy Neff** 22082-1005 DRB
 West La Cueva N.A.
 Street, Apt. No.; or PO Box No. 8305 Calle Sequelle NE
 City, State, ZIP+4 Albuquerque, NM 87113

PS Form 3800, June 2002 See Reverse for Instructions

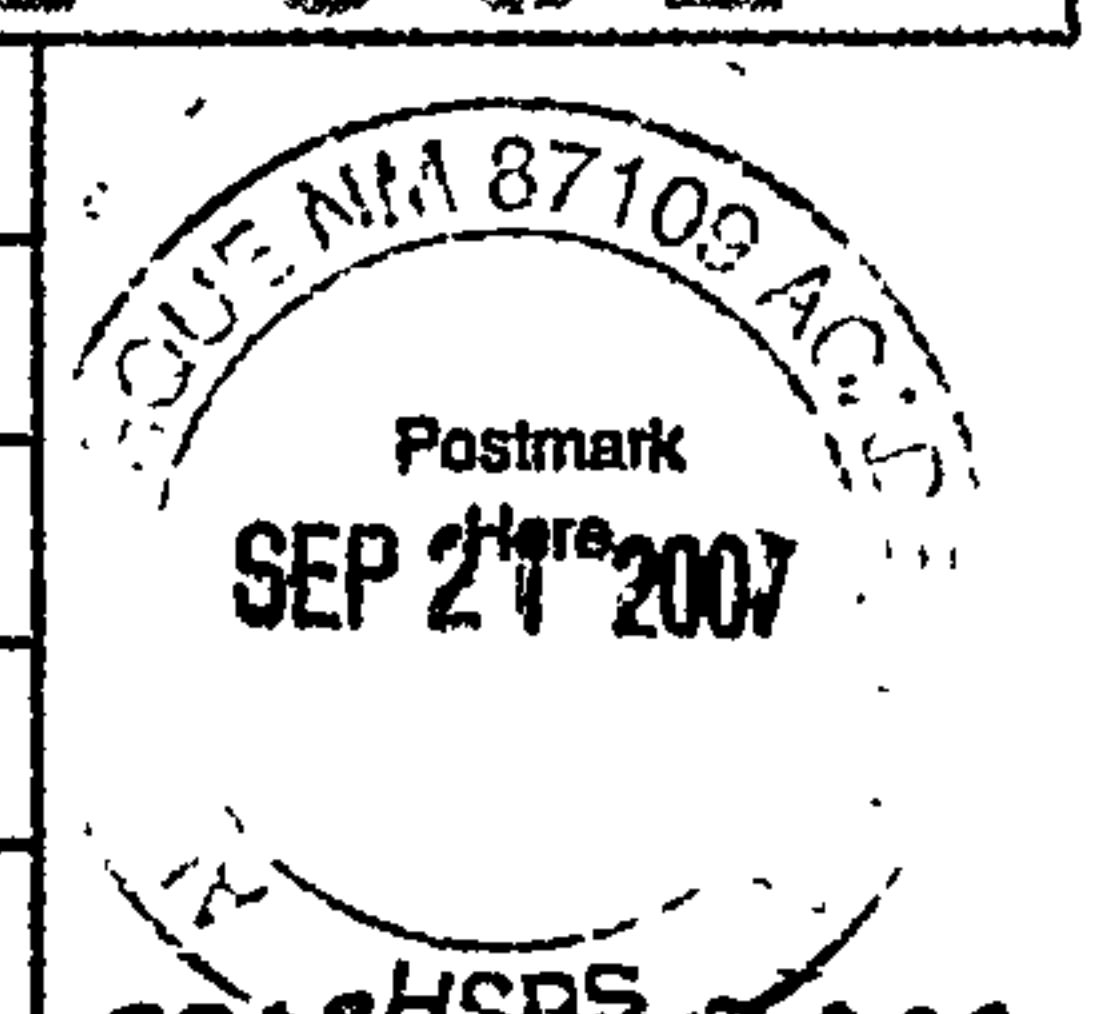
8909 0001 1000 6061 7005 1160 0000 0911 5002

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

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

OFFICIAL USE

Postage	\$.41
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.21



Sent To **April Sweet** 22082-1005 DRB
 West La Cueva N.A.
 Street, Apt. No.; or PO Box No. 6939 Camellito Loop NE
 City, State, ZIP+4 Albuquerque, NM 87113

PS Form 3800, June 2002 See Reverse for Instructions

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION		Supplemental form	
<input checked="" type="checkbox"/> Major Subdivision action	<input type="checkbox"/> Minor Subdivision action	S	Z
<input type="checkbox"/> Vacation	<input type="checkbox"/> Variance (Non-Zoning)	V	ZONING & PLANNING
SITE DEVELOPMENT PLAN		P	<input type="checkbox"/> Annexation
<input type="checkbox"/> for Subdivision Purposes	<input type="checkbox"/> for Building Permit	L	<input type="checkbox"/> County Submittal
<input type="checkbox"/> IP Master Development Plan	<input type="checkbox"/> Cert. of Appropriateness (LUCC)	A	<input type="checkbox"/> EPC Submittal
STORM DRAINAGE		D	<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			<input type="checkbox"/> Sector Plan (Phase I, II, III)
			<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan
			<input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)
			<input type="checkbox"/> Street Name Change (Local & Collector)
			APPEAL / PROTEST of...
			<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: PJ DEVELOPMENT COMMERCIAL CONSTRUCTION PHONE: 263.6965
 ADDRESS: PO BOX 14903 FAX: _____
 CITY: ABQ STATE NM ZIP 87191 E-MAIL: _____
 Proprietary interest in site: OWNER/DEVELOPER List all owners: ARGUS DEVELOPMENT
 AGENT (if any): TIERRA WEST LLC PHONE: 505.858.3100
 ADDRESS: 8509 JEFFERSON NE FAX: 505.858.1118
 CITY: ABQ STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: TWO YEAR SUBDIVISION IMPROVEMENT EXTENSION

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. TRS. A1 & B1 Block: _____ Unit: _____
 Subdiv. / Addn. AMERICAN TOYOTA
 Current Zoning: SU-2 SU-1 AUTO SALES SERV REP Proposed zoning: SAME
 Zone Atlas page(s): C18 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 5 Density if applicable: dwellings per gross acre: _____ 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. 101806422439520605 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: 5995 ALAMEDA BLVD NE
 Between: PAN AMERICAN FWY NE and SAN PEDRO DRIVE NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX,Z, V, S, etc.): PROJ# 1002848
03DRB-01270/DRB-95-74/04DRB-00571

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

SIGNATURE SARA LAVY FOR DATE _____
 (Print) SARA LAVY, P.E. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>05DRB . 01620</u>	<u>SIA</u>	<u>2(2)</u>	<u>\$ 50.00</u>
_____	<u>CME</u>	_____	<u>\$ 20.00</u>
_____	<u>APV</u>	_____	<u>\$ 75.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>11/09/05</u>			Total <u>\$ 145.00</u>

Sandy Landley 10/14/05

Project # **1002848**

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 **3 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
 - Property owner's and City Surveyor's signature on the proposed plat
 - FORM DRWS Drainage Report, Water & Sewer availability statement filing information
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Signed** Pre-Annexation Agreement if Annexation required.
 - TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - Fee (see schedule)
 - 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.

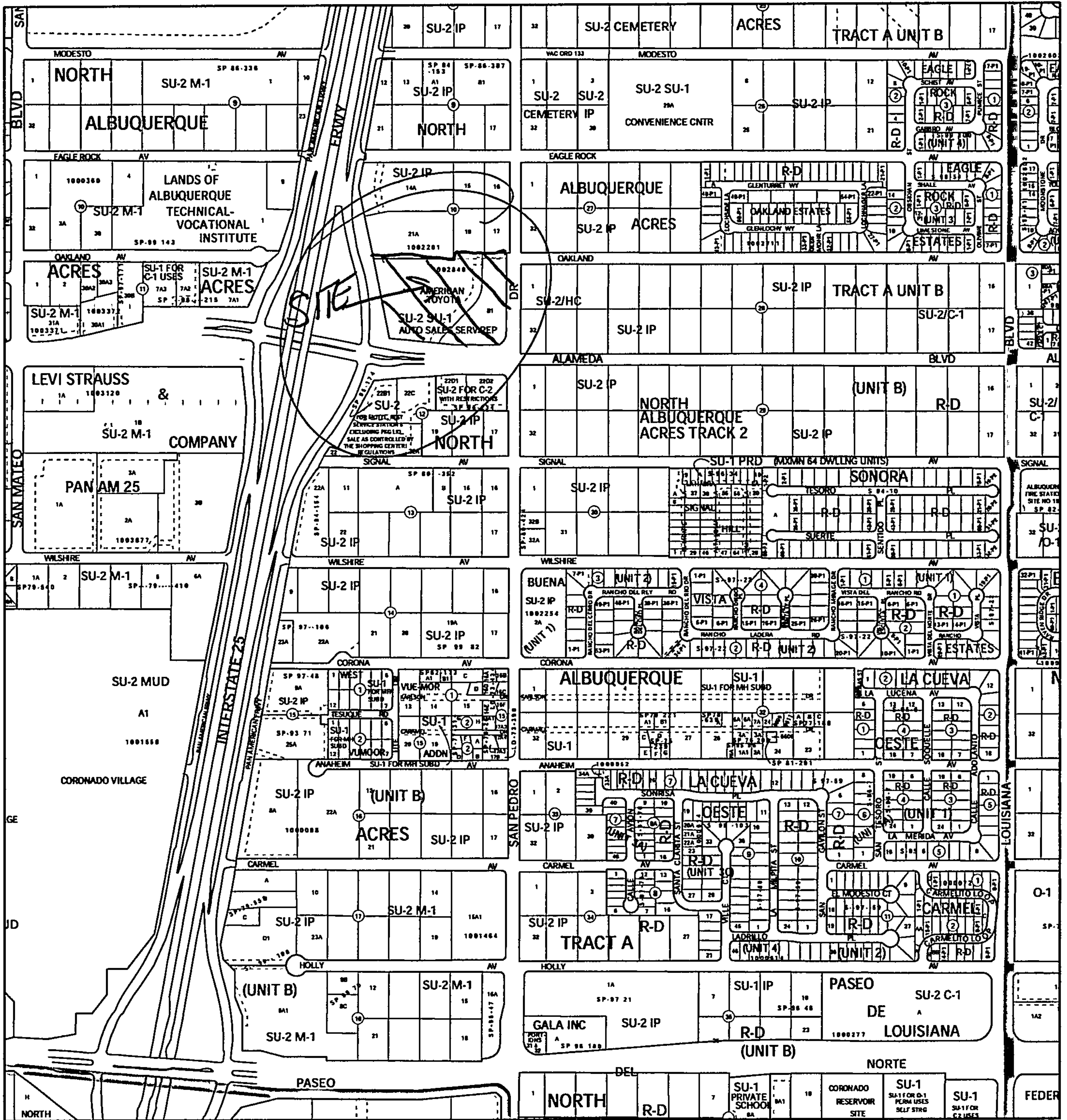
_____ SARA LAVY, P.E. _____
Applicant name (print)
Shren Kline for _____ 10.14.05
Applicant signature / date



Form revised 11/04

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
05PRB - _____ - 01620
_____-_____-_____
_____-_____-_____

Sandy Handley 10/14/05
Planner signature / date
Project # 1002848



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

Albuquerque Geographic Information System

Map amended through: Apr 22, 2005

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
C-18-Z

Selected Symbols

Scale: 0 750 1,500 Feet

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

October 14, 2005

Ms. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**RE: Two Year Subdivision Improvement Agreement Extension
Tracts A1 & B1, American Toyota, Zone Atlas Map C18, Project #1002848**

Dear Ms. Matson:

Tierra West LLC, on behalf of PJ Development Commercial Construction, requests the approval of a Two Year Subdivision Improvement Agreement Extension for American Toyota. The site is located on 5995 Alameda Boulevard NE between Pan American Freeway NE and San Pedro Drive NE. We are requesting approval for the extension of the SIA to complete the construction plans and construct the improvements.

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

Sincerely,


Sara Lavy, P.E.

Enclosure/s

cc: Pat Joseph
Leilani McGranahan, Nor Este N.A.
Joe Yardumian, Nor Este N.A.
Larry T. Caudill, Wildflower Area N.A.
Rick Treadwell, Wildflower Area N.A.

JN: 22082.1004
SL/kk



JJ 220082
Planning
→ Same DRB

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

FIGURE 12

**SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B Modified Non-Work Order)
CITY PROJECT # 692481**

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

THIS AGREEMENT is made this 5th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, 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 [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 1986 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: The Construction Completion Deadline can be no later than two years after execution of this 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. Financial Guaranty. 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 immediat

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/8/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 10/8/03
 Date Preliminary Plat Expires: 10/8/05
 DRB Project No.: 1002201
 DRB Application No.: 03DRB01270

ORIGINAL

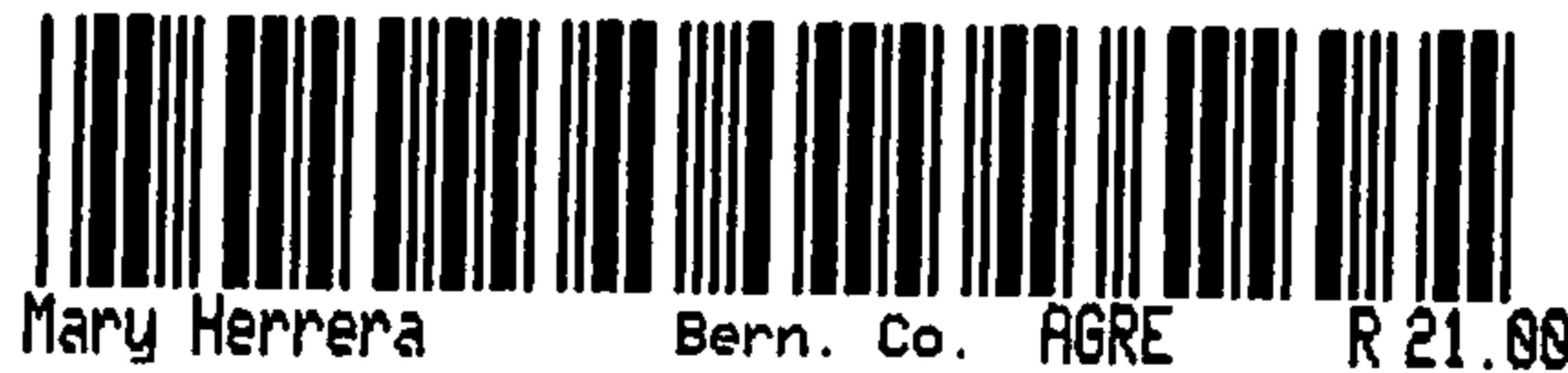
INFRASTRUCTURE LIST

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

American Toyota
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
American Toyota
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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
			Catch Basins and RCP connections included with Storm Sewer				/	/	/
* MB-1		8" * SAS	140	30' Public Easement	San Pedro	10' West of Lot 17			



2004031627
6045112
Page: 5 of 7
03/10/2004 11:14A
Bk-A74 Pg-1544

Mary Herrera Bern. Co. AGRE R 21.00

10/16/03 THU 08:38 FAX 5059243864

→→→ TIERKA MEST

ORIGINAL
NOTES

- 1. ~~Referred Item~~
- 2.
- 3.
- 4.
- 5.

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT / OWNER: Ronald Behanna DRB CHAIR - date: 10/8/03
 NAME (print): Ronald Behanna PARKS & GENERAL SERVICES - date

Terry Wallace AMAFCA - date _____
 PISH SIGNATURE - date _____

[Signature] TRANSPORTATION DEVELOPMENT - date _____
Regent Juan 10/8/03

[Signature] UTILITY DEVELOPMENT - date _____
Bruce D. Bigham 10/8/03
 CITY ENGINEER - date _____

EXTENSION: _____

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT / OWNER

PAGE 2 OF 2

2004031627
6045112
Page: 6 of 7
03/10/2004 11:14A
BX-R74 Pg-1544



Mary Herrera
Bern. Co. AGRE R 21.00

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

2774

22008245
SIA

No. Of Lots 2

Nearest Major Streets ALAMEDA BOULEVARD NE

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 8th day of March, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.]: A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

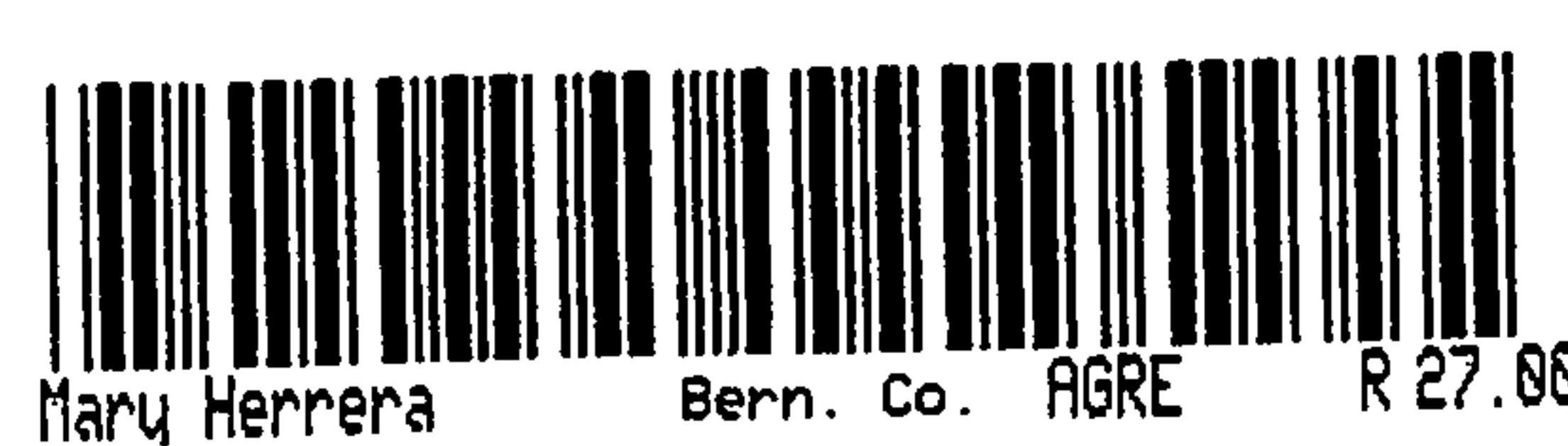
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 19 86 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (the "Subdivision"). The Subdivider 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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("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. 6924.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/3/03
 Date Preliminary Plat Expires: 10/8/04
 DRB Project No.: 1002201
 DRB Application No. 03 DRB 01270

ORIGINAL

INFRASTRUCTURE LIST

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

American Toyota
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota
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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
			Catch Basins and RCP connections included with Storm Sewer				/	/	/
MB-1	✓	8" * 5AS	140	20' Public Easement	San Pedro	10' West of Lot 17			



2004031626
6845111
Page: 9 of 10
03/10/2004 11:14A

10/16/03 THU 08:38 FAX 5059243864

TIERRA WEST

004

ORIGINAL
NOTES

1 ~~Referred Item~~

2

3

4

5

AGENT / OWNER

Francis Bohannon
NAME (print)

Tierra West LLC
FIRM
SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Dorcas Martinez DRB CHAIR - date *10/8/03*
Christina Sanderson PARKS & GENERAL SERVICES - date *10/8/03*

[Signature] TRANSPORTATION DEVELOPMENT - date *10/8/03*

[Signature] UTILITY DEVELOPMENT - date

Bradley D. Bigham CITY ENGINEER - date *10/8/03*

AMAFCA - date

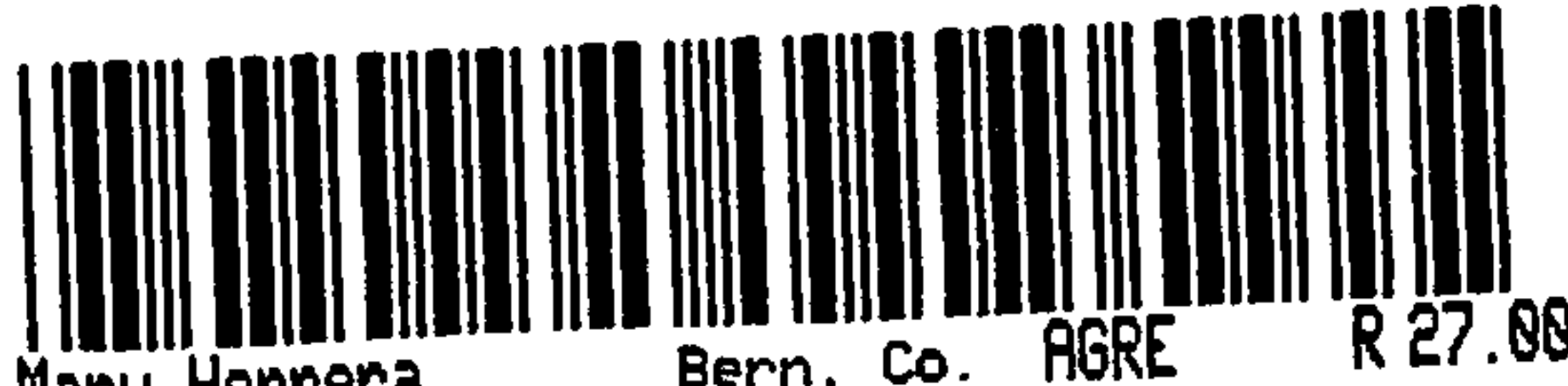
- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT / OWNER

PAGE 2 OF 2



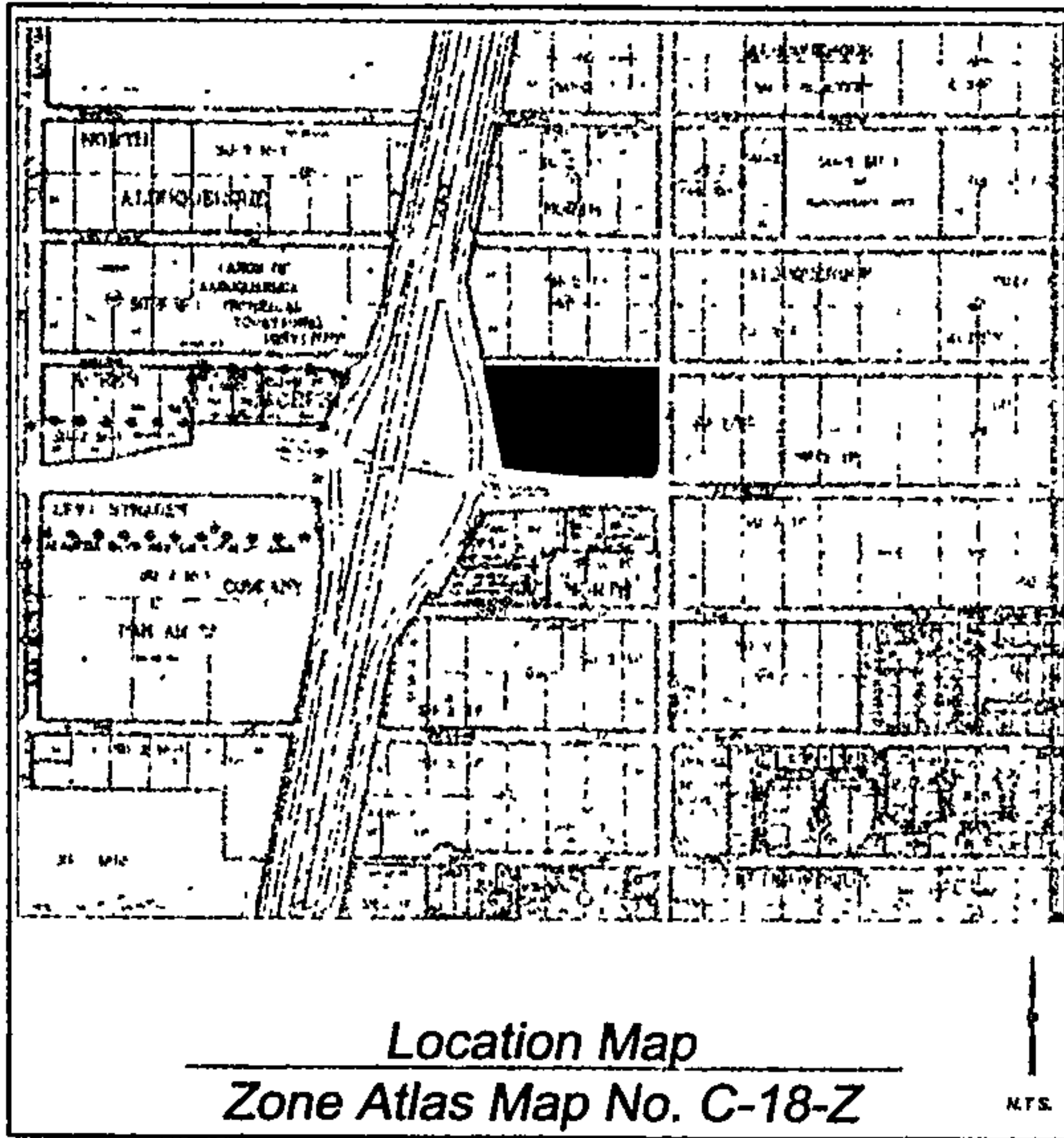
2004031626

6045111

Page: 10 of 10

03/10/2004 11:14A

Bk-A74 Pg-1543



Plat of
 Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS A AND B OF AMERICAN TOYOTA AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT ENTITLED "BULK LAND TRANSFER PLAT FOR AMERICAN TOYOTA TRACTS A AND B, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON SEPTEMBER 9, 1986, IN VOLUME G31, FOLIO 114, TOGETHER WITH THE VACATED SOUTHERLY THIRTY (30) FEET OF OAKLAND AVENUE, N.E. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, FROM WHENCE A TIE TO THE ALBUQUERQUE CITY MONUMENT "10-C18" BEARS N 04°20'36" E, A DISTANCE OF 985.86 FEET, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SAN PEDRO DRIVE, N.E. AND BEING A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993",

THENCE, FROM SAID BEGINNING POINT, S 00°10'36" W, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 412.82 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993";

THENCE, LEAVING SAID WEST RIGHT OF WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A DELTA ANGLE OF 36°32'50", AN ARC LENGTH OF 78.95 FEET AND A CHORD OF S 28°27'01" W, A DISTANCE OF 75.79 FEET TO A NON-TANGENT POINT LYING ON THE NORTH RIGHT OF WAY LINE OF ALAMEDA AVENUE, N.E., MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993",

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE, N 89°25'02" W, A DISTANCE OF 252.42 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993"

THENCE, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, N 84°25'53" W, A DISTANCE OF 340.78 FEET TO THE SOUTHWEST CORNER MARKED BY A FOUND REBAR WITH CAP (BENT/ILLEGIBLE),

THENCE, LEAVING SAID NORTH RIGHT OF WAY LINE ALONG THE EAST RIGHT OF WAY LINE OF NORTH BOUND INTERSTATE 25 FRONTAGE ROAD N 11°36'59" W, A DISTANCE OF 426.26 FEET TO A SET REBAR WITH YELLOW PLASTIC CAP STAMPED "PS 11993",

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE S 89°42'00" E, A DISTANCE OF 427.55 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE, N 00°13'23" E, A DISTANCE OF 29.79 FEET TO AN ANGLE POINT MARKED BY A SET REBAR WITH YELLOW PLASTIC CAP "PS 11993",

THENCE, S 89°42'25" E, A DISTANCE OF 287.13 FEET TO THE POINT OF BEGINNING, CONTAINING 6.9398 ACRES (302,300 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS A-1 AND B-1, AMERICAN TOYOTA.

Approvals	Application No. 04-00571	DATE
DRB Chair: <i>Sharon Matson</i>		9/24/04
CITY PLANNER, ALBUQUERQUE PLANNING DIVISION		9/21/04
<i>Brady A. Taylor</i>		9/21/04
CITY ENGINEER		9/21/04
<i>Bradley L. Taylor</i>		9/21/04
A.M.A.F.G.A.		8-31-04
TRAFFIC ENGINEER		3-16-04
<i>W. B. Hunt</i>		3-16-04
CITY SURVEYOR		9-21-04
<i>John M. Howard</i>		9-21-04
PROPERTY MANAGEMENT		4/21/04
<i>Roger A. Thomas</i>		4/21/04
UTILITY DEVELOPMENT DIVISION		4/21/04
<i>Christina Sandoval</i>		4/21/04
PARKS AND RECREATION DEPARTMENT		1-6-04
<i>Sean P. Mack</i>		1-6-04
PNM ELECTRIC SERVICES		4-6-04
<i>Sean P. Mack</i>		4-6-04
PNM GAS SERVICES		4-6-04
<i>Daniel R. Muller</i>		4-6-04
QUEST CORPORATION		4-6-04
<i>Rita E. Siskow</i>		4-6-04
COMCAST CABLE		4-6-04

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 6.9398 ACRES±
 ZONE ATLAS INDEX NO: C-18-Z
 NO. OF TRACTS CREATED: 2
 NO. OF LOTS CREATED: 0
 MILES OF FULL-WIDTH STREETS CREATED: 0
 DATE OF SURVEY: JANUARY 13, 2003

Notes:

- MISC. DATA. ZONING SU-2 SU-1 AUTOMOBILE SALES, SERVICE AND REPAIR
- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1927).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT
- THIS PROPERTY LIES WITHIN PROJECTED SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST, ELENA GALLEGOS GRANT, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- SP NO. 2003051240

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
- PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
- QUEST CORPORATION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES
- COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOOR AND FIVE FEET (5') ON EACH SIDE.

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

Disclosure Statement

THE PURPOSE OF THIS PLAT IS TO VACATE RIGHT OF WAY AND TO CONSOLIDATE THE VACATED RIGHT OF WAY AND THE EXISTING TWO TRACTS INTO TWO NEW TRACTS, TO GRANT EASEMENTS AND TO DEDICATE RIGHT OF WAY

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR, EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS, SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED, SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE TO THE LAND SUBDIVIDED

SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

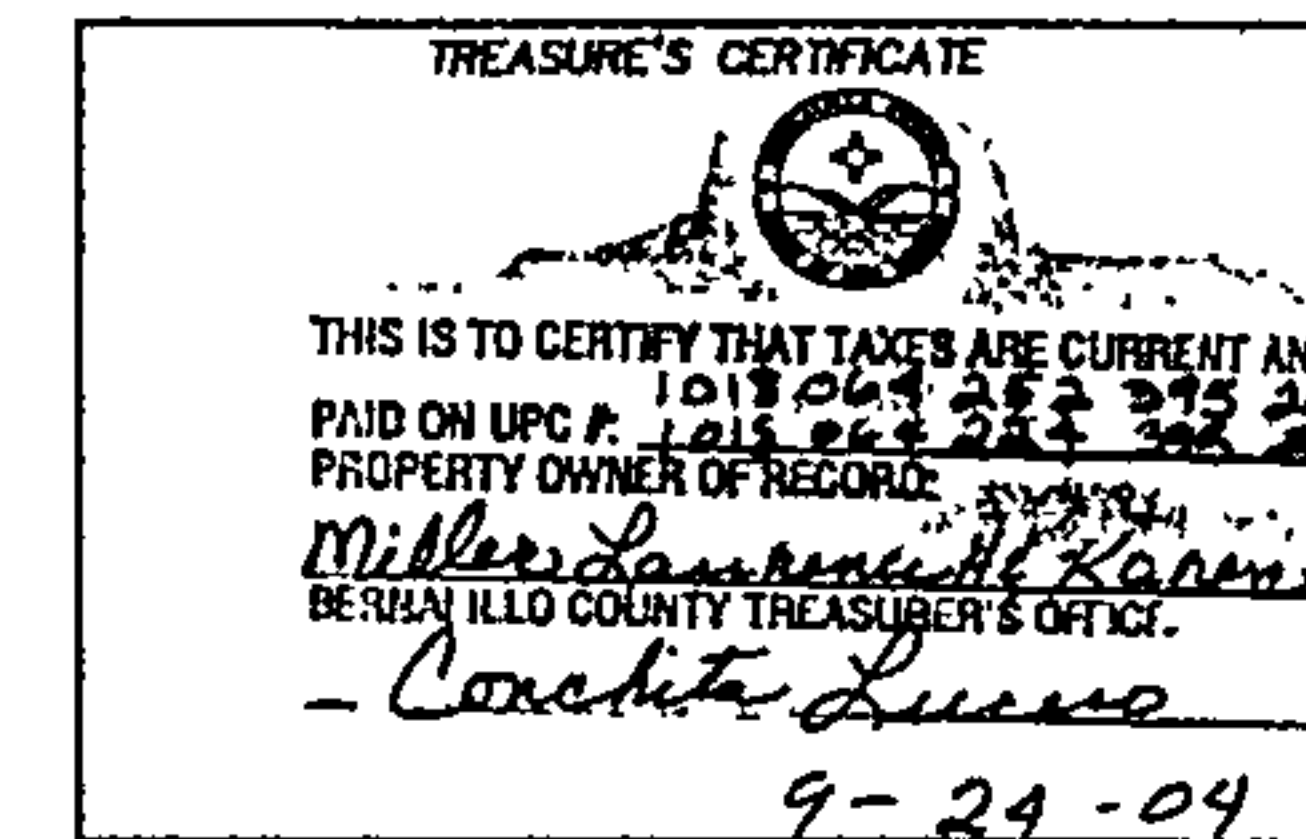
SAID OWNER AND/OR PROPRIETOR DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

Michael Malouff, Jr. 2/27/04
 MICHAEL MALOUFF, JR.
 AGENT FOR MILLER FAMILY REAL ESTATE, LLC
 A UTAH PARTNERSHIP

Acknowledgment

STATE OF NEW MEXICO) SS
 COUNTY OF BERNALILLO)
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEB, 2004 BY
 MICHAEL MALOUFF, JR., AGENT FOR MILLER FAMILY REAL ESTATE, LLC, A UTAH PARTNERSHIP

BY *Carleen H. Hurn* MY COMMISSION EXPIRES 10-16-06
 NOTARY PUBLIC



Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Larry W. Medrano 2/27/04
 LARRY W. MEDRANO
 N.M.P.S. No. 11993



PRECISION SURVEYS, INC.

8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900

Project No. **1002848**

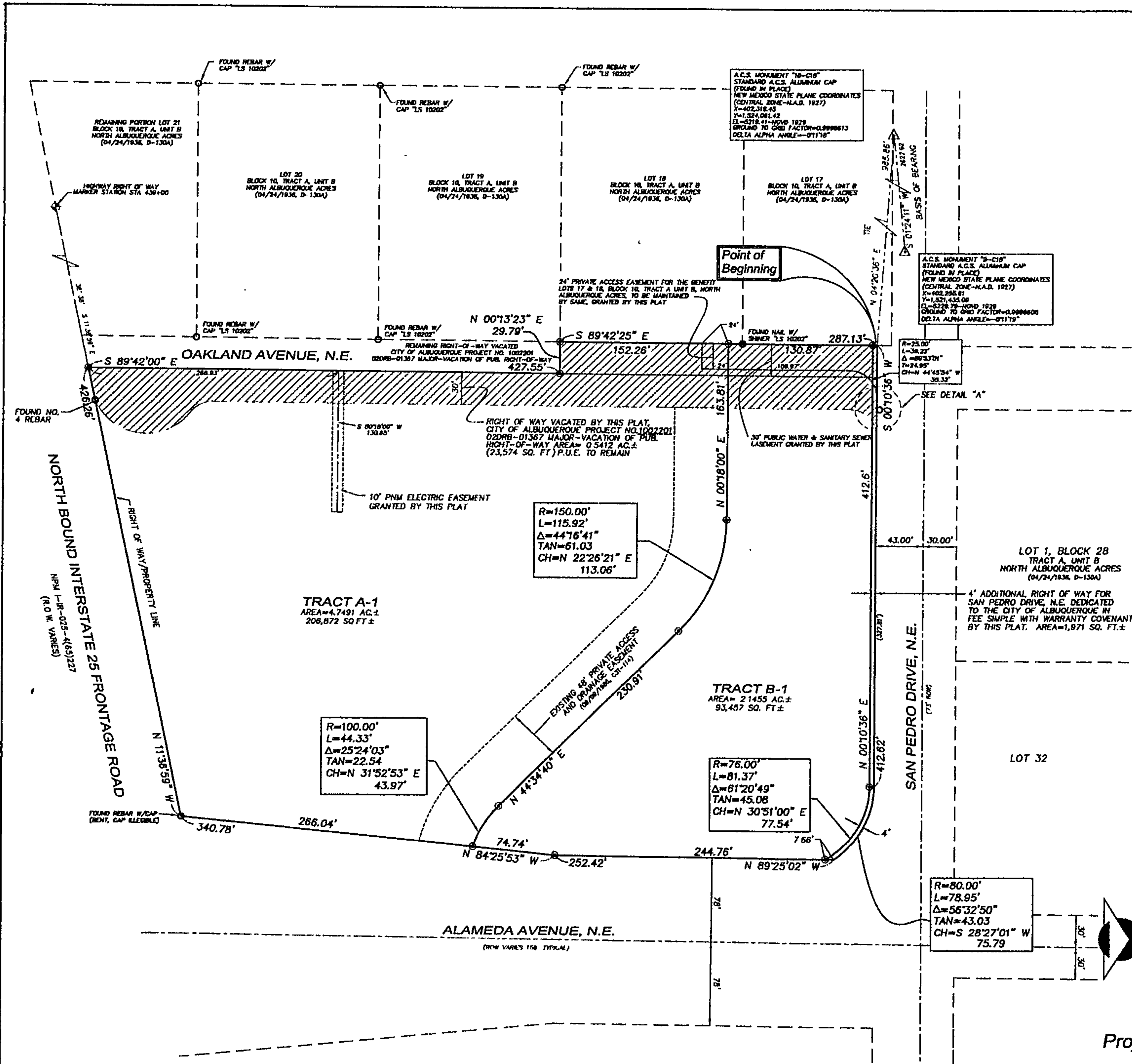
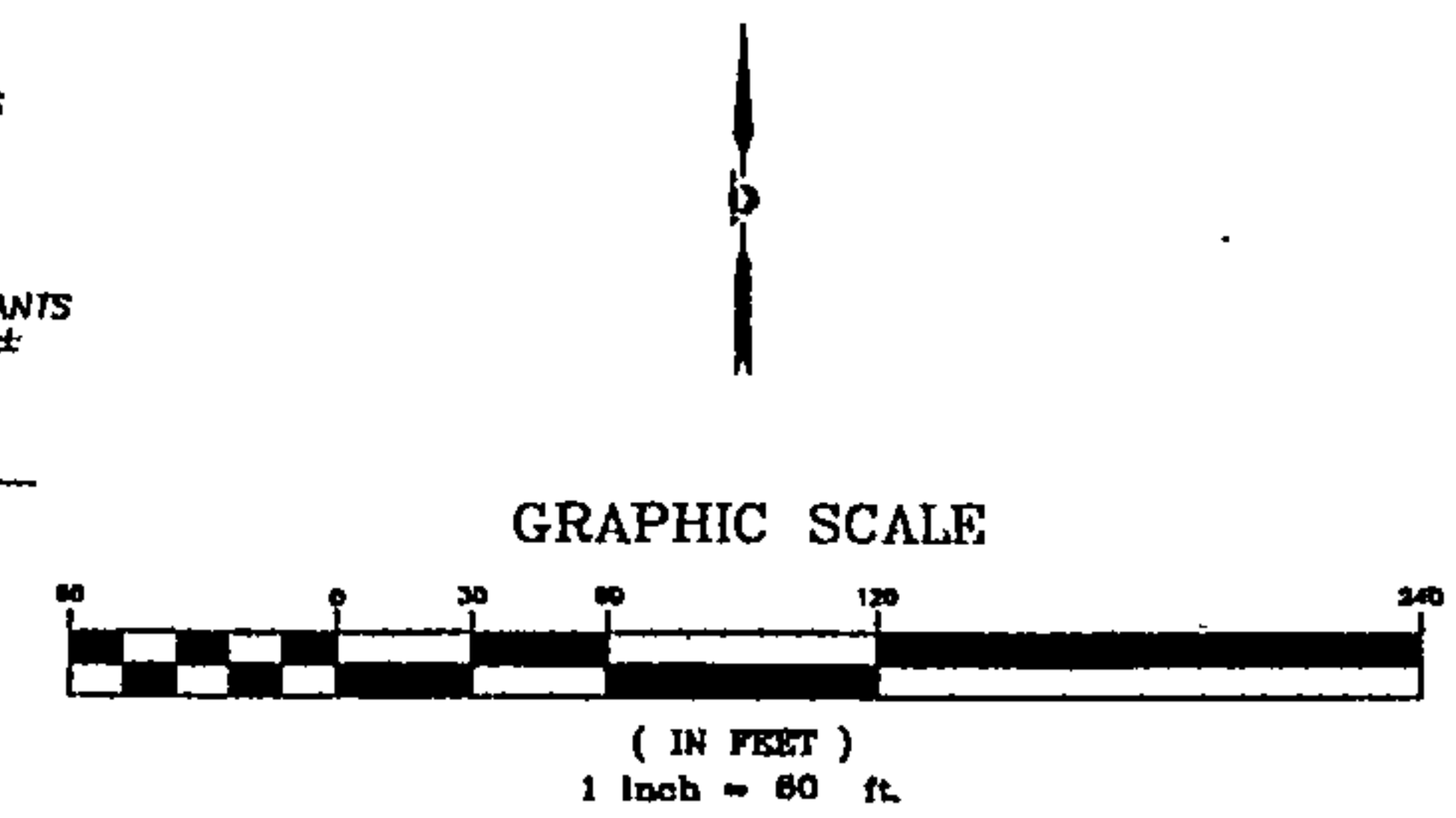
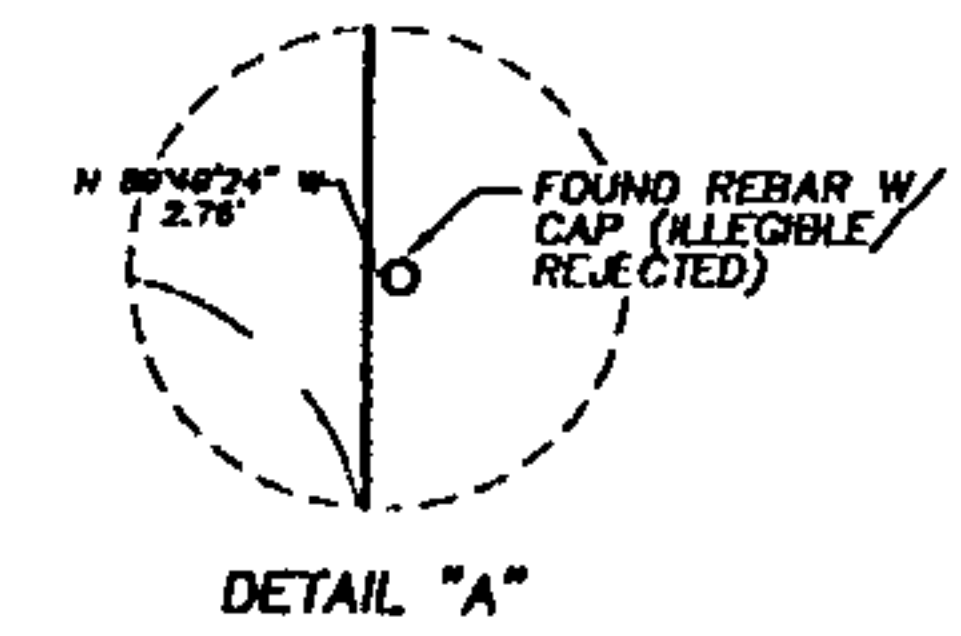
Sheet 1 of 2

Plat of
 Tracts A-1 and B-1
American Toyota
 Albuquerque, Bernalillo County, New Mexico
 February 2004

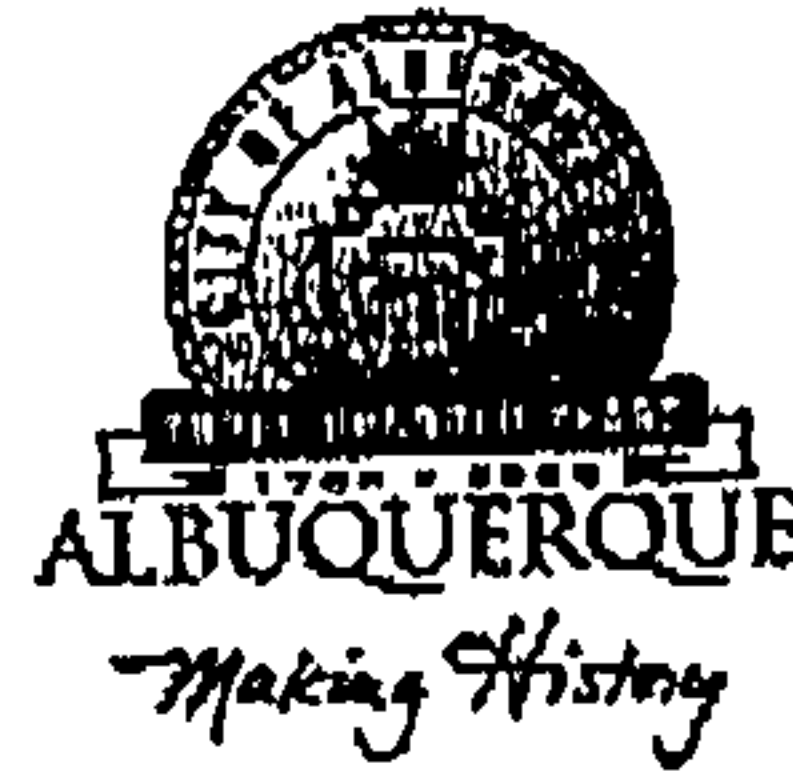
Legend

N 90°00'00" E	MEASURED BEARING AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
⊙	DENOTES REBAR N/CAP "PS 11983" SET THIS SURVEY UNLESS OTHERWISE NOTED

2004125899
 8144090
 Page 2 of 2
 09/24/2004 03:11P
 Mary Herrera Bern Co PLRT R 12 00 Bk-2804C Pg-368



PRECISION SURVEYS, INC.
 8414-D JEFFERSON ST., N.E. PHONE 505 858 5700
 ALBUQUERQUE, NEW MEXICO 87113 FAX 505 858 7900



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 14, 2005

Karen Kline
Tierra West, LLC
8509 Jefferson NE/87113
Phone: 858-3100/Fax: 858-1118
Email: Kkline@tierrawestllc.com

Dear Karen:

Thank you for your inquiry of October 14, 2005 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **AMERICAN TOYOTA (TRACT A1 AND B1, AMERICAN TOYOTA) LOCATED AT 5995 ALAMEDA BOULEVARD NE BETWEEN PAN AMERICAN FREEWAY NE AND SAN PEDRO DRIVE NE** zone map C-18.

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

NOR ESTE N.A. (NRE) "R"

*Leilani McGranahan

7600 Rio Guadalupe NE/87122 293-5209 (h)

Joe Yardumian

7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

WILDFLOWER AREA N.A. (WFA) "R"

*Larry T. Caudill

4915 Watercress NE/87113 857-0596 (h)

Rick Treadwell

5004 Watercress NE/87113 821-6369 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Neighborhood Program Coordinator
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

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

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

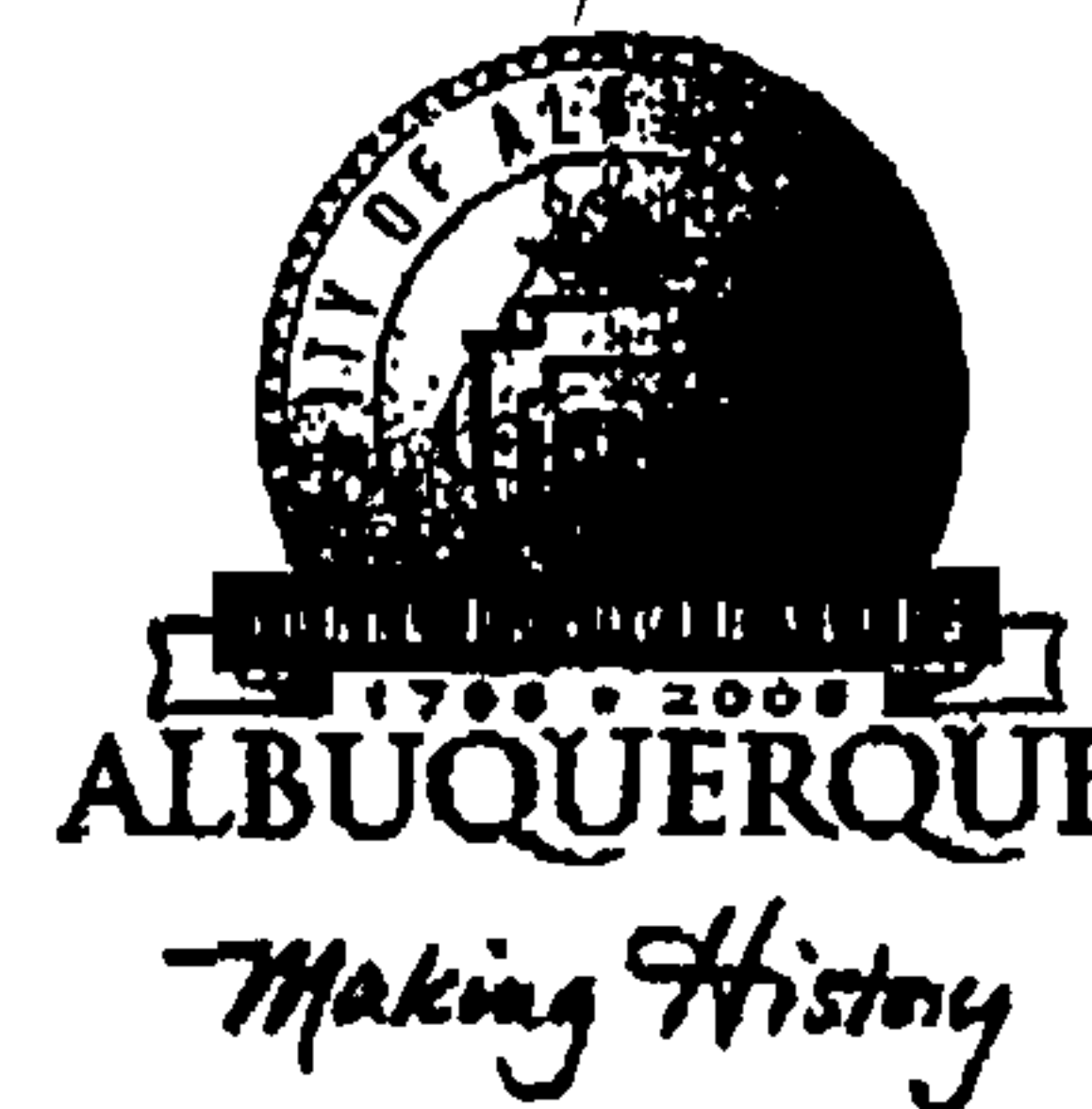
WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

(below this line for OCNC use only)

Date of Inquiry: 10/14/05 Entered: 9:25 a.m. ONC Rep. Initials: SW

CITY OF ALBUQUERQUE



October 10, 2005

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Larry R. Miller, Managing Member
MILLER FAMILY REAL ESTATE, LLC
9350 South 150E, suite 1000
Sandy, Utah 84070

RE: NOTICE OF FAILURE TO COMPLETE IMPROVEMENTS, DEFAULT AND CITY'S INTENTION TO CALL FINANCIAL GUARANTY -- SUBDIVISION IMPROVEMENTS AGREEMENT,

PROJECT: AMERICAN TOYOTA PAVING/UTILITY IMPROV.
PROJECT NO. 692481

Dear Mr. Miller:

I have been informed that MILLER FAMILY REAL ESTATE, LLC (the "Subdivider") has failed to meet the October 10, 2005 "Construction Deadline", as required by the Subdivision Ordinance and the Subdivider's agreement with the City, and that the Subdivider failed to obtain a timely extension of the Construction Deadline. The Construction Deadline has passed and the requirements were not met.

P.O. Box 1293

Albuquerque

New Mexico 87103

THIS LETTER PROVIDES THE REQUIRED NOTICE TO THE SUBDIVIDER AND THE SURETY NAMED BELOW THAT THE SUBDIVIDER'S AGREEMENT WITH THE CITY IS IN DEFAULT, AND THE CITY HOLDS THE SUBDIVIDER AND THE SURETY JOINTLY AND SEVERALLY LIABLE. THIRTY DAYS AFTER MAILING THIS LETTER THE CITY WILL BE CALLING ON THE FINANCIAL GUARANTY PROVIDED BY THE SURETY, AND THE CITY WILL DEMAND THAT THE SURETY PAY THE CITY 125% OF THE COST OF COMPLETING THE IMPROVEMENTS.

If you have any questions regarding this matter, please contact the Project Administrator; Marilyn Maldonado at (505) 924-3997, Project Review Section, Design/Const. Division, Engineering Group.

www.cabq.gov

Very truly yours,

Kevin J. Curran
Assistant City Attorney

THIS LETTER IS SENT TO CONFORM TO THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

cc:

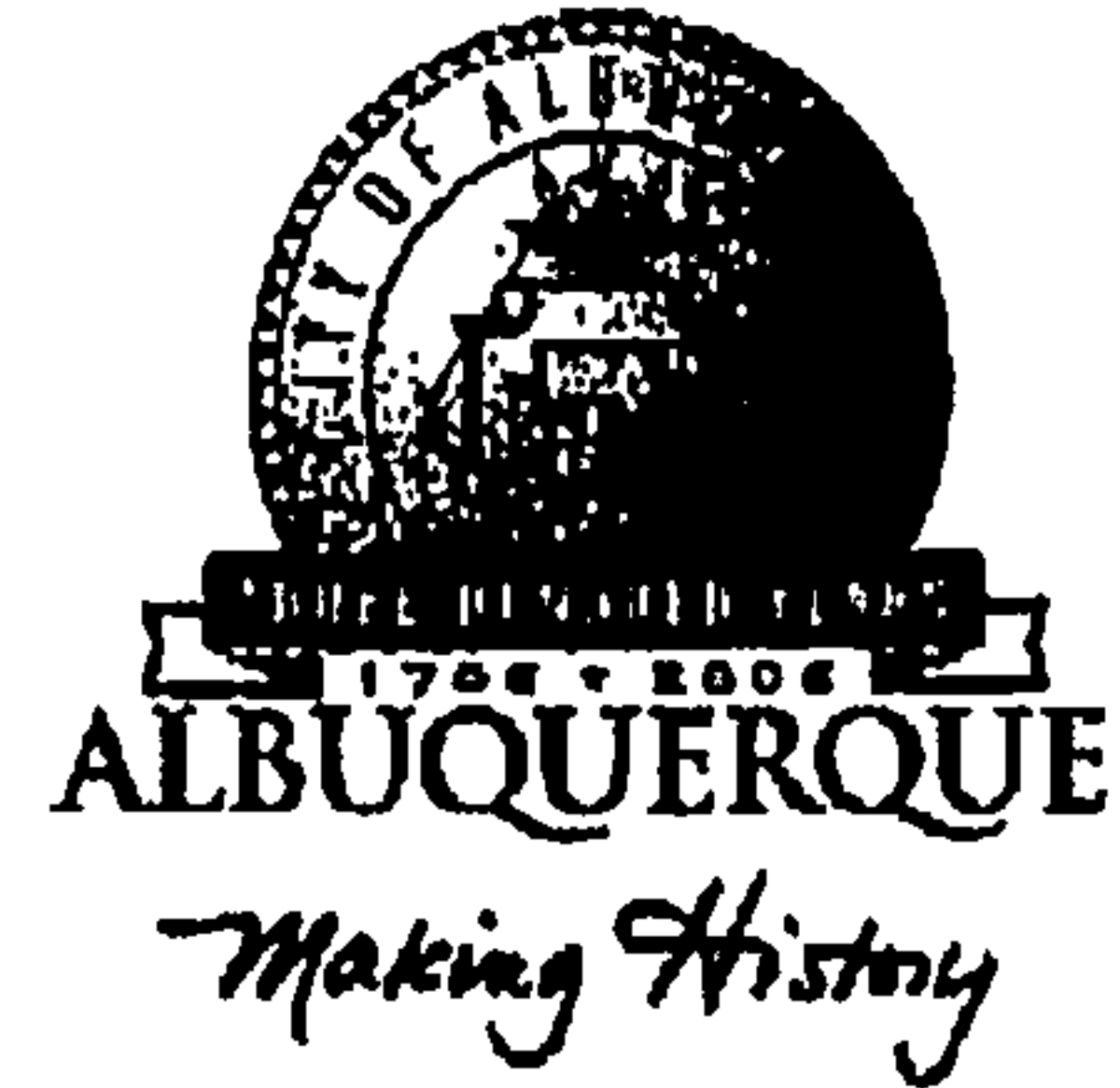
KJC/pci #2

OCT-13-2005 THU 01:27 PM LHM MANAGEMENT CO

FAX NO. 8015634196

P. 02

CITY OF ALBUQUERQUE



October 10, 2005

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Larry M. Miller, Managing Member
MILLER FAMILY REAL ESTATE, LLC
9350 South 150E, suite 1000
Sandy, Utah 84070

RE: NOTICE OF FAILURE TO COMPLETE IMPROVEMENTS, DEFAULT AND CITY'S INTENTION TO CALL FINANCIAL GUARANTY - SUBDIVISION IMPROVEMENTS AGREEMENT, Procedure B Modified Non Work Order

PROJECT: AMERICAN TOYOTA PAVING/UTILITY IMPROV.
PROJECT NO. 692481

Dear Mr. Miller:

I have been informed that MILLER FAMILY REAL ESTATE, LLC (the "Subdivider") has failed to meet the October 10, 2005 "Construction Deadline", as required by the Subdivision Ordinance and the Subdivider's agreement with the City, and that the Subdivider failed to obtain a timely extension of the Construction Deadline. The Construction Deadline has passed and the requirements were not met.

P.O. Box 1293

Albuquerque

New Mexico 87102

THIS LETTER PROVIDES THE REQUIRED NOTICE TO THE SUBDIVIDER AND THE SURETY NAMED BELOW THAT THE SUBDIVIDER'S AGREEMENT WITH THE CITY IS IN DEFAULT, AND THE CITY HOLDS THE SUBDIVIDER AND THE SURETY JOINTLY AND SEVERALLY LIABLE. THIRTY DAYS AFTER MAILING THIS LETTER THE CITY WILL BE CALLING ON THE FINANCIAL GUARANTY PROVIDED BY THE SURETY, AND THE CITY WILL DEMAND THAT THE SURETY PAY THE CITY 125% OF THE COST OF COMPLETING THE IMPROVEMENTS.

www.cabq.gov

If you have any questions regarding this matter, please contact the Project Administrator; Marilyn Maldonado at (505) 924-3997, Project Review Section, Design/Const. Division, Engineering Group.

Very truly yours,

Kevin J. Curran
Assistant City Attorney

THIS LETTER IS SENT TO CONFORM TO THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

CC:

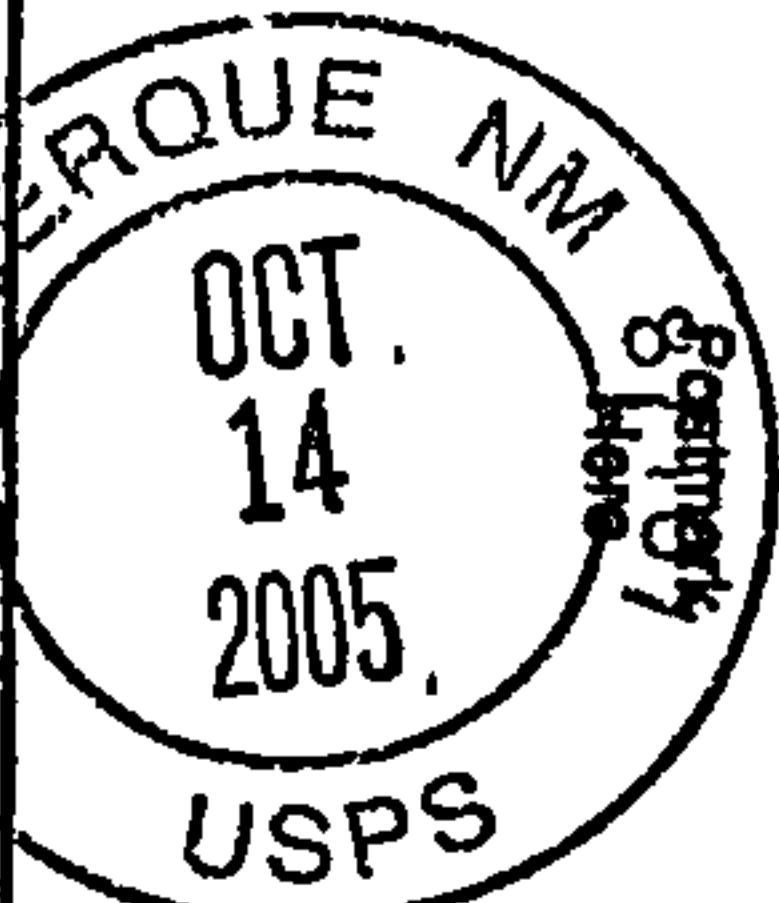
KJC/pcl #2

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

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

OFFICIAL USE

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To *Reilani McSwain*
 Street, Apt. No., or PO Box No. *7600 Lindal Avenue*
 City, State, ZIP+4 *ABQ NM 87126*

PS Form 3800, June 2002

See Reverse for Instructions

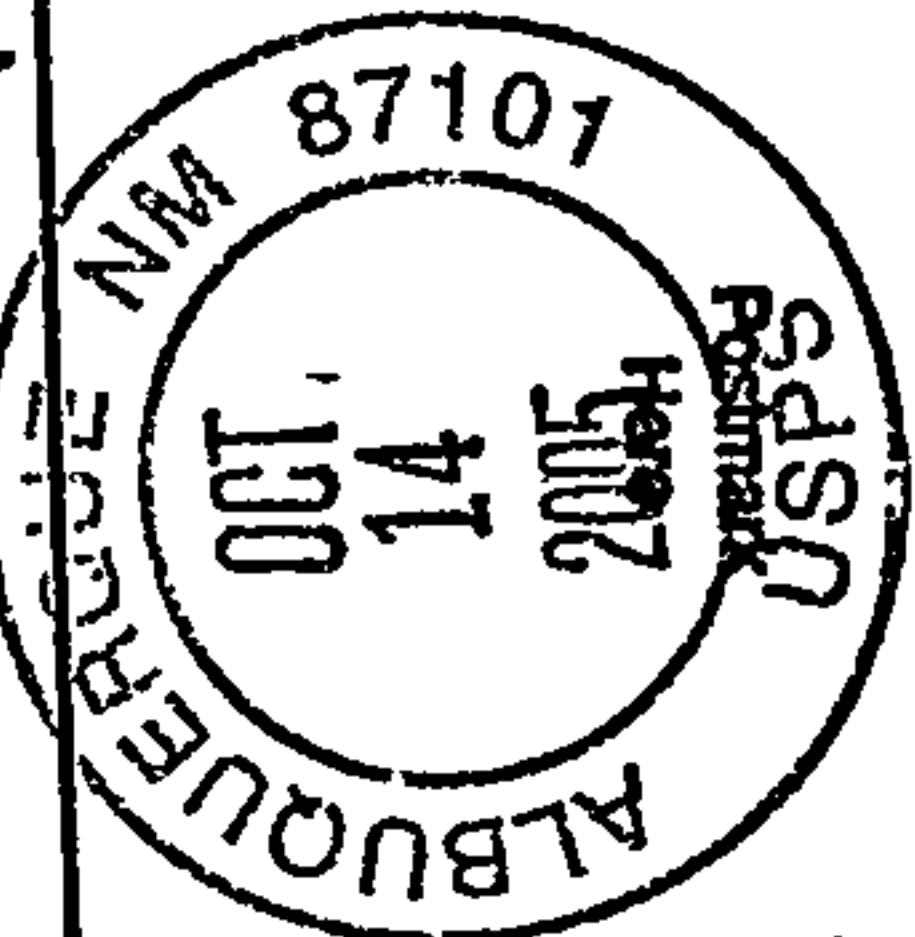
7005 1160 0000 1000 3284

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

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

OFFICIAL USE

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To *Joe Vandum*
 Street, Apt. No., or PO Box No. *7801 P.C. Seman Ave NE*
 City, State, ZIP+4 *ABQ NM 87122*

PS Form 3800, June 2002

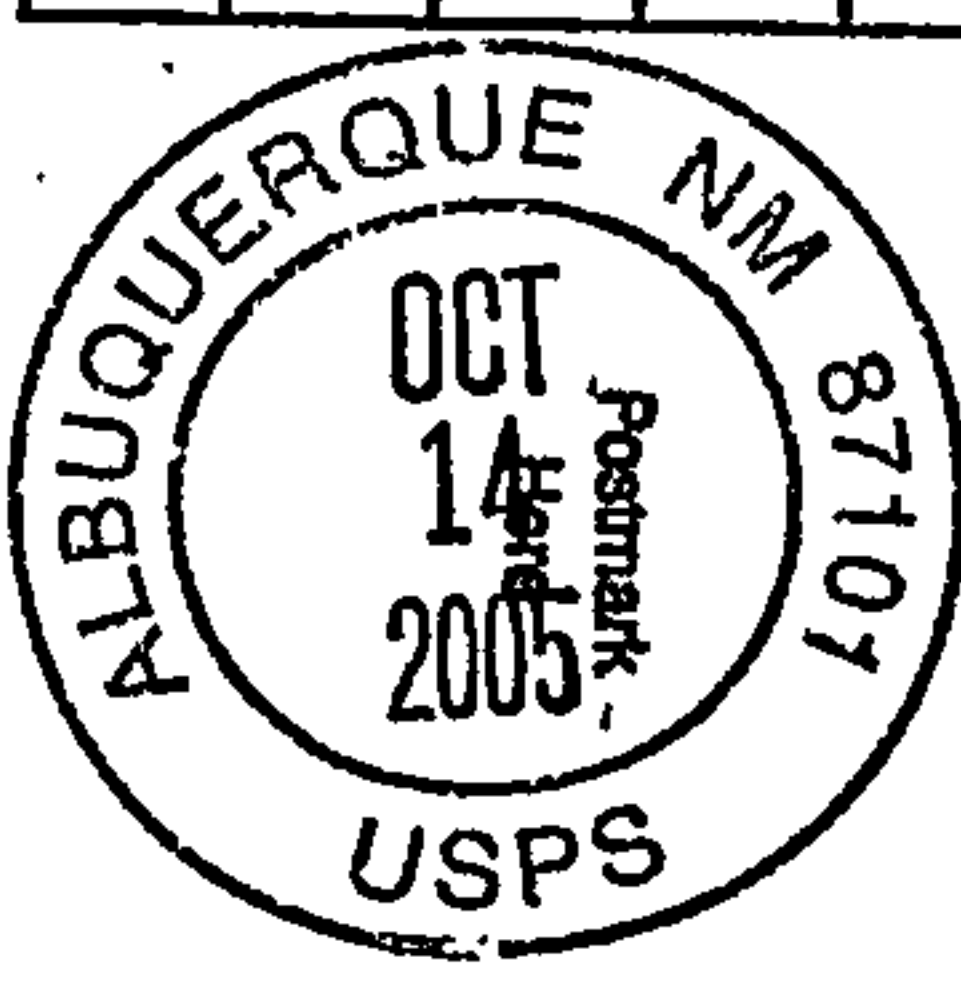
See Reverse for Instructions

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

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

OFFICIAL USE

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To *Rick Temple*
 Street, Apt. No., or PO Box No. *5004 Cherokee NE*
 City, State, ZIP+4 *ABQ NM 87113*

PS Form 3800, June 2002

See Reverse for Instructions

7005 1160 0000 1000 3291

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

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

OFFICIAL USE

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To *Steph T. Daudin*
 Street, Apt. No., or PO Box No. *4915 WABCESS NE*
 City, State, ZIP+4 *ABQ NM 87113*

PS Form 3800, June 2002

See Reverse for Instructions

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

PAID RECEIPT

APPLICANT NAME PJ DEVELOPMENT COMMERCIAL CONST.
 AGENT TIERRA WEST
 ADDRESS 8509 JEFFERSON NE.
 PROJECT & APP # 1002848/05 DRB 01620
 PROJECT NAME AMERICAN TOYOTA

DUPLICATE
 City of Albuquerque
 Treasury Division

10/14/2005 11:47AM LOC: ANN
 X RECEIPT# 00047310 WSH 008 TRANSH 0009
 Account 441018 Fund 0110
 Activity 4971000 TRSCCS
 Trans Amt \$145.00
 J24 Misc \$75.00

CK \$145.00

- \$ 20.00 441032/3424000 Conflict Management Fee
- \$ 50.00 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
- \$ 145.00 TOTAL AMOUNT DUE

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

10/14/2005
 X RECEIPT
 Account 441018
 Activity 4971000
 Trans Amt \$145.00
 J24 Misc \$75.00

TIERRA WEST LLC
 8509 JEFFERSON NE
 ALBUQUERQUE, NM 87111
 PH (505) 858-3100

2205
 95-677/1070

DATE: 10/14/05

City of Albuquerque
 Treasury Division

PAY TO THE ORDER OF City of Albuquerque \$ 145.00

One hundred forty-five / 100 DOLLARS

RECEIPT# 00047308 WSH 008 TRANSH 0009
 Account 441032 Fund 0110
 Activity 3424000 TRSCCS

Trans Amt \$145.00
 J24 Misc \$75.00

FOR 22082 PJ submittal fees

Denna J Bohannon MP

Thank You

002205 107006677

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from 10.25.05 To 11.09.05.

5. REMOVAL

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

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

Karen Kline, 10.14.05
(Applicant or Agent) (Date)

I issued 2 signs for this application, 10/14/05, Sandy Handley
(Date) (Staff Member)



Supplemental form
SUBDIVISION **S**
 Major Subdivision action
 Minor Subdivision action
 Vacation **V**
 Variance (Non-Zoning)

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

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

APPEAL / PROTEST of... **A**
 Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: PJ DEVELOPMENT COMMERCIAL CONSTRUCTION PHONE: 263-6965
 ADDRESS: P.O. BOX 14903 FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL: _____
 Proprietary interest in site: DEVELOPER List all owners: _____
 AGENT (if any): TIERRA WEST LLC PHONE 858-3100
 ADDRESS: 8509 JEFFERSON NE FAX: 858-1118
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.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. TRACTS A & B Block: _____ Unit: _____
 Subdiv. / Addn. AMERICAN TOYOTA
 Current Zoning: SU-2 SU-1 AUTO SALES SERV REP Proposed zoning: same
 Zone Atlas page(s): C-18 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 5.00 Density if applicable: dwellings per gross acre: _____ 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. 101806422439520605 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: 5995 ALAMEDA BLVD NE
 Between: PAN AMERICAN FWY NE and SAN PEDRO DRIVE NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): 1002201

DRB-95-74 03DRB-01270

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

SIGNATURE Sara Lavvy DATE 4/8/04
 (Print) SARA LAVY, P.E. Applicant Agent

FOR OFFICIAL USE ONLY

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

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>04DRB - 00571</u>	<u>FP</u>	<u>5(3)</u>	<u>\$20⁰⁰</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>CONFL. Mgmt Fee</u>		
<input checked="" type="checkbox"/> All case #s are assigned				
<input type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input type="checkbox"/> F.H.D.P. density bonus				Total
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				<u>\$20⁰⁰</u>

Hearing date April 21st 04

B. Berber 4/13/04
 Planner signature / date

Project # 1002848

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 Official D.R.B. Notice of approval
- 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, 4 copies for internal routing.
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for 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 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.

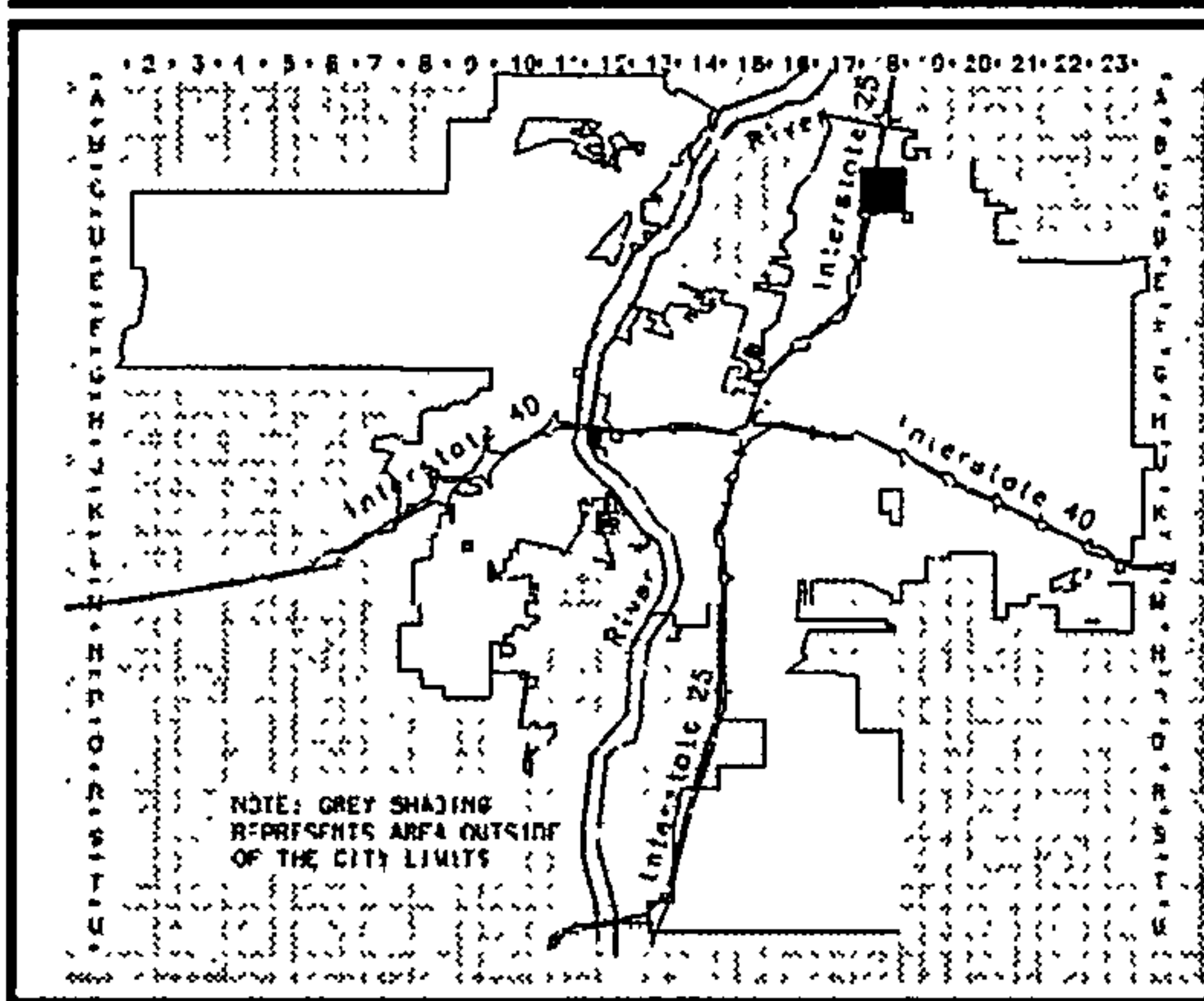
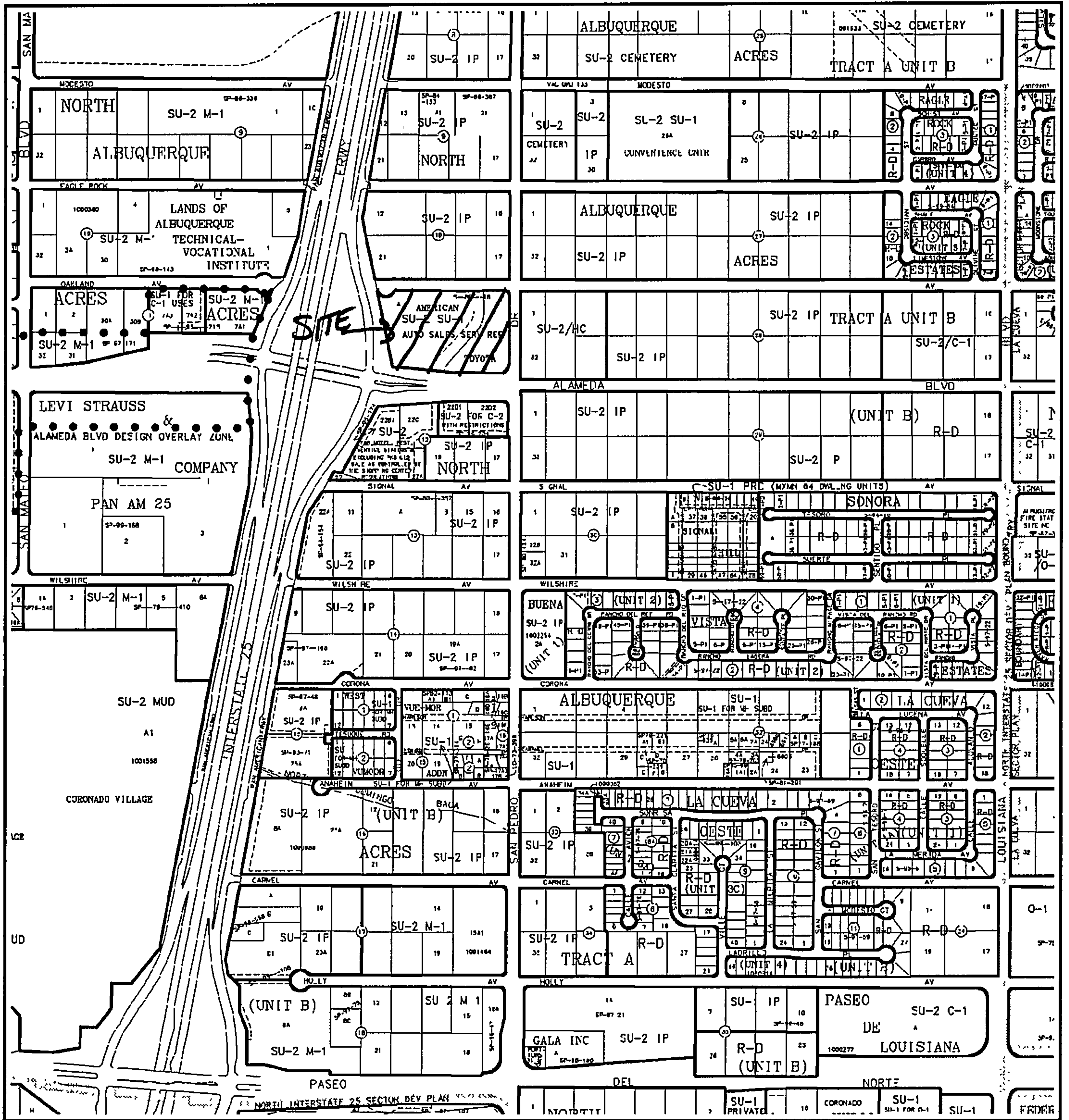
Sarahavy <
 Applicant name (print)
Sarahavy 4/8/04
 Applicant signature / date



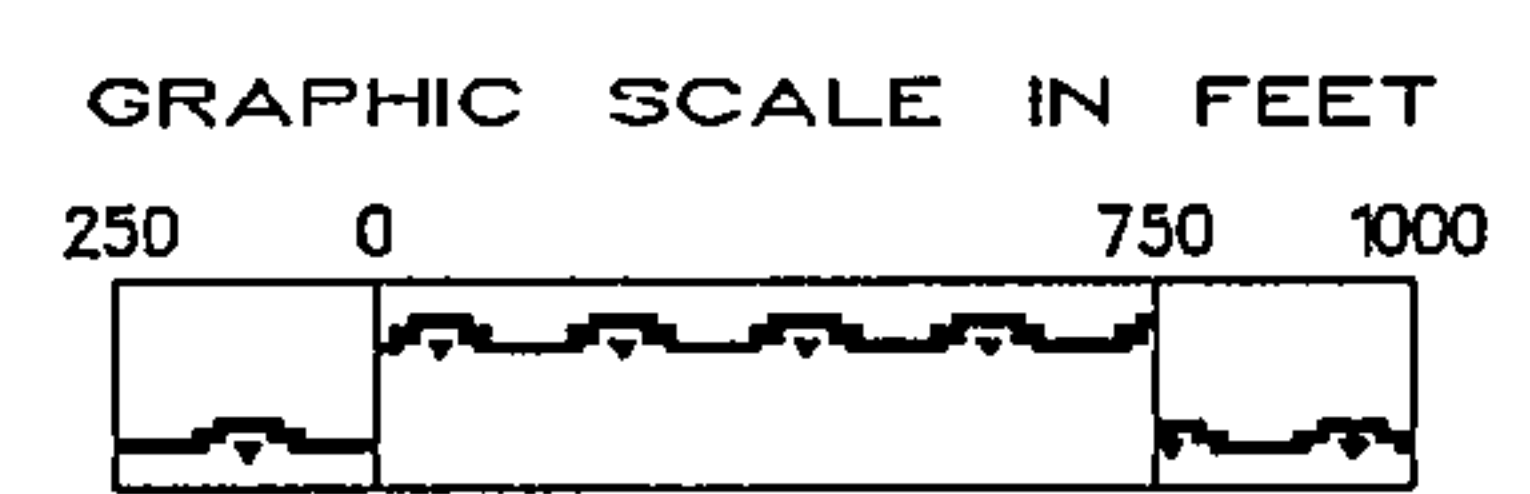
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
040RB- 00571

Form revised 10/03
Roberto 4/13/04
 Planner signature / date
Project # 1002848



CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page
C-18-Z
Map Amended through July 31, 2003

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

April 8, 2004

Mrs. Sheran Matson, AICP, Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**RE: Final Plat Approval of American Toyota
Tracts A & B, American Toyota
Zone Atlas Page C-18**

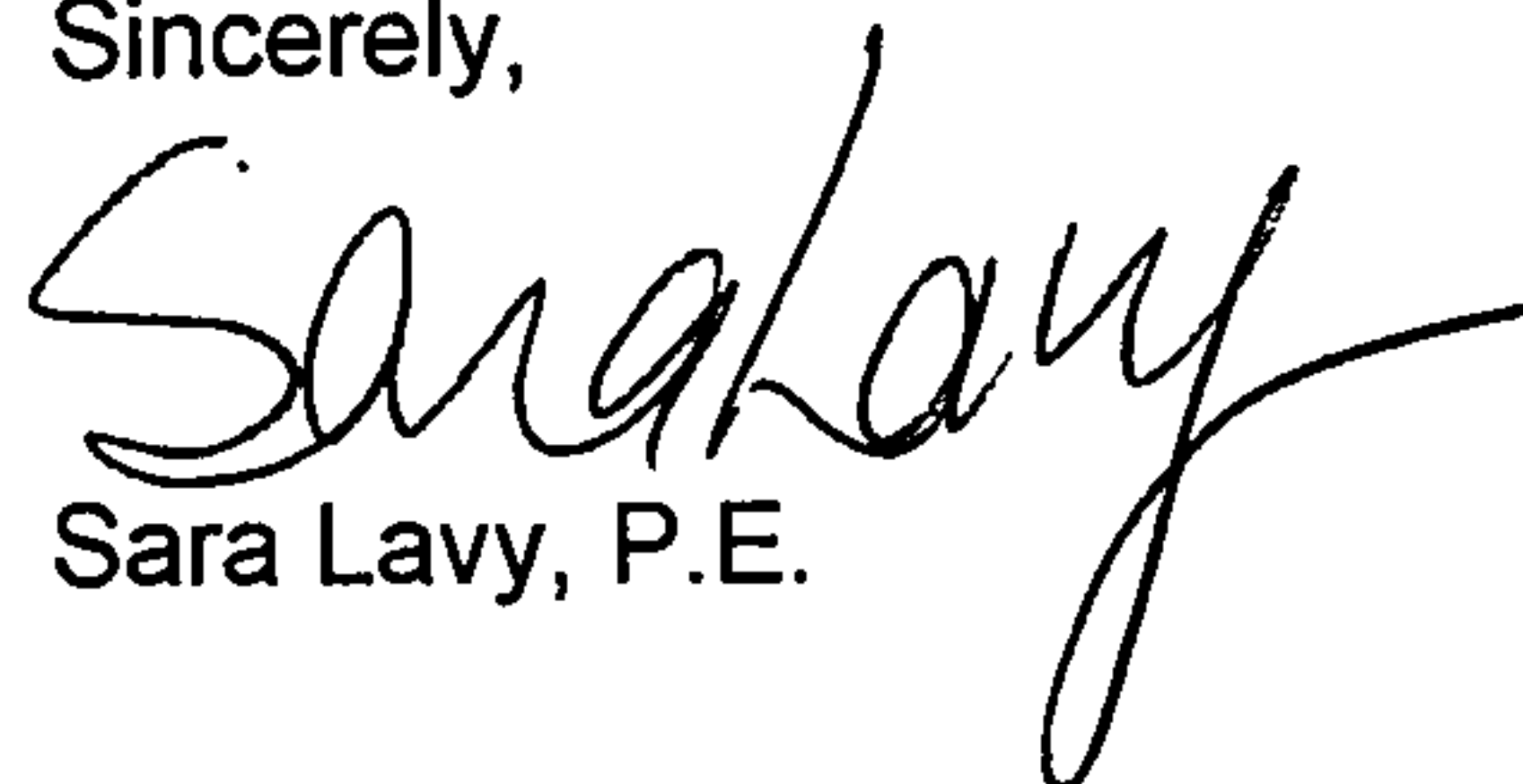
Dear Mrs. Matson:

Tierra West LLC, on behalf of PJ Development Commercial Constructions, requests Final Plat approval for the above referenced tracts. The DRB approved the Preliminary Plat on October 8, 2003. The site is located at 5995 Alameda Boulevard NE, between Pan American Freeway NE and San Pedro Drive NE.

No changes were made to the Final Plat from the Preliminary plat approval. We included the screen wall section and location of the screen wall on the project. We request the approval of the screen wall at this time.

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

Sincerely,



Sara Lavy, P.E.

Enclosure/s

cc: Pat Joseph

JN: 220082PJ
SCL/kk

27

220082K-
SIA

No. Of Lots 2

Nearest Major Streets ALAMEDA BOULEVARD NE

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 8th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

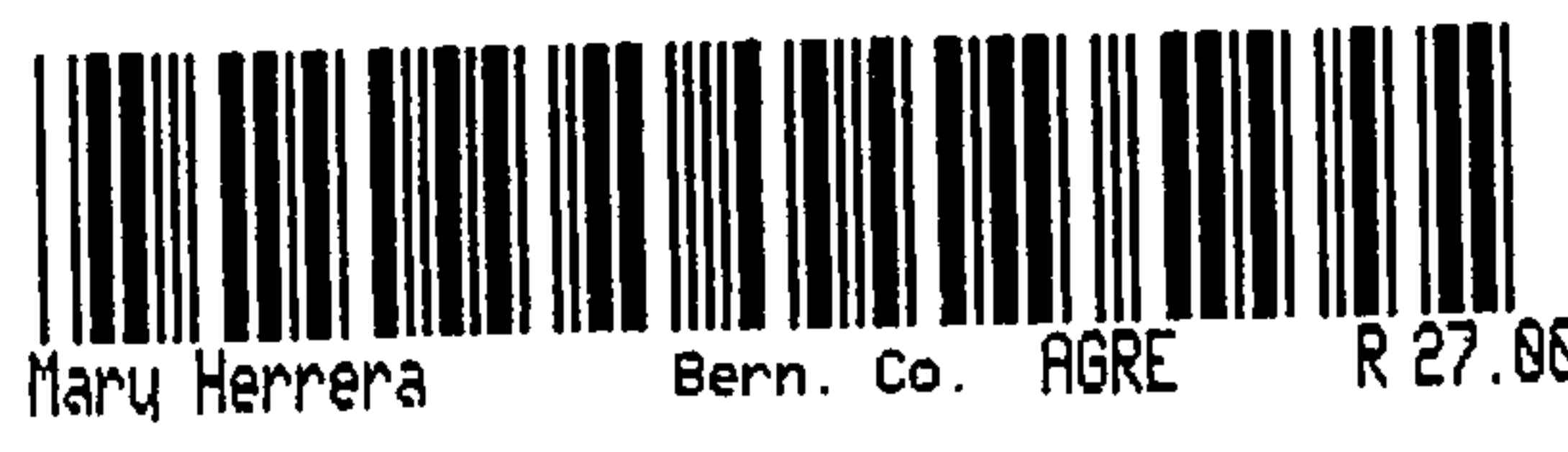
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 19 86 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (the "Subdivision"). The Subdivider 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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("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. 6924.81.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board (DRB), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



2004031626
6845111
Page: 1 of 10
03/10/2004 11:14A
Bk-A74 Pg-1543

220082PJ
SIA

FIGURE 12

**SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B Modified Non-Work Order)
CITY PROJECT # 692481**

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

THIS AGREEMENT is made this 5th day of March, 2004, 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 MILLER FAMILY REAL ESTATE LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.]:] A LIMITED LIABILITY COMPANY, whose address is 9350 SOUTH 150E SUITE 1000, SANDY UTAH 84070 and whose telephone number is (801) 563-4100, 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 [describe:] TRACTS A & B, AMERICAN TOYOTA, recorded on SEPTEMBER 9, 1986 in the records of the Bernalillo County Clerk at Book C31, Folio 114 (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:] MILLER FAMILY REAL ESTATE LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as AMERICAN TOYOTA 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 in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 8TH day of OCTOBER, 2005 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: The Construction Completion Deadline can be no later than two years after execution of this 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. Financial Guaranty. 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 immediat



2004031627
6845112
Page: 1 of 7
03/10/2004 11:14A
Bk-A74 Pa-1544



JJ 220082
Planning
→ Steve DRB

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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

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

PAID RECEIPT

APPLICANT NAME P.J. Dev. Comm. Const.
 AGENT TIERRA WEST, LLC
 ADDRESS 8509 JEFFERSON ST. NE. 87113
 PROJECT & APP # 1002848 / 04ORB-00571
 PROJECT NAME AM. TOYOTA

- \$ 20⁰⁰ 469099/4916000 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.

TIERRA WEST LLC 8509 JEFFERSON NE ALBUQUERQUE, NM 87113 (505) 858-3100		1613 95-677/1070
PAY TO THE ORDER OF <u>City of Albuquerque</u>		DATE <u>4/8/04</u>
<u>Sewenty</u>		\$ <u>20.00</u>
HIGH DESERT STATE BANK Member FDIC 6110 Ventura NE Albuquerque, NM 87122		***MULTIPLICATED*** City of Albuquerque Treasury Division
FOR _____		04/13/2004 11:40AM LOC: ANN RECEIPT# 0002 IF <u>Anna Bohannan</u> 46909 Fund 0110 4916000
@HARLAND STYLE X3J ⑈001613⑈⑈107006677⑈		201813 \$20.00 J24 MISC \$20.00 CK \$20.00 CHANGE \$0.00



<p>SUBDIVISION</p> <p><input type="checkbox"/> Major Subdivision action</p> <p><input type="checkbox"/> Minor Subdivision action</p> <p><input type="checkbox"/> Vacation</p> <p><input type="checkbox"/> Variance (Non-Zoning)</p> <p>SITE DEVELOPMENT PLAN</p> <p><input type="checkbox"/> ...for Subdivision Purposes</p> <p><input checked="" type="checkbox"/> ...for Building Permit</p> <p><input type="checkbox"/> IP Master Development Plan</p> <p><input type="checkbox"/> Cert. of Appropriateness (LUCC)</p>	<p>Supplemental form S</p> <p>V</p> <p>P</p> <p>L</p>	<p>Supplemental form ZONING & PLANNING</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</p> <p>APPEAL / PROTEST of...</p> <p><input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals</p>	<p>Z</p> <p>A</p>
---	---	--	---------------------------------

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: <u>Larry H. Miller Group</u>	PHONE: <u>263-6965</u>
ADDRESS: <u>P.O. Box 14903</u>	FAX: _____
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87191</u>	E-MAIL: _____
Proprietary interest in site: <u>Developer</u>	
AGENT (if any): <u>Tierra West LLC</u>	PHONE: <u>858-3100</u>
ADDRESS: <u>8509 Jefferson NE</u>	FAX: <u>858-1118</u>
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87113</u>	E-MAIL: <u>twllc@tierrawestllc.com</u>

DESCRIPTION OF REQUEST: D.R.B. Final Sign-off for E.P.C. approved S.D.P. for Building Permit

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

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

Lot or Tract No. Tracts A & B Block: _____ Unit: _____

Subdiv. / Addn. American Toyota

Current Zoning: SU-2 SU-1 Auto Sales Serv Rep Proposed zoning: Same

Zone Atlas page(s): C-18 No. of existing lots: 2 No. of proposed lots: 2

Total area of site (acres): 5.00 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

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

UPC No. 101806422439520605 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 5995 Alameda Blvd NE
Between: Pan American Freeway NE and San Pedro Drive NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): Z-86-8/1002201, 1002848, 03DRB-01382, 03EPC-02047

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

SIGNATURE

Sara Lavy DATE 03/23/04
(Print) Sara Lavy, P.E. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 10/03

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>04DRB - 00395</u>	<u>SBP</u>	<u>P(3)</u>	\$ <u>0</u>
_____	<u>CMF</u>	_____	\$ <u>20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>March 31, 2004</u>			Total \$ <u>20.00</u>

Leslie Aranceaux 3-23-04
Planner signature / date

Project #

~~1002201~~
1002848

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

SKETCH PLAN REVIEW AND COMMENT

- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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 request
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR SUBDIVISION

- Scaled site plan and related drawings (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
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. 6 copies.
 - Solid Waste Management Department signature on Site Plan
 - 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
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
 - Blue-line copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) Copies as needed above
 - 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
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for SUBDIVISION

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for BUILDING PERMIT

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Solid Waste Management Department signature on Site Plan (not required for SDP for Subdivision) *WILL BRING TO HEARING*
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - 2 copies of the Conceptual Utility Layout Plan (mark one for Planning, one for Utility Development)
 - Blue-line copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. 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.

Sara Lavy Applicant name (print)
Sara Lavy Applicant signature / date 3/23/04



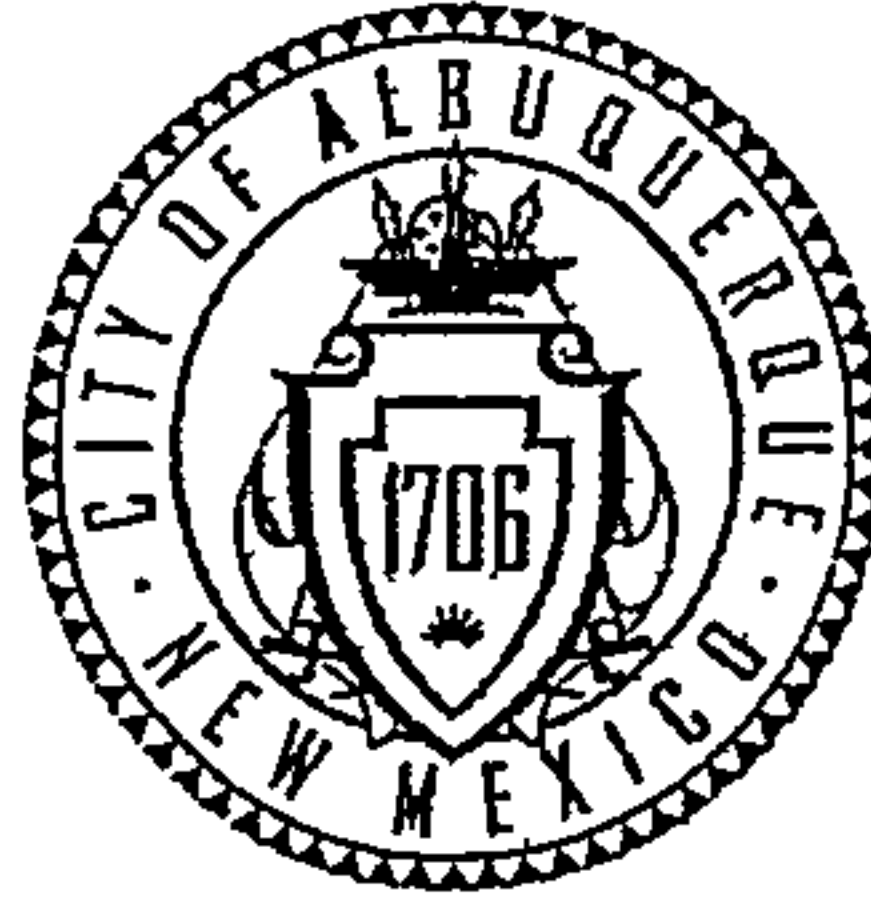
Form revised September 2001

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

Application case numbers
04DRB - - 00395

Mrs. Duaneaux 3-23-04
 Planner signature / date
Project # 100-2201

1002848



JW 220082 RJ
for turning
DAB
CC: Pat Joseph
~~SATUAEVLE~~

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: February 20, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002848***
03EPC-02047 EPC Site Development Plan-
Amendment to Building Permit

Larry Miller Group
P.O. Box 14903
Albuq. NM 87191

LEGAL DESCRIPTION: for all or a portion of Tract(s) A & B, **American Toyota**, zoned SU-2 SU-1 Auto Sales Serv Rep, located on ALAMEDA BLVD. NE NE, between PAN AMERICAN FWY NE and SAN PEDRO DR. NE, containing approximately 5 acre(s). (C-18) Deborah Stover, Staff Planner

On February 19, 2004 the Environmental Planning Commission voted to approve Project 1002848/03EPC 02047, a request for site development plan for building permit, for Tracts A & B, American Toyota, zoned SU-2 SU-1 Auto Sales Service Repair, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for an amendment to a site development plan for a 5-acre parcel of land known as Tracts A & B, American Toyota, located at 5995 Alameda Boulevard NE, between the Pan American Freeway and San Pedro Drive NE. A site development plan for building permit was approved by the Environmental Planning Commission for this site in 1986. The proposal is to expand the building square footage by 22,035 square feet. The new building areas will provide a new inspection area, wash bay and service bay.
2. By building in a commercially zoned area that has been planned for commercial development since the inception of the *Albuquerque/Bernalillo County Comprehensive Plan* as well as the *North I-25 Sector Plan*, this request meets the intent of Policy d, which requires the location, intensity, and design of new development to respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern (Policy d).

3. This site is an existing facility that is expanding. It is contiguous to existing facilities and the proposal for commercial development will not harm the integrity of existing neighborhoods, thereby complying with Policy e of the *Albuquerque/Bernalillo County Comprehensive Plan* which requires that new growth will be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.
4. By building in a commercially zoned area that has been planned for commercial development since the inception of the North I-25 Sector Plan, this request complies with the plan.
5. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The area just west of the new wash bay area shall provide 75% coverage of live plantings at maturity and should be supplemented with additional shrubs and groundcover. Also, the slope shall be seeded with native grass seed to ensure adequate coverage of this area.
3. The note on the landscape plan that states, "Final landscape layout and design to be determined upon receipt of final grading plan" shall be removed from the landscape plan. This is the final landscape plan that EPC approves. Any changes to this landscape plan, other than by the EPC, will need to return to the EPC for approval or go through the administrative amendment process.
4. A minimum of 7 bicycle parking spaces shall be provided.
5. Existing signage that is to be removed, as well as new signage that is to be added, shall be labeled as such on the site plan prior to DRB approval, along with height, dimensions, sign face square footage and colors and materials.
6. Public Works, City Engineer and Transportation Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 3 OF 4

- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (standard drawing 2430), driveways (standard drawing 2425), private entrances (standard drawing 2426) and wheel chair ramps (standard drawing 2441).
- c. Site plan shall comply and be designed per DPM Standards.
- d. All drive aisles to be 24' minimum for two-way circulation except in programmed car display areas. These areas shall be labeled as such.
- e. All parking aisles to have end caps (both ends) except in programmed car display areas. These areas shall be labeled as such.
- f. Dedication of an additional 6 feet of right-of-way along San Pedro Drive as required by the City Engineer to provide for on-street bicycle lanes.
- g. Provision for bicycle lanes along Alameda Boulevard and San Pedro Drive adjacent to the subject property, as designated on Long Range Bikeways System.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MARCH 5, 2004 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.


Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 4 OF 4

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


For Victor J. Chavez
Planning Director

VJC/DS/ac

cc: Tierra West LLC, 8509 Jefferson NE, Albuquerque, NM 87113
Paul Greenwald, Nor Este NA, 7700 Rio Guadalupe NE, Albuquerque, NM 87122
Joe Yardumian, Nor Este NA, 7801 RC Gorman Ave. NE, Albuquerque, NM 87122
Larry Caudill, Wildflower NA, 4915 Watercress NE, Albuquerque, NM 87113
Roberta Hurst, Wildflower NA, 8812 Desert Willow Ct. NE, Albuquerque, NM 87113

**FIRE HYDRANT AND INSTANTANEOUS
FIRE FLOW REQUIREMENTS**

ALBUQUERQUE FIRE DEPARTMENT
FIRE MARSHAL'S PLAN CHECKING OFFICE
600 2ND ST N.W, 8TH Floor, Plaza del Sol
Albuquerque, New Mexico 87102
(505) 924-3611 / FAX (505) 924-3619

ZONE MAP NUMBER _____

REFERRAL # _____

SITE ADDRESS 5915 Alameda (American Toyota)

LEGAL DESCRIPTION: SUBJECT TRACT _____

NUMBER HYDRANTS REQUIRED FOR THE LARGEST BUILDING 2

INSTANTANEOUS FLOW REQUIRED 1710 GPM

SQUARE FOOTAGE - LARGEST BUILDING 56452 (Existing 37660 / New 18792)

TYPE CONSTRUCTION II N SPRK

PERTINENT DATA FOR DETERMINATION AND LOCATION OF FIRE HYDRANTS

ALL REQUIRED HYDRANTS SHALL BE INSTALLED AND OPERABLE PRIOR TO CONSTRUCTION

ALL REQUIRED HYDRANTS SHALL BE WITHIN 450 FEET TO THE FURTHEST POINT OF THE BUILDING AS A TRUCK ROLLS.

ALL REQUIRED HYDRANTS SHALL BE WITHIN 300 FEET TO THE FURTHEST POINT OF THE BUILDING AS A TRUCK ROLLS.

TOTAL NUMBER HYDRANTS REQUIRED FOR THIS PHASE OF CONSTRUCTION OR SITE 2

DATE: 8-21-03

FIRE DEPARTMENT INSPECTOR: Steve Lopez

RECEIVED BY: Pat Joseph TELEPHONE: 263-6965

- NOTES:
1. ALL HYDRANTS NEEDED TO PROTECT AN INDIVIDUAL BUILDING MUST BE ABLE TO PROVIDE A MINIMUM RESIDUAL OF 20 PSI, UNDER REQUIRED FIRE FLOW CONDITIONS.
 2. DETERMINATION OF THE WATER SYSTEM CAPASITY TO PROVIDE REQUIRED FIRE FLOW SHALL BE MADE BY THE PUBLIC WORKS DEPARTMENT, UTILITY DEVELOPMENT SECTION (924-3987), BASED ON PEAK DAY CRITERIA.
 3. DESIGN OF PRIVATE FIRE PROTECTION SYSTEMS IS THE RESPOSIBILITY OF THE DEVELOPER'S CONSULTANT. APPROVAL OF DESIGN MUST BE MADE BY THE PUBLIC WORKS DEPARTMENT, UTILITY DEVELOPMENT SECTION.

SIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

March 22, 2004

Mrs. Sheran Matson, Chairperson
Development Review Board
CITY OF ALBUQUERQUE
P.O. Box 1293
Albuquerque, NM 87103

RE: **American Toyota;**
Project # 1002848; 03EPC-02047
EPC Site Development Plan-Amendment to Building Permit

~~DRB# PROJ 1002201~~

Dear Mrs. Matson:

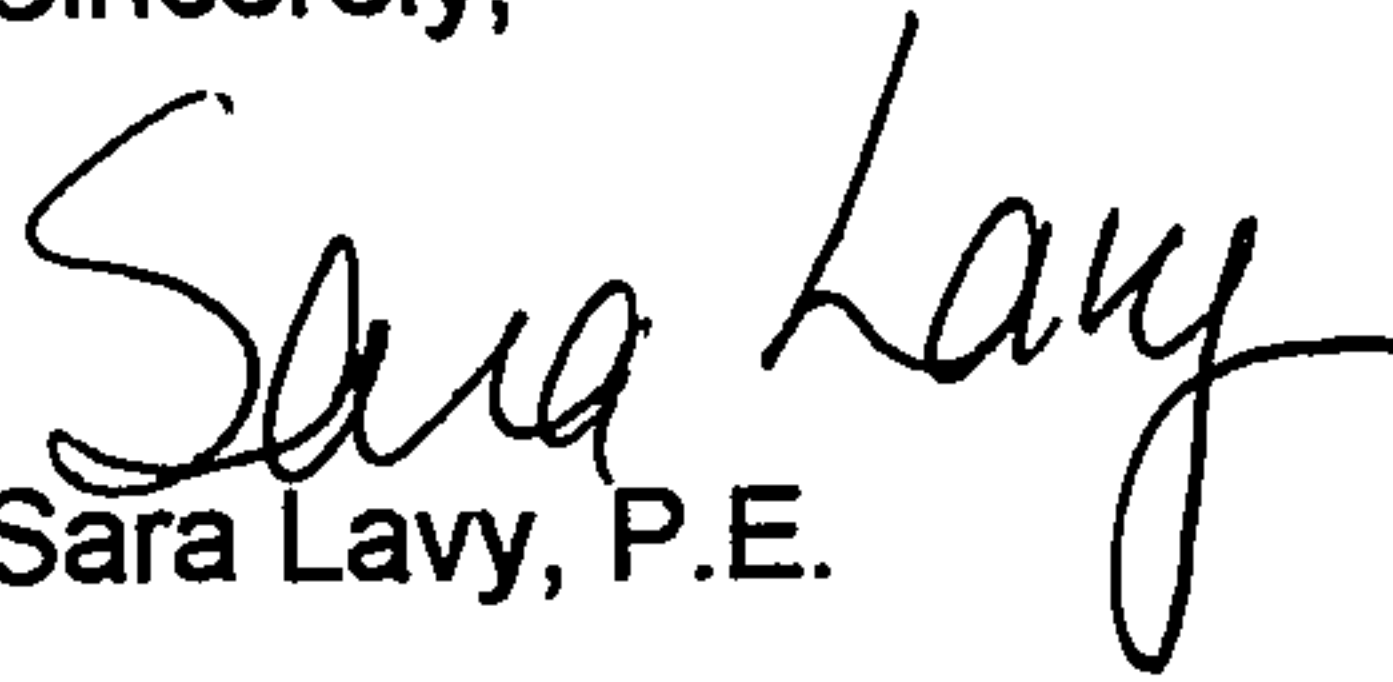
Tierra West, LLC, on behalf of American Toyota, is requesting EPC final sign-off approval for Site Development Plan-Amendment to Building Permit. We provided the following responses to the conditions listed by the Environmental Planning Commission.

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals. **This letter explains all modifications to the site and how all the EPC conditions were met.**
2. The area just west of the new wash bay area shall provide 75% coverage of live plantings at maturity and should be supplemented with additional shrubs and groundcover. Also, the slope shall be seeded with native grass seed to ensure adequate coverage of this area. **The Landscape Plan (Sheet 2) was updated to provide 75% coverage and the slope shows native grass seed.**
3. The note on the landscape plan that states, "Final landscape layout and design to be determined upon receipt of final grading plan" shall be removed from the landscape plan. This is the final landscape plan that EPC approves. Any changes to this landscape plan, other than by the EPC, will need to return to the EPC for approval or go through the administrative amendment process. **The note was removed from the Landscape Plan (Sheet 2).**
4. A minimum of 7 bicycle parking spaces shall be provided. **Seven bicycle parking spaces are provided on the Site Plan (Sheet 1).**

5. Existing signage that is to be removed, as well as new signage that is to be added, shall be labeled as such on the site plan prior to DRB approval, along with height, dimensions, sign face square footage and colors and materials.
The existing and new signage was labeled on the Site Plan (Sheet 1) and the sign details are shown on Sheet 5.
6. Public Works, City Engineer and Transportation Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and/or provided for.
To the best of our knowledge, all previous requirements are addressed.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed side development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (standard drawing 2430), driveways (standard drawing 2425), private entrances (standard drawing 2426) and wheel chair ramps (standard drawing 2441).
The plat and infrastructure list were previously approved by DRB. We are currently working on the work order plans, which include 30' of permanent paving and storm drain improvements in San Pedro. The plans will be submitted to DRC for review.
 - c. Site plan shall comply and be designed per DPM Standards.
The site plan meets DPM standards.
 - d. All drive aisles to be 24' minimum for two-way circulation except in programmed car display areas. These areas shall be labeled as such.
All drive aisles are 24' minimum and are labeled. The program car area is labeled on the Site Plan.
 - e. All parking aisles to have end caps (both ends) except in programmed car display areas. These areas shall be labeled as such.
All parking aisles have end caps as shown on the Site Plan (Sheet 1).
 - f. Dedication of an additional 6 feet of right-of-way along San Pedro Drive as required by the City Engineer to provide for on-street bicycle lanes.
The plat was previously submitted and 4' of additional right of way was dedicated to provide for a bike lane.
 - g. Provision for bicycle lanes along Alameda Boulevard and San Pedro Drive adjacent to the subject property, as designated on Long Range Bikeways System.
San Pedro is being designed with bike lanes. We discussed the layout with DRB during the platting process and also met with Nilo Salgado to discuss the work order drawings.

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

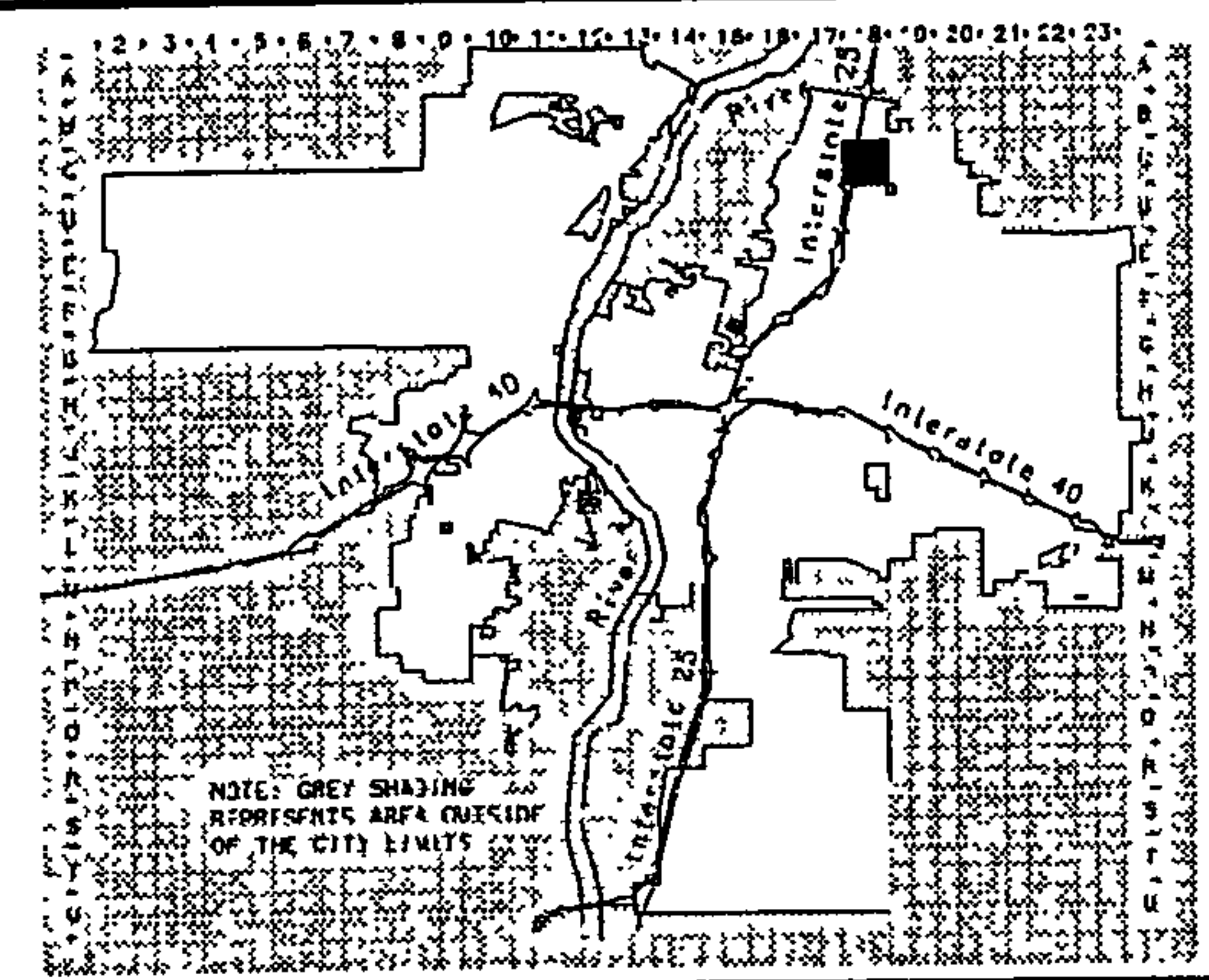
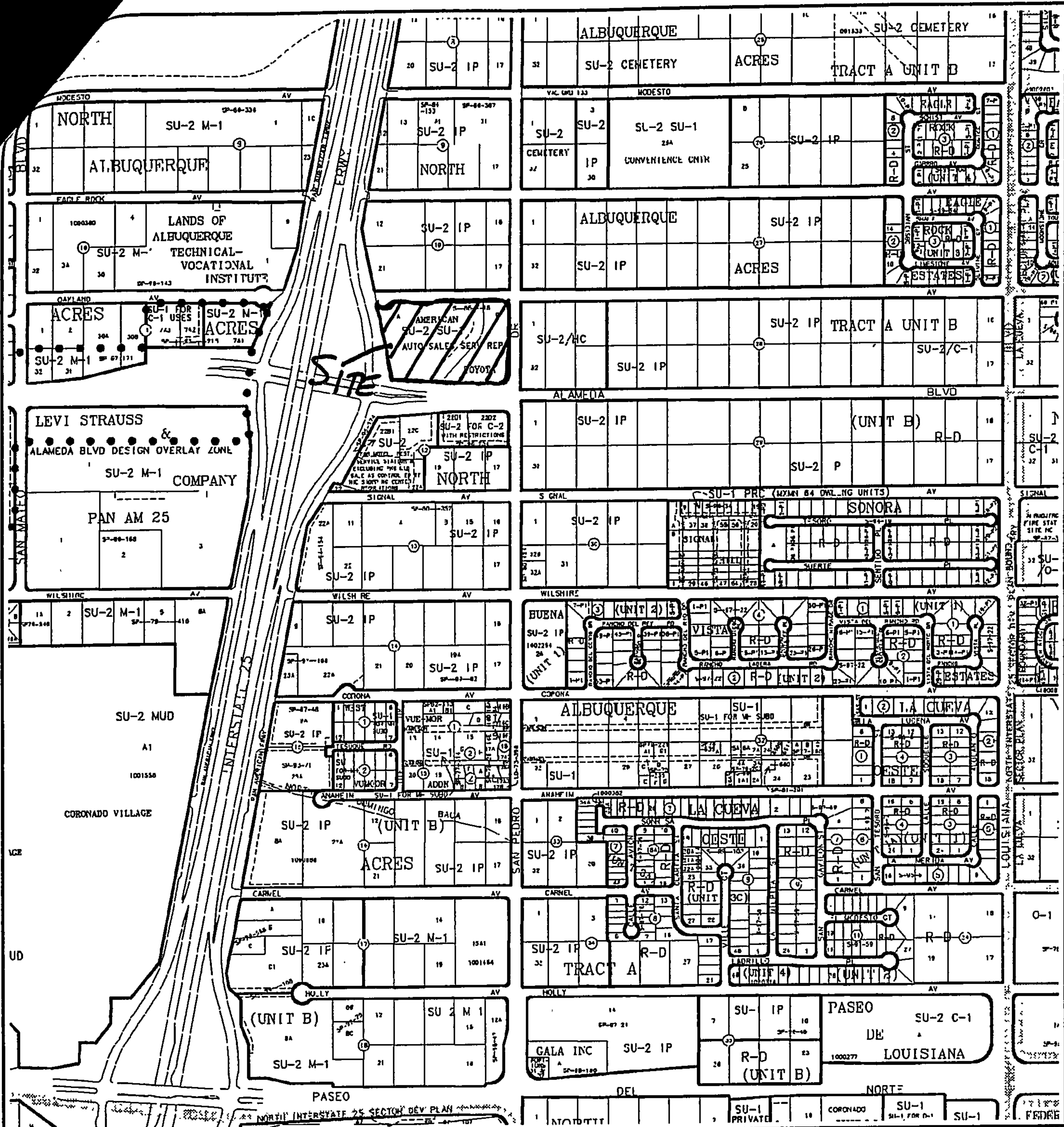
Sincerely,


Sara Lavy, P.E.

Enclosure/s

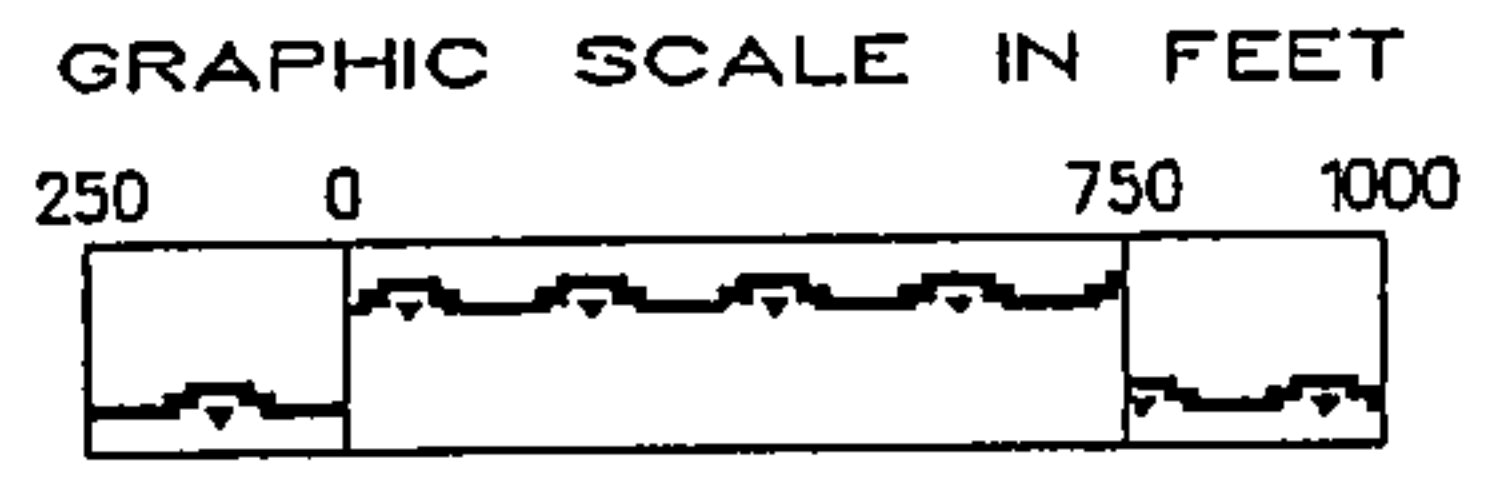
cc: Pat Joseph

JN: 220082PJ
SL/ba



CITY OF Albuquerque
Albuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT

© Copyright 2003



Zone Atlas Page

C-18-Z

Map Amended through July 31, 2003

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 10/16/03
 Date Site Plan Approved: NA
 Date Preliminary Plat Approved: 12/8/03
 Date Preliminary Plat Expires: 10/8/04
 DRB Project No.: 1002201
 DRB Application No.: 03DRB-01270

ORIGINAL

INFRASTRUCTURE LIST

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

American Toyota
 PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota
 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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA quence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
B-1	692481	30' F-E	Permanent Paving, 560 Curb and Gutter (West Side) 400 4' Sidewalk (West Side) 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
✓		72"	RCP Storm Drain 400	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
		Catch Basins and RCP connections included with Storm Sewer							
MB-1	✓	8" * 140	SAS	30' Public Easement	San Pedro	10' West of Lot 17			



2004031626
 6845111
 Page: 9 of 10
 03/10/2004 11:14A

10/16/03 THU 08:38 FAX 5059243884

→→→ LERKA TEST

0004

ORIGINAL
NOTES

1 ~~Referred Item~~

2

3

4

5

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

AGENT / OWNER

Ronald E. Bohanna
NAME (print)

Tierra West LLC
PRINT

SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION:

DRB CHAIR - date
Sharon M. Peterson 10/8/03
PARKS & GENERAL SERVICES - date

TRANSPORTATION DEVELOPMENT - date

Sharon M. Peterson 10/8/03

UTILITY DEVELOPMENT - date

Robert Green 10/8/03

CITY ENGINEER - date

Bradley D. Bigham 10/8/03

AMAFCA - date

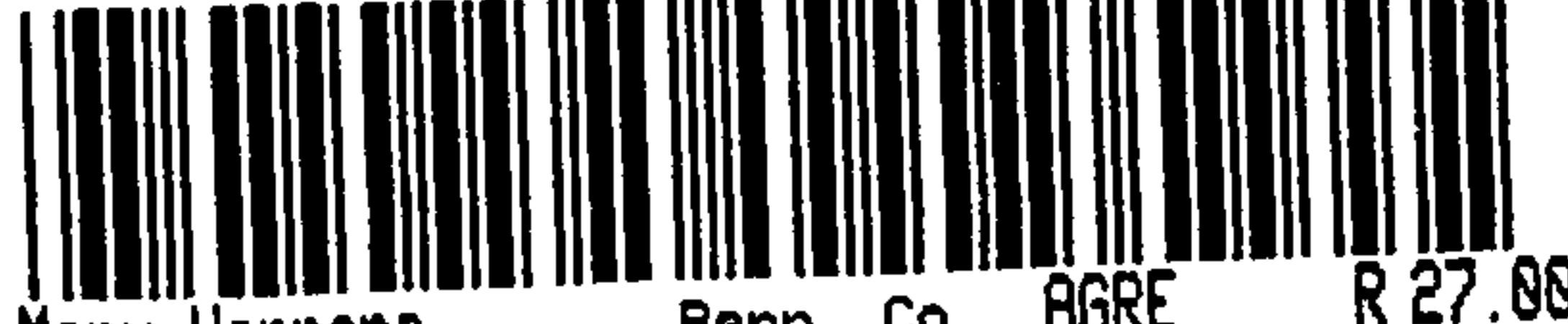
- date

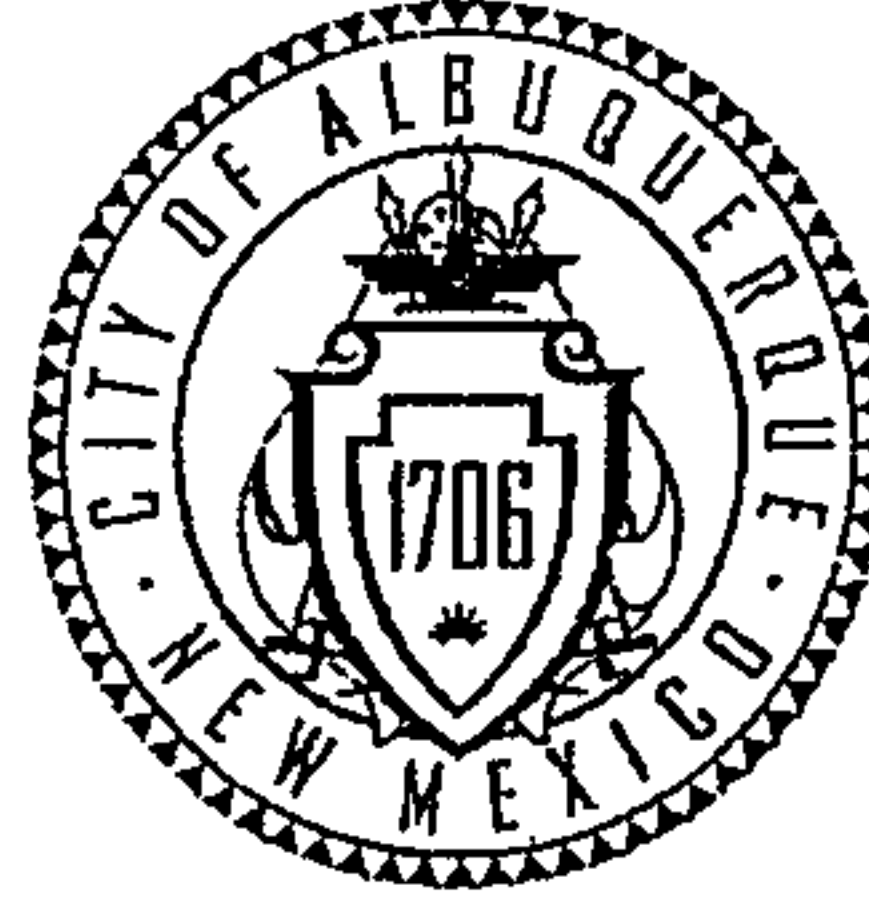
- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT JOHNER

PAGE 2 OF 2





JW 220082 RJ
to coming
DAB
CC: Pat Kopp
SARA-EYI

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: February 20, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002848***
03EPC-02047 EPC Site Development Plan-
Amendment to Building Permit

Larry Miller Group
P.O. Box 14903
Albuq. NM 87191

LEGAL DESCRIPTION: for all or a portion of Tract(s) A & B, **American Toyota**, zoned SU-2 SU-1 Auto Sales Serv Rep, located on ALAMEDA BLVD. NE NE, between PAN AMERICAN FWY NE and SAN PEDRO DR. NE, containing approximately 5 acre(s). (C-18) Deborah Stover, Staff Planner

On February 19, 2004 the Environmental Planning Commission voted to approve Project 1002848/03EPC 02047, a request for site development plan for building permit, for Tracts A & B, American Toyota, zoned SU-2 SU-1 Auto Sales Service Repair, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for an amendment to a site development plan for a 5-acre parcel of land known as Tracts A & B, American Toyota, located at 5995 Alameda Boulevard NE, between the Pan American Freeway and San Pedro Drive NE. A site development plan for building permit was approved by the Environmental Planning Commission for this site in 1986. The proposal is to expand the building square footage by 22,035 square feet. The new building areas will provide a new inspection area, wash bay and service bay.
2. By building in a commercially zoned area that has been planned for commercial development since the inception of the *Albuquerque/Bernalillo County Comprehensive Plan* as well as the *North I-25 Sector Plan*, this request meets the intent of Policy d, which requires the location, intensity, and design of new development to respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern (Policy d).

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 2 OF 4

3. This site is an existing facility that is expanding. It is contiguous to existing facilities and the proposal for commercial development will not harm the integrity of existing neighborhoods, thereby complying with Policy e of the *Albuquerque/Bernalillo County Comprehensive Plan* which requires that new growth will be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.
4. By building in a commercially zoned area that has been planned for commercial development since the inception of the North I-25 Sector Plan, this request complies with the plan.
5. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The area just west of the new wash bay area shall provide 75% coverage of live plantings at maturity and should be supplemented with additional shrubs and groundcover. Also, the slope shall be seeded with native grass seed to ensure adequate coverage of this area.
3. The note on the landscape plan that states, "Final landscape layout and design to be determined upon receipt of final grading plan" shall be removed from the landscape plan. This is the final landscape plan that EPC approves. Any changes to this landscape plan, other than by the EPC, will need to return to the EPC for approval or go through the administrative amendment process.
4. A minimum of 7 bicycle parking spaces shall be provided.
5. Existing signage that is to be removed, as well as new signage that is to be added, shall be labeled as such on the site plan prior to DRB approval, along with height, dimensions, sign face square footage and colors and materials.
6. Public Works, City Engineer and Transportation Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 3 OF 4

- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (standard drawing 2430), driveways (standard drawing 2425), private entrances (standard drawing 2426) and wheel chair ramps (standard drawing 2441).
- c. Site plan shall comply and be designed per DPM Standards.
- d. All drive aisles to be 24' minimum for two-way circulation except in programmed car display areas. These areas shall be labeled as such.
- e. All parking aisles to have end caps (both ends) except in programmed car display areas. These areas shall be labeled as such.
- f. Dedication of an additional 6 feet of right-of-way along San Pedro Drive as required by the City Engineer to provide for on-street bicycle lanes.
- g. Provision for bicycle lanes along Alameda Boulevard and San Pedro Drive adjacent to the subject property, as designated on Long Range Bikeways System.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MARCH 5, 2004 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.


Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 4 OF 4

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


For Victor J. Chavez
Planning Director

VJC/DS/ac

cc: Tierra West LLC, 8509 Jefferson NE, Albuquerque, NM 87113
Paul Greenwald, Nor Este NA, 7700 Rio Guadalupe NE, Albuquerque, NM 87122
Joe Yardumian, Nor Este NA, 7801 RC Gorman Ave. NE, Albuquerque, NM 87122
Larry Caudill, Wildflower NA, 4915 Watercress NE, Albuquerque, NM 87113
Roberta Hurst, Wildflower NA, 8812 Desert Willow Ct. NE, Albuquerque, NM 87113

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

PAID RECEIPT

APPLICANT NAME Larry H. Miller Group
AGENT Tierra West LLC
ADDRESS 8509 Jefferson NE 87113
PROJECT & APP # ~~1002207~~ 1002898 04DRB-00395
PROJECT NAME American Toyota

\$ 20.00 469099/4916000 Conflict Management Fee
\$ 441006/4983000 DRB Actions
\$ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
\$ 441018/4971000 Public Notification
\$ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
() Major/Minor Subdivision () Site Development Plan () Bldg Permit
() Letter of Map Revision () Conditional Letter of Map Revision
() Traffic Impact Study
\$ 20.00 TOTAL AMOUNT DUE

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

TIERRA WEST LLC
8509 JEFFERSON NE
ALBUQUERQUE, NM 87113
(505) 858-3100

DATE 3/23/04 95-677/1070

PAY TO THE ORDER OF City of Albuquerque \$ 20.00
Twenty dollars & 00/100

High Desert State Bank
Member FDIC
8110 Ventura NE
Albuquerque, NM 87122

FOR 220082 PJ

City of Albuquerque
Treasury Division

03/23/2004 9:15AM
Donna J. Behanman

001608 107006677

Trans Amt	\$20.00
J24 Misc	\$20.00
CK	\$0.00
CHANGE	

Thank You



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

12. Project #1002201 ²⁸⁴⁸
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

**12. Project #1002848 [HEARD UNDER PROJECT #1002201 IN ERROR,
SHOULD HAVE BEEN PROJECT #1002848] AMERICAN
TOYOTA ONLY**

03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

10-10-2003

**12. Project #1002848 [HEARD UNDER PROJECT #1002201 IN ERROR,
SHOULD HAVE BEEN PROJECT #1002848] AMERICAN
TOYOTA ONLY**

03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [*Deferred from 8/20/03, 8/27/03, 9/10/03, 9/24/03, 10-1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 10/8/03 the preliminary plat was approved.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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



OFFICIAL NOTICE OF DECISION
PAGE 2

Project #1002201
03DRB-01150 Minor-Prelim&Final Plat Approval

TIERRA WEST LLC agent(s) for OMEGA AUTOMOTIVE REAL ESTATE LTD request(s) the above action(s) for all or a portion of Lot(s) 12, 13, 14, 19, 20, 21, NORTH ALBUQUERQUE ACRES, TRACT A, UNIT B, **PREMIER MOTORCARS**, zoned SU-2 IP, located on OAKLAND AVE NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6 acre(s). [REF: 02DRB-01367 (Vac), 03ZHE-00655] [Listed as Project #1002613 in error] [*Deferred from 7/23/03, 8/13/03, 8/27/03, 9/10/03, 9/24/03, 10/1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, the preliminary plat was approved with final sign off delegated to City Engineer for cross-lot drainage easements and Utility Development to add private sanitary sewer easements for private access and to add a 30-foot public waterline easement to vacated Oakland.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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

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

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



OFFICIAL NOTICE OF DECISION
PAGE 3

Project #1002201
03DRB-01382 Minor-SiteDev Plan BldPermit

TIERRA WEST, LLC agent(s) for OMEGA AUTOMOTIVE, REAL ESTATE LTD. request(s) the above action(s) for all or a portion of Lot(s) 12, 13, 14, 19, 20, 21, Block(s) 10, NORTH ALBUQUERQUE ACRES, TRACT A, UNIT B, **PREMIER MOTORCARS**, zoned SU-2 special neighborhood zone, IP, located on OAKLAND AVE NE, between PAN AMERICAN FWY NE and SAN PEDRO DR NE containing approximately 6 acre(s). [REF: 02DRB-01367 (VRW) 03ZHE-00655] [*Deferred from 8/27/03, 9/10/03, 9/24/03, 10/1/03*] (C-18)

At the October 8, 2003, Development Review Board meeting, the site plan for building permit was approved with final sign off delegated to City Engineer for SIA.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.

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 Division form, to the Planning Division, 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: Omega Automotive Real Estate Ltd., 1800 E. Airport Fwy, Irving, TX 75063
Tierra West LLC, 8509 Jefferson NE, 87113
P.J. Development Commercial Construction, P.O. Box 14903, 87191
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002201 AGENDA#: 12 DATE: 10.8

1. Name: Janet Perry Address: Leona West 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
CITY OF ALBUQUERQUE
P.O. BOX 1295 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002201

AGENDA ITEM NO: 12

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:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

See DRB minutes/speed memo dated 9-24-03.

RESOLUTION:

APPROVED ____; 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: October 8, 2003



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

August 20, 2003

9:00 a.m.

MEMBERS:

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

Richard Dourte, 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.
- B. Changes and/or Additions to the Agenda
- C. New or Old Business

Adjourned: 12:20 P.M.

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000269**
03DRB-01269 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 request(s) the above action(s) for all or a portion of Tract(s) 5B2C1B, **RENAISSANCE CENTER**, zoned SU-1 for C-2 use, located on MERCANTILE AVE NE, between CULTURE NE and I-25 FRONTAGE RD NE containing approximately 1 acre(s). [REF: 01DRB-00922, 01DRB-00922, 01DRB-00922] (F-16) **AN EXTENSION OF THE SUBDIVISION IMPROVEMENTS AGREEMENT WAS APPROVED TO APRIL 11, 2004.**

2. **Project # 1002201**
03DRB-01270 Major-Preliminary Plat
Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] [Deferred from 8/20/03] (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 8/27/03.**

3. **Project # 1001926**
03DRB-01224 Major-Vacation of Pub
Right-of-Way
03DRB-01225 Major-Preliminary Plat
Approval

BEN PLATANIA request(s) the above action(s) for all or a portion of Tract(s) 225, **TOWN OF ATRISCO GRANT - AIRPORT UNIT**, zoned R-2, located on GLEN RIO RD NW, between 72nd ST NW and 78th ST NW containing approximately 5 acre(s). [REF: 02DRB-00568 (VROW), 02DRB-00673 (SK)] (J-10) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/20/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/14/03 THE PRELIMINARY PLAT WAS APPROVED.**

4. **Project # 1001946**
03DRB-01271 Major-Vacation of Pub
Right-of-Way

BOHANNAN HUSTON agent(s) for LOWE'S (NEAL HAMILTON) request(s) the above action(s) for all or a portion of Tract(s) A, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on PASEO DEL NORTE NE, between 1-25 FRONTAGE ROAD AND SAN FRANCISCO DR NE containing approximately 32 acre(s). [REF: 02DRB-00732, 02DRB-01008] (D-18) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH ADDITIONAL CONDITION.**

5. **Project # 1002503**
03DRB-01268 Major-Preliminary Plat
Approval

WILSON & COMPANY, INC. agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION, request(s) the above action(s) for all or a portion of Unit(s) 24 Block(s) 1-5 and Unit(s) 5, Partial Block(s) 1-12 and 14, VOLCANO CLIFFS SUBDIVISION (to be known **UNSER CLIFFS SUBDIVISION**, zoned R-1 residential zone, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). [REF: 03DRB-00295 SK, 03DRB-00337 & 340 VRW& VPE, 03DRB-00341 & 42 VPE] *[Deferred from 8/20/03]* (D-10) **DEFERRED AT THE AGENT'S REQUEST TO 9/3/03.**

6. **Project # 1001984**
03DRB-01244 Major-Vacation of Public Easements
03DRB-01245 Major-Vacation of Public Easements
03DRB-01246 Major-Vacation of Public Easements
03DRB-01247 Major-Vacation of Public Easements
03DRB-01248 Major-Vacation of Public Easements
03DRB-01249 Major-Vacation of Public Easements
03DRB-01243 Minor-Sketch Plat or Plan

03DRB-01344 Minor-SiteDev Plan Subd/EPC
03DRB-01345 Minor-SiteDev Plan BldPermit/EPC

JEFF MORTENSEN & ASSOCIATES INC., agent(s) for RICH FORD, request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION AND LANDS OF ROBERT L JOHNSTON AND NMSHTD AIRSPACE PARCEL B-13-5**, zoned C-2 & P, located on LOMAS BLVD NE, between WYOMING BLVD NE and I-40 NE containing approximately 18 acre(s). [REF: 02DRB-01963, 02DRB-01964, 02EPC-00826, 02EPC-00827, 02EPC-00828] (J-20) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH 2 ADDITIONAL CONDITIONS. THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE GIVEN.**

BPLW ARCHITECTS & ENGINEERS, INC. agent(s) for RICH FORD request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION** and Tract(s) A, **LANDS OF ROBERT L. JOHNSTON**, zoned C-2 community commercial zone, P (SC), located on LOMAS BLVD NE, EAST OF WYOMING BLVD NE and SOUTH OF I-40 FREEWAY NE containing approximately 18 acre(s). [REF: 02EPC-00826 & 27 SDP, S/D& B/P, 02EPC-00828 ZMA] [JUANITA VIGIL, EPC CASE PLANNER] (J-20) **THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR CORRECT UTILITY PLAN, VERIFY PIPE SIZES AND DOMESTIC METER LOCATION. AND SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR CORRECT UTILITY PLAN, VERIFY PIPE SIZES AND DOMESTIC METER LOCATION.**

7. **Project # 1002525**
03DRB-01263 Major-Preliminary Plat
Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/20/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 7/23/03 THE PRELIMINARY PLAT WAS APPROVED. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

8. **Project # 1001306**
03DRB-01179 Major-Preliminary Plat
Approval
03DRB-01182 Minor-Temp Defer SDWK

SURV-TEK agent(s) for CURB WEST INC request(s) the above action(s) for all or a portion of Tract(s) B-2-A and 1-B-1-F, **SEVILLE, UNIT 7**, zoned R-LT, located on KAYENTA BLVD NW, between RIO SEGURA NW and PARSONS BLVD NW containing approximately 17 acre(s). [*Deferred from 8/13/03 and 8/20/03*] (A-10) **DEFERRED AT THE AGENT'S REQUEST TO 8/27/03.**

9. **Project # 1002821**
03DRB-01189 Major-Preliminary Plat
Approval
03DRB-01191 Major-Vacation of Pub
Easements
03DRB-01192 Minor-Temp Defer SDWK

RAY HENSLEY agent(s) for ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Lot(s) 14, 15, & 16, Block(s) 14, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 2, (to be known as **TALEA COURT SUBDIVISION**) zoned R-D, located on CORONADO NE, between EUBANK NE and HOLBROOK NE containing approximately 3 acre(s). [REF: SD-89-1, AX-92-114, Z-89-114] [*Deferred from 8/13/03*] (D-21) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/20/03 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 8/14/03 THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION: THE FIRE DEPARTMENT MUST CONCUR WITH THE DIMENSIONS FOR THE CUL-DE-SAC. THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

10. **Project # 1002804**
03DRB-01145 Major-Vacation of Public
Easements

BOHANNAN HUSTON, INC. agent(s) for MENAUL DEVELOPMENT THREE, LLC request(s) the above action(s) for all or a portion of Tract(s) 2-C & 4, **UNCLE DOC ADDITION**, zoned C-2 community commercial zone, located on MENAUL BLVD NE, between SNOW HEIGHTS CR NE and EUBANK BLVD NE containing approximately 1 acre(s). [REF: Project #1001081] [*Deferred from 8/6/03*] (H-20) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

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

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

THERE ARE NO SITE DEVELOPMENT PLANS THIS WEEK

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS

11. **Project # 1000178**
03DRB-01327 Minor-Final Plat
Approval

SOUTHWEST SURVEYING CO. agent(s) for TEN WEST, LLC request(s) the above action(s) for all or a portion of Tract(s) 27A-1A2, **THE TOWERS SUBDIVISION, UNITS 3 & 4**, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on 90TH ST SW, between TOWER RD SW and EUCARIZ AVE SW containing approximately 12 acre(s). [REF: V-97-30, DRB-97-13, DRB-97-202, V-97-74, 03DRB-00363 PPE, 03DRB-00364 TSD](L-9) **THE FINAL PLAT WAS APPROVED FOR UNITS 3 AND 4 WITH FINAL SIGN OFF FOR UNIT 3 DELEGATED TO CITY ENGINEER FOR HOME OWNER'S ASSOCIATION SIGNATURE AND LANGUAGE ON MAINTENANCE AND DEDICATION ON TRACT A.**

12. **Project # 1002882**
03DRB-01341 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC., agent(s) for LINCOLN STORAGE, request(s) the above action(s) for all or a portion of Unplatted portion NE 1/4 - Section 30 - T10N - R4E, NMPM, **LANDS OF LINCOLN STORAGE, TRACTS 1 & 2**, zoned C-3, located on WYOMING BLVD NE, between TRUMBULL AVE SE and SAN JOAQUIN AVE SE, containing approximately 2 acre(s). (L-19) **PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

13. **Project # 1002642**
03DRB-01343 Minor-Prelim&Final Plat
Approval

WILSON & COMPANY, INC. agent(s) for CITY OF ALBUQUERQUE, PUBLIC WORKS DEPARTMENT, request(s) the above action(s) for all or a portion of Tract(s) B-1, **TOWER WEST SUBDIVISION**, zoned SU-1 special use zone, for C-1 & R-2 uses, located on the south side of TOWER RD SW, between 98th ST SW and 97th ST SW containing approximately 2 acre(s). [REF: 03DRB-00730][Deferred from 8/20/03] (L-9) **DEFERRED AT THE AGENT'S REQUEST TO 8/27/03.**

14. **Project # 1002637**
03DRB-00712 Minor-Final Plat Approval

SURVEYS SOUTHWEST, LTD agent(s) for EDDY GALLINGER request(s) the above action(s) for all or a portion of Lot(s) 1, 2 & 3, Block 4, **TERRACE ADDITION**, zoned SU-2/NCR, located on LEAD AVE SE, between LOCUST AVE SE and ELM ST SE containing approximately 1 acre(s). [REF: BA-76-36, LUC-93-24, LUCC-99-24][Was indefinitely deferred on 6-4-2003] (K-15) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

15. **Project # 1002369**
03DRB-00202 Minor- Final Plat
Approval

RALPH CORRIZ request(s) the above action(s) for all or a portion of Tract(s) 224-C, MRGCD MAP # 35, **LANDS OF CORRIZ**, SYMPHONY SUBDIVISION, zoned R-1 residential zone, located EAST OF INDIAN SCHOOL RD NW, between RIO GRANDE BLVD NW and CAMPBELL DITCH NW containing approximately 1 acre(s). [REF: 02DRB-01812, 03DRB-00178] [Deferred from 2/19/03] [Final Plat was indefinitely deferred 3/5/03] (H-13) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

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

16. **Project # 1001275**
03DRB-01342 Minor-Sketch Plat or
Plan

WILSON & CO., INC. agent(s) for LOWE'S HOME CENTERS, INC. request(s) the above action(s) for all or a portion of Lot(s) 4 & 7, **LOWE'S SUBDIVISION**, zoned SU-1 special use zone, C-2 USES, IP & R-3, and located west of COORS BLVD NW, between ALAMEDA BLVD NW and OLD AIRPORT AVE NW containing approximately 18 acre(s). [REF: 01DRB-01426, 27 & 28, 01DRB001456 SK, 02DRB-00160] (A-14/B-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. **Project # 1002876**
03DRB-01331 Minor-Sketch Plat or
Plan

PATRICK S. & PIA HERRING request(s) the above action(s) for all or a portion of Lot(s) 34-A, Block(s) 26, **MESA VERDE ADDITION**, zoned R-3 residential zone, located on WISCONSIN ST NE, between COPPER AVE NE and MARQUETTE AVE NE containing approximately 1 acre(s). [REF: ZA-88-139, SP-88-149] (K-19) **APPLICANT/AGENT MUST CALL TO GET BACK ON THE AGENDA. THE ABOVE REQUEST WAS INDEFINITELY DEFERRED ON A NO SHOW.**

18. Approval of the Development Review Board Minutes for August 6, 2003. **THE MINUTES WERE APPROVED SUBJECT TO CHANGES BY THE BOARD.**

ADJOURNED: 12:20 P.M.

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002201 AGENDA#: 2 DATE: 8.20

1. Name: KAREN KLING Address: 8509 JEFFERSON NE Zip: 87113

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
CITY OF ALBUQUERQUE
 P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002201

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 Development Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Other |

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the Preliminary Plat request.
 Comments on infrastructure list.

RESOLUTION:

8-27-03

APPROVED ____; DENIED ____; DEFERRED X; 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: August 20, 2003



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 20, 2003

Project # 1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] (C-18)

AMAFCA	No objection to requested actions. AMAFCA will sign Final Plat.
COG	No adverse comments.
Transit	No comments received.
Zoning Enforcement	Reviewed, no comment.
Neighborhood Coor.	
Letters sent to Nor Este (R) and Wildflower Area (R) Neighborhood Assns.	
APS	No comments received.
Police Department	No adverse comments.
Fire Department	No adverse comments.
PNM Gas	Approves.
PNM Electric	
The 10' easement being granted to cover the existing UG electric also needs to include the electric transformer shown at a 90 degree angle to the UG on PNM mapping.	
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 adverse comments on plat. Comments on infrastructure list.

Transportation Development

Comments on the infrastructure list.

Parks & Recreation

No Objection.

Utilities Development

Need to see updated Site Plan to see how vacated ROW is to be incorporated into the site. With vacation of Oakland, site may not have adequate fire protection since existing hydrants on north side of Oakland may not be accessible.

Planning Department No objection to the plat approval. Defer to Transportation.

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

cc: Tierra West LLC, 8509 Jefferson NE, 87113

P.J. Development Commercial Construction, P.O. Box 14903, 87191



**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, August 20, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1000269
03DRB-01269 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST 93-2 request(s) the above action(s) for all or a portion of Tract(s) 5B2C1B, **RENAISSANCE CENTER**, zoned SU-1 for C-2 use, located on MERCANTILE AVE NE, between CULTURE NE and I-25 FRONTAGE RD NE containing approximately 1 acre(s). [REF: 01DRB-00922, 01DRB-00922, 01DRB-00922] (F-16)

Project # 1002201
03DRB-01270 Major-Preliminary Plat Approval

TIERRA WEST LLC agent(s) for P J DEVELOPMENT COMMERCIAL CONSTRUCTION, request(s) the above action(s) for all or a portion of Tract(s) A & B, **AMERICAN TOYOTA**, zoned SU-2 special neighborhood zone, SU-1 AUTO SALES, located on ALAMEDA BLVD NE, between PAN AMERICAN FWY. NE and SAN PEDRO DR NE containing approximately 7 acre(s). [REF: Z-86-8, DRB-95-74, 02DRB-01367 (VRW) 02DRB-01270 (PP)] (C-18)

Project # 1001926
03DRB-01224 Major-Vacation of Pub Right-of-Way
03DRB-01225 Major-Preliminary Plat Approval

BEN PLATANIA request(s) the above action(s) for all or a portion of Tract(s) 225, **TOWN OF ATRISCO GRANT - AIRPORT UNIT**, zoned R-2, located on GLEN RIO RD NW, between 72nd ST NW and 78th ST NW containing approximately 5 acre(s). [REF: 02DRB-00568 (VROW), 02DRB-00673 (SK)] (J-10)

Project # 1001946
03DRB-01271 Major-Vacation of Pub Right-of-Way

BOHANNAN HUSTON agent(s) for LOWE'S (NEAL HAMILTON) request(s) the above action(s) for all or a portion of Tract(s) A, **LOS ANGELES CENTER**, zoned M-1 light manufacturing zone, located on PASEO DEL NORTE NE, between 1-25 FRONTAGE ROAD AND SAN FRANCISCO DR NE containing approximately 32 acre(s). [REF: 02DRB-00732, 02DRB-01008] (D-18)

Project # 1002503
03DRB-01268 Major-Preliminary Plat Approval

WILSON & COMPANY, INC. agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION, request(s) the above action(s) for all or a portion of Unit(s) 24 Block(s) 1-5 and Unit(s) 5, Partial Block(s) 1-12 and 14, **VOLCANO CLIFFS SUBDIVISION** (to be known **UNSER CLIFFS SUBDIVISION**), zoned R-1 residential zone, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). [REF: 03DRB-00295 SK, 03DRB-00337 & 340 VRW& VPE, 03DRB-00341 & 42 VPE] (D-10)

SEE PAGE 2



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

PAGE 2

Project # 1001984

03DRB-01244 Major-Vacation of Public Easements
03DRB-01245 Major-Vacation of Public Easements
03DRB-01246 Major-Vacation of Public Easements
03DRB-01247 Major-Vacation of Public Easements
03DRB-01248 Major-Vacation of Public Easements
03DRB-01249 Major-Vacation of Public Easements
03DRB-01243 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC., agent(s) for RICH FORD, request(s) the above action(s) for all or a portion of Tract(s) A & B, **HYDER-MAISEL SUBDIVISION AND LANDS OF ROBERT L JOHNSON AND NMSHTD AIRSPACE PARCEL B-13-5**, zoned C-2 & P, located on LOMAS BLVD NE, between WYOMING BLVD NE and I-40 NE containing approximately 18 acre(s). [REF: 02DRB-01963, 02DRB-01964, 02EPC-00826, 02EPC-00827, 02EPC-00828] (J-20)

Project # 1002525

03DRB-01263 Major-Preliminary Plat Approval
03DRB-01264 Minor-Temp Defer SDWK

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT, LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 19, Tract(s) 3, **NORTH ALBUQUERQUE ACRES, UNIT 3**, (to be known as **VINEYARD COURT ESTATES**) zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 14 acre(s). [REF: 03DRB-00367-70, 02EPC-01353 & 54](G-13)

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, AUGUST 4, 2003.

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
PROPERTY OWNERSHIP LIST**

Meeting Date: 8-20-03

Zone Atlas Page: C-18-F

Notification Radius: 100 Ft.

App# <u>BDRB-01270</u>
Proj# <u>100201</u>
Other#

Cross Reference and Location: _____

Applicant: PJ Development Commercial Construction

Address: PO Box 14903, Albuq, NM 87191

Agent: Tierra West, LLC

Address: 8509 Jefferson NE, 87113

SPECIAL INSTRUCTIONS

**Notices Must be mailed from the
City 15 days prior to the meeting.**

Date Mailed: Aug 1, 2003

Signature: K. Tse-Hlikai

PROPERTY OWNERSHIP / LEGAL LIST

App# _____
 Proj# _____

Date: _____

Page 1 / Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
C-18	1018064	204-395	201-05	✓ mp 1018064
		252-395	10	✓ mp 273-405 103 32 ✓ mp
		190-434	208 03	✓ mp 273-430 104 01 ✓ mp
		203-434	04	✓ mp 287-434 02 ✓ mp
		221-434	05	✓ mp
		238-434	06	✓ mp
		252-434	07	✓ mp
		245-353	204-08	✓
		228-351	09	✓
		211-350	11	✓
		191-348	12	✓
		061-333	203-17	✓
		112-408	205-12	✓
		090-434	207-04	✓
		268-354	102-31	✓ mp
		273-354	32	✓ mp
		273-383	103-01	✓ mp
		288-383	02	✓ mp
		288-405	31	✓ mp



<mainframe@coa1mp
3.cabq.gov>
07/30/03 09:51 AM

To:
cc:
Subject:

1 R E C O R D S W I T H L A B E L S PAGE
1
01018064 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101806422439520605 LEGAL: TR A & P OR OF TR B AMERICAN TOYOTA CONT 4.7715
AC LAND USE:
PROPERTY ADDR: 00000 5995 ALAMEDA BLVD NE
OWNER NAME: MILLER LAWRENCE H ETUX
OWNER ADDR: 05995 ALAMEDA BL NE
ALBUQUERQUE NM 87113
0101806425239520610 LEGAL: ELY POR OF TR B AMERICAN TOYOTA CONT 1.4307 AC
+/- LAND USE:
PROPERTY ADDR: 00000 3000 ALAMEDA BLVD
OWNER NAME: MILLER LAWRENCE H & KAREN G
OWNER ADDR: 05995 ALAMEDA BL NE
ALBUQUERQUE NM 87113
0101806419043620803 LEGAL: *21 10 E XCEPT PORTION OUT TO R/W TRACT A UNIT B
NO LAND USE:
PROPERTY ADDR: 00000 5601 OAKLAND AVE NE
OWNER NAME: BAUER THOMAS C ETAL
OWNER ADDR: 09320 SAN PEDRO DR NE
ALBUQUERQUE NM 87113
0101806420343620804 LEGAL: * 02 0 01 ONO ALBU AC TR A UNIT B
LAND USE:
PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: BAUER THOMAS C ETAL
OWNER ADDR: 09320 SAN PEDRO DR NE
ALBUQUERQUE NM 87113
0101806422143620805 LEGAL: * 01 9 01 ONO ALBU AC TR A UNIT B
LAND USE:
PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: BAUER THOMAS C ETAL
OWNER ADDR: 09320 SAN PEDRO DR NE
ALBUQUERQUE NM 87113
0101806423843620806 LEGAL: * 01 8 01 ONO ALBU AC TR A UNIT B
LAND USE:
PROPERTY ADDR: 00000 3000 OAKLAND AVE NE
OWNER NAME: LOUCKS RICHARD A
OWNER ADDR: 09320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114
0101806425243620807 LEGAL: * 01 7 01 ONO ALBU AC TR A UNIT B
LAND USE:
PROPERTY ADDR: 00000 3909 SAN PEDRO NE
OWNER NAME: LOUCKS RICHARD A
OWNER ADDR: 09320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114
0101806424535320408 LEGAL: LT 2 2-D- 2 BLK 12 PLAT OF LTS 22-D-1 & 22-D-2
BLK 1 LAND USE:
PROPERTY ADDR: 00000 ALAMEDA & SAN PEDRO
OWNER NAME: CIRCLE K PROPERTIES INC C/O TO
OWNER ADDR: 00000
PHOENIX AZ 85072
0101806422835120409 LEGAL: LT 2 2 D- 1 BLK 12 PLAT OF LOTS 22 D-1 & D-2 BLK

12 LAND USE:

PROPERTY ADDR: 00000 6000 ALAMEDA BD NE
OWNER NAME: KAMEYAB IMPORTS INC
OWNER ADDR: 11409 FAIRINGTON NE

ALBUQUERQUE NM 87111
0101806421135020411 LEGAL: LT 2 2C B LK 12 CORRECTED PLAT FOR LTS 22A, 22B,
22C LAND USE:

PROPERTY ADDR: 00000 5980 ALAMEDA BLVD NE
OWNER NAME: PRP INC
OWNER ADDR: 03200 BROADWAY BL SE

ALBUQUERQUE NM 87105
0101806419134820412 LEGAL: LT 2 2B-1 BLK 12 PLAT FOR LT 22B-1 BLK 12 TR A
UNIT LAND USE:

PROPERTY ADDR: 00000 5970 ALAMEDA NE
OWNER NAME: ALAMEDA GRANDE PARTNERSHIP
OWNER ADDR: 03535 PRINCETON AV NE

ALBUQUERQUE NM 87107
1 R E C O R D S W I T H L A B E L S PAGE

2
0101806406133320317 LEGAL: TR 1 PLA T OF TRS 1 & 2 LEVI STRAUSS & CO CONT
529, LAND USE:

PROPERTY ADDR: 00000 8725 PAN AMERICAN FWY
OWNER NAME: CITY OF ALBUQUERQUE ALLIED SIG
OWNER ADDR: 00000

ALBUQUERQUE NM 87103
0101806411240820512 LEGAL: LT 7 A1 B LK 11 PLAT OF LTS 7A1 THRU 7A3 BLK 11
TR A LAND USE:

PROPERTY ADDR: 00000 5601 ALAMEDA NE
OWNER NAME: KASSAM MOHAMED A & SHAMSHID ET
OWNER ADDR: 13215 VELMA CT NE

ALBUQUERQUE NM 87112
0101806409043620704 LEGAL: TRAC T 1 BLK 10 PLAT OF TRACT 1 LANDS OF
ALBUQUERQU LAND USE:

PROPERTY ADDR: 00000 5600 EAGLE ROCK AVE NE
OWNER NAME: ALBUQUERQUE TECHNICAL VOCATION
OWNER ADDR: 00525 BUENA VISTA SE

ALBUQUERQUE NM 87106
0101806428835410231 LEGAL: * 00 2 02 9TRA UB N ALBU AC
LAND USE:

PROPERTY ADDR: 00000 ALAMEDA BLV NE
OWNER NAME: BORLAND JAMES A ETAL
OWNER ADDR: 00222 14TH ST NW

ALBUQUERQUE NM 87104
0101806427335410232 LEGAL: * 00 1 02 9TRA UB N ALBU AC
LAND USE:

PROPERTY ADDR: 00000 ALAMEDA BLV NE
OWNER NAME: BORLAND JAMES A ETAL
OWNER ADDR: 00222 14TH ST NW

ALBUQUERQUE NM 87104
0101806427338310301 LEGAL: * 03 2 02 8TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 ALAMEDA BLV NE
OWNER NAME: SCHUMACHER KARA LEE
OWNER ADDR: 06600 MOSSMAN PL NE

ALBUQUERQUE NM 87110
0101806428838310302 LEGAL: * 03 1 02 8TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 ALAMEDA BLV NE
OWNER NAME: SCHUMACHER KARA LEE
OWNER ADDR: 06600 MOSSMAN PL NE

ALBUQUERQUE NM 87110

0101806428840510331 LEGAL: * 00 2 02 8TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: SCHUMACHER KARA LEE
OWNER ADDR: 06600 MOSSMAN PL NE

ALBUQUERQUE NM 87110

0101806427340510332 LEGAL: * 00 1 02 8TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: SCHUMACHER KARA LEE
OWNER ADDR: 06600 MOSSMAN PL NE

ALBUQUERQUE NM 87110

0101806427343610401 LEGAL: *003 2002 7TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: CORONADO AUTO SALVAGE INC
OWNER ADDR: 09320 SAN PEDRO DR NE

ALBUQUERQUE NM 87114

0101806428743610402 LEGAL: *003 1002 7TRACT A UNIT B NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 OAKLAND AVE NE
OWNER NAME: CORONADO AUTO SALVAGE INC
OWNER ADDR: 09320 SAN PEDRO DR NE

ALBUQUERQUE NM 87114

1 R E C O R D S W I T H L A B E L S PAGE
3

QUIT



City of Albuquerque

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

Date: July 3, 2003

TO CONTACT NAME: Bill Franklin
COMPANY/AGENCY: Sierra West, LLC
ADDRESS/ZIP: 8509 Jefferson NE 87113
PHONE/FAX #: 858-3100 / 858-1118

Thank you for your inquiry of 7-3-03 (date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tracts A + B, American Dakota

zone map page(s) C-18

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

NOV ESTE

Neighborhood Association

Contacts: Paul Grunwald
7700 Rio Guadalupe NE
275-7313 (W) 87122
Joe Yardumian
7801 R.C. Gorman AVE NE
797-1851 (W) 87122-2748

Wildflower Area

Neighborhood Association

Contacts: Larry T. Caudill
4915 Watercross NE
857-0796 (W) 87113
Rick Treadwell
5004 Watercross NE
821-10369 (W) 87113

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

Please note that according to O-92 you are required to notify each of these contact persons by: **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913

Sincerely,

Dolana R. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

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

PROJECT NAME: AMERICAN TOYOTA

AGIS MAP # C-18

LEGAL DESCRIPTIONS: TRACTS A & B

AMERICAN TOYOTA

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 _____ (date).

Applicant/Agent

Date

Hydrology Division Representative

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 _____ (date).

Applicant/Agent

Date

Utilities Division Representative

Date

PROJECT # _____

Project # 1002201

PJ Development Commercial Construction
PO Box 14903
Albuquerque NM 87191

TIERRA WEST, LLC
8509 JEFFERSON NE
ALBUQUERQUE NM 87113

PAUL GRUNWALD
Nor Este Neigh. Assoc.
7700 RIO GUADALUPE NE
ALBUQUERQUE NM 87122

JOE YARDUMIAN
Nor Este Neigh. Assoc.
7801 R.C. GORMAN NE
ALBUQUERQUE NM 87122-2748

LARRY T. CAUDILL
Wildflower Area Neigh. Assoc.
4915 WATERCRESS NE
ALBUQUERQUE NM 87113

RICK TREADWELL
Wildflower Area Neigh. Assoc.
5004 WATERCRESS NE
ALBUQUERQUE NM 87113

101806422439520605

101806419043620803

101806423843620806

MILLER LAWRENCE H ETUX
5995 ALAMEDA BL NE
ALBUQUERQUE NM 87113

BAUER THOMAS C ETAL
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87113

LOUCKS RICHARD A
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114

101806424535320408

101806422835120409

101806421135020411

CIRCLE K PROPERTIES INC
C/O Tosco Marketing Co DC-17
PO BOX 52085
PHOENIX AZ 85072
101806419134820412

KAMEYAB IMPORTS INC
11409 FAIRINGTON NE
ALBUQUERQUE NM 87111

PRP INC
3200 BROADWAY BL SE
ALBUQUERQUE NM 87105

Inter-Office Mail

101806411240820512

ALAMEDA GRANDE PARTNERSHIP
3535 PRINCETON AV NE
ALBUQUERQUE NM 87107

COA - ALLIED SIGNAL POWER SYS.
PO BOX 1293
ALBUQUERQUE NM 87103

KASSAM MOHAMED A & SHAMSHID
13215 VELMA CT NE
ALBUQUERQUE NM 87112

101806409043620704

101806428835410231

101806427338310301

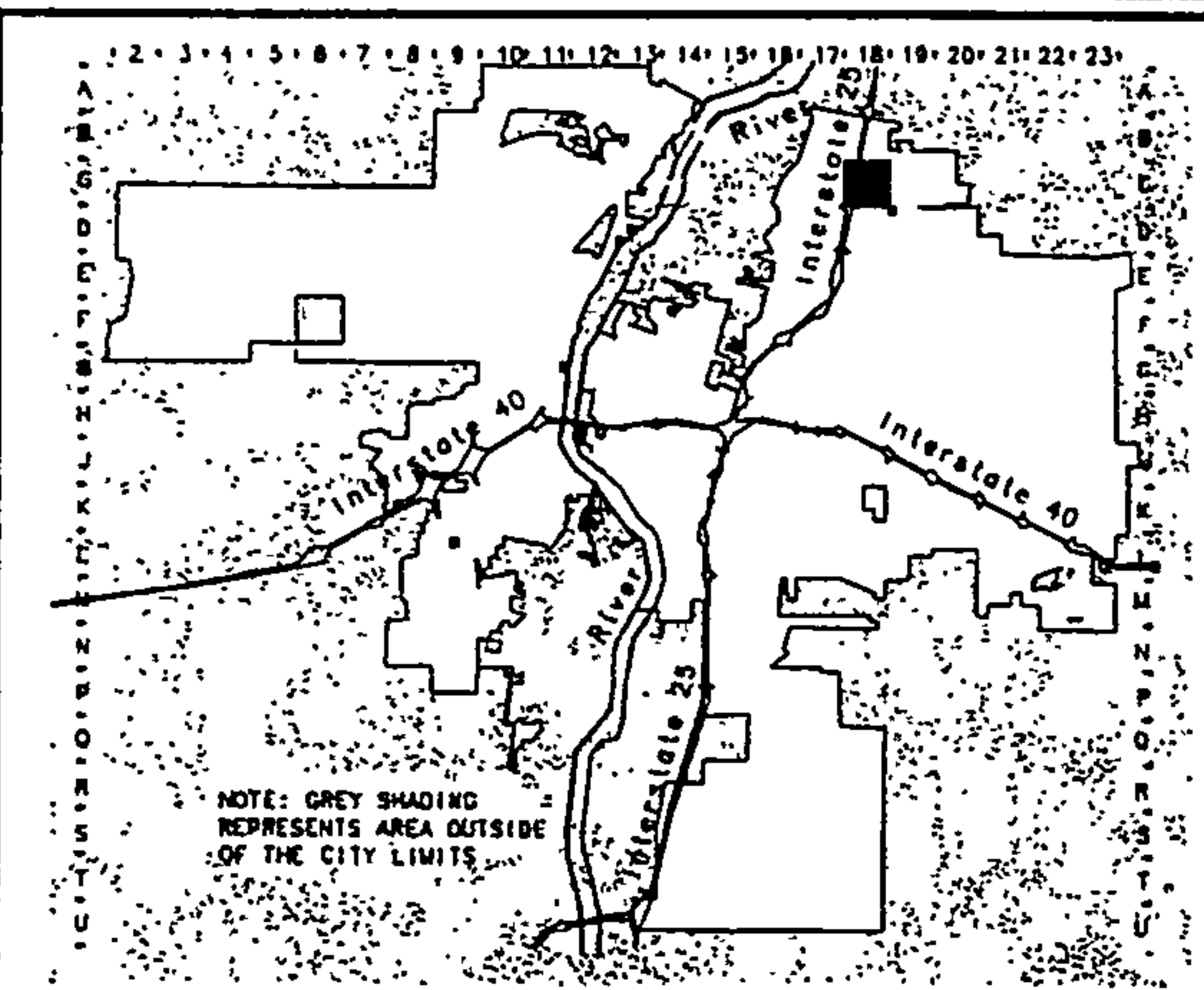
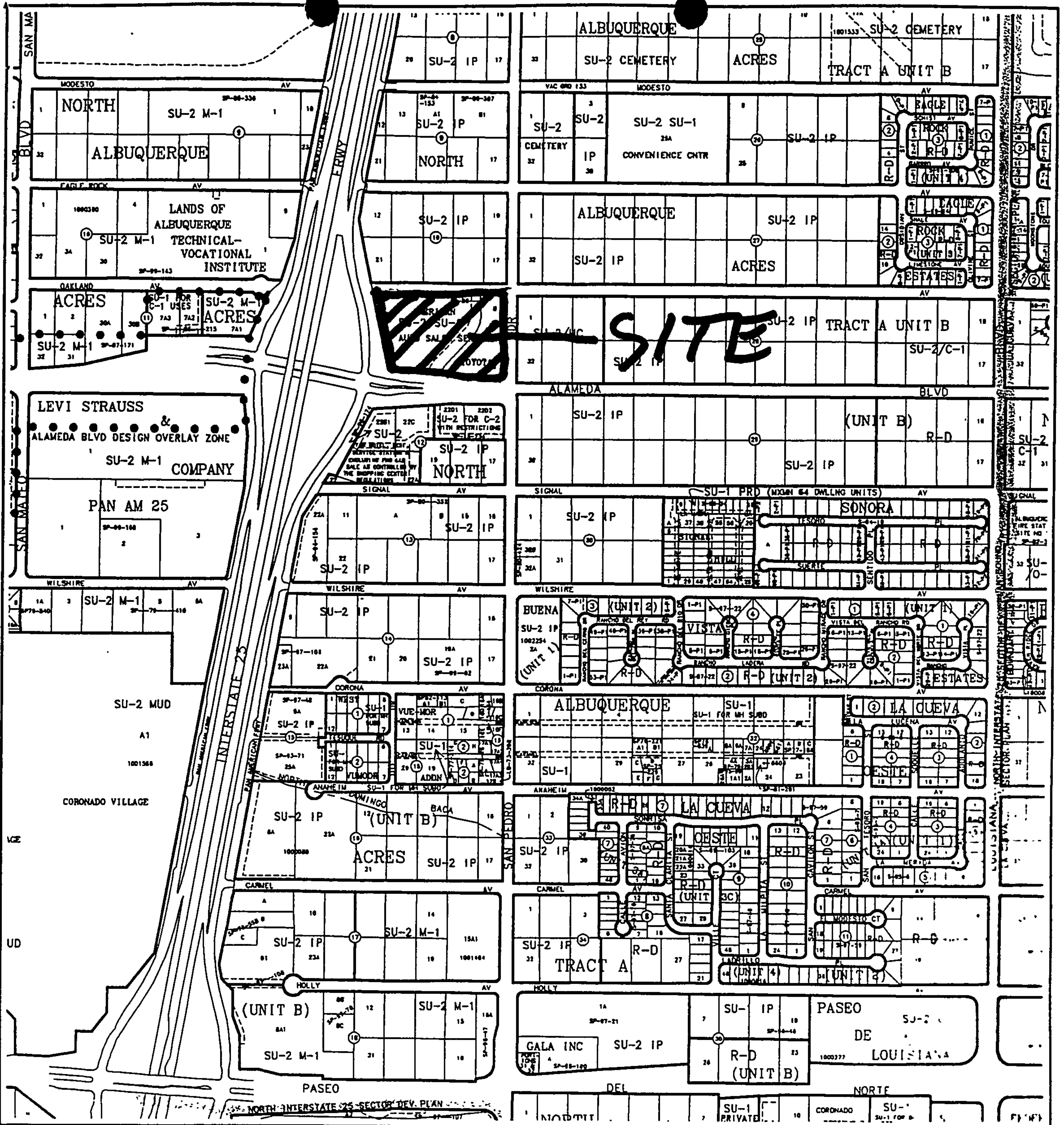
ALBUQ TECHNICAL VOCATIO
525 BUENA VISTA SE
ALBUQUERQUE NM 87106

BORLAND JAMES A ETAL
222 14TH ST NW
ALBUQUERQUE NM 87104

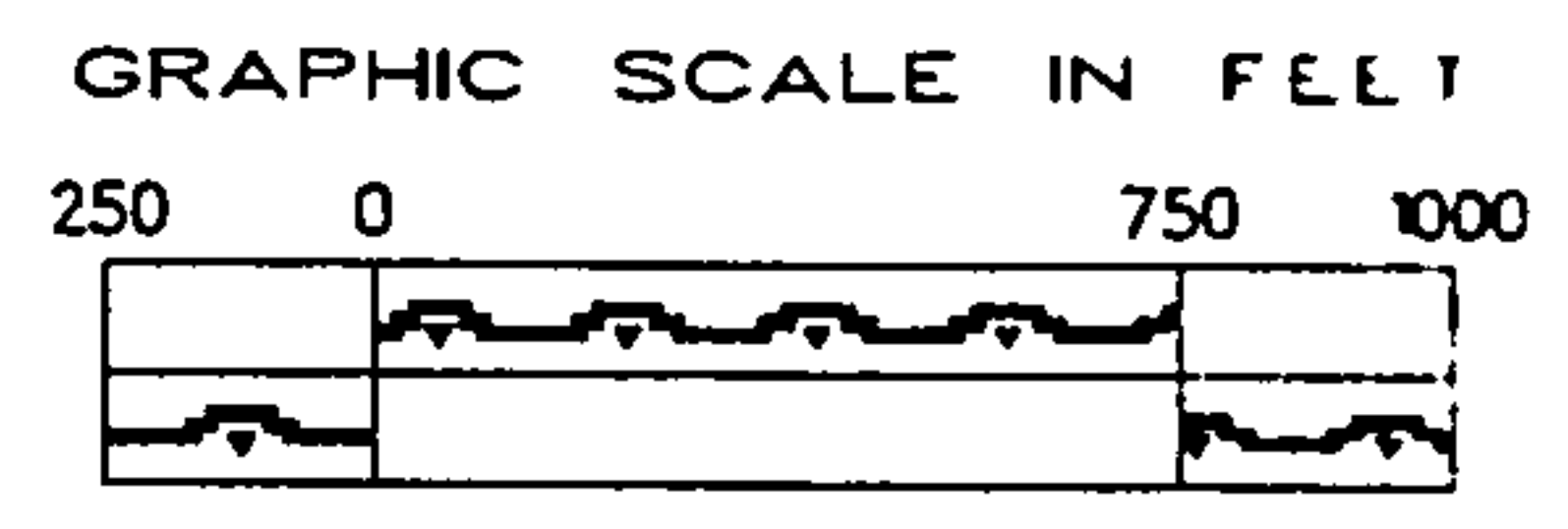
SCHUMACHER KARA LEE
6600 MOSSMAN PL NE
ALBUQUERQUE NM 87110

101806427343610401

CORONADO AUTO SALVAGE INC
9320 SAN PEDRO DR NE
ALBUQUERQUE NM 87114



CITY OF
Albuquerque
Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page

C-18-Z

Map Amended through January 21, 2003

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

July 23, 2003

Ms. Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

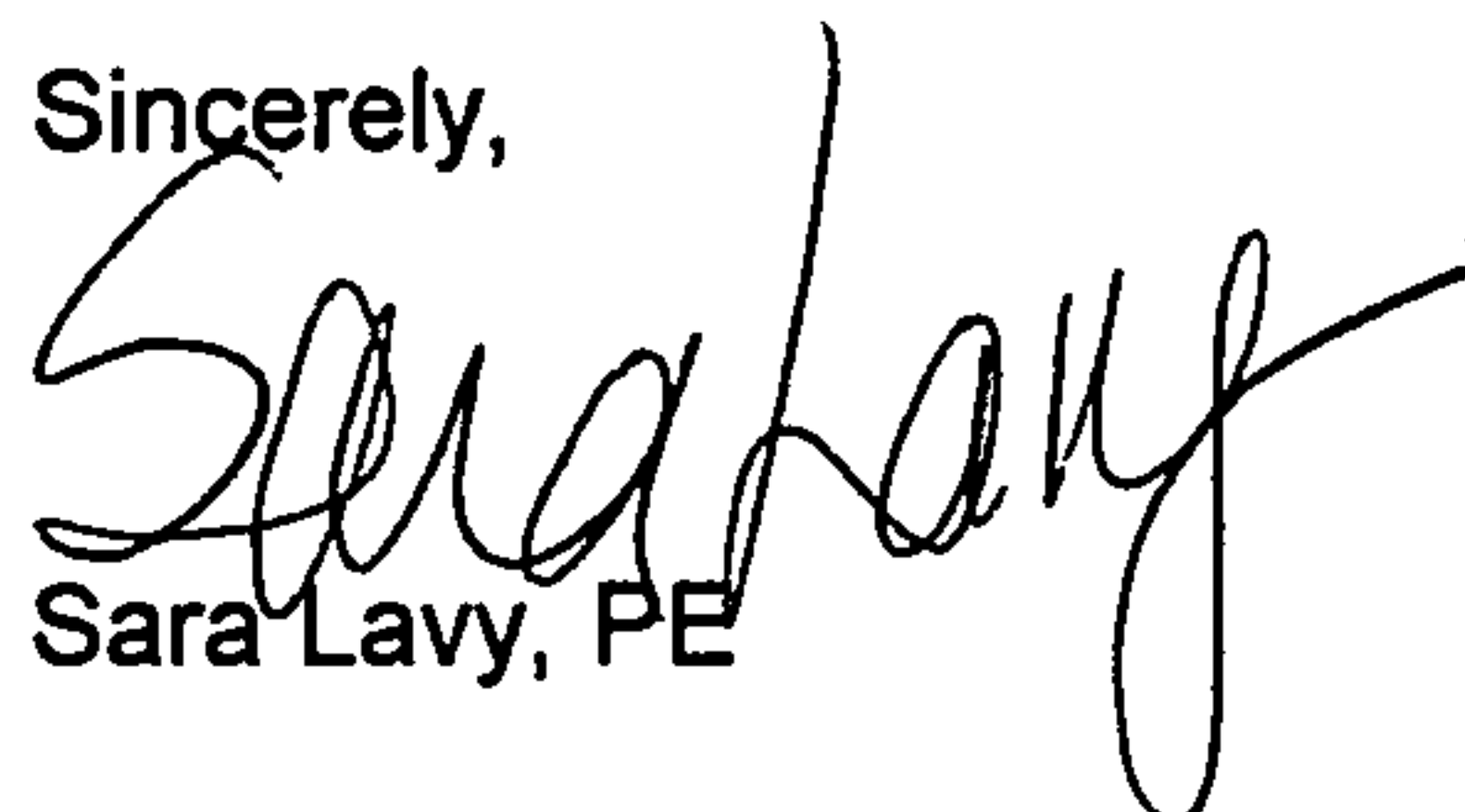
**RE: Request for Major Preliminary Plat Approval
DRB Project #1002201
Zone Atlas Page C-18**

Dear Ms. Matson:

Tierra West, LLC on behalf of Miller Family Real Estate LLC, is requesting a major preliminary plat approval from DRB. The American Toyota site is located between Alameda Boulevard and Oakland Avenue east of the I-40 East Frontage Road. The site currently consists of two lots, Tract A and Tract B American Toyota. The site is being re-platted to incorporate half the vacated right-of-way from Oakland Avenue into the property. No other changes are being made at this time. Offsite infrastructure will include half the paving on San Pedro Drive and storm sewer improvements in San Pedro. I included the infrastructure list for your review.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Sara Lavy, PE

Enclosure/s

cc: Pat Joseph
Paul Grunwald
Joe Yardumian
Larry T. Caudill
Rick Treadwell

JN: 220082
scl/RRB

220082: Toyota prelim-final plat submittal.doc

Current DRC

Project Number: _____

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Date Submitted: 10/6/09

Date Site Plan Approved: NA

Date Preliminary Plat Approved: 10/8/09

Date Preliminary Plat Expires: 10/8/09

1002848 DRB Project No.: 1002201

DRB Application No. 03 DRB 01270

ORIGINAL

American Toyota

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

American Toyota

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<i>Public Improvements</i>									
<input type="text"/>	<input type="text"/>	30' F-E	Permanent Paving, Curb and Gutter (West Side) 4' Sidewalk (West Side)	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
<input type="text"/>	<input type="text"/>	72"	RCP Storm Drain	San Pedro Drive	Oakland Avenue	Alameda Boulevard	/	/	/
<input type="text"/>	<input type="text"/>	Catch Basins and RCP connections included with Storm Sewer							

8" * SAS

30' Public Easement

San Pedro

10' West of Lot 17

1 * Defered Item

2

3

4

5

AGENT / OWNER

Ronald R. Bohannan

NAME (print)

Tierra West LLC

FIRM

[Signature]

SIGNATURE - date

MAXIMUM TIME ALLOWED TO CONSTRUCT
THE IMPROVEMENTS WITHOUT A DRB

EXTENSION: _____

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Susan W. [Signature]

DRB CHAIR - date

Christina Sandoral 10/8/03

PARKS & GENERAL SERVICES - date

[Signature]

TRANSPORTATION DEVELOPMENT - date

Dorset [Signature] 10/8/03

UTILITY DEVELOPMENT - date

Brad D. Bigham 10/8/03

CITY ENGINEER - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

City of Albuquerque



DEVELOPMENT PLAN REVIEW APPLICATION

SUBDIVISION	S	ZONING	Z
<input checked="" type="checkbox"/> Major Subdivision action		<input type="checkbox"/> Annexation & Zone Establishment	
<input type="checkbox"/> Minor Subdivision action		<input type="checkbox"/> Sector Plan (Phase I, II, III)	
<input type="checkbox"/> Vacation	V	<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan	
<input type="checkbox"/> Variance (Non-Zoning)		<input type="checkbox"/> Zone Change	
SITE DEVELOPMENT PLAN	P	<input type="checkbox"/> Text Amendment	
<input type="checkbox"/> ...for Subdivision Purposes		APPEAL / PROTEST of...	A
<input type="checkbox"/> ...for Building Permit		<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal	
<input type="checkbox"/> IP Master Development Plan			
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	L		

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: PJ DEVELOPMENT COMMERCIAL CONSTRUCTION PHONE: 263-6965
 ADDRESS: P.O. BOX 14903 FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL: _____
 Proprietary interest in site: OWNER
 AGENT (if any): TIERRA WEST LLC PHONE: 858-3100
 ADDRESS: 8509 JEFFERSON NE FAX: 858-1118
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: twllc@tierrawestllc.com

DESCRIPTION OF REQUEST: MAJOR SUBDIVISION PRELIMINARY 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. TRACTS A & B Block: _____ Unit: _____
 Subdiv. / Addr: AMERICAN TOYOTA
 Current Zoning: SU-2 SU-1 AUTO SALES SERV REP Proposed zoning: SAME
 Zone Atlas page(s): C-18 No. of existing lots: 2 No. of proposed lots: 2
 Total area of site (acres): 4.74 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO
 UPC No. 101806422439520605 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: ALAMEDA BLVD NE
 Between: PAN AMERICAN FWY NE and SAN PEDRO DRIVE NE

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): Z-86-8

(1002201 vac) DRB-95-74

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

SIGNATURE [Signature] DATE 7/24/03
 (Print) RONALD R. BOHANNAN, P.E. Applicant Agent

Was heard under Proj 1002201 on 7/24/03

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>030RB - 01270</u>	<u>PPA</u>	<u>2(2)</u>	<u>\$ 595.00</u>
<input type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ <u>75.00</u>
<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	Hearing date <u>AUG 20th 2003</u>			Total <u>\$670.00</u>
<input type="checkbox"/> F.H.D.P. fee rebate	<u>7/25/03</u>		<u>1002848</u>	
	<u>[Signature]</u>	Project # <u>1002201</u>		
	Planner signature / date			

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.
 - 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) 51500
 - 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
- 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.

RONALD R. BOHANNAN, P.E
Applicant name (print)
[Signature]
Applicant signature / date
7/24/03

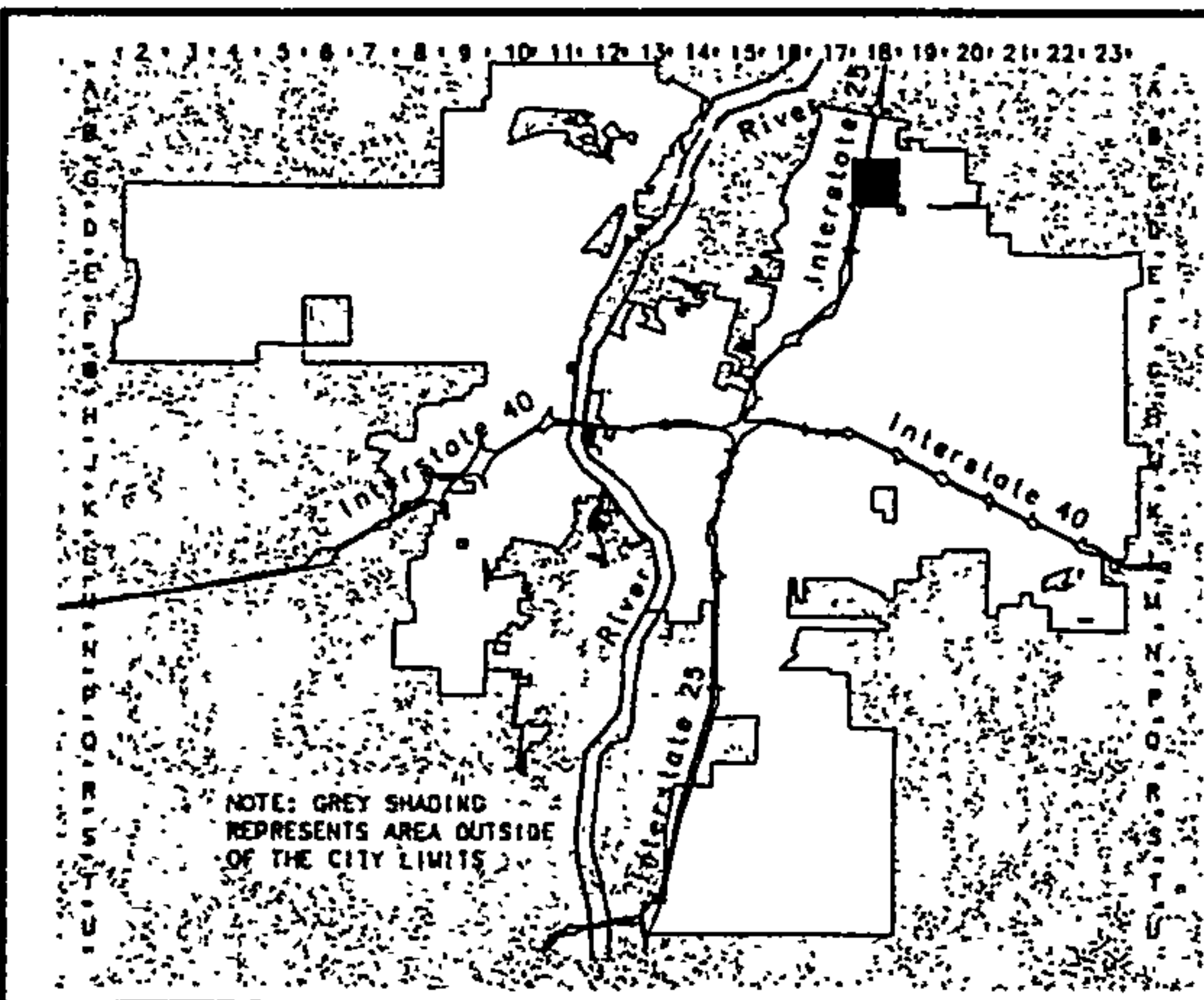
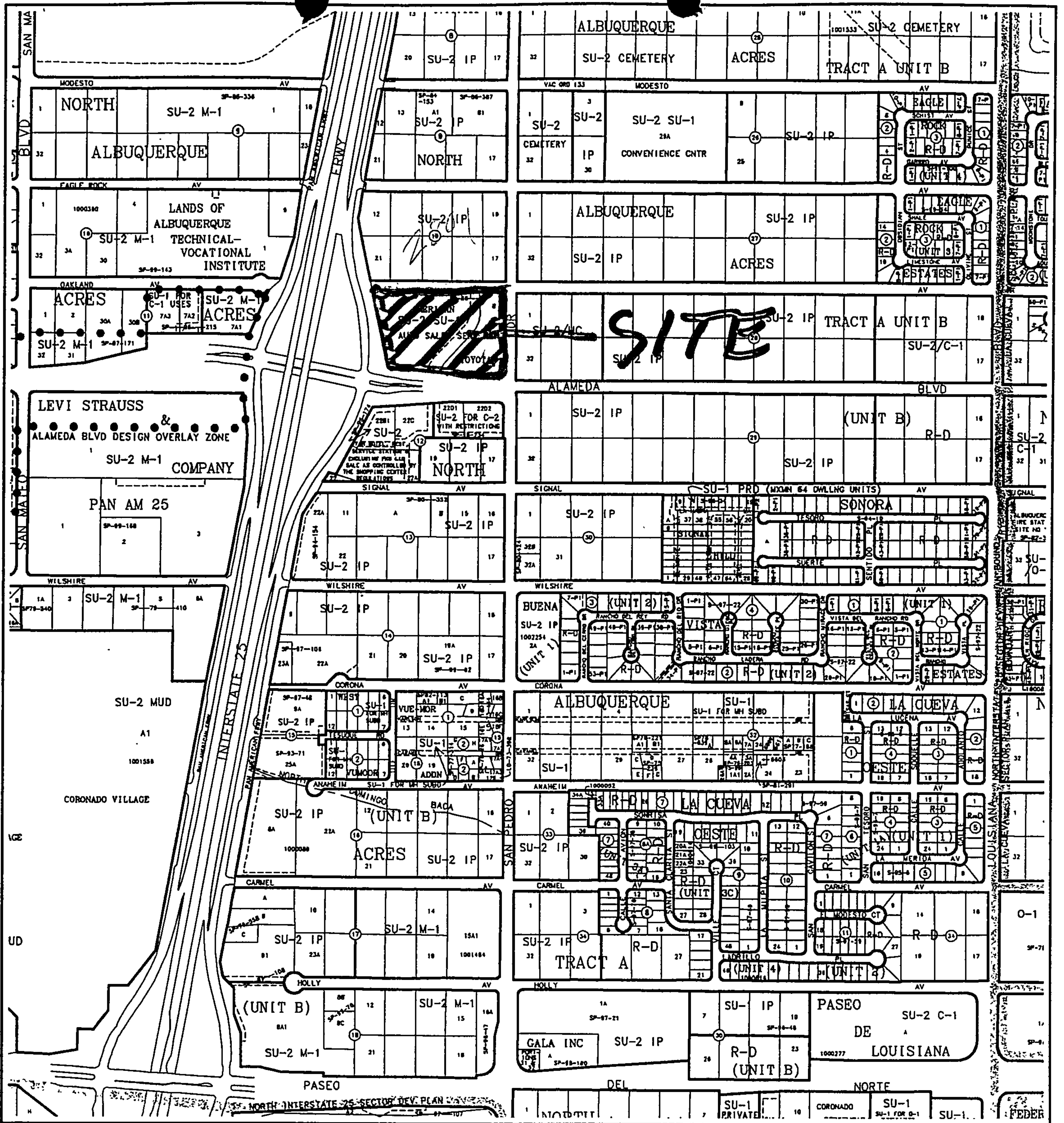


Form revised September 2001

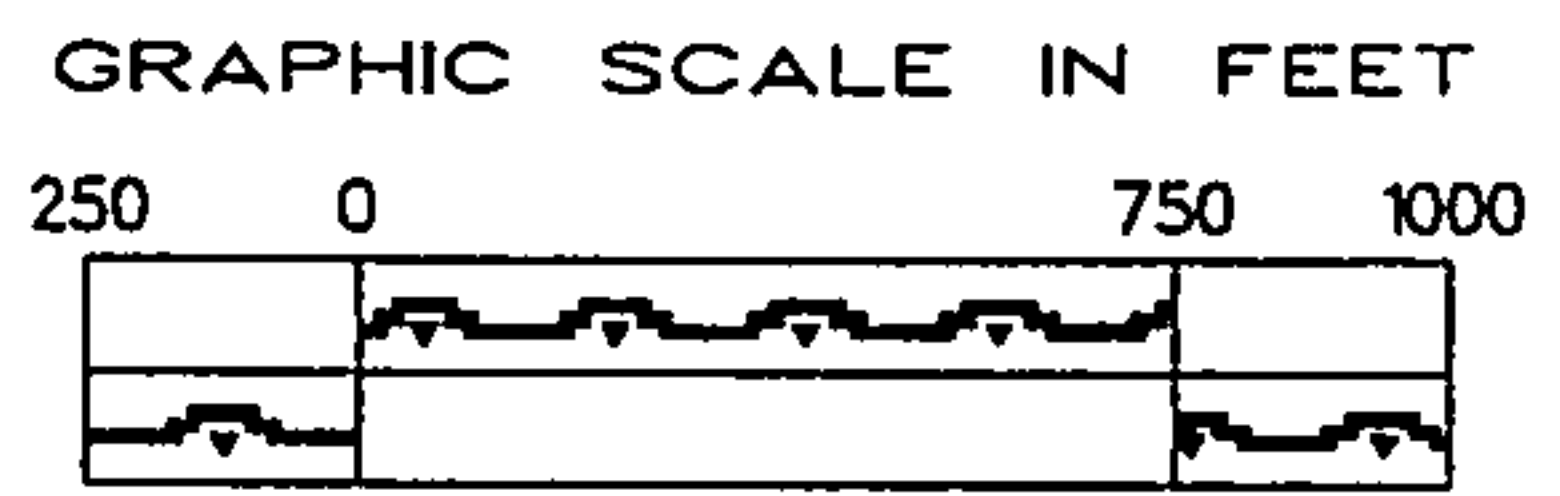
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
03DRB - 01270

[Signature] 7/25/03
Planner signature / date
Project # 1002201
1002848



CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page

C-18-Z

Map Amended through January 21, 2003

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

(505) 858-3100
fax (505) 858-1118

twllc@tierrawestllc.com
1-800-245-3102

July 23, 2003

Ms. Sheran Matson, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

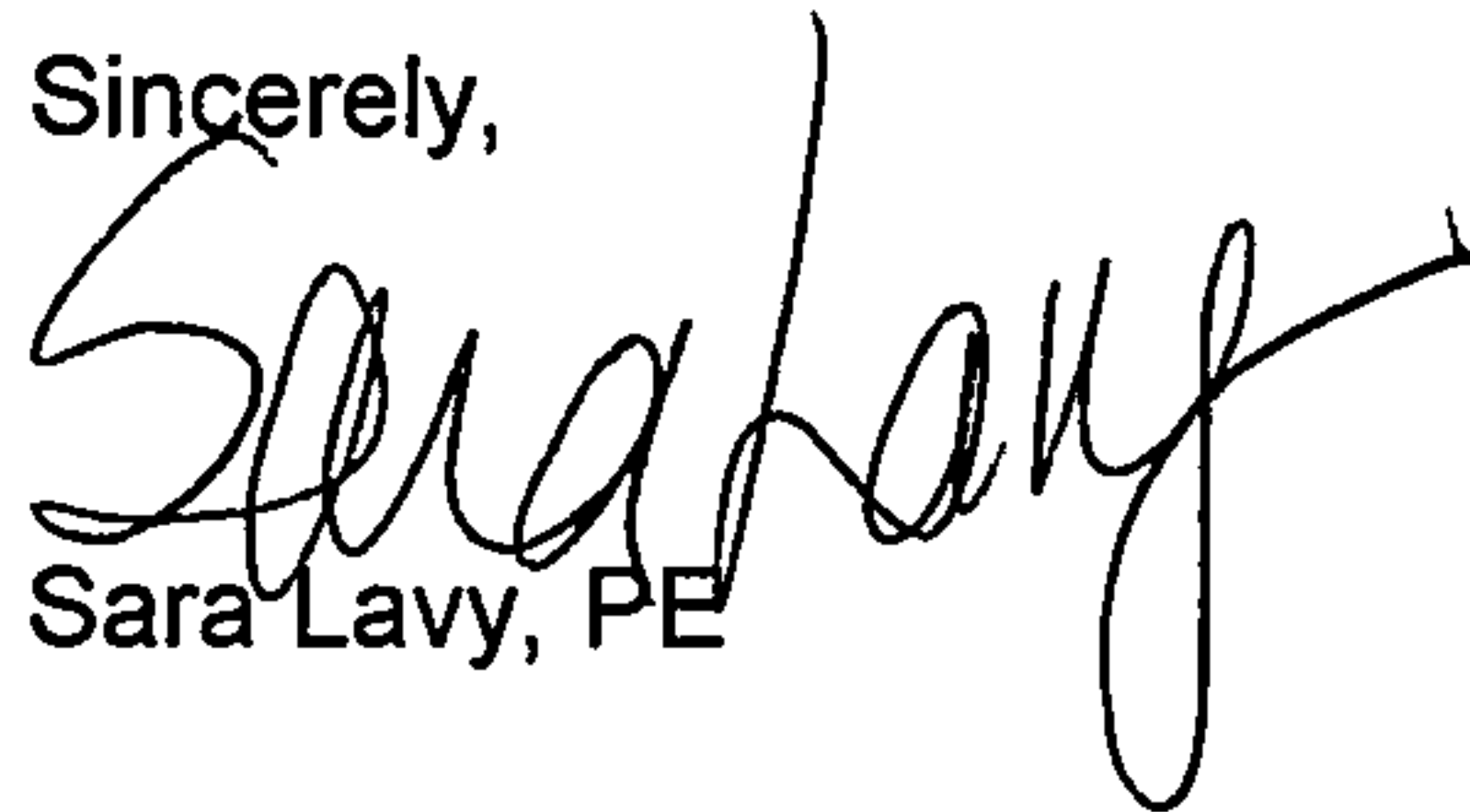
**RE: Request for Major Preliminary Plat Approval
DRB Project #1002201
Zone Atlas Page C-18**

Dear Ms. Matson:

Tierra West, LLC on behalf of Miller Family Real Estate LLC, is requesting a major preliminary plat approval from DRB. The American Toyota site is located between Alameda Boulevard and Oakland Avenue east of the I-40 East Frontage Road. The site currently consists of two lots, Tract A and Tract B American Toyota. The site is being re-platted to incorporate half the vacated right-of-way from Oakland Avenue into the property. No other changes are being made at this time. Offsite infrastructure will include half the paving on San Pedro Drive and storm sewer improvements in San Pedro. I included the infrastructure list for your review.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

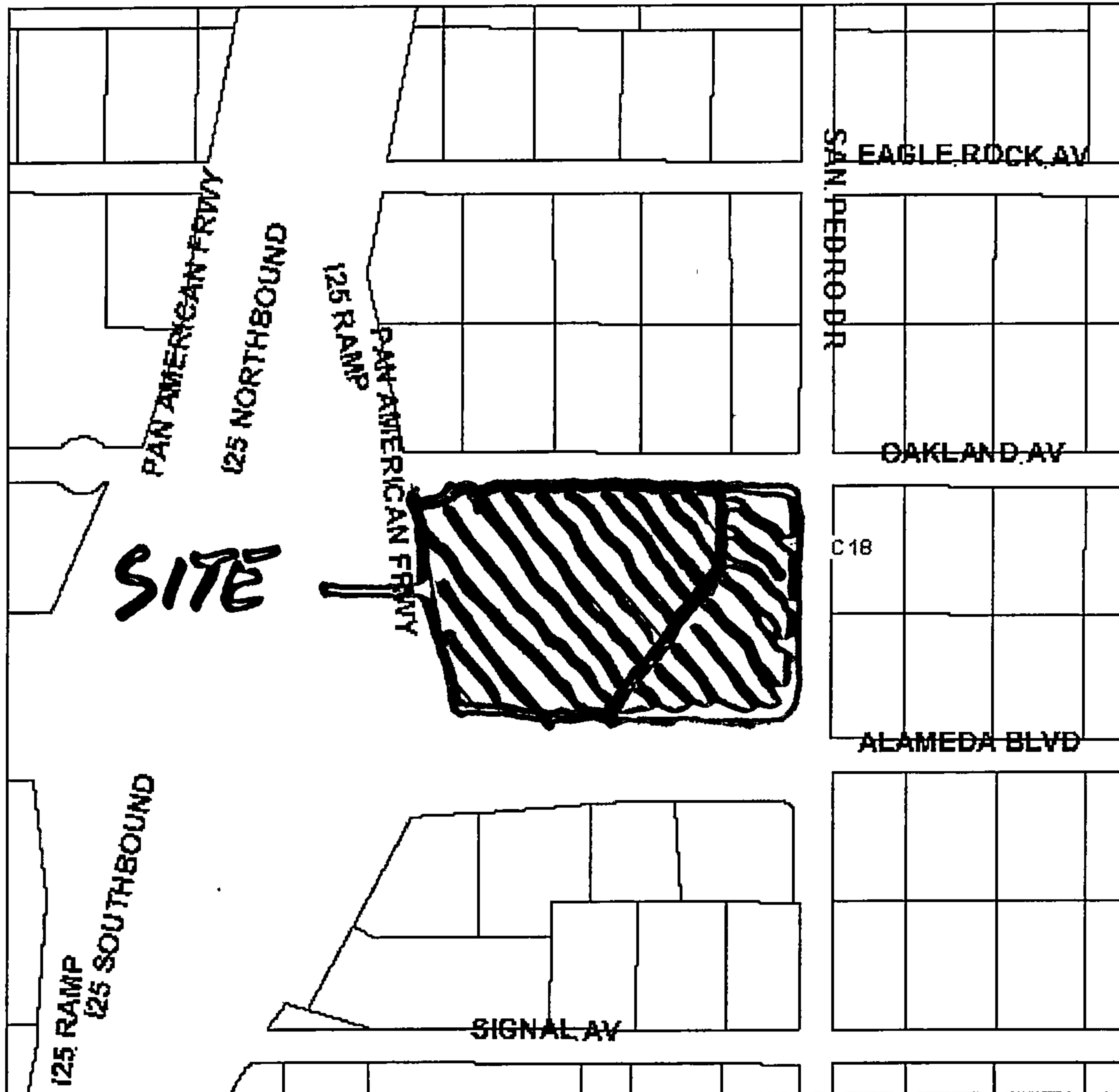


Sara Lavy, PE

Enclosure/s

cc: Pat Joseph
Paul Grunwald
Joe Yardumian
Larry T. Caudill
Rick Treadwell

JN: 220082
scl/RRB



Selected Address: 5995 OAKLAND AV NE
 Zoning: SU-2 SU-1 AUTO SALES SERV REP
 Lot/Block/Subd: A, 0000 , AMERICAN TOYOTA
 ZoneMap Page: C18
 UPC #: 101806422439520605

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY ASSESSMENT (AQIA) FORM

APPLICANT: TIERRA WEST LLC DATE OF REQUEST: 6/17/03 ZONE ATLAS PAGE(S): C-18-Z

CURRENT:

ZONING SU-2 SU-1 AUOT SALES SERV REP

LEGAL DESCRIPTION:

LOT OR TRACT # A & B
BLOCK # _____

PARCEL SIZE (AC/SQ. FT.) 5.0

SUBDIVISION NAME AMERICAN TOYOTA

REQUESTED CITY ACTION(S):

ANNEXATION [] SECTOR PLAN []
COMP. PLAN [] ZONE CHANGE []
AMENDMENT [] CONDITIONAL USE []

SITE DEVELOPMENT PLAN:

A) SUBDIVISION [X] BUILDING PERMIT [X]
B) BUILD'G PURPOSES [] ACCESS PERMIT []
C) AMENDMENT [] OTHER []

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT []
NEW CONSTRUCTION []
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:¹

OF UNITS: 1
BUILDING SIZE: VARIES

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

APPLICANT OR REPRESENTATIVE RONALD R. BOHANNAN by Karen Klein DATE 6/17/03

(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

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

PWD DEVELOPMENT SERVICES & TRANSPORTATION DEVELOPMENT DIV. PLAZA DEL SOL (TONY LOYD)

THRESHOLDS MET? YES [] NO [X]

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.**

Tony Loyd
TRAFFIC ENGINEER

DATE

7-23-03

AIR QUALITY IMPACT ASSESSMENT (AQIA) REQUIRED: YES [] NO [X] BORDERLINE []

ENVIRONMENTAL HEALTH DEPT. AIR QUALITY DIV. 3RD FLOOR / ROOM 3023 CITY/COUNTY BLDG. 768-2638 (CATALINA LEHNER)

THRESHOLDS MET? YES [] NO [X]

MITIGATING REASONS FOR NOT REQUIRING AQIA: PREVIOUSLY STUDIED []

NOTES: § 14-16-3-14 AIR QUALITY IMPACT REGULATIONS -- **An air quality impact study shall not be required if a traffic impact analysis is not being required by the city.**

IF AN AQIA IS REQUIRED: A SCOPING MEETING 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 AQIA.**

Robert for EHD
ENVIRONMENTAL HEALTH

DATE

7/25/03

REQUIRED TIS AND / OR AQIA MUST BE COMPLETED PRIOR TO APPLYING TO THE EPC. ARRANGEMENTS MUST BE MADE PRIOR TO SUBMITAL 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

AQIA -SUBMITTED / /
-FINALIZED / /

ENVIRONMENTAL HEALTH

DATE

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

PROJECT NAME: AMERICAN TOYOTA

AGIS MAP # C-18

LEGAL DESCRIPTIONS: TRACTS A & B

AMERICAN TOYOTA

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 _____ (date).

Applicant/Agent

Date

Hydrology Division Representative

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 _____ (date).

Applicant/Agent

Date

Utilities Division Representative

Date

PROJECT # _____



City of Albuquerque

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

Date: July 3, 2003

TO CONTACT NAME: Bill Franklin
COMPANY/AGENCY: Sierra West, LLC
ADDRESS/ZIP: 8509 Jefferson NE 87113
PHONE/FAX #: 858-3100 / 858-1118

Thank you for your inquiry of 7-3-03 (date) requesting the names of **Recognized**

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at Tracts A + B, American Dakota

zone map page(s) C-18

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

Nov Este
Neighborhood Association
Contacts: Paul Grunwald
7700 Rio Guadalupe NE
275-7313 (h) 87122
Joe Yardumian
7801 R.C. Gorman Avenue
797-1851 (h) 87122-2748

Wildflower Area
Neighborhood Association
Contacts: Larry T. Caudill
4915 Watercross NE
857-0396 (h) 87113
Rick Treadwell
5004 Watercross NE
821-10369 (h) 87113

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

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalaina S. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

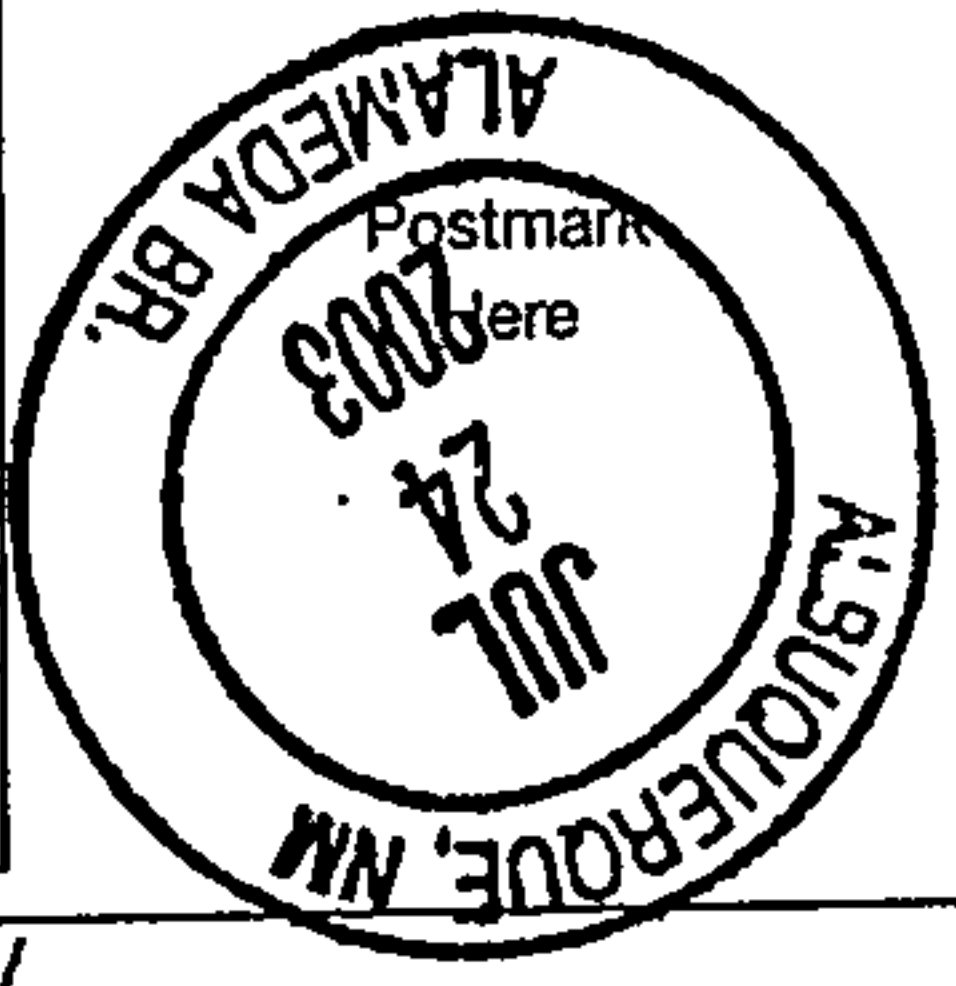
Attention: Both contacts per neighborhood association need to be notified.

7002 0510 0002 9479 2772

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

OFFICIAL USE

Postage	\$.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88



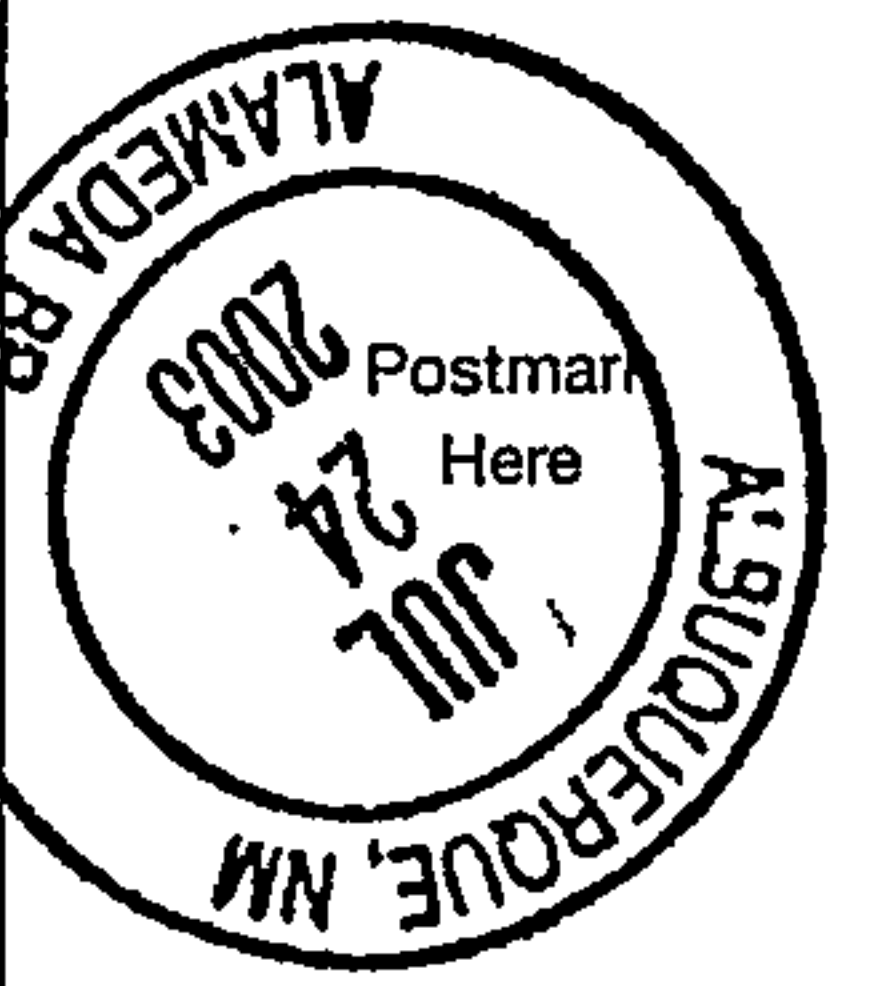
Sent To Mr. Paul Grunwald
 Street, Apt. No.;
 or PO Box No. 7700 Rio Guadalupe NE
 City, State, ZIP+4 Albuquerque, NM 87122

7002 0510 0002 9479 2796

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

OFFICIAL USE

Postage	\$.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88



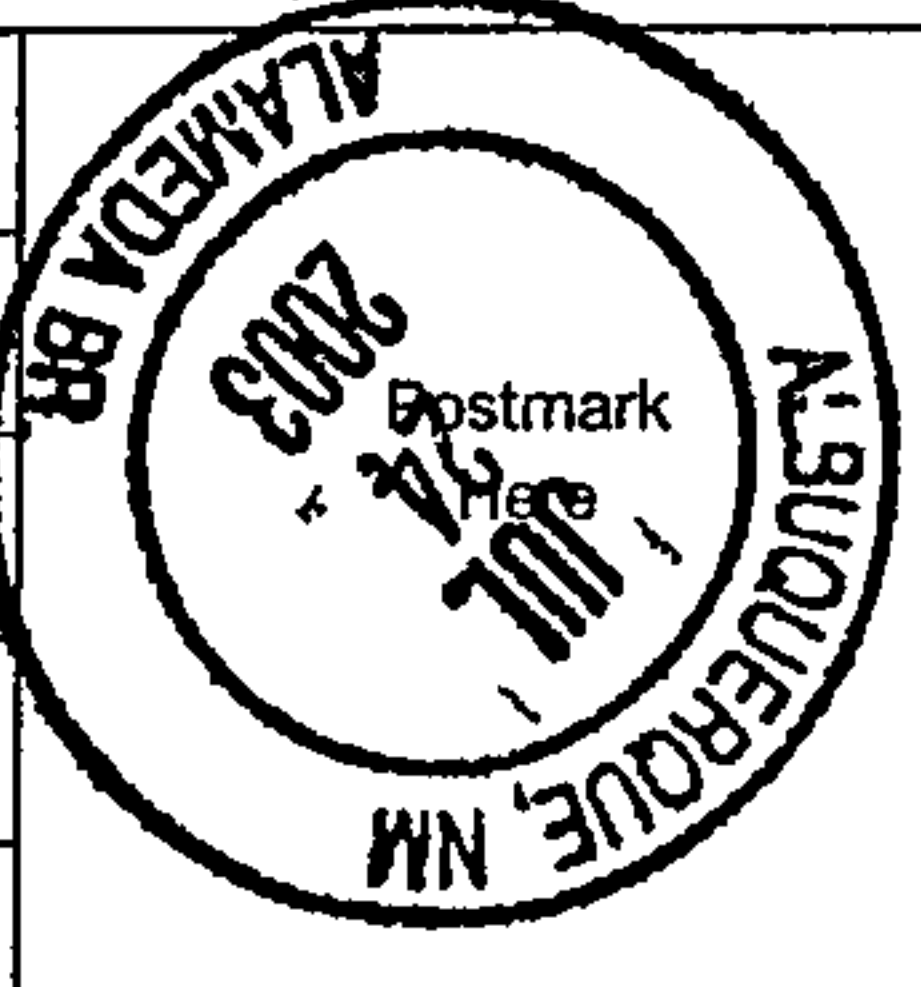
Sent To Mr. Larry T. Caudill
 Street, Apt. No.;
 or PO Box No. 4915 Watercress NE
 City, State, ZIP+4 Albuquerque, NM 87113

7002 0510 0002 9479 2802

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

OFFICIAL USE

Postage	\$.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88



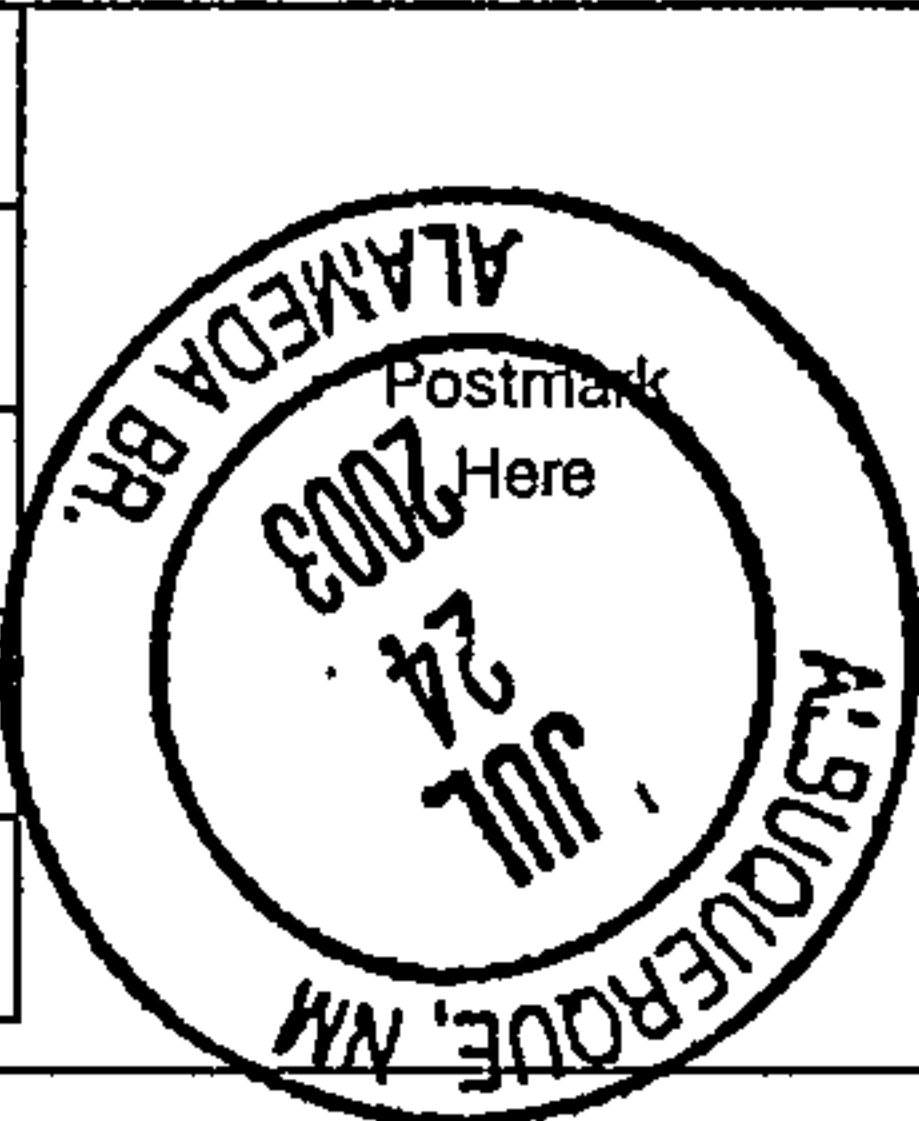
Sent To Mr. Rick Treadwell
 Street, Apt. No.;
 or PO Box No. 5004 Watercress NE
 City, State, ZIP+4 Albuquerque, NM 87113

7002 0510 0002 9479 2789

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

OFFICIAL USE

Postage	\$.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88



Sent To Mr. Joe Yardumian
 Street, Apt. No.;
 or PO Box No. 7801 R.C. Gorman Ave. NE
 City, State, ZIP+4 Albuquerque, NM 87122-2748

ONE STOP SHOP . . . FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION SECTION (LDC)
Plaza Del Sol - 2nd & 4TH Floor West - 600 2nd St NW 87102
Front Counter Main Number (505) 924-3858 or 924-3895
Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME

PJ. DEV. COMM CONST.

AGENT

TIERRA WEST

ADDRESS

8509 JEFFERSON ST. NE,

PROJECT NO.

~~1002848~~ 2201

APPLICATION NO.

03DRB-01270

\$ 595 441006 / 4983000 (DRB Cases)

\$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)

\$ 75 441018 / 4971000 (Notification)

\$ 670.00 Total amount due

City of Albuquerque
Treasury Division
07/25/2003
10:10AM
LOC: AMN
RECEIPT# 00009534 WSH 007 TRANSH 0005
Account 441006 Fund 0110
Activity 4983000 TRSKDM
Trans Amt \$670.00
J24 Misc \$595.00

Thank You

P.J. DEVELOPMENTS INC.
P.O. BOX 14903 PH. 505-263-6965
ALBUQUERQUE, NM 87191

PAY TO THE
ORDER OF

City of Albuquerque

Six Hundred Seventy Five and 00/100

8045

95-145/1070

7/25 20 03

\$ 670.00

FIRST STATE BANK
P. O. BOX 797 - TAOS, NM 87571
P. O. BOX 3686 - ALBUQUERQUE, NM 87190
P. O. BOX 5394 - SANTA FE, NM 87502

DOLLARS

FOR

*** DUPLICATE ***

City of Albuquerque

Treasury Division

⑈008045⑈ ⑈107001452⑈

32008058⑈

X
RECEIPT# 00009535 WSH 007 TRANSH 0005
Account 441018 Fund 0110
Activity 4971000 TRSKDM
Trans Amt \$670.00
J24 Misc 10/28/02:75.00
CK \$670.00
CHANGE \$0.00

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Planning Division at a charge of \$3.00 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from August 5th 03 To August 20th 03.

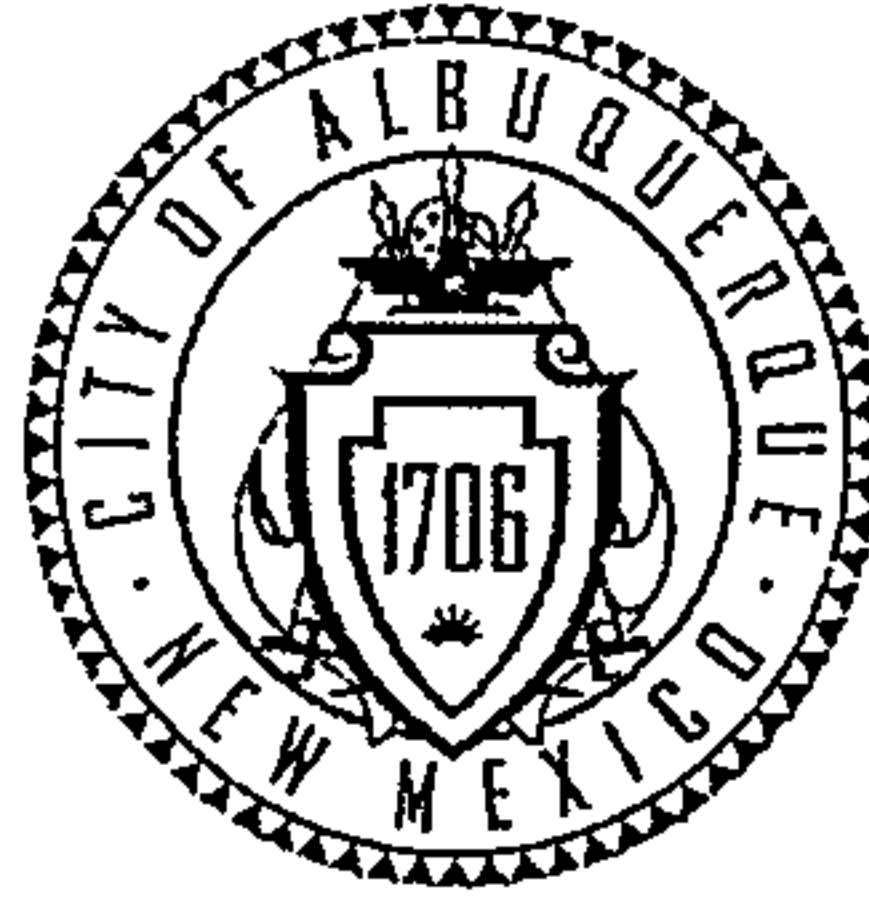
5. REMOVAL

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

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

John Kline _____, 7/25/03
(Applicant or Agent) (Date)

I issued 3 signs for this application, 7/25/03, _____
(Date) (Staff Member)



JW 220082 RJ

for comment

PRB

cc: Pat [unclear]
SARA-EYI

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: February 20, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002848***
03EPC-02047 EPC Site Development Plan-
Amendment to Building Permit

Larry Miller Group
P.O. Box 14903
Albuq. NM 87191

LEGAL DESCRIPTION: for all or a portion of Tract(s) A & B, **American Toyota**, zoned SU-2 SU-1 Auto Sales Serv Rep, located on ALAMEDA BLVD. NE NE, between PAN AMERICAN FWY NE and SAN PEDRO DR. NE, containing approximately 5 acre(s). (C-18) Deborah Stover, Staff Planner

On February 19, 2004 the Environmental Planning Commission voted to approve Project 1002848/03EPC 02047, a request for site development plan for building permit, for Tracts A & B, American Toyota, zoned SU-2 SU-1 Auto Sales Service Repair, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for an amendment to a site development plan for a 5-acre parcel of land known as Tracts A & B, American Toyota, located at 5995 Alameda Boulevard NE, between the Pan American Freeway and San Pedro Drive NE. A site development plan for building permit was approved by the Environmental Planning Commission for this site in 1986. The proposal is to expand the building square footage by 22,035 square feet. The new building areas will provide a new inspection area, wash bay and service bay.
2. By building in a commercially zoned area that has been planned for commercial development since the inception of the *Albuquerque/Bernalillo County Comprehensive Plan* as well as the *North I-25 Sector Plan*, this request meets the intent of Policy d, which requires the location, intensity, and design of new development to respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern (Policy d).

3. This site is an existing facility that is expanding. It is contiguous to existing facilities and the proposal for commercial development will not harm the integrity of existing neighborhoods, thereby complying with Policy e of the *Albuquerque/Bernalillo County Comprehensive Plan* which requires that new growth will be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured.
4. By building in a commercially zoned area that has been planned for commercial development since the inception of the North I-25 Sector Plan, this request complies with the plan.
5. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The area just west of the new wash bay area shall provide 75% coverage of live plantings at maturity and should be supplemented with additional shrubs and groundcover. Also, the slope shall be seeded with native grass seed to ensure adequate coverage of this area.
3. The note on the landscape plan that states, "Final landscape layout and design to be determined upon receipt of final grading plan" shall be removed from the landscape plan. This is the final landscape plan that EPC approves. Any changes to this landscape plan, other than by the EPC, will need to return to the EPC for approval or go through the administrative amendment process.
4. A minimum of 7 bicycle parking spaces shall be provided.
5. Existing signage that is to be removed, as well as new signage that is to be added, shall be labeled as such on the site plan prior to DRB approval, along with height, dimensions, sign face square footage and colors and materials.
6. Public Works, City Engineer and Transportation Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.

- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (standard drawing 2430), driveways (standard drawing 2425), private entrances (standard drawing 2426) and wheel chair ramps (standard drawing 2441).
- c. Site plan shall comply and be designed per DPM Standards.
- d. All drive aisles to be 24' minimum for two-way circulation except in programmed car display areas. These areas shall be labeled as such.
- e. All parking aisles to have end caps (both ends) except in programmed car display areas. These areas shall be labeled as such.
- f. Dedication of an additional 6 feet of right-of-way along San Pedro Drive as required by the City Engineer to provide for on-street bicycle lanes.
- g. Provision for bicycle lanes along Alameda Boulevard and San Pedro Drive adjacent to the subject property, as designated on Long Range Bikeways System.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MARCH 5, 2004 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.


Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

OFFICIAL NOTICE OF DECISION
FEBRUARY 19, 2004
PROJECT #1002848
PAGE 4 OF 4

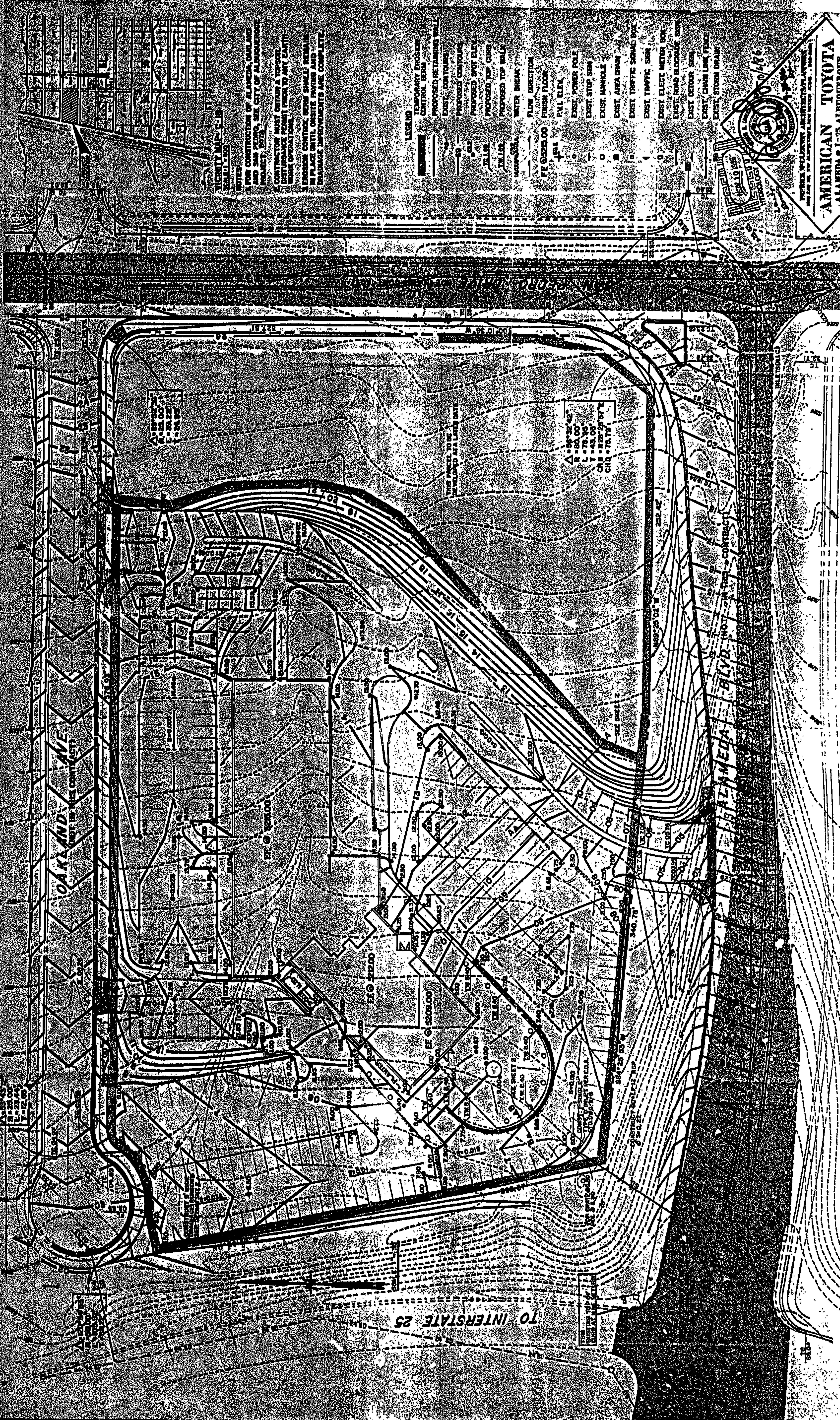
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,


For Victor J. Chavez
Planning Director

VJC/DS/ac

cc: Tierra West LLC, 8509 Jefferson NE, Albuquerque, NM 87113
Paul Greenwald, Nor Este NA, 7700 Rio Guadalupe NE, Albuquerque, NM 87122
Joe Yardumian, Nor Este NA, 7801 RC Gorman Ave. NE, Albuquerque, NM 87122
Larry Caudill, Wildflower NA, 4915 Watercress NE, Albuquerque, NM 87113
Roberta Hurst, Wildflower NA, 8812 Desert Willow Ct. NE, Albuquerque, NM 87113



THE CONTRACTOR OF ALAMEDA, CALIFORNIA AND SAN PABLO, THE CITY OF ALBUQUERQUE, NEW MEXICO, SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF ALBUQUERQUE, NEW MEXICO, AND THE STATE OF NEW MEXICO, PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF ALBUQUERQUE, NEW MEXICO, AND THE STATE OF NEW MEXICO, PRIOR TO THE START OF CONSTRUCTION.

- LEGEND**
- TEMPORARY EROSION CONTROL BERM
 - PROPOSED RETAINING WALL
 - EXIST. CONTOUR
 - PROPOSED CONTOUR
 - PROPOSED 30" DIA. PIPE
 - PROPOSED 18" DIA. PIPE
 - PROPOSED TOP CURB
 - PROPOSED TOP WALK
 - WATER BREAK
 - FLOW DIRECTION
 - FE GREENWOOD
 - FE GREENWOOD
 - P.V. ELEV.
 - EXIST. POWER POLE
 - EXIST. STOP SIGN
 - EXIST. MANHOLE
 - EXIST. AREA DRAIN
 - EXIST. TRAFFIC SIGNAL BOX
 - EXIST. TRAFFIC SIGN
 - EXIST. ELECT. METER BOX
 - EXIST. ROAD SIGN
 - EXIST. DETOUR SIGN
 - EXIST. CHAIN LINK FENCE
 - EXIST. STORM DRAIN

AMERICAN TOYOTA
ALAMEDA 01-25 ALBUQUERQUE

DATE: 6/78
SCALE: 1" = 20'-0"

APPROVED FOR THE CITY OF ALBUQUERQUE, NEW MEXICO

1 of 2

ESPEY, HUSTON & ASSOC., INC.
Engineering & Surveying Consultants
400 MAIN STREET, SUITE 204
ALBUQUERQUE, NEW MEXICO 87102
PHONE: (505) 255-1000

CITY OF ALBUQUERQUE
THIS INSTRUMENT IS THE PROPERTY OF THE CITY OF ALBUQUERQUE, NEW MEXICO. IT IS TO BE KEPT IN THE OFFICE OF THE CITY ENGINEER. IT IS TO BE RETURNED TO THE CITY ENGINEER UPON THE COMPLETION OF THE PROJECT.

THIS MICROFILME IS CERTIFIED TO BE A TRUE AND ACCURATE COPY OF THE ORIGINAL DRAWING AS SHOWN IN THE FILM OF THE ORIGINAL DRAWING. THE ORIGINAL DRAWING IS THE PROPERTY OF THE CITY OF ALBUQUERQUE, NEW MEXICO. IT IS TO BE KEPT IN THE OFFICE OF THE CITY ENGINEER. IT IS TO BE RETURNED TO THE CITY ENGINEER UPON THE COMPLETION OF THE PROJECT.

APPROVED FOR THE CITY OF ALBUQUERQUE, NEW MEXICO

[Signature]
CITY ENGINEER

D 2A C 20 B 16 A 10 C CITY OF ALBUQUERQUE, NEW MEXICO