



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002885

AGENDA ITEM NO: 10

SUBJECT:

SIA Extension

ACTION REQUESTED:

REV/CMT:0 APP:(x) SIGN-OFF:0 EXTN:0 AMEND:0

P.O. Box 1293

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the extension request.

Albuquerque

New Mexico 87103

RESOLUTION: *24*

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

www.cabq.gov

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

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

FOR:

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

DATE: February 27, 2008

10/3



Completed
3/11/04 LRS

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.: <u>04DRB-00244 (FP)</u>	Project # <u>1002885</u>
Project Name: <u>OCOTILLO SUBDIVISION</u>	
Agent: <u>Jeff Mortensen & Associates</u>	Phone No.: <u>345-4250</u>

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 3/10/04 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): _____
- _____
- _____
- _____

Project Number 1002885

- 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.** 12
- Copy of recorded plat for Planning.**

10
13



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.: <u>04DRB-00244 (FP)</u>	Project # <u>1002885</u>
Project Name: <u>OCOTILLO SUBDIVISION</u>	
Agent: <u>Jeff Mortensen & Associates</u>	Phone No.: <u>345-4250</u>

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 3/10/04 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): _____
- _____
- _____
- _____

Project Number 1002885

X

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.
- X Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required. 0/2
- Copy of recorded plat for Planning.

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

March 10, 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: 11:05 A.M.

B. Changes and/or Additions to the Agenda

C. New or Old Business

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000376**
04DRB-00206 Major-Two Year SIA

TIERRA WEST LLC agent(s) for BUILDERS INVESTMENT CO. OF NM request(s) the above action(s) for all or a portion of Lot(s) 1-117 and Lot(s) 1-35, Unit 2, **PARADISE SKIES, UNITS 1 & 2**, zoned R-T residential zone, located on BANDELIER DR NW, between MCMAHON BLVD NW and UNSER BLVD NW containing approximately 29 acre(s). [REF: DRB-94-107, 00DRB-00391, 00DRB-00908, 02DRB-00034, 03DRB-00113, 03DRB-00188] (A-11) **A TWO-YEAR EXTENSION OF THE SIA WAS APPROVED. THIS WILL BE THE LAST EXTENSION. AGENT AGREED.**

2. **Project # 1000419**
04DRB-00207 Major-Two Year SIA

TIERRA WEST LLC agent(s) for UNION PENSION TRANSACTION TRUST NM 2000-02 NM, request(s) the above action(s) for all or a portion of Lot(s) 1B-1-A, 1B-1-B-1 and 1B-1-C-1, **RENAISSANCE CENTER**, zoned SU-1 FOR AUTO SALES & C-1 USE, located on RENAISSANCE BLVD NE, between MONTANO RD NE and UNION WAY RD NE containing approximately 3 acre(s). [REF: 02500-00165/00164, 02AA0-00814, 03DRB-00590] (F-16) **AN EXTENSION OF THE SIA WAS APPROVED TO JANUARY 8, 2005.**

3. **Project # 1000122**
04DRB-00174 Major-Vacation of Public Easements
04DRB-00173 Minor-Extension of Preliminary Plat
04DRB-00175 Minor-Vacation of Private Easements

KIM KEMPER, agent(s) for HIGH LONESOME RANCH request(s) the above action(s) for all or a portion of Tract(s) 1A AND 1C, EDEN LANDS (to be known as **HIGH LONESOME RANCH SUBDIVISION**, zoned RA-1 AND SU-1 for O-1 located on GABALDON RD NW, between MOUNTAIN RD NW and I-40 NW containing approximately 21 acre(s). [REF: DRB-98-146, Z-98-70, AX-98-8, 03DRB-00184, 00185 and 00186] [*Deferred from 3/3/04*] (H-12) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED WITH THE FOLLOWING CONDITION OF FINAL PLAT: M.R.G.C.D. SIGNATURE IS REQUIRED PRIOR TO CITY ENGINEER'S SIGN OFF. AN INFRASTRUCTURE LIST DATED 3/10/04 WAS APPROVED. VACATION OF PRIVATE EASEMENTS WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1002711**
04DRB-00171 Major-Preliminary Plat
Approval
04DRB-00172 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES, PA agent(s) for STV INVESTMENTS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-12 AND 21-26, Block(s) 27, Tract(s) A, NORTH ALBUQUERQUE ACRES, UNIT B, (to be known as **OAKLAND ESTATES**) zoned R-D residential and related uses zone, developing area, located on EAGLE ROCK AVE NE, between SAN PEDRO BLVD NE and LOUISIANA BLVD NE containing approximately 11 acre(s). [REF: 03EPC-00907 & 00908, 03EPC-00915, 04DRB-00067, 1003099] [*Deferred from 3/3/04*] (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 3/10/04 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 1/28/04 THE PRELIMINARY PLAT WAS APPROVED. TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALK 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.

5. **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*] (P-10) **DEFERRED AT THE AGENT'S REQUEST TO 3/24/04.**

6. **Project # 1001206**
04DRB-00273 Minor-SiteDev Plan
Subd/EPC
04DRB-00272 Minor-SiteDev Plan
BldPermit/EPC

GEORGE RAINHART ARCHITECTS & ASSOCIATES, agent(s) for ENTERPRISE RENTAL CAR request(s) the above action(s) for all or a portion of Tract(s) 2-A-2B, **BLACK RANCH**, zoned SU-1 FOR C-1, located on COORS BLVD NW, between PASEO DEL NORTE NW and VALLEY VIEW PL NW containing approximately 1 acre(s). [REF: 03EPC-00697, 03EPC-00698] [Debbie Stover, EPC Case Planner] (C-13) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR EPC CASE PLANNER COMMENTS. SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT TO PROVIDE DOCUMENT NUMBER AND PAGE FOR 30-FOOT PRIVATE EASEMENT, TO PROVIDE DIMENSIONS FOR ADA PARKING AND SIDEWALK, TO PROVIDE WIDTH FOR ENTRANCE WIDTH DETAIL FOR 8-FOOT RAISED CROSSWALK AND INFRASTRUCTURE LIST SENTENCE ON SIGNATURE BLOCK.**

7. **Project # 1002796**
03DRB-02022 Minor-SiteDev Plan
BldPermit/EPC
03DRB-02024 Minor-SiteDev Plan
Subd/EPC

RMKM ARCHITECTURE agent(s) for ALBUQUERQUE FIRE DEPARTMENT, request(s) the above action(s) for all or a portion of Lot(s) 8-11, **KAY ADDITION** and Lots 8-10, Block(s) 4, **LOMA VERDE ADDITION**, zoned SU-1 & C-1, located on DALLAS NE, between CHARLESTON ST. NE and CHICO RD. NE containing approximately 1 acre(s). [REF:03EPC01099,01100,01101] [Debbie Stover, EPC Case Planner] [*Deferred from 2/25/04 & 3/10/04*] (K-19) **DEFERRED AT THE AGENT'S REQUEST TO 3/17/04.**

8. **Project # 1003102**
04DRB-00236 Minor-SiteDev Plan
BldPermit/EPC

SM & R GROUP request(s) the above action(s) for all or a portion of Lot(s) 12 & 14, **ESQUIBEL - PALMER**, zoned SU-1 PRD, located on LA GRIMA DE ORO RD NE, between JUAN TABO NE and MORRIS NE containing approximately 2 acre(s). [REF: V 84-77, Z-85-103, Z-85-102-1, 03EPC-01925, 03EPC-01929] **[Makita Hill, EPC Case Planner]** *[Deferred from 3/3/04]* (F-21) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

9. **Project # 1002333**
04DRB-00209 Minor-SiteDev Plan
BldPermit/EPC

DEKKER/PERICH/SABATINI agent(s) for THE BARRETT FOUNDATION request(s) the above action(s) for all or a portion of Block(s) 10A, Tract(s) C-1-A-2, **BELLAMAH'S PRINCESS JEANNE PARK ADDITION**, zoned C-1, located on CONSTITUTION AVE NE, between EUBANK NE and MARY ELLEN ST NE containing approximately 2 acre(s). [REF: 1002333, 02EPC-01691, 02EPC-01693, Z-870, DRB-94-619] **[Cynthia Borrego, EPC Case Planner]** *[Deferred from 2/25/04 & 3/3/04]* (J-21) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND DELEGATED TO PLANNING FOR CYNTHIA BORREGO'S INITIALS AND INFRASTRUCTURE LIST STATEMENT ON SIGNATURE BLOCK.**

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

10. ✓ **Project # 1002885**
04DRB-00244 Minor-Final Plat Approval

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT LLC AND JASON & CINDY LYNN DASKALOS, request(s) the above action(s) for all or a portion of Lot(s) 10-24 AND 7-16, Easterly remaining portion of Lot 16, Block(s) 18 & 20, Unit(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 1, TRACT 3, (to be known as **OCOTILLO SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 4 DU/AC, located on HOLBROOK NE, CARMEL NE & HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE containing approximately 24 acre(s). [REF: 03DRB-01354-01356, 02EPC-01353, 03DRB-01980, 01985] *[Deferred from 3/3/04]* (C-21) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

11. **Project # 1000570**
04DRB-00270 Minor-Sidewalk Waiver

MARK GOODWIN & ASSOCIATES agent(s) for WESTLAND DEVELOPMENT CO. request(s) the above action(s) for all or a portion of Parcel A, **PARKWAY, UNIT 7** and Tract(s) A, **PAINTED SKY, UNIT 1**, Tract 95, Town of Atrisco Grant, Parkway, Unit 10, zoned R-D residential and related uses zone, developing area, located on W. OF UNSER BLVD NW, between GAVIN RD. NW and VINEMONT PL. NW [REF: DRB-95-94, S-98-5, S-98-62, Z-99-8, AX-99-2, 00410-00162, 00931 & 00933] (J-9) **A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALK WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

12. **Project # 1002633**
04DRB-00276 Minor-Prelim&Final Plat
Approval

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for JAYEFF CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 20-24 & 9-13, Block(s) 10, Tract(s) 3 (to be known as **VENTURA PLACE SUBDIVISION**) Lots 2-A & 3-A, NORTH ALBUQUERQUE ACRES, UNIT 3, zoned SU-1 special use zone, located on BARSTOW ST NE, between VENTURA ST NE and BARSTOW ST NE containing approximately 6 acre(s). [REF: 03EPC-00693, EPC-00694 , 03EPC-01323] (C-20) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

13. **Project # 1002792**
04DRB-00278 Minor-Vacation of Private
Easements

TIERRA WEST LLC agent(s) for TRUST OF ALBERT & MARY BLACK request(s) the above action(s) for all or a portion of Lot(s) 1-6, **COTTONWOOD CROSSING, PHASE 2**, zoned SU-1 FOR C-1 & REST. AND SU-1, O-1, located on COORS BLVD NW and SEVEN BAR LOOP NW containing approximately 10 acre(s). [REF: DRB-94-358, SRP5-98-37, DRB-90-361, DRB-98-61, 03EPC-01085, 01086, 03DRB-01780, 03DRB-2084, 04DRB-00184, 04AA-00222] (B-14) **VACATION OF PRIVATE EASEMENTS WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

14. **Project # 1003273**
04DRB-00279 Minor-Vacation of Private
Easements

TIERRA WEST LLC agent(s) for ARC INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 5A-13A, **VISTA MOBILE HOME COMMUNITY**, zoned C-2 community commercial zone, located on CENTRAL AVE SW, between 94th STREET SW and 98th STREET SW containing approximately 2 acre(s). [REF:Z-85-93, V-85-44] (K-9) **WITHDRAWN AT AGENT'S REQUEST TO BE ADVERTISED.**

15. **Project # 1002934**
04DRB-00271 Minor-Prelim&Final Plat
Approval

DE LA TORRE ARCHITECTS agent(s) for FOURTH STREET & MENAUL INC request(s) the above action(s) for all or a portion of Tract(s) 1A, Block(s) O, **WALGREEN ADDITION**, zoned C-2 (SC), located on MENAUL BLVD NW, between 4th ST NW and 2nd ST NW containing approximately 11 acre(s). [REF: 03AA0413] (H-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT TO RELOCATE FIRE HYDRANT (2ND & PROSPECT), ADD VALVES AT MENAUL, CUT AND CAP WATER LINE AT 2ND STREET AND WEST END OF PROSPECT AND PROPERTY MANAGEMENT'S SIGNATURE.**

- 04DRB-00274 Minor-Prelim&Final Plat
Approval

R. JOHN MARNEY request(s) the above action(s) for all or a portion of Block(s) 15, Tract(s) 46, **FRANCISCAN ADDITION**, zoned M-1 light manufacturing zone, located on 2nd ST NW and PROSPECT NW, between I-40 and MENAUL NW containing approximately 1 acre(s). (H-14) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT TO RELOCATE FIRE HYDRANTS, ADD VALVES AT MENAUL, CUT AND CAP WATER LINE AT 2ND STREET AND ON WEST END OF PROSPECT.**

16. **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*] (H-11) **DEFERRED AT THE AGENT'S REQUEST TO 3/24/04.**

17. **Project # 1002992**
03DRB-02138 Minor- Final Plat Approval

WAYJOHN SURVEYING INC. agent(s) for WEST EIGHT LTD. request(s) the above action(s) for all or a portion of Lot(s) 1-3, Block(s) 5, **ORIGINAL TOWNSITE OF WESTLAND**, zoned C-2 community commercial zone, located on 86th ST SW, between BRIDGE BLVD SW and CENTRAL AVE SW containing approximately 2 acre(s). [REF: 03DRB-01623] *[Final Plat was indefinitely deferred]* (K-9) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

18. **Project # 1001347**
04DRB-00245 Minor-Final Plat Approval

ISAACSON & ARFMAN agent(s) for CURB, INC. request(s) the above action(s) for all or a portion of Tract(s) D1B, ALBUQUERQUE SOUTH (to be known as **EL RANCHO GRANDE, UNIT 8B**) zoned R-LT residential zone, located on CARTAGENA / DE ANZA DR SW, between VALLEY VIEW DR SW and SNOW VISTA BLVD SW containing approximately 10 acre(s). [REF: 03DRB-1133 & 01134, 04DRB-00057, 04DRB-00115] *[Deferred from 3/3/04]* (M-9) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

19. **Project # 1002864**
04DRB-00242 Minor-Final Plat Approval

BOHANNAN HUSTON, INC. agent(s) for LAS VENTANAS LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Tract(s) B, LANDS OF MASSACHUSETTS GENERAL HOSPITAL, **CANTA CIELO SUBDIVISION**, zoned R-LT residential zone, located on IRVING BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 20 acre(s). [REF: 03DRB-01302, 03DRB-01487, 01488, 01490, 01491] *[Deferred from 3/3/04]* (A-9) **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

THERE ARE NO SKETCH PLATS THIS WEEK

20. Approval of the Development Review Board Minutes for February 18, 2004. **DRB MINUTES FOR FEBRUARY 18, 2004 WERE APPROVED.**

ADJOURNED: 11:05 A.M.



City of Albuquerque
CITY OF ALBUQUERQUE
P.O. BOX 1299 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002885

AGENDA ITEM NO: 10

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:

An executed Subdivision Improvements Agreement with financial guarantees is on file for Final Plat sign-off.

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: March 10, 2004

**DECLARATION OF
RESTRICTIVE AND PROTECTIVE COVENANTS
FOR
OCOTILLO SUBDIVISION**

The undersigned are the owners in fee simple of the following described real estate:

Lots 1 through 78 and Parcels A, B and C, Ocotillo Subdivision, as the same are shown and designated on the Plat of said Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the 11th day of March, 2004, in Book 2004C, Page 74.

All of such real estate is referred to as the "Subdivision", and shall include all property subsequently made subject to this Declaration.

The undersigned hereby establish a general plan for the development, improvement, ownership, use and sale of Lot(s) (as hereinafter defined) in the Subdivision and does hereby establish the manner, provisions, conditions, restrictions and covenants upon and subject to which Lots shall be used, improved, occupied, owned, sold and conveyed. The provisions, conditions, restrictions, and covenants in this Declaration shall run with the land, all of which shall be binding upon and inure to the benefit of the present and future Owners (as hereinafter defined) of Lots, and of any interest or interests in the Lot or Lots, all of which provisions, conditions, restrictions and covenants are, and each of them is, hereby impressed and imposed upon each and every Lot as a servitude in favor of each and every other Lot.

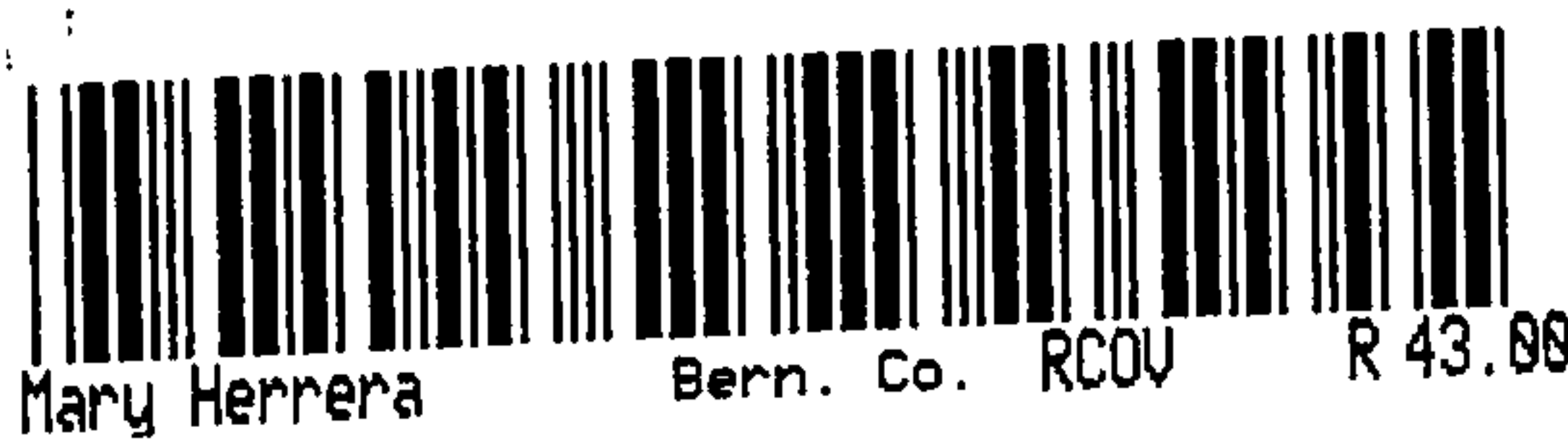
1. Definitions. The following words when used in this Declaration shall have the following meaning:

(a) "Additional Property" shall mean Parcel B and Parcel C, Ocotillo Subdivision, as the same are shown and designated on the Plat of said Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the 11th day of March, 2004, in Book 2004C, Page 74.

(b) "Association" shall mean Ocotillo Homeowners Association, a New Mexico non-profit corporation.

(c) "Board" shall mean the Board of Directors of the Association.

(d) "Common Areas" shall mean the Private Roads, Private Storm Drainage Easements, Security Gate, Landscape Easements and Perimeter Wall (as hereinafter defined) and related Improvements.



(e) "Declarant" shall mean Desert Ridge Development, LLC.

(f) "Declaration" shall mean this Declaration of covenants, conditions, reservations, restrictions and easements, and any amendment or modification thereto.

(g) "Dwelling" shall mean any building or a portion of a building situated on a Lot designed and intended for use by occupancy as a single family residence.

(h) "Improvements" shall include, without limitation, buildings, out-buildings (including sheds and storage buildings), roads, driveways, parking areas, fences, gates, retaining walls, stairs, decks, windbreaks, poles, antennas, signs, utility or communication installations (whether above or underground), and any structure and excavation of any type or kind.

(i) "Lot(s)" shall mean any one of the parcels numbered Lots 1 through 78, inclusive, as shown on the Subdivision Plat of Ocotillo Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on March 11th, 2004, in Book 2004C, Page 76, or any lots subsequently made subject to this Declaration.

(j) "Owner" shall mean the persons or entities, including Declarant, holding legal title or beneficial ownership of the fee, including the purchaser under an installment sales contract of a Lot, or a lessee of a Lot pursuant to a leasehold agreement of a term of twenty (20) years or greater. Owner shall not include a seller under an installment sales contract of a Lot or the lessor of a Lot pursuant to a leasehold agreement with a term of twenty (20) years or greater.

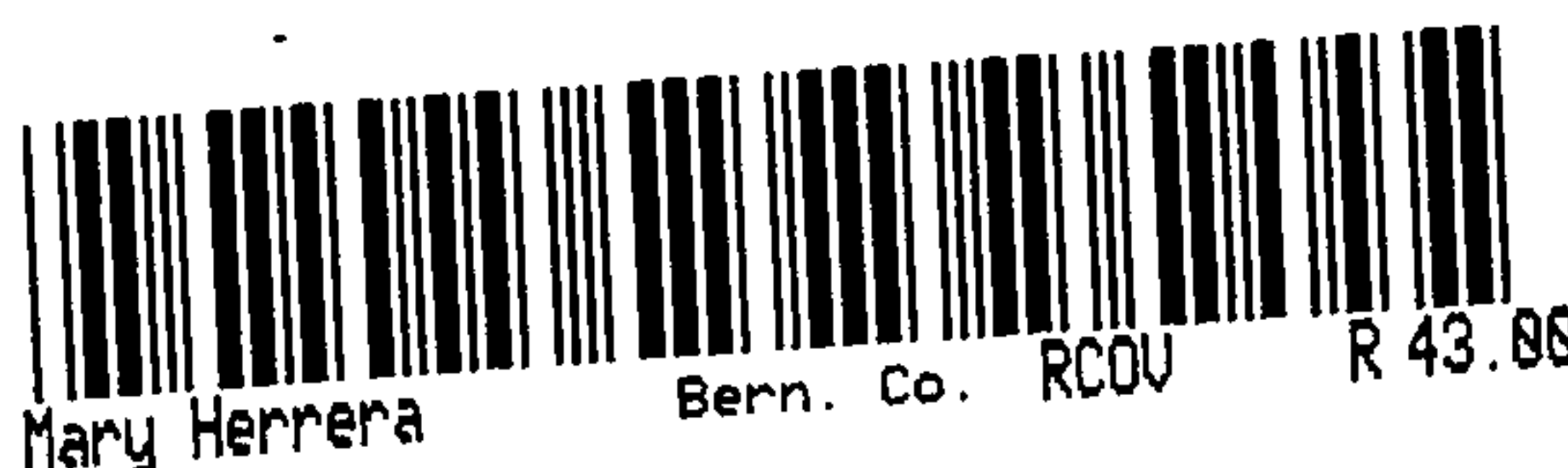
(k) "Perimeter Wall" shall mean the wall constructed by Declarant or its successor on the perimeter of the Subdivision and on the south boundary line of Lot 33 and the north boundary line of Lot 34 adjoining the Private Storm Drainage Easement.

(l) "Plat" shall mean the Subdivision Plat of Ocotillo Subdivision filed on March 11, 2004, in Book 2004C, Page 76, in the Office of the County Clerk of Bernalillo County, New Mexico and all amendments and revisions thereto.

(m) "Plat Easement Notes" shall mean the "Keyed Notes - New Easements" on the Plat.

(n) "Private Roads" shall mean Sand Verbena Trail N.E., Desert Lily Lane N.E., Datura Trail N.E., Desert Poppy Lane N.E., Desert Plume Lane N.E. and Chia Way N.E., which are also described as Parcel A of the Subdivision.

(o) "Private Storm Drainage Easements" shall mean the private storm drainage easements shown on the Plat Easement Notes as number 8.



(p) "Rowe Property" shall mean the property described on Exhibit "A" which is attached hereto and incorporated herein by reference. The Rowe Property includes (2) North Albuquerque Acres lots and portions of Holly Avenue which are not owned by the Rowes, and no provisions contained herein are intended to burden or benefit the portion of the Rowe Property within the boundaries of Holly Avenue, or the two (2) lots not owned by the Rowes, unless said land is acquired by the Rowes.

(q) "Rowes" shall mean Catherine Rowe, as Trustee, her heirs, personal representatives, successors and assigns.

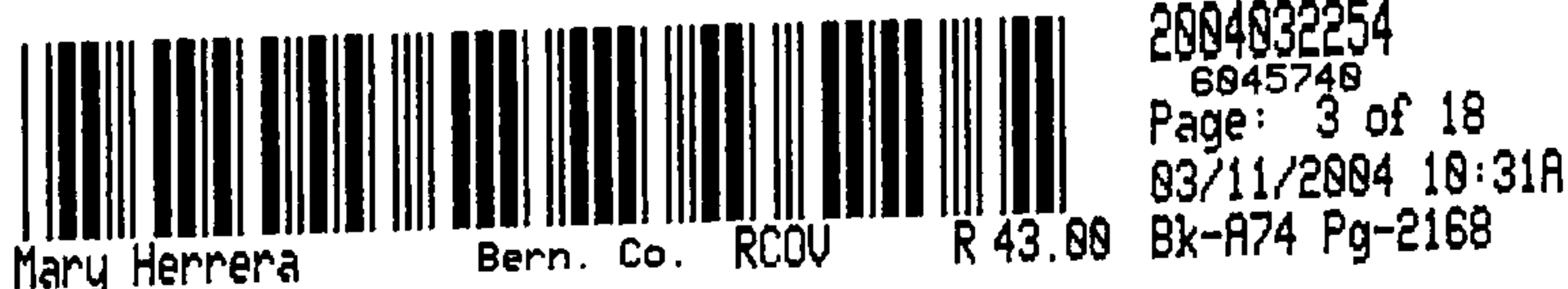
(r) "Security Gate(s)" shall mean the gates on the intersections of Sand Verbena Trail N.E. and Holbrook N.E. on the western portion of the Subdivision, and the gate on the northern boundary of Parcel C adjoining Holly Avenue, N.E., and any gate constructed within the Rowe Property.

(s) "Temporary Public Drainage Easement" shall mean the temporary public drainage easement shown on the Plat Easement Notes as number 18.

2. Land Use and Building Type. The Subdivision will be a gated community consisting of Private Roads, street signs and street lamps all of which shall be maintained by the Association. No Lot, or portion of a Lot, shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any Lot for use other than one Dwelling with a private garage attached to the Dwelling, for not less than two (2) automobiles. All Dwellings shall be constructed of frame/stucco and shall be of a contemporary southwest style with such stone accents as may be approved by the Committee (as hereinafter defined). The stucco is to be of sanded trowel finish. The stucco colors are to be limited to earth tones approved by the Committee. All buildings, except for covered porches and accessory buildings, shall have a pitched concrete tile roof or a flat roof. Front exterior light fixtures will be ceramic or concealed droplights and the design will be the same for all homes. Dwelling numbers will be ceramic tile or as approved by the Committee. There shall also be permitted, (upon approval of the Committee), but not required, one (1) detached accessory building for storage of garden tools, garden and household furnishings, not to exceed 100 square feet and not to exceed eight (8) feet in height. The accessory building must be located inside required property line setbacks and not be visible from the Private Roads. The exterior of any accessory building shall be roofed and stuccoed to match the exterior color of the Dwelling. The Committee will need to approve anything other than a standard gray concrete driveway or walkway.

3. Architectural Control Committee. An architectural control committee (the "Committee") is hereby established and shall be comprised of five (5) persons, each of whom shall serve until his or her successor is appointed and qualified or his or her obligations otherwise terminate.

The following persons are hereby appointed and declared to comprise the Committee:



Leigh Ann Smidt
8300 Carmel Ave. NE, Suite 201
Albuquerque, NM 87122

Justin D. Hoech
8300 Carmel Ave. NE, Suite 601
Albuquerque, NM 87122

Donald G. Hoech
8300 Carmel Ave. NE, Suite 601
Albuquerque, NM 87122

Nola K. Stofac
8300 Carmel Ave. NE, Suite 201
Albuquerque, NM 87122

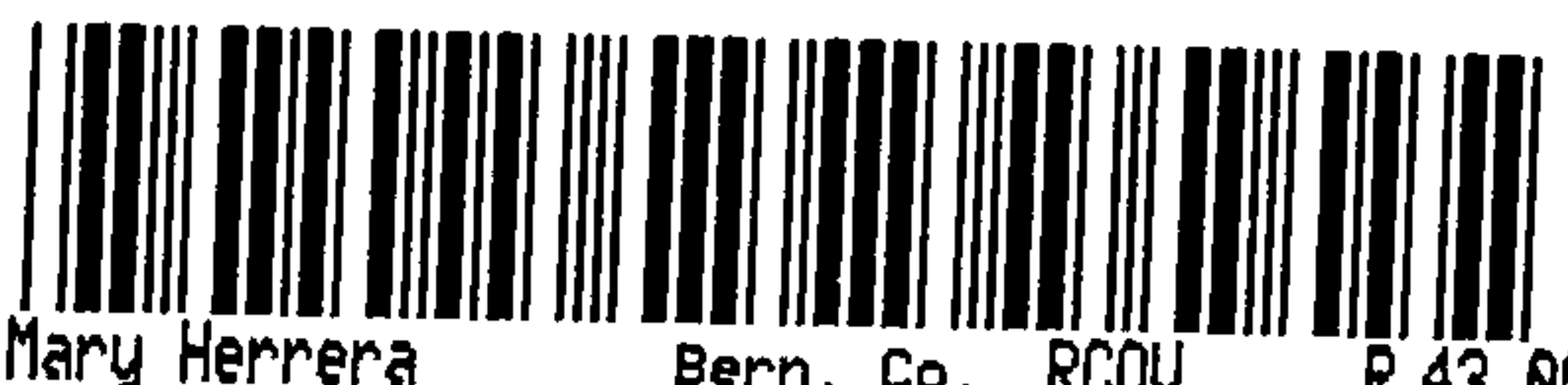
Connie Clark
7305 Desert Eagle N.E.
Albuquerque, NM 87113

Successors shall be appointed by a majority of the remaining members of the Committee. After Declarant or its successors has sold the last Lot and Dwelling to a third party purchaser, the duties of the Committee shall be undertaken by the Association, through a committee to be appointed by the Board.

BEFORE ANYONE SHALL COMMENCE THE CONSTRUCTION, RECONSTRUCTION OR ALTERATION OF ANY IMPROVEMENTS ON ANY LOT, THERE SHALL BE SUBMITTED TO THE COMMITTEE PLANS AND SPECIFICATIONS AS FOLLOWS:

- A. Plans and specifications shall clearly show the nature of the work or installation proposed and location on the Lot, which shall include sufficient description of materials, textures, etc., as shall enable the Committee to determine whether the construction, reconstruction or alteration of Improvements will harmonize with the architectural style of the Subdivision and the external design of existing structures within the Subdivision; and
- B. No Improvements of any kind, or alteration, painting, or texturing thereof, shall ever be, or permitted to be, erected, constructed, installed, placed or maintained on a Lot, unless and until the final plans, specifications and elevations shall have written approval of the Committee. All plans shall further include elevations and textures indicating the materials for the same.

The Committee shall have the right and power to disapprove any plans, specifications or details submitted to it, if the Committee finds that the plans and specifications are not in accordance with all provisions of this Declaration, or if the design, materials or color scheme submitted are not in harmony with other Improvements constructed within the Subdivision or if the plans and specifications are incomplete.



Neither the members of the Committee, either in their individual or in their collective capacities, nor the Declarant, shall be responsible, or have any liability, whatsoever for any defect in any plans, specifications or other data submitted to, approved by or revised by the Committee, or in any work done or Improvements made pursuant to such plans and specifications.

The Committee shall approve or disapprove the plans and specifications within thirty (30) days after receipt of the plans and specifications. If the Committee fails to approve or disapprove the plans and specifications within thirty (30) days after receipt, then such approval shall not be required; provided, that no structure, building or other improvement shall be installed, erected, painted, textured, altered or modified which violates any part of this Declaration.

4. Further Subdivision of a Lot. Except as otherwise provided in this Paragraph, and in Paragraph 29, no Lot may be divided into two or more parcels, nor may one Dwelling occupy more than one Lot. Lot 35 may be replatted into two (2) Lots if Holly Avenue adjoining Lot 35 is abandoned and a portion thereof is incorporated into the new Lots. The new Lots shall contain not less than 9,000 square feet. The Owner of Lot 35 shall have the right to subdivide as provided for in this Paragraph without the consent of the Declarant, the Association, the Owners of other Lots or lenders having liens on any of the Subdivision, provided however, the new Lots shall be deemed subject to all provisions of this Declaration upon the filing of a replat creating the new Lots.

5. Grading. No Lot may be landscaped or re-graded in such a manner as to cause the drainage characteristics of the Lot to differ significantly from the grading plan for the Subdivision approved by, and on file with, the City of Albuquerque Engineering Department (the "Drainage Report"). In no case may the drainage from one Lot drain on to any other Lot, except as allowed by the Drainage Report.

Any party constructing, reconstructing or altering Improvements on any Lot shall be required to conform with the Drainage Report, copies of which are available from Declarant, its successors or the City of Albuquerque.

6. Compliance with the Grading Plan and Development Plan. All Improvements constructed on each Lot shall comply with the City of Albuquerque approved "Grading Plan" and "Development Plan" for the Subdivision. All plans and specifications submitted to the Committee must contain sufficient information to enable the Committee to determine compliance with the Grading Plan and Development Plan. However, the Committee shall not be liable to the Owner or any other person for approval of plans, which are contrary to the Grading Plan and Development Plan.

It is the responsibility of the Owner that all Improvements built on each Lot are in compliance with the soils report for the Subdivision, a copy of which is available at the office of Declarant.



If the Improvement is a building which is to be built on any portion of a Lot outside the prepared pad, the Improvement must be built on controlled fill dirt.

7. Minimum Area of Dwelling; Height Restrictions. The total enclosed living area of any Dwelling, exclusive of open porches, garage, and any accessory building shall not be less than 2,000 square feet. Dwellings are restricted to one (1) story in height and are not to exceed eighteen feet (18') above finished grade on the following Lots: Lots 1, 12, 13, 19, 20, 26 and 27. Dwellings on all of the remaining Lots shall not exceed a height of twenty-six feet (26') above finished grade.

8. Setbacks. No Dwelling shall be located on any Lot in contradiction of the following setback requirements:

- A. There shall be a front-yard setback of not less than twenty feet (20') from the front Lot line.
- B. There shall be a garage setback of not less than twenty feet (20') from the front Lot line.
- C. There shall be a rear-yard setback of not less than fifteen feet (15') from the rear Lot line.
- D. There shall be a side yard setback of not less than five feet (5') from each side yard Lot line, except for corner Lots which shall have a side yard setback of not less than ten feet (10') from Private Roads. Pitched roofs overhanging the setback lines not more than two feet (2') shall not be construed as violating the setback requirements provided they are built at the time of construction of the original Dwelling.

9. Landscaping. The builder constructing any Dwelling shall install the front-yard landscaping. The Owner shall ensure the front yard landscaping is maintained in good condition at all times.

10. Tolerance. A four-inch (4") tolerance for mechanical variances in construction is hereby automatically allowed for buildings and other Improvement setback requirements imposed by this Declaration.

11. Completion of Work. Once construction, reconstruction or alteration of new Improvements shall commence, all such construction, reconstruction or alteration shall be finished and completed in all respects in accordance with the Committee-approved plans and specifications within nine (9) months after said commencement. All construction, reconstruction or alteration activities shall be accomplished in such a manner as shall not create unreasonable, unsightly, noisy or objectionable conditions.



12. Nuisances. No noxious or offensive activity shall be carried on, or permitted upon any Lot. Nothing shall be done, placed or stored on any Lot which may be or may become an annoyance or nuisance to the Owner(s) of other Lot(s), or which will occasion any noise or odor which will or might disturb the peace, comfort or serenity of the occupants of Dwellings on other Lot(s). Owners of vacant Lots shall be responsible for keeping, and shall keep, their Lots clear of weeds, trash and other detracting impediments. No trash or garbage shall be burned on any Lot. Garbage and other waste materials shall be placed in the covered containers provided by the City of Albuquerque and shall not be placed out for collection more than 24 hours prior to scheduled collection times. These containers shall be concealed from the street on non-garbage collection days.

A wire receptacle shall be provided by the builder in the construction area and all debris easily displaced by wind shall be placed in the receptacle. The receptacle shall be emptied when full. All Lots shall be maintained in a neat, orderly condition at all times.

13. Temporary Buildings. No Improvement of a temporary character, such as a shack, barn, basement, trailer, tent, garage or other outbuilding, mobile home, or motor home, shall be used on any Lot at any time as a Dwelling, either temporarily or permanently. No Dwelling placed or erected on a Lot shall be occupied in any manner at any time prior to its being fully completed; provided, however, that this provision shall not prevent the occupancy and use of Improvements on a Lot for residential purposes while additions, modifications, or alterations are being made to a completed Dwelling pursuant to plans and specifications duly approved by the Committee.

Notwithstanding anything to the contrary, any Lot may be used for a sales office, model home complex, or storage and construction yard during the initial construction of a Dwelling and the sales period. All such temporary uses must have the prior approval of the Committee, which shall establish the requirements for such uses.

14. Equipment. No satellite dish, radio, television or other antennas shall be erected upon a Lot unless the antenna(s) can be concealed from view behind a parapet or inside the roof structure or attic, or unless approved by the Committee. Where externally visible air conditioners or evaporative coolers are installed, they shall be so installed that they will not be visible from the front or side Private Roads. Roof mounted units shall be allowed, however, they shall be installed so as to comply with this restriction as much as reasonably possible. No clotheslines or basketball goals of any type shall be placed on or at any Dwelling.

15. Parking and Storage of Vehicles, Etc., Within the Subdivision. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be stored or parked on any Lot continuously for a period of more than twenty-four (24) hours. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be parked on the Private Roads overnight. Operable vehicles may only be parked on the Private Roads for up to seventy-two (72) hours continuously and the same vehicle may not be



parked on the Private Roads more than nine (9) days in any calendar month. The Association shall have the right to adopt rules and regulations regarding parking on the Private Roads which amend the requirements of the previous sentence of this paragraph.

16. Flood Lights. No un-shaded exterior lights shall be permitted which project light more than fifteen (15) feet from a Dwelling.

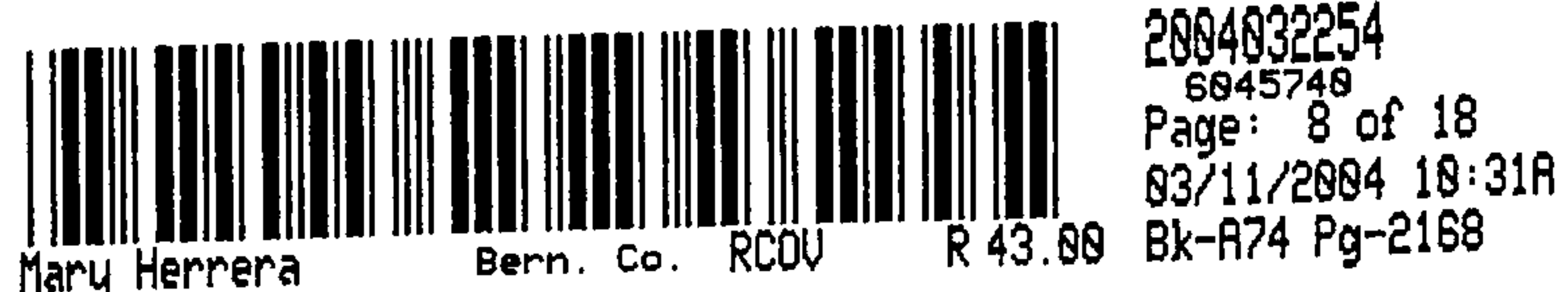
17. No Improvement to Obstruct Vision of Vehicle Operator. No Improvement, including walls, fences, hedges or other obstructions shall be erected, placed, altered or permitted to remain upon any Lot which would obstruct or reduce the vision of an operator of any type of vehicle or obstruct the entrance to the Subdivision and said Improvements shall also comply with the City of Albuquerque's ordinances or guidelines for the clear sight triangle.

18. Party Walls. Party walls include privacy walls. The rights and duties of the Owners with respect to party walls are as follows:

- A. If any party wall is damaged or destroyed through the act of an Owner or any of his/her guests, tenants, licensees, agents or family members, such Owner shall immediately proceed to rebuild and repair the wall to as good a condition as formerly existed without cost to the adjoining Lot Owner.
- B. If any party wall is damaged or destroyed by some cause (including ordinary wear and tear and deterioration from lapse of time), other than the act of one of the Owners, his/her guests, tenants, licensees, agents or family members, then both adjoining Lot Owners shall proceed forthwith to rebuild or repair the wall to as good a condition as existed prior to the damage or destruction at their joint and equal expense.
- C. Any and all resurfacing or repainting of a party wall shall be done in a color to match the original.

19. Privacy Walls & Gates.

- A. Walls for purposes of visual screening or privacy may be constructed within the rear and side yard set back lines, provided the style, color and materials are compatible with those of the Dwelling. Side, front and rear yard walls shall have a maximum height of seventy-two (72) inches. In no case may a wall be in violation of any governmental codes.
- B. All front walls completing court yards that face the Private Roads shall be constructed to match the Dwelling.
- C. No barbed wire, welded wire, welded pipe or wood slats shall be permitted on any Lot. During the construction of the Dwellings, temporary privacy fences



will be permitted between adjoining Lots, until such adjoining Dwellings are completed. All temporary fences must be uniform, provide privacy and be a minimum of five feet (5') in height.

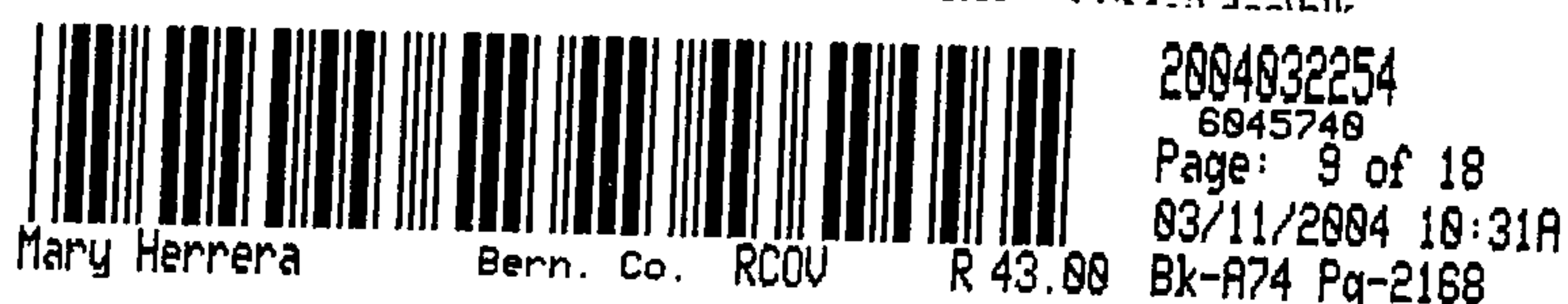
20. Casualty. If any Improvement on any Lot is destroyed, wholly or in part, by fire or other casualty, the Improvement so damaged or destroyed shall be promptly and properly rebuilt or repaired in conformity with the provisions of this Declaration; or, in the alternative, all remaining portions of the Improvement, including all foundations and all debris, shall be removed from the Lot. If the Owner of the Lot elects to clear the Lot, the razing and clearing work shall be completed within one hundred twenty (120) days after the casualty.

21. Animals and Pets. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that domestic dogs and cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial breeding purpose.

22. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying, or mining operations or exploration of any kind shall be permitted upon any Lot. No oil wells, tanks, tunnels, minerals excavation shafts or other such equipment or activities shall be permitted upon any Lot.

23. Easements and Rights-of-Way

- A. Utility Easements and Rights-of-Way. All areas of the Lots reserved for the installation, removal, repair and maintenance of utilities are reserved and designated as utility easements on the Plat.
- B. Easements and Rights-of-Ways Include Right of Ingress and Egress. All easements and rights-of-ways of whatever type which are shown and designated on the Plat shall include the right of ingress to and egress from such easements and rights-of-way over, upon, or under such easements, for the purpose of installing, removing, repairing and maintaining utilities, trimming or removing of interfering trees or shrubs, and any other purpose for which such easements and rights-of-way may be used.
- C. No Construction or Obstacle on Any Type of Easement or Right-of-Way. No Dwelling, obstacle, or other type of Improvement shall be erected, placed, altered, or permitted to remain upon any portion of a Lot which is the subject of any type of easement or right-of-way which would in any way interfere with the use of such easement or right-of-way; nor shall any trees, shrubs, hedges, or other landscaping be planted or permitted to remain in place, or to remain untrimmed, which would interfere with the use of any easement or right-of-way.



D. Perimeter Walls. The Perimeter Walls shall be Common Areas, constructed by the Declarant or its successors, and shall be maintained by the Association. Each Lot containing a portion of the Perimeter Walls shall be subject to a perpetual non-exclusive easement for said Perimeter Walls which shall be three (3) feet in width ("Perimeter Wall Easements") and shall be located as follows:

- (1) The southern three (3) feet of Lots 33 and 60 through 78.
- (2) The western three (3) feet of Lots 1 through 6 and 78.
- (3) The northern three (3) feet of Lots 6, 7, 13, 14, 20, 21, 27, 28, 31, 34 and 35.
- (4) The eastern three (3) feet of Lots 28, 29, 30, 31, 32, 33, 34 and 60.

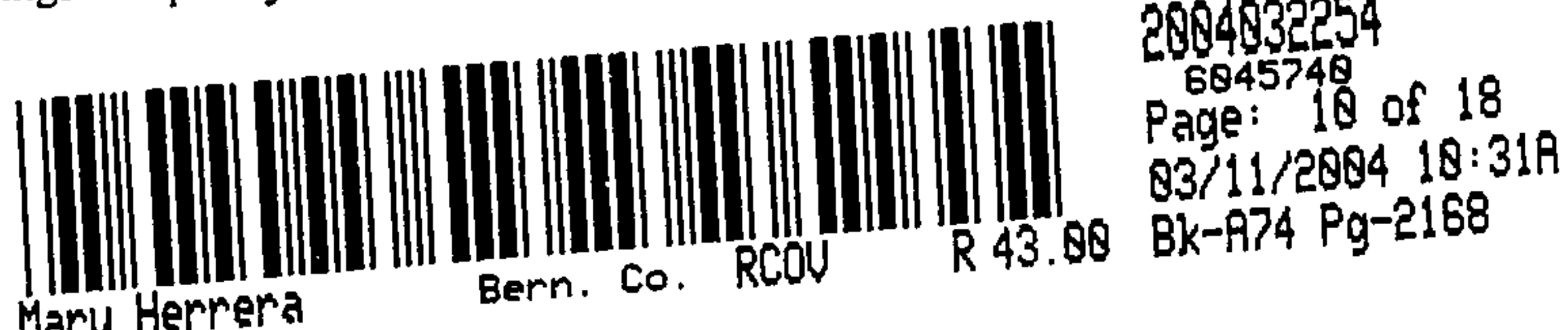
The Perimeter Wall Easements shall be perpetual and non-exclusive for the benefit of Declarant, its successors, and the Association for the construction, maintenance and repair of the Perimeter Walls. No Owner shall have the right to tie into or alter the Perimeter Walls on said Owner's Lot without the prior written consent of Declarant, its successors or the Association.

E. Landscape Easements. The Plat has created Landscape Easements in Plat Easement Note number 17, which shall be maintained by the Association. Declarant further declares that the southwestern corner of Lot 1 is subject to a perpetual non-exclusive easement for landscaping outside the Perimeter Wall, which shall be deemed one of the "Landscape Easements". The Landscape Easement on Lot 1 shall be utilized for monument signage for the Subdivision, lighting and landscaping. The Landscape Easements shall be maintained by Declarant, its successors or the Association.

F. Private Access Easement. The Plat has created a private access easement on Parcel C in Plat Easement Notes number 16 which shall be maintained by the Association.

G Temporary Public Drainage Easement. The Plat has created a temporary public drainage easement on Lot 60 in Plat Easement Notes number 18 which shall be maintained by the Association.

24. Billboards, Poster-Boards, and Advertising. The construction and/or maintenance of billboards, poster-boards, and advertising structures of any kind on any part of any Lot is prohibited, except that real estate agents and/or the Owner of a Lot may display one (1)



temporary "For Sale" sign or one (1) "Open House" sign on any Lot. The sum of the length and width of such signs shall not exceed sixty inches (60"). Declarant and the initial builder of the Improvements on each Lot shall be exempt from the requirements of this Paragraph 24.

25. Common Areas. The Common Areas shall be maintained by the Association. The Board shall have the right to establish rules and regulations related to use of the Common Areas.

26. Association. The Association shall be a New Mexico non-profit corporation which shall be controlled by the articles of incorporation and bylaws thereof.

- A. Every Lot shall be entitled to one (1) membership in the Association which shall be vested in the Owner or Owners thereof. If an Owner owns more than one (1) Lot, said Owner shall have only one (1) Membership in the Association, however, said Owner shall have one (1) vote for each Lot. Membership shall be appurtenant to and may not be separated from the ownership of any Lot. Ownership of a Lot shall be the sole qualification for membership.
- B. The Association shall have one (1) class of voting membership.
- C. The expenses of the Association shall be paid through assessments against each Lot. Such assessments shall be fixed, established and collected from time to time as hereinafter provided. The assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on each Lot and shall be a continuing lien upon each Lot against which each such assessment is made. These assessments and costs shall also be the personal obligation of each person or entity who was the Owner of the Lot when the assessment became due. Assessments will begin on the date set by the Board and will be prorated for partial assessment years.
- D. The assessments shall be used exclusively for the Common Areas and costs of the Association.
- E. The initial annual assessments for each of the Lots shall be \$480.00, prorated from the date each Owner closes on the purchase of a Lot and Dwelling from Declarant or the initial builder. Annual assessments thereafter shall be due and payable on January 1 of each successive year and shall be delinquent each February 1 if not paid in full; provided however, the Association may decide to assess the Owners monthly or quarterly for the annual assessments. Neither Declarant nor a builder holding a Lot for development or a Lot with a Dwelling for initial sale shall be required to pay any assessments for Lots it owns; provided



however, if any Dwelling owned by Declarant or the initial builder is occupied as a residence prior to the sale the annual assessments shall commence on the date of occupancy and shall be paid by the Owner of said Lot. The \$480.00 annual assessment shall remain in effect until modified by a two-thirds (2/3) vote of the members of the Association at a meeting held for the purpose of determining said assessments, which meeting shall be called at least thirty (30) days in advance thereof, except in the event of an emergency.

- F. Written notice of the annual assessments shall be sent to every member at the time of its determination by the Board. The Association shall, upon demand at any time, furnish to a member a certificate in writing signed by an officer designated by the Board as the one responsible for keeping the records, or for this purpose, setting forth whether said assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.
- G. If any installment of an assessment is not paid within thirty (30) days after it is due, then such assessment shall become delinquent and shall, together with interest thereon, and the cost of collection thereof, as provided herein, become a continuing lien on the Lot which shall bind such Lot in the hands of the then Owner of that Lot, and any subsequent Owner. The personal obligation of the then Owner to pay such assessment, however, shall remain its personal obligation for the statutory period and shall not pass to its successors in title until expressly assumed by them. If the assessment is not paid within thirty (30) days after the delinquency date, a reasonable late charge may be assessed at the discretion of the Board and the assessment shall bear interest from the date of delinquency at the rate of eighteen percent (18%) per annum until paid. The Association may bring an action at law against the Owner personally obligated to pay the same or an action to foreclose the lien against the Lot, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided, reasonable attorney's fees to be fixed by the court, together with the costs of the action.
- H. The lien for the assessments shall be subordinate to the lien of any first mortgage placed upon the Lot in good faith and for value; however, such subordination applies only to the assessments due before the sale or transfer of the Lot pursuant to a decree of foreclosure, or any transfer in lieu of foreclosure. The sale or transfer of a Lot does not relieve the Lot from the liability for or lien of assessments thereafter becoming due.

27. No Business or Commercial Enterprise Permitted. No business, whether or not for profit, and no commercial enterprise of whatever kind, except from time to time as may be



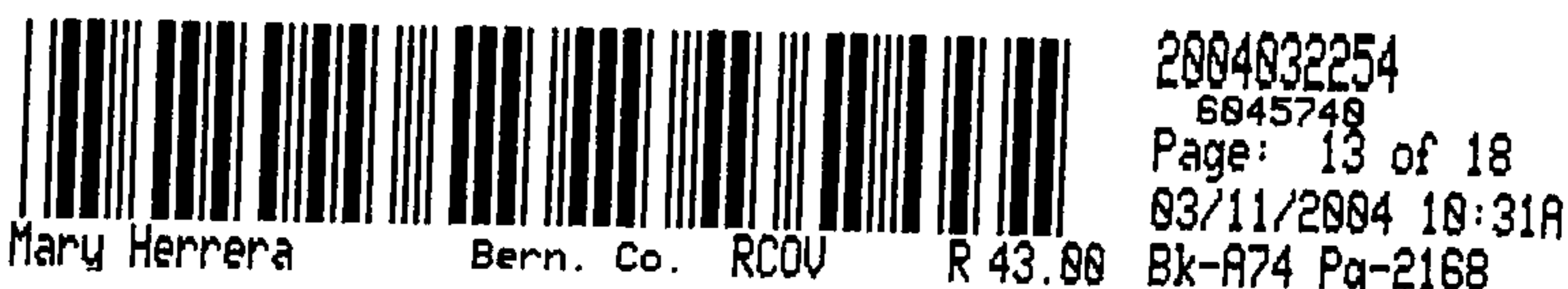
permitted by the City of Albuquerque Comprehensive Zoning Ordinance for the Subdivision, shall be undertaken or carried on, upon, or from any Lot, except only the original sales and subsequent sales of the Lots and the Dwellings constructed and to be constructed thereon. No stores, shops, businesses, commercial, or industrial buildings, or other such structures of whatever type shall be erected, placed, altered, or permitted to remain upon any Lot, except only in connection with the original development and sales of the Lots and construction and sales of the Dwellings, such as model homes or a show home, or a sales office.

Home offices shall be allowed in occupied Dwellings under the following guidelines:

- A. There shall be no signs and/or advertising of the home office;
- B. The garage shall remain a garage and shall not be converted to an office; and
- C. There shall be a maximum of one customer and the Owner of the Lot conducting business at any one time from the home office.

28. Additional Property. The owner(s) of the Additional Property shall have the right, without the consent of the Association, or any Owners, or lenders having liens on any of the Subdivision, to subdivide the Additional Property and make the Additional Property subject to this Declaration. Each parcel of the Additional Property which is platted for single family residential use shall be deemed a Lot for purposes of this Declaration, including membership in the Association and liability for assessments, on the date the replat creating said Lot(s) is filed. The Additional Property may be replatted into a maximum of (2) Lots if Holly Avenue adjoining the Additional Property is abandoned and a portion thereof is incorporated into the new Lots. The new Lots shall contain not less than 9,000 square feet each.

29. Rowe Property. Upon the written notice from the owner of the Rowe Property, and upon the owner of the Rowe Property filing a supplemental declaration to this Declaration, without the consent of the Association or any Owner, or lenders having liens on any portion of the Subdivision, the Rowe Property shall be subjected to this Declaration, as hereinafter qualified, and the owner of the Rowe Property shall have access rights to and from the Private Roads and use of the Security Gate on Holbrook N.E. without the obligation of the owners of the Rowe Property to contribute to the initial construction costs of the original Subdivision and the Common Areas' Improvements. The Rowe Property shall only be platted into single family residential lots and necessary private roads and easements (including Perimeter Wall Easements), and shall include a security gate providing access to Holly Avenue, N.E., if required by the City of Albuquerque. Each single family residential lot shall be deemed a Lot for purposes of membership in the Association and assessments. The obligation for payment of the annual assessments by the Owners of the Lots within the Rowe Property shall commence as to each such Lot upon the substantial completion of the Dwelling thereon and the consummation of the initial sale thereof by the builder or occupancy of the Dwelling, whichever occurs first. All Lots created within the Rowe Property shall contain not less than 9,000 square feet and Dwellings



shall be comparable in design and cost per square foot to the Dwellings constructed on the southernmost Lots of the Subdivision. Prior to the construction of any Improvements thereon, the initial plans shall be submitted to the Committee, but Committee approval shall not be required. Notwithstanding the preceding sentence, all other provisions of this Declaration shall apply to the Lots created within the Rowe Property and the construction of Improvements thereon, including subsequent renovations to the initial Improvements. The owner of the Rowe Property shall pay all costs for infrastructure (including separate metering of utilities within the Common Areas) and other Improvements required by governmental authorities, as well as the cost for a perimeter wall, which shall be of the same materials and colors as the Perimeter Wall. The owner of the Rowe Property shall also pay for a security gate to provide access to and from Holly Avenue, N.E., if a road connecting to Holly Avenue N.E. is required by the City of Albuquerque. All rights and obligations of this Declaration with respect to the Rowe Property shall run with the Rowe Property. Nothing contained herein shall preclude the owner of the Rowe Property from electing not to be subjected to this Declaration and to put the Rowe Property to use for purposes other than as set forth herein, provided said election is made before the election to subject the Rowe Property to this Declaration.

30. Enforcement of Covenants. The violation or breach of any provision, condition, restriction or covenant in this Declaration, after notice of such violation or breach has been presented to an Owner, shall give each other Owner, Declarant, the Association and the Committee the right to prosecute at law or in equity, the person or persons who have violated or are attempting to violate any provision, condition, restriction or covenant in this Declaration, to enjoin or prevent them from doing so, to cause the violations to be remedied or to recover damages for the violation. Any one of the above-listed persons or entities may so enforce this Declaration and the cooperation of any other person or entity is not required.

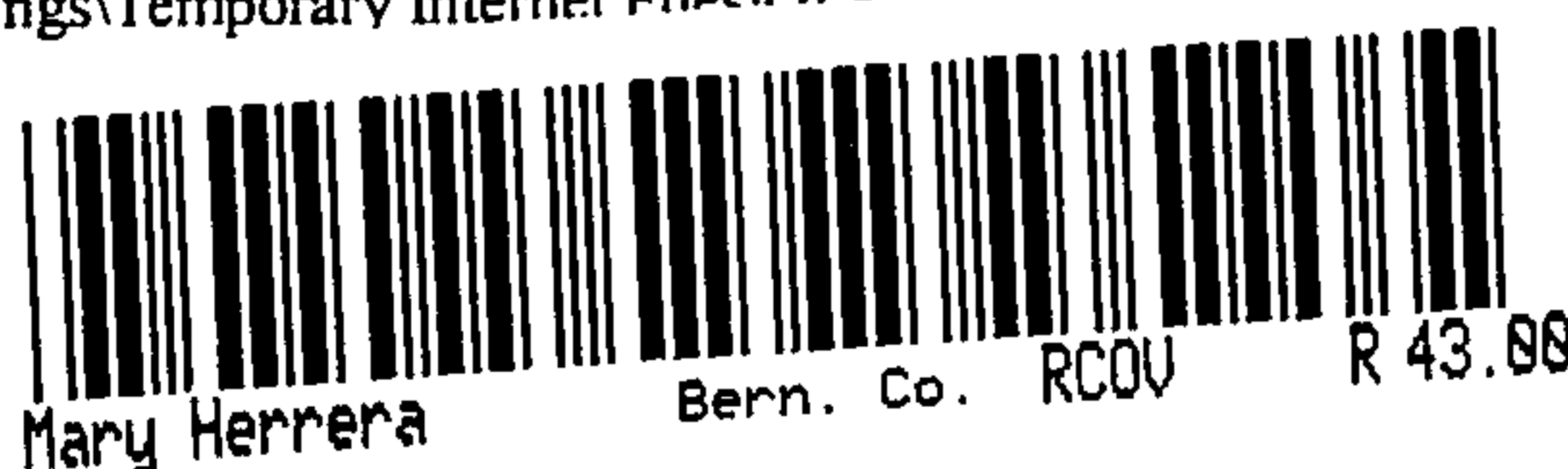
The result of every action or omission whereby any provision, condition, restriction or covenant in this Declaration is violated in whole or in part, is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an Owner, either public or private, shall be applicable against every such action or omission.

The failure of Declarant, the Committee, the Association or any Owner to enforce any provision, condition, restriction or covenant in this Declaration shall not be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other provision, condition, restriction or covenant in this Declaration.

The prevailing party or parties in any judicial proceedings to enforce this Declaration shall be entitled to reasonable attorney's fees and court costs from the non-prevailing party.

All questions of interpretation or construction of the terms of this Declaration shall be resolved by the Association.

31. Severability. If any one or more of the provisions, conditions, covenants and restrictions in this Declaration are held by any court of competent jurisdiction to be null and

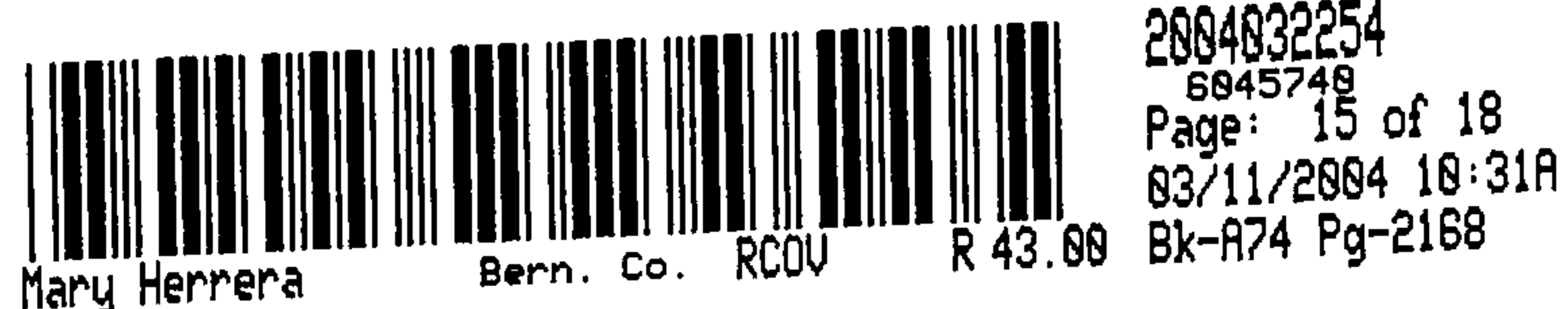


void, all remaining provisions, conditions, covenants and restrictions shall continue unimpaired and in full force and effect.

32. Assignment of Declarant's Rights. The Declarant shall have the right to assign, transfer and convey all of Declarant's rights to a third party or parties acquiring the remaining undeveloped Lots owned by Declarant in the Subdivision. Said assignee(s) or successor(s) shall have the same rights as Declarant hereunder.

33. Duration of These Covenants. The provisions, conditions, covenants and restrictions in this Declaration shall run with the land and continue in full force and effect for a period of thirty (30) years from the date of the filing of this Declaration in the office of the County Clerk of Bernalillo County, New Mexico, at which time they shall be automatically extended for a period of ten (10) years and thereafter for successive ten year periods, unless before the commencement of any extension period the then Owners of the fee simple estate of seventy-five percent (75%) or more of the Lots by written instrument, duly executed and recorded, shall declare a termination of this Declaration. Any such termination shall become effective upon the date upon which otherwise the automatic extension would take effect.

34. Amendment. At any time after the date of the filing this Declaration, the Owners of not less than seventy-five percent (75%) of the Lots may release one or more of the Lots from, or may modify, change or amend all or any portion of the provisions, conditions, covenants or restrictions contained in this Declaration by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the office of the County Clerk of Bernalillo County, New Mexico. No amendment to this Declaration which impairs the rights of the owner(s) of the Rowe Property may be made without the written consent of the owner(s) of the Rowe Property; provided however, after submission of the Rowe Property to this Declaration, the above requirements for amendment shall apply, except as to matters which only affect or disproportionately affect the Lots which were originally part of the Rowe Property, in which case unanimous consent of the Owners of those Lots must be obtained to amend this Declaration.



[Signature]
JASON DASKALOS

[Signature]
CINDY LANE DASKALOS
Lynn CD

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)



This instrument was acknowledged before me on 03/11/2004, by JASON DASKALOS and CINDY LANE DASKALOS.

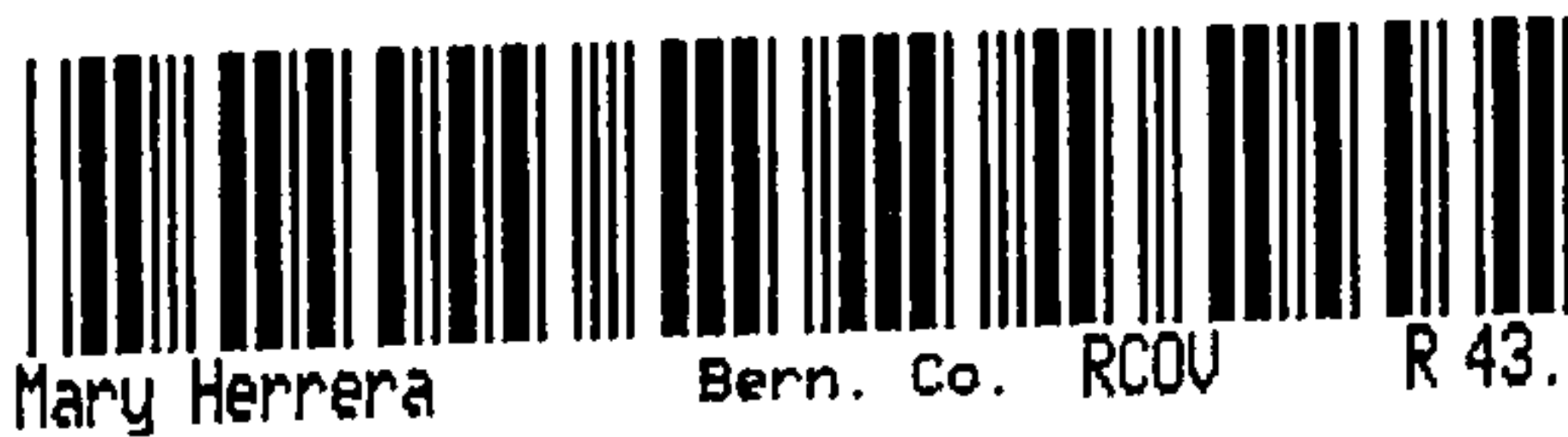
[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:
October 26, 2004

EXHIBIT "A"

Rowe Property

Lots 5 and 6, Block 20, North Albuquerque Acres, Tract 3, Unit 1, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Bernalillo County, New Mexico on March 23, 1931, in Book D, page 132.



2004032254
6045740
Page: 18 of 18
03/11/2004 10:31A
Bk-A74 Pg-2168

3/3/07

Susan Fox for Mrs Rowe

- in agreement w/ subdivision now

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Development Review Board
3/3/04 Comments**

ITEM # 13

PROJECT # 1002885

APPLICATION # 04-00244

RE: Ocotillo Subdivision/final plat

AGIS dxf is approved as is the perimeter wall design.

No objection to approval.

*No!
Moratorium
In effect as of
2/1/04*



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

#13

FINAL PLAT UNADV. CASE
DRB ~~PUBLIC HEARING~~ SIGN IN SHEETS

CASE NUMBER: 1002885 AGENDA#: 13 DATE: 3/3/04

✓ 1. Name: Susan Fox Address: PO Box 1888 Zip: 87103

2. Name: Frank Rowe Address: PO Box 1888 Zip: 87103

3. Name: Jma 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: _____

Notice
only



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

March 3, 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: 12:40 P.M.

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project # 1000122**
04DRB-00174 Major-Vacation of Public Easements
04DRB-00173 Minor-Extension of Preliminary Plat
04DRB-00175 Minor-Vacation of Private Easements

KIM KEMPER, agent(s) for HIGH LONESOME RANCH request(s) the above action(s) for all or a portion of Tract(s) 1A AND 1C, EDEN LANDS (to be known as **HIGH LONESOME RANCH SUBDIVISION**, zoned RA-1 AND SU-1 for O-1 located on GABALDON RD NW, between MOUNTAIN RD NW and I-40 NW containing approximately 21 acre(s). [REF: DRB-98-146, Z-98-70, AX-98-8, 03DRB-00184, 00185 and 00186] [Deferred from 3/3/04] (H-12) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**

2. **Project # 1003112**
04DRB-00167 Major-Bulk Land Variance
04DRB-00168-Major-Vacation of Public
Easements
04DRB-00166 Minor-Prelim&Final Plat
Approval

COMMUNITY SCIENCES CORP agent(s) for COLLATZ INC./CLIFFORD CAPITAL FUND INC request(s) the above action(s) for: A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, PROJECTED SECTIONS 34 AND 35, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING ALL OF: TRACT D OF LAVA TRAILS SUBDIVISION AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 5/16/2002, IN BOOK 2002C, PAGE 172; THE REMAINING "LANDS OF SLOAN" AS THE SAME IS SHOWN AND DESIGNATED ON THE SPECIAL WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 7/27/1945, IN BOOK 220, PAGE 289; THE LANDS OF BOB CARRICO AS THE SAME IS SHOWN AND DESIGNATED ON THE WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 5/15/1972, IN BOOK D918, PAGE 551; THE LANDS OF JOE SAAVEDRA AS THE SAME IS SHOWN AND DESIGNATED ON THE WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 5/10/1964, AS DOC #98133; THE LANDS OF ALBERT GURULE AND THE SAME IS SHOWN AND DESIGNATED ON THE WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 2/17/1997, IN BOOK 97-4, PAGE 9000; PAQUIN TRAIL GRANT OF EASEMENT AS THE SAME IS SHOWN AND DESIGNATED ON THE WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 01/14/1955, IN BOOK D302, PAGE 303; THE LANDS OF DUNCAN KIRK/DEBORAH TARPLEY AS THE SAME IS SHOWN AND DESIGNATED ON THE WARRANTY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO ON 02/01/2002, IN BOOK A31, PAGE 4192 BUT LESS AND EXCEPTING THEREFROM THOSE LANDS GRANTED TO THE CITY OF ALBUQUERQUE IN THAT WARRANTY DEED RECORDED ON JUNE 12, 1992 IN BK. 92-13, PGS. 9944-9948; ALL BEING DESCRIBED MORE FULLY AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT D, LAVA TRAILS SUBDIVISION, A POINT LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF WESTERN TRAIL N.W. AND RUNNING THENCE N11°45'21"W, 338.72 FEET; THENCE S77°36'56"W, 127.43 FEET; THENCE N35°50'27"W, 123.47 FEET; THENCE N35°50'27"W, 66.00 FEET TO A POINT LOCATED ON THE EASTERLY RIGHT OF WAY LINE OF UNSER BLVD N.W.; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE 652.67 FEET ALONG AN 1178.00 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE = 31°44'40"; CHORD BEARS N44°22'41" E, 644.35 FEET); THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE S89°34'22"E, 144.15 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ATRISCO DRIVE N.W.; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE S11°45'40"E 793.97 FEET TO A NON-TANGENT POINT OF CURVATURE; THENCE 29.21 FEET ALONG A 50.00 FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE = 33°28'34"; CHORD BEARS S05°07'51"W, 28.80 FEET); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: N56°53'08"W, 11.55 FEET; S33°06'52"W, 21.60 FEET; S56°53'08"E, 11.09 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WESTERN TRAIL ROAD NW; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE 30.39 FEET ALONG A 50.00 FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE = 34°49'19"; CHORD BEARS S64°14'04"W, 29.92 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE 188.62 FEET ALONG A 2683.31 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE = 04°01'39"; CHORD BEARS S79°37'54"W 188.58 FEET A POINT OF TANGENCY; THENCE S77°37'04"W, 228.57 FEET TO THE POINT OF BEGINNING, AND CONTAINING 9.0545 ACRES, MORE OR LESS, (to be known as **RINCONADA TRAILS SUBDIVISION** (formerly Western Trails Estates), zoned R-D, located on UNSER BLVD NW, between WESTERN TRAILS NW and LEGENDS AVE NW containing approximately 10 acre(s). [REF:SD-80-5, 03DRB-01994](F-10 & F-11) **BULK LAND VARIANCE WAS APPROVED. VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR THE 15-DAY APPEAL PERIOD.**

3. **Project # 1002711**
04DRB-00171 Major-Preliminary Plat
Approval
04DRB-00172 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES; PA agent(s) for STV INVESTMENTS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-12 AND 21-26, Block(s) 27, Tract(s) A, NORTH ALBUQUERQUE ACRES, UNIT B, (to be known as **OAKLAND ESTATES**) zoned R-D residential and related uses zone, developing area, located on EAGLE ROCK AVE NE, between SAN PEDRO BLVD NE and LOUISIANA BLVD NE containing approximately 11 acre(s). [REF: 03EPC-00907 & 00908, 03EPC-00915, 04DRB-00067, 1003099] [*Deferred from 3/3/04*] (C-18) **DEFERRED AT AGENT'S REQUEST TO 3/10/04.**

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.

4. **Project # 1000651**
04DRB-00246 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for TIJERAS PLACE LLC SERIES B request(s) the above action(s) for all or a portion of Tract(s) A29A1, **TOWN OF ATRISCO GRANT NORTHEAST, UNIT 1**, zoned SU-1 FOR PLANNED DEVELOPMENT AREA C-1 USES, located on REDLANDS RD NW, between COORS BLVD NW and CORONA DR NW containing approximately 2 acre(s). [REF: 02EPC-01672,01673, 02DRB-01946,01947, 03DRB-00190, 03DRB-00285, 03EPC-01927] [**Makita Hill, EPC Case Planner**] [*Deferred from 3/3/04*] (G-11) **DEFERRED AT THE AGENT'S REQUEST TO 3/17/04.**

5. **Project # 1002624**
04DRB-00239 Minor-SiteDev Plan
Subd/EPC
04DRB-00240 Minor-SiteDev Plan
BldPermit/EPC

DEKKER/PERICH/SABATINI , agent(s) for NEW DAY YOUTH & FAMILY SERVICES request(s) the above action(s) for all or an Unplatted portion of Section 36, T10N, R3E, **UNPLATTED LAND, NEW DAY SHELTER**, zoned SU-1 special use zone for Short Term Shelter, located on RIDGECREST DR SE, between LOUISIANA BLVD SE and DAKOTA ST SE containing approximately 1 acre(s). [REF: 03AA-00669, 03EPC-00935, 03DRB-01223, 03EPC-02050] **[Juanita Vigil, EPC Case Planner] (M-18) THE SITE PLAN FOR SUBDIVISION AND SITE PLAN FOR BUILDING PERMIT WERE APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND TRANSPORTATION DEVELOPMENT FOR ADA STALLS AND PLACEMENT OF SIDEWALKS ON SITE PLANS.**

- 04DRB-00243 Minor-Prelim&Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES, INC. agent(s) for NEW DAY YOUTH & FAMILY SERVICES request(s) the above action(s) for all or an Unplatted portion of Section 36, T10N, R3E, **UNPLATTED LAND, NEW DAY SHELTER**, zoned SU-1 special use zone for Short Term Shelter, located on RIDGECREST DR SE, between LOUISIANA BLVD SE and DAKOTA ST SE containing approximately 1 acre(s). [REF: 03AA-00669, 03EPC-00935, 03DRB-01223, 03EPC-02050] (M-18) **PRELIMINARY AND FINAL PLAT WERE APPROVED AND SIGNED OFF BY THE BOARD.**

6. **Project # 1003054**
04DRB-00226 Minor-SiteDev Plan
BldPermit
04DRB-00227 Minor-Prelim&Final Plat
Approval

MECHENBIER CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 36 & 37, **RICHFIELD PARK**, zoned IP, located on WASHINGTON NE, between BALLOON MUSEUM DR NE and JEFFERSON ST NE containing approximately 2 acre(s). [REF: Z-85-70-1, Z-82-86, DRB-94-339, 03DRB-01804] [*Listed under Project #1003086 in error*] (C-17) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR ADA STALL DIMENSIONS, PARKING BUMPERS AND ADA RAMP CONFIGURATIONS AND PLANNING FOR MISCELLANEOUS COMMENTS AND INFRASTRUCTURE LIST SENTENCE AND AEHD AND SWMD SIGNATURES. PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

7. **Project # 1003100**
04DRB-00247 Minor-SiteDev Plan
BldPermit/EPC

TIERRA WEST LLC agent(s) for SKYE INC request(s) the above action(s) for all or a portion of Tract(s) B-1 & C-1, **ADOBE WELLS SUBDIVISION**, zoned SU-1, IP, C-2, R-2 USES, located on EAGLE RANCH RD NW, between WESTSIDE DR NW and IRVING BLVD NW containing approximately 6 acre(s). [REF: 03EPC-01921] [*Debbie Stover, EPC Case Planner*] (B-13) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR FIRE MARSHAL'S APPROVAL AND PLANNING FOR LANDSCAPE PLAN MODIFICATIONS PER D. STOVER'S COMMENTS.**

8. **Project # 1003102**
04DRB-00236 Minor-SiteDev Plan
BldPermit/EPC

SM & R GROUP request(s) the above action(s) for all or a portion of Lot(s) 12 & 14, **ESQUIBEL - PALMER**, zoned SU-1 PRD, located on LA GRIMA DE ORO RD NE, between JUAN TABO NE and MORRIS NE containing approximately 2 acre(s). [REF: V 84-77, Z-85-103, Z-85-102-1, 03EPC-01925, 03EPC-01929] **[Makita Hill, EPC Case Planner]** *[Deferred from 3/3/04]* (F-21) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**

9. **Project # 1003262**
04DRB-00216 Minor-SiteDev Plan Subd
04DRB-00215 Minor-Prelim&Final Plat
Approval

TIMOTHY OTT request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 11, **NORTH ALBUQUERQUE ACRES**, zoned SU-1 for M-1, located on OAKLAND NW, between SAN MATEO NW and I-25 containing approximately 2 acre(s). [REF: 04DRB-00215] *[Deferred from 2/25/04]* (C-18) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADDRESS PREVIOUS SITE PLAN COMMENTS. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 3/3/04 THE PRELIMINARY PLAT WAS APPROVED FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

10. **Project # 1002333**
04DRB-00209 Minor-SiteDev Plan
BldPermit/EPC

DEKKER/PERICH/SABATINI agent(s) for THE BARRETT FOUNDATION request(s) the above action(s) for all or a portion of Block(s) 10A, Tract(s) C-1-A-2, **BELLAMAH'S PRINCESS JEANNE PARK ADDITION**, zoned C-1, located on CONSTITUTION AVE NE, between EUBANK NE and MARY ELLEN ST NE containing approximately 2 acre(s). [REF: 1002333, 02EPC-01691, 02EPC-01693, Z-870, DRB-94-619] **[Cynthia Borrego, EPC Case Planner]** *[Deferred from 2/25/04 & 3/3/04]* (J-21) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**

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

11. **Project # 1001347**
04DRB-00245 Minor-Final Plat
Approval
- ISAACSON & ARFMAN agent(s) for CURB, INC. request(s) the above action(s) for all or a portion of Tract(s) D1B, ALBUQUERQUE SOUTH (to be known as **EL RANCHO GRANDE, UNIT 8B**) zoned R-LT residential zone, located on CARTAGENA / DE ANZADR DR SW, between VALLEY VIEW DR SW and SNOW VISTA BLVD SW containing approximately 10 acre(s). [REF: 03DRB-1133 & 01134, 04DRB-00057, 04DRB-00115] [*Deferred from 3/3/04*] (M-9) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**
12. **Project # 1002864**
04DRB-00242 Minor-Final Plat
Approval
- BOHANNAN HUSTON, INC. agent(s) for LAS VENTANAS LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Tract(s) B, LANDS OF MASSACHUSETTS GENERAL HOSPITAL, **CANTA CIELO SUBDIVISION**, zoned R-LT residential zone, located on IRVING BLVD NW, between UNIVERSE BLVD NW and RAINBOW BLVD NW containing approximately 20 acre(s). [REF: 03DRB-01302, 03DRB-01487, 01488, 01490, 01491] [*Deferred from 3/3/04*] (A-9) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**

13. ~~Project # 1002885~~
04DRB-00244 Minor-Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES, INC., agent(s) for DESERT RIDGE DEVELOPMENT LLC AND JASON & CINDY LYNN DASKALOS, request(s) the above action(s) for all or a portion of Lot(s) 10-24 AND 7-16, Easterly remaining portion of Lot 16, Block(s) 18 & 20, Unit(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 1, TRACT 3, (to be known as **OCOTILLO SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 4 DU/AC, located on HOLBROOK NE, CARMEL NE & HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE containing approximately 24 acre(s). [REF: 03DRB-01354-01356, 02EPC-01353, 03DRB-01980, 01985] [*Deferred from 3/3/04*] (C-21) **DEFERRED AT THE AGENT'S REQUEST TO 3/10/04.**

14. **Project # 1003264**
04DRB-00224 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for BILL WADE MOUNTAIN WEST DEV., LLC request(s) the above action(s) for all or a portion of Lot(s) 68, 69 & 72, **BREEZE AT MOUNTAIN GATE**, zoned SU-1 PRD, located on KAYLYN DR SE, between KEESHA JO AVE SE and SHAFFER CT SE containing approximately 1 acre(s). [REF: DRB 98-45, Z-70-60-1, 1000849] (L-23) **PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT TO FIELD LOCATE WATER METER BOXES THAT SERVE AFFECTED LOTS.**

15. **Project # 1002636**
03DRB-01959 Minor-Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for ROBERT SIEGLITZ request(s) the above action(s) for all or a portion of Lot(s) 24, **RICE'S DURANES ADDITION NO. 1**, zoned R-2 residential zone, located on RICE AVE NW, between RIO GRANDE BLVD NW and DURANES NW containing approximately 1 acre(s). [REF: 03DRB-01084, 03DRB-00708] [*Deferred from 11/26/03, Final plat was indefinitely deferred 12/03/03*] (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 # 1003265**
04DRB-00237 Minor-Sketch Plat or Plan

WILKS CO. agent(s) for RENE LOYA DURAN request(s) the above action(s) for all or a portion of Lot(s) 2-4, Block(s) 3, **SANTA FE ADDITION**, zoned R-1 residential zone, located on BARELAS ST SW, between PACIFIC AVE SW and CROMWELL AVE SW containing approximately 1 acre(s). (K-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. **Project # 1001899**
04DRB-00248 Minor-Sketch Plat or Plan

BRASHER & LORENZ INC agent(s) for GARY TIPTON request(s) the above action(s) for all or a portion of Tract(s) 7, **LA VILLITA SUBDIVISION**, zoned SU-1, PRD, located EAST OF LA VILLITA NE, SOUTH OF CANDELARIA NE and EAST OF TRAMWAY NE containing approximately 2 acre(s). [*Listed under Project #1003268 in error*] (H-23) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

18. ADJOURNED: 12:40 P.M.



City of Albuquerque
CITY OF ALBUQUERQUE
 P.O. BOX 1299 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002885

AGENDA ITEM NO: 13

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:

An executed Subdivision Improvements Agreement with financial guarantees is required for Final Plat sign-off. AMAFCA must sign.

RESOLUTION:

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 3, 2004

3-10-04

AGIS ELECTRONIC APPROVAL FORM

DRB Project Case #: 1002885

Subdivision Name: Ocotillo Subdivision

Surveyor: Charles G. Cala, Jr.

Company/Agent: Jeff Mortensen & Associates, Inc.

Contact Person: Debbie Trujillo E-mail: dtrujillo@jmainc.org

Phone: _____ Fax: _____

DXF Received Date: 2/25/2004

Hard-Copy Date: 2/25/2004

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

Chou A. Jol

2/25/04

Approved

Date

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

AGIS Use Only

Copied cov2885 to agiscov on 2/25/2004. Contact person notified on 2/25/2004



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

12/17/03

1. **Project # 1002885**
03DRB-01980 Major-Vacation of Pub Right-of-Way
03DRB-01983 Major-Preliminary Plat Approval
03DRB-01981 Minor-Vacation of Private Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for DESERT RIDGE DEVELOPMENT LLC & GENEVA LLC request(s) the above action(s) for all or a portion of Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North Albuquerque Acres, (to be known as **OCOTILLO SUBDIVISION**) zoned RD (4DU/A), located on HOLBROOK ST NE between ANAHEIM AVE NE and PASEO DEL NORTE NE containing approximately 25 acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-01356] (C-21)

At the December 17, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

With the signing of the infrastructure list dated 12-17-03 and approval of the grading plan engineer stamp dated 12-16-03. The preliminary plat was approved with the following condition:

1. The homeowner's association document must be filed with the final plat.

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 waiver of sidewalks was approved as shown on Exhibit C in the Planning file.



OFFICIAL NOTICE OF DECISION
PAGE 2

If you wish to appeal this decision, you must do so by January 2, 2004, 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.)

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.)

Sheran Matson, AICP, DRB Chair

cc: Desert Ridge Development LLC & Geneva LLC, 8300 Carmel Ave NE, Suite 601, 87122

Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109

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: 1002885 AGENDA#: 1 DATE: 12-17-03

1. Name: Graeme Means Address: 6010-B MIDWAY PARK NE Zip: 87109

2. Name: Chuck Calu Address: " " Zip: 87109

3. Name: Debie Trujillo Address: " " Zip: 87109

notice only 4. Name: CATHERINE ROWE Address: 332 Montclair Dr NE Zip: 87108

5. Name: SUSAN FOX Address: PO Box 1888 Zip: 87103

6. Name: Frank Rowe Address: 332 Montclair Dr NE Zip: 87108

7. Name: _____ Address: _____ Zip: _____

8. Name: _____ Address: _____ Zip: _____

9. Name: _____ Address: _____ Zip: _____

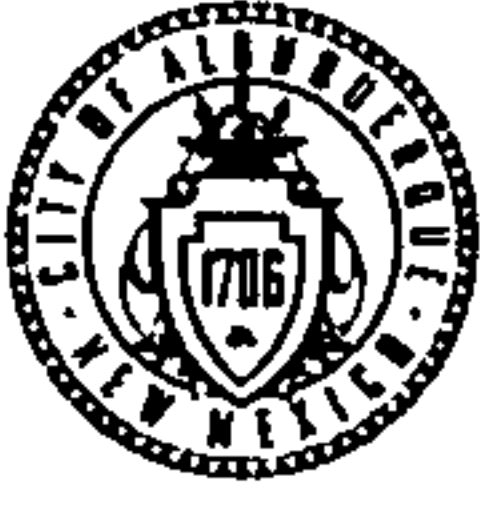
10. Name: _____ Address: _____ Zip: _____

11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 17, 2003

Project # 1002885

03DRB-01980 Major-Vacation of Pub Right-of-Way
03DRB-01983 Major-Preliminary Plat Approval
03DRB-01981 Minor-Vacation of Private Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for DESERT RIDGE DEVELOPMENT LLC & GENEVA LLC request(s) the above action(s) for all or a portion of Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North Albuquerque Acres, (to be known as **OCOTILLO SUBDIVISION**) zoned RD (4DU/A), located on HOLBROOK ST NE between ANAHEIM AVE NE and PASEO DEL NORTE NE containing approximately 25 acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-01356] (C-21)

AMAFCA No objection to requested action. A water quality manhole upstream of the connection to the Carmel storm drain will be required for work order. AMAFCA will sign work order plans and Final Plat.

COG No adverse comment. For information, the Long Range Roadway System designates Holbrook Street as a collector which requires 68 feet of right-of-way. The Long Range Bikeway System proposes a bike route on Holbrook

Transit No comments received.

Zoning Enforcement. Reviewed, no comment.

Neighborhood Coor.

Letters sent to North Albuquerque Acres (R) Neighborhood Assns.

APS No comments received.

Police Department

A review of following case(s) indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. Traffic volume, traffic control devices, lighting issues, eliminating sidewalks place citizens at risk and does not adequately provide public/private separation, which could serve to increase criminal activity.

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

PNM Gas Approves.

PNM Electric

PNM approves the vacations and the Pre-Plat. Before final plat sign off the developer needs to show an 8' platted easement where the 8' strip of Carmel is being vacated to cover future utilities and an existing gas line located within the 8' strip.

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 Comment

City Engineer

An approved drainage report is required for Preliminary Plat approval. No objection to vacation action.

Transportation Add beneficiaries to notes 8 & 9. Does the required bikelane fit within the 68' of right-of-way on Holbrook?

Parks & Recreation

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

Parks & Recreation

Prior to sign-off on the final plat, a fee in-lieu of and equal to the value of the required park land dedication for 81 new residential lots will be required. The fee will be based on an estimate of land value to be provided by the City Real Property office. Alternatively, the applicant may submit current appraisal information mutually acceptable to the applicant and the City.

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

The R-D zone requires 2,400 square feet of open space for each dwelling unit. Provide an Open Space Calculation Table showing the lot number, lot size, building & driveway area, provided open space, remaining open space requirement (this table can be separate from the plat itself). Provide a dimensioned Typical Lot Plan, which shows a typical lot with the building footprint and driveway (this should be on the Site Development Plan rather than the plat). Include one of the following notes on the Preliminary and Final Plats indicating how the total remaining open space requirement will be met:

1. All open space requirements are met on the lot with the dwelling per the provisions of Section 14-16-3-8 (A) (1).
2. Total remaining open space requirements are met via a cash payment to the City of Albuquerque per the provisions of Section 14-16-3-8 (A) (2).
3. Total remaining open space requirements are met via the provision of detached open space per the provisions of Section 14-16-3-8 (A) (3). **Note: This option is only applicable to land covered by a Sector Development Plan.*

The Trails & Bikeways Facility Plan proposes a secondary trail in this location along the North Arroyo De Domingo Baca. Defer to Transportation on this facility.

Utilities Development

Minor comments on Preliminary Plat, but no objection to approval. No objection to Vacation requests. No objection to Sidewalk Deferrals or Waiver.

Planning Department

Planning needs a color copy of the vacations being requested with this application.

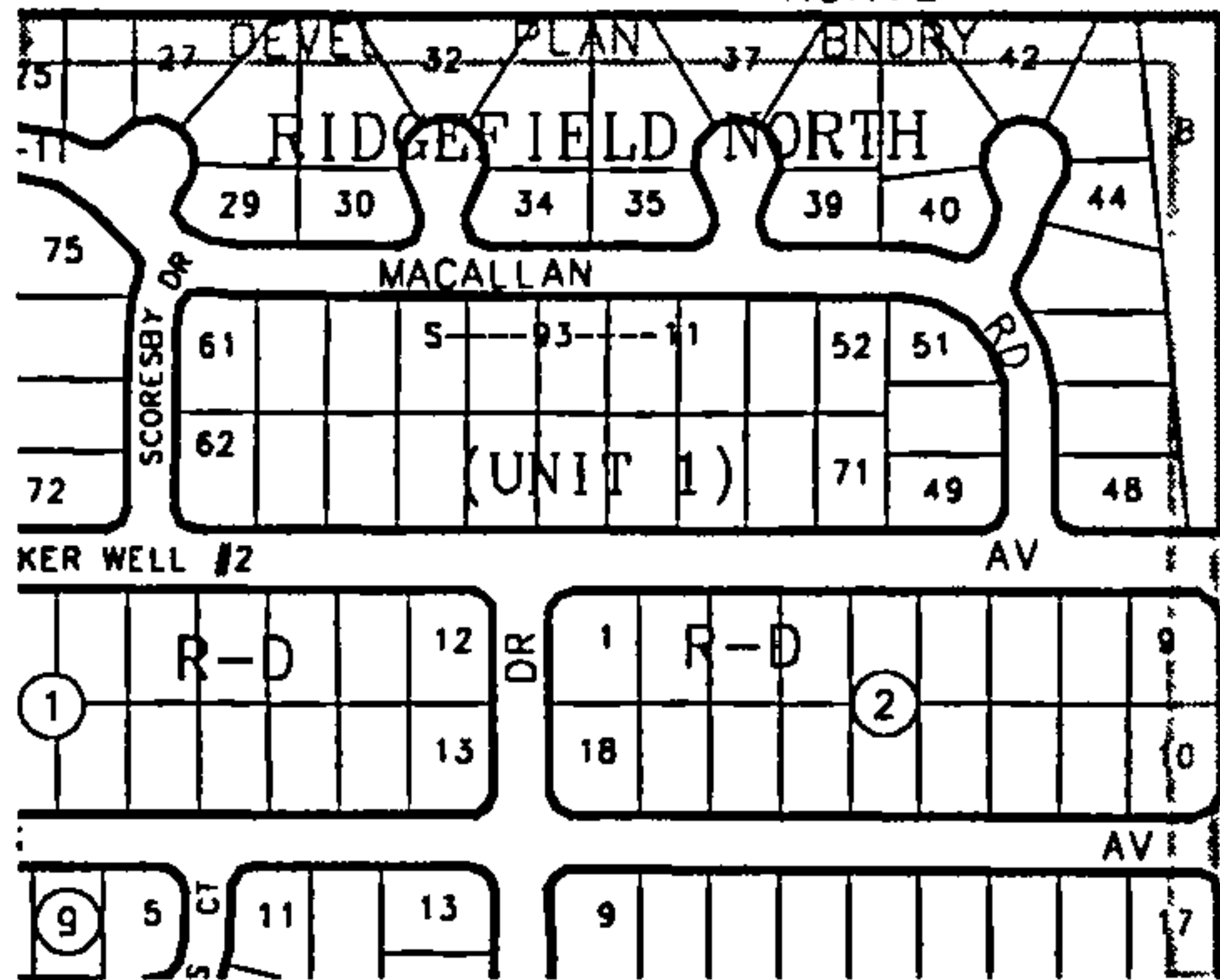
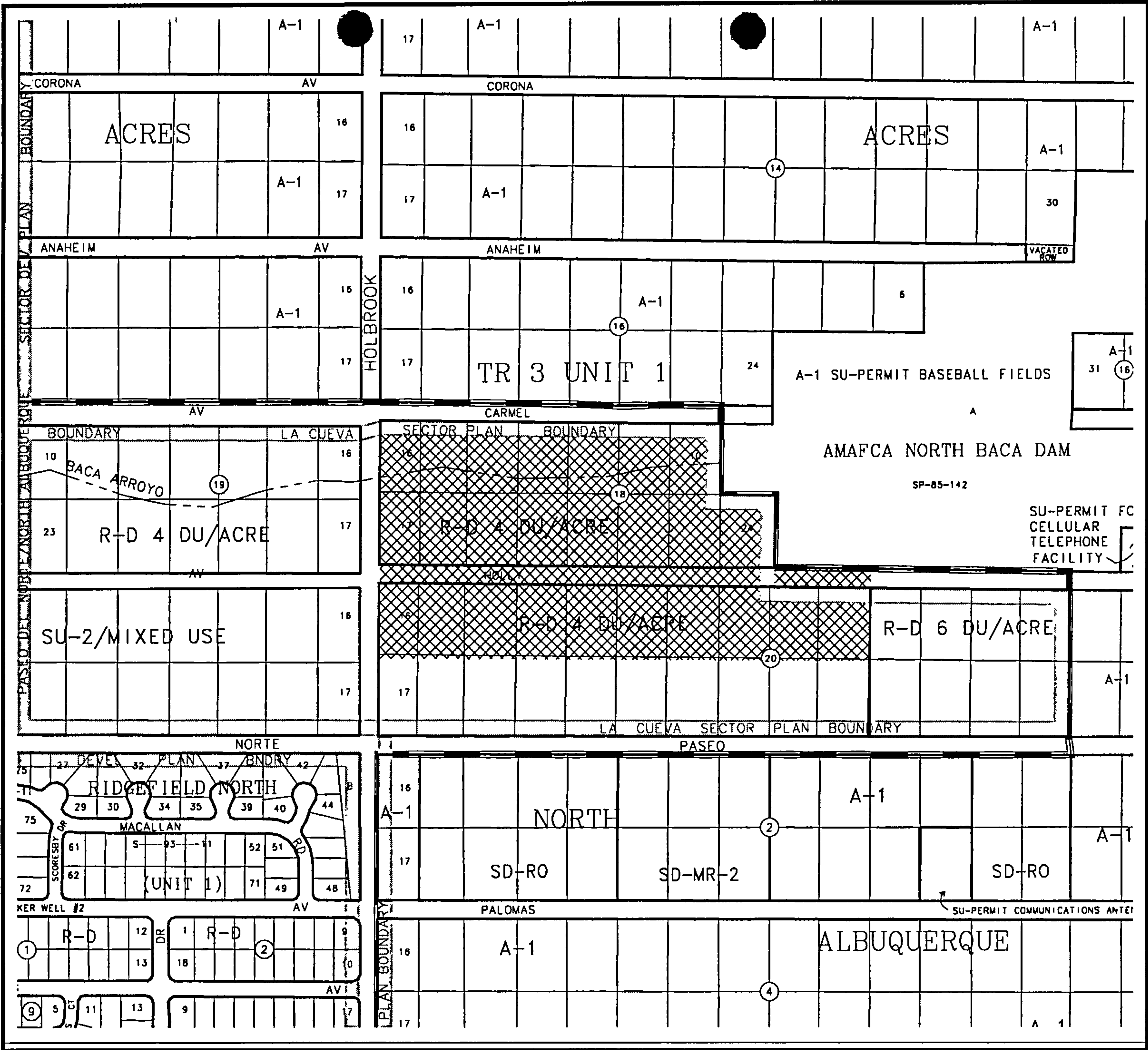
Planning Department

The perimeter wall submittal needs one minor correction. Under "Maintenance Responsibility" the words "Homeowners Association" should be substituted for "owner".

No objection to the requested sidewalk actions or preliminary plat approval.

A condition of final plat will be that the Declaration of Restrictive & Protective Covenants for the homeowners association be filed with the plat & Planning receive a recorded copy along with the recorded plat copy.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING
cc: Desert Ridge Development, LLC & Geneva, LLC 8300 Carmel Ave NE, Suite 601, 87122
Jeff Mortensen & Associates, 6010-B Midway Park Ave NE, 87109



ZONING MAP



Scale 1" = 467'

PROJECT NO.
1002885

HEARING DATE
12-17-03

MAP NO.
C-21

ADDITIONAL CASE NUMBER(S)

03DRB-01984
03DRB-01985

03DRB-01980
03DRB-01981
03DRB-01983



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE
PAGE 2**

Project # ~~1002885~~

03DRB-01980 Major-Vacation of Pub
Right-of-Way
03DRB-01983 Major-Preliminary Plat
Approval
03DRB-01981 Minor-Vacation of Private
Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for
DESERT RIDGE DEVELOPMENT LLC & GENEVA
LLC request(s) the above action(s) for all or a portion of
Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of
Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North
Albuquerque Acres, (to be known as **OCOTILLO
SUBDIVISION**) zoned RD (4DU/A), located on
HOLBROOK ST NE between ANAHEIM AVE NE and
PASEO DEL NORTE NE containing approximately 25
acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-
01356] (C-21)

Project # 1002935

03DRB-01964 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND
DEVELOPMENT CO., INC request(s) the above
action(s) for all or a portion of Parcel 1, **SUNDORO
SUBDIVISION**, zoned SU-2 R-LT, located on LADERA
BLVD NW, between 98th ST NW and UNSER BLVD
NW containing approximately 55 acre(s). [REF: 03DRB-
00736, 03DRB-01447, 03DRB-01449, 03DRB-01550,
03DRB-01551, 01552, 01553] (J-8/J-9)

Project # 1003111

03DRB-01986 Major-Preliminary Plat
Approval
03DRB-01987 Minor-Vacation of Private
Easements
03DRB-01988 Minor-Temp Defer SDWK
03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE
STROSNIDER COMPANY request(s) the above
action(s) for all or a portion of Tract(s) B, **WINDMILL
MANOR**, zoned SU-1 PRD, located on DELLYNE AVE
NW, between MARIPOSA DR NW and VALLE VISTA
DR NW containing approximately 4 acre(s). [REF:
DRB-96-355, Z-95-79, Z-98-57] (E-11)

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, DECEMBER 1, 2003.



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, December 17, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1001068

03DRB-01982 Major-Two Year SIA

MARK GOODWIN AND ASSOCIATES agent(s) for MESA VERDE DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1 and 2, Block(s) 5, 6 and 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **DESERT RIDGE TRAILS**) zoned R-D, located on FLORENCE AVE NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 76 acre(s). [REF: 1001068] (B-19/C-19)

Project # 1001071

03DRB-01957 Major-Vacation of Public Easements

03DRB-01958 Minor-Prelim&Final Plat Approval

SOUTHWEST SURVEYING CO. agent(s) for STUSON, INC. request(s) the above action(s) for all or a portion of Tract(s) B, **EL DORADO NORTH SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on EUCARIZ AVE SW, between WESLEY CT SW and 90TH ST SW containing approximately 1 acre(s). [REF:02DRB-00347, 02DRB-00348, 02DRB-01256] (L-9)

Project # 1002645

03DRB-01965 Major-Vacation of Public Easements

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**, zoned R-LT, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 1002645] (A-10)

Project # 1002800

03DRB-01990 Major-Preliminary Plat Approval

03DRB-01991 Minor-Subd Design (DPM) Variance

03DRB-01992 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 12, NORTH ALBUQUERQUE ACRES, TRACT 1, UNIT 3, (to be known as **QUIVERA ESTATES**), zoned R-D, located on MODESTO AVE NE between WYOMING BLVD NE and BARSTOW ST NE containing approximately 14 acre(s). [REF: 03DRB-01127] (B-19)

SEE PAGE 2 . . .

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

Meeting Date: DECEMBER 17, 2003
Zone Atlas Page: C-21-Z
Notification Radius: 100 Ft.

Project# 1002885
App# 03DRB-01980
App# 03DRB-01981
App# 03DRB-01983
App# 03DRB-01984
App# 03DRB-01985

Cross Reference and Location: N/A

Applicant: DESERT RIDGE DEVELOPMENT, LLC & GENEVA, LLC
Address: 8300 CARMEL AVE NE, STE# 601
ALBUQUERQUE NM 87122

Agent: JEFF MORTENSEN & ASSOCIATES
Address: 6010-B MIDWAY PARK AVE NE
ALBUQUERQUE NM 87109

Special Instructions:

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

Date Mailed: NOVEMBER 26, 2003

Signature: KYLE TSETHLIKAI

PROPERTY OWNERSHIP / LEGAL LIST

App# _____

Proj# _____

Date: _____

Page 1 / Of 2

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
C-21	1021004	150-038	301-23	✓ mp 1021004
		140-038	24	✓ mp 090-091 302 27 ✓
		123-038	25	✓ mp 074-091 28 ✓
		109-038	26	✓ mp 057-091 29 ✓
		090-038	27	✓ 040-091 30 ✓
		074-038	28	✓ mp 025-091 31 ✓
		057-038	29	✓ mp 009-091 32 ✓
		040-038	30	✓ mp 189-108 20 ✓
		025-038	31	✓ 109-120 303 01 ✓
		009-038	32	✓ 025-120 02 ✓
		059-008	302-01	✓ mp 040-120 03 ✓
		025-008	02	✓ mp 057-120 04 ✓
		040-008	03	✓ 074-120 05 ✓
		057-008	04	✓ mp 090-120 06 ✓
		074-008	05	✓ 109-120 07 ✓
		090-008	06	✓ mp 123-120 08 ✓
		109-008	07	✓ 109-015 301 01 ✓
		123-008	08	✓ 025-015 02 ✓
		109-091	24	✓ mp 040-015 03 ✓
				057-015 04 ✓

PROPERTY OWNERSHIP / LEGAL LIST

App# _____

Proj# _____

Date: _____

Page 2 Of 2

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
C-21	1021064	074-015	301-05	✓
		090-015	06	✓
		109-015	07	✓
		123-015	08	✓
		140-015	09	✓
		150-015		
		172-015	11	✓
		189-015	12	✓
C-20	1020064	502-037	401-18	✓
		502-066	402-15	✓ ^{nr}
		517-064	16	✓ ^{nr}
		517-090	17	✓ ^{nr}
		502-090	18	✓ ^{nr}
		502-120	403-15	✓
		517-120	16	✓
D-20	1020063	511-506	105-43	✓
		514-512	42	✓
		513-522	41	✓
		505-524	40	✓

1020063 496-521 105 39 ✓
497-512 38 ✓



<mainframe@coa1mp
3.cabq.gov>

11/25/03 10:27 AM

To:
cc:
Subject:

1 R E C O R D S W I T H L A B E L S PAGE
1
01021064 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0102106415603830123 LEGAL: LT 7 BLK 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT 1
LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: LA SIERRA CONSTRUCTION INC
OWNER ADDR: 05321 MENAUL NE
ALBUQUERQUE NM 87110
0102106414003830124 LEGAL: LT 8 BLK 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT 1
LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: LA SIERRA CONSTRUCTION INC
OWNER ADDR: 05321 MENAUL NE
ALBUQUERQUE NM 87110
0102106412303830125 LEGAL: LT 9 BLK 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT 1
LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: LA SIERRA CONSTRUCTION INC
OWNER ADDR: 05321 MENAUL NE
ALBUQUERQUE NM 87110
0102106410903830126 LEGAL: LT 1 0 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: DESERT RIDGE DEVELOPMENT LLC
OWNER ADDR: 08300 CARMEL NE
ALBUQUERQUE NM 87122
0102106409003830127 LEGAL: LT 1 1 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: KAMERMAN PATI
OWNER ADDR: 08609 VINEYARD RIDGE RD NE
ALBUQUERQUE NM 87122
0102106407403830128 LEGAL: LT 1 2 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106405703830129 LEGAL: LT 1 3 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106404003830130 LEGAL: LT 1 4 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE:
PROPERTY ADDR: 00000 HOLLY
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106402503830131 LEGAL: LT 1 5 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT

1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: GARCIA EUGENE T AND TINA S &
OWNER ADDR: 13204 HUGH GRAHAM NE

ALBUQUERQUE NM 87111
0102106400903830132 LEGAL: LT 1 6 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: COUNTY OF BERNALILLO
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106400906830201 LEGAL: LT 1 7 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: EMSA LLC
OWNER ADDR: 13510 SUNSET CANYON NE

ALBUQUERQUE NM 87111
1 R E C O R D S W I T H L A B E L S PAGE
2
0102106402506830202 LEGAL: LT 1 8 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: EMSA LLC
OWNER ADDR: 13510 SUNSET CANYON NE

ALBUQUERQUE NM 87111
0102106404006830203 LEGAL: LT 1 9 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: SCHNOOR KENNETH A & BONNIE A
OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87122
0102106405706830204 LEGAL: LT 2 0 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: STOFAC RAYMOND K & NOLA K
OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87122
0102106407406830205 LEGAL: LT 2 1 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: BEAUCHAMP MARTHA M
OWNER ADDR: 00520 16TH ST NW

ALBUQUERQUE NM 87104
0102106409006830206 LEGAL: LT 2 2 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: STOFAC RAYMOND K & NOLA K
OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87122
0102106410906830207 LEGAL: LT 2 3 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: CLARK JAMES L & CONSTANCE A
OWNER ADDR: 00000

TIJERAS NM 87059
0102106412306830208 LEGAL: LT 2 4 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: JASPEG GENERAL PARTNERSHIP
OWNER ADDR: 05321 MENAUL BL NE

ALBUQUERQUE NM 87110

0102106410909130226 LEGAL: LT 1 0 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: CLARK JAMES L
OWNER ADDR: 00000

TIJERAS NM 87059
0102106409009130227 LEGAL: LT 1 1 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: TRUJILLO PETE A ETUX ETAL
OWNER ADDR: 02808 VIOLA DR SW

ALBUQUERQUE NM 87105
0102106407409130228 LEGAL: LT 1 2 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: HOECH REAL ESTATE CORP
OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87122
0102106405709130229 LEGAL: LT 1 3 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: HOECH REAL ESTATE CORP
OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87122
1 R E C O R D S W I T H L A B E L S PAGE
3

0102106404009130230 LEGAL: LT 1 4 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: HOECH DONALD G &
OWNER ADDR: 08300 CARMEL AV NE

ALBUQUERQUE NM 87122
0102106402509130231 LEGAL: LT 1 5 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: HOECH DONALD G &
OWNER ADDR: 08300 CARMEL AV NE

ALBUQUERQUE NM 87122
0102106400909130232 LEGAL: LT 1 6 BL K 18 NORTH ALBUQUERQUE ACRES TR 3 UNIT
1 LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: DESERT RIDGE DEVELOPMENT LLC
OWNER ADDR: 08300 CARMEL AV NE

ALBUQUERQUE NM 87122
0102106418910830220 LEGAL: TR " A" A MAFCA NORTH BACA DAM CONT 27.0793 AC
LAND USE: PROPERTY ADDR: 00000 HOLLY
OWNER NAME: A M A F C A
OWNER ADDR: 02600 PROSPECT NE

ALBUQUERQUE NM 87107
0102106400912030301 LEGAL: 017 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: TURICIANO JOSEPH A & MARIE E &
OWNER ADDR: 02125 CANDELERO

SANTA FE NM 87505
0102106402512030302 LEGAL: 018 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE: PROPERTY ADDR: 00000 CARMEL
OWNER NAME: TURICIANO JOSEPH A ETUX
OWNER ADDR: 06409 ROGERS NE

ALBUQUERQUE NM 87110
 0102106404012030303 LEGAL: 019 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: NELSON JOHN & MICKEY
 OWNER ADDR: 09701 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106405712030304 LEGAL: 020 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: LIN SU-HSIEN & SUYI
 OWNER ADDR: 00801 OMAHA ST NE

ALBUQUERQUE NM 87123
 0102106407412030305 LEGAL: 021 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: JARVIS KEVIN A & LUWANDA K
 OWNER ADDR: 09801 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106409012030306 LEGAL: 022 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: LEWIS CHRISTOPHER L & MUGUIRA
 OWNER ADDR: 09851 CARMEL AV NE

ALBUQUERQUE NM 87111
 0102106410912030307 LEGAL: 023 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: MAENCHEN JOHN & VICKI WILHELM
 OWNER ADDR: 00053 ROCK POINT PL NE

ALBUQUERQUE NM 87122
 1 R E C O R D S W I T H L A B E L S PAGE
 4
 0102106412312030308 LEGAL: 024 016T R 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE: PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: STANFORD MICHAEL R &
 OWNER ADDR: 09951 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106400901530101 LEGAL: LT 1 7 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 1 LAND USE: PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106402501530102 LEGAL: LT 1 8 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 1 LAND USE: PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106404001530103 LEGAL: LT 1 9 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 1 LAND USE: PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106405701530104 LEGAL: LT 2 0 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 1 LAND USE: PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO

ALBUQUERQUE NM 87102
 0102106407401530105 1 LAND USE: OWNER ADDR: 00000
 LEGAL: LT 2 1 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106409001530106 1 LAND USE: LEGAL: LT 2 2 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106410901530107 1 LAND USE: LEGAL: LT 2 3 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102106412301530108 1 LAND USE: LEGAL: LT 2 4 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 LOS ANGELES
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 02400 BROADWAY BL SE

ALBUQUERQUE NM 87102
 0102106414001530109 1 LAND USE: LEGAL: LT 2 5 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 LOS ANGELES
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 02400 BROADWAY BL SE

ALBUQUERQUE NM 87102
 0102106417201530111 1 LAND USE: LEGAL: LT 2 7 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 1 R E C O R D S W I T H L A B E L S PAGE
 5
 0102106418901530112 1 LAND USE: LEGAL: LT 2 8 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 PASEO DEL NORTE
 OWNER NAME: COUNTY OF BERNALILLO
 OWNER ADDR: 00000

ALBUQUERQUE NM 87102
 0102006450203740118 3 LAND USE: LEGAL: LT 1 5 BL K 20 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 HOLLY
 OWNER NAME: NICHOL JEFFREY D & CAROLYN
 OWNER ADDR: 09800 GUADALUPE TR NW

ALBUQUERQUE NM 87114
 0102006450206640215 3 LAND USE: LEGAL: LT 1 8 BL K 19 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 HOLLY
 OWNER NAME: HOECH REAL ESTATE CORPORATION
 OWNER ADDR: 08300 CARMEL NE

ALBUQUERQUE NM 87109
 0102006451706640216 3 LAND USE: LEGAL: LT 1 7 BL K 19 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 PROPERTY ADDR: 00000 HOLLY

ALBUQUERQUE NM 87109
 0102006451709040217 LAND USE: OWNER NAME: HOECH REAL ESTATE CORPORATION
 08300 CARMEL NE
 LEGAL: LT 1 6 BL K 19 NORTH ALBUQUERUE ACRES TR 3 UNIT 3
 PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: HOECH REAL ESTATE CORPORATION
 08300 CARMEL NE

ALBUQUERQUE NM 87109
 0102006450209040218 3 LAND USE: LEGAL: LT 1 5 BL K 19 NORTH ALBUQUERQUE ACRES TR 3 UNIT
 3
 PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: HOECH REAL ESTATE CORPORATION
 08300 CARMEL NE

ALBUQUERQUE NM 87109
 0102006450212040315 LAND USE: LEGAL: 018 018N ORTH ALBUQ ACRES UN3 TR3
 PROPERTY ADDR: 00000 HOLBROOK
 OWNER NAME: CHINISCI FRANK T & JEANETTE M
 08315 HOLBROOK ST NE

ALBUQUERQUE NM 87122
 0102006451712040316 LAND USE: LEGAL: 017 018N ORTH ALBUQ ACRES UN3 TR3
 PROPERTY ADDR: 00000 CARMEL
 OWNER NAME: LUSADER PETER & PHYLLIS
 08323 HOLBROOK ST NE

ALBUQUERQUE NM 87122
 0102006351150610543 LTS LAND USE: LEGAL: LT 4 5-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 PROPERTY ADDR: 00000 MACALLAN
 OWNER NAME: MERRICK JOHN E & CESA
 09627 MACALLAN RD NE

ALBUQUERQUE NM 87109
 0102006351451210542 LTS LAND USE: LEGAL: LT 4 4-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 PROPERTY ADDR: 00000 MACALLAN
 OWNER NAME: LOWE TAMMY
 09623 MACALLAN RD NE

ALBUQUERQUE NM 87109
 0102006351352210541 LTS LAND USE: LEGAL: LT 4 3-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 PROPERTY ADDR: 00000 MACALLAN
 OWNER NAME: STALLS GARY R & OPAL L
 09619 MACALLAN RD NE

ALBUQUERQUE NM 87109
 1 R E C O R D S W I T H L A B E L S PAGE
 6
 0102006350552610540 LTS LAND USE: LEGAL: LT 4 2-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 PROPERTY ADDR: 00000 MACALLAN
 OWNER NAME: MEADOWS MICHAEL J &
 09615 MACALLAN RD NE

ALBUQUERQUE NM 87109
 0102006349652110539 LTS LAND USE: LEGAL: LT 4 1-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 PROPERTY ADDR: 00000 MACALLAN
 OWNER NAME: FOX JOSEPH A CARMELITA F
 09609 MACALLAN RD NE

ALBUQUERQUE NM 87109
 0102006349751210538 LTS LAND USE: LEGAL: LT 4 0-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &

PROPERTY ADDR: 00000 MACALLAN
OWNER NAME: MCGOVERN EDWARD M & CHERYL
OWNER ADDR: 09605 MACALLAN

RD NE

ALBUQUERQUE NM

87109

·
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: November 19, 2003

TO CONTACT NAME: Dobie LeBlanc Neuzils
 COMPANY/AGENCY: Jeff Mortensen + ASSOC
 ADDRESS/ZIP: 6010-B Midway Park Blvd NE 87109
 PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 11-19-03 (date) requesting the names of Recognized

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 10-24 Blk 18, North Albuquerque Acres tract 3 unit 1 and lots 7-16, Blk 20, North Albuquerque Acres tract 3, zone map page(s) C-21 unit 9

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

North Albuquerque Acres

Neighborhood Association

Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122

Jackie McDowell
7820 Beverly Hills Ave NE
828-2430 (h) 87122

Neighborhood Association

Contacts: _____

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, -

Palana J. Carmona

OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

COY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

TO BE COMPLETED BY APPLICANT

APPLICANT: HOECH REAL EST. CORP. Date of request: 11/19/03 Zone atlas page(s): C-21

CURRENT:
Zoning R-D/4DU per acre
Parcel Size (acres / sq.ft.) 1/24-1508

Legal Description - LOTS 10-24, BLOCK 18
Lot or Tract # LOTS 7-14 Block # 20
Subdivision Name N.A. A-TR. 3, (1:1)

REQUESTED CITY ACTION(S):

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

PROPOSED DEVELOPMENT:

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

GENERAL DESCRIPTION OF ACTION: 1

of units - 78
Building Size - VARIES (sq. ft.)
RESIDENTIAL HOMES (SINGLE FAMILY)

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

Applicant or Representative _____ Date _____
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRANSPORTATION DEVELOPMENT

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO [X] BORDERLINE []
Planning Dept., Dev. & Bldg. Services Div., Transportation Dev. Section - 2nd FL. 600 2nd St. NW Plaza del Sol Bldg. 924-3994

THRESHOLDS MET? YES [] NO [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 Sneyd 11-19-03
TRAFFIC ENGINEER DATE

ENVIRONMENTAL HEALTH

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

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

TIS - SUBMITTED ___/___/___
- FINALIZED ___/___/___
TRAFFIC ENGINEER _____ DATE _____

Project# 1002885

Desert Ridge Develop. & Geneva, LLC
8300 CARMEL AVE NE, STE# 601
ALBUQUERQUE NM 87122

JACKIE McDOWELL
North Albuquerque Acres Neigh. Assoc.
7820 BEVERLY HILLS AVE NE
ALBUQUERQUE NM 87122

102106409003830127

KAMERMAN PATI
8609 VINEYARD RIDGE RD NE
ALBUQUERQUE NM 87122

102106400903830132

COUNTY OF BERNALILLO
C/O COUNTY MANAGER
ONE CIVIC PLAZA NW
ALBUQUERQUE NM 87103
102106405706830204

STOFAC RAYMOND K & NOLA K
8300 CARMEL NE
ALBUQUERQUE NM 87122

102106410906830207

CLARK JAMES L & CONSTANCE A
PO BOX 908
TIJERAS NM 87059

102106407409130228

HOECH REAL ESTATE CORP
8300 CARMEL NE
ALBUQUERQUE NM 87122

102106400912030301

TURICIANO JOSEPH A & MARIE E
2125 CANDELERO
SANTA FE NM 87505

102106407412030305

JARVIS KEVIN A & LUWANDA K
9801 CARMEL AV NE
ALBUQUERQUE NM 87122

102106412312030308

STANFORD MICHAEL R &
9951 CARMEL AV NE
ALBUQUERQUE NM 87122

JEFF MORTENSEN & ASSOCIATES
6010-B MIDWAY PARK AVE NE
ALBUQUERQUE NM 87109

102106415603830123

LA SIERRA CONSTRUCTION INC
5321 MENAUL NE
ALBUQUERQUE NM 87110

102106407403830128

ROBERTS FRED C ETAL
1511 STANFORD DR NE
ALBUQUERQUE NM 87106

102106400906830201

EMSA LLC
13510 SUNSET CANYON NE
ALBUQUERQUE NM 87111

102106407406830205

BEAUCHAMP MARTHA M
520 16TH ST NW
ALBUQUERQUE NM 87104

102106412306830208

JASPEG GENERAL PARTNERSHIP
5321 MENAUL BL NE
ALBUQUERQUE NM 87110

102106404009130230

HOECH DONALD G &
8300 CARMEL AV NE
ALBUQUERQUE NM 87122

102106404012030303

NELSON JOHN & MICKEY
9701 CARMEL AV NE
ALBUQUERQUE NM 87122

102106409012030306

LEWIS CHRISTOPHER L & MUGUIRA
9851 CARMEL AV NE
ALBUQUERQUE NM 87111

102106412301530108

COUNTY OF BERNALILLO
2400 BROADWAY BL SE
ALBUQUERQUE NM 87102

BONNIE HARLEY
North Albuquerque Acres Neigh. Assoc.
11021 SIGNAL AVE NE
ALBUQUERQUE NM 87122

102106410903830126

DESERT RIDGE DEVELOPMENT LLC
8300 CARMEL NE
ALBUQUERQUE NM 87122

102106402503830131

GARCIA EUGENE T AND TINA S &
13204 HUGH GRAHAM NE
ALBUQUERQUE NM 87111

102106404006830203

SCHNOOR KENNETH A & BONNIE A
8300 CARMEL NE
ALBUQUERQUE NM 87122

102106409006830206

STOFAC RAYMOND K & NOLA K
8300 CARMEL NE
ALBUQUERQUE NM 87122

102106409009130227

TRUJILLO PETE A ETUX ETAL
2808 VIOLA DR SW
ALBUQUERQUE NM 87105

102106418910830220

A M A F C A
2600 PROSPECT NE
ALBUQUERQUE NM 87107

102106405712030304

LIN SU-HSIEN & SUYI
801 OMAHA ST NE
ALBUQUERQUE NM 87123

102106410912030307

MAENCHEN JOHN & VICKI WILHEL
53 ROCK POINT PL NE
ALBUQUERQUE NM 87122

102006450203740118

NICHOL JEFFREY D & CAROLYN
9800 GUADALUPE TR NW
ALBUQUERQUE NM 87114

102006450212040315

CHINISCI FRANK T & JEANETTE M
8315 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102006351451210542

LOWE TAMMY
9623 MACALLAN RD NE
ALBUQUERQUE NM 87109

102006349652110539

FOX JOSEPH A CARMELITA F
9609 MACALLAN RD NE
ALBUQUERQUE NM 87109

102006451712040316

LUSADER PETER & PHYLLIS
8323 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102006351352210541

STALLS GARY R & OPAL L
9619 MACALLAN RD NE
ALBUQUERQUE NM 87109

102006349751210538

MCGOVERN EDWARD M & CHERYL
9605 MACALLAN RD NE
ALBUQUERQUE NM 87109

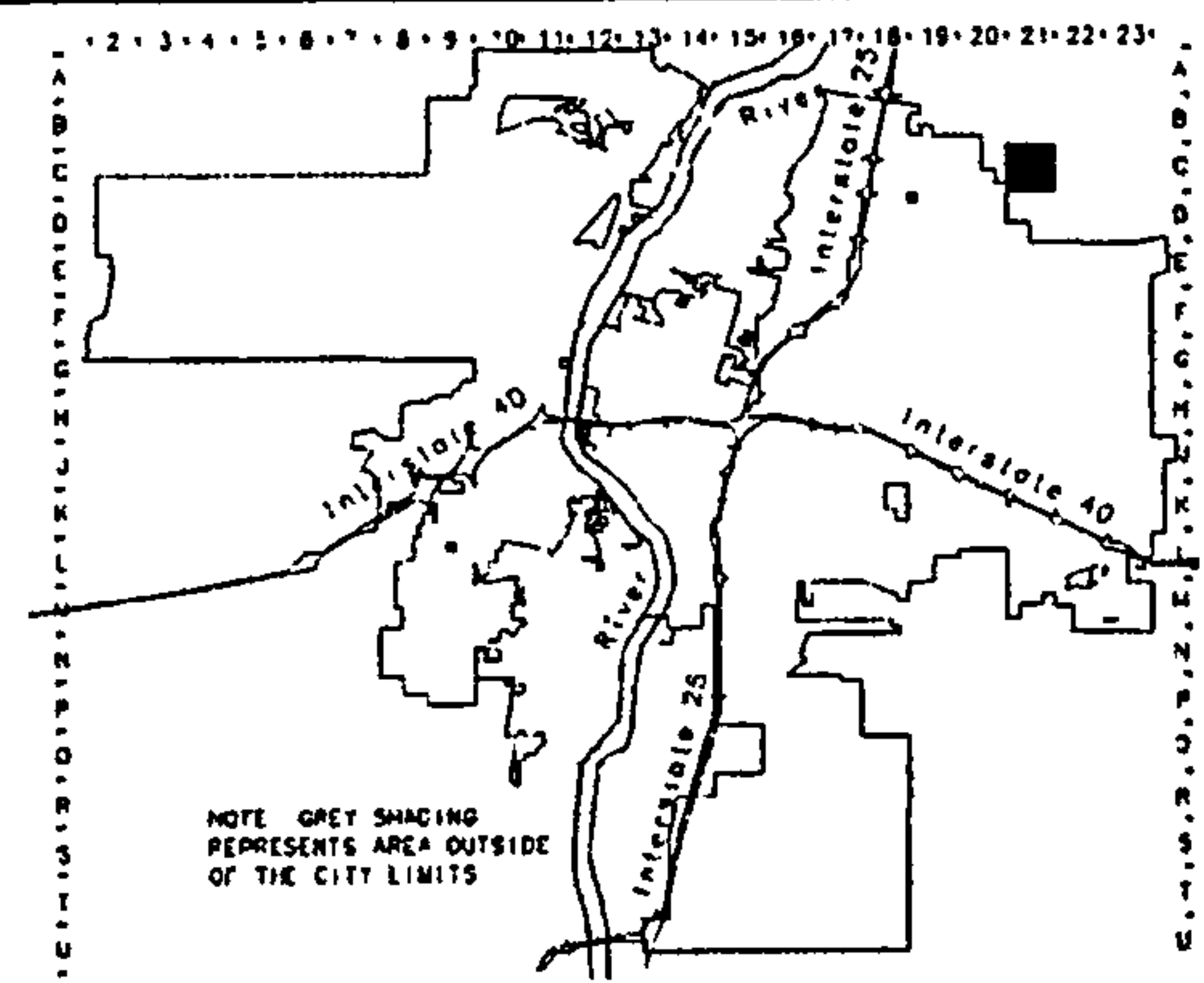
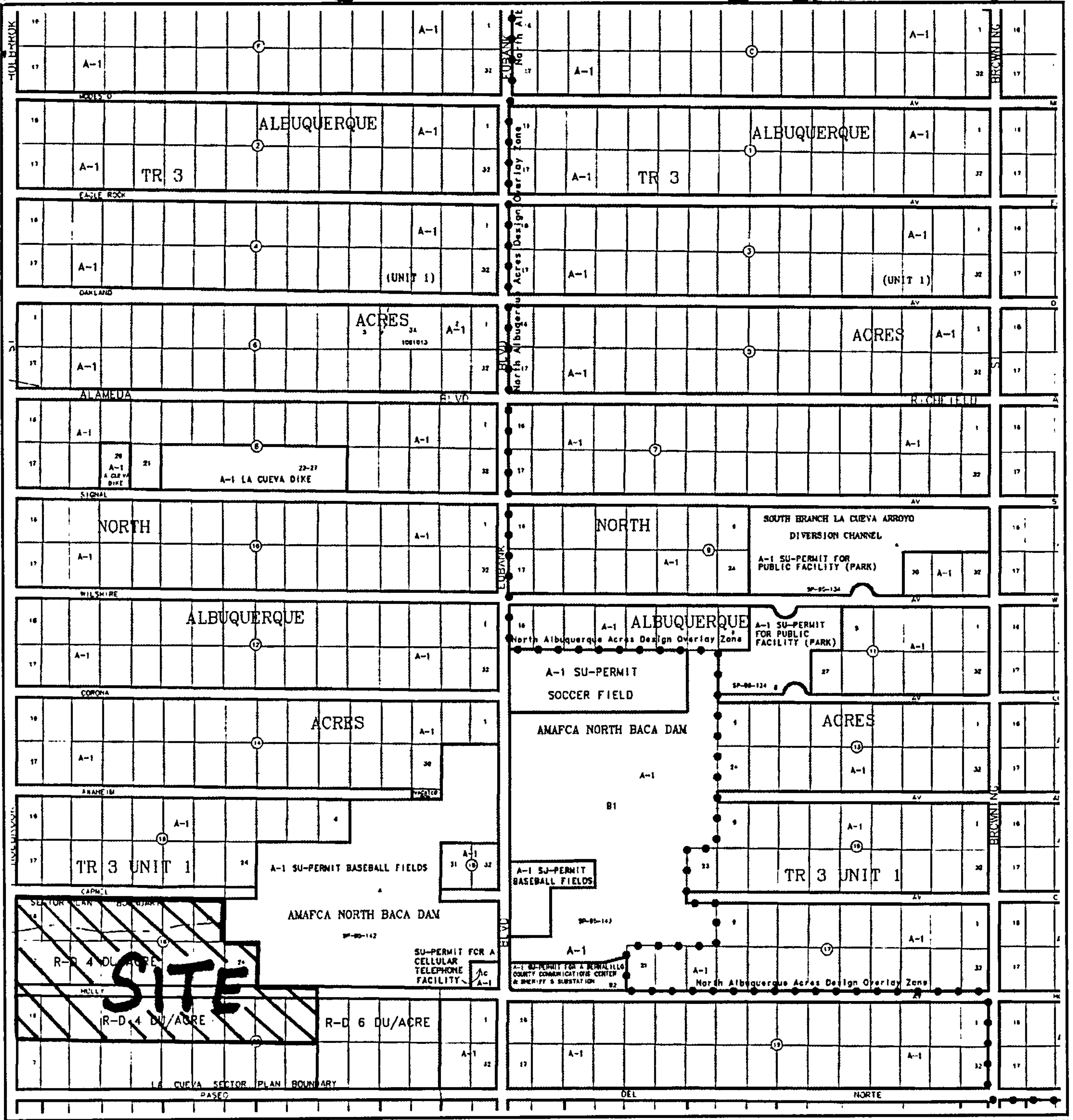
102006351150610543

MERRICK JOHN E & CESA
9627 MACALLAN RD NE
ALBUQUERQUE NM 87109

102006350552610540

MEADOWS MICHAEL J &
9615 MACALLAN RD NE
ALBUQUERQUE NM 87109

2002.050.6



CITY OF
Albuquerque
Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page
C-21-Z
Map Amended through July 31, 2003

FORM DRWS: DRAINAGE REPORT / WATER & SEWER AVAILABILITY

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

PROJECT NAME OCOTILLO SUBDIVISION

AGIS MAP # C-21

LEGAL DESCRIPTION LOTS 10-24, BLOCK 18, N.A.A. TR. 3, U. 1
& LOTS 7-16, BLOCK 20, N.A.A. TR. 3, U. 1

DRB PROJECT # 1002885

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 11-21-03 [date].

Cebic LeBlanc Trujillo
JEFF MORTENSEN & ASSOC. Applicant / Agent

11-21-03
Date

Bruce B. L.
Hydrology Division Representative

11-21-03
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 SEPTEMBER 18, 2003 [date].

Cebic LeBlanc Trujillo
JEFF MORTENSEN & ASSOC. INC. Applicant / Agent

11-19-03
Date

Jeremy Hoover
JEREMY HOOPER, EIT
Utilities Division Representative

11-19-03
Date

DRB# 1002885

Claire

Date Submitted: 12/17/2003

Date Site Plan Approved: N/A

Date Preliminary Plat Approved: 12/17/03

Date Preliminary Plat Expires: 12/17/04

DRB Project No.: 1002885

DRB Application No.: 03DRB-1983

ORIGINAL

INFRASTRUCTURE LIST

EXHIBIT "A"

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

OCOTILLO SUBDIVISION

LOTS 10-24, BLOCK 18 AND LOTS 7-15 AND A PORTION OF LOT 16, BLOCK 20, TRACT 3, UNIT 1, NORTH ALBUQUERQUE ACRES

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
B1		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		8'	Temporary Pavement	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		30' Radius	Paved Turn-around	East End Carmel Ave NE			/	/	/
B1		8"	Sanitary Sewer	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
AMAFCA	693481	96" to 54"	RCP Public Storm Drain (Construction by AMAFCA)	Carmel Ave NE	1320' West of Ventura Street NE	NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A	/	/	/
B1		6"	Water Line	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981)	Ventura Street N.E.	Holly Ave N.E.	Carmel Ave N.E.	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981)	Carmel Ave N.E.	Ventura Street N.E.	SW Cor Vineyard 4A	/	/	/
FG'd by 705282	705282	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282)	Carmel Ave N.E.	SW Cor Vineyard 4A	SE Cor Vineyard 4A	/	/	/
FG'd by 718781	718781	8"	Sanitary Sewer (Offsite)* (*To be constructed by CPN 718781)	Carmel Ave N.E.	SE Cor Vineyard 4A	Holbrook St NE	/	/	/
FG'd by 718781	718781	16"	Water Line	Holbrook St NE	Carmel Ave NE	Palomas Ave NE	/	/	/
FG'd by 718781	718781	54"	RCP Public Storm Drain	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/

THESE ITEMS NO LONGER REQUIRED DUE TO IMPROVEMENTS GUARANTEED + CONSTRUCTED BY CPN 6999.B1 (VENTURA VILLAGE)

ORIGINAL

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crst Engineer
B1	718781	15"	Sanitary Sewer	Holbrook St NE	Paseo del Norte	Holly Ave NE	/	/	/
B1		24'	Permanent Collector Pvmnt (1/2 width) w/standard C&G (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B1		4'	Sidewalk (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B-Mod		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		8'	Temporary Pavement	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		40' Radius	Paved Turn-around (Temporary)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		24'	Temporary Pavement w/Pin curb (south)	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B-Mod		40' Radius	Paved Turn-around (Permanent)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		4'	Sidewalk (South Side Only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		24"	RCP Storm Drain w/appurtenances	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B1		5' Wide	Public Drainage Channel	Parcel A Between Lots 33 and 34	Holly Ave NE	Chia Way NE	/	/	/
B1		8"	Sanitary Sewer	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		8"	Water Line	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		50 f-f	Res. Pvmt w/Std C&G & Median	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		4'	Sidewalk (Both Sides)	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		48"	RCP Storm Drain	Sand Verbena Trail NE	Holbrook St NE	120' East of Holbrook CL	/	/	/
B1		36"	RCP Storm Drain	Public SD Easement	Sand Verbena Tr Ne	Sand Verbena (Entry)	/	/	/
B1		8"	Sanitary Sewer	Desert Lily Lane NE	Sand Verbena Tr Ne	Cul-de-Sac	/	/	/
B1		8"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Sand Verbena Tr NE	/	/	/
B1		6"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Datura Trail NE	/	/	/
B1		4"	Water Line	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/
B1		28 f-f	Res. Pvmt w C&G	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
B1		25 f-f	Res. Pvmt w C&G	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/

B1	
B1	
B1	

25 f-f Res. Pvmt w/mount C&G
 8" Sanitary Sewer
 6" Water Line

ORIGINAL

Desert Plume Lane NE Datura Trail NE Cul-de-sac
 Desert Plume Lane NE Datura Trail NE Cul-de-sac
 Desert Plume Lane NE Datura Trail NE Camel Ave NE

/	/	/
/	/	/
/	/	/

NOTES

- 1 Engineer's Certification per D.P.M is Required for Financial Guarantee Release.
 - 2 A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement.
 - 3 Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.
 - 4 A Landscape Maintenance Agreement Will be Required for Landscaping Within Public Right-of-Way.
 - 5 Perimeter Walls Must be Constructed per the DRB Approved Perimeter Wall Design.
 - 6 Wall and Landscaping Certification from Registered Engineer and/or Registered Landscape Architect is Required for Financial Guarantee Release.
- Agreement and Covenant for Storm Drain on Lot 60

AGENT / OWNER

J. Graeme Means
 NAME (print)

Jeff Mortensen & Assoc.
 FIRM

J. Mortensen 12/16/2003
 SIGNATURE - date

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

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

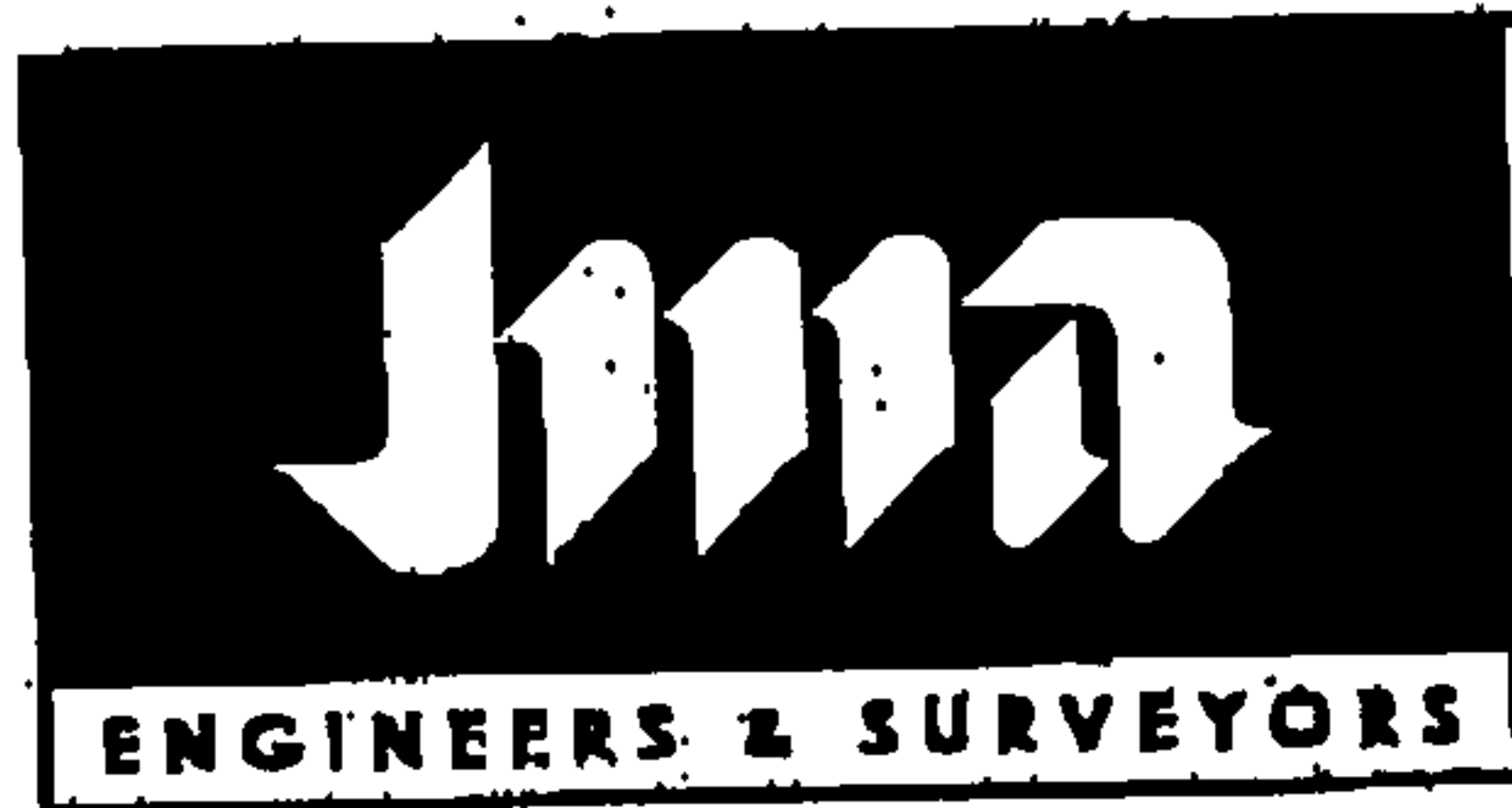
Dean Watson 12/17/03 DRB CHAIR - date
Christina Sandora 12/17/03 PARKS & GENERAL SERVICES - date

Scott Sey 12-17-03 TRANSPORTATION DEVELOPMENT - date
Royce Sheer 12/17/03 UTILITY DEVELOPMENT - date
R. D. 12-17-03 CITY ENGINEER - date

AMAFCA - date
 _____ - date
 _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
1	2/18/05	<i>[Signature]</i>	<i>[Signature]</i>	<i>Debra DeBlanc Knight</i>



JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

#10

March 9, 2004

VIA FAX - 924-3339

Ms. Juanita Vigil, Staff Planner
Planning Department
City of Albuquerque
600 2nd St. NW
Albuquerque, New Mexico 87102

Re: Proposed Wall Design Regulations

Ms. Vigil:

Thank you again for your prompt assistance with the wall review for the Ocotillo Subdivision, for which we used the criteria from the proposed City Zoning Code Section 14-16-3-19, General Height and Design Regulations for Walls, Fences and Retaining Walls. In my application of the Regulations, I have found what I believe to be a section, (A)(1)(c), that may not be worded to meet the intent of the Regulations. It is my understanding that this new Section has not yet been adopted, and that it may be possible for the project Task Force or other empowered personnel to make final revisions prior to adoption.

The Section in question limits the height to 3 feet of a rear yard wall on a corner lot which is contiguous to a front yard within ten feet of the street side right-of-way line. It is my understanding that the intent of this regulation is to preserve sight visibility for a driveway on the lot that has the front yard facing the street. If this is the case, the wall height should not be measured from the lowest grade on the lowest side of the wall, but rather from the lowest grade on the front yard side of the wall or from the street flowline. Measuring from the rear yard grade is irrelevant for visibility between the street and the front yard lot, and severely restricts and penalizes the privacy and usability of the subject rear yard lot. It is very common on corner lots to have the rear yard a few feet below the front yard of a contiguous lot that is uphill. In these cases, the "rear" lot is set a few feet below the "front" lot, making privacy more of an issue than normal. Complying with the Regulation as written would limit the total height of a combined retention and rear yard privacy wall within 10 feet of the right-of-way to a maximum of three feet, and would therefore require excessive rear yard sloping or a terraced offset internal retaining wall to achieve the grade change between lots. Assuming all grade difference was made up on the low lot without a property line retaining wall, it would only leave at most a three foot maximum privacy wall along the first ten feet back from the sidewalk which would allow someone from the sidewalk to easily hop over the wall into their back yard. The Regulation as written essentially eliminates the possibility of including any retention at the property line of the rear yard because you can't have any drop-off without some wall on the high side to eliminate the falling hazard. As you observed during your review of the Ocotillo wall and grading plan, this situation occurs at three locations in our subdivision, and unless changed, will require a Conditional Use approval to meet approval under the Regulation as currently written.

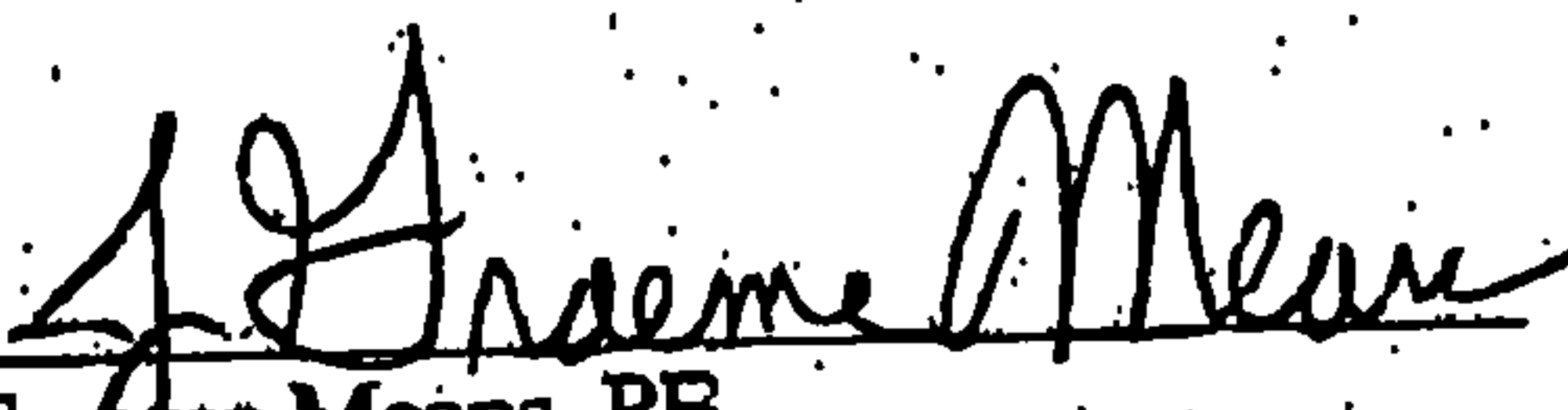
PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.E.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.E.

Ms. Juanita Vigil
March 09, 2004

I ask that you please review this information and forward it to the appropriate person(s) for consideration. Your recent assistance has been greatly appreciated. If you have questions regarding this matter, or if we can be of assistance to you, please feel free to call me. I can make myself available to meet with you or any other interested parties to help explain my concerns.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


J. Graeme Means, PE
Principal

GM/*

xc: Sheran Matson - 924-3864

*** RX REPORT ***

RECEPTION OK

TX/RX NO	8747	
CONNECTION TEL		5053454254
SUBADDRESS		
CONNECTION ID		
ST. TIME	03/09 07:45	
USAGE T	00'57	
PGS.	2	
RESULT	OK	



SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

Supplemental form

S

V

P

L

Supplemental form

ZONING

- Annexation & Zone Establishment
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Zone Change
- Text Amendment

APPEAL / PROTEST of...

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

Z

A

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: Desert Ridge Development, LLC and Jason and Cindy Lynn Daskalos PHONE: 505-821-4440
 ADDRESS: 8300 Carmel Ave N.E., Suite 601 FAX: 505-857-9774
 CITY: 8300 Carmel Ave N.E., Suite 601 STATE NM ZIP 87122 E-MAIL: _____
 Proprietary interest in site: Owner
 AGENT (if any): Jeff Mortensen & Associates, Inc. PHONE: (505) 345-4250
 ADDRESS: 6010-B Midway Park Blvd. NE FAX: (505) 345-4254
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: jmainc@swcp.com

DESCRIPTION OF REQUEST: Final Plat Approval (To be known as Ocotillo Subdivision)

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

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

Lot or Tract No. Lts10-24,(Lots7-15,& E'ly remaining port.of Lot 16) Block: 18 & (20) Unit: 3
 Subdiv. / Addn. Tract 3, Unit 1, North Albuquerque Acres
 Current Zoning: RD 4DU/Acre Proposed zoning: No Change
 Zone Atlas page(s): C-21 No. of existing lots: 25 No. of proposed lots: 78
 Total area of site (acres): +/-24.1508 Density if applicable: dwellings per gross acre: 3.23 dwellings per net acre: 3.37
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? N/A
 UPC No. See Attached 102106410609130226 MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook Street, NE, Carmel Avenue, NE and Holly Avenue, NE
 Between: Anaheim Avenue, NE and Paseo Del Norte

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): DRB Project # 1002885, 03DRB- 01354 thru 01356, (02EPC-01353) 03DRB-01980-01985

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: Sept. 10, 2003

SIGNATURE Debie LeBlanc Trujillo DATE February 23,04
 (Print) Debie LeBlanc Trujillo for Jeff Mortensen & Associates, Inc. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

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>04 DRB - 00244</u>	<u>FPA</u>	<u>5(3)</u>	<u>\$ 0</u>
	<u>CM Fee</u>		<u>\$ 2000</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>
			<u>Total</u>
			<u>\$ 2000</u>

Hearing date March 3, '04

B. B. B. B. B. 2/27/04
 Planner signature / date

Project # 1002885

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

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.

JEFF MORTENSEN & ASSOC., INC.

DEBIE LEBLANC TRUJILLO

Applicant name (print)

Debie LeBlanc Trujillo 02-23-04

Applicant signature / date



Form revised 10/03

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

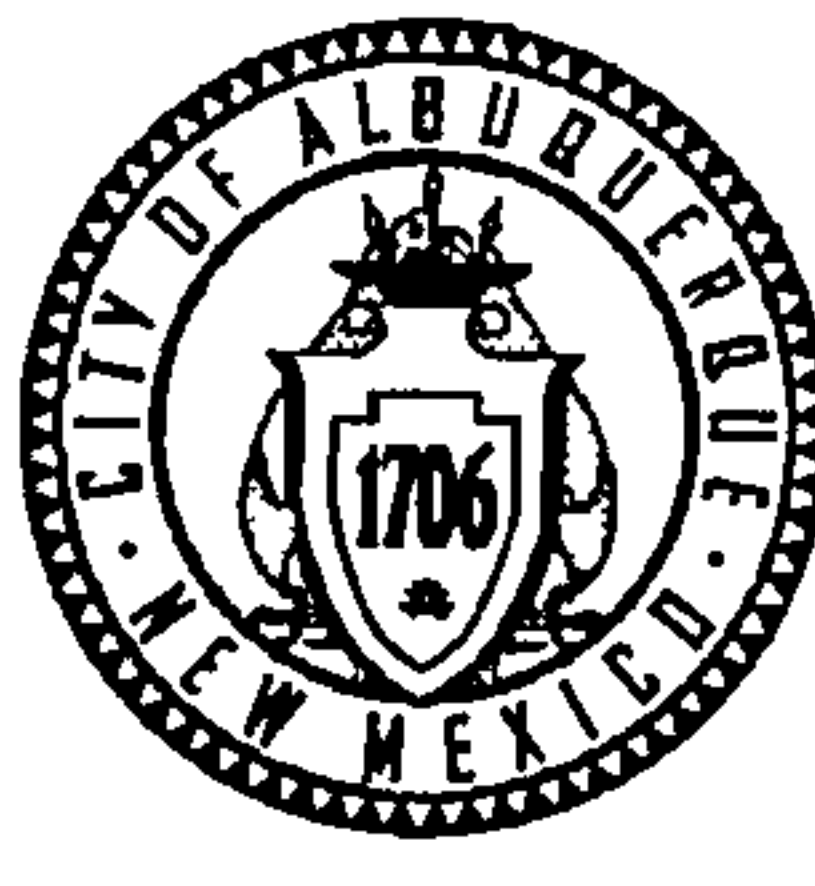
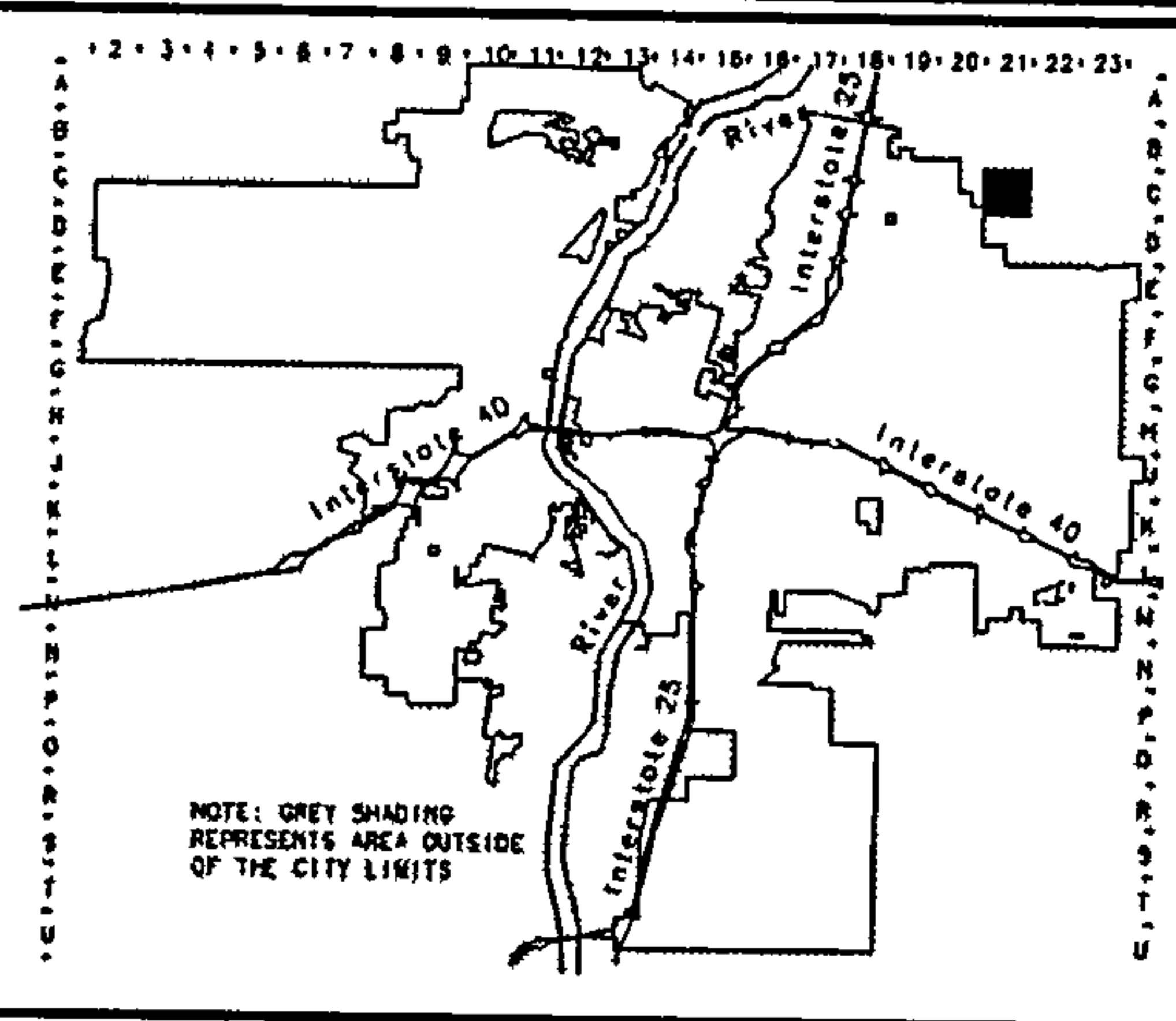
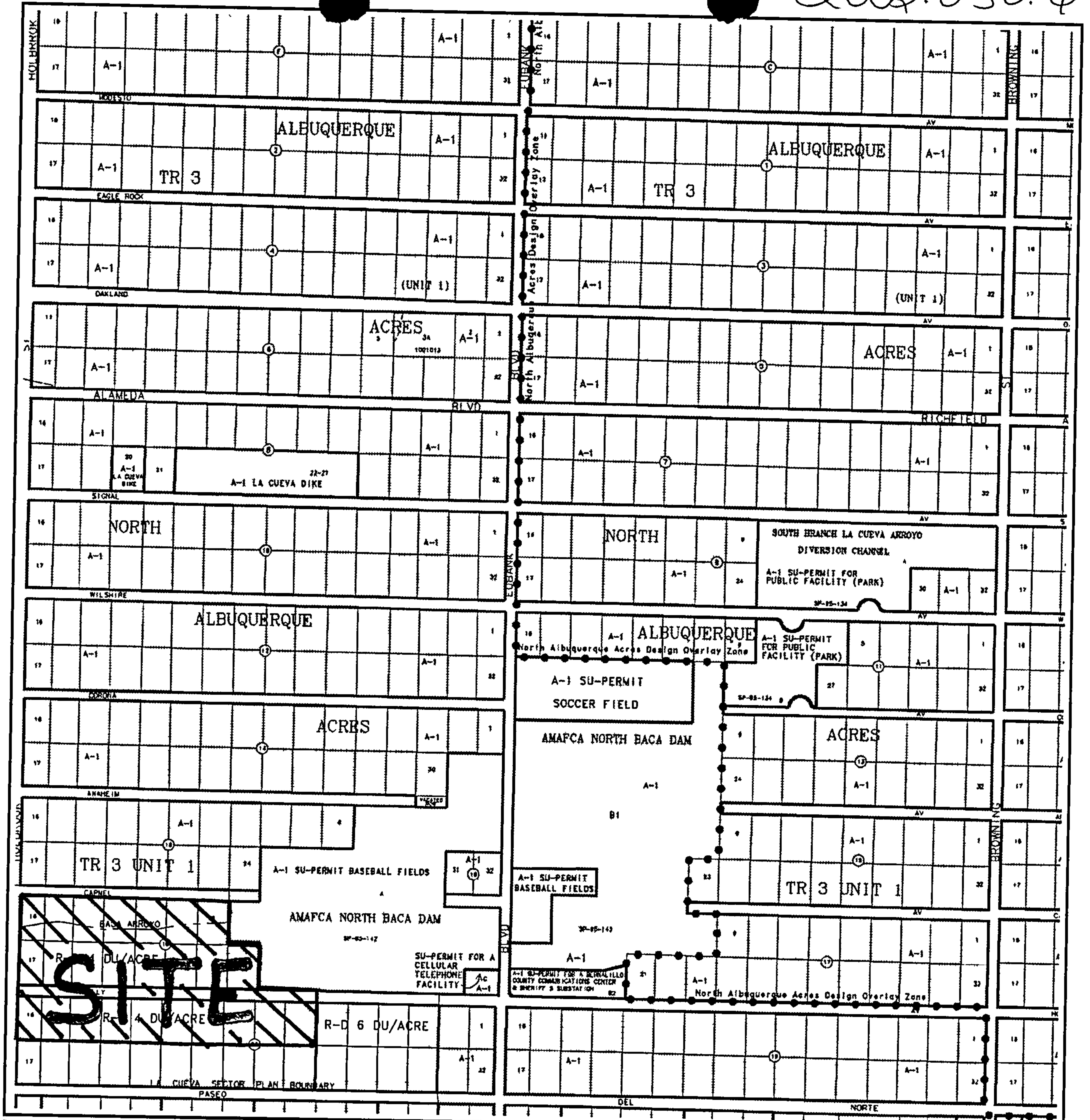
Application case numbers
040RB - - 00244

Robert 2/24/04

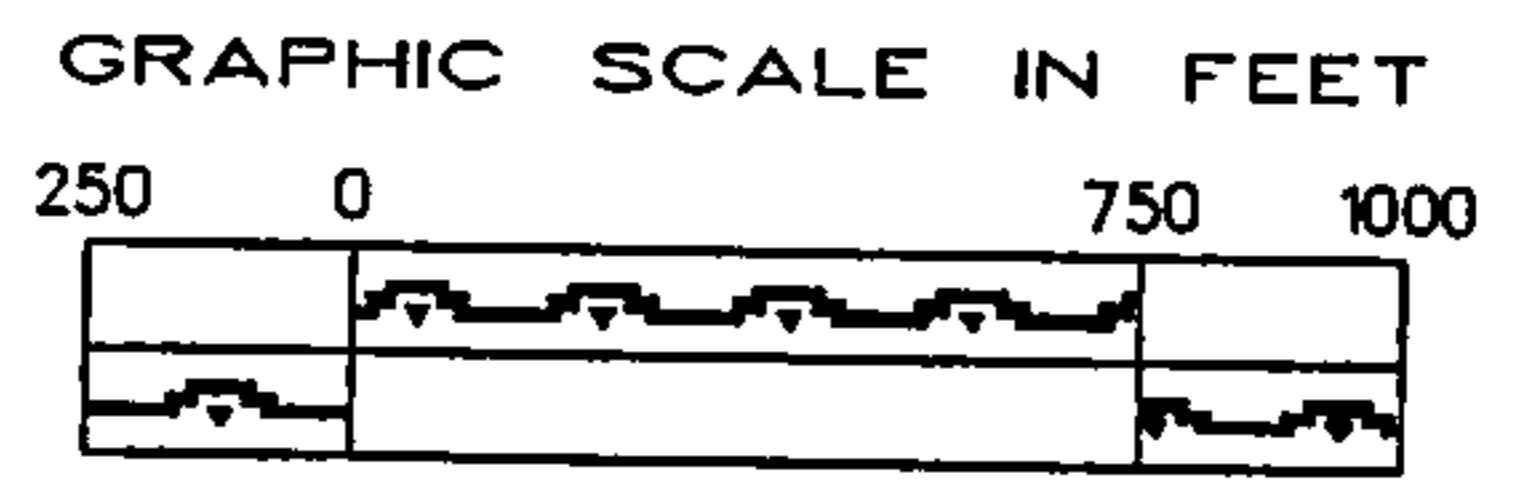
Planner signature / date

Project # 1002885

2002.050.6



Albuquerque Geographic Information System
PLANNING DEPARTMENT
 © Copyright 2003



Zone Atlas Page
C-21-Z
 Map Amended through January 02, 2004

Development Review Application Attachment Listing**UPC No.s****DRB Project # 1002885****Block 18 - North Albuquerque Acres Tract 3, Unit 3**

Lot 10 - 102106410609130226
Lot 11 - 102106409009130227
Lot 12 - 102106407409130228
Lot 13 - 102106405709130229
Lot 14 - 102106404009130230
Lot 15 - 102106402509130231
Lot 16 - 102106400909130232
Lot 17 - 102106400906830201
Lot 18 - 102106402506830202
Lot 19 - 102106404006830203
Lot 20 - 102106405706830204
Lot 21 - 102106407406830205
Lot 22 - 102106409006830206
Lot 23 - 102106410906830207
Lot 24 - 102106412306830208

Block 20 - North Albuquerque Acres Tract 3, Unit 3

Lot 7 - 102106415603830123
Lot 8 - 102106414003830124
Lot 9 - 102106412303830125
Lot 10 - 102106410903830126
Lot 11 - 102106409003830127
Lot 12 - 102106407403830128
Lot 13 - 102106405703830129
Lot 14 - 102106404003830130
Lot 15 - 102106402503830131
Lot 16 - 102106400903830132

3/00

Post-It* Fax Note	7671	Date 2/19/04	# of pages 2
To	Debi	From	Kathy
Co./Dept.	JMA	Co.	COA
Phone #		Phone #	
Fax #		Fax #	

No. of Lots: 78
Nearest Major Streets
Holbrook & Paseo Del Norte

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 3rd day of February, 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 Desert Ridge Development, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] a New Mexico limited liability company, whose address is 8300 Carmel Ave, NE, Suite 601, Albuquerque, NM 87122 and whose telephone number is (505) 821-4440, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

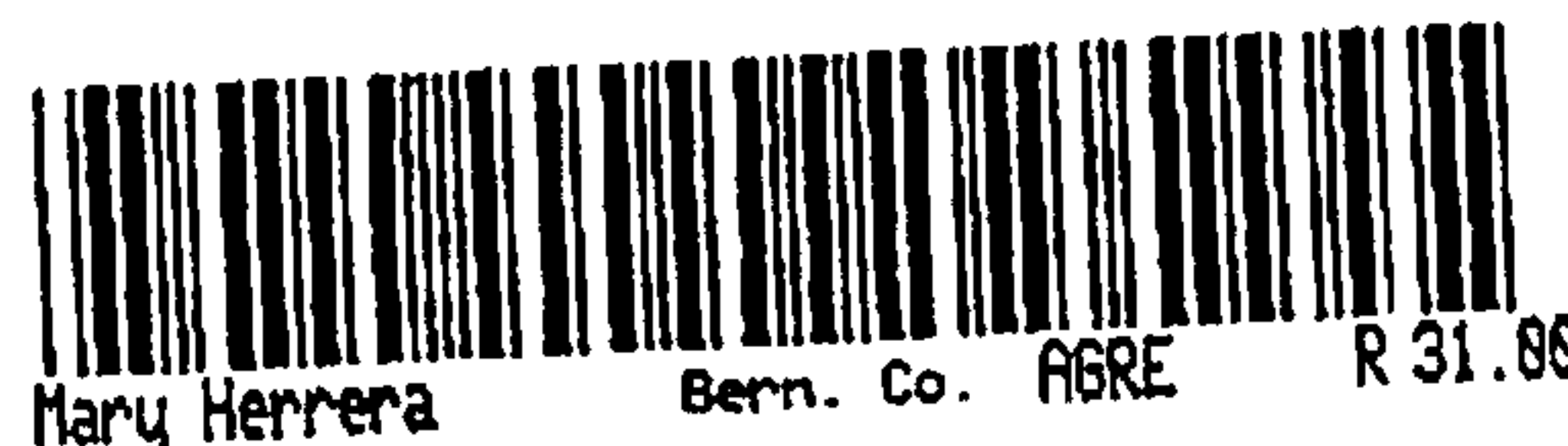
1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] See EXHIBIT "B", recorded on _____ in the records of the Bernalillo County Clerk at Book _____, pages _____ through _____ (the "Subdivision"). The 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:] Desert Ridge Development, LLC. ("Owner").

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

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 1st day of March, 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. 729181.

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 (ADRB), unless



2004015825
6029389
Page: 1 of 12
02/05/2004 03:10P
Bk-A72 Pg-577J



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
JMAINC@SWCP.COM

2002.050.6
February 23, 2004

Sheran Matson, AICP Planning Manager and Chair
Development Review Board
Planning Department Administration
City of Albuquerque
600 Second Street, NW
Albuquerque, NM 87103

Re: Final Plat Approval (Ocotillo Subdivision)
DRB Project # 1002885

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Form S(3)
- Six (6) copies of the Final Plat
- City of Albuquerque Zone Atlas C – 21 (site area highlighted)
- Verification of Executed SIA
- One (1) copy of Approved Perimeter Wall Submittal (Prepared by Consensus Planning)
- Declaration of Restrictive and Protective Covenants for Ocotillo Subdivision

On behalf of our clients, Desert Ridge Development, LLC, along with Jason and Cindy Lynn Daskalos, we are requesting Final Plat Approval for Ocotillo Subdivision. Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.
Jason and Cindy Lynn Daskalos w/enc

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

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

PAID RECEIPT

APPLICANT NAME Desert Ridge Dev. LLC
AGENT JEFF. MORTENSEN. & ASSOC. INC.
ADDRESS 6010-B - MIDWAY Prk. DINA. NE
PROJECT & APP # 1002885 / 04 DRB-00244
PROJECT NAME CORDILLO S/D

\$ 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.

STEVEN L. TRUJILLO 06-98
DEBIE A. TRUJILLO
1516 W. MEADOWLARK LN.
CORRALES, NM 87048

95-219 364
1070
6131038017

1333

Date

02-24-04

Pay to the
Order of

City of Albuquerque
Twenty & 00/100 \$ 20.00

Dollars

WELLS
FARGO

Wells Fargo Bank New Mexico, N.A.
4110 Meadowlark Ln. SE
Rio Rancho, NM 87124
www.wellsfargo.com

DUPLICATE

Memo

2002-050

10700219216131038017

Counterreceipt.doc

Account 469099 Fund 0110
Activity 4916000 TRSLJS
Trans Amt \$20.00
J24 Misc \$20.00
CK \$20.00
CHANGE \$0.00

**DECLARATION OF
RESTRICTIVE AND PROTECTIVE COVENANTS
FOR
OCOTILLO SUBDIVISION**

The undersigned are the owners in fee simple of the following described real estate:

Lots 1 through 78 and Parcels A, B and C, Ocotillo Subdivision, as the same are shown and designated on the Plat of said Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the ____ day of _____, 200__, in Book _____, Page _____.

All of such real estate is referred to as the "Subdivision", and shall include all property subsequently made subject to this Declaration.

The undersigned hereby establish a general plan for the development, improvement, ownership, use and sale of Lot(s) (as hereinafter defined) in the Subdivision and does hereby establish the manner, provisions, conditions, restrictions and covenants upon and subject to which Lots shall be used, improved, occupied, owned, sold and conveyed. The provisions, conditions, restrictions, and covenants in this Declaration shall run with the land, all of which shall be binding upon and inure to the benefit of the present and future Owners (as hereinafter defined) of Lots, and of any interest or interests in the Lot or Lots, all of which provisions, conditions, restrictions and covenants are, and each of them is, hereby impressed and imposed upon each and every Lot as a servitude in favor of each and every other Lot.

1. Definitions. The following words when used in this Declaration shall have the following meaning:

(a) "Additional Property" shall mean Parcel B and Parcel C, Ocotillo Subdivision, as the same are shown and designated on the Plat of said Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico on the ____ day of _____, 200__, in Book _____, Page _____.

(b) "Association" shall mean Ocotillo Homeowners Association, a New Mexico non-profit corporation.

(c) "Board" shall mean the Board of Directors of the Association.

(d) "Common Areas" shall mean the Private Roads, Private Storm Drainage Easements, Security Gate, Landscape Easements and Perimeter Wall (as hereinafter defined) and related Improvements.

- (e) "Declarant" shall mean _____.
- (f) "Declaration" shall mean this Declaration of covenants, conditions, reservations, restrictions and easements, and any amendment or modification thereto.
- (g) "Dwelling" shall mean any building or a portion of a building situated on a Lot designed and intended for use by occupancy as a single family residence.
- (h) "Improvements" shall include, without limitation, buildings, out-buildings (including sheds and storage buildings), roads, driveways, parking areas, fences, gates, retaining walls, stairs, decks, windbreaks, poles, antennas, signs, utility or communication installations (whether above or underground), and any structure and excavation of any type or kind.
- (i) "Lot(s)" shall mean any one of the parcels numbered Lots 1 through 78, inclusive, as shown on the Subdivision Plat of Ocotillo Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on _____, 200____, in Book _____, Page _____, or any lots subsequently made subject to this Declaration.
- (j) "Owner" shall mean the persons or entities, including Declarant, holding legal title or beneficial ownership of the fee, including the purchaser under an installment sales contract of a Lot, or a lessee of a Lot pursuant to a leasehold agreement of a term of twenty (20) years or greater. Owner shall not include a seller under an installment sales contract of a Lot or the lessor of a Lot pursuant to a leasehold agreement with a term of twenty (20) years or greater.
- (k) "Perimeter Wall" shall mean the wall constructed by Declarant or its successor on the perimeter of the Subdivision and on the south boundary line of Lot 33 and the north boundary line of Lot 34 adjoining the Private Storm Drainage Easement.
- (l) "Plat" shall mean the Subdivision Plat of Ocotillo Subdivision filed on _____, in Book _____, Page _____, in the Office of the County Clerk of Bernalillo County, New Mexico and all amendments and revisions thereto.
- (m) "Plat Easement Notes" shall mean the "Keyed Notes - New Easements" on the Plat.
- (n) "Private Roads" shall mean Sand Verbena Trail N.E., Desert Lily Lane N.E., Datura Trail N.E., Desert Poppy Lane N.E., Desert Plume Lane N.E. and Chia Way N.E., which are also described as Parcel A of the Subdivision.
- (o) "Private Storm Drainage Easements" shall mean the private storm drainage easements shown on the Plat Easement Notes as number 8.

(p) "Rowe Property" shall mean the property described on Exhibit "A" which is attached hereto and incorporated herein by reference. The Rowe Property includes (2) North Albuquerque Acres lots and portions of Holly Avenue which are not owned by the Rowes, and no provisions contained herein are intended to burden or benefit the portion of the Rowe Property within the boundaries of Holly Avenue, or the two (2) lots not owned by the Rowes, unless said land is acquired by the Rowes.

(q) "Rowes" shall mean Catherine Rowe, as Trustee, her heirs, personal representatives, successors and assigns.

(r) "Security Gate(s)" shall mean the gates on the intersections of Sand Verbena Trail N.E. and Holbrook N.E. on the western portion of the Subdivision, and the gate on the northern boundary of Parcel C adjoining Holly Avenue, N.E., and any gate constructed within the Rowe Property.

(s) "Temporary Public Drainage Easement" shall mean the temporary public drainage easement shown on the Plat Easement Notes as number 18.

2. Land Use and Building Type. The Subdivision will be a gated community consisting of Private Roads, street signs and street lamps all of which shall be maintained by the Association. No Lot, or portion of a Lot, shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any Lot for use other than one Dwelling with a private garage attached to the Dwelling, for not less than two (2) automobiles. All Dwellings shall be constructed of frame/stucco and shall be of a contemporary southwest style with such stone accents as may be approved by the Committee (as hereinafter defined). The stucco is to be of sanded trowel finish. The stucco colors are to be limited to earth tones approved by the Committee. All buildings, except for covered porches and accessory buildings, shall have a pitched concrete tile roof or a flat roof. Front exterior light fixtures will be ceramic or concealed droplights and the design will be the same for all homes. Dwelling numbers will be ceramic tile or as approved by the Committee. There shall also be permitted, (upon approval of the Committee), but not required, one (1) detached accessory building for storage of garden tools, garden and household furnishings, not to exceed 100 square feet and not to exceed eight (8) feet in height. The accessory building must be located inside required property line setbacks and not be visible from the Private Roads. The exterior of any accessory building shall be roofed and stuccoed to match the exterior color of the Dwelling. The Committee will need to approve anything other than a standard gray concrete driveway or walkway.

3. Architectural Control Committee. An architectural control committee (the "Committee") is hereby established and shall be comprised of five (5) persons, each of whom shall serve until his or her successor is appointed and qualified or his or her obligations otherwise terminate.

The following persons are hereby appointed and declared to comprise the Committee:

Leigh Ann Smidt
8300 Carmel Ave. NE, Suite 201
Albuquerque, NM 87122

Justin D. Hoech
8300 Carmel Ave. NE, Suite 601
Albuquerque, NM 87122

Donald G. Hoech
8300 Carmel Ave. NE, Suite 601
Albuquerque, NM 87122

Nola K. Stofac
8300 Carmel Ave. NE, Suite 201
Albuquerque, NM 87122

Connie Clark
7305 Desert Eagle N.E.
Albuquerque, NM 87113

Successors shall be appointed by a majority of the remaining members of the Committee. After Declarant or its successors has sold the last Lot and Dwelling to a third party purchaser, the duties of the Committee shall be undertaken by the Association, through a committee to be appointed by the Board.

BEFORE ANYONE SHALL COMMENCE THE CONSTRUCTION, RECONSTRUCTION OR ALTERATION OF ANY IMPROVEMENTS ON ANY LOT, THERE SHALL BE SUBMITTED TO THE COMMITTEE PLANS AND SPECIFICATIONS AS FOLLOWS:

- A. Plans and specifications shall clearly show the nature of the work or installation proposed and location on the Lot, which shall include sufficient description of materials, textures, etc., as shall enable the Committee to determine whether the construction, reconstruction or alteration of Improvements will harmonize with the architectural style of the Subdivision and the external design of existing structures within the Subdivision; and
- B. No Improvements of any kind, or alteration, painting, or texturing thereof, shall ever be, or permitted to be, erected, constructed, installed, placed or maintained on a Lot, unless and until the final plans, specifications and elevations shall have written approval of the Committee. All plans shall further include elevations and textures indicating the materials for the same.

The Committee shall have the right and power to disapprove any plans, specifications or details submitted to it, if the Committee finds that the plans and specifications are not in accordance with all provisions of this Declaration, or if the design, materials or color scheme submitted are not in harmony with other Improvements constructed within the Subdivision or if the plans and specifications are incomplete.

Neither the members of the Committee, either in their individual or in their collective capacities, nor the Declarant, shall be responsible, or have any liability, whatsoever for any defect in any plans, specifications or other data submitted to, approved by or revised by the Committee, or in any work done or Improvements made pursuant to such plans and specifications.

The Committee shall approve or disapprove the plans and specifications within thirty (30) days after receipt of the plans and specifications. If the Committee fails to approve or disapprove the plans and specifications within thirty (30) days after receipt, then such approval shall not be required; provided, that no structure, building or other improvement shall be installed, erected, painted, textured, altered or modified which violates any part of this Declaration.

4. Further Subdivision of a Lot. Except as otherwise provided in this Paragraph, and in Paragraph 29, no Lot may be divided into two or more parcels, nor may one Dwelling occupy more than one Lot. Lot 35 may be replatted into two (2) Lots if Holly Avenue adjoining Lot 35 is abandoned and a portion thereof is incorporated into the new Lots. The new Lots shall contain not less than 9,000 square feet. The Owner of Lot 35 shall have the right to subdivide as provided for in this Paragraph without the consent of the Declarant, the Association, the Owners of other Lots or lenders having liens on any of the Subdivision, provided however, the new Lots shall be deemed subject to all provisions of this Declaration upon the filing of a replat creating the new Lots.

5. Grading. No Lot may be landscaped or re-graded in such a manner as to cause the drainage characteristics of the Lot to differ significantly from the grading plan for the Subdivision approved by, and on file with, the City of Albuquerque Engineering Department (the "Drainage Report"). In no case may the drainage from one Lot drain on to any other Lot, except as allowed by the Drainage Report.

Any party constructing, reconstructing or altering Improvements on any Lot shall be required to conform with the Drainage Report, copies of which are available from Declarant, its successors or the City of Albuquerque.

6. Compliance with the Grading Plan and Development Plan. All Improvements constructed on each Lot shall comply with the City of Albuquerque approved "Grading Plan" and "Development Plan" for the Subdivision. All plans and specifications submitted to the Committee must contain sufficient information to enable the Committee to determine compliance with the Grading Plan and Development Plan. However, the Committee shall not be liable to the Owner or any other person for approval of plans, which are contrary to the Grading Plan and Development Plan.

It is the responsibility of the Owner that all Improvements built on each Lot are in compliance with the soils report for the Subdivision, a copy of which is available at the office of Declarant.

If the Improvement is a building which is to be built on any portion of a Lot outside the prepared pad, the Improvement must be built on controlled fill dirt.

7. Minimum Area of Dwelling; Height Restrictions. The total enclosed living area of any Dwelling, exclusive of open porches, garage, and any accessory building shall not be less than 2,000 square feet. Dwellings are restricted to one (1) story in height and are not to exceed eighteen feet (18') above finished grade on the following Lots: Lots 1, 12, 13, 19, 20, 26 and 27. Dwellings on all of the remaining Lots shall not exceed a height of twenty-six feet (26') above finished grade.

8. Setbacks. No Dwelling shall be located on any Lot in contradiction of the following setback requirements:

- A. There shall be a front-yard setback of not less than twenty feet (20') from the front Lot line.
- B. There shall be a garage setback of not less than twenty feet (20') from the front Lot line.
- C. There shall be a rear-yard setback of not less than fifteen feet (15') from the rear Lot line.
- D. There shall be a side yard setback of not less than five feet (5') from each side yard Lot line, except for corner Lots which shall have a side yard setback of not less than ten feet (10') from Private Roads. Pitched roofs overhanging the setback lines not more than two feet (2') shall not be construed as violating the setback requirements provided they are built at the time of construction of the original Dwelling.

9. Landscaping. The builder constructing any Dwelling shall install the front-yard landscaping. The Owner shall ensure the front yard landscaping is maintained in good condition at all times.

10. Tolerance. A four-inch (4") tolerance for mechanical variances in construction is hereby automatically allowed for buildings and other Improvement setback requirements imposed by this Declaration.

11. Completion of Work. Once construction, reconstruction or alteration of new Improvements shall commence, all such construction, reconstruction or alteration shall be finished and completed in all respects in accordance with the Committee-approved plans and specifications within nine (9) months after said commencement. All construction, reconstruction or alteration activities shall be accomplished in such a manner as shall not create unreasonable, unsightly, noisy or objectionable conditions.

12. Nuisances. No noxious or offensive activity shall be carried on, or permitted upon any Lot. Nothing shall be done, placed or stored on any Lot which may be or may become an annoyance or nuisance to the Owner(s) of other Lot(s), or which will occasion any noise or odor which will or might disturb the peace, comfort or serenity of the occupants of Dwellings on other Lot(s). Owners of vacant Lots shall be responsible for keeping, and shall keep, their Lots clear of weeds, trash and other detracting impediments. No trash or garbage shall be burned on any Lot. Garbage and other waste materials shall be placed in the covered containers provided by the City of Albuquerque and shall not be placed out for collection more than 24 hours prior to scheduled collection times. These containers shall be concealed from the street on non-garbage collection days.

A wire receptacle shall be provided by the builder in the construction area and all debris easily displaced by wind shall be placed in the receptacle. The receptacle shall be emptied when full. All Lots shall be maintained in a neat, orderly condition at all times.

13. Temporary Buildings. No Improvement of a temporary character, such as a shack, barn, basement, trailer, tent, garage or other outbuilding, mobile home, or motor home, shall be used on any Lot at any time as a Dwelling, either temporarily or permanently. No Dwelling placed or erected on a Lot shall be occupied in any manner at any time prior to its being fully completed; provided, however, that this provision shall not prevent the occupancy and use of Improvements on a Lot for residential purposes while additions, modifications, or alterations are being made to a completed Dwelling pursuant to plans and specifications duly approved by the Committee.

Notwithstanding anything to the contrary, any Lot may be used for a sales office, model home complex, or storage and construction yard during the initial construction of a Dwelling and the sales period. All such temporary uses must have the prior approval of the Committee, which shall establish the requirements for such uses.

14. Equipment. No satellite dish, radio, television or other antennas shall be erected upon a Lot unless the antenna(s) can be concealed from view behind a parapet or inside the roof structure or attic, or unless approved by the Committee. Where externally visible air conditioners or evaporative coolers are installed, they shall be so installed that they will not be visible from the front or side Private Roads. Roof mounted units shall be allowed, however, they shall be installed so as to comply with this restriction as much as reasonably possible. No clotheslines or basketball goals of any type shall be placed on or at any Dwelling.

15. Parking and Storage of Vehicles, Etc., Within the Subdivision. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be stored or parked on any Lot continuously for a period of more than twenty-four (24) hours. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be parked on the Private Roads overnight. Operable vehicles may only be parked on the Private Roads for up to seventy-two (72) hours continuously and the same vehicle may not be

parked on the Private Roads more than nine (9) days in any calendar month. The Association shall have the right to adopt rules and regulations regarding parking on the Private Roads which amend the requirements of the previous sentence of this paragraph.

16. Flood Lights. No un-shaded exterior lights shall be permitted which project light more than fifteen (15) feet from a Dwelling.

17. No Improvement to Obstruct Vision of Vehicle Operator. No Improvement, including walls, fences, hedges or other obstructions shall be erected, placed, altered or permitted to remain upon any Lot which would obstruct or reduce the vision of an operator of any type of vehicle or obstruct the entrance to the Subdivision and said Improvements shall also comply with the City of Albuquerque's ordinances or guidelines for the clear sight triangle.

18. Party Walls. Party walls include privacy walls. The rights and duties of the Owners with respect to party walls are as follows:

- A. If any party wall is damaged or destroyed through the act of an Owner or any of his/her guests, tenants, licensees, agents or family members, such Owner shall immediately proceed to rebuild and repair the wall to as good a condition as formerly existed without cost to the adjoining Lot Owner.
- B. If any party wall is damaged or destroyed by some cause (including ordinary wear and tear and deterioration from lapse of time), other than the act of one of the Owners, his/her guests, tenants, licensees, agents or family members, then both adjoining Lot Owners shall proceed forthwith to rebuild or repair the wall to as good a condition as existed prior to the damage or destruction at their joint and equal expense.
- C. Any and all resurfacing or repainting of a party wall shall be done in a color to match the original.

19. Privacy Walls & Gates.

- A. Walls for purposes of visual screening or privacy may be constructed within the rear and side yard set back lines, provided the style, color and materials are compatible with those of the Dwelling. Side, front and rear yard walls shall have a maximum height of seventy-two (72) inches. In no case may a wall be in violation of any governmental codes.
- B. All front walls completing court yards that face the Private Roads shall be constructed to match the Dwelling.
- C. No barbed wire, welded wire, welded pipe or wood slats shall be permitted on any Lot. During the construction of the Dwellings, temporary privacy fences

will be permitted between adjoining Lots, until such adjoining Dwellings are completed. All temporary fences must be uniform, provide privacy and be a minimum of five feet (5') in height.

20. Casualty. If any Improvement on any Lot is destroyed, wholly or in part, by fire or other casualty, the Improvement so damaged or destroyed shall be promptly and properly rebuilt or repaired in conformity with the provisions of this Declaration; or, in the alternative, all remaining portions of the Improvement, including all foundations and all debris, shall be removed from the Lot. If the Owner of the Lot elects to clear the Lot, the razing and clearing work shall be completed within one hundred twenty (120) days after the casualty.

21. Animals and Pets. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that domestic dogs and cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial breeding purpose.

22. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying, or mining operations or exploration of any kind shall be permitted upon any Lot. No oil wells, tanks, tunnels, minerals excavation shafts or other such equipment or activities shall be permitted upon any Lot.

23. Easements and Rights-of-Way

- A. Utility Easements and Rights-of-Way. All areas of the Lots reserved for the installation, removal, repair and maintenance of utilities are reserved and designated as utility easements on the Plat.
- B. Easements and Rights-of-Ways Include Right of Ingress and Egress. All easements and rights-of-ways of whatever type which are shown and designated on the Plat shall include the right of ingress to and egress from such easements and rights-of-way over, upon, or under such easements, for the purpose of installing, removing, repairing and maintaining utilities, trimming or removing of interfering trees or shrubs, and any other purpose for which such easements and rights-of-way may be used.
- C. No Construction or Obstacle on Any Type of Easement or Right-of-Way. No Dwelling, obstacle, or other type of Improvement shall be erected, placed, altered, or permitted to remain upon any portion of a Lot which is the subject of any type of easement or right-of-way which would in any way interfere with the use of such easement or right-of-way; nor shall any trees, shrubs, hedges, or other landscaping be planted or permitted to remain in place, or to remain untrimmed, which would interfere with the use of any easement or right-of-way.

D. Perimeter Walls. The Perimeter Walls shall be Common Areas, constructed by the Declarant or its successors, and shall be maintained by the Association. Each Lot containing a portion of the Perimeter Walls shall be subject to a perpetual non-exclusive easement for said Perimeter Walls which shall be three (3) feet in width ("Perimeter Wall Easements") and shall be located as follows:

- (1) The southern three (3) feet of Lots 33 and 60 through 78.
- (2) The western three (3) feet of Lots 1 through 6 and 78.
- (3) The northern three (3) feet of Lots 6, 7, 13, 14, 20, 21, 27, 28, 31, 34 and 35.
- (4) The eastern three (3) feet of Lots 28, 29, 30, 31, 32, 33, 34 and 60.

The Perimeter Wall Easements shall be perpetual and non-exclusive for the benefit of Declarant, its successors, and the Association for the construction, maintenance and repair of the Perimeter Walls. No Owner shall have the right to tie into or alter the Perimeter Walls on said Owner's Lot without the prior written consent of Declarant, its successors or the Association.

E. Landscape Easements. The Plat has created Landscape Easements in Plat Easement Note number 17, which shall be maintained by the Association. Declarant further declares that the southwestern corner of Lot 1 is subject to a perpetual non-exclusive easement for landscaping outside the Perimeter Wall, which shall be deemed one of the "Landscape Easements". The Landscape Easement on Lot 1 shall be utilized for monument signage for the Subdivision, lighting and landscaping. The Landscape Easements shall be maintained by Declarant, its successors or the Association.

F. Private Access Easement. The Plat has created a private access easement on Parcel C in Plat Easement Notes number 16 which shall be maintained by the Association.

G. Temporary Public Drainage Easement. The Plat has created a temporary public drainage easement on Lot 60 in Plat Easement Notes number 18 which shall be maintained by the Association.

24. Billboards, Poster-Boards, and Advertising. The construction and/or maintenance of billboards, poster-boards, and advertising structures of any kind on any part of any Lot is prohibited, except that real estate agents and/or the Owner of a Lot may display one (1)

temporary "For Sale" sign or one (1) "Open House" sign on any Lot. The sum of the length and width of such signs shall not exceed sixty inches (60"). Declarant and the initial builder of the Improvements on each Lot shall be exempt from the requirements of this Paragraph 24.

25. Common Areas. The Common Areas shall be maintained by the Association. The Board shall have the right to establish rules and regulations related to use of the Common Areas.

26. Association. The Association shall be a New Mexico non-profit corporation which shall be controlled by the articles of incorporation and bylaws thereof.

- A. Every Lot shall be entitled to one (1) membership in the Association which shall be vested in the Owner or Owners thereof. If an Owner owns more than one (1) Lot, said Owner shall have only one (1) Membership in the Association, however, said Owner shall have one (1) vote for each Lot. Membership shall be appurtenant to and may not be separated from the ownership of any Lot. Ownership of a Lot shall be the sole qualification for membership.
- B. The Association shall have one (1) class of voting membership.
- C. The expenses of the Association shall be paid through assessments against each Lot. Such assessments shall be fixed, established and collected from time to time as hereinafter provided. The assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on each Lot and shall be a continuing lien upon each Lot against which each such assessment is made. These assessments and costs shall also be the personal obligation of each person or entity who was the Owner of the Lot when the assessment became due. Assessments will begin on the date set by the Board and will be prorated for partial assessment years.
- D. The assessments shall be used exclusively for the Common Areas and costs of the Association.
- E. The initial annual assessments for each of the Lots shall be \$480.00, prorated from the date each Owner closes on the purchase of a Lot and Dwelling from Declarant or the initial builder. Annual assessments thereafter shall be due and payable on January 1 of each successive year and shall be delinquent each February 1 if not paid in full; provided however, the Association may decide to assess the Owners monthly or quarterly for the annual assessments. Neither Declarant nor a builder holding a Lot for development or a Lot with a Dwelling for initial sale shall be required to pay any assessments for Lots it owns; provided

however, if any Dwelling owned by Declarant or the initial builder is occupied as a residence prior to the sale the annual assessments shall commence on the date of occupancy and shall be paid by the Owner of said Lot. The \$480.00 annual assessment shall remain in effect until modified by a two-thirds (2/3) vote of the members of the Association at a meeting held for the purpose of determining said assessments, which meeting shall be called at least thirty (30) days in advance thereof, except in the event of an emergency.

- F. Written notice of the annual assessments shall be sent to every member at the time of its determination by the Board. The Association shall, upon demand at any time, furnish to a member a certificate in writing signed by an officer designated by the Board as the one responsible for keeping the records, or for this purpose, setting forth whether said assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.
- G. If any installment of an assessment is not paid within thirty (30) days after it is due, then such assessment shall become delinquent and shall, together with interest thereon, and the cost of collection thereof, as provided herein, become a continuing lien on the Lot which shall bind such Lot in the hands of the then Owner of that Lot, and any subsequent Owner. The personal obligation of the then Owner to pay such assessment, however, shall remain its personal obligation for the statutory period and shall not pass to its successors in title until expressly assumed by them. If the assessment is not paid within thirty (30) days after the delinquency date, a reasonable late charge may be assessed at the discretion of the Board and the assessment shall bear interest from the date of delinquency at the rate of eighteen percent (18%) per annum until paid. The Association may bring an action at law against the Owner personally obligated to pay the same or an action to foreclose the lien against the Lot, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided, reasonable attorney's fees to be fixed by the court, together with the costs of the action.
- H. The lien for the assessments shall be subordinate to the lien of any first mortgage placed upon the Lot in good faith and for value; however, such subordination applies only to the assessments due before the sale or transfer of the Lot pursuant to a decree of foreclosure, or any transfer in lieu of foreclosure. The sale or transfer of a Lot does not relieve the Lot from the liability for or lien of assessments thereafter becoming due.

27. No Business or Commercial Enterprise Permitted. No business, whether or not for profit, and no commercial enterprise of whatever kind, except from time to time as may be

permitted by the City of Albuquerque Comprehensive Zoning Ordinance for the Subdivision, shall be undertaken or carried on, upon, or from any Lot, except only the original sales and subsequent sales of the Lots and the Dwellings constructed and to be constructed thereon. No stores, shops, businesses, commercial, or industrial buildings, or other such structures of whatever type shall be erected, placed, altered, or permitted to remain upon any Lot, except only in connection with the original development and sales of the Lots and construction and sales of the Dwellings, such as model homes or a show home, or a sales office.

Home offices shall be allowed in occupied Dwellings under the following guidelines:

- A. There shall be no signs and/or advertising of the home office;
- B. The garage shall remain a garage and shall not be converted to an office; and
- C. There shall be a maximum of one customer and the Owner of the Lot conducting business at any one time from the home office.

28. Additional Property. The owner(s) of the Additional Property shall have the right, without the consent of the Association, or any Owners, or lenders having liens on any of the Subdivision, to subdivide the Additional Property and make the Additional Property subject to this Declaration. Each parcel of the Additional Property which is platted for single family residential use shall be deemed a Lot for purposes of this Declaration, including membership in the Association and liability for assessments, on the date the replat creating said Lot(s) is filed. The Additional Property may be replatted into a maximum of (2) Lots if Holly Avenue adjoining the Additional Property is abandoned and a portion thereof is incorporated into the new Lots. The new Lots shall contain not less than 9,000 square feet each.

29. Rowe Property. Upon the written notice from the owner of the Rowe Property, and upon the owner of the Rowe Property filing a supplemental declaration to this Declaration, without the consent of the Association or any Owner, or lenders having liens on any portion of the Subdivision, the Rowe Property shall be subjected to this Declaration, as hereinafter qualified, and the owner of the Rowe Property shall have access rights to and from the Private Roads and use of the Security Gate on Holbrook N.E. without the obligation of the owners of the Rowe Property to contribute to the initial construction costs of the original Subdivision and the Common Areas' Improvements. The Rowe Property shall only be platted into single family residential lots and necessary private roads and easements (including Perimeter Wall Easements), and shall include a security gate providing access to Holly Avenue, N.E., if required by the City of Albuquerque. Each single family residential lot shall be deemed a Lot for purposes of membership in the Association and assessments. The obligation for payment of the annual assessments by the Owners of the Lots within the Rowe Property shall commence as to each such Lot upon the substantial completion of the Dwelling thereon and the consummation of the initial sale thereof by the builder or occupancy of the Dwelling, whichever occurs first. All Lots created within the Rowe Property shall contain not less than 9,000 square feet and Dwellings

shall be comparable in design and cost per square foot to the Dwellings constructed on the southernmost Lots of the Subdivision. Prior to the construction of any Improvements thereon, the initial plans shall be submitted to the Committee, but Committee approval shall not be required. Notwithstanding the preceding sentence, all other provisions of this Declaration shall apply to the Lots created within the Rowe Property and the construction of Improvements thereon, including subsequent renovations to the initial Improvements. The owner of the Rowe Property shall pay all costs for infrastructure (including separate metering of utilities within the Common Areas) and other Improvements required by governmental authorities, as well as the cost for a perimeter wall, which shall be of the same materials and colors as the Perimeter Wall. The owner of the Rowe Property shall also pay for a security gate to provide access to and from Holly Avenue, N.E., if a road connecting to Holly Avenue N.E. is required by the City of Albuquerque. All rights and obligations of this Declaration with respect to the Rowe Property shall run with the Rowe Property. Nothing contained herein shall preclude the owner of the Rowe Property from electing not to be subjected to this Declaration and to put the Rowe Property to use for purposes other than as set forth herein, provided said election is made before the election to subject the Rowe Property to this Declaration.

30. Enforcement of Covenants. The violation or breach of any provision, condition, restriction or covenant in this Declaration, after notice of such violation or breach has been presented to an Owner, shall give each other Owner, Declarant, the Association and the Committee the right to prosecute at law or in equity, the person or persons who have violated or are attempting to violate any provision, condition, restriction or covenant in this Declaration, to enjoin or prevent them from doing so, to cause the violations to be remedied or to recover damages for the violation. Any one of the above-listed persons or entities may so enforce this Declaration and the cooperation of any other person or entity is not required.

The result of every action or omission whereby any provision, condition, restriction or covenant in this Declaration is violated in whole or in part, is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an Owner, either public or private, shall be applicable against every such action or omission.

The failure of Declarant, the Committee, the Association or any Owner to enforce any provision, condition, restriction or covenant in this Declaration shall not be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other provision, condition, restriction or covenant in this Declaration.

The prevailing party or parties in any judicial proceedings to enforce this Declaration shall be entitled to reasonable attorney's fees and court costs from the non-prevailing party.

All questions of interpretation or construction of the terms of this Declaration shall be resolved by the Association.

31. Severability. If any one or more of the provisions, conditions, covenants and restrictions in this Declaration are held by any court of competent jurisdiction to be null and

void, all remaining provisions, conditions, covenants and restrictions shall continue unimpaired and in full force and effect.

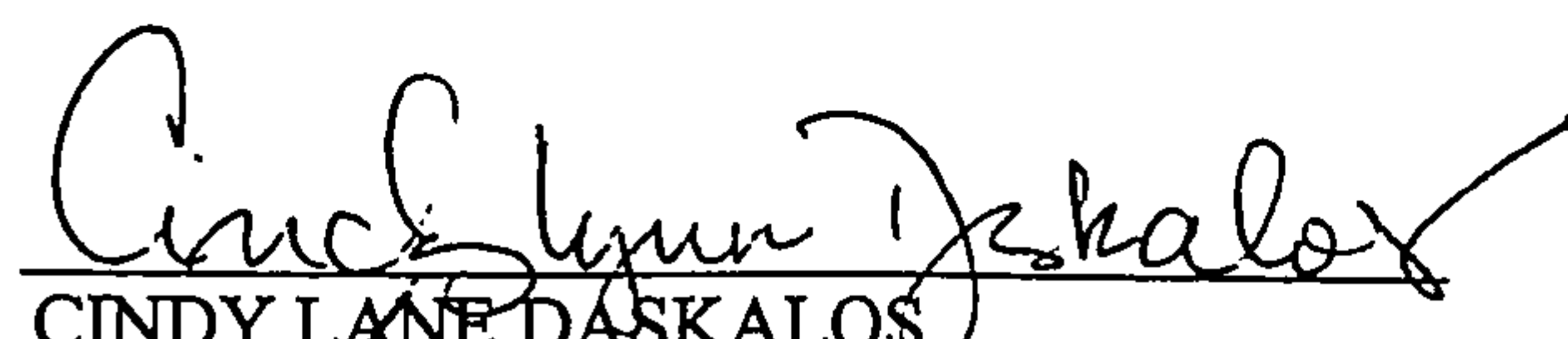
32. Assignment of Declarant's Rights. The Declarant shall have the right to assign, transfer and convey all of Declarant's rights to a third party or parties acquiring the remaining undeveloped Lots owned by Declarant in the Subdivision. Said assignee(s) or successor(s) shall have the same rights as Declarant hereunder.

33. Duration of These Covenants. The provisions, conditions, covenants and restrictions in this Declaration shall run with the land and continue in full force and effect for a period of thirty (30) years from the date of the filing of this Declaration in the office of the County Clerk of Bernalillo County, New Mexico, at which time they shall be automatically extended for a period of ten (10) years and thereafter for successive ten year periods, unless before the commencement of any extension period the then Owners of the fee simple estate of seventy-five percent (75%) or more of the Lots by written instrument, duly executed and recorded, shall declare a termination of this Declaration. Any such termination shall become effective upon the date upon which otherwise the automatic extension would take effect.

34. Amendment. At any time after the date of the filing this Declaration, the Owners of not less than seventy-five percent (75%) of the Lots may release one or more of the Lots from, or may modify, change or amend all or any portion of the provisions, conditions, covenants or restrictions contained in this Declaration by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the office of the County Clerk of Bernalillo County, New Mexico. No amendment to this Declaration which impairs the rights of the owner(s) of the Rowe Property may be made without the written consent of the owner(s) of the Rowe Property; provided however, after submission of the Rowe Property to this Declaration, the above requirements for amendment shall apply, except as to matters which only affect or disproportionately affect the Lots which were originally part of the Rowe Property, in which case unanimous consent of the Owners of those Lots must be obtained to amend this Declaration.

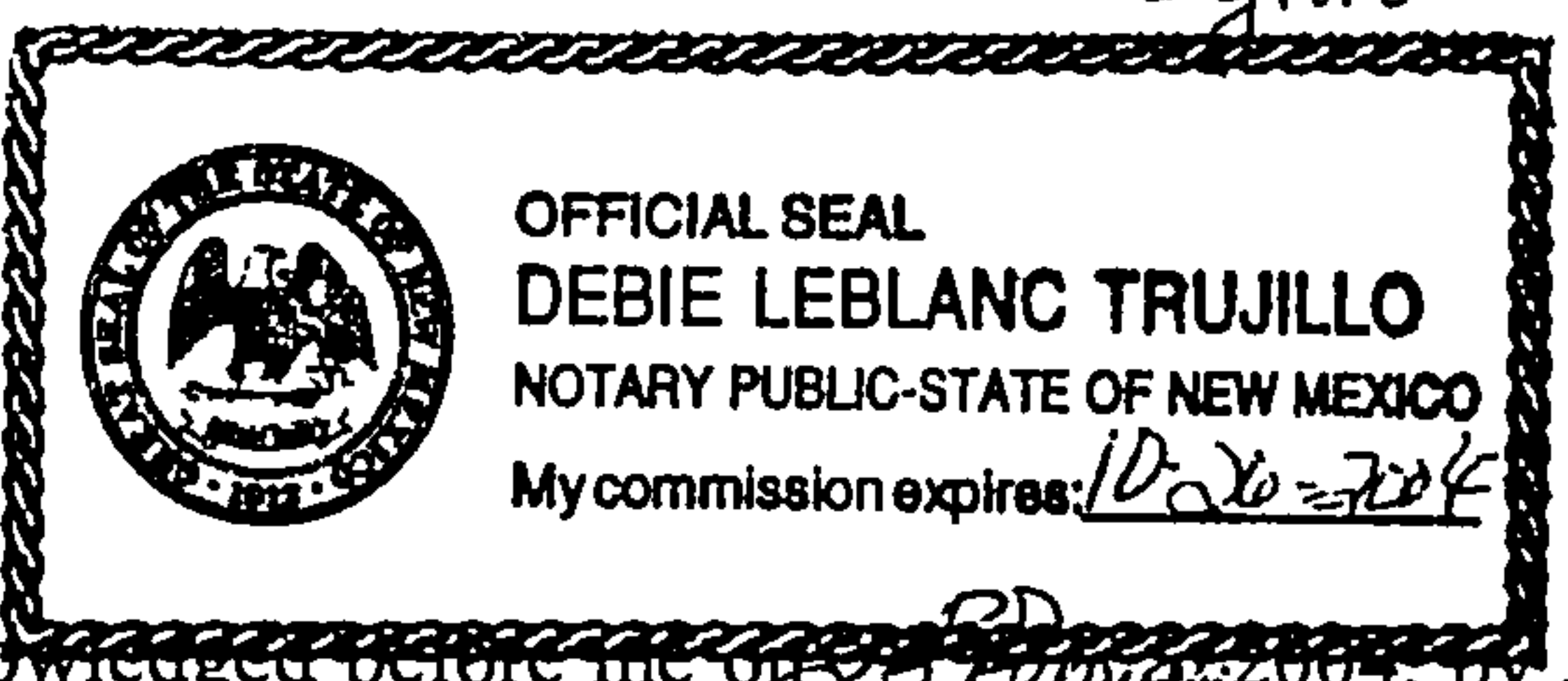


JASON DASKALOS




CINDY LANE DASKALOS
Lynn CD

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)



This instrument was acknowledged before me on ~~08/20/04~~ ^{10/26/06}, by JASON DASKALOS and CINDY LANE DASKALOS.



NOTARY PUBLIC

MY COMMISSION EXPIRES:
October 26, 2006

EXHIBIT "A"

Rowe Property

Lots 5 and 6, Block 20, North Albuquerque Acres, Tract 3, Unit 1, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Bernalillo County, New Mexico on March 23, 1931, in Book D, page 132.

Mark Kirsch contacted
said: As long as Jones &
Attorney were at DRB
mtg, they got notice.

Also 4 signs were posted

12/19/03

Spoke w/ Kyle T. We
checked & he admitted
he missed the Rowe
property Lot 6. When
he generated his list
of addresses, (lot 5 would
be outside 100'.)

12/17/03

Susan Fox

Planning doesn't have Jones
 on No notice: ^{Ropes} layout at least
 letter from Jones's Co. Assessor Monte Claire NE
 did not receive notice found out 12/16/03

Applicant

Delayed grading info to John
 Myers faxed info John to Fred

Contacted yesterday about
 grading

Grading plan not affecting
 Jones's

Susan Fox

Fred

Common retaining wall along
 Dr Jones' property

~~12/18/03
 *Deferred Assessment City doesn't give
 results with public info - not on
 County assessors desk?~~

- (e) "Declarant" shall mean _____.
- (f) "Declaration" shall mean this Declaration of covenants, conditions, reservations, restrictions and easements, and any amendment or modification thereto.
- (g) "Dwelling" shall mean any building or a portion of a building situated on a Lot designed and intended for use by occupancy as a single family Dwelling.
- (h) "Improvements" shall include, without limitation, buildings, out-buildings (including sheds and storage buildings), roads, driveways, parking areas, fences, retaining walls, stairs, decks, windbreaks, poles, antennas, signs, utility or communication installations (whether above or underground), and any structure and excavation of any type or kind.
- (i) "Lot(s)" shall mean any one of the parcels numbered Lots 1 through 78, inclusive, as shown on the Subdivision Plat of Ocotillo Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on _____, 200__, in Book _____, Page _____.
- (j) "Owner" shall mean the persons or entities, including Declarant, holding legal title or beneficial ownership of the fee, including the purchaser under an installment sales contract of a Lot, or a lessee of a Lot pursuant to a leasehold agreement of a term of twenty (20) years or greater. Owner shall not include a seller under an installment sales contract of a Lot or the lessor of a Lot pursuant to a leasehold agreement with a term of twenty (20) years or greater.
- (k) "Perimeter Wall" shall mean the wall constructed by Declarant or its successor on the perimeter of the Subdivision and on the south boundary line of Lot 33 and the north boundary line of Lot 34 adjoining the Private Pedestrian Access.
- (l) "Plat" shall mean the Subdivision Plat of Ocotillo Subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on _____, in Book _____, Page _____.
- (m) "Plat Easement Notes" shall mean the "Keyed Notes - New Easements" on the Plat.
- (n) "Private Pedestrian Access" shall mean the private pedestrian access easement shown on the Plat Easement Notes as number 10.
- (o) "Private Roads" shall mean Sand Verbena Trail N.E., Desert Lily Lane N.E., Datura Trail N.E., Desert Poppy Lane N.E., Desert Plume Lane N.E. and Chia Way N.E., which are also described as Parcel A of the Subdivision.
- (p) "Private Storm Drainage Easements" shall mean the private storm drainage easements shown on the Plat Easement Notes as number 8.

(q) "Rowe Property" shall mean the property described on Exhibit "A" which is attached hereto and incorporated herein by reference.

(r) "Security Gate(s)" shall mean the gates on the intersections of Sand Verbena Trail N.E. and Holbrook N.E. on the western portion of the Subdivision, and the gate on the northern boundary of Parcel C adjoining Holly Avenue, N.E.

2. Land Use and Building Type. The Subdivision will be a gated community consisting of Private Roads, street signs and street lamps all of which shall be maintained by the Association. No Lot, or portion of a Lot, shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any Lot for use other than one single family Dwelling with a private garage attached to the Dwelling, for not less than two (2) automobiles. All Dwellings shall be constructed of frame/stucco and shall be of a contemporary southwest style with such stone accents as may be approved by the Committee (as hereinafter defined). The stucco is to be of sanded trowel finish. The stucco colors are to be limited to earth tones approved by the Committee. All buildings, except for covered porches and accessory buildings, shall have a pitched concrete tile roof or a flat roof. Front exterior light fixtures will be ceramic or concealed droplights and the design will be the same for all homes. Dwelling numbers will be ceramic tile or as approved by the Committee. There shall also be permitted, (upon approval of the Committee), but not required, one (1) detached accessory building for storage of garden tools, garden and household furnishings, not to exceed 100 square feet and not to exceed eight (8) feet in height. The accessory building must be located inside required property line setbacks and not be visible from the Private Roads. The exterior of any accessory building shall be roofed and stuccoed to match the exterior color of the Dwelling. The Committee will need to approve anything other than a standard gray concrete driveway or walkway.

3. Architectural Control Committee. An architectural control committee (the "Committee") is hereby established and shall be comprised of five (5) persons, each of whom shall serve until his or her successor is appointed and qualified or his or her obligations otherwise terminate.

The following persons are hereby appointed and declared to comprise the Committee:

Successors shall be appointed by a majority of the remaining members of the Committee. After Declarant or its successors has sold the last Lot and Dwelling to a third party purchaser, the duties of the Committee shall be undertaken by the Association, through a committee to be appointed by the Board.

BEFORE ANYONE SHALL COMMENCE THE CONSTRUCTION, RECONSTRUCTION OR ALTERATION OF ANY IMPROVEMENTS ON ANY LOT, THERE SHALL BE SUBMITTED TO THE COMMITTEE PLANS AND SPECIFICATIONS AS FOLLOWS:

- A. Plans and specifications shall clearly show the nature of the work or installation proposed and location on the Lot, which shall include sufficient description of materials, textures, etc., as shall enable the Committee to determine whether the construction, reconstruction or alteration of Improvements will harmonize with the architectural style of the Subdivision and the external design of existing structures within the Subdivision; and
- B. No Improvements of any kind, or alteration, painting, or texturing thereof, shall ever be, or permitted to be, erected, constructed, installed, placed or maintained on a Lot, unless and until the final plans, specifications and elevations shall have written approval of the Committee. All plans shall further include elevations and textures indicating the materials for the same.

The Committee shall have the right and power to disapprove any plans, specifications or details submitted to it, if the Committee finds that the plans and specifications are not in accordance with all provisions of this Declaration, or if the design, materials or color scheme submitted are not in harmony with other Improvements constructed within the Subdivision or if the plans and specifications are incomplete.

Neither the members of the Committee, either in their individual or in their collective capacities, nor the Declarant, shall be responsible, or have any liability, whatsoever for any defect in any plans, specifications or other data submitted to,

approved by or revised by the Committee, or in any work done or Improvements made pursuant to such plans and specifications.

The Committee shall approve or disapprove the plans and specifications within thirty (30) days after receipt of the plans and specifications. If the Committee fails to approve or disapprove the plans and specifications within thirty (30) days after receipt, then such approval shall not be required; provided, that no structure, building or other improvement shall be installed, erected, painted, textured, altered or modified which violates any part of this Declaration.

4. Further Subdivision of a Lot. No Lot may be divided into two or more parcels, nor may one Dwelling occupy more than one Lot.

5. Grading. No Lot may be landscaped or re-graded in such a manner as to cause the drainage characteristics of the Lot to differ significantly from the grading plan for the Subdivision approved by, and on file with, the City of Albuquerque Engineering Department (the "Drainage Report"). In no case may the drainage from one Lot drain on to any other Lot, except as allowed by the Drainage Report.

Any party constructing, reconstructing or altering Improvements on any Lot shall be required to conform with the Drainage Report, copies of which are available from Declarant, its successors or the City of Albuquerque.

6. Compliance with the Grading Plan and Development Plan. All Improvements constructed on each Lot shall comply with the City of Albuquerque approved "Grading Plan" and "Development Plan" for the Subdivision. All plans and specifications submitted to the Committee must contain sufficient information to enable the Committee to determine compliance with the Grading Plan and Development Plan. However, the Committee shall not be liable to the Owner or any other person for approval of plans, which are contrary to the Grading Plan and Development Plan.

It is the responsibility of the Owner that all Improvements built on each Lot are in compliance with the soils report for the Subdivision. A copy of which is available at the office of Declarant. If the Improvement is a building which is to be built on any portion of a Lot outside the prepared pad, the Improvement must be built on controlled fill dirt.

7. Minimum Area of Dwelling; Height Restrictions. The total enclosed living area of any Dwelling, exclusive of open porches, garage, and any accessory building shall not be less than _____ square feet. Dwellings are restricted to one (1) story in height and are not to exceed seventeen feet (17') above finished grade on the following Lots: Lots 1, 12, 13, 19, 20, 26 and 27. Dwellings on all of the remaining Lots shall not exceed a height of twenty-feet feet (26') above finished grade.

8. Setbacks. No Dwelling shall be located on any Lot within the Subdivision, in contradiction of the following setback requirements:

- A. There shall be a front-yard setback of not less than _____ () feet from the front Lot line.
- B. There shall be a garage setback of not less than _____ () feet from the front Lot line.
- C. There shall be a rear-yard setback of not less than _____ () feet from the rear Lot line.
- D. There shall be a side yard setback of not less than _____ () feet from each side yard Lot line, except for corner Lots which shall have a side yard setback of not less than ten feet (10') from Private Roads. Pitched roofs overhanging the side Lot lines not more than two feet (2') shall not be construed as encroachments upon neighboring Lots provided they are built at the time of construction of the original Dwelling.

9. Landscaping. The builder constructing any Dwelling shall install the front-yard landscaping. The Owner shall ensure the front yard landscaping is maintained in good condition at all times. No irrigation systems, turf or plants shall be placed within three (3) feet of any adjacent Dwelling.

10. Tolerance. A four-inch (4") tolerance for mechanical variances in construction is hereby automatically allowed for building and other Improvement setback requirements imposed by this Declaration.

11. Completion of Work. Once construction, reconstruction or alteration of new Improvements shall commence, all such construction, reconstruction or alteration shall be finished and completed in all respects in accordance with the Committee-approved plans and specifications within nine (9) months after said commencement. All construction, reconstruction or alteration activities shall be accomplished in such a manner as shall not create unreasonable, unsightly, noisy or objectionable conditions.

12. Nuisances. No noxious or offensive activity shall be carried on, or permitted upon any Lot. Nothing shall be done, placed or stored on any Lot which may be or may become an annoyance or nuisance to the Owner(s) of other Lot(s), or which will occasion any noise or odor which will or might disturb the peace, comfort or serenity of the occupants of Dwellings on other Lot(s). Owners of vacant Lots shall be responsible for keeping, and shall keep, their Lots clear of weeds, trash and other detracting impediments. No trash or garbage shall be burned on any Lot. Garbage and other waste materials shall be placed in the covered containers provided by the City of Albuquerque and shall not be placed out for collection more than 24 hours prior to

scheduled collection times. These containers shall be concealed from the street on non-garbage collection days.

A wire receptacle shall be provided in the construction area and all debris easily displaced by wind shall be placed in the receptacle. The receptacle shall be emptied when full. All Lots shall be maintained in a neat, orderly condition at all times.

13. Temporary Buildings. No Improvement of a temporary character, such as a shack, barn, basement, trailer, tent, garage or other outbuilding, mobile home, or motor home, shall be used on any Lot at any time as a Dwelling, either temporarily or permanently. No Dwelling placed or erected on a Lot shall be occupied in any manner at any time prior to its being fully completed; provided, however, that this provision shall not prevent the occupancy and use of Improvements on a Lot for residential purposes while additions, modifications, or alterations are being made to a completed Dwelling pursuant to plans and specifications duly approved by the Committee.

Notwithstanding anything to the contrary, any Lot may be used for a sales office, model home complex, or storage and construction yard during the initial construction of a Dwelling and the sales period. All such temporary uses must have the prior approval of the Committee, which shall establish the requirements for such uses.

14. Equipment. No satellite dish, radio, television or other antennas shall be erected upon a Lot unless the antenna(s) can be concealed from view behind a parapet or inside the roof structure or attic, or unless approved by the Committee. Where externally visible air conditioners or evaporative coolers are installed, they shall be so installed that they will not be visible from the front or side Private Roads. Roof mounted units shall be allowed, however, they shall be installed so as to comply with this restriction as much as reasonably possible. No clotheslines or basketball goals of any type shall be placed on or at any Dwelling.

15. Parking and Storage of Vehicles, Etc., Within the Subdivision. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be stored or parked on any Lot continuously for a period of more than twenty-four (24) hours. No camper, recreational vehicle, trailer, mobile home, boat, commercial type vehicle, van, motorcycle, dune buggy, bus, inoperable vehicle or tractor shall be parked on the Private Roads overnight. Operable vehicles may only be parked on the Private Roads for up to seventy-two (72) hours continuously and the same vehicle may not be parked on the Private Roads more than nine (9) days in any calendar month. The Association shall have the right to adopt rules and regulations regarding parking on the Private Roads which amend the requirements of the previous sentence of this paragraph.

16. Flood Lights. No un-shaded exterior lights shall be permitted which project light more than fifteen (15) feet from a Dwelling.

17. No Improvement to Obstruct Vision of Vehicle Operator. No Improvement, including walls, fences, hedges or other obstruction shall be erected, placed, altered or permitted to remain upon any Lot which would obstruct or reduce the vision of an operator of any type of vehicle or obstruct the entrance to the Subdivision and said Improvements shall also comply with the City of Albuquerque's ordinances or guidelines for the clear sight triangle.

18. Party Walls. Party walls include privacy walls. The rights and duties of the Owners of Dwellings with respect to party walls are as follows:

- A. If any party wall is damaged or destroyed through the act of one adjoining Owner or any of his guests, tenants, licensees, agents or family members, such Owner shall immediately proceed to rebuild and repair the wall to as good a condition as formerly existed without cost to the adjoining Lot Owner.
- B. Any Owner proposing to modify, make additions to, or rebuild a party wall in any manner shall first obtain the written consent of the adjoining Lot Owner and the Committee.
- C. Any and all resurfacing or repainting of a party wall shall be done in a color to match the original.

19. Privacy Walls & Gates.

- A. Walls for purposes of visual screening or privacy may be constructed within the rear and side yard set back lines, provided the style, color and materials are compatible with those of the Dwelling. Side and front yard walls shall have a maximum height of seventy-two (72) inches. Rear yard walls shall have a maximum height of sixty (60) inches.
- B. A solid masonry wall may be constructed between the front Lot line and the Dwelling not to exceed sixty (60) inches in height from the high side grade. If a concrete masonry wall is used, it must be stuccoed to match the Dwelling. In no case may a wall be in violation of any governmental codes.
- C. All front walls completing court yards that face the Private Roads shall be stuccoed to match the Dwelling. All yard walls constructed on the side and rear Lot lines shall be constructed of concrete block of the same color and make as the Perimeter Walls.
- D. No barbed wire, welded wire, welded pipe or wood slats shall be permitted on any Lot. During the construction of the Dwellings, temporary privacy fences will be permitted with the adjoining Lot, until such adjoining Lots'

Dwellings are completed. All temporary fences will need to be uniform, provide privacy and be a minimum of five feet (5') in height.

- E. All side yard gates shall be made of wrought iron and color coated to match the exterior stucco color of the Dwelling walls. Courtyard gates may be made of wood provided the wood is maintained regularly and kept from unsightly deterioration.

20. Casualty. If any Improvement on any Lot is destroyed, wholly or in part, by fire or other casualty, the improvement so damaged or destroyed shall be promptly and properly rebuilt or repaired in conformity with the provisions of this Declaration; or, in the alternative, all remaining portions of the Improvement, including all foundations and all debris, shall be removed from the Lot. If the Owner of the Lot elects to clear the Lot, the razing and clearing work shall be completed within one hundred twenty (120) days after the casualty.

21. Animals and Pets. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that domestic dogs and cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial breeding purpose.

22. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying, or mining operations or exploration of any kind shall be permitted upon any Lot. No oil wells, tanks, tunnels, minerals excavation shafts or other such equipment or activities shall be permitted upon any Lot.

23. Easements and Rights-of-Way

- A. Utility Easements and Rights-of-Way. All areas of the Lots reserved for the installation, removal, repair and maintenance of utilities are reserved and designated as utility easements on the Plat.
- B. Easements and Rights-of-Ways Include Right of Ingress and Egress. All easements and rights-of-ways of whatever type which are shown and designated on the Plat shall include the right of ingress to and egress from such easements and rights-of way over, upon, or under such easements, for the purpose of installing, removing, repairing and maintaining utilities, trimming or removing of interfering trees or shrubs, and any other purpose for which such easements and rights-of-way may be used.
- C. No Construction or Obstacle on Any Type of Easement or Right-of-Way. No Dwelling, obstacle, or other type of improvement shall be erected, placed, altered, or permitted to remain upon any portion of a Lot which is the subject of any type of easement or right-of-way which would in any way interfere with the use of such easement or right-of-way; nor shall any trees, shrubs, hedges, or other landscaping be planted or permitted to

remain in place, or to remain untrimmed, which would interfere with the use of any easement or right-of-way.

D. Perimeter Walls. The Perimeter Walls shall be Common Areas, constructed by the Declarant or its successors, and shall be maintained by the Association. Each Lot containing a portion of the Perimeter Walls shall be subject to a perpetual non-exclusive easement for said Perimeter Walls which shall be three (3) feet in width ("Perimeter Wall Easements") and shall be located as follows:

- (1) The southern three (3) feet of Lots 33 and 60 through 78.
- (2) The western three (3) feet of Lots 1 through 6 and 78.
- (3) The northern three (3) feet of Lots 6, 7, 13, 14, 20, 21, 27, 28, 31, 34 and 35.
- (4) The eastern three (3) feet of Lots 28, 29, 30, 31, 32, 33, 34 and 60.

The Perimeter Wall Easements shall be perpetual and non-exclusive for the benefit of Declarant, its successors, and the Association for the construction, maintenance and repair of the Perimeter Walls. No Owner shall have the right to tie into or alter the Perimeter Walls on said Owner's Lot without the prior written consent of Declarant, its successors or the Association.

E. Landscape Easements. The Plat has created Landscape Easements in Plat Easement Note number 17, which shall be maintained by the Association. Declarant further declares that the southwestern corner of Lot 1 is subject to a perpetual non-exclusive easement for landscaping outside the Perimeter Wall, which shall be deemed one of the "Landscape Easements". The Landscape Easement on Lot 1 shall be utilized for monument signage for the Subdivision, lighting and landscaping. The Landscape Easements shall be maintained by Declarant, its successors or the Association.

F. Private Access Easement. The Plat has created a private access easement on Parcel C in Plat Easement Notes number 16 which shall be maintained by the Association.

24. Billboards, Poster-Boards, and Advertising. The construction and/or maintenance of bill-boards, posterboards, and advertising structures of any kind on any part of any Lot is prohibited, except that real estate agents and/or the Owner of a Lot may display one (1) temporary "For Sale" sign or one (1) "Open House" sign on any Lot. The sum of the length and

width of such signs shall not exceed sixty inches (60"). Declarant and the initial builder of the Improvements on each Lot shall be exempt from the requirements of this Paragraph 24.

25. Common Areas. The Common Areas shall be maintained by the Association. The Board shall have the right to establish rules and regulations related to use of the Common Areas.

26. Association. The Association shall be a New Mexico non-profit corporation which shall be controlled by the articles of incorporation and bylaws thereof.

- A. Every Lot shall be entitled to one (1) membership in the Association which shall be vested in the Owner or Owners thereof. If an Owner owns more than one (1) Lot, said Owner shall have only one (1) Membership in the Association, however, said Owner shall have one (1) vote for each Lot. Membership shall be appurtenant to and may not be separated from the ownership of any Lot. Ownership of a Lot shall be the sole qualification for membership.
- B. The Association shall have one (1) class of voting membership.
- C. The expenses of the Association shall be paid through assessments against each Lot. Such assessments shall be fixed, established and collected from time to time as hereinafter provided. The assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on each Lot and shall be a continuing lien upon each Lot against which each such assessment is made. These assessments and costs shall also be the personal obligation of each person or entity who was the Owner of the Lot when the assessment became due. Assessments will begin on the date set by the Board and will be prorated for partial assessment years.
- D. The assessments shall be used exclusively for the Common Areas and costs of the Association.
- E. The initial annual assessments for each of the Lots shall be \$300.00, prorated from the date each Owner closes on the purchase of a Lot and Dwelling from Declarant or a builder. Annual assessments thereafter shall be due and payable on January 1 of each successive year and shall be delinquent each February 1 if not paid in full; provided however, the Association may decide to assess the Owners monthly or quarterly for the annual assessments. Neither Declarant nor a builder holding a Lot for development or a Lot with a Dwelling for initial sale shall not be required to pay any assessments for Lots it owns. The \$300.00 annual assessment shall remain in effect until modified by a two-thirds (2/3) vote of the

members at a meeting held for the purpose of determining said assessments, which meeting shall be called at least thirty (30) days in advance thereof, except in the event of an emergency.

- F. Written notice of the annual assessments shall be sent to every member at the time of its determination by the Board. The Association shall, upon demand at any time, furnish to a member a certificate in writing signed by an officer designated by the Board as the one responsible for keeping the records, or for this purpose, setting forth whether said assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.
- G. If any installment of an assessment is not paid within thirty (30) days after it is due, then such assessment shall become delinquent and shall, together with interest thereon, and the cost of collection thereof, as provided herein, become a continuing lien on the Lot which shall bind such Lot in the hands of the then Owner of that Lot. The personal obligation of the then Owner to pay such assessment, however, shall remain its personal obligation for the statutory period and shall not pass to its successors in title until expressly assumed by them. If the assessment is not paid within thirty (30) days after the delinquency date, a reasonable late charge may be assessed at the discretion of the Board and the assessment shall bear interest from the date of delinquency at the rate of eighteen percent (18%) per annum until paid, and the Association may bring an action at law against the Owner personally obligated to pay the same or an action to foreclose the lien against the Lot, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided, reasonable attorney's fees to be fixed by the court, together with the costs of the action.
- H. The lien for the assessments shall be subordinate to the lien of any first mortgage placed upon the Lot in good faith and for value; however, such subordination applies only to the assessments due before the sale or transfer of the Lot pursuant to a decree of foreclosure, or any transfer in lieu of foreclosure. The sale or transfer of a Lot does not relieve the Lot from the liability for or lien of assessments thereafter becoming due.

27. No Business or Commercial Enterprise Permitted. No business, whether or not for profit, and no commercial enterprise of whatever kind, except from time to time as may be permitted by the City of Albuquerque Comprehensive Zoning Ordinance for the Subdivision, shall be undertaken or carried on, upon, or from any Lot, except only the original sales and subsequent sales of the Lots and the Dwellings constructed and to be constructed thereon. No stores, shops, businesses, commercial, or industrial buildings, or other such structures of whatever type shall be erected, placed, altered, or permitted to remain upon any Lot, except only

in connection with the original development and sales of the Lots and construction and sales of the Dwelling, such as model homes or a show home, or a sales office.

Home offices shall be allowed in occupied Dwellings under the following guidelines:

- A. There shall be no signs and/or advertising of the home office;
- B. The garage shall remain a garage and shall not be converted to an office; and
- C. There shall be a maximum of one customer and the Owner of the Lot conducting business at any one time from the home office.

28. Additional Property. Declarant shall have the right, without the consent of the Association, or any Owners, or lenders having liens on any of the Property, to make the Additional Property subject to this Declaration. Each parcel of the Additional Property which is platted for single family residential use shall be deemed a Lot for purposes of membership in the Association and assessments. In no event shall any Lot created within the Additional Property contain less than nine thousand (9,000) square feet.

29. Rowe Property. Upon the written request of the owner of the Rowe Property, Declarant shall, without the consent of the Association or any Owner, or lenders having liens on any portion of the Subdivision, make the Rowe Property subject to this Declaration, as hereinafter qualified, and grant to the owner of the Rowe Property, access rights to and from the Private Roads and use of the Security Gate. The Rowe Property shall only be platted into single family residential lots and necessary private roads and easements and shall include a security gate providing access to Holly Avenue, N.E. Each single family residential parcel shall be deemed a Lot for purposes of membership in the Association and assessments. The obligation for payment of the Annual Assessments by the Owners of the Lots within the Rowe Property shall commence as to each such Lot upon the substantial completion of the Dwelling thereon. All Lots created within the Rowe Property shall contain not less than 9,000 square feet and, prior to the construction of any Improvements thereon, the provisions of this Declaration shall apply related to approval by the Committee. The owner of the Rowe Property shall pay all costs for infrastructure and other Improvements required by governmental authorities, as well as the cost for a perimeter wall, which shall be of the same materials and colors as the Perimeter Wall. The owner of the Rowe Property shall also pay for a security gate to provide access to and from Holly Avenue, N.E.

30. Enforcement of Covenants. The violation or breach of any provision, condition, restriction or covenant in this Declaration, after notice of such violation or breach has been presented to an Owner, shall give each other Owner, Declarant, the Association and the Committee the right to prosecute at law or in equity, the person or persons who have violated or are attempting to violate any provision, condition, restriction or covenant in this Declaration, to enjoin or prevent them from doing so, to cause the violations to be remedied or to recover

damages for the violation. Any one of the above-listed persons or entities may so enforce this Declaration and the cooperation of any other person or entity is not required.

The result of every action or omission whereby any provision, condition, restriction or covenant in this Declaration is violated in whole or in part, is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an Owner, either public or private, shall be applicable against every such action or omission.

The failure of Declarant, the Committee, the Association or any Owner to enforce any provision, condition, restriction or covenant in this Declaration shall not be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other provision, condition, restriction or covenant in this Declaration.

All questions of interpretation or construction of the terms of this Declaration shall be resolved by the Association.

31. Severability. If any one or more of the provisions, conditions, covenants and restrictions in this Declaration are held by any court of competent jurisdiction to be null and void, all remaining provisions, conditions, covenants and restrictions shall continue unimpaired and in full force and effect.

32. Assignment of Declarant's Rights. The Declarant shall have the right to assign, transfer and convey all of Declarant's rights to a third party acquiring the remaining undeveloped Lots owned by Declarant in the Subdivision. Said assignee or successor shall have the same rights as Declarant hereunder.


33. Duration of These Covenants. The provisions, conditions, covenants and restrictions in this Declaration shall run with the land and continue in full force and effect for a period of thirty (30) years from the date of the filing of this Declaration in the office of the County Clerk of Bernalillo County, New Mexico, at which time they shall be automatically extended for a period of ten (10) years and thereafter for successive ten year periods, unless before the commencement of any extension period the then Owners of the fee simple estate of seventy-five percent (75%) or more of the Lots by written instrument, duly executed and recorded, shall declare a termination of this Declaration. Any such termination shall become effective upon the date upon which otherwise the automatic extension would take effect.

34. Amendment. At any time after the date of the filing this Declaration, the Owners of not less than seventy-five percent (75%) of the Lots may release one or more of the Lots from, or may modify, change or amend all or any portion of the provisions, conditions, covenants or restrictions contained in this Declaration by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same for record in the office of the County Clerk of Bernalillo County, New Mexico.

EXHIBIT "A"

Rowe Property

TO BE ATTACHED

 ENGINEERS & SURVEYORS	JEFF MORTENSEN & ASSOCIATES, INC. 6010-B MIDWAY PARK BLVD. NE ALBUQUERQUE NEW MEXICO 87109	P: 505.345.4250 F: 505.345.4254 JMAINC@SWCP.COM

2002.050.6
 November 20, 2003

Ms. Sheran Matson, A.I.C.P., Planning Manager & Chair
 Development Review Board
 Land Development Coordination
 City of Albuquerque
 600 2nd St. NW
 Albuquerque, New Mexico 87102

Re: Ocotillo Subdivision (DRB Project # 1002885)

Sheran:

A request for Preliminary Plat review and approval has been submitted to the Development Review Board under separate cover. In connection with that request, we hereby transmit the following items for your review and comment:

- Draft "Declaration of Restrictive and Protective Covenants for Ocotillo Subdivision"
- Draft "Articles of Incorporation of Ocotillo Homeowners Association, Inc."
- Draft "Declaration of Restrictive and Protective Covenants of Ocotillo Homeowners Association, Inc."
- Preliminary Plat for Ocotillo Subdivision

Two (2) copies of each document have been enclosed. Please forward a copy to Mr. Kevin Curran, Assistant City Attorney, for his evaluation. As you may recall, because this project is a gated community, you have requested that review of this information accompany the Preliminary Plat review. Land use issues and disclosure of maintenance responsibilities have been addressed by these documents. It is our intention to execute and record these documents in conjunction with the filing of the Final Subdivision Plat of Ocotillo Subdivision.


PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

Ms. Matson
November 20, 2003
Page 2

We welcome the opportunity to discuss this matter with you and Kevin at your earliest convenience. Please call me or Debie Trujillo, JMA Project Coordinator, to make arrangements for this discussion. In the meantime, if I can be of assistance to you, please feel free to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Charles G. Cala, Jr., P.S.
Vice-President

CGC
Enclosures

xc: Donald G. Hoech w/enc. (via hand delivery)
Peter Daskalos w/enc. (via hand delivery)
Kent Hunt, Attorney, w/enc. (via hand delivery)

HOECH
REAL ESTATE CORPORATION

December 01, 2003

John A. Myers
Myers, Oliver & Price, P.C.
1401 Central Avenue NW
Albuquerque, NM 87104

RE: Ocotillo Subdivision Drainage

Dear John:

I have enclosed an excerpt and a drawing from the Ocotillo Subdivision Drainage Report. The enclosures are for you and the Rowe's to review.

We will be asking the Rowe's to sign the referenced plan signifying their approval. The grading is clearly beneficial to the future development of the Rowe property. The way the County and State left the grading of Paseo, the off site flows pool at the southwest corner of lot 6. This of course doesn't work.

Please present this to the Rowes as soon as possible. We would appreciate quick action on their part.

Sincerely,

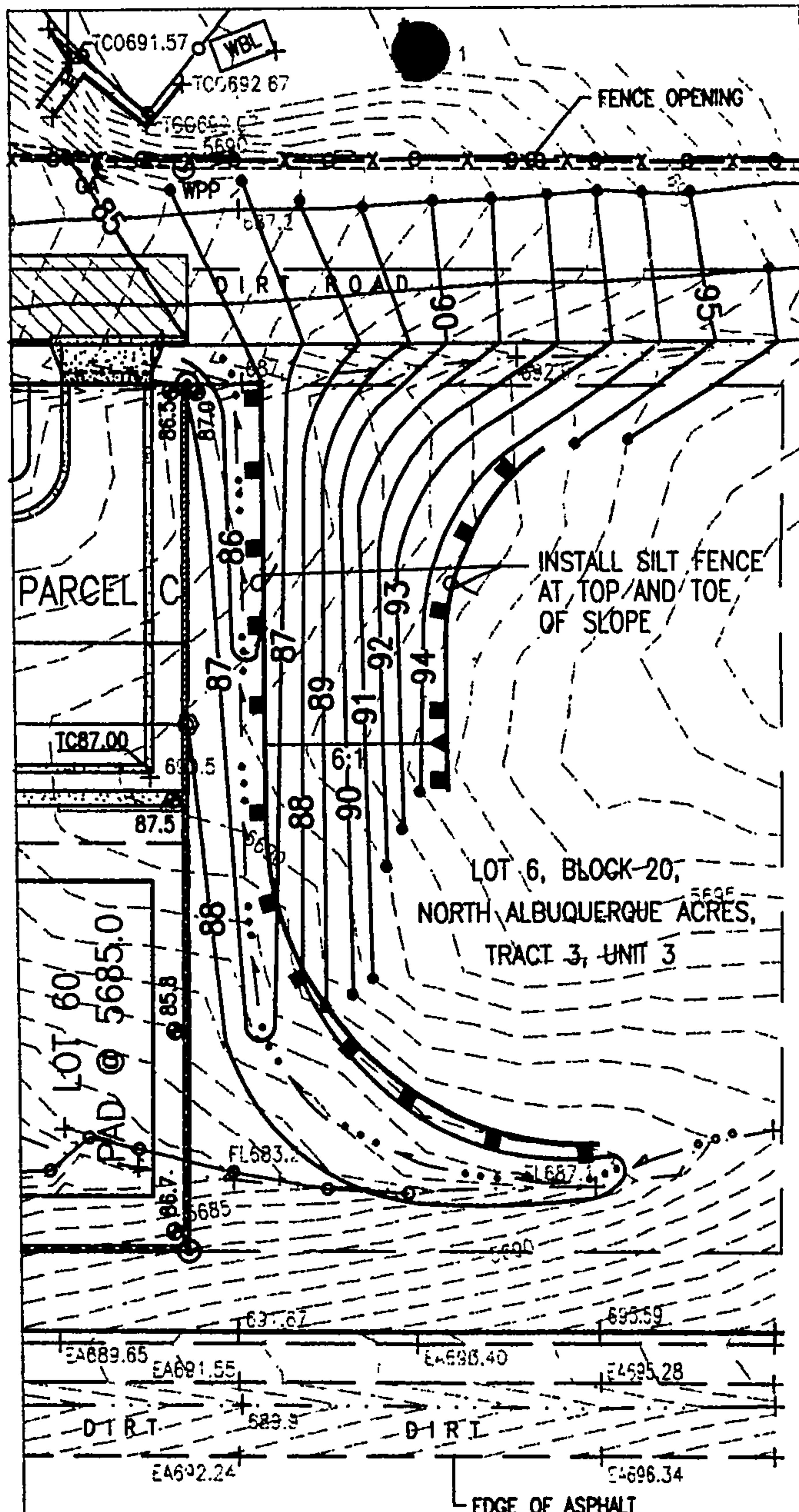


Donald G. Hoech
President

enclosures

cc: Graeme Means, JMA

INLET TYPE	COMMENT
DOUBLE 'D' (SUMP)	OVERFLOW TO CHIA
TRIPLE 'D' (SUMP)	OVERFLOW TO HOLLY
2-SINGLE 'A'	BYPASS TO AP-4
2-SINGLE 'C'	1/2 RESIDUAL TO AP-6
SINGLE 'D' (SUMP)	EMERGENCY OVERFLOW TO WEST
1-SINGLE 'C'	BYPASS TO HOLBROOK
2-SINGLE 'A'	BYPASS TO AP-8
2-SINGLE 'C'	BYPASS TO AP-9
1-SINGLE 'A'	BYPASS TO AP-10
1-DOUBLE 'C'	BYPASS TO AP-11
1-SINGLE 'C'	BYPASS TO HOLBROOK
2-SINGLE 'A'	BYPASS TO AP-13
2-SINGLE 'A'	BYPASS TO HOLBROOK
1-SINGLE 'A'	FREE DRIVING LANE PROVIDED



OFFSITE GRADING DETAIL

SCALE: 1" = 50'

NOTE: GRADING REQUIRED TO DIRECT EXISTING OFFSITE FLOWS TO THEIR DESIGN OUTFALL IN HOLLY. DEVELOPED FLOWS SHALL EITHER DRAIN TO AN IMPROVED HOLLY OR AN EXTENSION OF SAND VERBENA TRAIL

<u>PERMISSION FOR OFFSITE GRADING</u>	
OWNER: LOT 6, BLOCK 20	DATE

D100(ft)
1.46
1.46
1.46
1.27
1.50
1.89
2.17
2.59
1.17
1.88
1.83
2.24
3.05

20'

CRC
DF
NOT

N AND KEY MAP; HYDROLOGY AND STREET HYDRAULIC CALCULATIONS, TYPICAL LOT OF OCOTILLO SUBDIVISION

SUBMITTED BY THIS OFFICE UPON COMPLETION OF THE AS-CONSTRUCTED DRAWINGS REQUIRED FOR ANY BUILDINGS CONSTRUCTED WITHIN THE FLOODPLAIN PRIOR TO FEMA APPROVAL OF THE LOMR.

VII. FUTURE CONDITIONS

THE OWNER OF EXISTING LOTS 5 AND 6, BLOCK 20 TO THE EAST HAS BEEN WORKING ON AN AGREEMENT WITH AMAFCA TO VACATE REMAINING PORTIONS OF HOLLY FRONTING THE AMAFCA PROPERTY AND EXISTING LOTS 3-6, BLOCK 20. UNDER ONE OF THE CONTEMPLATED SUBSEQUENT DEVELOPMENT SCENARIOS, THEY WOULD DEVELOP RESIDENTIAL LOTS SIMILAR TO OCOTILLO, AND EXTEND SAND VERBENA TRAIL AND THE PUBLIC WATER AND SANITARY SEWER IMPROVEMENTS CONTAINED THEREIN TO THE EAST. IN ANTICIPATION OF THIS FUTURE CONSTRUCTION, THE SAND VERBENA STORM DRAIN IS SIZED FOR THIS DEVELOPED RUNOFF (DEVELOPED BASIN 0-2, 28.2 CFS). THE POTENTIAL VACATION OF HOLLY AND EXTENSION OF SAND VERBENA UNDER THIS SCENARIO WOULD REQUIRE CONSTRUCTION OF NEW STORM INLETS IN SAND VERBENA TO INTRODUCE FLOWS INTO THE SYSTEM, AND WOULD ALSO REQUIRE VACATION OF AND POSSIBLE UPSTREAM RELOCATION OF THE TEMPORARY TURNAROUND WHICH WOULD NO LONGER BE REQUIRED. A HOLLY VACATION COULD ALSO ALLOW DEVELOPMENT OF RESIDENTIAL LOTS FACING SAND VERBENA ON WHAT IS SHOWN AS PROPOSED LOT 35 AND PARCELS B AND C. VACATION OF HOLLY ROW FRONTING LOT 35 WOULD REQUIRE EXTENSION OF THE PROPOSED 6' PUBLIC DRAINAGE CHANNEL BETWEEN LOTS 33 AND 34 TO THE NORTH TO THE AMAFCA PROPERTY TO CONTINUE TO ACCEPT ITS RUNOFF.

ALTHOUGH THE AFOREMENTIONED HOLLY VACATION HAS BEEN CONTEMPLATED, THERE ARE NO ASSURANCES THAT IT WILL OCCUR, LEAVING THE POTENTIAL FOR "NORMAL" UPSTREAM HOLLY DEVELOPMENT REQUIRING EXTENSION OF WATER, SANITARY SEWER, AND PAVING IMPROVEMENTS UP HOLLY. THE OCOTILLO DEVELOPMENT MUST THEREFORE PLAN FOR AND PROVIDE A SOLUTION FOR "NORMAL" UPSTREAM DEVELOPMENT AND WILL THEREFORE FINANCIALLY GUARANTY BUT NOT CONSTRUCT (PROCEDURE B MODIFIED NON WORK ORDER) THE PERMANENT IMPROVEMENTS THAT WOULD NORMALLY BE REQUIRED (HALF WIDTH PAVING, STORM DRAIN SIZED FOR DEVELOPED CONDITIONS, WATER AND SANITARY SEWER). THIS PROJECT WILL CONSTRUCT TEMPORARY HOLLY PAVING AND STORM DRAINAGE IMPROVEMENTS THAT WILL ACCEPT EXISTING CONDITIONS DRAINAGE, AND PROVIDE A PUBLIC TURNAROUND WHILE STILL ALLOWING THE "VACATION" SCENARIO TO OCCUR WITH MINIMAL DISRUPTION AND RECONSTRUCTION. BY PROVIDING THE GUARANTY FOR THE PERMANENT SOLUTION, THE DRB WILL HAVE THE OPPORTUNITY TO REVIEW THE PROJECT CONDITIONS AND THE NEED FOR PERMANENT IMPROVEMENTS THAT MAY BE SUBJECT TO CHANGE DEPENDING ON THE MANNER OF FUTURE DEVELOPMENT.

VIII. GRADING PLAN

THE GRADING PLAN ON SHEET 2 OF THIS SUBMITTAL SHOWS: 1) EXISTING GRADES INDICATED BY SPOT ELEVATIONS AND CONTOURS AT 1'0" INTERVALS AS TAKEN FROM THE MARCH 2003 TOPOGRAPHIC SURVEY PREPARED BY JEFF MORTENSEN & ASSOCIATES, INC., 2) PROPOSED GRADES AND DRAINAGE TRENDS INDICATED BY SPOT ELEVATIONS, HOUSE PAD ELEVATIONS, AND FLOWLINES, 3) THE LIMIT AND CHARACTER OF THE EXISTING IMPROVEMENTS, 4) THE LIMIT AND CHARACTER OF THE PROPOSED IMPROVEMENTS, 5) THE EXISTING FLOODPLAIN LIMITS, AND 6) THE LIMIT AND CHARACTER OF EXISTING AND PROPOSED OFFSITE PUBLIC STORM DRAINAGE IMPROVEMENTS.

IX. CALCULATIONS

THE CALCULATIONS, WHICH ARE SUMMARIZED ON SHEET 5, ANALYZE AND EVALUATE THE DEVELOPED CONDITIONS FOR THE 100-YEAR, 6-HOUR RAINFALL EVENT. THE PEAK RATE OF DISCHARGE AND VOLUME OF RUNOFF GENERATED FOR THIS SITE AND OFFSITE BASINS WAS TAKE FROM THE CLOMR DRAINAGE REPORT (REF. D) WHICH WAS DETERMINED USING AHYMO97 IN ACCORDANCE WITH THE PROCEDURE FOR 40-ACRE AND SMALLER BASINS, AS SET FORTH IN THE REVISION OF SECTION 22.2, HYDROLOGY OF THE DEVELOPMENT PROCESS MANUAL, VOLUME 2, DESIGN CRITERIA, DATED JANUARY, 1993. AS WAS PREVIOUSLY DEMONSTRATED BY THE APPROVED CLOMR, THE PROPOSED CARMEL AVENUE AND HOLBROOK STREET PUBLIC STORM DRAINS ARE SIZED FOR FREE DISCHARGE OF FULLY DEVELOPED RUNOFF FROM THIS SITE.

OPEN CHANNEL STORM DRAIN AND STREET HYDRAULIC CALCULATIONS WERE PERFORMED USING MANNING'S EQUATION SOLVED BY THE FLOWMASTER 6.0 PROGRAM BY HAESTAD METHODS. THE ASSUMED MANNING'S "n" VALUE WAS 0.13 FOR REINFORCED CONCRETE PIPE (RCP) AND 0.017 FOR STREETS. AS DEMONSTRATED BY THE CALCULATIONS ON SHEET 5, THE STORM DRAINS AND STREETS ARE ALL SIZED TO SAFELY CONVEY THE 100-YEAR DESIGN STORM. THE STREET CAPACITIES WERE FURTHER ANALYZED TO ENSURE THAT A HYDRAULIC JUMP WOULD BE CONTAINED WITH THE DEDICATED STREET RIGHT-OF-WAY OR EASEMENT. BECAUSE IT IS EXTREMELY DIFFICULT TO PERFORM HYDRAULIC JUMP CALCULATIONS FOR IRREGULAR SECTIONS SUCH AS STREETS, THE APPROXIMATE HYDRAULIC JUMP DEPTH WAS CONSERVATIVELY ASSUMED TO BE 75% OF THE ENERGY GRADE LINE CALCULATED BY THE FLOWMASTER PROGRAM. THIS RATIO WAS DETERMINED BY ANALYZING THE RELATIONSHIP BETWEEN SEQUENT DEPTH AND THE ENERGY GRADE LINE FOR AN EQUIVALENT RECTANGULAR CHANNEL AT FLOW RATES AND SLOPES SIMILAR TO THOSE OBSERVED HEREIN.

X. CONCLUSIONS

A. THE PROPOSED SITE IMPROVEMENTS AND DRAINAGE CONCEPT ARE CONSISTENT WITH THE DEVELOPMENT CRITERIA ESTABLISHED BY PREVIOUSLY APPROVED PLANS FOR THIS SITE AND NDBA DEVELOPMENT.

B. DEVELOPED RUNOFF FROM THIS SITE WILL DRAIN FREELY TO PERMANENT PUBLIC NDBA IMPROVEMENTS SIZED FOR THIS DISCHARGE AND WHICH WAS CONSTRUCTED BY AMAFCA AS PART OF A PROPOSED COST-SHARING AGREEMENT.

C. A SEPARATE DRAINAGE SUBMITTAL FOR CLOMR APPROVAL SUPPORTING THE AMAFCA PROJECT AND THIS PROJECT WAS APPROVED BY FEMA

D. A POST-CONSTRUCTION LOMR SUBMITTAL SUPPORTING THE AMAFCA PROJECT WILL BE PREPARED BY THIS OFFICE UPON COMPLETION OF THE AS-CONSTRUCTED DRAWINGS FOR THE AMAFCAPROJECT. THIS LOMR WILL ELIMINATE THE UNDERLYING FLOODPLAIN.

E. THIS PROJECT WILL CONSTRUCT A TEMPORARY STORM DRAIN INLET AND PAVED TURNAROUND TO ACCEPT OFFSITE FLOWS FROM HOLLY TO THE EAST.

F. DEPENDING ON FUTURE DEVELOPMENT SCENARIOS AND FUTURE HOLLY VACATION ACTIONS, THE OFFSITE HOLLY FLOWS MAY BE RELOCATED TO SAND VERBENA TRAIL (IF HOLLY IS VACATED), OR WILL CONTINUE TO DRAIN TO THE EXISTING HOLLY ROW (IF HOLLY IS NOT VACATED). TEMPORARY IMPROVEMENTS WILL BE CONSTRUCTED AT THIS TIME, WITH THE PERMANENT HOLLY IMPROVEMENTS GUARANTEED BY THIS DEVELOPMENT. IF THE DRB DETERMINES THAT THE PERMANENT IMPROVEMENTS BECOME NECESSARY IN THE FUTURE, THEY SHALL BE CONSTRUCTED AND THE GUARANTEE RELEASED. IF FUTURE DEVELOPMENT ELIMINATES THEIR NEED, THE GUARANTY CAN BE RELEASED.

G. APPROVAL OF THIS PROJECT WILL ELIMINATE THE REQUIREMENT FOR THE EXISTING TEMPORARY RETENTION POND LOCATED ON THE SITE.

H. ALL NEW RIGHT OF WAY AND ONSITE/FRONTING PUBLIC INFRASTRUCTURE IMPROVEMENTS REQUIRED BY THIS PROPOSAL WILL BE IDENTIFIED ON THE INFRASTRUCTURE LIST ASSOCIATED WITH THE DRB ACTIONS SUBMITTED TO SUPPORT THIS PROJECT. ALTHOUGH THE HOLBROOK PAVING AND STORM DRAIN IMPROVEMENTS WILL BE BUILT BY SEPARATE PROJECT (CPN 718781), THEY WILL BE GUARANTEED BY THIS PROJECT.

I. THERE ARE NO DPM DESIGN VARIANCES REQUESTED AT THIS TIME

ALBUQUERQUE. THE SITE IS PART OF THE LA CUEVA SECTOR 16, BLOCK 20, TRACT 3, UNIT 1, NORTH OF A LETTER DATED 07/02/2002 UNDER JDES LOW DENSITY

AND DOES NOT REQUIRE EPC UNDER THE STATE PROGRAM FLOOD INSURANCE PROGRAM. THE PROJECT IS SUPPORTED BY A DESIGNATED FLOOD HAZARD ZONE MAP. A POST-CONSTRUCTION FLOOD HAZARD ZONE UPON

CONCLUSIVE, HOWEVER, REPRESENTS THE CURRENT SITUATION.

* PREPARED FOR AMAFCA BY THE ENGINEER FOR DRAINAGE DESIGN, 192-3 DATED JANUARY 03, 2003, FOR THE NDBA CORRIDOR, AND THIS PLAN, THE SUBJECT OF THIS SUBMITTAL, IS PREPARED WITHIN THE

IT WAS SPECIFICALLY PREPARED FOR THE PROJECT BETWEEN THE UPPER AND LOWER NDBA CORRIDOR, AND PROPOSED IMPROVEMENTS

DATED OCTOBER, 1998 AND APPROVED BY RTI FOR THE AHYMO MODEL FOR THE 1991 REPORT (REFERENCE TO THE DRAINAGE

CARMEL AVENUE STORM DRAIN (CPN 2145R). THIS CLOMR AND HOLBROOK STREET STORM DRAIN ARE LOCATED WEST OF A POINT ON THE NORTH DOMINGO

PREPARED BY JMA DATED 10/07/2002. THE REPORT WAS PREPARED, AND THE OUTFALL FOR THE PROJECT IS LOCATED AT CPN 718781).

HYDROLOGY FILE C20/D45. THIS PROJECT IS A LOT RESIDENTIAL SUBDIVISION AND STORM DRAINAGE IMPROVEMENTS. THE PROJECT IS LOCATED ON THE OCOTILLO, THE

NORTH DOMINGO TRACT

- 5) PUBLIC BK A4
- 6) THE N PIPELINE ENERGY THE D BOOK BY 03
- 7) REMAIN
- 8) PRIVATE WATER EASEMENT HOME
- 9) PRIVATE WATER EASEMENT HOME
- 10) CITY OF
- 11) 10' PU
- 12) CITY OF
- 13) 25' CIT
- 14) TEMPORARY AVENUE SUBDIVISION DEVELOPMENT
- 15) TEMPORARY PUBLIC AVENUE SUBDIVISION DEVELOPMENT
- 16) PARCEL AND A FUTURE SHALL / LOCATION SHALL E
- 17) PRIVATE HOMEOWNERS RESPON
- 18) ADDITION

HOECH REAL ESTATE CORPORATION

8300 CARMEL AVE NE SUITE 601, ALBUQUERQUE, NEW MEXICO 87122

DATE: Dec 1, 2003

TO: Graeme Means

FAX #: _____

PHONE #: _____

FROM: Don

PAGES: 3
(not including cover)

NOTE: _____

OUR PHONE #: (505) 821-4440

OUR FAX #: (505) 857-9774



City of Albuquerque
 CITY OF ALBUQUERQUE, NEW MEXICO 87103
 PUBLIC WORKS DEPARTMENT
 DEVELOPMENT SERVICE
 HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002885

AGENDA ITEM NO: 1

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:

An approved drainage report dated 12-16-03 is on file for Preliminary Plat approval.
 Comments on infrastructure list.
 The Hydrology Section has no objection to the vacation request.

RESOLUTION:

12-31-03

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: December 17, 2003

Claire

ORIGINAL

INFRASTRUCTURE LIST

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

OCOTILLO SUBDIVISION

LOTS 10-24, BLOCK 18 AND LOTS 7-15 AND A PORTION OF LOT 16, BLOCK 20, TRACT 3, UNIT 1, NORTH ALBUQUERQUE ACRES

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
B1		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		8'	Temporary Pavement	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		30' Radius	Paved Turn-around	East End Carmel Ave NE			/	/	/
B1		8"	Sanitary Sewer	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
AMAFCA	693481	96" to 54"	RCP Public Storm Drain (Construction by AMAFCA)	Carmel Ave NE	1320' West of Ventura Street NE	NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N.A.A	/	/	/
B1		6"	Water Line	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981)	Ventura Street N E.	Holly Ave N E.	Carmel Ave N.E.	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981)	Carmel Ave N E.	Ventura Street N E.	SW Cor Vineyard 4A	/	/	/
FG'd by 705282	705282	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282)	Carmel Ave N E.	SW Cor Vineyard 4A	SE Cor Vineyard 4A	/	/	/
FG'd by 718781	718781	8"	Sanitary Sewer (Offsite)* (*To be constructed by CPN 718781)	Carmel Ave N E.	SE Cor Vineyard 4A	Holbrook St NE	/	/	/
FG'd by 718781	718781	16"	Water Line	Holbrook St NE	Carmel Ave NE	Palomas Ave NE	/	/	/
FG'd by 718781	718781	54"	RCP Public Storm Drain	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/

XXXXXXXX

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
B1	718781	15"	Sanitary Sewer	Holbrook St NE	Paseo del Norte	Holly Ave NE	/	/	/
B1		24'	Permanent Collector Pvmnt (1/2 width) w/standard C&G (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B1		4'	Sidewalk (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B-Mod		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		8'	Temporary Pavement	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		40' Radius	Paved Turn-around (Temporary)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		24'	Temporary Pavement w/Pin curb (south)	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B-Mod		40' Radius	Paved Turn-around (Permanent)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		4'	Sidewalk (South Side Only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		24"	RCP Storm Drain w/appurtenances	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B1		5' Wide	Public Drainage Channel	Parcel A Between Lots 33 and 34	Holly Ave NE	Chia Way NE	/	/	/
B1		8"	Sanitary Sewer	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		8"	Water Line	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		50 f-f	Res Pvmt w/Std C&G & Median	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		4'	Sidewalk (Both Sides)	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		48"	RCP Storm Drain	Sand Verbena Trail NE	Holbrook St NE	120' East of Holbrook CL	/	/	/
B1		36"	RCP Storm Drain	Public SD Easement	Sand Verbena Tr Ne	Sand Verbena (Entry)	/	/	/
B1		8"	Sanitary Sewer	Desert Lily Lane NE	Sand Verbena Tr Ne	Cul-de-Sac	/	/	/
B1		8"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Sand Verbena Tr NE	/	/	/
B1		6"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Datura Trail NE	/	/	/
B1		4"	Water Line	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/
B1		28 f-f	Res. Pvmt w C&G	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
B1		25 f-f	Res Pvmt w C&G	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crst Engineer
B1		30"	RCP Storm Drain	Desert Lily Lane NE	Sand Verbena (Entry)	Datura Trail NE	/	/	/
B1		28 f-f	Res. Pvmt w/C&G	Sand Verbena Tr NE	NW Corner Lot 78	Chia Way NE	/	/	/
B1		28 f-f	Res. Pvmt w/C&G	Sand Verbena Tr NE	Chia Way	Holly Ave NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Sand Verbena Tr NE	NW Corner Lot 78	Holly Ave NE	/	/	/
B1		8"	Sanitary Sewer	Sand Verbena Tr NE	Desert Lily Lane NE	Holly Ave NE	/	/	/
B1		8"	Water Line	Sand Verbena Tr NE	Desert Lily Lane NE	Holly Ave NE	/	/	/
B1		30"	RCP Storm Drain	Sand Verbena Tr NE	NW Corner Lot 78	Chia Way NE	/	/	/
B1		24"	RCP Storm Drain	Sand Verbena Tr NE	Chia Way NE	Holly Ave NE	/	/	/
B1		28 f-f	Res. Pvmt w/C&G	Datura Trail NE	Desert Lily Lane NE	Desert Aster Ln NE	/	/	/
B1		26 f-f	Res. Pvmt w/C&G	Datura Trail NE	Desert Aster Ln NE	Chia Way NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Datura Trail NE	Desert Lily Lane NE	Chia Way NE	/	/	/
B1		8"	Sanitary Sewer	Datura Trail NE	Desert Lily Lane NE	Chia Way NE	/	/	/
B1		6"	Water Line	Datura Trail NE	Desert Lily Lane NE	Chia Way NE	/	/	/
B1		26 f-f	Res. Pvmt w/C&G	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE	/	/	/
B1		8"	Sanitary Sewer	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE	/	/	/
B1		6"	Water Line	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE	/	/	/
B1		18"	RCP Storm Drain	Chia Way NE	Sand Verbena	6' Public Dm Esmt	/	/	/
B1		25 f-f	Res. Pvmt w/mount C&G	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac	/	/	/
B1		8"	Sanitary Sewer	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac	/	/	/
B1		4"	Water Line	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac	/	/	/
B1		25 f-f	Res. Pvmt w/mount C&G	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac	/	/	/
B1		8"	Sanitary Sewer	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac	/	/	/
B1		4"	Water Line	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac	/	/	/

CRIG

24"

RCP S.D.

Sand Verbena

NW cor lot 61

SE cor lot 60

B1	
B1	
B1	

25 f-f Res. Pvmt w/mount C&G
 8" Sanitary Sewer
 6" Water Line

ORIGINAL
 Desert Plume Lane NE Datura Trail NE Cul-de-sac
 Desert Plume Lane NE Datura Trail NE Cul-de-sac
 Desert Plume Lane NE Datura Trail NE Carmel Ave NE

/	/	/
/	/	/
/	/	/

NOTES

- 1 Engineer's Certification per D.P M is Required for Financial Guarantee Release.
 - 2 A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement.
 - 3 Street Lights are required per D.P M. Requirements and subject to DRC Review and Approval.
 - 4 A Landscape Maintenance Agreement Will be Required for Landscaping Within Public Right-of-Way.
 - 5 Perimeter Walls Must be Constructed per the DRB Approved Perimeter Wall Design.
 - 6 Wall and Landscaping Certification from Registered Engineer and/or Registered Landscape Architect is Required for Financial Guarantee Release.
- Agreement and Covenant for Storm Drain on Lot 60*

AGENT / OWNER

J. Graeme Means
 NAME (print)

Jeff Mortensen & Assoc.
 FIRM

J. Graeme Means 12/15/2003
 SIGNATURE - date

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

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Sharon Mortensen 12/17/03 DRB CHAIR - date
Christina Sandoval 12/17/03 PARKS & GENERAL SERVICES - date

Scott Sey 12-17-03
 TRANSPORTATION DEVELOPMENT - date

Royce Green 12/17/03
 UTILITY DEVELOPMENT - date

TCU 12-17-03
 CITY ENGINEER - date

AMAFCA - date

_____ - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE
PAGE 2**

Project # 1002885

03DRB-01980 Major-Vacation of Pub
Right-of-Way
03DRB-01983 Major-Preliminary Plat
Approval
03DRB-01981 Minor-Vacation of Private
Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for
DESERT RIDGE DEVELOPMENT LLC & GENEVA
LLC request(s) the above action(s) for all or a portion of
Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of
Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North
Albuquerque Acres, (to be known as **OCOTILLO
SUBDIVISION**) zoned RD (4DU/A), located on
HOLBROOK ST NE between ANAHEIM AVE NE and
PASEO DEL NORTE NE containing approximately 25
acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-
01356] (C-21)

Project # 1002935

~~03DRB-01964 Major-Vacation of Public
Easements~~

BOHANNAN HUSTON INC agent(s) for WESTLAND
DEVELOPMENT CO., INC request(s) the above
action(s) for all or a portion of Parcel 1, **SUNDORO
SUBDIVISION**, zoned SU-2 R-LT, located on LADERA
BLVD NW, between 98th ST NW and UNSER BLVD
NW containing approximately 55 acre(s). [REF: 03DRB-
00736, 03DRB-01447, 03DRB-01449, 03DRB-01550,
03DRB-01551, 01552, 01553] (J-8/J-9)

Project # 1003111

03DRB-01986 Major-Preliminary Plat
Approval
03DRB-01987 Minor-Vacation of Private
Easements
03DRB-01988 Minor-Temp Defer SDWK
03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE
STROSNIDER COMPANY request(s) the above
action(s) for all or a portion of Tract(s) B, **WINDMILL
MANOR**, zoned SU-1 PRD, located on DELLYNE AVE
NW, between MARIPOSA DR NW and VALLE VISTA
DR NW containing approximately 4 acre(s). [REF:
DRB-96-355, Z-95-79, Z-98-57] (E-11)

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, DECEMBER 1, 2003.



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, December 17, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1001068

03DRB-01982 Major-Two Year SIA

MARK GOODWIN AND ASSOCIATES agent(s) for MESA VERDE DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1 and 2, Block(s) 5, 6 and 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **DESERT RIDGE TRAILS**) zoned R-D, located on FLORENCE AVE NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 76 acre(s). [REF: 1001068] (B-19/C-19)

Project # 1001071

03DRB-01957 Major-Vacation of Public Easements

03DRB-01958 Minor-Prelim&Final Plat Approval

SOUTHWEST SURVEYING CO. agent(s) for STUSON, INC. request(s) the above action(s) for all or a portion of Tract(s) B, **EL DORADO NORTH SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on EUCARIZ AVE SW, between WESLEY CT SW and 90TH ST SW containing approximately 1 acre(s). [REF:02DRB-00347, 02DRB-00348, 02DRB-01256] (L-9)

Project # 1002645

03DRB-01965 Major-Vacation of Public Easements

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**, zoned R-LT, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 1002645] (A-10)

Project # 1002800

03DRB-01990 Major-Preliminary Plat Approval

03DRB-01991 Minor-Subd Design (DPM) Variance

03DRB-01992 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 12, NORTH ALBUQUERQUE ACRES, TRACT 1, UNIT 3, (to be known as **QUIVERA ESTATES**), zoned R-D, located on MODESTO AVE NE between WYOMING BLVD NE and BARSTOW ST NE containing approximately 14 acre(s). [REF: 03DRB-01127] (B-19)

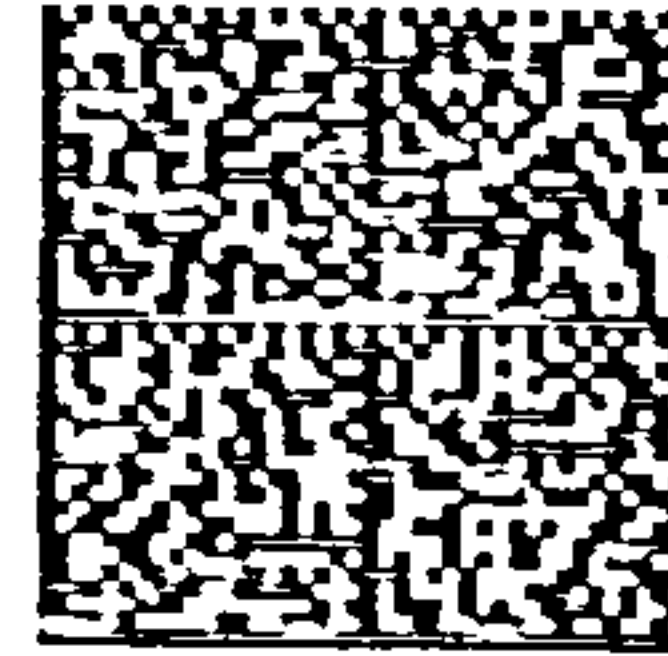
SEE PAGE 2 . . .



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



02 1A \$ 00.37⁰
0004329277 DEC 01 2003
MAILED FROM ZIP CODE 87102

Carroll

100905818042221011

ROSE ROBIN H & JAMES D
8420 CASA NEGRA CT NW
ALBUQUERQUE NM 87120

ROSE420 T871202042 1803 1.3 12/04/03
TO CARRIER

ROSE
TEMPORARY ORDER EXPIRED
DELIVER AS ADDRESSED

87120+6585 81



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE
PAGE 2**

Project # 1002885

03DRB-01980 Major-Vacation of Pub
Right-of-Way
03DRB-01983 Major-Preliminary Plat
Approval
03DRB-01981 Minor-Vacation of Private
Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for DESERT RIDGE DEVELOPMENT LLC & GENEVA LLC request(s) the above action(s) for all or a portion of Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North Albuquerque Acres, (to be known as **OCOTILLO SUBDIVISION**) zoned RD (4DU/A), located on HOLBROOK ST NE between ANAHEIM AVE NE and PAGEO DEL NORTE NE containing approximately 25 acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-01356] (C-21)

Project # 1002935

03DRB-01964 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Parcel 1, **SUNDORO SUBDIVISION**, zoned SU-2 R-LT, located on LADERA BLVD NW, between 98th ST NW and UNSER BLVD NW containing approximately 55 acre(s). [REF: 03DRB-00736, 03DRB-01447, 03DRB-01449, 03DRB-01550, 03DRB-01551, 01552, 01553] (J-8/J-9)

Project # 1003111

03DRB-01986 Major-Preliminary Plat
Approval
03DRB-01987 Minor-Vacation of Private
Easements
03DRB-01988 Minor-Temp Defer SDWK
03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE STROSNIDER COMPANY request(s) the above action(s) for all or a portion of Tract(s) B, **WINDMILL MANOR**, zoned SU-1 PRD, located on DELLYNE AVE NW, between MARIPOSA DR NW and VALLE VISTA DR NW containing approximately 4 acre(s). [REF: DRB-96-355, Z-95-79, Z-98-57] (E-11)

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, DECEMBER 1, 2003.



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, December 17, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1001068

03DRB-01982 Major-Two Year SIA

MARK GOODWIN AND ASSOCIATES agent(s) for MESA VERDE DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1 and 2, Block(s) 5, 6 and 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **DESERT RIDGE TRAILS**) zoned R-D, located on FLORENCE AVE NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 76 acre(s). [REF: 1001068] (B-19/C-19)

Project # 1001071

03DRB-01957 Major-Vacation of Public Easements

03DRB-01958 Minor-Prelim&Final Plat Approval

SOUTHWEST SURVEYING CO. agent(s) for STUSON, INC. request(s) the above action(s) for all or a portion of Tract(s) B, **EL DORADO NORTH SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on EUCARIZ AVE SW, between WESLEY CT SW and 90TH ST SW containing approximately 1 acre(s). [REF:02DRB-00347, 02DRB-00348, 02DRB-01256] (L-9)

Project # 1002645

03DRB-01965 Major-Vacation of Public Easements

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**, zoned R-LT, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 1002645] (A-10)

Project # 1002800

03DRB-01990 Major-Preliminary Plat Approval

03DRB-01991 Minor-Subd Design (DPM) Variance

03DRB-01992 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 12, NORTH ALBUQUERQUE ACRES, TRACT 1, UNIT 3, (to be known as **QUIVERA ESTATES**), zoned R-D, located on MODESTO AVE NE between WYOMING BLVD NE and BARSTOW ST NE containing approximately 14 acre(s). [REF: 03DRB-01127] (B-19)

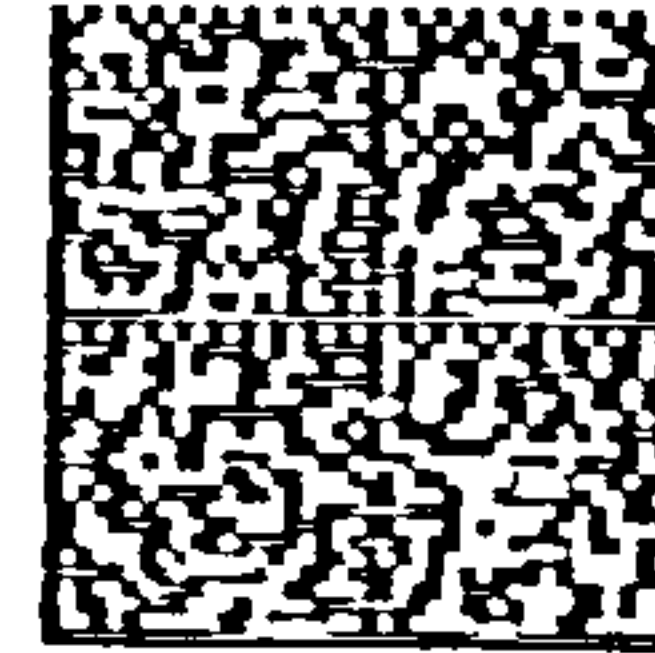
SEE PAGE 2 . . .



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



02 1A \$ 00.37⁰
0004329277 DEC 01 2003
MAILED FROM ZIP CODE 87102

Claire

101106238602640226

DECKER DEWETTE J
5207 VALLE VISTA DR NW
ALBUQUERQUE NM 87120

DECK207 871202004 1N 10 12/03/03
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

87120+4329277





**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE
PAGE 2**

Project # 1002885

03DRB-01980 Major-Vacation of Pub
Right-of-Way
03DRB-01983 Major-Preliminary Plat
Approval
03DRB-01981 Minor-Vacation of Private
Easements
03DRB-01985 Minor-Temp Defer SDWK
03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for DESERT RIDGE DEVELOPMENT LLC & GENEVA LLC request(s) the above action(s) for all or a portion of Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North Albuquerque Acres, (to be known as **OCOTILLO SUBDIVISION**) zoned RD (4DU/A), located on HOLBROOK ST NE between ANAHEIM AVE NE and PASEO DEL NORTE NE containing approximately 25 acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-01356] (C-21)

Project # 1002935

03DRB-01964 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Parcel 1, **SUNDORO SUBDIVISION**, zoned SU-2 R-LT, located on LADERA BLVD NW, between 98th ST NW and UNSER BLVD NW containing approximately 55 acre(s). [REF: 03DRB-00736, 03DRB-01447, 03DRB-01449, 03DRB-01550, 03DRB-01551, 01552, 01553] (J-8/J-9)

Project # 1003111

03DRB-01986 Major-Preliminary Plat
Approval
03DRB-01987 Minor-Vacation of Private
Easements
03DRB-01988 Minor-Temp Defer SDWK
03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE STROSNIDER COMPANY request(s) the above action(s) for all or a portion of Tract(s) B, **WINDMILL MANOR**, zoned SU-1 PRD, located on DELLYNE AVE NW, between MARIPOSA DR NW and VALLE VISTA DR NW containing approximately 4 acre(s). [REF: DRB-96-355, Z-95-79, Z-98-57] (E-11)

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, DECEMBER 1, 2003.



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, December 17, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1001068
03DRB-01982 Major-Two Year SIA

MARK GOODWIN AND ASSOCIATES agent(s) for MESA VERDE DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1 and 2, Block(s) 5, 6 and 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **DESERT RIDGE TRAILS**) zoned R-D, located on FLORENCE AVE NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 76 acre(s). [REF: 1001068] (B-19/C-19)

Project # 1001071
03DRB-01957 Major-Vacation of Public Easements
03DRB-01958 Minor-Prelim&Final Plat Approval

SOUTHWEST SURVEYING CO. agent(s) for STUSON, INC. request(s) the above action(s) for all or a portion of Tract(s) B, **EL DORADO NORTH SUBDIVISION**, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on EUCARIZ AVE SW, between WESLEY CT SW and 90TH ST SW containing approximately 1 acre(s). [REF:02DRB-00347, 02DRB-00348, 02DRB-01256] (L-9)

Project # 1002645
03DRB-01965 Major-Vacation of Public Easements

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**, zoned R-LT, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 1002645] (A-10)

Project # 1002800
03DRB-01990 Major-Preliminary Plat Approval
03DRB-01991 Minor-Subd Design (DPM) Variance
03DRB-01992 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 12, NORTH ALBUQUERQUE ACRES, TRACT 1, UNIT 3, (to be known as **QUIVERA ESTATES**), zoned R-D, located on MODESTO AVE NE between WYOMING BLVD NE and BARSTOW ST NE containing approximately 14 acre(s). [REF: 03DRB-01127] (B-19)

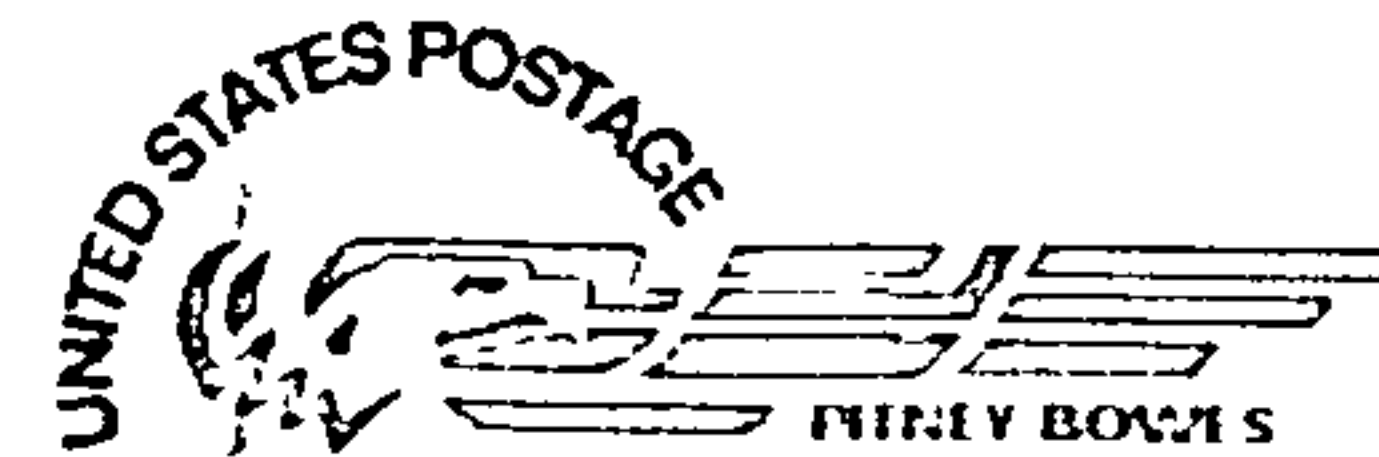
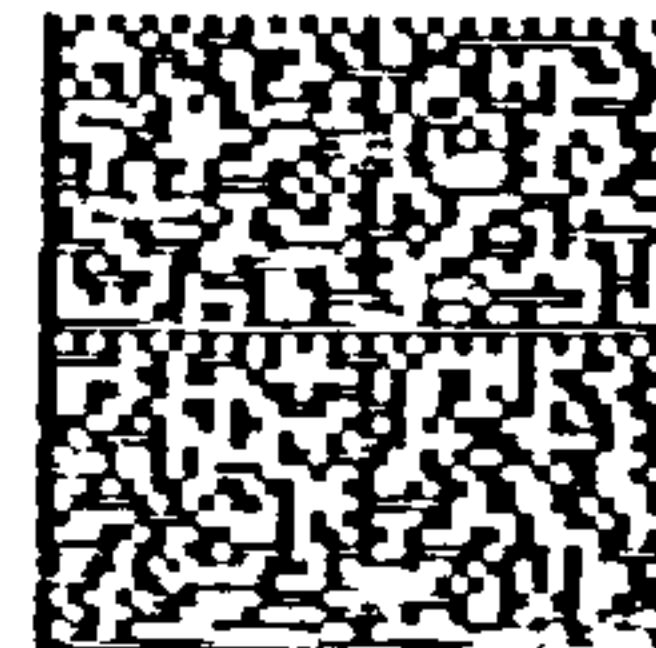
SEE PAGE 2 . . .



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



02 1A

\$ 00.37⁰

0004329277

DEC 01 2003

MAILED FROM ZIP CODE 87102

Claire

101106238508740208

THOMPSON DALE E & KAREN L
5105 LAS TRAMPAS WAY NW
ALBUQUERQUE NM 87120

THOM105* 871202004 1802 10 12/03/03
FORWARD TIME EXP RTN TO SEND
THOMPSON
1525 GRAND AVENUE PKWY APT 11102
PFLUGERVILLE TX 78660-4996

RETURN TO SENDER

87120+25700/1293





**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE
PAGE 2**

Project # 1002885

03DRB-01980 Major-Vacation of Pub
Right-of-Way

03DRB-01983 Major-Preliminary Plat
Approval

03DRB-01981 Minor-Vacation of Private
Easements

03DRB-01985 Minor-Temp Defer SDWK

03DRB-01984 Minor-Sidewalk Waiver

JEFF MORTENSEN & ASSOCIATES, agent(s) for DESERT RIDGE DEVELOPMENT LLC & GENEVA LLC request(s) the above action(s) for all or a portion of Lot(s) 10 - 24 and Lot(s) 7 - 15 and easterly portion of Lot 16, Block(s) 18 & 20, Unit 3, Tract 3, Unit 1, North Albuquerque Acres, (to be known as **OCOTILLO SUBDIVISION**) zoned RD (4DU/A), located on HOLBROOK ST NE between ANAHEIM AVE NE and PASEO DEL NORTE NE containing approximately 25 acre(s). [REF: 03DRB-01354, 03DRB-01355, 03DRB-01356] (C-21)

Project # 1002935

03DRB-01964 Major-Vacation of Public
Easements

BOHANNAN HUSTON INC agent(s) for WESTLAND DEVELOPMENT CO., INC request(s) the above action(s) for all or a portion of Parcel 1, **SUNDORO SUBDIVISION**, zoned SU-2 R-LT, located on LADERA BLVD NW, between 98th ST NW and UNSER BLVD NW containing approximately 55 acre(s). [REF: 03DRB-00736, 03DRB-01447, 03DRB-01449, 03DRB-01550, 03DRB-01551, 01552, 01553] (J-8/J-9)

Project # 1003111

03DRB-01986 Major-Preliminary Plat
Approval

03DRB-01987 Minor-Vacation of Private
Easements

03DRB-01988 Minor-Temp Defer SDWK

03DRB-01989 Minor-Sidewalk Waiver

ISAACSON AND ARFMAN, P.A. agent(s) for THE STROSNIDER COMPANY request(s) the above action(s) for all or a portion of Tract(s) B, **WINDMILL MANOR**, zoned SU-1 PRD, located on DELLYNE AVE NW, between MARIPOSA DR NW and VALLE VISTA DR NW containing approximately 4 acre(s). [REF: DRB-96-355, Z-95-79, Z-98-57] (E-11)

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, DECEMBER 1, 2003.



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, December 17, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1001068
03DRB-01982 Major-Two Year SIA

MARK GOODWIN AND ASSOCIATES agent(s) for MESA VERDE DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 1 and 2, Block(s) 5, 6 and 1, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as DESERT RIDGE TRAILS) zoned R-D, located on FLORENCE AVE NE, between LOUISIANA BLVD NE and WYOMING BLVD NE containing approximately 76 acre(s). [REF: 1001068] (B-19/C-19)

Project # 1001071
03DRB-01957 Major-Vacation of Public Easements
03DRB-01958 Minor-Prelim&Final Plat Approval

SOUTHWEST SURVEYING CO. agent(s) for STUSON, INC. request(s) the above action(s) for all or a portion of Tract(s) B, EL DORADO NORTH SUBDIVISION, zoned R-D residential and related uses zone, developing area, 9 DU/AC, located on EUCARIZ AVE SW, between WESLEY CT SW and 90TH ST SW containing approximately 1 acre(s). [REF:02DRB-00347, 02DRB-00348, 02DRB-01256] (L-9)

Project # 1002645
03DRB-01965 Major-Vacation of Public Easements

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, zoned R-LT, located on IRVING BLVD NW, between UNIVERSE BLVD NW and KAYENTA PL NW containing approximately 27 acre(s). [REF: 03DRB-00741, 1002645] (A-10)

Project # 1002800
03DRB-01990 Major-Preliminary Plat Approval
03DRB-01991 Minor-Subd Design (DPM) Variance
03DRB-01992 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ALPHA EQUITIES LLC request(s) the above action(s) for all or a portion of Lot(s) 10-23, Block(s) 12, NORTH ALBUQUERQUE ACRES, TRACT 1, UNIT 3, (to be known as QUIVERA ESTATES), zoned R-D, located on MODESTO AVE NE between WYOMING BLVD NE and BARSTOW ST NE containing approximately 14 acre(s). [REF: 03DRB-01127] (B-19)

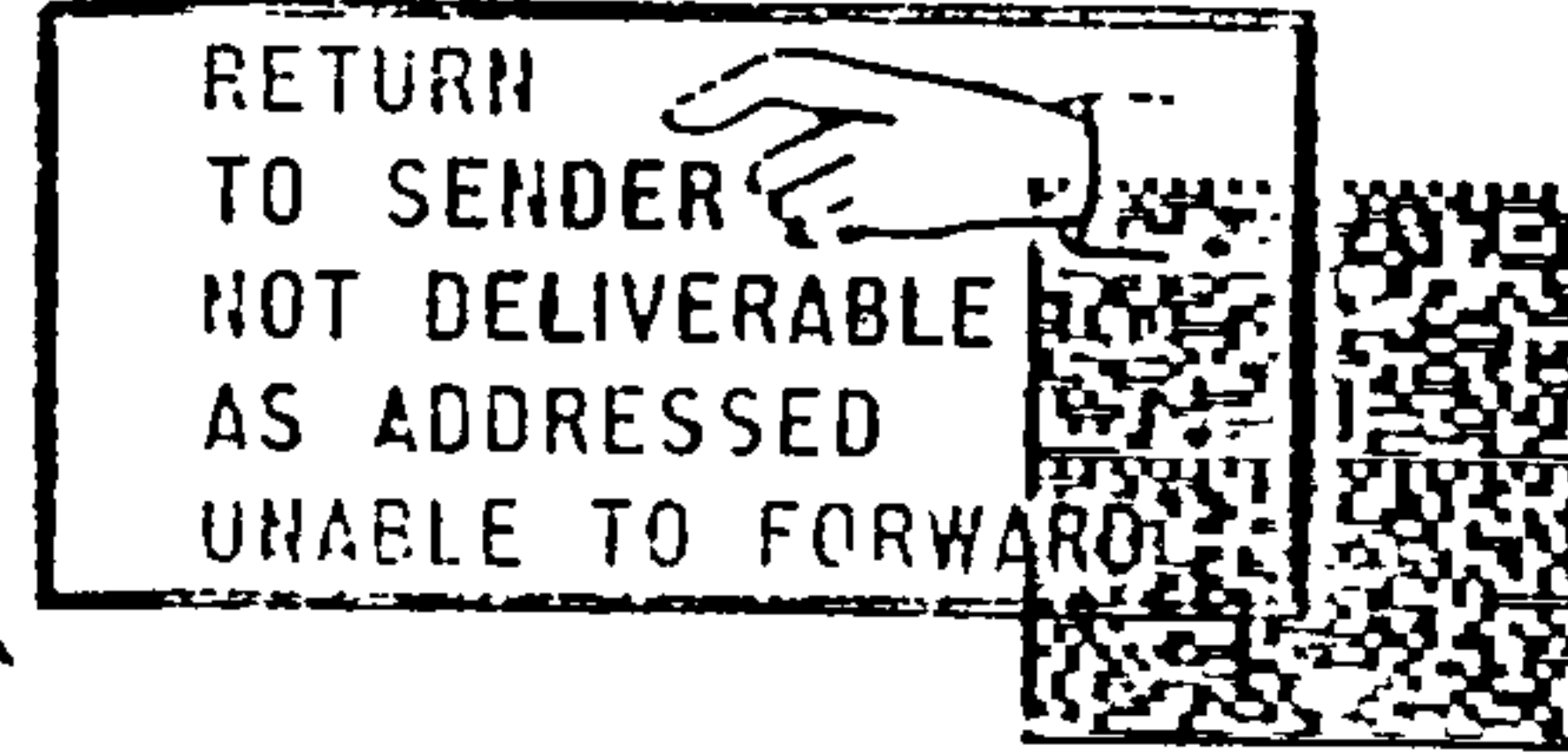
SEE PAGE 2 . . .



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



02 1A \$ 00.37⁰
0004329277 DEC 01 2003
MAILED FROM ZIP CODE 87102

Claire

101106233302440844

WILLS EZE E NW
5301 CALLE SERENA 87120
ALBUQUERQUE NM

87120+2710304293



INFRASTRUCTURE LIST

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

OCOTILLO SUBDIVISION

LOTS 10-24, BLOCK 18 AND LOTS 7-15 AND A PORTION OF LOT 16, BLOCK 20, TRACT 3, UNIT 1, NORTH ALBUQUERQUE ACRES

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
B1		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		8'	Temporary Pavement	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
B1		30' Radius	Paved Turn-around	East End Carmel Ave NE			/	/	/
B1		8"	Sanitary Sewer	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
AMAFCA	693481	96" to 54"	RCP Public Storm Drain (Construction by AMAFCA)	Carmel Ave NE	1320' West of Ventura Street NE	NE Cor. Lot 10, Blk 18, Tr. 3, Unit 1, N A.A	/	/	/
B1		6"	Water Line	Carmel Ave NE	Holbrook St NE	NE Corner of Site	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*to be superseded by line in Village Ave being constructed by CPN 699981)	Ventura Street N.E.	Holly Ave N.E.	Carmel Ave N.E.	/	/	/
FG'd by 705282, 699981	699981	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 699981)	Carmel Ave N.E.	Ventura Street N.E.	SW Cor Vineyard 4A	/	/	/
FG'd by 705282	705282	8"	Sanitary Sewer (Offsite)* (*Under Construction by CPN 705282)	Carmel Ave N.E.	SW Cor Vineyard 4A	SE Cor Vineyard 4A	/	/	/
FG'd by 718781	718781	8"	Sanitary Sewer (Offsite)* (*To be constructed by CPN 718781)	Carmel Ave N.E.	SE Cor Vineyard 4A	Holbrook St NE	/	/	/
FG'd by 718781	718781	16"	Water Line	Holbrook St NE	Carmel Ave NE	Palomas Ave NE	/	/	/
FG'd by 718781	718781	54"	RCP Public Storm Drain	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
B1	718781	15"	Sanitary Sewer	Holbrook St NE	Paseo del Norte	Holly Ave NE	/	/	/
B1		24'	Permanent Collector Pvmnt (1/2 width) w/standard C&G (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B1		4'	Sidewalk (East side only)	Holbrook St NE	Carmel Ave NE	Holly Ave NE	/	/	/
B-Mod		16'	Perm. Pavement (1/2 Width) w/standard C&G (south side only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		8'	Temporary Pavement	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		40' Radius	Paved Turn-around (Temporary)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B1		24'	Temporary Pavement w/Pin curb (south)	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B-Mod		40' Radius	Paved Turn-around (Permanent)	Holly Ave NE&Parcel B	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		4'	Sidewalk (South Side Only)	Holly Ave NE	NW Corner Lot 35	NE Corner Parcel C	/	/	/
B-Mod		24"	RCP Storm Drain w/appurtenances	Holly Ave NE	NW Corner Parcel B	NE Corner Parcel C	/	/	/
B1		5' Wide	Public Drainage Channel	Parcel A Between Lots 33 and 34	Holly Ave NE	Chia Way NE	/	/	/
B1		8"	Sanitary Sewer	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		8"	Water Line	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		50 f-f	Res. Pvmnt w/Std C&G & Median	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		4'	Sidewalk (Both Sides)	Sand Verbena Trail NE	Holbrook St NE	Desert Lily Lane NE	/	/	/
B1		48"	RCP Storm Drain	Sand Verbena Trail NE	Holbrook St NE	120' East of Holbrook CL	/	/	/
B1		36"	RCP Storm Drain	Public SD Easement	Sand Verbena Tr Ne	Sand Verbena (Entry)	/	/	/
B1		8"	Sanitary Sewer	Desert Lily Lane NE	Sand Verbena Tr Ne	Cul-de-Sac	/	/	/
B1		8"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Sand Verbena Tr NE	/	/	/
B1		6"	Water Line	Desert Lily Lane NE	Sand Verbena (Entry)	Datura Trail NE	/	/	/
B1		4"	Water Line	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/
B1		28 f-f	Res. Pvmnt w C&G	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
SW-1		4'	Deferred Sidewalk (Both Sides)	Desert Lily Lane NE	Sand Verbena Tr NE	Datura Trail NE	/	/	/
B1		25 f-f	Res. Pvmnt w C&G	Desert Lily Lane NE	Datura Trail NE	Cul-de-Sac	/	/	/

SIA Sequence #	COA DRC Project #
B1	
B1	
B1	
SW-1	
B1	
B1	
B1	
B1	
B1	
SW-1	
B1	
B1	
B1	
B1	
SW-1	
B1	
B1	
B1	
B1	
B1	
B1	
B1	

Size	Type of Improvement	Location	From	To
30"	RCP Storm Drain	Desert Lily Lane NE	Sand Verbena (Entry)	Datura Trail NE
28 f-f	Res. Pvmt w/C&G	Sand Verbena Tr NE	NW Corner Lot 78	Chia Way NE
26 f-f	Res. Pvmt w/C&G	Sand Verbena Tr NE	Chia Way	Holly Ave NE
4'	Deferred Sidewalk (Both Sides)	Sand Verbena Tr NE	NW Corner Lot 78	Holly Ave NE
8"	Sanitary Sewer	Sand Verbena Tr NE	Desert Lily Lane NE	Holly Ave NE
8"	Water Line	Sand Verbena Tr NE	Desert Lily Lane NE	Holly Ave NE
30"	RCP Storm Drain	Sand Verbena Tr NE	NW Corner Lot 78	Chia Way NE
24"	RCP Storm Drain	Sand Verbena Tr NE	Chia Way NE	Holly Ave NE
28 f-f	Res. Pvmt w/C&G	Datura Trail NE	Desert Lily Lane NE	Desert Aster Ln NE
26 f-f	Res. Pvmt w/C&G	Datura Trail NE	Desert Aster Ln NE	Chia Way NE
4'	Deferred Sidewalk (Both Sides)	Datura Trail NE	Desert Lily Lane NE	Chia Way NE
8"	Sanitary Sewer	Datura Trail NE	Desert Lily Lane NE	Chia Way NE
6"	Water Line	Datura Trail NE	Desert Lily Lane NE	Chia Way NE
26 f-f	Res. Pvmt w/C&G	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE
4'	Deferred Sidewalk (Both Sides)	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE
8"	Sanitary Sewer	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE
6"	Water Line	Chia Way NE	Datura Trail NE	Sand Verbena Tr NE
18"	RCP Storm Drain	Chia Way NE	Sand Verbena	6' Public Dm Esmt
25 f-f	Res. Pvmt w/mount C&G	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac
8"	Sanitary Sewer	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac
4"	Water Line	Desert Aster Lane NE	Datura Trail NE	Cul-de-sac
25 f-f	Res. Pvmt w/mount C&G	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac
8"	Sanitary Sewer	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac
4"	Water Line	Desert Poppy Lane NE	Datura Trail NE	Cul-de-sac

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

B1	
B1	
B1	
B1	

25 f-f	Res. Pvmt w/mount C&G	Desert Plume Lane NE	Datura Trail NE	Cul-de-sac
8"	Sanitary Sewer	Desert Plume Lane NE	Datura Trail NE	Cul-de-sac
6"	Water Line	Desert Plume Lane NE	Datura Trail NE	Carmel Ave NE
Per Plan	Perimeter Wall and Landscaping	Subdivision Perimeter	SE Corner Subd.	NE Corner Subd.

/	/	/
/	/	/
/	/	/
/	/	/

NOTES

- 1 Engineer's Certification per D.P.M is required for Financial Guarantee Release.
- 2 A Letter of Map Revision (LOMR) from FEMA is required for Financial Guaranty Release. This LOMR is Guaranteed by the AFAMCA Agreement
- 3 Street Lights are required per D.P.M. Requirements and subject to DRC Review and Approval.
- 4 A Landscape Maintenance Agreement Will be Required for Landscaping Within Public Right-of-Way

AGENT / OWNER

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc.
FIRM

SIGNATURE - date

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

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

PARKS & GENERAL SERVICES - date

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

UTILITY DEVELOPMENT - date

- date

CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER



SUBDIVISION

- Major Subdivision action *Vacation ROW*
- Minor Subdivision action *PP*
- Vacation *DSW VPRE*
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

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

ZONING

- Annexation & Zone Establishment
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Zone Change
- Text Amendment

APPEAL / PROTEST of...

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

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: Desert Ridge Development, LLC and Geneva, LLC PHONE: 505-821-4440
 ADDRESS: 8300 Carmel Ave N.E., Suite 601 FAX: 505-857-9774
 CITY: 8300 Carmel Ave N.E., Suite 601 STATE NM ZIP 87122 E-MAIL:
 Proprietary interest in site: Owner
 AGENT (if any): Jeff Mortensen & Associates, Inc. PHONE: (505) 345-4250
 ADDRESS: 6010-B Midway Park Blvd. NE FAX: (505) 345-4254
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: jmainc@swcp.com

DESCRIPTION OF REQUEST: Vacation of Public Right-of-Way and Non-specific easements, Dedication of additional Right-of-Way and Granting of various easements. Preliminary Plat and Grading Plan Approval (To be known as Ocotillo Subdivision)

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

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

Lot or Tract No. Lts10-24,(Lots7-15,& E'ly remaining port.of Lot 16) Block: 18 & (20) Unit: 3
 Subdiv. / Addn. Tract 3, Unit 1, North Albuquerque Acres *Ocotillo Subdivision*
 Current Zoning: RD 4DU/Acre Proposed zoning: No Change
 Zone Atlas page(s): C-21 No. of existing lots: 25 No. of proposed lots: 81
 Total area of site (acres): +/-24.1508 Density if applicable: dwellings per gross acre: 3.23 dwellings per net acre: 3.37
 Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? N/A
 UPC No. See Attached MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook Street, NE, Carmel Avenue, NE and Holly Avenue, NE
 Between: Anaheim Avenue, NE and Paseo Del Norte

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): DRB Project # 1002885, 03DRB- 01354 thru 01356, (02EPC-01353)

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: Sept. 10, 2003

SIGNATURE Debie LeBlanc Trujillo DATE November 21, 2003
 (Print) Debie LeBlanc Trujillo for Jeff Mortensen & Associates, Inc. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

INTERNAL ROUTING

- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent *x paid.*
- Case history #s are listed
- Site is within 1000ft of a landfill *NO*
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

03DRB - 01980
 - 01981
 - 01983
 - 01984
 - 01985

Action

V ROW
V PRE
PP
SW
TDS
NOTICE

S.F.

Fees

\$ 300.-
 \$ 45.-
 \$ 1875
 \$ -
 \$ 50.-
 Total 75.- *2270*
 \$ 75

Hearing date Dec 17 2003

JM 11/21/03
 Planner signature / date

Project # 1002885

2345

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

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

Preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)

MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)

MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT

(Temporary sidewalk deferral uses FORM-V)

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

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

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

JEFF MORTENSON & ASSOC., INC.
DEBIE LEBLANC TRUJILLO
 Debie LeBlanc Trujillo 11/21/03
 Applicant name (print)
 Applicant signature / date



Form revised 10/03

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 -01980
 -01981
 -01983
 01984
 01985

JM 11/21/03
 Planner signature / date
Project # 100,288.5

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE (Public Hearing Case)

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

VACATION OF PUBLIC RIGHT-OF-WAY

VACATION OF PUBLIC EASEMENT

- Row 1*
- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies. (Not required for dedicated and City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) 24 copies
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire. DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DEVELOPMENT PROCESS MANUAL)

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

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

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

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

VACATION OF PRIVATE EASEMENT

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

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

JEFF MORTENSEN & ASSOC., INC.
DEBIE LEBLANC TRUJILLO
 Applicant name (print)
Debie LeBlanc Trujillo 11-21-03
 Applicant signature / date



Form revised April 2003

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 -01980
 -01981
 -01983
 01984
 01985

JAM 11/21/03
 Planner signature / date
Project # 1002885

Development Review Application Attachment Listing
UPC No.s
DRB Project # 1002885

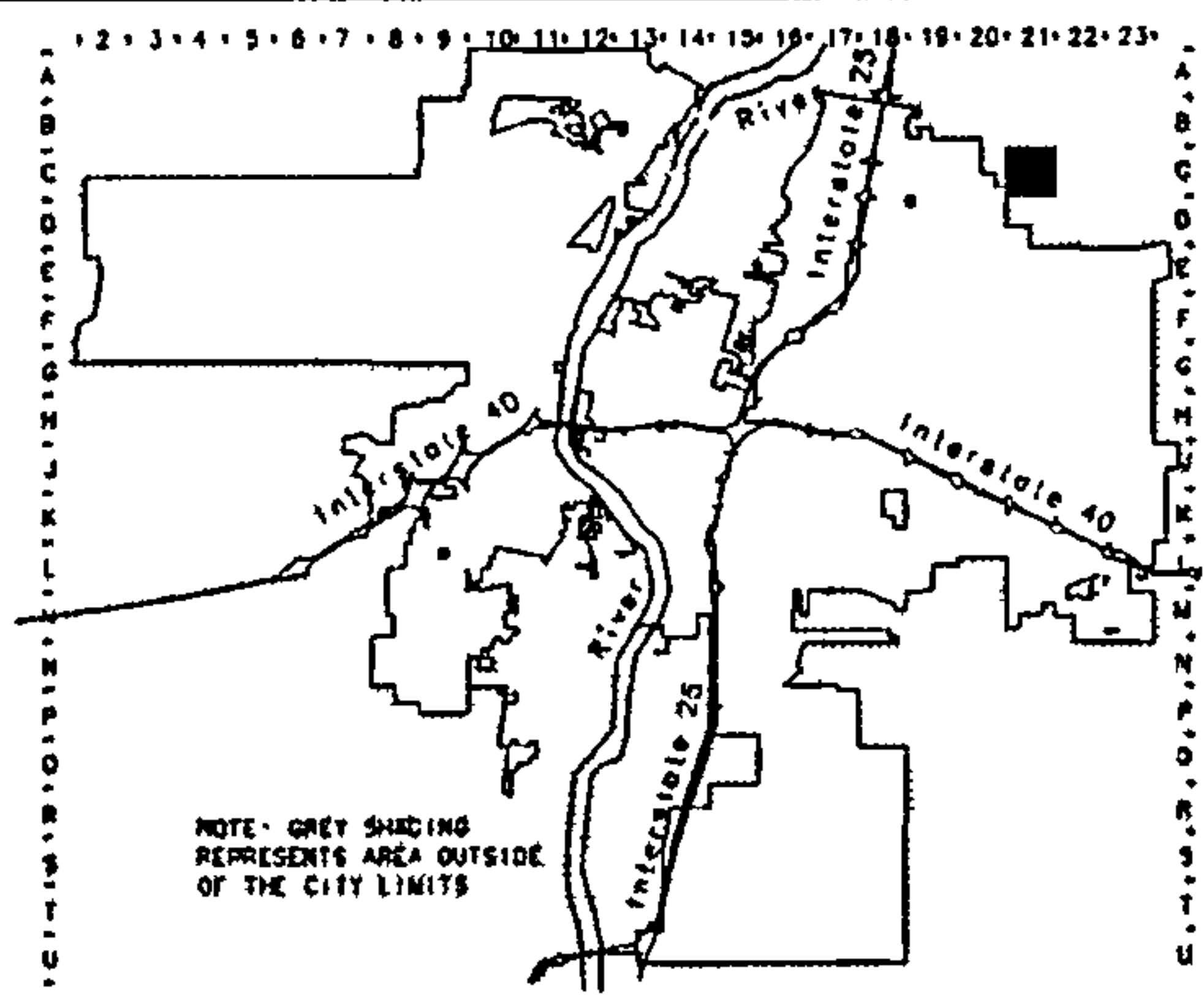
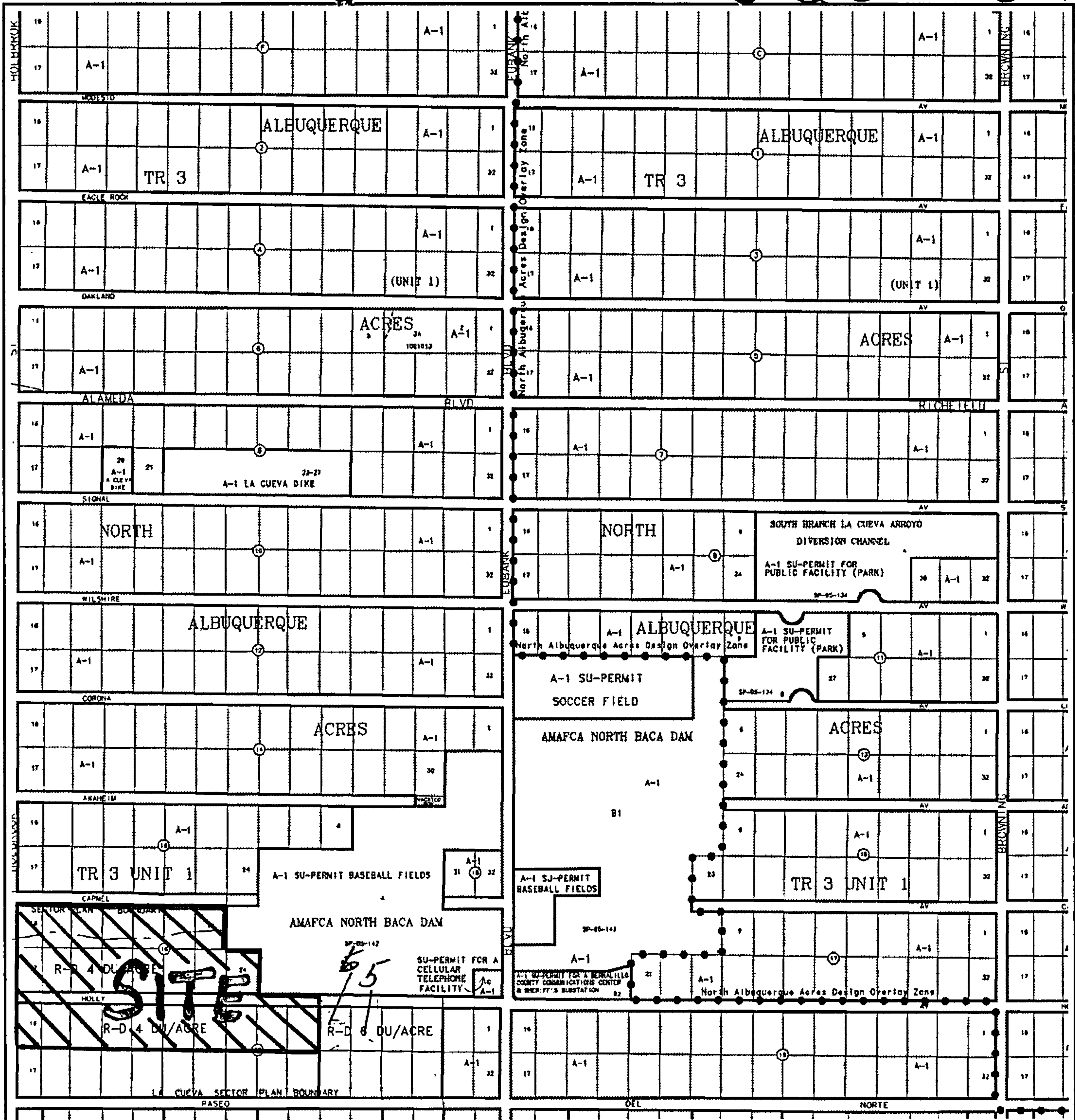
Block 18 - North Albuquerque Acres Tract 3, Unit 3

Lot 10 - 102106410609130226
Lot 11 - 102106409009130227
Lot 12 - 102106407409130228
Lot 13 - 102106405709130229
Lot 14 - 102106404009130230
Lot 15 - 102106402509130231
Lot 16 - 102106400909130232
Lot 17 - 102106400906830201
Lot 18 - 102106402506830202
Lot 19 - 102106404006830203
Lot 20 - 102106405706830204
Lot 21 - 102106407406830205
Lot 22 - 102106409006830206
Lot 23 - 102106410906830207
Lot 24 - 102106412306830208

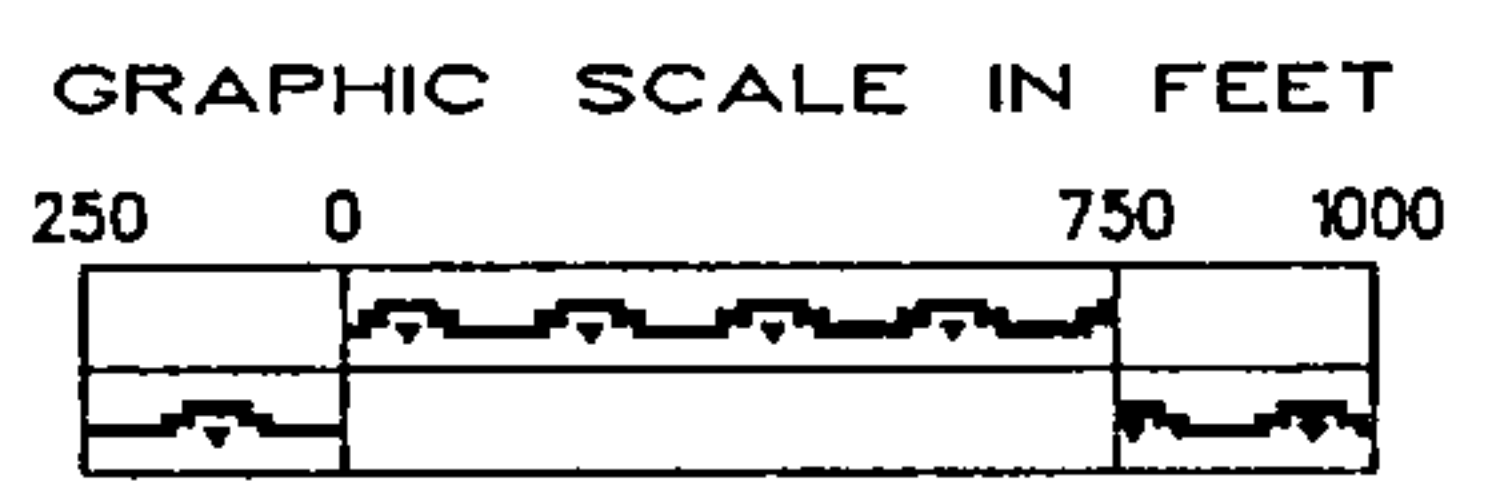
Block 20 - North Albuquerque Acres Tract 3, Unit 3

Lot 7 - 102106415603830123
Lot 8 - 102106414003830124
Lot 9 - 102106412303830125
Lot 10 - 102106410903830126
Lot 11 - 102106409003830127
Lot 12 - 102106407403830128
Lot 13 - 102106405703830129
Lot 14 - 102106404003830130
Lot 15 - 102106402503830131
Lot 16 - 102106400903830132

2002.050.6



CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page
C-21-Z
Map Amended through July 31, 2003

FORM DRWS: DRAINAGE REPORT / WATER & SEWER AVAILABILITY

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

PROJECT NAME OCOTILLO SUBDIVISION

AGIS MAP # C-21

LEGAL DESCRIPTION LOTS 10-24, BLOCK 18, N.A.A. TR. 3, U.1
& LOTS 7-16, BLOCK 20, N.A.A. TR. 3, U.1

DRB PROJECT # 1002885

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 11-21-03 [date].

Debie LeBlanc Trujillo
JEFF MORTENSEN & ASSOC. Applicant / Agent

11-21-03
Date

Bruce B. L.
Hydrology Division Representative

11-21-03
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 SEPTEMBER 18, 2003 [date].


Debie LeBlanc Trujillo
JEFF MORTENSEN & ASSOC. INC. Applicant / Agent

11-19-03
Date

Jeremy Hoyer
JEREMY HOYER, EIT
Utilities Division Representative

11-19-03
Date

DRB# 1002885

 ENGINEERS & SURVEYORS	JEFF MORTENSEN & ASSOCIATES, INC. 6010-B MIDWAY PARK BLVD. NE ALBUQUERQUE NEW MEXICO 87109	P: 505.345.4250 F: 505.345.4254 JMAINC@SWCP.COM

2002.050.6
 November 20, 2003

Sheran Matson, AICP Planning Manager and Chair
 Development Review Board
 Planning Department Administration
 City of Albuquerque
 600 Second Street, NW
 Albuquerque, NM 87103

Re: Request for Vacation of Public Right-of-Way, Non-Specific Easements, Preliminary Plat, Grading Plan, Sidewalk Waiver and Deferral of Sidewalk Construction
 Lots 10 - 24, Block 18, North Albuquerque Acres, Tract 3, Unit 3 and Lots 7-15 and the Easterly portion of Lot 16, Block 20, North Albuquerque Acres, Tract 3, Unit 3
 (To be known as Ocotillo Subdivision)
 DRB Project # 1002885

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms S(2) and V along with the related Fees
- Twenty Four (24) copies of the Vacation Request and Preliminary Plat
- Twenty Four (24) copies of the Grading Plan
- Twenty Four (24) of the Vacation document (highlighted)
- City of Albuquerque Zone Atlas C – 21 (site area highlighted)
- Proposed Infrastructure List
- Perimeter Wall Submittal (Prepared by Consensus Planning)
- Form DRWS
- Form TIS/AQIA
- Six (6) copies of the Sidewalk Waiver and Deferral of Sidewalk Construction (Separate Letter explaining request)
- Office of the Community & Neighborhood Coordination request, copies of letters sent to Neighborhood Associations along with the registered mail receipts

On behalf of our clients, Desert Ridge Development, LLC, and Geneva, LLC, we are requesting vacation of an expanded portion of the Public Right-of-Way within Holly Avenue N.E., along with the non-specific easements for pipeline purposes (water, gas or sewage) and telephone and electrical energy easements. This plat demonstrates the creation of 78 residential lots and Parcels A, B and C from the

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

Page 2
Sheran Matson
November 20, 2003

existing 25 lots along with the vacated portions of Carmel Avenue, N.E. and Holly Avenue, N.E. The proposed development will be known as Ocotillo Subdivision.

Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.
Pete Daskalos – Geneva, LLC w/enc



JEFF MORTENSEN & ASSOCIATES, INC.
 6010-B MIDWAY PARK BLVD. NE
 ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
 F: 505.345.4254
 JMAINC@SWCP.COM

ENGINEERS & SURVEYORS

2002.050.4

March 29, 2001

Sheran Matson
 Development Review Board Chair
 City of Albuquerque Planning Department
 600 Second Street N.W.
 Albuquerque, NM 87102

Re: Requests for Sidewalk Waiver and Deferral of Sidewalk Construction – Ocotillo Subdivision

Dear Sheran,

In conjunction with preliminary plat approval for the subject project, we are request temporary deferral of sidewalk construction within the proposed subdivision to avoid damage to the sidewalks during individual home construction, and to allow coordination with driveway locations. We are also requesting temporary deferral of sidewalk construction on our Holly frontage because we are aware of potential future development scenarios that would vacate this portion of Holly and therefore not require a sidewalk in that location. We propose to guarantee the improvements and allow the DRB to re-evaluate the need for the Holly sidewalk at a later date.

We are requesting a waiver for the southern Carmel sidewalk based on DPM Chapter 23, Section 5.A.2.c.1: "*Streets with lots fronting on one side only may have sidewalks waived on the side with no lots fronting, subject to an approved pedestrian circulation pattern which does not require the sidewalk being deleted for a pedestrian connection.*" There are no proposed lots fronting the south side of Carmel which is a dead end street with no pedestrian connection. We are also requesting waivers for the sidewalks at the internal cul-de-sacs based on DPM Chapter 23, Section 5.A.2.c.3 "*Sidewalks may be waived for cul-de-sacs with maximum of 5 lots and a maximum length of 200 feet.*" The Desert Lily cul-de-sac serves 5 lots and the remaining of the cul-de-sacs serve 4 lots. All cul-de-sacs measure a little less than 200 feet from center of street to back of ball, and a little less than 180 feet from end of sidewalk to back of ball.

The locations for deferral and waiver are highlighted on the attached exhibits. If you should have any questions or comments concerning this information, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


 J. Graeme Means, P.E.

GM:*
 Enclosures
 xc: Don Hoech w/encl

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / ENVIRONMENTAL HEALTH INFORMATION FORM

TO BE COMPLETED BY APPLICANT

APPLICANT: HOECH REAL EST. CORP. Date of request: 11/19/03 Zone atlas page(s): C-21

CURRENT:
Zoning R-D/4DU per acre
Parcel Size (acres / sq.ft.) 1/24-1508

Legal Description - LOTS 10-24, BLOCK 18
Lot or Tract # LOTS 7-16 Block # 20
Subdivision Name N.A. A-TR-3, U:1

REQUESTED CITY ACTION(S):

Annexation	[]	Sector Plan	[]	Site Development Plan:	Building Permit	[]
Comp. Plan	[]	Zone Change	[]	a) Subdivision	Access Permit	[]
Amendment	[]	Conditional Use	[]	b) Build'g Purposes	Other	[X]
				c) Amendment	<u>PRELIM. PLAT</u>	

PROPOSED DEVELOPMENT:

GENERAL DESCRIPTION OF ACTION: 1

No construction / development []
 New Construction [~~X~~]
 Expansion of existing development []

of units - 78
 Building Size - VARIES (sq. ft.)
RESIDENTIAL HOMES (SINGLE FAMILY)

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

Applicant or Representative _____ Date _____
(To be signed upon completion of processing by Traffic Engineer and Environmental Health)

TRANSPORTATION DEVELOPMENT

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

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

THRESHOLDS MET? YES [] NO [~~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 Lopez
TRAFFIC ENGINEER

11-19-03
DATE

ENVIRONMENTAL HEALTH

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

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

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

TRAFFIC ENGINEER

DATE



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: November 19, 2003

TO CONTACT NAME: Dobie LeBlanc Mujica
 COMPANY/AGENCY: Jeff Mortensen + Assoc
 ADDRESS/ZIP: 10010-B Midway Park Blvd NE 87109
 PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 11-19-03 (date) requesting the names of Recognized

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 10-24 Blk 18, North Albuquerque Acres Tract 3 Unit 1 and lots 7-16, Blk 20, North Albuquerque Acres Tract 3, zone map page(s) C-21 Unit 4

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

North Albuquerque Acres
 Neighborhood Association
 Contacts: Bonnie Harley
11021 Signal Ave NE
856-0051 (h+w) 87122
Jackie McDowell
1820 Beverly Hills Ave NE
828-2430 (h) 87122

 Neighborhood Association
 Contacts: _____

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, -

Palana J. Carmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

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: 11-19-03 Time Entered: 2 pm OCNC Rep. Initials: DC



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
JMAINC@SWCP.COM

2002.050.1
November 20, 2003

Ms. Bonnie Harley
North Albuquerque Acres Neighborhood Association
11021 Signal Avenue, NE
Albuquerque, NM 87122

Via Certified Mail – Return Receipt Requested

and

Ms. Jackie McDowell
North Albuquerque Acres Neighborhood Association
7820 Beverly Hills Avenue, NE
Albuquerque, NM 87122

Via Certified Mail – Return Receipt Requested

Project Title: Ocotillo Subdivision

Type of Request: Vacation of Public Right-of-Way, Non-Specific Easements, Preliminary Plat, Grading Plan, Sidewalk Waiver and Deferral of Sidewalk Construction

Current Legal Description: Lots 10 - 24, Block 18, North Albuquerque Acres, Tract 3, Unit 3 and Lots 7-15 and the remaining portion of Lot 16, Block 20, North Albuquerque Acres, Tract 3, Unit 3

Location: The subject property lies on the east side of Holbrook Street, NE, the south side of Carmel Avenue, and includes Holly Avenue, NE

Developers: Desert Ridge Development, LLC - Donald G. Hoech, Managing Member
Geneva, LLC – Pete Daskalos, Managing Member

Agent/Engineer: Jeff Mortensen & Associates, Inc.

Contact: Charles G. Cala, Jr., PS, Vice President
Debie LeBlanc Trujillo, Project Coordinator

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

North Albuquerque Acres Neighborhood Association

November 20, 2003

Page 2

Ladies:

Transmitted herewith are copies of the Vacation Request, Preliminary Plat and Grading Plan for the subject project. This project is scheduled to be heard at the Development Review Board hearing on December 17, 2003. The meeting will be held at 600 2nd Street, NW, Plaza Del Sol's hearing room, basement level of the building.

On behalf of our clients, Desert Ridge Development, LLC, and Geneva, LLC, we are requesting vacation of an expanded portion of the Public Right-of-Way within Holly Avenue N.E., along with the non-specific easements for pipeline purposes (water, gas or sewage) and telephone and electrical energy easements. This plat demonstrates the creation of 78 residential lots and Parcels A, B and C from the existing 25 lots along with the vacated portions of Carmel Avenue, N.E. and Holly Avenue, N.E. The proposed development will be known as Ocotillo Subdivision.

If you should have any questions regarding this information, please do not hesitate to contact Chuck Cala or myself at our office.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

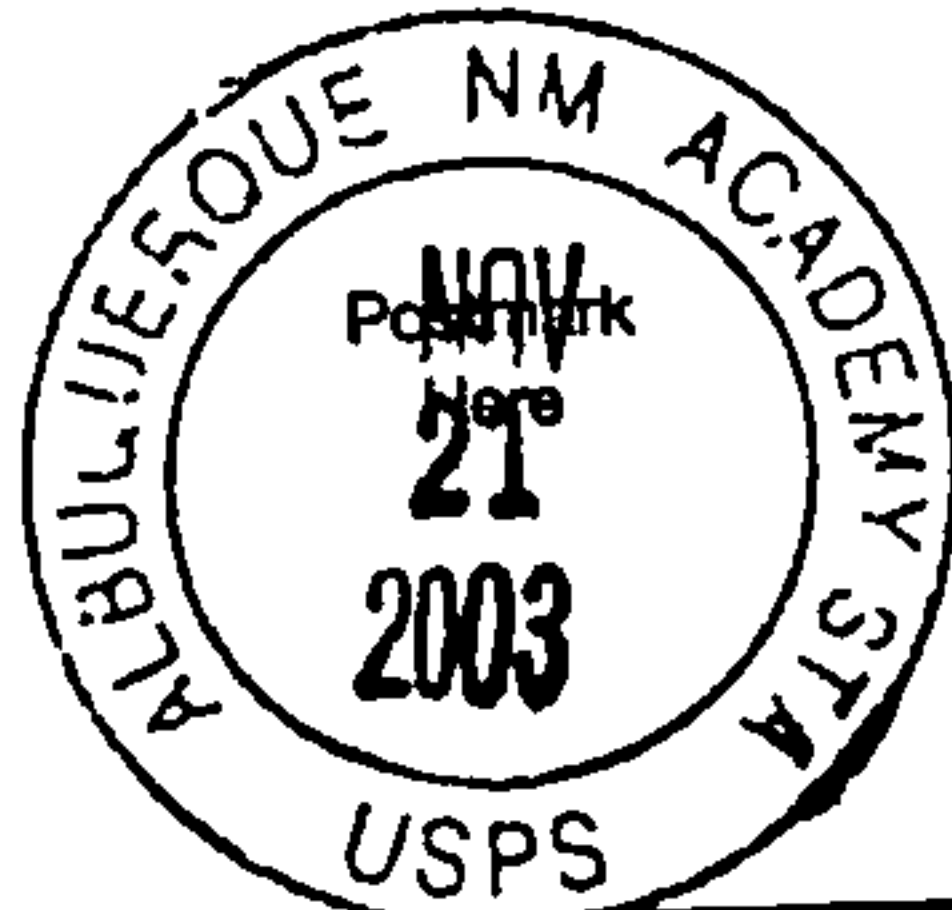
DLT
Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.
Pete Daskalos – Geneva, LLC w/enc.

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

OFFICIAL USE

Postage	\$ 3.85
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.90



Sent To Ms. Jackie McDowell
 Street, Apt. No.; or PO Box No. 7820 Beverly Hills Ave. NE
 City, State, ZIP+ 4 Albuquerque, NM 87122

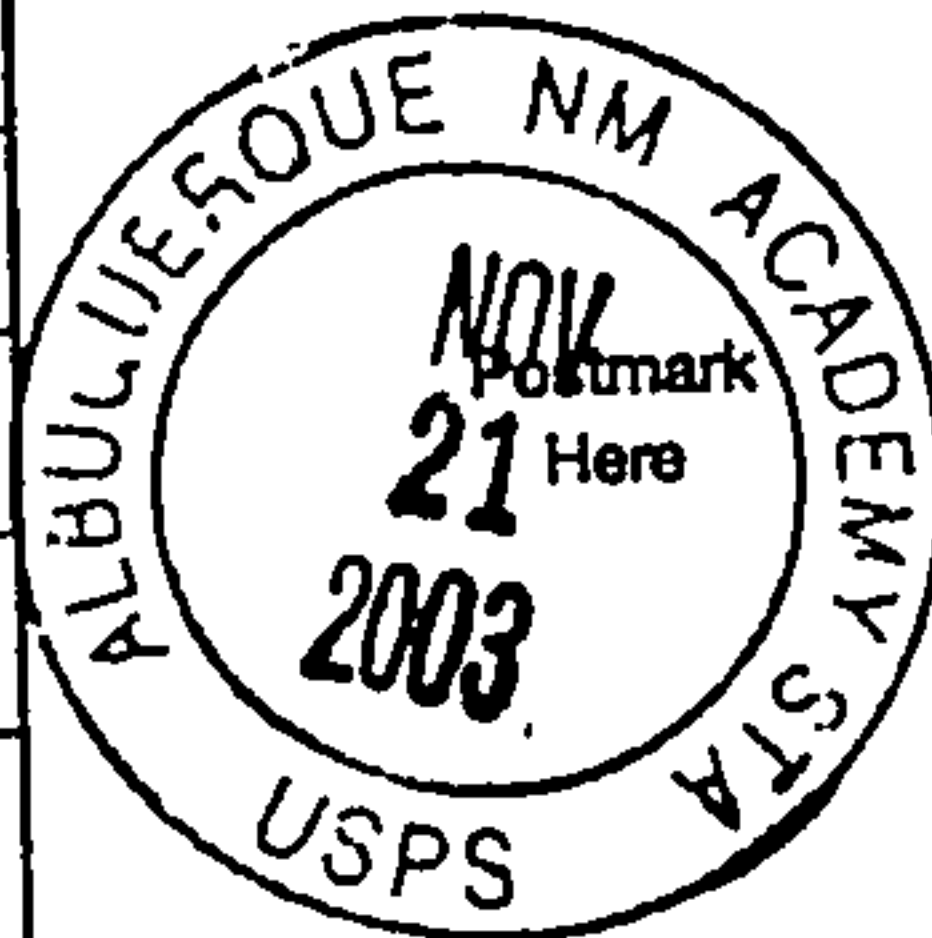
PS Form 3800, January 2001 See Reverse for Instructions

7001 1940 0005 9630 3206

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

OFFICIAL USE

Postage	\$ 3.85
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.90



Sent To Ms. Bonnie Harley
 Street, Apt. No.; or PO Box No. 11021 Signal Ave. NE
 City, State, ZIP+ 4 Albuquerque, NM 87122

PS Form 3800, January 2001 See Reverse for Instructions

7001 1940 0005 9630 3190

2002.050.6



***** WELCOME TO *****
 ACADEMY STATION
 ALBUQUERQUE, NM 87109-4133
 11/21/03 08:46AM

Store USPS	Trans 15
Wkstn sys5002	Cashier KGNFG6
Cashier's Name	LES
Stock Unit Id	WINLES
PO Phone Number	800-275-8777
USPS #	3401500109

1. Priority Mail	7.90
Destination:	87122
Weight:	13.10oz
Postage Type:	PVI
Total Cost:	7.90
Base Rate:	3.85

SERVICES	
Certified Mail	2.30
70011940000596303206	
Return Receipt	1.75

2. Priority Mail	7.90
Destination:	87122
Weight:	13.10oz
Postage Type:	PVI
Total Cost:	7.90
Base Rate:	3.85

SERVICES	
Certified Mail	2.30
70011940000596303190	
Return Receipt	1.75

Subtotal	15.80
Total	15.80

Cash	20.00
Change Due	4.20
Cash	

Number of Items Sold: 2

Thank You
Please come again!

Handwritten signature/initials

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

Desert Ridge Dev LLC & Geneva LLC

AGENT

JMA

ADDRESS

PROJECT NO.

100 2885

APPLICATION NO.

\$ 2270. 441006 / 4983000 (DRB Cases)

\$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)

\$ 75. 441018 / 4971000 (Notification)

\$ 2345. Total amount due

DESERT RIDGE DEVELOPMENT LLC

8300 CARMEL AVENUE N.E., SUITE 601
ALBUQUERQUE, NM 87122

FIRST STATE BANK
95-145-1070

9848

11/20/2003

PAY TO THE
ORDER OF

City of Albuquerque

\$ 2,345.⁰⁰

Security Features Included

DOLLARS

MEMO

Ocotillo Plat Submittal

DUPLICATED
City of Albuquerque
Treasury Division
Donald H. Hoeh

11/21/2003 9:57AM LOC: AMN
00016289 WSH 007 TRANS 001

Account 441006 Fund 0110
Activity 4983000 15:15
Trans Amt \$2,345.00
J24 Misc \$2,270.00

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.50 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from Dec 2, 2003 To Dec 17, 2003

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.

Rebecca Leland Tugill
(Applicant or Agent) JMA

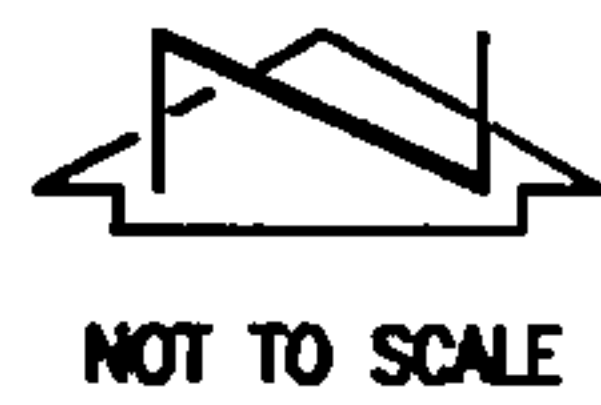
11/21/03
(Date)

I issued 4 signs for this application, 11/21/03, JMA
(Date) (Staff Member)

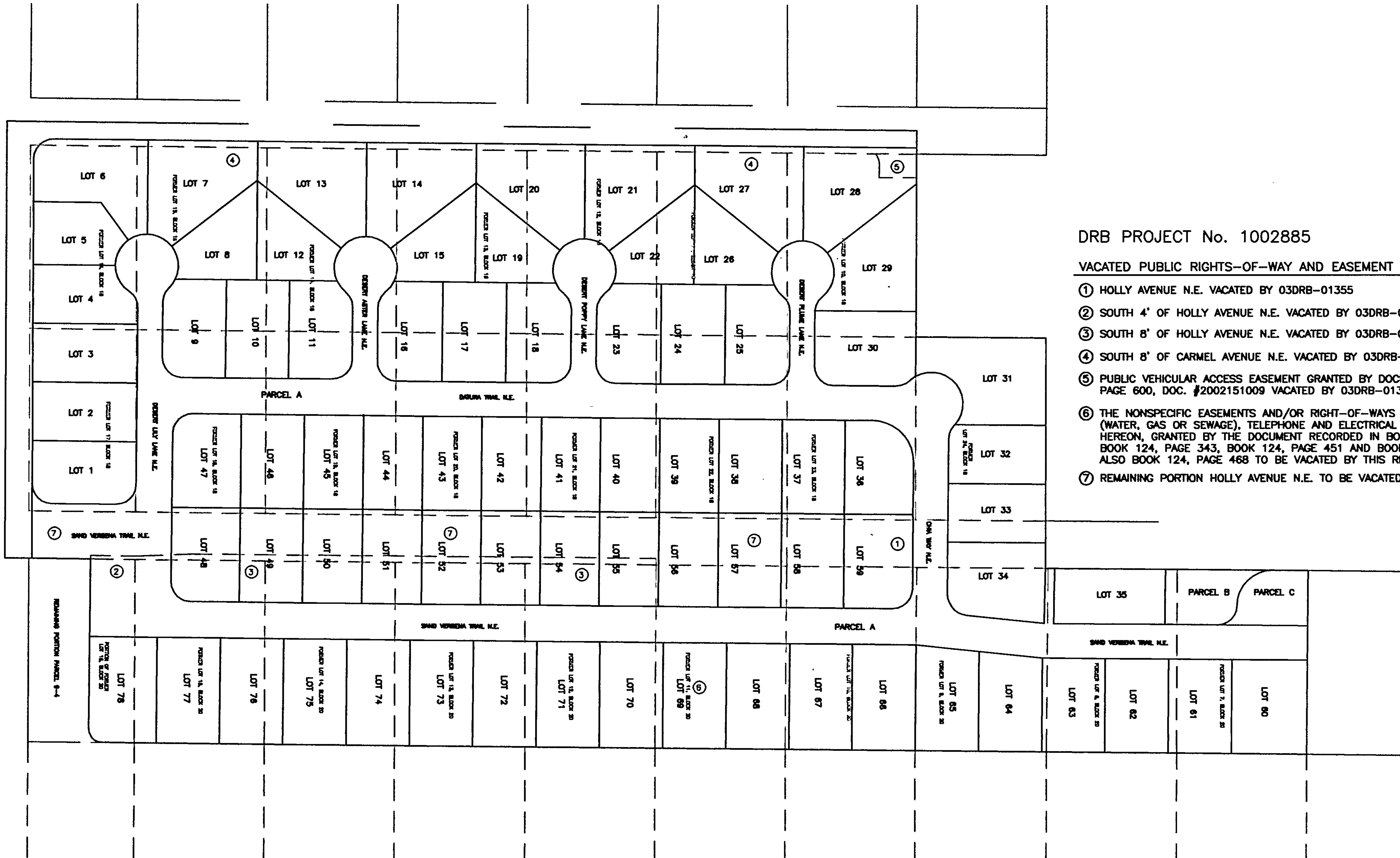
03 DRB

01980
01983

DRB PROJECT NUMBER: 100 2885



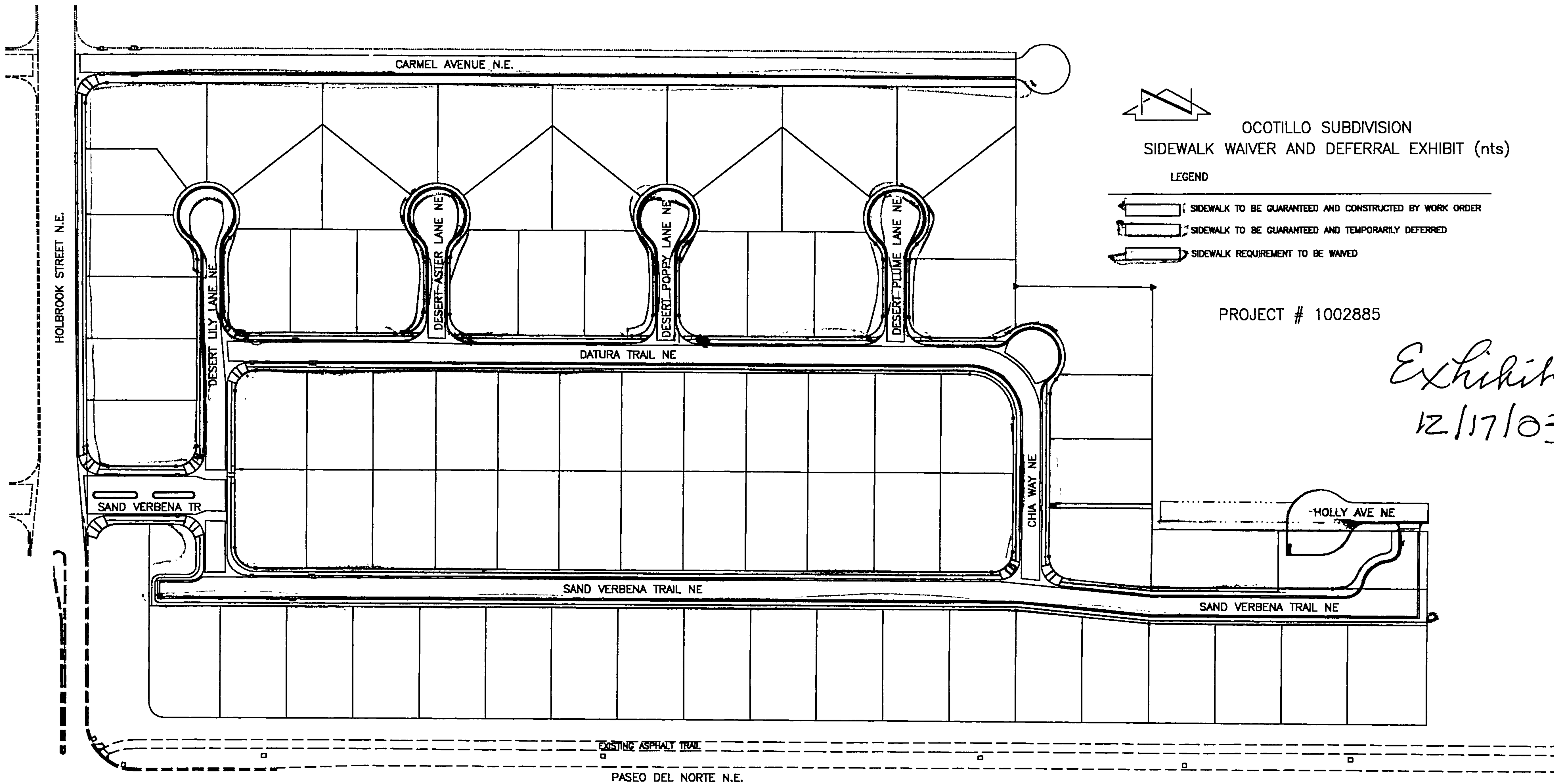
NOT TO SCALE



DRB PROJECT No. 1002885



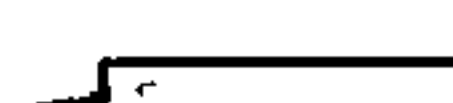
VACATED PUBLIC RIGHTS-OF-WAY AND EASEMENT

- ① HOLLY AVENUE N.E. VACATED BY 03DRB-01355
- ② SOUTH 4' OF HOLLY AVENUE N.E. VACATED BY 03DRB-01355
- ③ SOUTH 8' OF HOLLY AVENUE N.E. VACATED BY 03DRB-01355
- ④ SOUTH 8' OF CARMEL AVENUE N.E. VACATED BY 03DRB-01355
- ⑤ PUBLIC VEHICULAR ACCESS EASEMENT GRANTED BY DOCUMENT FILED 11-18-2002, BOOK A45, PAGE 600, DOC. #2002151009 VACATED BY 03DRB-01356
- ⑥ THE NONSPECIFIC EASEMENTS AND/OR RIGHT-OF-WAYS FOR ROAD AND/OR PIPELINE PURPOSES (WATER, GAS OR SEWAGE), TELEPHONE AND ELECTRICAL ENERGY AFFECTING THE PROPERTIES PLATTED HEREON, GRANTED BY THE DOCUMENT RECORDED IN BOOK 132, PAGE 249, BOOK 132, PAGE 270, BOOK 124, PAGE 343, BOOK 124, PAGE 451 AND BOOK 124, PAGE 134 VACATED BY 03DRB-01356, ALSO BOOK 124, PAGE 468 TO BE VACATED BY THIS REQUEST (03DRB-01981)
- ⑦ REMAINING PORTION HOLLY AVENUE N.E. TO BE VACATED BY THIS REQUEST (03DRB-01980)



OCOTILLO SUBDIVISION
 SIDEWALK WAIVER AND DEFERRAL EXHIBIT (nts)

LEGEND

-  SIDEWALK TO BE GUARANTEED AND CONSTRUCTED BY WORK ORDER
-  SIDEWALK TO BE GUARANTEED AND TEMPORARILY DEFERRED
-  SIDEWALK REQUIREMENT TO BE WAVED

PROJECT # 1002885

Exhibit C
12/17/03

#12 #13

468
(55806)

FIRST TITLE GUARANTEE AND TRUST COMPANY
TO
BAYLESS HESTER and ALICE HESTER

Contract Number 258 (5023)
Dated April 17th 1931
NORTH ALBUQUERQUE ACRES
NORINS REALTY CO. INC.

STATE OF NEW MEXICO
County of Bernalillo

I hereby certify that this instrument was filed for record on the 30th day of June 1931 at 9:00 A.M. and was duly recorded in Book 124 of Deeds and Conveyances, page 468 on the 1st day of July 1931.

Mrs. Will Rogers
Probate Clerk and Ex-Officio Recorder.
Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Made this 25th day of March 1931

between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain warranty deed made and executed the 30th day of December, 1930, between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantee and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 117 at Page 45 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 12th, 1931, and its part execution of the trust reposed in this grantor, the party of the first part, in said deed, and

BAYLESS HESTER and ALICE HESTER, as joint Tenants, of Oakland, California,

the part 108 of the second part;

WITNESSETH That the party of the first part, for and in consideration of the sum of \$100, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the part 108 of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, conveyed, released and confirmed, and by these presents does remise, convey, release and confirm unto the part 108 of the second part, their heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing TWO (2) acres, of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of Lots 11 and 22, in Block 20, Tract 3, Unit 1, as per map recorded March 25th, 1931, in Book 2, page 108, of Map Book, County of Bernalillo, State of New Mexico,

24 copies of the document to be vacated

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for pipe-line purposes, also the right to build, construct and maintain and operate a telephone line or lines; and subject to all easements of the United States Government, as contained in the original patent from the United States of America; and

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing; any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while striving, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the part 108 of the second part, their heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereunto duly authorized, the day and year first above written:

ATTEST: FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee.
By M. B. Norment, President.

F. P. Edgerton (Corporate Seal) Secretary.

STATE OF NEW MEXICO
County of Bernalillo

On this Sixteenth day of May 1931, before me, personally appeared M. B. Norment

to me personally known, who being by me duly sworn, did say that he is President of the FIRST TITLE GUARANTEE AND TRUST COMPANY, a New Mexico corporation, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed for behalf of said corporation by authority of its Board of Directors, and said M. B. Norment acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

William Roy
Notary Public in and for Bernalillo County, State of New Mexico.

My commission expires Feb. 15, 1933

(Notarial Seal)

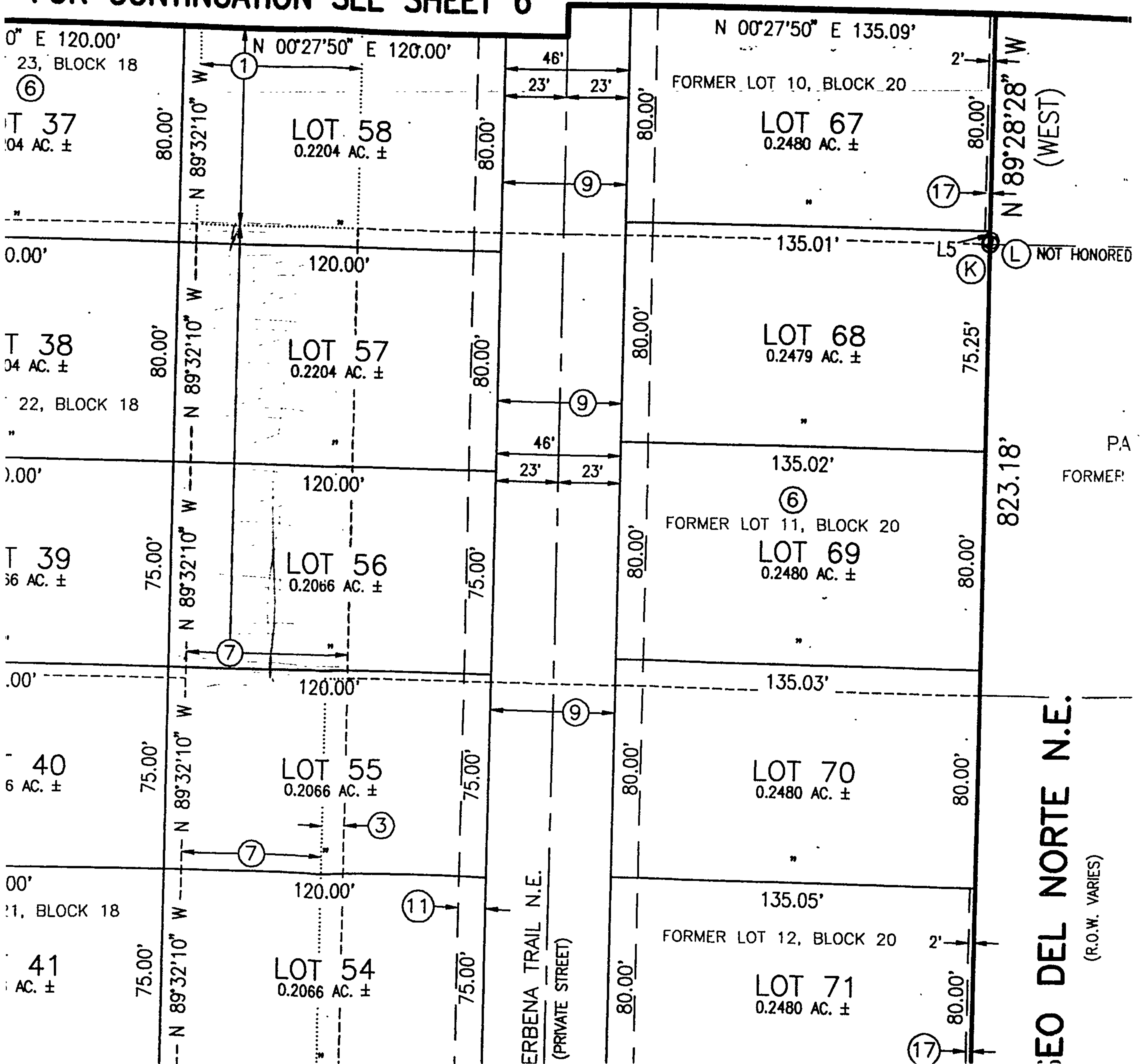
Exhibit B
12/17/03

ST
ION
EXICO

Exhibit B
12/17/03

COUNTY CLERK FILING

FOR CONTINUATION SEE SHEET 6



PRELIMINARY PLAT AND VACATION REQUEST

OCOTILLO SUBDIVISION

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

NOVEMBER, 2003

KEYED NOTES

VACATED PUBLIC RIGHTS-OF-WAY AND EASEMENT

-) HOLLY AVENUE N.E. VACATED BY 03DRB-01355
-) SOUTH 4' OF HOLLY AVENUE N.E. VACATED BY 03DRB-01355
-) SOUTH 8' OF HOLLY AVENUE N.E. VACATED BY 03DRB-01355
-) SOUTH 8' OF CARMEL AVENUE N.E. VACATED BY 03DRB-01355
-) PUBLIC VEHICULAR ACCESS EASEMENT GRANTED BY DOCUMENT FILED 11-18-2002, BOOK A45, PAGE 600, DOC. #2002151009 VACATED BY 03DRB-01356
-) THE NONSPECIFIC EASEMENTS AND/OR RIGHT-OF-WAYS FOR ROAD AND/OR PIPELINE PURPOSES (WATER, GAS OR SEWAGE), TELEPHONE AND ELECTRICAL ENERGY AFFECTING THE PROPERTIES PLATTED HEREON, GRANTED BY THE DOCUMENT RECORDED IN BOOK 132, PAGE 249, BOOK 132, PAGE 270, BOOK 124, PAGE 343, BOOK 124, PAGE 451 AND BOOK 124, PAGE 134 VACATED BY 03DRB-01356, ALSO BOOK 124, PAGE 468 TO BE VACATED BY THIS REQUEST (03DRB-_____)
-) REMAINING PORTION HOLLY AVENUE N.E. TO BE VACATED BY THIS REQUEST (03DRB-_____)

NEW EASEMENTS

- 3) PRIVATE ACCESS, PRIVATE STORM DRAINAGE, AND CITY OF ALBUQUERQUE PUBLIC WATER AND PUBLIC SANITARY SEWER EASEMENTS GRANTED BY THIS PLAT. MAINTENANCE OF THE PRIVATE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE OCOTILLO SUBDIVISION HOMEOWNERS ASSOCIATION.
- 9) PRIVATE ACCESS, AND CITY OF ALBUQUERQUE PUBLIC STORM DRAINAGE, PUBLIC WATER AND PUBLIC SANITARY SEWER EASEMENTS GRANTED BY THIS PLAT. MAINTENANCE OF THE PRIVATE EASEMENT SHALL BE THE RESPONSIBILITY OF THE OCOTILLO SUBDIVISION HOMEOWNERS ASSOCIATION.
- 0) CITY OF ALBUQUERQUE PUBLIC STORM DRAINAGE EASEMENT GRANTED BY THIS PLAT.
- 1) 10' PUBLIC UTILITY EASEMENT GRANTED BY THIS PLAT
- 2) CITY OF ALBUQUERQUE PUBLIC WATER LINE EASEMENT GRANTED BY THIS PLAT
- 3) 25' CITY OF ALBUQUERQUE PUBLIC STORM DRAINAGE EASEMENT GRANTED BY THIS PLAT
- 4) TEMPORARY PUBLIC VEHICULAR EASEMENT GRANTED BY THIS PLAT UNTIL SUCH TIME THAT HOLLY AVENUE N.E. IS VACATED AND/OR RELOCATED TO THE EAST OF PROPOSED OCOTILLO SUBDIVISION VIA THE STANDARD VACATION AND PLATTING PROCESS OF THE DEVELOPMENT REVIEW BOARD OF THE CITY OF ALBUQUERQUE.
- 5) TEMPORARY PUBLIC DRAINAGE EASEMENT GRANTED BY THIS PLAT TO CONVEY PUBLIC RUNOFF TO THE PUBLIC STORM DRAINAGE SYSTEM WITHIN PARCEL A UNTIL SUCH TIME THAT HOLLY AVENUE N.E. IS VACATED AND/OR RELOCATED TO THE EAST OF PROPOSED OCOTILLO SUBDIVISION VIA THE STANDARD VACATION AND PLATTING PROCESS OF THE DEVELOPMENT REVIEW BOARD OF THE CITY OF ALBUQUERQUE.



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

9-18-2003

4. Project # 1002885

03DRB-01355 Major-Vacation of Pub Right-of-Way
03DRB-01354 Minor-Sketch Plat or Plan
03DRB-01356 Major-Vacation of Public Easements

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) 10-24, Block(s) 18 and Lot(s) 7-10 and 12-15, Block(s) 20, Unit(s) 3, (NORTH ALBUQUERQUE ACRES, TRACT 3) **OCOTILLO SUBDIVISION**, zoned RD, (4 DU/A), located on HOLBROOK ST NE, CARMEL AVE NE and HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE NE, containing approximately 24 acre(s). [REF: 02EPC-01353] *[Deferred from 9/10/03] (C-21).*

At the September 17, 2003, Development Review Board meeting, the Vacation of Public Right-of-Way was approved as shown on Exhibit B in the Planning file, subject to these provisions and conditions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.



**OFFICIAL NOTICE OF DECISION
PAGE 2**

CONDITIONS:

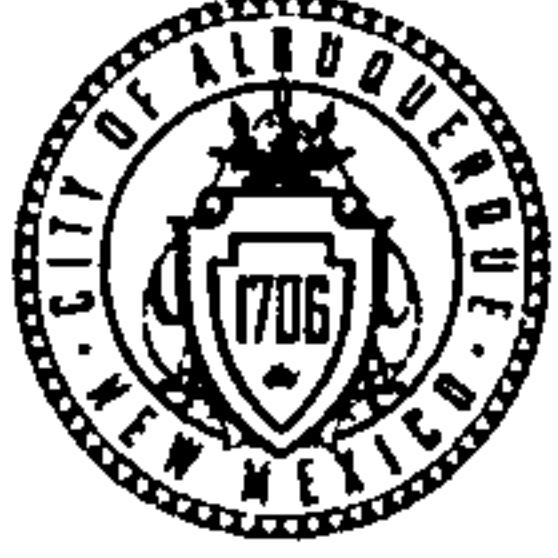
1. A drainage report addressing off-site drainage in Holly shall be approved prior to Preliminary Plat approval.
2. A turnaround shall be provided at the east and west terminus of Holly.
3. Corridors shall be provided for public water and sewer lines at Holly west of the proposed subdivision.
4. Cross sections and design elevations showing building materials and colors of perimeter walls shall be approved prior to preliminary plat approval.

The Vacation of Public Easements was approved as shown on Exhibit B in the Planning file, subject to these provisions and conditions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

The sketch plat was reviewed and comments were given. (Sketch plats receive no official action, only comments)

If you wish to appeal this decision, you must do so by October 2, 2003, in the manner described below.

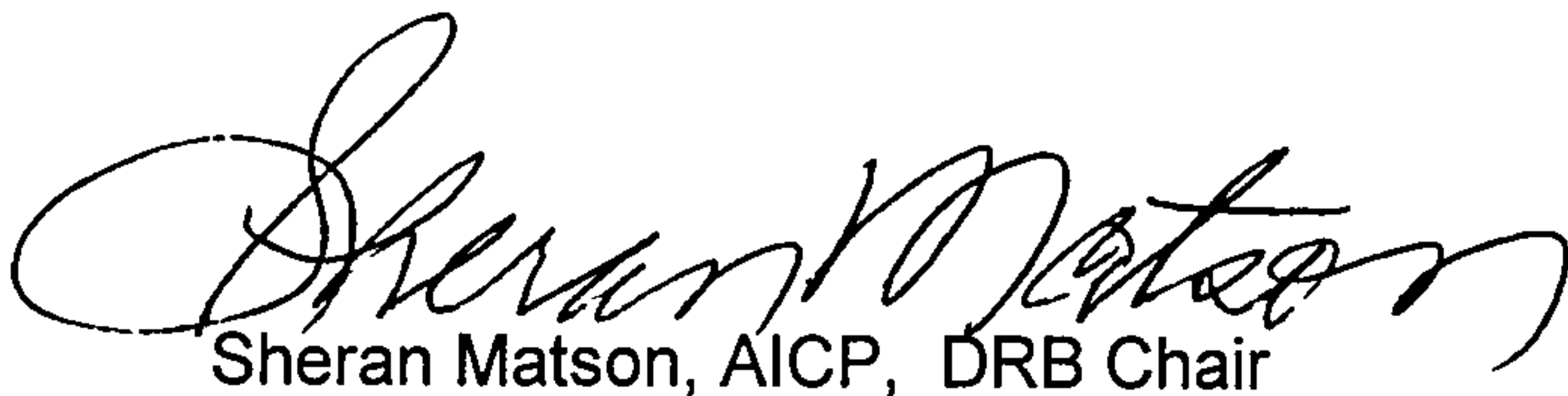


**OFFICIAL NOTICE OF DECISION
PAGE 3**

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 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.)



Sheran Matson, AICP, DRB Chair

Cc: Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite 601, 87122
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Pati Kamerman, 8609 Vineyard Ridge Rd NE, 87122
Brett Kamerman, ReBack Corp., 310 Montero Ave, Newport Beach, CA 92681
Susan Fox, P. O. Box 1888, 87103
Catherine Rowe, 332 Montclair Dr NE, 87108
Don Hoech, 10525 Prestwick Dr NE, 87111
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: 1002885 AGENDA#: 4 DATE: 9.17.03

✓ 1. Name: PATI KAMERMANN Address: 8609 Vineyard Zip: 87122
Return Pl NE

✓ 2. Name: Susan Fox Address: PO Box 1888 ABQ Zip: 87103

3. Name: CATHERINE ROWE Address: 332 Montclair Zip: 87108 (notice only)
Dr. N.E.

4. Name: Graeme Means Address: 6010-B MIDWAY Zip: 87109
PARK BLVD NE

5. Name: Chuck Catala Address: " " Zip: 87109

6. Name: Dow Hoech Address: 10525 PRESTWICK Zip: 87111
DR NE

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: _____

1002885

~~Crystal~~

? Vacation Request exhibit

Brett
Kamerman

Lot 11 - ^{man} ~~man~~ ^{mans}

restricts value of lot

Susan Fox

- Written agreement between Desert Ridge & Rome
- Internal street built against property line of Rome's - part of agreement

portion of a plat, the Development Review Board may require that streets dedicated to a governmental entity in the original plat continue to be dedicated.

(D) The rights of any public or private utility, including drainage, existing prior to the replat, total or partial, of any plat are not affected by the replat unless an authorized representative of the utility involved agrees by signing the plat to have the rights modified or terminated.

(E) Amendment or vacation of all or a portion of a subdivision outside the municipal limits of the city, but within its platting and planning jurisdiction, requires approval of both the city and county.

(F) If a resubdivision or amendment of a previous plat would vacate public rights of way, the standards and process of division (B) of this section shall be followed as to the vacations of right of way. (74 Code, § 7-16-8A) (Ord. 11-1994)

§ 14-14-7-2 VACATION OF PUBLIC RIGHTS OF WAY, PRIVATE WAYS AND EASEMENTS.

(A) Rights of way, including public rights of way, private ways, and easements shown on recorded plats, may be vacated, that is, terminated, by recording a new subdivision plat or by plat amendment, as described in § 14-14-7-1 of this part. In addition, where nothing except vacation of public rights of way, private ways, and easements is proposed, it may be initiated by a request to vacate filed by either:

(1) The owners of a majority of the front footage of land abutting the proposed vacation; or

(2) The Planning Director, if he or she finds vacation likely to be in the public interest. A request to vacate shall be processed under the procedures of division (E) of this section in addition to the procedures relating to minor subdivision applications under Part 3 of this article.

(B) The vacation of public rights of way, private ways, or easements, whether by new plat, plat amendment, or request to vacate, shall be approved only when it is determined that:

(1) The public welfare is in no way served by retaining the way or easement; or

(2) There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation; and in addition to divisions (1) or (2) of this division (B):

(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

(C) In approving the vacation the Development Review Board may require that some or all of the public rights of way or easements be retained by the appropriate governmental entity as shown on the original plat.

(D) The Development Review Board may require that curb and gutter be placed, at the expense of the applicant, so as to effectively halt the vacated area's being used as public way. It may also be necessary to remodel or otherwise reconstruct existing public improvements in order to solve problems created by the vacation, and the Development Review Board may so require. Costs involved shall be borne by the applicant.

(E) Procedure.

(1) In all cases where public right of way, private ways, or easements are sought to be vacated, whether by new subdivision, plat amendment, or request to vacate, the following procedures shall be followed in addition to the procedures specified in Part 3 of this article; however, the following procedure may be eliminated for the requested vacation of private easements if the Planning Director is satisfied that all the benefitted and burdened parties are clearly and completely defined and all agree to the vacation.

(2) Notice and Request for Comment.

(a) The Planning Director shall mail letters to franchised utilities and to the owner of record of all lots adjacent to the right of way, private way, and/or easement to be vacated, informing them of the nature of the proposed vacation, and notifying them of the date, time, and place of the public hearing by the Development Review Board on the proposed vacation. For notifying property owners, the name and address of the owners shown in the records of the County Assessor shall be used.

(b) Prior to the hearing, the Planning Director shall request interested city departments and

COUNCIL BILL NO. ~~R-02-185~~ ENACTMENT NO. _____

SPONSORED BY: Brad Winter, by request

RESOLUTION

..t

SECTOR DEVELOPMENT PLAN AMENDMENT 02EPC-01355, AMENDING THE LA CUEVA SECTOR DEVELOPMENT PLAN TO INCORPORATE NEWLY ANNEXED PROPERTIES, LOTS 10-23, BLOCKS 19 & 20, TRACT 3, UNIT 3, AND LOTS 10-24, BLOCK 18 AND LOTS 3-30, BLOCK 20, TRACT 3, UNIT 1, NORTH ALBUQUERQUE ACRES AND ALL OF THE RIGHT-OF-WAY OF PASEO DEL NORTE INTO THE BOUNDARY OF THE PLAN; AND LIMITING LAND USES ON LOTS 10 - 16, BLOCK 20, TRACT 3, UNIT 3; ~~AND LIMITING ACCESS TO CARMEL NE FROM LOTS 10 - 16, BLOCK 19, TRACT 3, UNIT 3, NORTH ALBUQUERQUE ACRES, AND FROM LOTS 10 - 16, BLOCK 18, TRACT 3, UNIT 1, NORTH ALBUQUERQUE ACRES?~~

..b

WHEREAS, the City of Albuquerque originally adopted the La Cueva Sector Development Plan in June of 2000 through action on Council Resolution R-50, Enactment Number 65-2000; and WHEREAS, the Council has the authority to not only adopt but amend such a sector development plan; and

WHEREAS, the La Cueva Sector Plan was adopted as a land use control pursuant to the Comprehensive City Zoning Code; and

WHEREAS Exhibit 12 in the La Cueva Sector Development Plan and the text in Chapter 5, "ZONING" were adopted as an extension of the Zoning Code and its zone map; and

WHEREAS, on October 17, 2002, the Environmental Planning Commission, in its advisory role on land use and planning matters, recommended approval of an amendment to the La Cueva Sector Development Plan to the City Council; and

WHEREAS, the Environmental Planning Commission found the Sector Development Plan Amendment was not in conflict with any applicable plans including the Comprehensive Plan and the La Cueva Sector Development Plan; and

WHEREAS, the Environmental Planning Commission, in its advisory role on land use and planning matters, recommended approval of the establishment of RD and SU-2/Mixed Use zoning for the newly annexed area.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The La Cueva Sector Development Plan is amended. All maps of the La Cueva Sector Development Plan are amended to expand the boundaries of the plan area to incorporate the newly annexed area of Lots 10-23, Blocks 19 & 20, Tract 3, Unit 3, and Lots 10-24, Block 18 and Lots 3-30, Block 20, Tract 3, Unit 1, North Albuquerque Acres and all of the Right-of-Way of Paseo del Norte from Wyoming to the eastern edge of the municipal limits.

Section 2. The La Cueva Sector Development Plan, in its authority a land use control pursuant to the City's Comprehensive Zoning Code, is amended. Exhibit 12 in the Plan is amended to establish RD 4 DU/ACRE zoning for Lots 10-23, Block 19, Tract 3, Unit 3 and Lots 10-24, Block 18, Tract 3, Unit 1 and Lots 7-15, Block 20, Tract 3, Unit 1, North Albuquerque Acres; RD 6DU/ACRE zoning for Lots 3-6, Block 20, Tract 3, Unit 1, North Albuquerque Acres; and SU-2/ MIXED USE zoning for Lots 10-15, Block 20, Tract 3, Unit 3, North Albuquerque Acres. The La Cueva Sector Development is further amended by inserting the following new paragraph in Section 5.4.5 SU-2/Mixed Use after Paragraph 12 on page 30: 13. Land uses on Lots 10 through 16, Block 20, Tract 3, Unit 3, North Albuquerque Acres are limited to the following:

a. Permissive and Conditional uses of the R-1 Zone;

b. Office and Institutional uses of the O-1 Zone;

c. Small animal clinic and enclosed lodge with an outdoor play yard, provided a solid wall at least six feet in height is erected on the northern, eastern and western sides of the play yard. The La Cueva Sector Development Plan is further amended by inserting the following new subparagraph in Section 5.2 RD Zone on page 26 of the Plan: ~~For Lots 10 through 16, Block 19, Tract 3, Unit 3, North~~

any lot that is less than three quarters of an acre in size will not have access to Carmel NE.

Section 3. FINDINGS ACCEPTED. The following Sector Plan amendment findings are adopted by the City Council:

(A) This is a request for an amendment to the La Cueva Sector Development Plan for approximately 63 acres located at Paseo del Norte and Holbrook NE.

(B) The boundaries of the La Cueva Sector Development Plan currently extend east, mid-block between Ventura and Holbrook NE. The applicant is requesting to extend the boundaries of the Sector Plan further eastward to include the subject site.

(C) This request meets the goals of Policy 3a under the Rural designation of the Comprehensive Plan which calls for higher density areas to be controlled by lower ranking plans and site development plans.

(D) Expanding the boundaries of the La Cueva Sector Plan to include the subject site will ensure development and design guidance per the regulations of the plan.

(E) This request meets the goals of the La Cueva Sector Plan which calls for higher density residential and mixed use development within the Paseo del Norte Corridor. The applicant is proposing similar land uses on the subject site.

(F) R270-1980: The applicant has shown that the proposed zoning of the La Cueva Sector Plan is appropriate for the subject site because it will be more beneficial to the neighborhood, as articulated in the Comprehensive Plan and the La Cueva Sector Plan.

(G) According to Bernalillo County comments, the proposed uses and densities appear to be consistent with those established for these sites by the Bernalillo County Paseo del Norte/North Albuquerque Acres Sector Development Plan.

Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

X:\SHARE\Legislation\Fifteen\R-185fin.doc



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: 1002885

AGENDA ITEM NO: 4

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 vacation request with condition that a drainage report providing a drainage corridor be approved prior to preliminary plat approval.

RESOLUTION:

w/ conditions

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: September 17, 2003



外
外
外
外
外

**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

September 10, 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. Adjourned: 10:55 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 # 1000610**
03DRB-01359 Major-Two Year SIA
- MARK GOODWIN & ASSOCIATES, PA, agent(s) for DOS PIEDRAS, LLC, request(s) the above action(s) for all or a portion of Tract(s) 33-a-1-C-1, **TOWN OF ATRISCO GRANT, UNIT 8**, zoned SU-2 for C-2, located on 57th Street NW, between Ouray Rd NW and Miami Rd NW, containing approximately 3 acre(s). [REF: 02DRB-01101, DRB-98-3, DRB-94-87, DRB-94-185, Z-94-53 (H-11) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

2. **Project # 1001106**
03DRB-01358 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA, agent(s) for WESTCOR PROPERTIES, LLC, request(s) the above action(s) for all or a portion of Lot(s) 1-34, **ST. JOSEPH'S PLACE ADDITION**, zoned R-2, located on West Court PI NW, between Avalon Rd NW and Central Ave NW, containing approximately 4 acre(s). **(K-11) A TWO-YEAR EXTENSION OF THE SIA WAS APPROVED.**

3. **Project # 1000621**
03DRB-01353 Major-Vacation of
Public Easements

BOHANNAN HUSTON, INC. agent(s) for JOHN Q. HAMMONS REVOCABLE TRUST, request(s) the above action(s) for all or a portion of Tract(s) C, **GATEWAY SUBDIVISION**, zoned SU-2 special neighborhood zone, C-3, located on WOODWARD PL NE, between INTERSTATE-25 and LOMAS BLVD NE containing approximately 10 acre(s). [REF: DRB-97-466, 00DRB-00849 SK] **(J-15) THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1001523**
03DRB-01361 Major-Vacation of
Public Easements
03DRB-01360 Major-Preliminary Plat
Approval
03DRB-01362 Minor-Temp Defer
SDWK

MARK GOODWIN & ASSOCIATES, PA agent(s) for
UNSER - 98TH ST PARTNERSHIP request(s) the
above action(s) for all or a portion of Lot(s) 2,
LADERA INDUSTRIAL CENTER, zoned SU-1 for
light industrial, located on UNSER BLVD NW,
between 98th ST NW and LADERA DR NW containing
approximately 120 acre(s). [REF: AX-81-810, Z-81-49,
01EPC-01405, 02DRB-00518] [*Deferred from 9/10/03*]
(H-10) **DEFERRED AT THE AGENT'S REQUEST
TO 9/17/03.**

- Project # 1001523**
03DRB-01458 Minor-SiteDev Plan
Subd/EPC

MARK GOODWIN & ASSOCIATES, PA agent(s) for
UNSER - 98TH ST PARTNERSHIP request(s) the
above action(s) for all or a portion of Lot(s) 2,
LADERA INDUSTRIAL CENTER, zoned SU-1 for
light industrial, located on UNSER BLVD NW,
between 98th ST NW and LADERA DR NW containing
approximately 120 acre(s). [REF: AX-81-810, Z-81-49,
01EPC-01405, 02DRB-00518] [*Deferred from 9/10/03*]
[RUSSELL BRITO, EPC CASE PLANNER] (H-10)
**DEFERRED AT THE AGENT'S REQUEST TO
9/17/03.**

5. **Project # 1002883**
03DRB-01350 Major-Vacation of
Public Easements

MOLZEN-CORBIN & ASSOCIATES, agent(s) for
CITY OF ALBUQUERQUE, AVIATION DEPT.
request(s) the above action(s) for all or a portion of
Lot(s) A-1, Block(s) 11, Unit(s) A, **KNOB HEIGHTS**,
zoned R-3 residential zone, located on the west side
of WELLESLEY DR SE, between ANDERSON AVE
SE and ROSS AVE SE [REF:ZA-79-261, ZA-88-15](L-
16) **THE VACATION WAS APPROVED AS SHOWN
ON EXHIBIT B IN THE PLANNING FILE.**

6. **Project # 1002885**
03DRB-01355 Major-Vacation of Pub
Right-of-Way
03DRB-01354 Minor-Sketch Plat or
Plan
03DRB-01356 Major-Vacation of
Public Easements

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) 10-24,
Block(s) 18 and Lot(s) 7-10 and 12-15, Block(s) 20,
Unit(s) 3, (NORTH ALBUQUERQUE ACRES, TRACT
3) **OCOTILLO SUBDIVISION**, zoned RD, (4 DU/A),
located on HOLBROOK ST NE, CARMEL AVE NE
and HOLLY AVE NE, between ANAHEIM AVE NE
and PASEO DEL NORTE NE, containing
approximately 24 acre(s). [REF: 02EPC-01353]
[Deferred from 9/10/03] (C-21) **DEFERRED AT THE
AGENT'S REQUEST TO 9/17/03.**

7. **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,
8/20/03, 8/27/03 and 9/3/03] (A-10) **WITH THE
SIGNING OF THE INFRASTRUCTURE LIST DATED
9/10/03 AND APPROVAL OF THE GRADING PLAN
ENGINEER STAMP DATED 9/3/03 THE
PRELIMINARY PLAT WAS APPROVED WITH THE
FOLLOWING CONDITION OF FINAL PLAT:
CROSS SECTIONS AND DESIGN ELEVATIONS
SHOWING BUILDING MATERIALS AND COLORS
OF PERIMETER WALLS ARE REQUIRED. THE
TEMPORARY DEFERRAL OF CONSTRUCTION OF
SIDEWALK ON THE INTERIOR STREETS WAS
APPROVED AS SHOWN ON EXHIBIT C IN THE
PLANNING FILE.**

8. **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]* (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 9/24/03.**

- 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 and 9/10/03]* (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 9/24/03.**

- 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 and 9/10/03]* (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 9/24/03.**

9. **Project # 1001939**
03DRB-00753 Major-Vacation of
Public Easements
03DRB-00752 Major-Preliminary Plat
Approval
03DRB-00788 Minor-Temp Defer
SDWK

WILSON & COMPANY INC agent(s) for WESTLAND DEVELOPMENT CO INC request(s) the above action(s) for all or a portion of Tract(s) A1B, **The Crossing** - Unit 2A, Tract A, **CIELO OESTE**, zoned R-D, located on GUNNISON PL NW, between UNSER BLVD NW and 98TH ST NW containing approximately 15 acre(s). [REF: 1000150, 1000207, 1000515, 1001939] [Deferred from 6/4/03, 6/18/03 AND 6/25/03 and 10/29/03] (H-9) **DEFERRED AT AGENT'S REQUEST TO 10/29/03.**

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.

10. **Project # 1002786**
03DRB-01075 Minor-SiteDev Plan
BldPermit

JIM MILLER - MILLER & ASSOCIATES, agent(s) for FIDELITY TRUST CO. request(s) the above action(s) for all or a portion of Lot(s) 1-3, Block(s) 5, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B**, zoned IP industrial park zone, located on SAN MATEO BLVD NE, between SAN DIEGO AVE NE and BEVERLY HILLS AVE NE containing approximately 3 acre(s). [REF: 01ZHE-01832] [Deferred from 7/9/03, 8/6/03 and 8/27/03] (B-18). **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND PLANNING FOR ENVIRONMENTAL HEALTH DEPARTMENT SIGNATURE. THE INFRASTRUCTURE LIST DATED 9/10/03 WAS APPROVED.**

- 03DRB-01457 Minor-Sketch Plat or
Plan

ADVANCED ENGINEERING & CONSULTING LLC agent(s) for FIDELITY TRUST CO request(s) the above action(s) for all or a portion of Lot(s) 1-3, Block(s) 5, **NORTH ALBUQUERQUE ACRES, TRACT A, UNIT B**, zoned SU-2, IP, located on BEVERLY HILLS AVE NW, between SAN MATEO BLVD NE and I-25 FRONTAGE RD NE containing approximately 3 acre(s). [REF: 03DRB-01075] (B-18) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS

THERE ARE NO MINOR PLATS THIS WEEK

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

THERE ARE NO SKETCH PLATS THIS WEEK

11. Other Matters: **PROJECT #1002377/03DRB-00418 Temp Deferral of Construction of Sidewalks. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

ADJOURNED: 10:55 A.M.



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: 1002885

AGENDA ITEM NO: 6

SUBJECT:

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

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the easement vacation request.
 An approved drainage report is required for Preliminary Plat approval.
 Vacation of Holly – condition: An approved drainage report addressing offsite runoff in Holly.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED X ⁹⁻¹⁷⁻⁰³; 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: September 10, 2003

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Development Review Board**

9/9/03 Supplemental Comments

ITEM# 6

PROJECT # 1002885

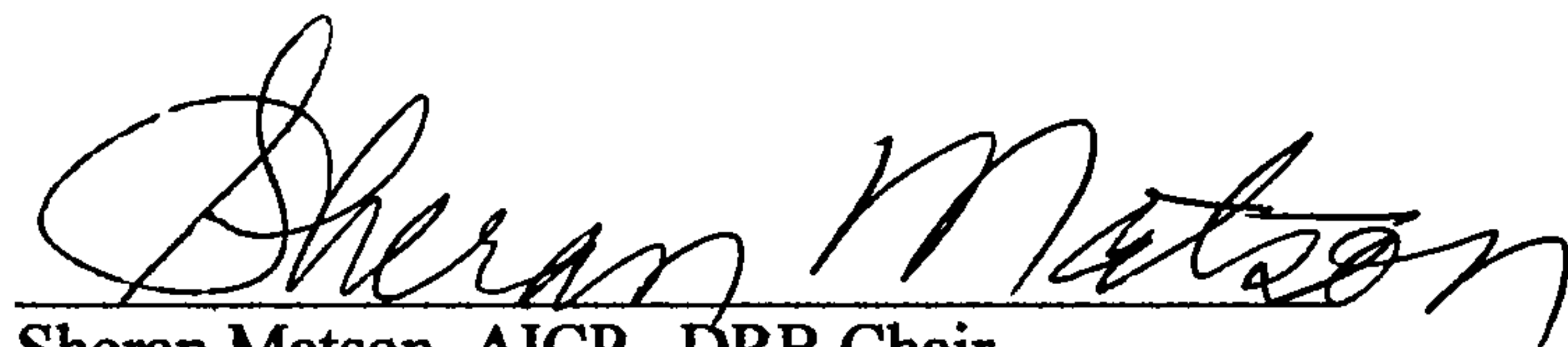
APPLICATION # 03DRB-01355, 01354, 01356

RE: Ocotillo Subdivision

*No separate
vacation*

This subdivision lies within the La Cueva Sector Plan boundaries expanded upon annexation of this property. As such, at least one through street is required in this subdivision per the plan requirements. See Section 6, Subdivision Regulations, 6.1.2, page 39 of the La Cueva Plan.

Because the lots planned within the subdivision are equal to or greater in size than lot size required for R-1 zoning, no site development plan for subdivision is required.



Sheran Matson, AICP DRB Chair

924-3880 Fax 924-3864

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 4804
CONNECTION TEL 93454254
SUBADDRESS
CONNECTION ID
ST. TIME 09/09 08:12
USAGE T 00'32
PGS. 2
RESULT OK



DEVELOPMENT REVIEW BOARD FAX FORM

TO: Debbie Trujillo
FAX NUMBER: 345-7254 # PAGES 1 add'l page
SENT BY: Sheran Matson, DRB Chair DATE: 9/9/03
PHONE NUMBER: 924-3880 FAX # 924-3864
PROJECT NO: 1002885 APPLICATION NO: _____

Additional Comments

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1002885 AGENDA#: 6 DATE: 9.10.03

✓ 1. Name: Brett Kamerman Address: ^{310 Montero Ave} Newport Beach CA Zip: 92661

✓ 2. Name: CATHERINE Rowe Address: ^{332 Montclair Dr NE} A10. N.M 87108 Zip: 87108 notice only

✓ 3. Name: SUSAN FOX Address: P.O. Box 1888 Zip: 87103

✓ 4. Name: Graeme Mearns Address: ^{6010-B} MIDWAY PARK NE Zip: 87109

✓ 5. Name: Chuck Cala Address: ^{6010-B} MIDWAY PK NE Zip: 87109

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 REVIEW BOARD

September 10, 2003

Project # 1002885

03DRB-01355 Major-Vacation of Pub Right-of-Way
03DRB-01354 Minor-Sketch Plat or Plan
03DRB-01356 Major-Vacation of Public Easements

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) 10-24, Block(s) 18 and Lot(s) 7-10 and 12-15, Block(s) 20, Unit(s) 3, (NORTH ALBUQUERQUE ACRES, TRACT 3) **OCOTILLO SUBDIVISION**, zoned RD, (4 DU/A), located on HOLBROOK ST NE, CARMEL AVE NE and HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE NE, containing approximately 24 acre(s). [REF: 02EPC-01353] (C-21)

AMAFCA No objection to requested actions. AMAFCA will sign the final plat.

COG No adverse comments.

Transit No comments received.

Zoning Enforcement Reviewed, no comment.

Neighborhood Coor.

Letter sent to North Albuquerque Acres (R) Neighborhood Assn.

APS No comments received.

Police Department

A review of following case(s) indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur. Traffic volume, traffic control devices, burglaries, lighting issues, maintenance of landscaping, need for a neighborhood association

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

PNM Gas

Approves.

PNM Electric

PNM has no objection to the vacation of the road and access easements.

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

An approved drainage report is required for Preliminary Plat approval. No objection to vacation of public easements but Hydrology will reserve comment on vacation of public R/W until the hearing

Transportation Development

A turnaround is needed at the east and west terminus of Holly. No objection to the vacation of right-of-way. Refer to the agencies having interest in the easements for comments on those vacation actions. The standard street improvements are required on an infrastructure list. A traffic distribution layout is needed.

Parks & Recreation

Defer to the affected agencies regarding vacations. Sketch Plat- This request will be subject to the following requirements of the City Park Dedication and Development Ordinance:

Prior to sign-off on the final plat, a fee in-lieu of and equal to the value of the required park land dedication for 69 new residential lots will be required. The fee will be based on an estimate of land value to be provided by the City Real Property office. Alternatively, the applicant may submit current appraisal information mutually acceptable to the applicant and the City.

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

Utilities Development

No objection to Vacation requests with the condition that corridors be provided for public water and sewer lines at Holly west of the proposed subdivision. See Availability Statement dated August 29, 2003.

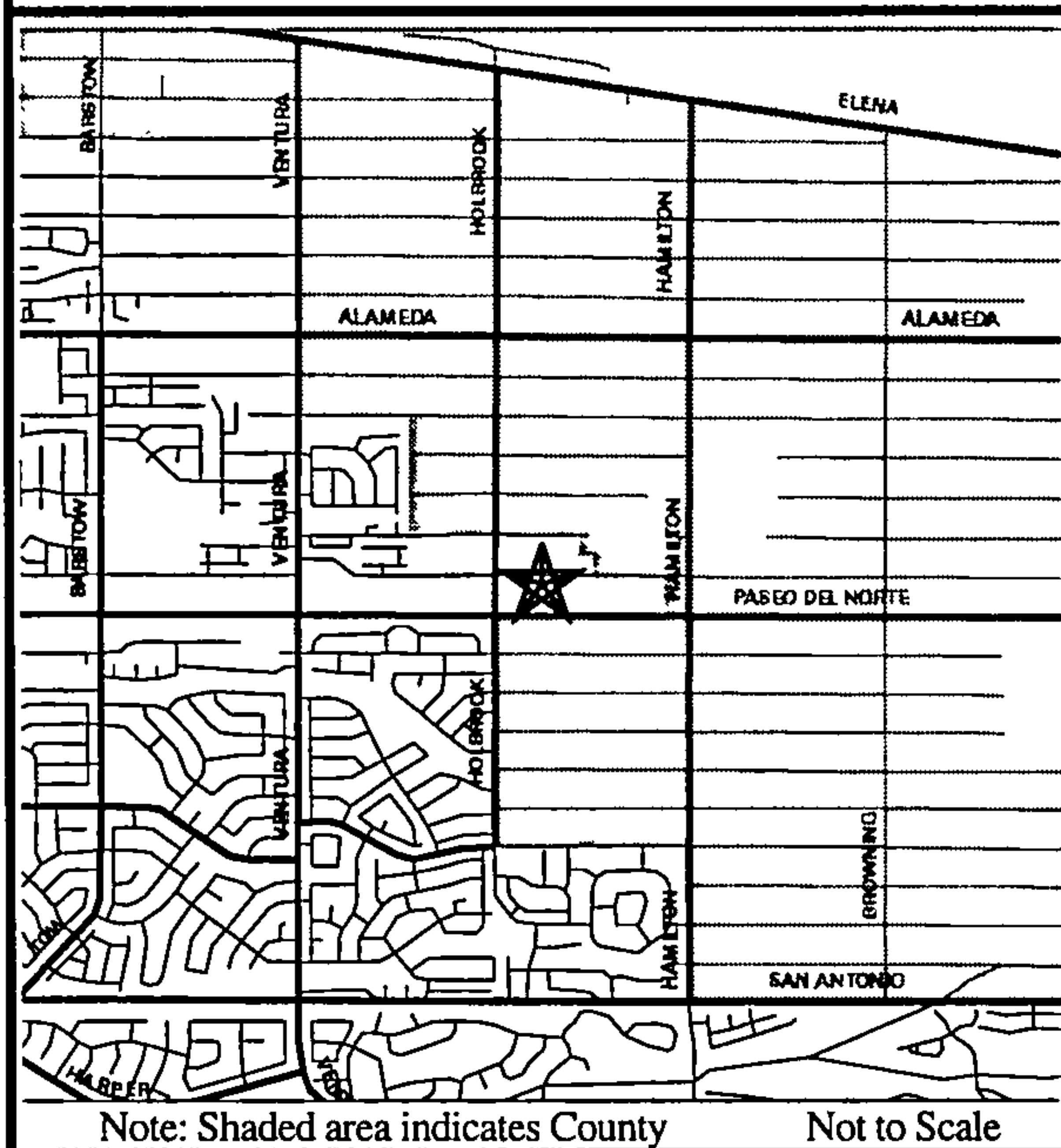
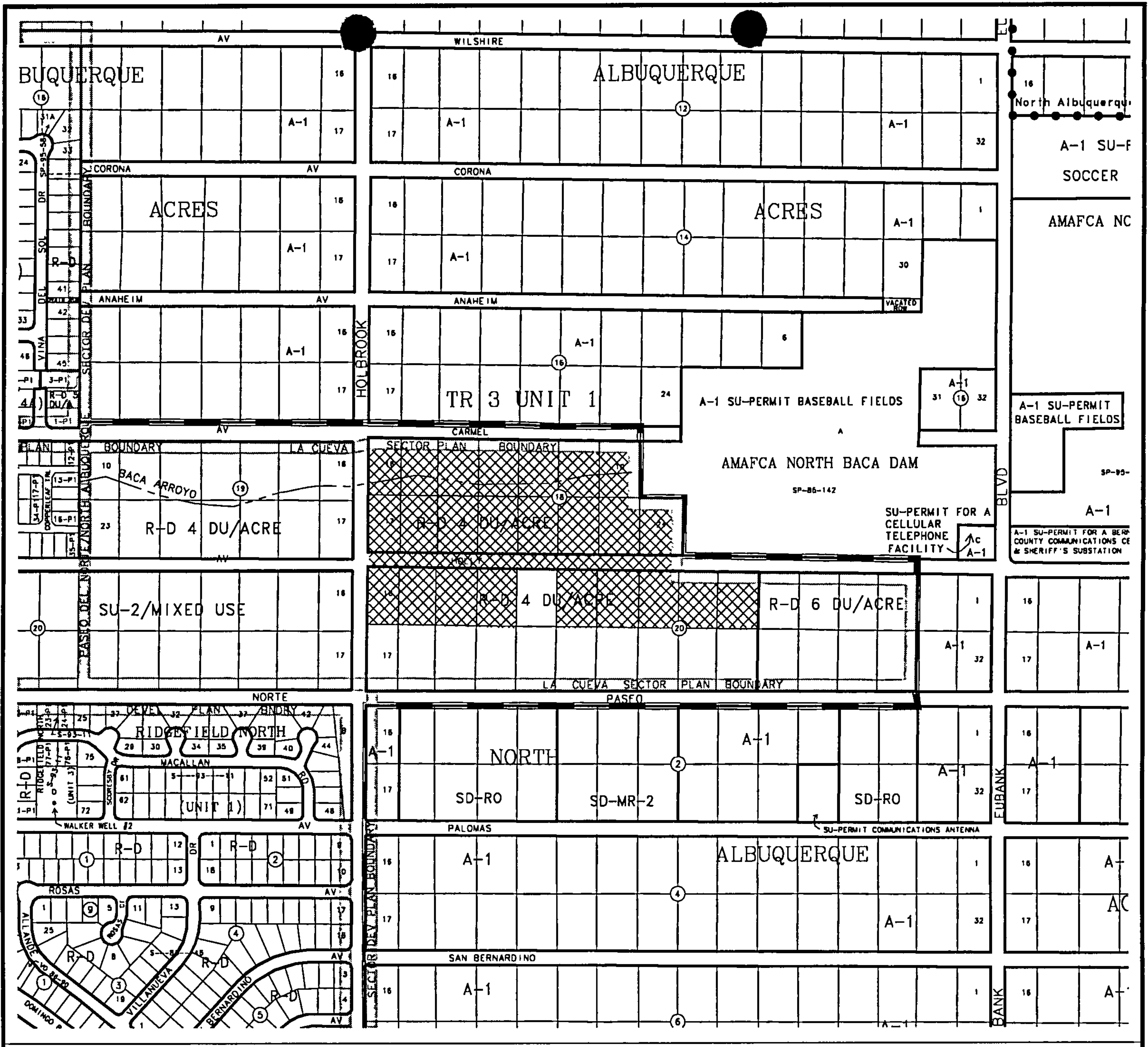
Planning Department

Applicant should submit one color copy of the vacation request for Planning's files. Defer to Transportation on the vacation requests.

For your information, DRB is now requiring as a condition of approval of final plats for major residential subdivisions, elevations & cross sections showing design of perimeter walls. For ideas on what the City is looking for, see Urban Design Series III, Design of Subdivision Access & Perimeter Walls for Arterial & Collector Streets, a publication available from Planning's Publications desk. Planning will require 3 copies of the elevations & cross sections.

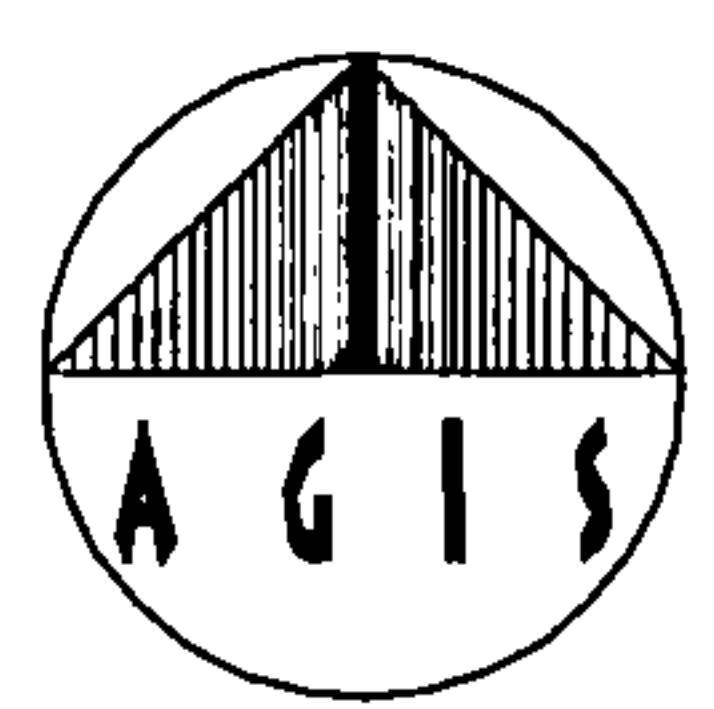
IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

cc:Desert Ridge Development LLC, 8300 Carmel Ave NE, Suite #601, 87122
Jeff Mortensen & Associates, 6010-B Midway Park Blvd NE, 87109



Note: Shaded area indicates County Not to Scale

ZONING MAP



Scale 1"= 584'

PROJECT NO. 1002885
HEARING DATE 9-10-03
MAP NO. C-21
ADDITIONAL CASE NUMBER(S) 03DRB-01354 03DRB-01355 03DRB-01356



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

PAGE 2

Project # 1002885

03DRB-01355 Major-Vacation of Pub Right-of-Way

03DRB-01354 Minor-Sketch Plat or Plan

03DRB-01356 Major-Vacation of Public Easements

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) 10-24, Block(s) 18 and Lot(s) 7-10 and 12-15, Block(s) 20, Unit(s) 3, (NORTH ALBUQUERQUE ACRES, TRACT 3, **OCOTILLO SUBDIVISION**, zoned RD, 4 DU/A), located on HOLBROOK ST NE, CARMEL AVE NE and HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE NE, containing approximately 24 acre(s). [REF: 02EPC-01353] (C-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 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 25, 2003.



**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, September 10, 2003, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1000610
03DRB-01359 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA, agent(s) for DOS PIEDRAS, LLC, request(s) the above action(s) for all or a portion of Tract(s) 33-a-1-C-1, **TOWN OF ATRISCO GRANT, UNIT 8**, zoned SU-2 for C-2, located on 57th Street NW, between Ouray Rd NW and Miami Rd NW, containing approximately 3 acre(s). [REF: 02DRB-01101, DRB-98-3, DRB-94-87, DRB-94-185, Z-94-53 (H-11)]

Project # 1001106
03DRB-01358 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA, agent(s) for WESTCOR PROPERTIES, LLC, request(s) the above action(s) for all or a portion of Lot(s) 1-34, **ST. JOSEPH'S PLACE ADDITION**, zoned R-2, located on West Court Pl NW, between Avalon Rd NW and Central Ave NW, containing approximately 4 acre(s). (K-11)

Project # 1000621
03DRB-01353 Major-Vacation of Public Easements

BOHANNAN HUSTON, INC. agent(s) for JOHN Q. HAMMONS REVOCABLE TRUST, request(s) the above action(s) for all or a portion of Tract(s) C, **GATEWAY SUBDIVISION**, zoned SU-2 special neighborhood zone, C-3, located on WOODWARD PL NE, between INTERSTATE-25 and LOMAS BLVD NE containing approximately 10 acre(s). [REF: DRB-97-466, 00DRB-00849 SK] (J-15)

Project # 1001523
03DRB-01361 Major-Vacation of Public Easements
03DRB-01360 Major-Preliminary Plat Approval
03DRB-01362 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES, PA agent(s) for UNSER - 98TH ST PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 2, **LADERA INDUSTRIAL CENTER**, zoned SU-1 for light industrial, located on UNSER BLVD NW, between 98th ST NW and LADERA DR NW containing approximately 120 acre(s). [REF: AX-81-810, Z-81-49, 01EPC-01405, 02DRB-00518] (H-10)

Project # 1002883
03DRB-01350 Major-Vacation of Public Easements

MOLZEN-CORBIN & ASSOCIATES, agent(s) for CITY OF ALBUQUERQUE, AVIATION DEPT. request(s) the above action(s) for all or a portion of Lot(s) A-1, Block(s) 11, Unit(s) A, **KNOB HEIGHTS**, zoned R-3 residential zone, located on the west side of WELLESLEY DR SE, between ANDERSON AVE SE and ROSS AVE SE [REF:ZA-79-261, ZA-88-15](L-16)

SEE PAGE 2



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

PAGE 2

Project # 1002885

03DRB-01355 Major-Vacation of Pub Right-of-Way

03DRB-01354 Minor-Sketch Plat or Plan

03DRB-01356 Major-Vacation of Public Easements

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) 10-24, Block(s) 18 and Lot(s) 7-10 and 12-15, Block(s) 20, Unit(s) 3, (NORTH ALBUQUERQUE ACRES, TRACT 3, OCOTILLO SUBDIVISION, zoned RD, 4 DU/A), located on HOLBROOK ST NE, CARMEL AVE NE and HOLLY AVE NE, between ANAHEIM AVE NE and PASEO DEL NORTE NE, containing approximately 24 acre(s). [REF: 02EPC-01353] (C-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 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 25, 2003.



**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, September 10, 2003**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1000610

03DRB-01359 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA, agent(s) for DOS PIEDRAS, LLC, request(s) the above action(s) for all or a portion of Tract(s) 33-a-1-C-1, **TOWN OF ATRISCO GRANT, UNIT 8**, zoned SU-2 for C-2, located on 57th Street NW, between Ouray Rd NW and Miami Rd NW, containing approximately 3 acre(s). [REF: 02DRB-01101, DRB-98-3, DRB-94-87, DRB-94-185, Z-94-53 (H-11)]

Project # 1001106

03DRB-01358 Major-Two Year SIA

MARK GOODWIN & ASSOCIATES, PA, agent(s) for WESTCOR PROPERTIES, LLC, request(s) the above action(s) for all or a portion of Lot(s) 1-34, **ST. JOSEPH'S PLACE ADDITION**, zoned R-2, located on West Court Pl NW, between Avalon Rd NW and Central Ave NW, containing approximately 4 acre(s). (K-11)

Project # 1000621

03DRB-01353 Major-Vacation of Public Easements

BOHANNAN HUSTON, INC. agent(s) for JOHN Q. HAMMONS REVOCABLE TRUST, request(s) the above action(s) for all or a portion of Tract(s) C, **GATEWAY SUBDIVISION**, zoned SU-2 special neighborhood zone, C-3, located on WOODWARD PL NE, between INTERSTATE-25 and LOMAS BLVD NE containing approximately 10 acre(s). [REF: DRB-97-466, 00DRB-00849 SK] (J-15)

Project # 1001523

03DRB-01361 Major-Vacation of Public Easements
03DRB-01360 Major-Preliminary Plat Approval
03DRB-01362 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES, PA agent(s) for UNSER - 98TH ST PARTNERSHIP request(s) the above action(s) for all or a portion of Lot(s) 2, **LADERA INDUSTRIAL CENTER**, zoned SU-1 for light industrial, located on UNSER BLVD NW, between 98th ST NW and LADERA DR NW containing approximately 120 acre(s). [REF: AX-81-810, Z-81-49, 01EPC-01405, 02DRB-00518] (H-10)

Project # 1002883

03DRB-01350 Major-Vacation of Public Easements

MOLZEN-CORBIN & ASSOCIATES, agent(s) for CITY OF ALBUQUERQUE, AVIATION DEPT. request(s) the above action(s) for all or a portion of Lot(s) A-1, Block(s) 11, Unit(s) A, **KNOB HEIGHTS**, zoned R-3 residential zone, located on the west side of WELLESLEY DR SE, between ANDERSON AVE SE and ROSS AVE SE [REF:ZA-79-261, ZA-88-15](L-16)

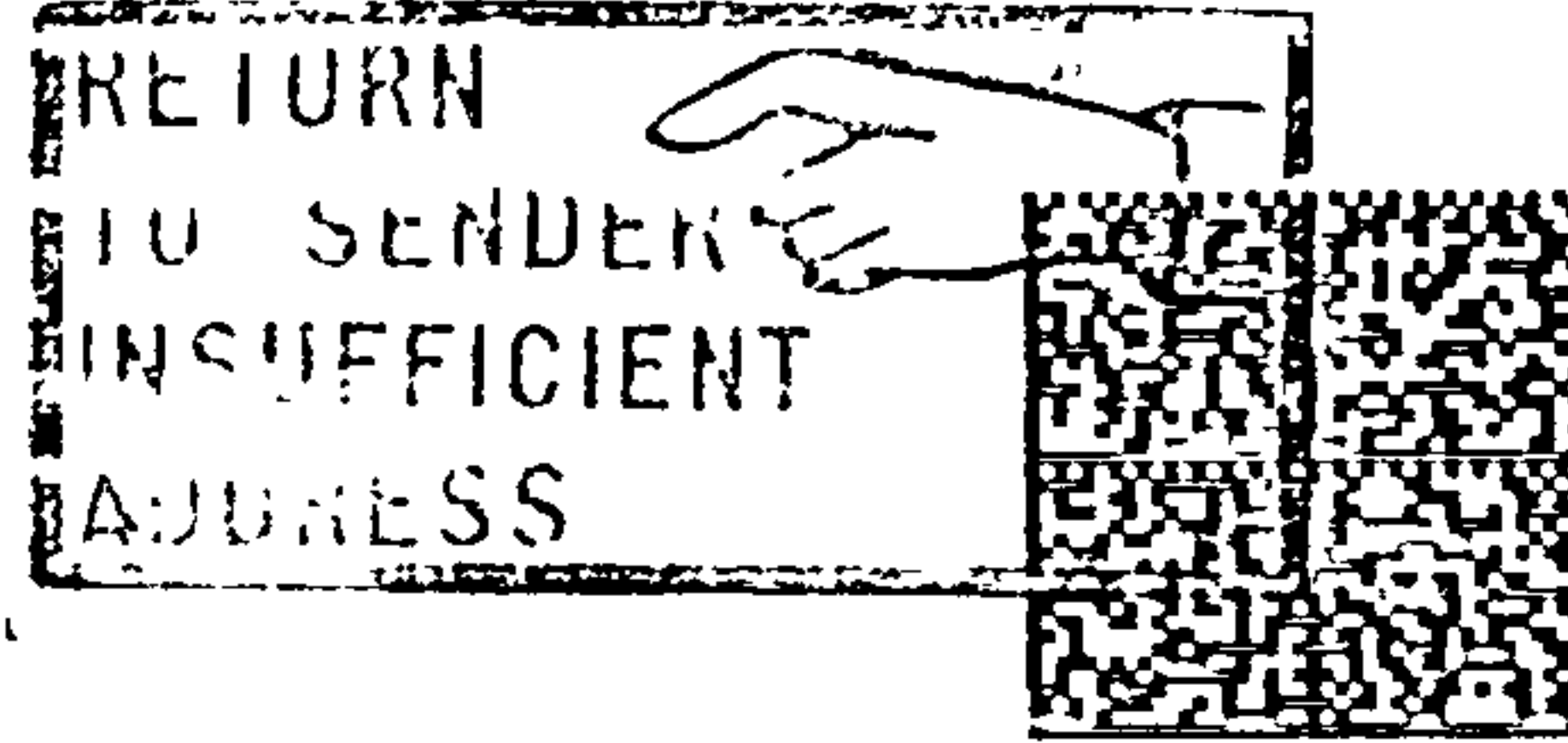
SEE PAGE 2



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

PLANNING DEPARTMENT



UNITED STATES POSTAGE
EAGLE
PENNY BOWLS
02 1A \$ 00.37⁰
0004329277 AUG 21 2003
MAILED FROM ZIP CODE 87102

102106400900830201

JARAMILLO RUPERT G & INELDA R
7112 PAN AMERICAN NE
ALBUQUERQUE NM 87109

100106400900830201

DRE

87167462291233



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT - DEVELOPMENT SERVICES DIVISION
PROPERTY OWNERSHIP LIST**

Meeting Date: 9-10-03

Zone Atlas Page: C-21-E

Notification Radius: 100 Ft.

App# <u>03DRB-01354</u>
Proj# <u>1002885</u>
Other# <u>03DRB-01355</u>
<u>03DRB-01356</u>

Cross Reference and Location: _____

Applicant: Desert Ridge Development, LLC ✓

Address: 8300 Cerrillos Ave NE, Ste # 601, 87122

Agent: Jeff Mortenson & Assoc. ✓

Address: 660-B Midway Park Blvd NE, 87109

SPECIAL INSTRUCTIONS

Notices Must be mailed from the
City 15 days prior to the meeting.

Date Mailed: Aug 21, 2003

Signature: K. Tseflos

PROPERTY OWNERSHIP / LEGAL LIST

App# _____
 Proj# _____

Date: _____

Page 1 / 2 Of 2

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
C-21	1021064	009-038	301-32	✓
		025-038	31	✓
		040-038	30	✓ Dnt
		057-038	29	✓ Dnt
		074-038	28	✓ Dnt
		090-038	27	✓
		109-038	26	✓ Dnt
		123-038	25	✓ Dnt
		140-038	24	✓ Dnt
		109-008	302-01	✓ Dnt
		025-008	02	✓ Dnt
		040-008	03	✓
		057-008	04	✓ Dnt
		074-008	05	✓
		090-008	06	✓ Dnt
		109-008	07	✓
		123-008	08	✓
		109-091	24	✓
		090-091	27	✓
				1021064 074-091 307 28 ✓
				057-091 29 ✓
				040-091 30 ✓
				025-091 31 ✓
				109-091 52 ✓
				156-038 301 23 ✓
				109-015 01 ✓
				025-015 02 ✓
				040-015 13 ✓
				057-015 04 ✓
				074-015 15 ✓
				090-015 04 ✓
				109-015 07 ✓
				123-015 08 ✓
				140-015 09 ✓
				172-015 11 ✓
				189-015 12 ✓
				189-038 21 ✓
				172-038 22 ✓

PROPERTY OWNERSHIP / LEGAL LIST

App# _____

Proj# _____

Date: _____

Page 2 Of 2

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address			
C-21	1021064	189-108	302-20	✓			
		123-120	303-08	✓			
		109-120	07	✓			
		090-120	04	✓			
		074-120	05	✓			
		057-120	04	✓			
		040-120	03	✓			
		025-120	02	✓			
		009-120	01	✓			
C-20	1020064	502-037	401-18	✓			
		508-044	402-15	✓ ml			
		517-044	16	✓ ml			
		517-090	17	✓ ml			
		508-090	18	✓ ml			
		502-120	403-15	✓			
		517-120	16	✓			
D-20	1020063	513-522	105-41	✓			
		505-524	40	✓			



<mainframe@coa1mp

3.cabq.gov>

08/19/03 03:13 PM

To:

cc:

Subject:

1 R E C O R D S W I T H L A B E L S PAGE
1
01021064 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0102106400903830132 LEGAL: * 01 6 02 0TRACT 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000
ALBUQUERQUE NM 87102
0102106402503830131 LEGAL: * 01 5 02 0TRACT 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: GARCIA EUGENE T AND TINA S & L
OWNER ADDR: 13204 HUGH GRAHAM NE
ALBUQUERQUE NM 87111
0102106404003830130 LEGAL: * 01 4 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106405703830129 LEGAL: * 01 3 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106407403830128 LEGAL: * 01 2 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: ROBERTS FRED C ETAL
OWNER ADDR: 01511 STANFORD DR NE
ALBUQUERQUE NM 87106
0102106409003830127 LEGAL: * 01 1 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: KAMERMAN PATI
OWNER ADDR: 08609 VINEYARD RIDGE RD NE
ALBUQUERQUE NM 87122
0102106410903830126 LEGAL: * 01 0 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: MANGANARO FAMILY PARTNERSHIP
OWNER ADDR: 01206 WEST RIVERSIDE DR
CARLSBAD NM 88220
0102106412303830125 LEGAL: * 00 9 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: MANGANARO FAMILY PARTNERSHIP
OWNER ADDR: 01206 WEST RIVERSIDE DR
CARLSBAD NM 88220
0102106414003830124 LEGAL: * 00 8 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES

LAND USE:

PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: MANGANARO FAMILY PARTNERSHIP
OWNER ADDR: 01206 WEST RIVERSIDE DR
CARLSBAD NM 88220
0102106400906830201 LEGAL: * 01 7 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JARAMILLO RUPERT G & INELDA R
OWNER ADDR: 07112 PAN AMERICAN NE
ALBUQUERQUE NM 87109
0102106402506830202 LEGAL: * 01 8 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JARAMILLO RUPERT G & INELDA R
OWNER ADDR: 07112 PAN AMERICAN NE
ALBUQUERQUE NM 87109
1 R E C O R D S W I T H L A B E L S PAGE
2
0102106404006830203 LEGAL: * 01 9 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: O'SULLIVAN BRENDAN T & SHEVAUN
OWNER ADDR: 00000
ALBUQUERQUE NM 87194
0102106405706830204 LEGAL: * 02 0 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: RITZ CAROL ANN & MICHAEL J
OWNER ADDR: 17033 NE 108TH WAY
REDMOND WA 98052
0102106407406830205 LEGAL: * 02 1 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 9801 HOLLY AVE NE
OWNER NAME: BEAUCHAMP MARTHA M
OWNER ADDR: 00520 16TH ST NW
ALBUQUERQUE NM 87104
0102106409006830206 LEGAL: * 02 2 01 8TRACT 3 UNIT 1 NORTH ALBUQ ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: RITZ MICHAEL & CAROL ANN
OWNER ADDR: 17033 NE 108TH WAY
REDMOND WA 98052
0102106410906830207 LEGAL: * 02 3 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: UPHILL THOMAS ETUX
OWNER ADDR: 13940 S W AZAELA CT
BEAVERTON OR 97005
0102106412306830208 LEGAL: * 02 4 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: JASPEG GENERAL PARTNERSHIP
OWNER ADDR: 05321 MENAUL BL NE
ALBUQUERQUE NM 87110
0102106410909130226 LEGAL: * 01 0 01 8TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:
PROPERTY ADDR: 00000 CARMEL AVE NE
OWNER NAME: FELTZ LOUIS V & ARLENE M
OWNER ADDR: 01106 SAN RAFAEL NE
ALBUQUERQUE NM 87122

ALBUQUERQUE NM 87102
0102106405701530104 LEGAL: * 02 0 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106407401530105 LEGAL: * 02 1 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106409001530106 LEGAL: * 02 2 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106410901530107 LEGAL: * 02 3 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106412301530108 LEGAL: * 02 4 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 LOS ANGELES DR NE
OWNER NAME: COUNTY OF BERNALILLO
OWNER ADDR: 02400 BROADWAY BL SE

ALBUQUERQUE NM 87102
1 R E C O R D S W I T H L A B E L S PAGE
4

0102106414001530109 LEGAL: * 02 5 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 LOS ANGELES DR NE
OWNER NAME: COUNTY OF BERNALILLO
OWNER ADDR: 02400 BROADWAY BL SE

ALBUQUERQUE NM 87102
0102106417201530111 LEGAL: * 02 7 02 0TR 3 UNIT 1 NORTH ALBUQ ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106418901530112 LEGAL: * 02 8 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 PASEO DEL NORTE NE
OWNER NAME: COUNTY OF BERNALILLO C/O COUNT
OWNER ADDR: 00000

ALBUQUERQUE NM 87102
0102106418903830121 LEGAL: * 00 5 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: ROWE FRANK A ETUX TRUSTEES
OWNER ADDR: 00332 MONTCLAIRE NE

ALBUQUERQUE NM 87108
0102106417203830122 LEGAL: * 00 6 02 0TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
LAND USE:

PROPERTY ADDR: 00000 HOLLY AVE NE
OWNER NAME: ROWE FRANK A ETUX TRUSTEES

OWNER ADDR: 00332 MONTCLAIRE NE
 ALBUQUERQUE NM 87108
 0102106418910830220 LEGAL: TR " A" A MAFCA NORTH BACA DAM CONT 27.0793 AC
 LAND USE:
 PROPERTY ADDR: 00000 N/A
 OWNER NAME: A M A F C A
 OWNER ADDR: 02600 PROSPECT NE

ALBUQUERQUE NM 87107
 0102106412312030308 LEGAL: * 02 4 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9951 CARMEL AVE NE
 OWNER NAME: STANFORD MICHAEL R & BACA MARI
 OWNER ADDR: 09951 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106410912030307 LEGAL: * 02 3 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 CARMEL AVE NE
 OWNER NAME: MAENCHEN JOHN & VICKI WILHELM
 OWNER ADDR: 00053 ROCK POINT PL NE

ALBUQUERQUE NM 87122
 0102106409012030306 LEGAL: * 02 2 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9851 CARMEL AVE NE
 OWNER NAME: FILE J D & SUSAN E
 OWNER ADDR: 09851 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106407412030305 LEGAL: * 02 1 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9801 CARMEL AVE NE
 OWNER NAME: JARVIS KEVIN A & LUWANDA K
 OWNER ADDR: 09801 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106405712030304 LEGAL: * 02 0 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9751 CARMEL AVE NE
 OWNER NAME: LIN SU-HSIEN & SUYI
 OWNER ADDR: 00801 OMAHA ST NE

ALBUQUERQUE NM 87123
 1 R E C O R D S W I T H L A B E L S PAGE
 5
 0102106404012030303 LEGAL: * 01 9 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9701 CARMEL AVE NE
 OWNER NAME: NELSON JOHN & MICKEY
 OWNER ADDR: 09701 CARMEL AV NE

ALBUQUERQUE NM 87122
 0102106402512030302 LEGAL: * 01 8 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9651 CARMEL AVE NE
 OWNER NAME: TURICIANO JOSEPH A ETUX
 OWNER ADDR: 06409 ROGERS NE

ALBUQUERQUE NM 87110
 0102106400912030301 LEGAL: * 01 7 01 6TR 3 UNIT 1 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 9601 CARMEL AVE NE
 OWNER NAME: TURICIANO JOSEPH A & MARIE E &
 OWNER ADDR: 02125 CANDELERO

SANTA FE NM 87505
 0102006450203740118 LEGAL: * 01 5 02 0NORTH ALBUQ ACRES UN3 TR3
 LAND USE:
 PROPERTY ADDR: 00000 HOLLY AVE NE

OWNER NAME: INTEGRATED CONTROL SYSTEMS INC
 OWNER ADDR: 04020 VASSAR NE

ALBUQUERQUE NM 87107
 0102006450206640215 LEGAL: * 01 8 01 9TRACT 3 UNIT 3 NORTH ALUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 HOLLY AVE NE
 OWNER NAME: VIGIL SANDRA M & PETE JR
 OWNER ADDR: 09300 HOLLY AV NE

ALBUQUERQUE NM 87122
 0102006451706640216 LEGAL: * 01 7 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 HOLLY AVE NE
 OWNER NAME: VIGIL SANDRA M & PETE JR
 OWNER ADDR: 09300 HOLLY AV NE

ALBUQUERQUE NM 87122
 0102006451709040217 LEGAL: * 01 6 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 CARMEL AVE NE
 OWNER NAME: VIGIL SANDRA M & PETE JR
 OWNER ADDR: 09300 HOLLY AV NE

ALBUQUERQUE NM 87122
 0102006450209040218 LEGAL: * 01 5 01 9TRACT 3 UNIT 3 NORTH ALBUQUERQUE ACRES
 LAND USE:
 PROPERTY ADDR: 00000 CARMEL AVE NE
 OWNER NAME: VIGIL SANDRA M & PETE JR
 OWNER ADDR: 09300 HOLLY AV NE

ALBUQUERQUE NM 87122
 0102006450212040315 LEGAL: * 01 8 01 8NORTH ALBUQ ACRES UN3 TR3
 LAND USE:
 PROPERTY ADDR: 00000 8315 HOLBROOK ST NE
 OWNER NAME: CHINISCI FRANK T & JEANETTE M
 OWNER ADDR: 08315 HOLBROOK ST NE

ALBUQUERQUE NM 87122
 0102006451712040316 LEGAL: * 01 7 01 8NORTH ALBUQ ACRES UN3 TR3
 LAND USE:
 PROPERTY ADDR: 00000 9511 CARMEL NE
 OWNER NAME: LUSADER PETER & PHYLLIS
 OWNER ADDR: 08323 HOLBROOK ST NE

ALBUQUERQUE NM 87122
 0102006351352210541 LEGAL: LT 4 3-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 LTS LAND USE:
 PROPERTY ADDR: 00000 9619 MACALLAN RD NE
 OWNER NAME: STALLS GARY R & OPAL L
 OWNER ADDR: 09619 MACALLAN RD NE

ALBUQUERQUE NM 87109
 1 R E C O R D S W I T H L A B E L S PAGE
 6

0102006350552610540 LEGAL: LT 4 2-P1 VAC & REPLAT OF N/2 OF PALOMAS AVE &
 LTS LAND USE:
 PROPERTY ADDR: 00000 9615 MACALLAN RD NE
 OWNER NAME: MEADOWS MICHAEL J & JOSEPHINE
 OWNER ADDR: 09615 MACALLAN RD NE

ALBUQUERQUE NM 87109

QUIT



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you have not 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 referral of your case.

Date: August 12, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
COMPANY/AGENCY: Jeff Mortensen + Assoc. Inc.
ADDRESS/ZIP: 6015 - Broadway, Park Blvd NE 87109
PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 8-12-03 (date) requesting the names of Recognized

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 10-24, Block 18, North Albuq Acres, Tract 3, Unit 1 and lots 7-10 + 12-16, Block 20, North Albuq Acres, Tract 3, zone map page(s) C-21 Unit 1.

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

<u>North Albuquerque Acres Comm.</u>	_____
Neighborhood Association	Neighborhood Association
Contacts: <u>Bonnie Harley</u>	Contacts: _____
<u>11071 Signal Ave NE</u>	_____
<u>8576 0051 (h+w) 87102</u>	_____
<u>Jackie McDowell</u>	_____
<u>7820 Beverly Hills Ave NE</u>	_____
<u>828 - 2430 (w) 87122</u>	_____

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 R. Carmona
OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

Attention: Both contacts per neighborhood association need to be notified.

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: 8-12-03 Time Entered: 3pm OCNC Re: Initials: OC

Project # 1002885

Desert Ridge Development, LLC
8300 Carmel Ave NE, Ste# 601
Albuquerque NM 87122

JACKIE McDOWELL
North Albuquerque Acres Comm. Assoc.
7820 BEVERLY HILLS AVE NE
ALBUQUERQUE NM 87122

102106404003830130

ROBERTS FRED C ETAL
1511 STANFORD DR NE
ALBUQUERQUE NM 87106

102106400906830201

JARAMILLO RUPERT G & INELDA R
7112 PAN AMERICAN NE
ALBUQUERQUE NM 87109

102106407406830205

BEAUCHAMP MARTHA M
520 16TH ST NW
ALBUQUERQUE NM 87104

102106412306830208

JASPEG GENERAL PARTNERSHIP
5321 MENAUL BL NE
ALBUQUERQUE NM 87110

102106404009130230

HALTOM B REID & E ANN
570 BLACK BEAR RD NE
ALBUQUERQUE NM 87122

102106418903830121

ROWE FRANK A ETUX TRUSTEES
332 MONTCLAIRE NE
ALBUQUERQUE NM 87108

102106410912030307

MAENCHEN JOHN & VICKI WILHEL
53 ROCK POINT PL NE
ALBUQUERQUE NM 87122

102106405712030304

LIN SU-HSIEN & SUYI
801 OMAHA ST NE
ALBUQUERQUE NM 87123

Project # 1002885

JEFF MORTENSEN & ASSOCIATES
6010-B MIDWAY PARK BLVD NE
ALBUQUERQUE NM 87109

102106400903830132

COUNTY OF BERNALILLO
C/O COUNTY MANAGER
ONE CIVIC PLAZA NW
ALBUQUERQUE NM 87103
102106409003830127

KAMERMAN PATI
8609 VINEYARD RIDGE RD NE
ALBUQUERQUE NM 87122

102106404006830203

SCHNOOR KENNETH A & BONNIE A
8300 CARMEL NE, # 6
ALBUQUERQUE NM 87122

102106409006830206

RITZ MICHAEL & CAROL ANN
17033 NE 108TH WAY
REDMOND WA 98052

102106410909130226

FELTZ LOUIS V & ARLENE M
1106 SAN RAFAEL NE
ALBUQUERQUE NM 87122

102106402509130231

DHARAS SALIM G & ROSEMIN S
3711 CENTRAL AV NE
ALBUQUERQUE NM 87108

102106418910830220

A M A F C A
2600 PROSPECT NE
ALBUQUERQUE NM 87107

102106409012030306

FILE J D & SUSAN E
9851 CARMEL AV NE
ALBUQUERQUE NM 87122

102106404012030303

NELSON JOHN & MICKEY
9701 CARMEL AV NE
ALBUQUERQUE NM 87122

BONNIE HARLEY
North Albuquerque Acres Comm. Assoc.
11201 SIGNAL AVE NE
ALBUQUERQUE NM 87122

102106402503830131

GARCIA EUGENE T AND TINA S &
13204 HUGH GRAHAM NE
ALBUQUERQUE NM 87111

102106410903830126

MANGANARO FAM. PARTNERSHIP
1206 WEST RIVERSIDE DR
CARLSBAD NM 88220

102106405706830204

RITZ CAROL ANN & MICHAEL J
17033 NE 108TH WAY
REDMOND WA 98052

102106410906830207

UPHILL THOMAS ETUX
13940 S W AZAELA CT
BEAVERTON OR 97005

102106409009130227

TRUJILLO PETE A ETUX ETAL
2808 VIOLA DR SW
ALBUQUERQUE NM 87105

102106400909130232

ULIANA VENES J REVOCABLE TRUS
207 E MESA
GALLUP NM 87301

102106412312030308

STANFORD MICHAEL & BACA MAR
9951 CARMEL AV NE
ALBUQUERQUE NM 87122

102106407412030305

JARVIS KEVIN A & LUWANDA K
9801 CARMEL AV NE
ALBUQUERQUE NM 87122

102106402512030302

TURICIANO JOSEPH A ETUX
6409 ROGERS NE
ALBUQUERQUE NM 87110

102106400912030301

TURICIANO JOSEPH A & MARIE E
2125 CANDELERO
SANTA FE NM 87505

102006450212040315

CHINISCI FRANK T & JEANETTE M
8315 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102006350552610540

MEADOWS MICHAEL J & JOSEPHINE
9615 MACALLAN RD NE
ALBUQUERQUE NM 87109

102006450203740118

INTEGRATED CONTROL SYSTEMS
4020 VASSAR NE
ALBUQUERQUE NM 87107

102006451712040316

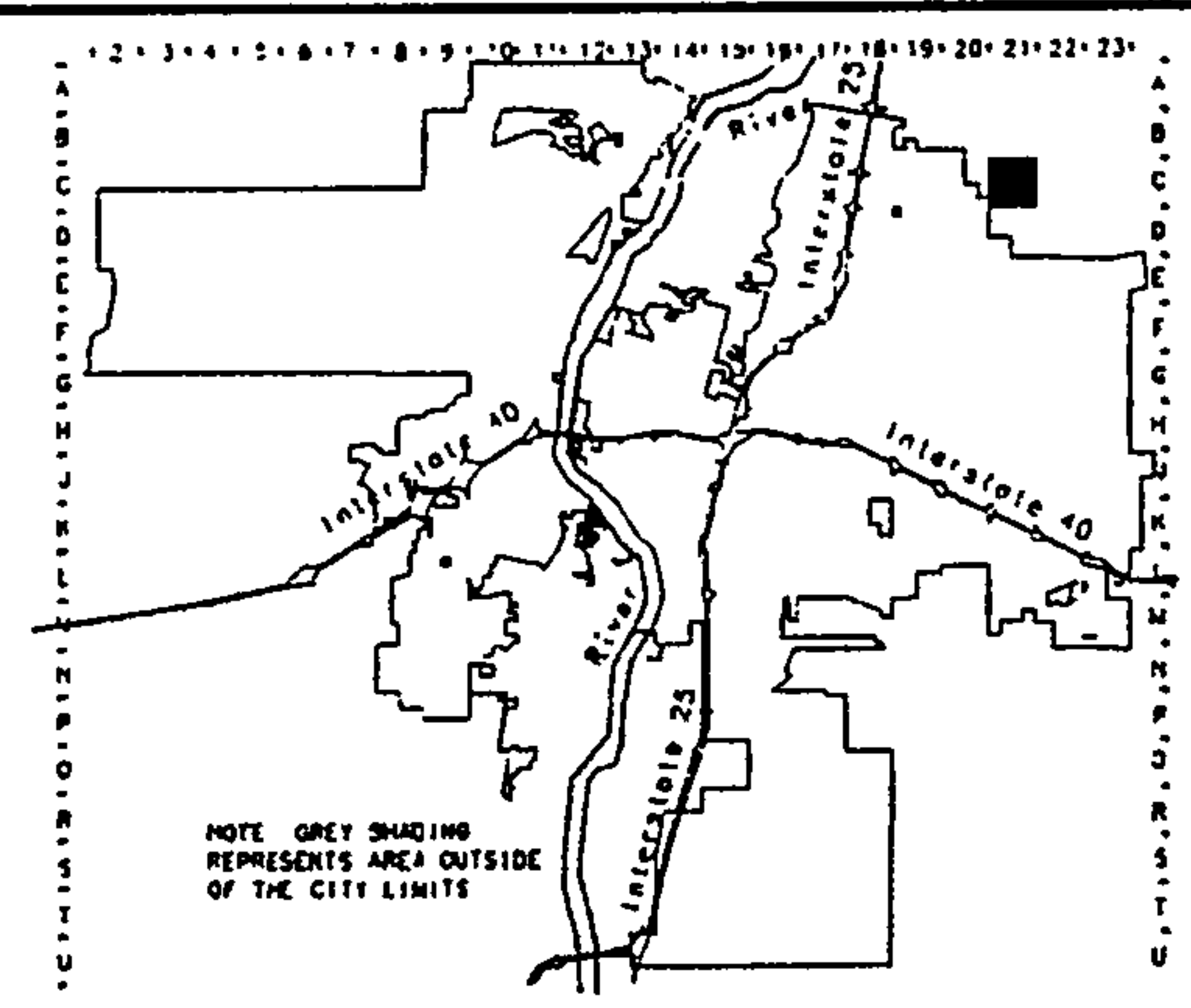
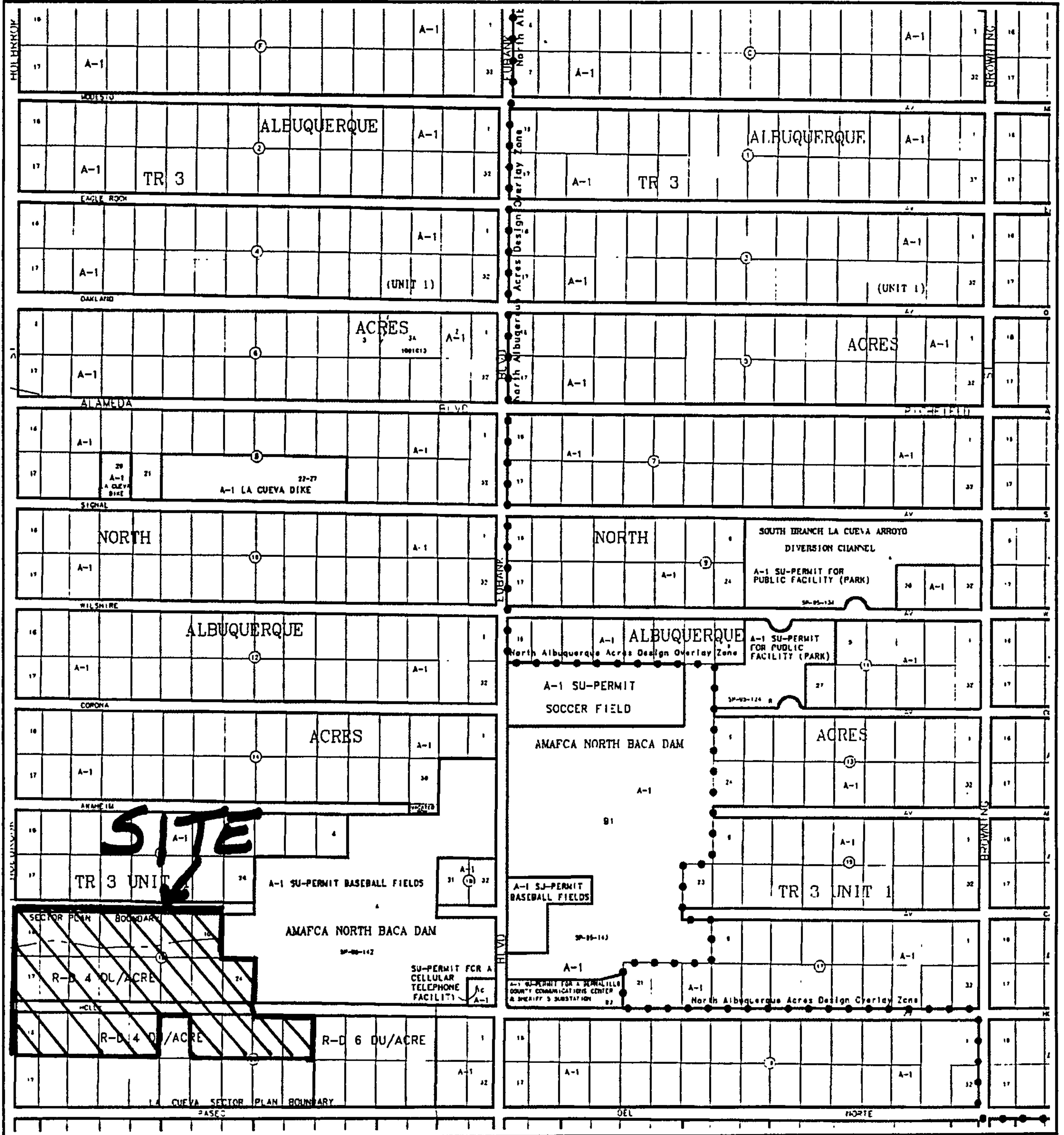
LUSADER PETER & PHYLLIS
8323 HOLBROOK ST NE
ALBUQUERQUE NM 87122

102006450206640215

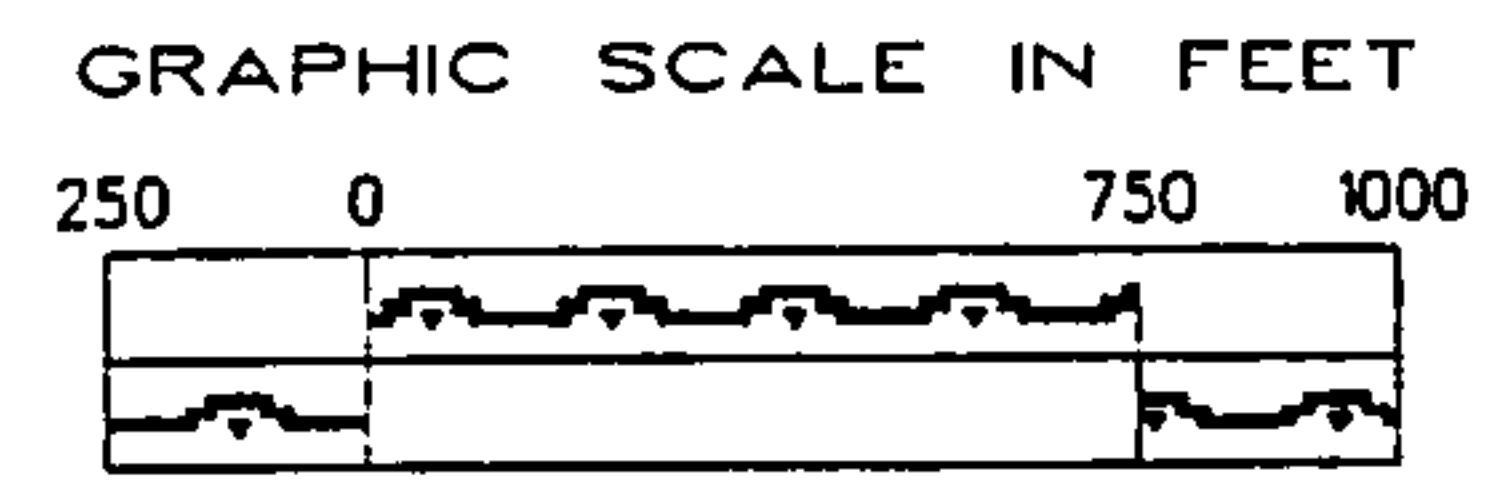
VIGIL SANDRA M & PETE JR
9300 HOLLY AV NE
ALBUQUERQUE NM 87122

102006351352210541

STALLS GARY R & OPAL L
9619 MACALLAN RD NE
ALBUQUERQUE NM 87109



CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2003



Zone Atlas Page

C-21-Z

Map Amended through July 31, 2003

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.
- 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.

JEFF MORTENSEN & ASSOCIATES, INC.

DEBIE LEBLANC TRUTILLO

Applicant name (print)

Debie LeBlanc Trutillo 08-15-03
Applicant signature / date



Form revised February 2003

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

Application case numbers
DRB - 01354
DRB - 01355
DRB - 01356

JM 8/15/03
Planner signature / date

Project # 1002885



faxed
9/8/03
9:20 am

FRONT COUNTER ROUTING FAX FORM

TO: *Debra*

FAX NUMBER: 12

SENT BY: *Debra*
 Initial

DATE: 9/8/03

PROJECT NO: 1002885 APPLICATION NO: _____

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P O BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7385

Direct Number:
768-7224

E-Mail Address: sptox@rodey.com

SUSAN B FOX

September 5, 2003

**FACSIMILE
TRANSMITTAL SHEET**

TO: Sheran Matson, Chair
Development Review Board

FACSIMILE: 924-3864

FROM: Susan B. Fox

OPERATOR: Sam Bonal

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 4

If you do not receive any of these pages, please call the operator at 768-7383.

Please see attached.

IMPORTANT!

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND INTENDED SOLELY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, OR UNAUTHORIZED USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE, AND RETURN THE FACSIMILE TO THE SENDER AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

CM#99998-98950

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102P O BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5300

FACSIMILE (505) 768-7395

Direct Number:
768-7224E-Mail Address: arob@rodey.com

SUSAN B FOX

September 5, 2003

VIA FACSIMILE and FIRST CLASS MAIL

Sheran Matson, Chair
Development Review Board
City of Albuquerque
Plaza del Sol building
600 2nd Street, NW
Albuquerque, NM 87102

Re: Project #1002885/03 DRB-01355/03DRB-01354/03 DRB-01356

Dear Ms. Matson:

This firm represents Catherine Rowe, owner of Lots 5 and 6, North Albuquerque Acres, Tract 3, Unit 1. Ms. Rowe's property lies immediately east of the subdivision proposed by Project #1002885, Ocotillo Subdivision, and is bounded on the north by Holly Avenue NE. Ms. Rowe's undeveloped property is zoned R-D, with 6 DU's per acre permitted. Immediately east of Ms. Rowe's lots are two identically-zoned lots owned by Mr. and Mrs. Rice. (See attached zone atlas depicting property.)

These lots have always enjoyed access to Holbrook Street NE via Holly Avenue. Should the above gated community project be approved as proposed (with street access ending in a cul-de-sac to the west of these lots), this access will be completely cut off, and the only remaining access to these lots will be from Eubank Boulevard. The resulting long "dead-end" on Holly is not a desirable situation for these four lots.

In addition, as you can see from the attached zone atlas, the proposed gated subdivision would effectively create an island of four lots backing onto Paseo del Norte. It is difficult to see how good planning and public policy would support such a result.

Moreover, the developer of Ocotillo Subdivision entered into written agreement with my client agreeing that these four properties would not be completely cut off from access to Holbrook Street or the streets within the proposed subdivision, and providing for the possible annexation of the Rowe and Rice properties into the subdivision at a later date. The proposed plat and vacation of right-of-

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

Sheran Matson, Chair
September 5, 2003
Page 2

way and realignment do not conform to that agreement. I would be happy to provide a copy of the agreement upon request.

My client has rights to continued access from her residentially-zoned property to Holbrook Street. Only by ensuring that her property does not become cut off from Holbrook and the neighboring residential properties will her rights be preserved. We therefore object to, and urge your denial of, the application for vacation of rights of way and utilities and the subdivision plat as currently proposed by the developer.

I plan to appear at the September 10, 2003 hearing on the above application and would request that I be allowed to elaborate upon these objections at that time.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

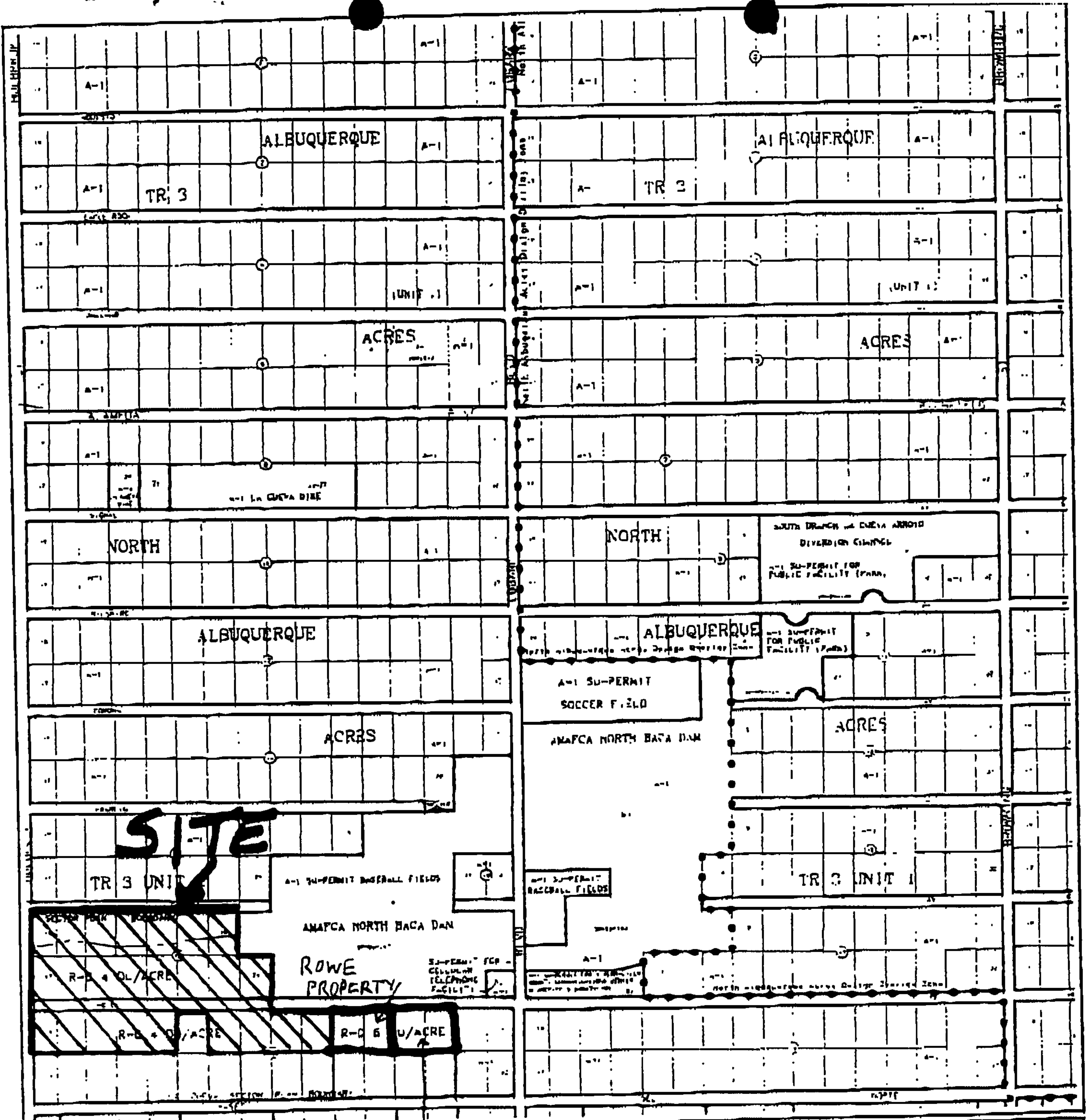
By:

Susan B. Fox

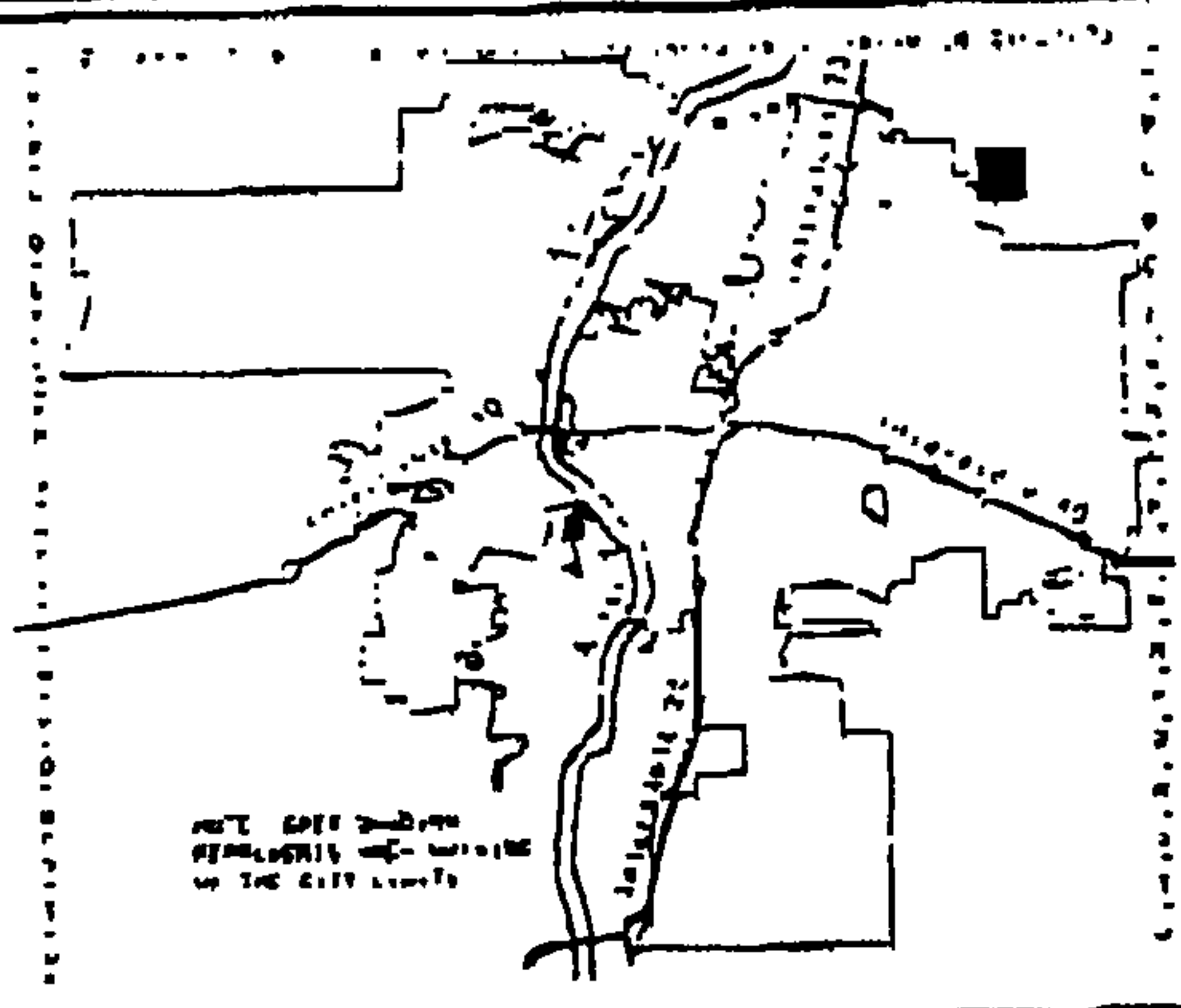
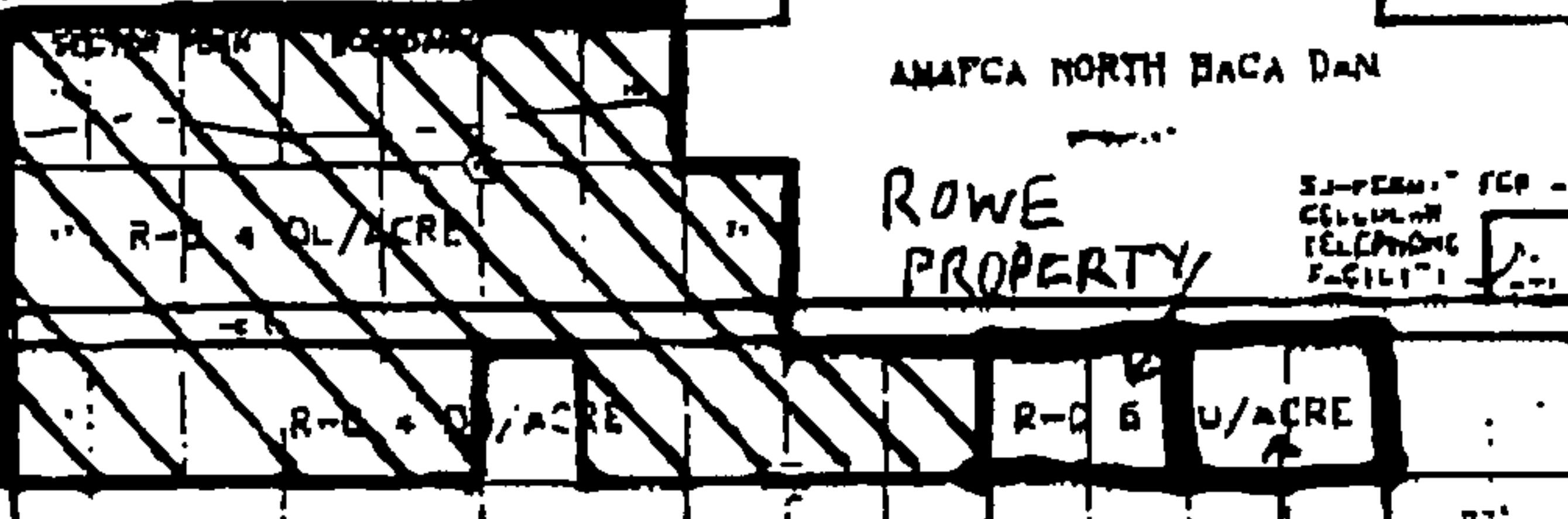
SBF/ssb

Enclosure

cc(w/enc. - via U.S. Mail): Catherine Rowe
Richard Dourte, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation



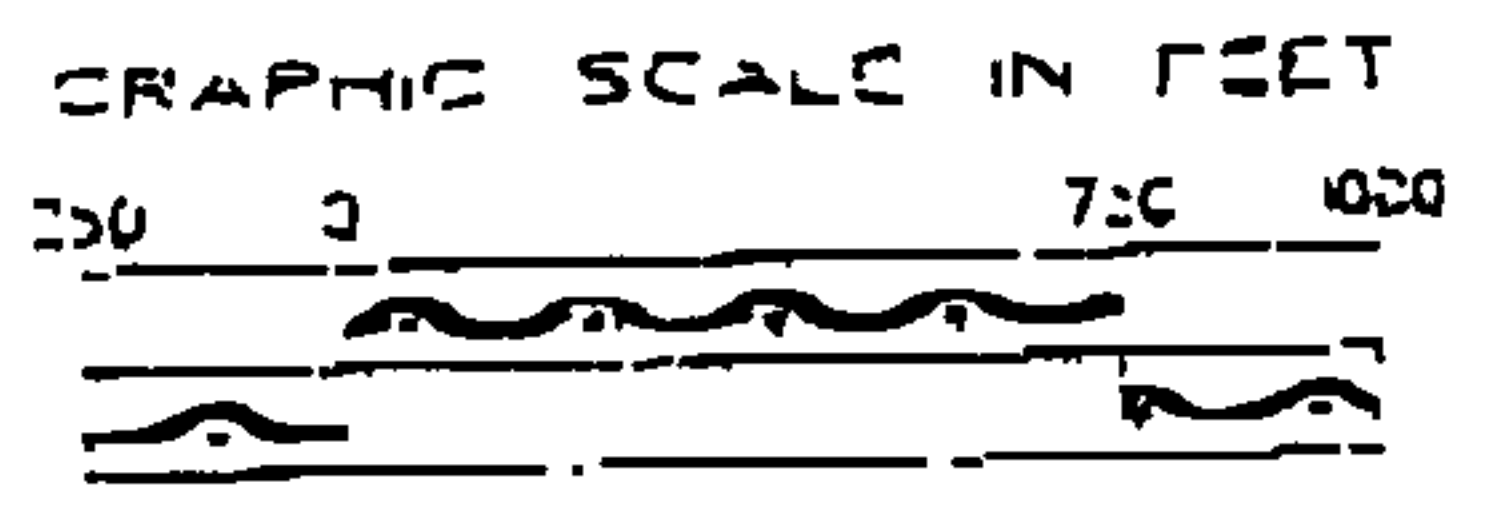
SITE



ROWE PROPERTY



CITY OF ALBUQUERQUE
AMAFCA NORTH BACA DAN
 PLANNING DEPARTMENT
 Copyright 2003



Zone Atlas Page

C-21-Z

Map Amended through July 31, 2003

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7003
CONNECTION TEL	1 505 768 7395
SUBADDRESS	
CONNECTION ID	
ST. TIME	09/05 15:29
USAGE T	01'22
PGS.	4
RESULT	OK



REBACK CORPORATION

**310 Monterey Ave Newport Beach, CA 92661 Phone: 949-723-0106 Fax: 949-723-6783
ReBackCorp@aol.com**

Monday, September 15, 2003

**City of Albuquerque
Development Review Board
Sharan Matson, AICP, DRB Chair
Fax: 505-**

Dear Madam Chairperson,

I am writing to you in regard to the item labeled Project # 1002888 of the September 10, 2003 Agenda. I am unable to arrange my schedule to attend the meeting on September 17, 2003, however wish to be heard on the matter.

I am representing my Mother, Patricia (Pati) K. Kamerman's interest in her property at legal description:

Lot 11 Tract 3 Unit 3 North Albuquerque Acres

My Mother is planning on attending, however the purpose of this letter to inform you of my Mother's position on the matter.

Patricia K. Kamerman hereby objects to both the vacation of the right-of-way on Holly Ave. and to the Sketch Plat or Plan.

The objection to the right-of-way is on the basis that it will limit access to the property and force access to lot 11 only through another's subdivision and will not adhere to the requirement for a through street in the master plan.

The objection to the Sketch Plat or Plan is on the basis that the subdivision does not have a natural traffic flow and is not coherent as drawn. It also contains a portion that creates unattractive and imposing easements across residential lots to access other residential lots, specifically for lots 66, 67, 68, and 69.

As drawn, there would be no less than four 130' alleys on residential lots providing access. This would be not only unattractive but would present a safety barrier to emergency vehicles and isolate and disjoint the unity of the neighborhood.

Thank you for taking in account my Mother's rights to her property. She has held this property for several decades and her rights to enjoy her property should be just as important as the developer's right to make a profit on this property that they have only owned for less than two years.

Please feel free to contact me if there are any questions or if I have been ambiguous in the above objections.

Sincerely,



Bret Kamerman

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	4855	
CONNECTION TEL		93454254
SUBADDRESS		
CONNECTION ID		
ST. TIME	09/16 10:36	
USAGE T	00'44	
PGS.	3	
RESULT	OK	



FRONT COUNTER ROUTING FAX FORM

TO: Debie Luyillo

FAX NUMBER: 345-4254

SENT BY: Alave
Initial

DATE: 9.15.03

PROJECT NO: _____ APPLICATION NO: _____

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

COUNSELORS AND ATTORNEYS AT LAW

ALBUQUERQUE PLAZA

201 THIRD STREET NW, SUITE 2200
ALBUQUERQUE, NEW MEXICO 87102

P O BOX 1888
ALBUQUERQUE, NEW MEXICO 87103

TELEPHONE (505) 765-5900

FACSIMILE (505) 768-7395

Direct Number:
768-7224

E-Mail Address: sbfox@rodey.com

SUSAN B. FOX

September 5, 2003

VIA FACSIMILE and FIRST CLASS MAIL

Sheran Matson, Chair
Development Review Board
City of Albuquerque
Plaza del Sol building
600 2nd Street, NW
Albuquerque, NM 87102

Re: Project #1002885/03 DRB-01355/03DRB-01354/03 DRB-01356

Dear Ms. Matson:

This firm represents Catherine Rowe, owner of Lots 5 and 6, North Albuquerque Acres, Tract 3, Unit 1. Ms. Rowe's property lies immediately east of the subdivision proposed by Project #1002885, Ocotillo Subdivision, and is bounded on the north by Holly Avenue NE. Ms. Rowe's undeveloped property is zoned R-D, with 6 DU's per acre permitted. Immediately east of Ms. Rowe's lots are two identically-zoned lots owned by Mr. and Mrs. Rice. (See attached zone atlas depicting property.)

These lots have always enjoyed access to Holbrook Street NE via Holly Avenue. Should the above gated community project be approved as proposed (with street access ending in a cul-de-sac to the west of these lots), this access will be completely cut off, and the only remaining access to these lots will be from Eubank Boulevard. The resulting long "dead-end" on Holly is not a desirable situation for these four lots.

In addition, as you can see from the attached zone atlas, the proposed gated subdivision would effectively create an island of four lots backing onto Paseo del Norte. It is difficult to see how good planning and public policy would support such a result.

Moreover, the developer of Ocotillo Subdivision entered into written agreement with my client agreeing that these four properties would not be completely cut off from access to Holbrook Street or the streets within the proposed subdivision, and providing for the possible annexation of the Rowe and Rice properties into the subdivision at a later date. The proposed plat and vacation of right-of-

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

Sheran Matson, Chair
September 5, 2003
Page 2

way and realignment do not conform to that agreement. I would be happy to provide a copy of the agreement upon request.

My client has rights to continued access from her residentially-zoned property to Holbrook Street. Only by ensuring that her property does not become cut off from Holbrook and the neighboring residential properties will her rights be preserved. We therefore object to, and urge your denial of, the application for vacation of rights of way and utilities and the subdivision plat as currently proposed by the developer.

I plan to appear at the September 10, 2003 hearing on the above application and would request that I be allowed to elaborate upon these objections at that time.

Very truly yours,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

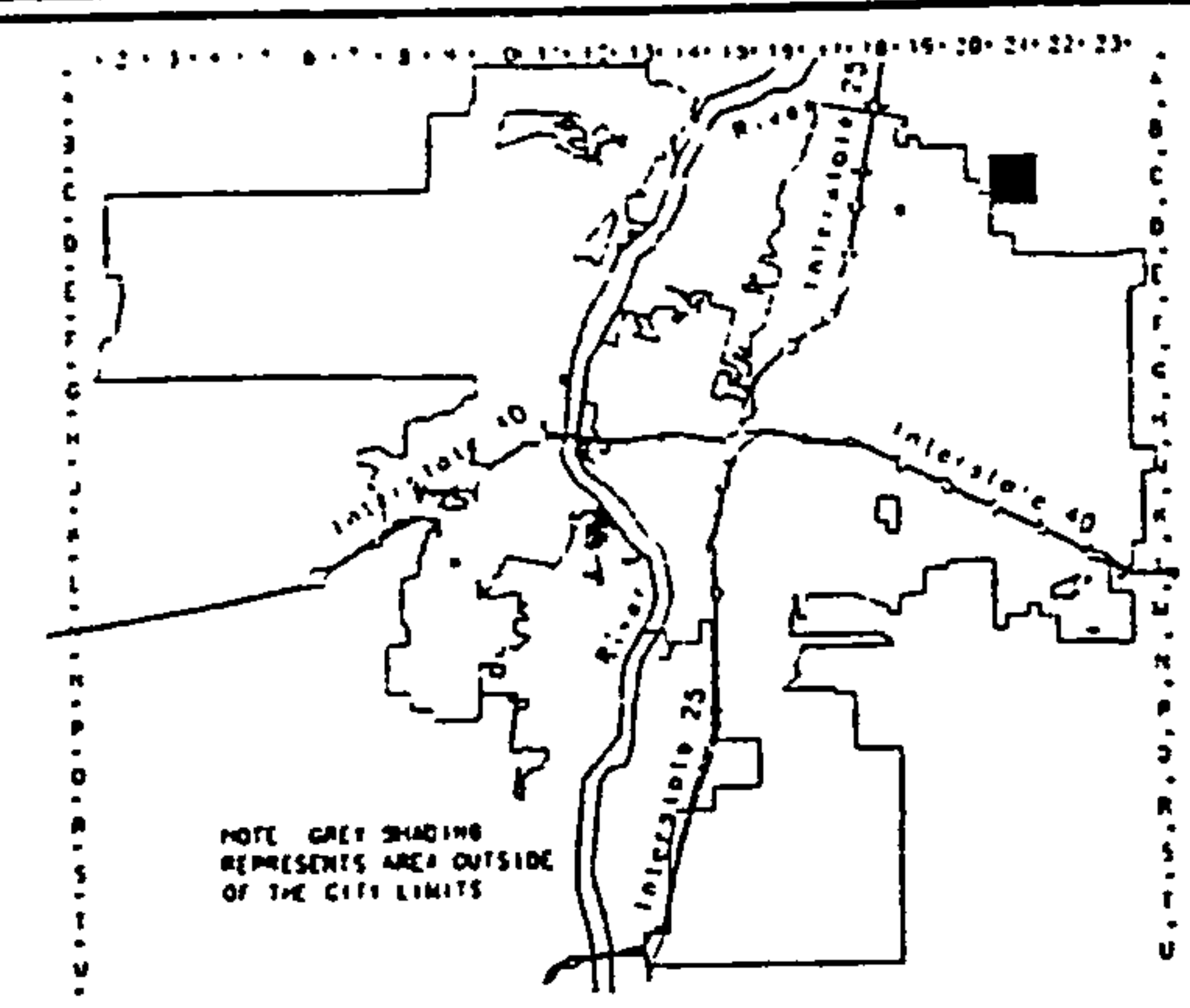
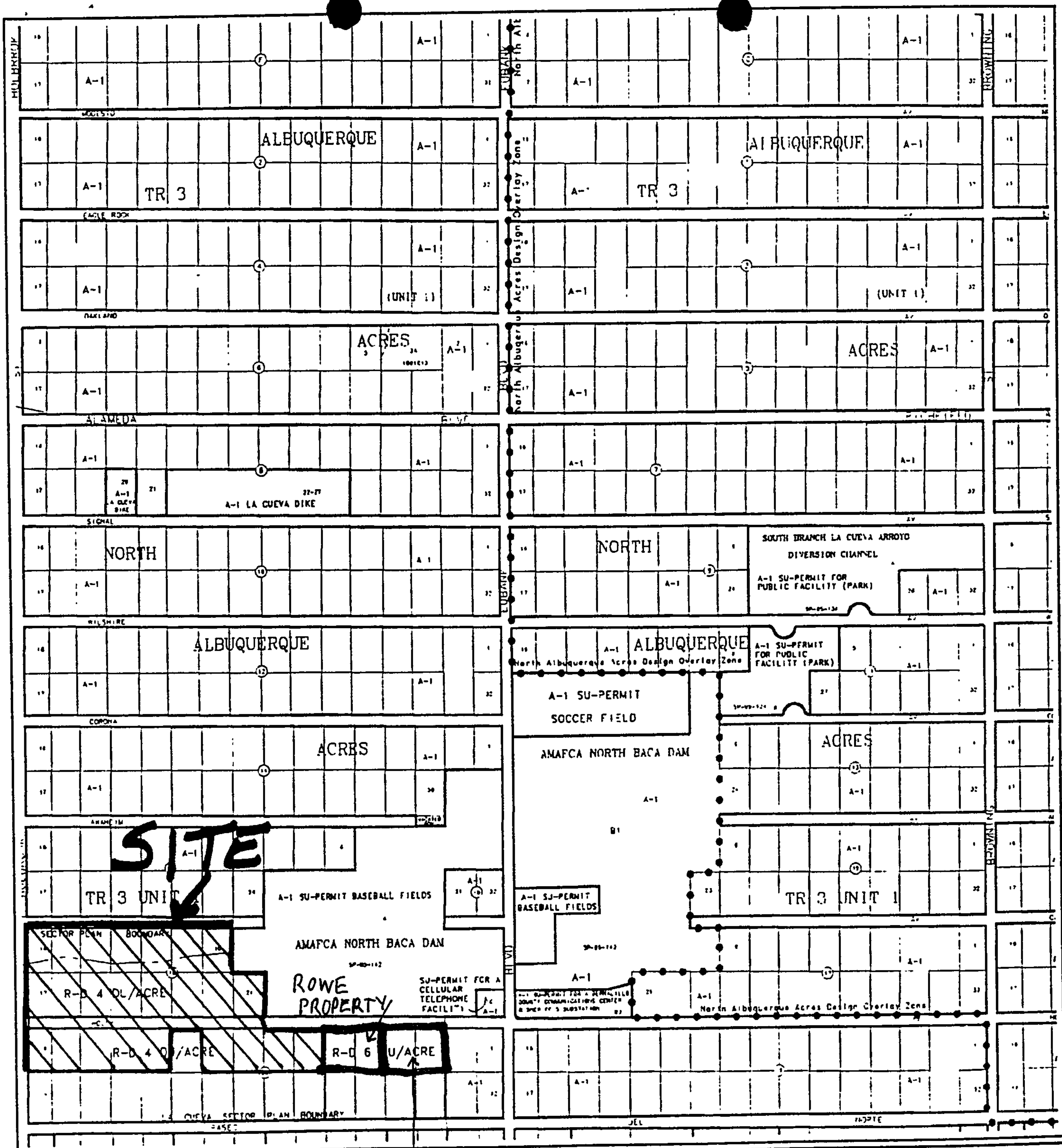
By:

Susan B. Fox

SBF/ssb

Enclosure

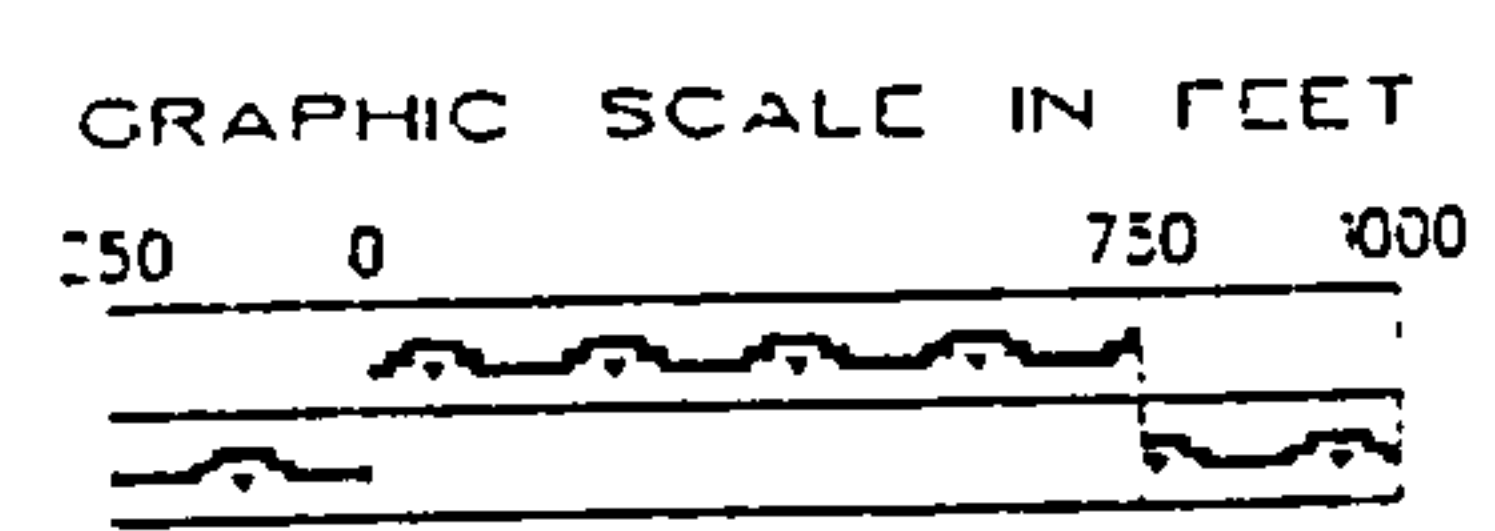
cc(w/enc. - via U.S. Mail): Catherine Rowe
Richard Dourte, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation



RICE PROPERTY



CITY OF Albuquerque
A Bureau **G** Geographic **I** Information **S** System
PLANNING DEPARTMENT
 © Copyright 2003



Zone Atlas Page

C-21-Z

Map Amended through July 31, 2003

RODEY, DICK.

COUNSEL

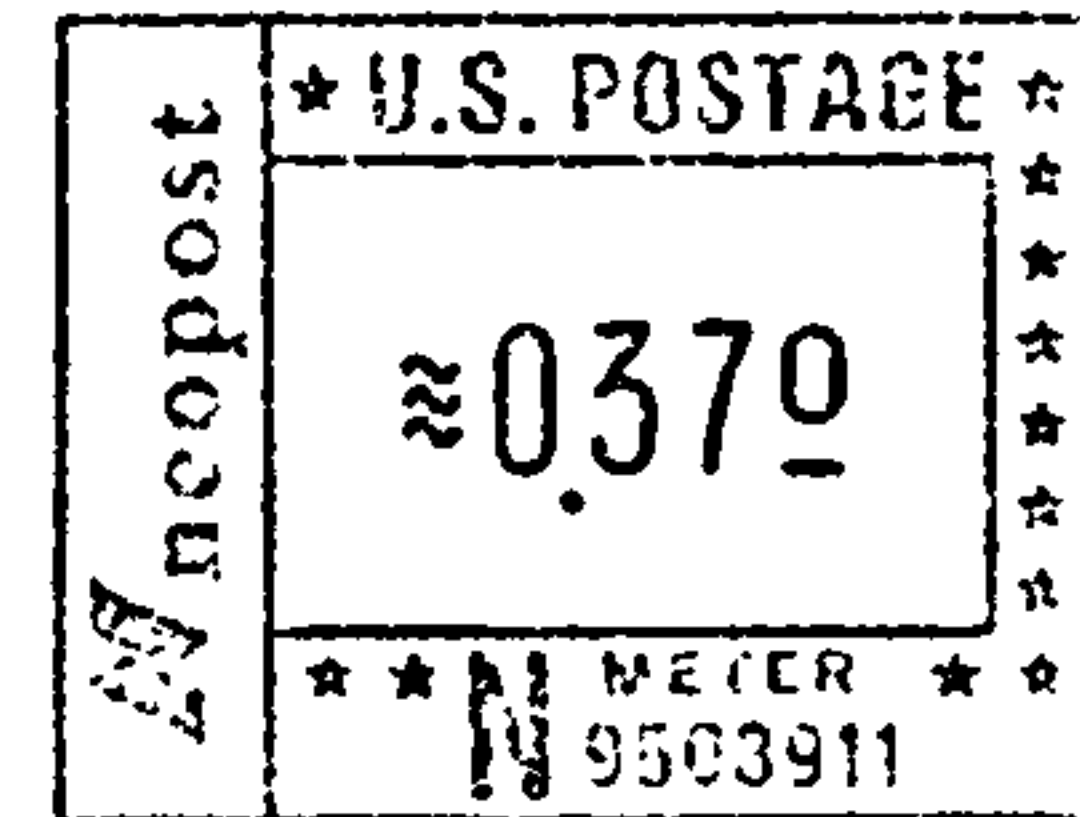
POST OFFICE

ALBUQUERQUE, NEW MEXICO 87103

V. & A.

ATTORNEYS AT LAW

BOX 1888



Sheran Matson, Chair
Development Review Board
City of Albuquerque
Plaza del Sol building
600 2nd Street, NW
Albuquerque, NM 87102



87102+2285





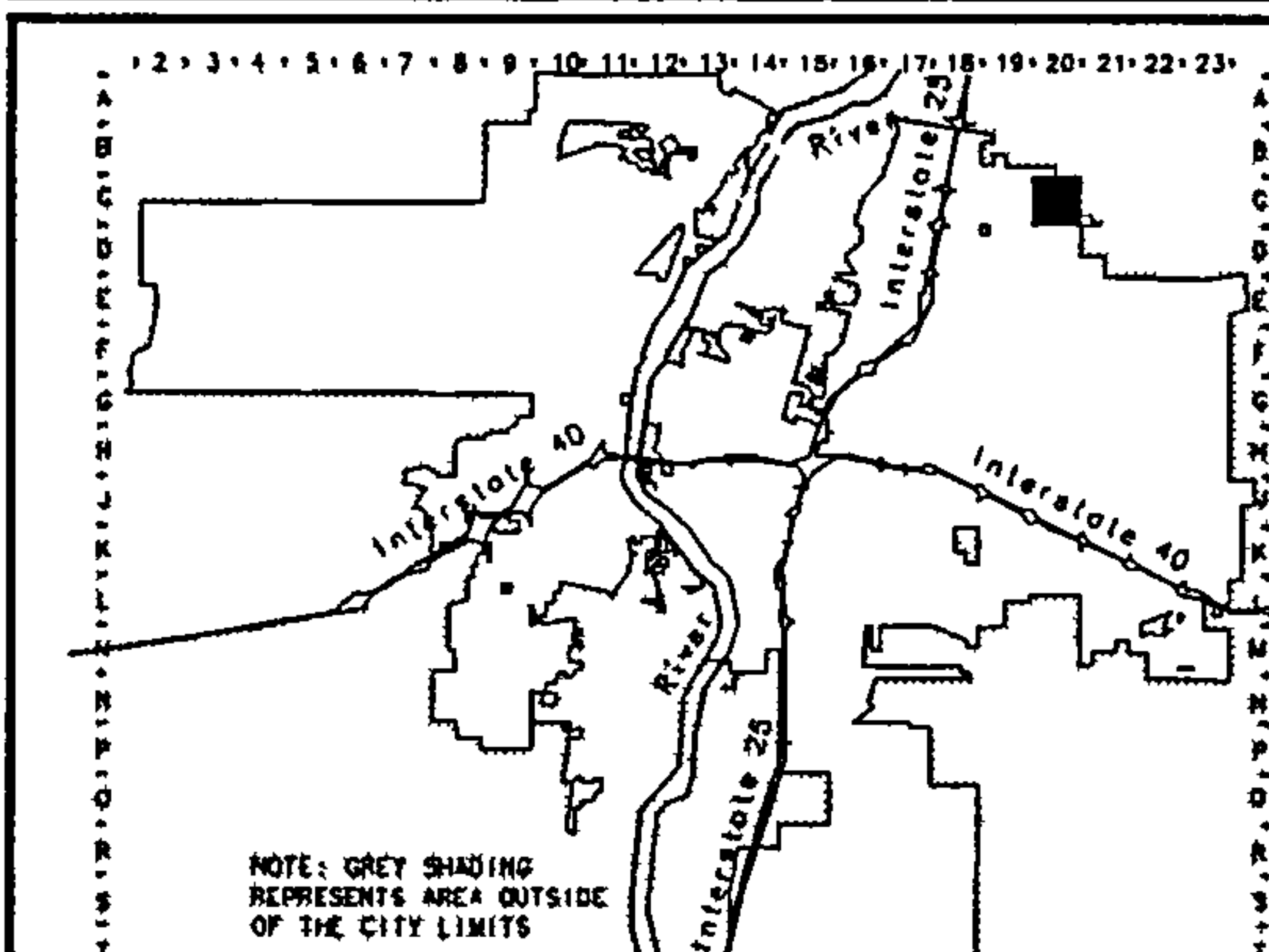
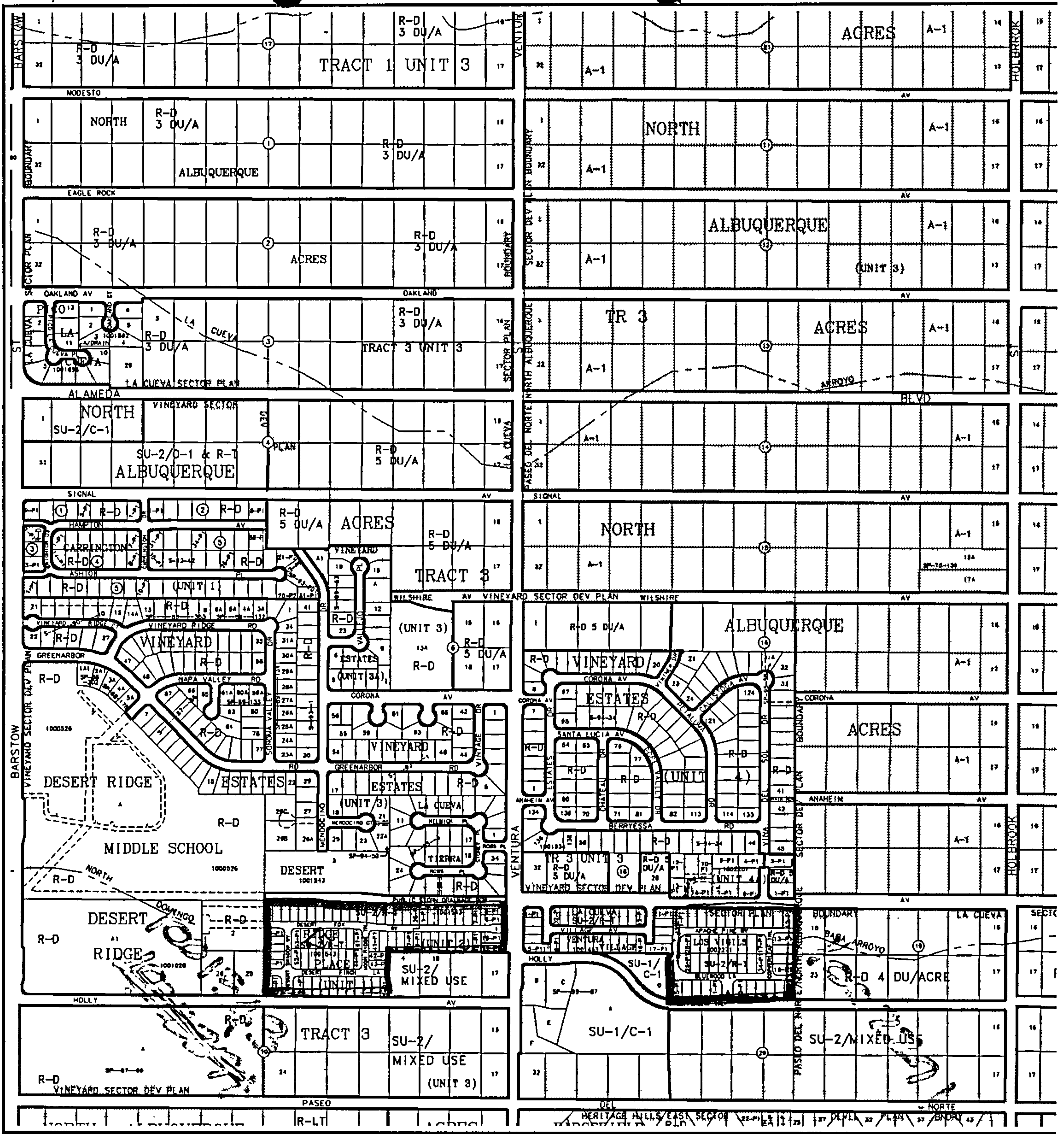
JEFF MORTENSEN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

**6 B MIDWAY
PK BLVD. NE
ALBUQUERQUE
NEW MEXICO 87109**

CHARLES G. CALA, JR., P.S.

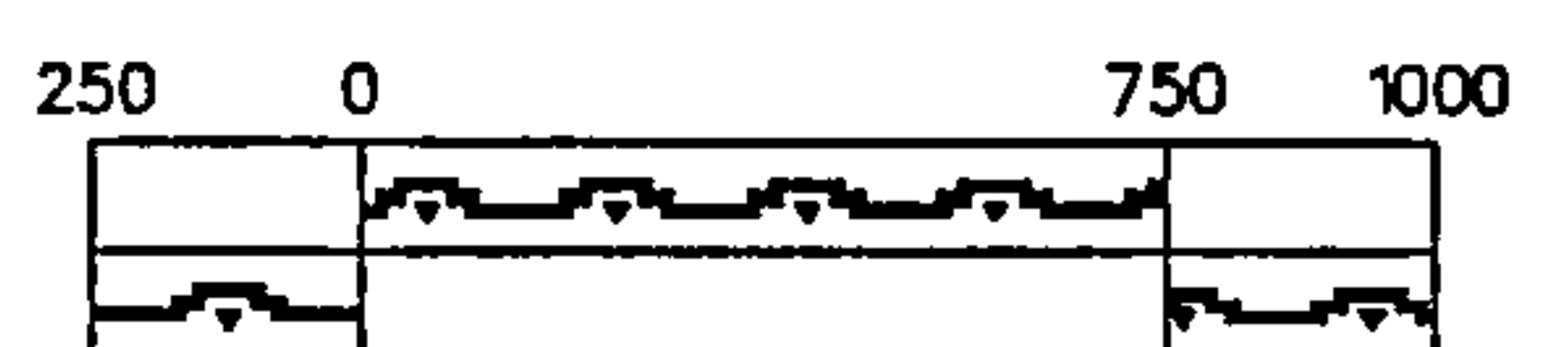
Vice-President

**TEL: 505-345-4250
FAX: 505-345-4254
jmainc@swcp.com**



Gated Communities

GRAPHIC SCALE IN FEET



JMATREE

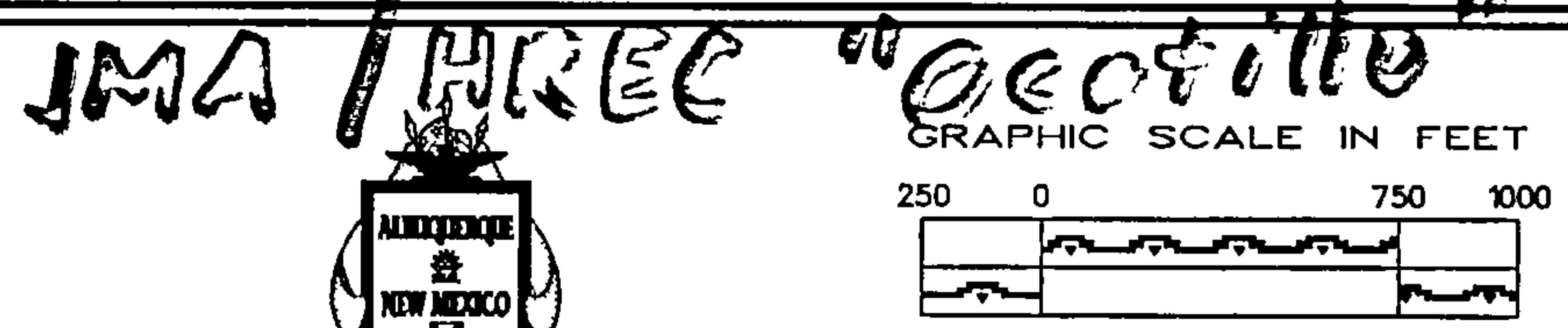
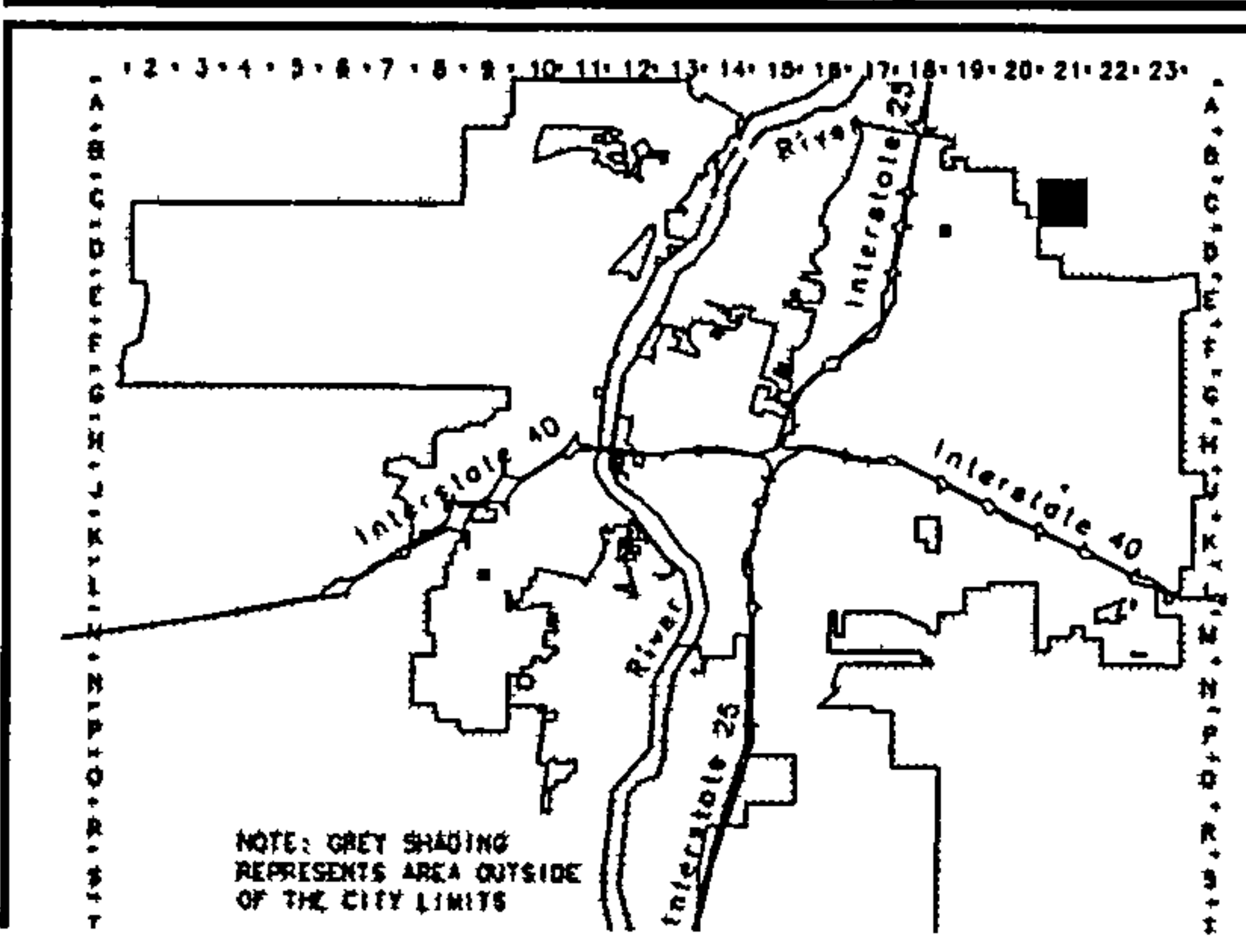
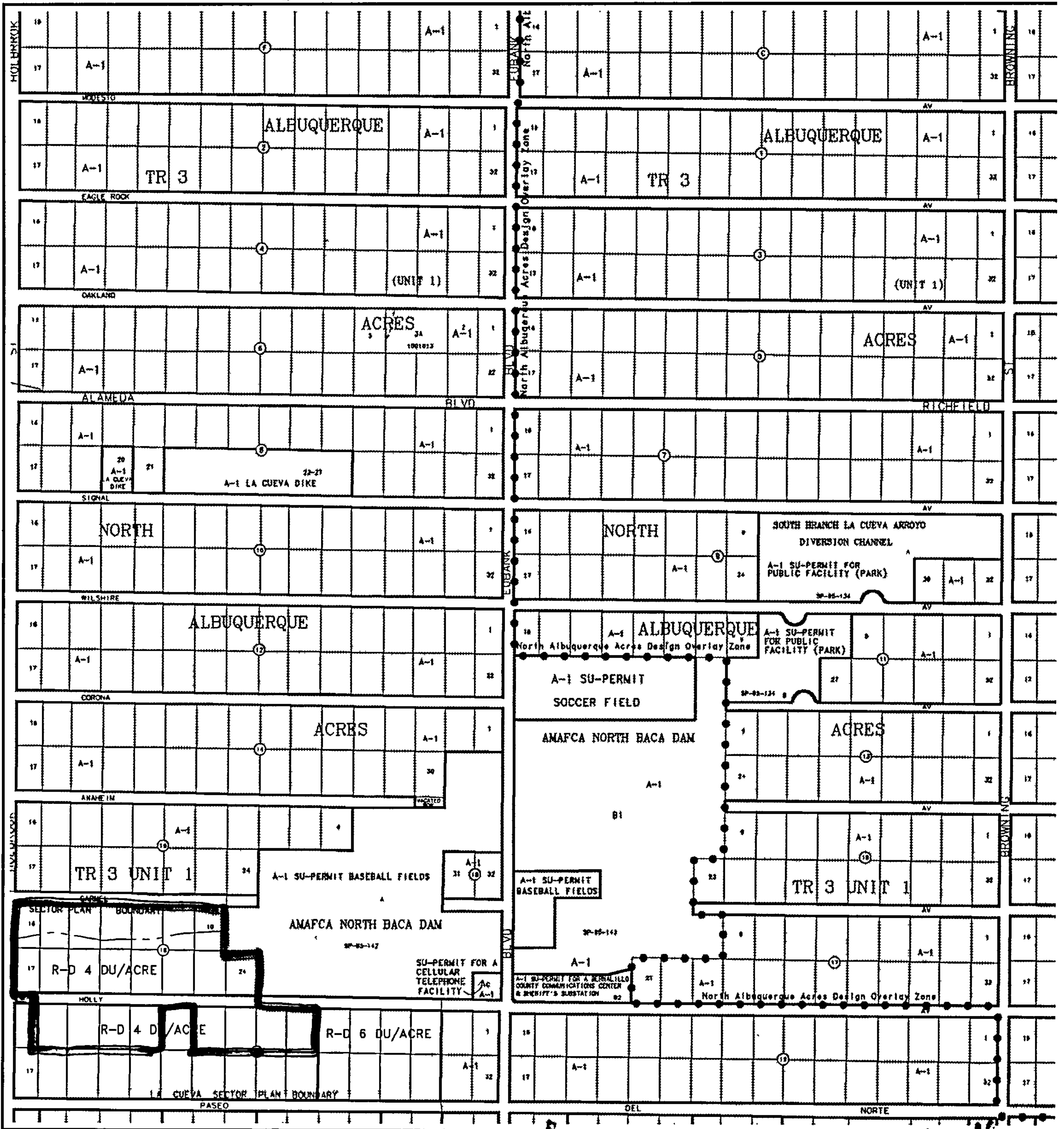
Albuquerque Geographic Information System
PLANNING DEPARTMENT

© Copyright 2003

#6 9/10/03
Zone Atlas Page

C-20-Z

Map Amended through July 31, 2003



Zone Atlas Page

C-21-Z

Map Amended through July 31, 2003

2002.050.1

A City of Albuquerque



DEVELOPMENT PLAN REVIEW APPLICATION

SUBDIVISION	Supplemental form S	Supplemental form Z
<input checked="" type="checkbox"/> Major Subdivision action <i>VRW</i>		<input type="checkbox"/> Annexation & Zone Establishment
<input checked="" type="checkbox"/> Minor Subdivision action <i>SK</i>		<input type="checkbox"/> Sector Plan (Phase I, II, III)
<input checked="" type="checkbox"/> Vacation <i>VRW + A</i>	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: <u>Desert Ridge Development, LLC</u>	PHONE: <u>505-821-4440</u>
ADDRESS: <u>8300 Carmel Ave N.E., Suite 601</u>	FAX: <u>505-857-9774</u>
CITY: <u>8300 Carmel Ave N.E., Suite 601</u>	E-MAIL:
Proprietary interest in site: <u>Owner</u>	
AGENT (if any): <u>Jeff Mortensen & Associates, Inc.</u>	PHONE: <u>(505) 345-4250</u>
ADDRESS: <u>6010-B Midway Park Blvd. NE</u>	FAX: <u>(505) 345-4254</u>
CITY: <u>Albuquerque</u>	E-MAIL: <u>jmainc@swcp.com</u>

DESCRIPTION OF REQUEST: Vacation of Public Right-of-Ways, Public Vehicular Access Easement and Non-specific easements, dedication of additional Right-of-Way and granting of various easements. Sketch Plat Review and Comment

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. Lts10-24,(Lts7-10&12-15,&E'ly remaining port.of Lot 16) Block: 18 & (20) Unit: 3

Subdiv. / Addn. Tract 3, Unit 1, North Albuquerque Acres

Current Zoning: RD 4DU/Acre Proposed zoning: No Change

Zone Atlas page(s): C-21 No. of existing lots: 24 No. of proposed lots: 71

Total area of site (acres): +/-23.0743 Density if applicable: dwellings per gross acre: 2.99 dwellings per net acre: 3.84

Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? N/A

UPC No. See Attached MRGCD Map No. N/A

LOCATION OF PROPERTY BY STREETS: On or Near: Holbrook Street, NE, Carmel Avenue, NE and Holly Avenue, NE
Between: Anaheim Avenue, NE 102 1064 1060 9130 226 and Paseo Del Norte

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): DRB Project # 1002195, 02EPC-01353

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

SIGNATURE Debie LeBlanc Trujillo DATE August 15, 2003

(Print) Debie LeBlanc Trujillo for Jeff Mortensen & Associates, Inc. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>03 DRB - 01354</u>	<u>SK</u>	<u>S3</u>	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>03 DRB - 01355 2x</u>	<u>VRW</u>	<u>V</u>	\$ <u>600.-</u>
<input checked="" type="checkbox"/> All case #'s are assigned	<u>03 DRB - 01356 6x</u>	<u>VPE</u>	<u>V</u>	\$ <u>270.-</u>
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #'s are listed				\$
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill <u>No</u>		<u>Notice</u>		\$ <u>75.-</u>
<input type="checkbox"/> F.H.D.P. density bonus				\$
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>Sept 10, - 2003</u>			Total \$ <u>945.-</u>

JMA 8/15/03
Planner signature / date

Project # 1002885

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE (Public Hearing Case)

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

VACATION OF PUBLIC RIGHT-OF-WAY

VACATION OF PUBLIC EASEMENT

- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies. (Not required for dedicated and City owned public right-of-way.)
- Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) 24 copies
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

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

SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DEVELOPMENT PROCESS MANUAL)

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

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

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- Drawing showing the sidewalks subject to the proposed deferral or extension (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. These actions are not approved through internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the deferral or extension
- Any original and/or related file numbers are listed on the cover application

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

VACATION OF PRIVATE EASEMENT

- The complete document which created the private easement (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. These actions are not approved through internal routing.
- Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) 6 copies
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the vacation
- Letter of authorization from the grantors and the beneficiaries
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

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

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

JEFF MORTENSEN & ASSOCIATES, INC.

DEBIE LEBLANC TRUJILLO

Applicant name (print)

Debie LeBlanc Trujillo 08/15/03

Applicant signature / date



Form revised April 2003

Checklists complete Application case numbers

Fees collected 01354

Case #s assigned 01355

Related #s listed 01356

03DRB

JM 8/15/03

Planner signature / date

Project # 1002885

FORM S(3): SUBDIVISION D.R.B. MEETING (UNADVERTISED) FOR 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.
- 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.

JEFF MORTENSEN & ASSOCIATES, INC.

DEBIE LEBLANC TRUJILLO

Applicant name (print)

Debie LeBlanc Trujillo 08-15-03

Applicant signature / date



Form revised February 2003

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

Application case numbers

-	-	01354
03DRB	-	01355
	-	01356

JM 8/15/03

Planner signature / date

Project # 1002885

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 Desert Ridge
AGENT JMA
ADDRESS _____
PROJECT NO. ~~1002885~~ 1002885
APPLICATION NO. 03 DRB 01355 / 01356

\$ 870. 441006 / 4983000 (DRB Cases)
 \$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)
 \$ 75. 441018 / 4971000 (Notification)
\$ 945. Total amount due

9819

DESERT RIDGE DEVELOPMENT LLC
 8300 CARMEL AVENUE N.E., SUITE 601
 ALBUQUERQUE, NM 87122

FIRST STATE BANK
 95-145-1070

8/15/2003

08/15/2003
 X
 RECEIPT# 00010731
 Account 441006
 Activity 4983000
 TRANS# 0015
 Fund 0110
 TRSLJS
 MEMO \$945.00
 \$75.00
 \$945.00
 \$0.00

Nine hundred forty five & 10/100

\$ 945.

DOLLARS

Donald Hoeh
 DUPLICATE
 City of Albuquerque
 Treasury Division

City of Albuquerque
 Treasury Division
 Ocotillo Plat Submittal
 MS# 007
 ANS# 0015
 LOC: ANN
 11:14AM

000819 1070014521 001898078
 08/15/2003 11:14AM LOC: ANN
 X
 RECEIPT# 00010731 WSH 007 TRANS# 0015
 Account 441006 Fund 0110
 Activity 4983000 TRSLJS
 Trans Amt \$945.00
 J24 Misc 10/28/02 \$870.00

11111111

Details on back Security Features Included

Development Review Application Attachment Listing
UPC No.s

Block 18 - North Albuquerque Acres Tract 3, Unit 3

Lot 10 - 102106410609130226
Lot 11 - 102106409009130227
Lot 12 - 102106407409130228
Lot 13 - 102106405709130229
Lot 14 - 102106404009130230
Lot 15 - 102106402509130231
Lot 16 - 102106400909130232
Lot 17 - 102106400906830201
Lot 18 - 102106402506830202
Lot 19 - 102106404006830203
Lot 20 - 102106405706830204
Lot 21 - 102106407406830205
Lot 22 - 102106409006830206
Lot 23 - 102106410906830207
Lot 24 - 102106412306830208

Block 20 - North Albuquerque Acres Tract 3, Unit 3

Lot 7 - 102106415603830123
Lot 8 - 102106414003830124
Lot 9 - 102106412303830125
Lot 10 - 102106410903830126
Lot 12 - 102106407403830128
Lot 13 - 102106405703830129
Lot 14 - 102106404003830130
Lot 15 - 102106402503830131
Lot 16 - 102106400903830132



JEFF MORTENSEN & ASSOCIATES, INC.
 6010-B MIDWAY PARK BLVD. NE
 ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
 F: 505.345.4254
 JMAINC@SWCP.COM

2002.050.1
 August 14, 2003

Sheran Matson, Chair
 Development Review Board
 City of Albuquerque
 Albuquerque, NM 87103

Re: Request for Vacation of Public Right-of-Ways, Public Vehicular Access Easement and Sketch Plat Review and Comment
 Lots 10 - 24, Block 18, North Albuquerque Acres, Tract 3, Unit 3 and Lots 7-10 and 12-15 and the Easterly portion of Lot 16, Block 20, North Albuquerque Acres, Tract 3, Unit 3

Dear Sheran:

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms S(2) and V along with the related Fees
- Twenty Four (24) copies of the Vacation Request and Sketch Plat Review and Comment
- Twenty Four (24) of the Vacation documents highlighted
- City of Albuquerque Zone Atlas C – 21 (site area highlighted)
- Office of the Community & Neighborhood Coordination request, copies of letters sent to Neighborhood Associations along with the registered mail receipts

On behalf of our client, Desert Ridge Development, LLC, we are requesting a vacation of the Public Right-of-Ways on Carmel Avenue N.E. and Holly Avenue N.E., the Public Vehicular Access Easement, along with the non-specific easements for pipeline purposes (water, gas or sewage) and telephone and electrical energy easements. We are proposing to create 69 residential lots and Parcels A and B from the existing 24 lots along with the vacated portions of Carmel Avenue, N.E. and Holly Avenue, N.E. to be known as Ocotillo Subdivision.

Please schedule this matter for the next appropriate DRB Hearing. In the meantime, if I can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo

DLT
 Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
JMAINC@SWCP.COM

2002.050.1
August 14, 2003

Ms. Bonnie Harley *Via Certified Mail – Return Receipt Requested*
North Albuquerque Acres Neighborhood Association
11021 Signal Avenue, NE
Albuquerque, NM 87122

and
Ms. Jackie McDowell *Via Certified Mail – Return Receipt Requested*
North Albuquerque Acres Neighborhood Association
7820 Beverly Hills Avenue, NE
Albuquerque, NM 87122

Project Title: Ocotillo Subdivision
Type of Request: Vacation of Public Right-of-Ways, Public Vehicular Access Easement and Sketch Plat Review and Comment
Current Legal Description: Lots 10 - 24, Block 18, North Albuquerque Acres, Tract 3, Unit 3 and Lots 7-10 and 12-15 and remaining portion of Lot 16, Block 20, North Albuquerque Acres, Tract 3, Unit 3
Location: The subject property lies on the east side of Holbrook Street, NE, the south side of Carmel Avenue, and includes Holly Avenue, NE
Developer: Desert Ridge Development, LLC
Donald G. Hoech, President
Agent/Engineer: Jeff Mortensen & Associates, Inc.
Contact: Charles G. Cala, Jr., PS, Project Surveyor
Debie LeBlanc Trujillo, Project Coordinator

Ladies:

Transmitted herewith are copies of the Vacation Request and Sketch Plat for the subject project. This project is scheduled to be heard at the Development Review Board hearing on September 10, 2003. The meeting will be held at 600 2nd Street, NW, Plaza Del Sol's hearing room, basement level of the building.

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

North Albuquerque Acres Neighborhood Association

August 14, 2003

Page 2

On behalf of our client, Desert Ridge Development, LLC, we are requesting a vacation of the Public Right-of-Ways on Carmel Avenue N.E. and Holly Avenue N.E., the Public Vehicular Access Easement, along with the non-specific easements for pipeline purposes (water, gas or sewage) and telephone and electrical energy easements. We are proposing to create 69 residential lots and Parcels A and B from the existing 24 lots along with the vacated portions of Carmel Avenue, N.E. and Holly Avenue, N.E. to be known as Ocotillo Subdivision

If you should have any questions regarding this information, please do not hesitate to call me.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT

Enclosures

xc: Don Hoech – Desert Ridge Development, LLC w/enc.



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you have not 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: August 12, 2003

TO CONTACT NAME: Debie LeBlanc Trujillo
 COMPANY/AGENCY: Jeff Montemeri + Assoc. Inc.
 ADDRESS/ZIP: 6010 - Broadway, Park Blvd NE 87109
 PHONE/FAX #: 345-4250 / 345-4254

Thank you for your inquiry of 8-12-03 (date) requesting the names of Recognized

Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at lots 10-24, Block 18, North Albuq Acres, Tract 3, Unit 1 and lots 7-10 + 12-16, Block 20, North Albuq Acres Tract 3, zone map page(s) C-21 Unit 1.

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

<u>North Albuquerque Acres Comm.</u>	Neighborhood Association
Neighborhood Association	Neighborhood Association
Contacts: <u>Bonnie Harley</u>	Contacts: _____
<u>11021 Signal Ave NE</u>	_____
<u>856 0051 (h+10) 87102</u>	_____
<u>Jackie McDowell</u>	_____
<u>7820 Beverly Hills Ave NE</u>	_____
<u>828 - 2430 (h) 87122</u>	_____

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,
Dalana R. Curmona
 OFFICE OF COMMUNITY AND NEIGHBORHOOD COORDINATION

.....
 : Attention: Both contacts per
 : neighborhood association
 : need to be notified.
 :

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: 8-12-03 Time Entered: 3pm OCNC Rep. Initials: OC

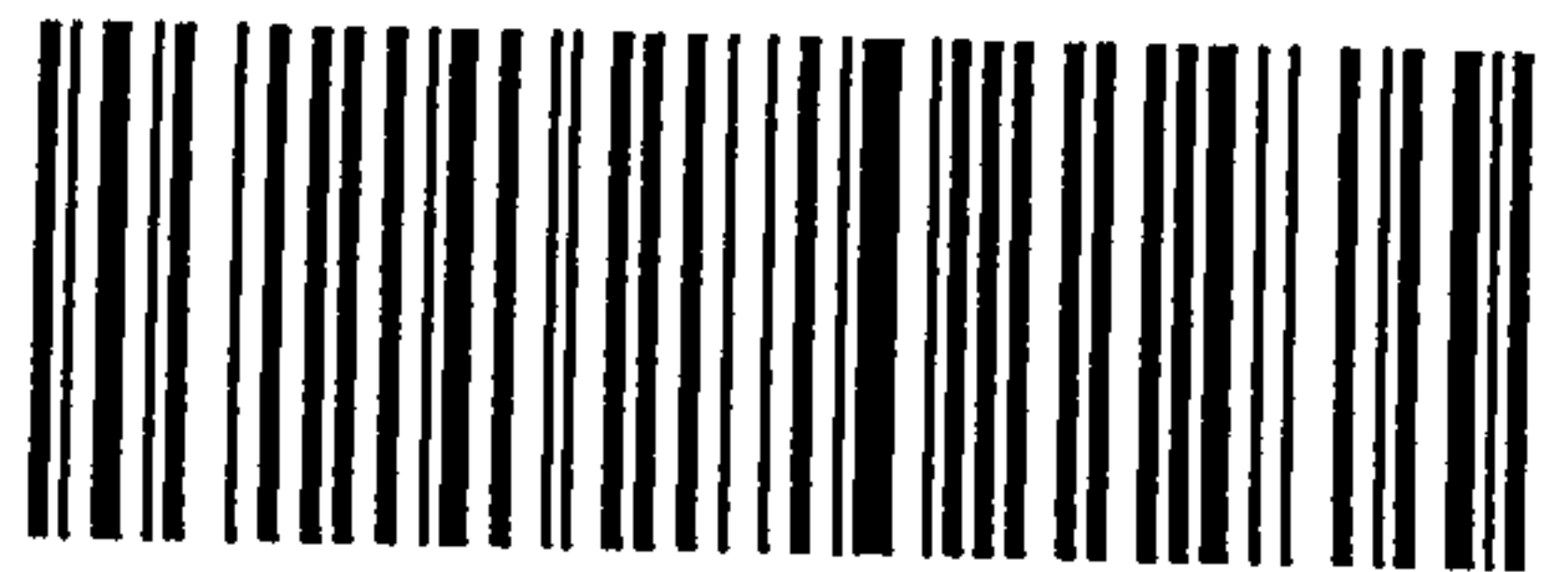
FIRST CLASS

FIRST CLASS

CERTIFIED MAIL

FIRST CLASS

FIRST CLASS



7001 1940 0005 9630 3121

★ ★ ★ UNITED STATES POSTAGE
 180 PB8638986
 5891 \$ 04.88⁰ AUG 15 03
 2151 POSTAL REGISTRATION REQUIRED

First Class Mail

First Class Mail

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X	
1. Article Addressed to: Ms. Jackie McDowell North Albuquerque Acres Neighborhood Association 7820 Beverly Hills Ave. NE Albuquerque, NM 87122	B. Received by (<i>Printed Name</i>)	C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, August 2001	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt	4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes	
7001 1940 0005 9630 3121		
102595-02-M-1540		

FIRST CLASS

FIRST CLASS

CERTIFIED MAIL

CLASS

FIRST CLASS



7001 1940 0005 9630 3114

★ ★ ★ UNITED STATES POSTAGE
 164 PB8638986
 5871 \$ 04.88⁰ AUG 15 03
 2150 POSTAL REGISTRATION REQUIRED

First Class Mail

First Class Mail

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Ms. Bonnie Harley North Albuquerque Acres Neighborhood Association 11021 Signal Avenue NE Albuquerque, NM 87122	B. Received by (<i>Printed Name</i>)	C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, August 2001	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt	4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes	
7001 1940 0005 9630 3114		
102595-02-M-1540		

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.50 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from Aug 26 2003 To Sept 10, 2003

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.

Aldo Trujillo - JMA
(Applicant or Agent)

08-15-03
(Date)

I issued 4 signs for this application, 8/15/03
(Date)

JMA
(Staff Member)

03 DRB

01354
01355
01356

DRB PROJECT NUMBER:

1002885

Mesa Reprographics
5901 Lomas NE
262-2046 office > 256-9435 fax

Date _____

PLEASE CALL/DELIVER COPIES & INVOICE TO:

FRANK ROWE
cell # 350-4569
home # 255-2698

*1 copy - same size - call when
it is available and I will pick up*

PLEASE RETURN ORIGINALS

TO: CITY OF ALBUQUERQUE
PLANNING DEPARTMENT / PUBLICATIONS
2ND LEVEL - WEST
600 2ND ST NW

CONTACT: JOE MCSORLEY
924-3861

Document: Vacation plat

Released To: _____
Signature

Date

Returned _____
Signature

Date

279-8605

CITY COUNCIL
OF THE
CITY OF ALBUQUERQUE

February 10, 2003

FLOOR AMENDMENT NO. 1 TO R-02-185.

AMENDMENT SPONSORED BY COUNCILLOR _____.

✓ 1. On page 1, line 7, after "PLAN", insert the following:

“; LIMITING LAND USES ON LOTS 10 – 16, BLOCK 20, TRACT 3, UNIT 3”.

2. On page 2, line 19, after "Albuquerque Acres", insert the following:

"The La Cueva Sector Development Plan is further amended by inserting the following new paragraph in Section 5.4.5 SU-2/Mixed Use after Paragraph 12 on page 30:

'13. Land uses on Lots 10 through 16, Block 20, Tract 3, Unit 3, North Albuquerque Acres are limited to the following:

- a. Permissive and Conditional uses of the R-1 Zone;
- b. Office and Institutional uses of the O-1 Zone;
- c. Small animal clinic and enclosed lodge with an outdoor play yard, provided a solid wall at least six feet in height is erected on the northern, eastern and western sides of the play yard.' "

add this language

→ ** include copies of all Resolutions that changed the text and/or the boundaries. Place in front of the document.*

CHANGES TO LA CUEVA SECTOR DEVELOPMENT PLAN

- Add a new paragraph #13 on page 30 following paragraph #12 under 5.4.⁵~~4~~ SU-2/Mixed Use as follows:

“13. For lots 10 through 16, Block 20, Tract 3, Unit 3, North Albuquerque Acres, land uses are limited to the following:

- a. Permissive and Conditional uses of the R-1 Zone
- b. Office and Institution uses of the O-1 Zone
- c. Small animal clinic and enclosed lodge with an outdoor play yard provided a solid wall at least six feet in height shall be erected on the North, East and West side of the play yard.”

- Add a new paragraph under heading 5.2 RD Zone, page 26 to read as follows:

“For lots 10 through 16, Block 19, Tract 3, Unit 3, North Albuquerque Acres and lots 10 through 16, Block 18, Tract 3, Unit 1, North Albuquerque Acres any lot size less than three quarters of an acre may not have access to Carmel.”

ALBUQUERQUE NATIONAL TRUST AND SAVINGS BANK TO GEORGE SHACKLETON

Contract Number 2378 (4021) Dated, October 7, 1930 PAJARITO SPANISH GRANT NORINS REALTY CO., INC. STATE OF NEW MEXICO, County of Bernalillo. This instrument was filed for record on the 3rd day of March, 1932, at 9:31 o'clock A.M. Recorded in Vol. 124 of Records of said County Folio 134 on this 5th day of March, 1932. Mrs. Will Rogers, Clerk and Ex-officio Recorder.

TRUSTEE'S DEED

THIS INDENTURE, Made this First day of February, 1932, between ALBUQUERQUE NATIONAL TRUST AND SAVINGS BANK, a banking corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain warranty deed made and executed the 28th day of October, 1929, between Mutual Investment and Agency Company, a corporation, as party of the first part, and Albuquerque National Trust and Savings Bank, a banking corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 108 at Page 613 of the Records in the Office of the County Clerk of Bernalillo County, New Mexico, November 2, 1929, and in part execution of the trust reposed in this grantor, the party of the first part, in said deed, and George Shackleton of Oakland, California

the part Y of the second part:

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the party Y of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, conveyed, released and confirmed, and by these presents does remise, convey, release and confirm unto the party Y of the second part, his heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: All of the North East Quarter (NE 1/4), of the South East Quarter (SE 1/4), of the South West Quarter (SW 1/4), of Section Thirty-four (34), Township Nine (9) North Range One (1) West, N.M.P.M., Bernalillo County, New Mexico, comprising ten acres more or less.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for road and pipe-line purposes; also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America to Tomas C. Gutierrez, et al., dated November 27, 1914, and recorded in Book 97, Page 517; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the party Y of the second part, his heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers thereunto duly authorized, the day and year first above written.

ALBUQUERQUE NATIONAL TRUST AND SAVINGS BANK, Trustee.

ATTEST:

O.M. Love (Corporate Seal) Secretary.

By Fred Luthy Vice-President.

STATE OF NEW MEXICO, County of Bernalillo

On this 5 day of Feb., 1932, before me, personally appeared Fred Luthy

to me personally known, who being by me duly sworn, did say that he is Vice-President of Albuquerque National Trust and Savings Bank, a corporation organized under the national banking laws of the United States, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Fred Luthy acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written.

Robert M. Elder Notary Public in and for Bernalillo County, State of New Mexico.

My commission expires Dec. 7, 1934

(Notarial Seal)

COMPARED

Handwritten signature and date: G. TO 9/3

24 copies
of the 5
non-specific
essays.
documents

K132

(77916) A

FIRST TITLE GUARANTEE AND TRUST COMPANY No. 56

TO WILLIAM H. BRAIN and LURA M. BRAIN, Joint Tenants, of OAKLAND, CALIFORNIA.

Contract Number 508 (5054) Dated April 25th, 1931. NORTH ALBUQUERQUE ACRES MORINS REALTY CO., INC.

STATE OF NEW MEXICO, County of Bernalillo

I hereby certify that this instrument was filed for record on the 17th day of Feb. 1931, at 9:20 o'clock A.M., and was duly recorded in Book 132 of Deeds and Conveyances, page 249 on this 17th day of Feb. 1931.

Edna Monahan Probate Clerk and Ex-Officio Recorder. Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Made this 15th day of June, 1931, between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain security deed made and executed the 23rd day of December, 1928, between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantee and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and amended in Book 117 at Page 45 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 12th, 1931, and in part amendment of the trust imposed in this grantor, the party of the first part, in said deed, and WILLIAM H. BRAIN and LURA M. BRAIN, Joint Tenants, of OAKLAND, CALIFORNIA.

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the party of the second part, the receipt whereof is hereby confirmed and acknowledged, has granted, conveyed, released and confirmed, and by their presents does remise, convey, release and confirm unto the party of the second part, their heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing TWO acre . . . of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of Lot 10, and all of Lot 23, in Block 18, Tract 3, Unit 1, as per map recorded March 23rd, 1931, in Book 2, Page 106, of Map Book, County of Bernalillo, State of New Mexico.

(No Revenue Stamps Attached)

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, and the revenues and accessories, rents and remainders, rotes, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above recited premises with the hereditaments and appurtenances;

Subject to a right of way for pipe-line purposes, site for right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps shown now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a material contract between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pipe lines with cross arms for the transmission of electrical energy, and for telephone poles, and for the laying, erecting, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and according to the map of this first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race; nor shall any vicious or offensive business or industry be operated or carried on upon said premises.

To have and to hold the said premises above recited and described, with the appurtenances, unto the party of the second part, their heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers and agents duly authorized, the day and year first above written.

ATTEST: M. A. ROYBARK, Secretary (Corporate Seal) By J. W. MOHRING, Trustee

STATE OF NEW MEXICO, County of Bernalillo

On this 15th day of July, 1931.

J. W. MOHRING, Trustee

Notary Public in and for the State of New Mexico

(79260) A

NO. 918.
FIRST TITLE GUARANTEE
AND TRUST COMPANY
TO
LILLIAN J. GUIDO OF ALAMEDA COUNTY,
CALIFORNIA.

Contract Number 394
Dated May 1, 1931
NORTH ALBUQUERQUE ACRES
NORINS REALTY CO., INC.

STATE OF NEW MEXICO
County of Bernalillo

I hereby certify that this instrument was filed for record on the 19th day of May 1931 at 10:39 o'clock A.M. and was duly recorded in Book 112 of Deeds and Conveyances, page 270 on this 19th day of May 1931.
Edna Monahan
Probate Clerk and Ex-Officio Recorder.
Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Made this 4th day of January, 1931,

between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain indenture heretofore executed by Mutual Investment and Agency Company to the First Title Guarantee and Trust Company, Trustee, duly recorded in the public records of Bernalillo County, State of New Mexico, to which reference is here made for greater particularity.

and in full execution of the trust imposed in this grant, the party of the first part, in said deed, and
LILLIAN J. GUIDO OF ALAMEDA COUNTY, CALIFORNIA.

the party of the second part;

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$100, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the party of the second part, the receipt whereof is hereby certified and acknowledged, has remised, conveyed, released and confirmed, and by these presents does remise, convey, release and confirm unto the party of the second part, hereinafter named, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing TWO acre .8 of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of Lots 14 and 19, in Block 18, Tract 3, Unit 1, as per map recorded March 23rd, 1931, in Book 2, Page 106, of Map Book, County of Bernalillo, State of New Mexico.

(\$0.50 Cts. Revenue Stamp Cancelled)

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, and the revenues and proceeds, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for pipe-line purposes, also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a material part between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of creating, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, repairing, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the party of the second part, hereinafter named, forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal and attested by its officers this 4th day of January, 1931.

ATTEST:
M. R. Goplen, Secretary (Corporate Seal)
FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee.
By: M. L. Goplen, President

STATE OF NEW MEXICO
County of Bernalillo
On this 4th day of January 1931
M. L. Goplen

FIRST TITLE GUARANTEE AND TRUST COMPANY TO Gordon K. Holmes and Nellie Holmes

Contract Number (5077)(5078) 334 - 335 Dated April 27th, 1931 NORTH ALBUQUERQUE ACRES NORINS REALTY CO., INC.

STATE OF NEW MEXICO, County of Bernalillo I hereby certify that this instrument was filed for record on the 3 day of October 1931 at 8:48 o'clock A.M. and was duly recorded in Book 124 of Deeds and Conveyances, page 343 on this 10th day of October, 1931 Mrs. Will Rogers, Probate Clerk and Ex-Officio Recorder Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Made this 1st day of JULY 1931 between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain mortgage deed made and executed the 20th day of December, 1928 between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantee and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 117 at Page 45 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 12th, 1931, and in part executed in the trust reposed in this grantor, the party of the first part, is and does and GORDON E. HOLMES and NELLIE HOLMES, of BONGRA, CALIFORNIA

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$1,000, the money of the United States, and other good and valuable consideration, to it in hand paid by the parties of the second part, the receipt whereof is hereby confessed and acknowledged, has received, conveyed, delivered and confirmed, and by these presents does remise, convey, release and confirm unto the parties of the second part, THEIR heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing FOUR acre, S. of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of Lots 15, 16, 17 and 18, in Block 18, Tract 3, Unit 1, as per map recorded March 23rd, 1931, in Book 2, page 106, of Map Book, County of Bernalillo, State of New Mexico.

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances:

Subject to a right of way for pipe-line purposes, also the right to build, construct and maintain and operate a telephone line or lines, and subject to all reservations of the United States Government, as contained in the original patent from the United States of America; and

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual covenant between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and in the future erecting, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for hire, as a servant of some person of the Caucasian race; nor shall any noxious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the part 1st of the second part, THEIR heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers duly authorized, the day and year first above written.

FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee. By J. W. NORMANT, Secretary

ATTEST: M. A. NORMANT (Corporate Seal) Secretary

State of California, County of Los Angeles, On this 10th day of August, 1931, J. W. NORMANT

to me personally known, who being by me duly sworn, did say that he is President of the FIRST TITLE GUARANTEE AND TRUST COMPANY, a New Mexico corporation, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said J. W. NORMANT acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written. My Commission expires: 2/20/32. (Notarial Seal) Joseph J. Hester, Notary Public in and for the County of Los Angeles, State of California.

PREPARED N.R.R.

FIRST TITLE GUARANTEE AND TRUST COMPANY TO FLORENCE E. SWEENEY of OAKLAND, CALIFORNIA

Contract Number 441 (5118) Dated May 5th, 1932 NORTH ALBUQUERQUE ACRES NORINS REALTY CO. INC.

STATE OF NEW MEXICO, County of Bernalillo

I hereby certify that this instrument was filed for record on the 6th day of June, 1932, at 3:40 o'clock P.M., and was duly recorded in Book 124 of Deeds and Conveyances, page 451, on this 7th day of June, 1932.

Mrs. Will Rogers Probate Clerk and Ex-Officio Recorder.

TRUSTEE'S DEED

THIS INDENTURE, Made this 23rd day of March, 1932, between FIRST TITLE GUARANTEE AND TRUST COMPANY, a corporation in Albuquerque, New Mexico, as Trustee, and pursuant to the terms and conditions of a certain warranty deed made and executed the 23rd day of December, 1928, between Mutual Investment and Agency Company, a corporation, as party of the first part, and First Title Guarantor and Trust Company, a corporation in Albuquerque, New Mexico, as Trustee, as party of the second part, and recorded in Book 117 at Page 46 of the Records of Deeds and Conveyances in the Office of the County Clerk of Bernalillo County, New Mexico, January 12th, 1929, and in part execution of the trust reposed in this grantor, the party of the first part, in said deed, and FLORENCE E. SWEENEY, of Oakland, California.

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$1.00, lawful money of the United States, and other good and valuable consideration, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has remised, conveyed, released and confirmed, and by these presents does remise, convey, release and confirm unto the party of the second part, her heirs or assigns, forever, all the following described lot or parcel of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit: containing TWO acre S. of North Albuquerque Acres in Bernalillo County, New Mexico, as per map of record in said county.

All of Lots 12 and 13, in Block 18, Tract 3, Unit 1, as per map recorded March 23rd, 1931, in Book 2, Page 106, of Map Book, County of Bernalillo, State of New Mexico.

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, and the services and accessories, remainder and remainders, rents, issues and profits; and all the estate, right, title, interest, claim and demand whatsoever of the party of the first part, either in law or equity, of, in and to the above remised premises with the hereditaments and appurtenances;

Subject to a right of way for pipe-line purposes, also the right to build, construct and maintain and operate a telephone line or lines, and subject to all encroachments of the United States Government, as contained in the original patent from the United States of America; and

Subject to an easement for street purposes, as the same is shown and delineated upon the official map or maps thereof now on file and of record in the office of the County Clerk of Bernalillo County, State of New Mexico; and

Subject to all covenants and conditions, restrictions, privileges, rights and exceptions of record, as a servitude in favor of each and every lot in said tract as a dominant tenement or tenements, which covenants and conditions, restrictions, privileges, rights and exceptions of record shall constitute and be a mutual covenant between the various purchasers and buyers in said tract.

Party of the first part hereby reserves a right-of-way, with right of entry upon, over, under, along, across, and through the said land for the purpose of erecting, constructing, operating and maintaining pole lines with cross arms for the transmission of electrical energy, and for telephone poles, and/or for laying, extending, operating and renewing, any pipe line or lines for water, gas, or sewage, and any conduits for electric or telephone wires, and reserving to the party of the first part herein the sole right to convey the rights hereby reserved.

No part of said premises shall at any time be used or occupied by any person not of the Caucasian race, except while serving, for him, as a servant of some person of the Caucasian race; nor shall any malicious or offensive factory or business be operated or carried on upon said premises.

To have and to hold the said premises above remised and described, with the appurtenances, unto the party of the second part, her heirs or assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed and its corporate seal affixed by its officers the same day authorized, the day and year first above written.

ATTEST: E. P. Edgerton (CORPORATE SEAL) Secretary FIRST TITLE GUARANTEE AND TRUST COMPANY, Trustee M. S. ROBERTS Vice President

STATE OF NEW MEXICO, County of Bernalillo On this Sixteenth day of May, 1932, before me, personally appeared M. S. ROBERTS

to me personally known, who being by me duly sworn, did say that he is President of the FIRST TITLE GUARANTEE AND TRUST COMPANY, a New Mexico corporation, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and made in full and complete execution by authority of its Board of Directors, and said M. S. ROBERTS acknowledged said instrument to be the free act and deed of said corporation.

WITNESS my hand and seal on this day and year first above written. My commission expires William Roy Notary Public in and for Bernalillo County, State of New Mexico

PERMANENT PUBLIC ROAD EASEMENT

Grant of Permanent ROAD Easement, between Jim Clark
and Connie Clark ("Grantor"), whose address is 19 Crovans Rd / PO Box 908, Tijeras NM and
Bernalillo County, 1 Civic Plaza, 10th Floor, Albuquerque, New Mexico 87105.

For consideration received, the Grantor (PWL) grants to the County an exclusive, and full permanent road easement ("Easement") in, over, upon, and across the real property described on Exhibit "A", pages 1 & 2, attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of a hammer head cul-de-sac and required appurtenant structures, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the County determines they interfere with the appropriate use of this Easement.

Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any part thereof and that the Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the County and its successors and assigns until terminated.

WITNESS my hand and seal this _____ day of _____, 200__.

-- APPROVED --

GRANTOR:

[Signature]
(Individual)

Tim West 11/13/02
Bernalillo County Date
Tim West, Public Works Division Director

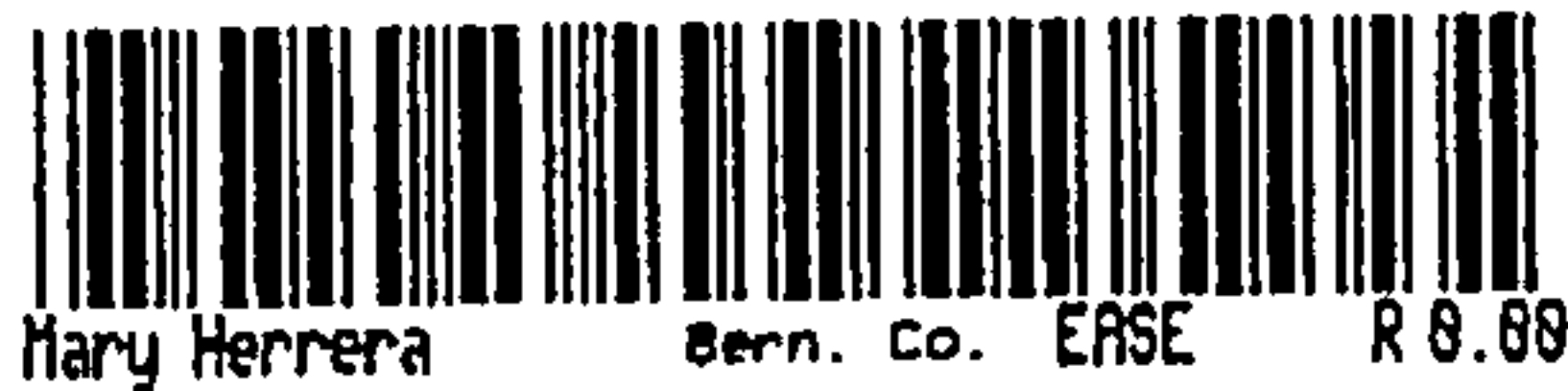
GRANTOR:

[Signature]
(Spouse)

GRANTOR:

By: _____
ITS _____
(Corporation or Partnership)

- 1 -



2002151009
5758183
Page: 1 of 5
11/18/2002 02:30P
Bk-A45 Pg-600

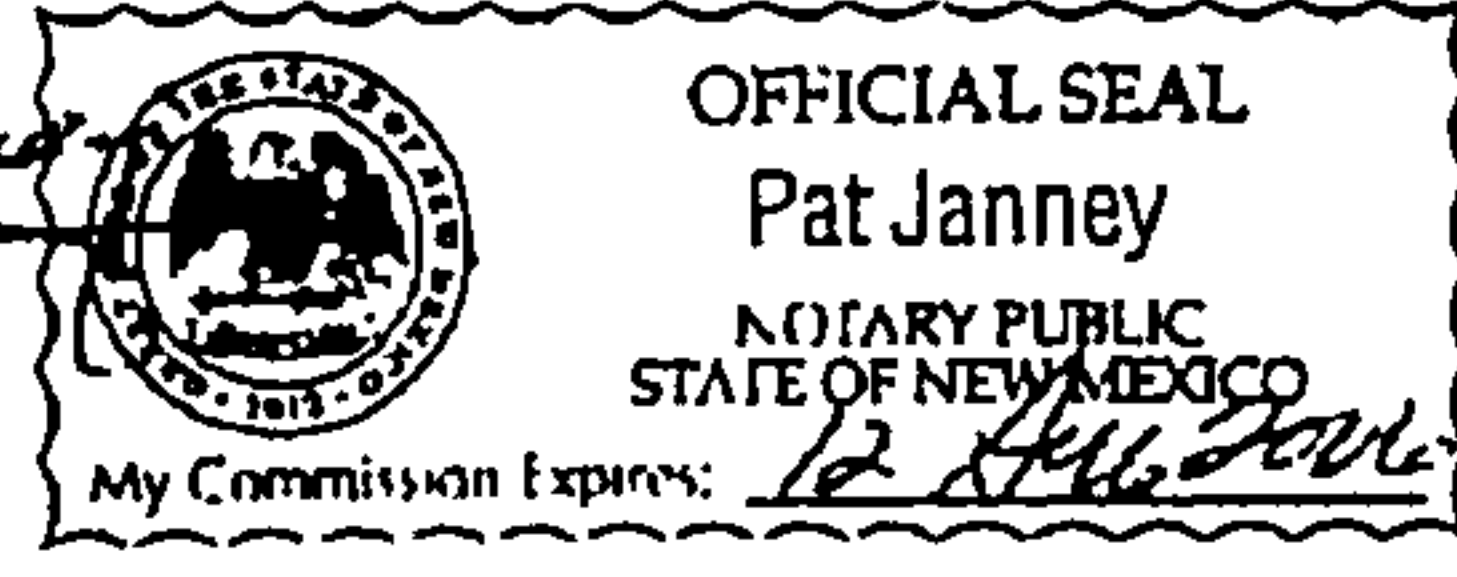
24 copies
of Vehicular
Access Easmt.
document.

INDIVIDUAL

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 15 day of October
2007, by JAMES L CLARK & CONNIE CLARK

Pat Janney
Notary Public



My Commission Expires:
12/16/2010

CORPORATION

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this ___ day of _____,
200___, by _____ of _____, a
_____ corporation, on behalf of the corporation.

Notary Public

My Commission Expires:



2002151009
5758183
Page: 2 of 5
11/18/2002 02:38P
Bk-R45 Pg-600

PARTNERSHIP

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this ___ day of _____,
200___, by _____, partner(s), on behalf of _____,
_____ , a partnership.

Notary Public

My Commission Expires:

Untitled

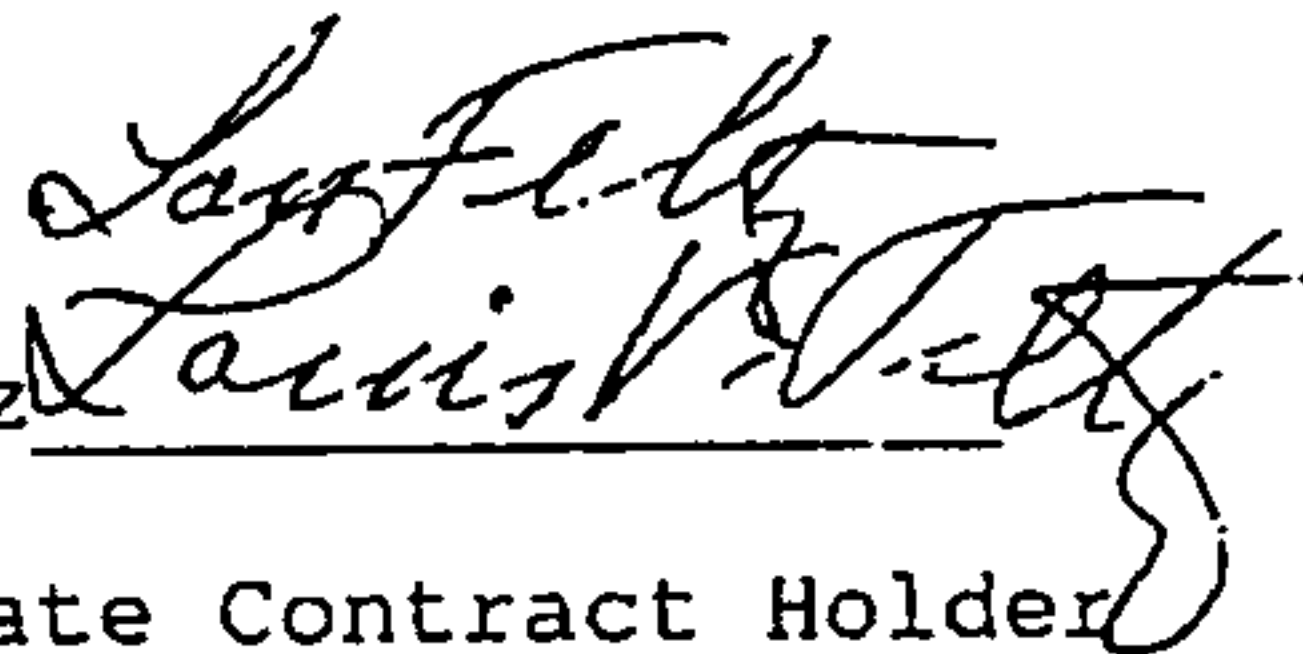
10/14/02

To Whom it May Concern,


I Lou Feltz have reviewed the proposed public road easement to be granted to the County of Bernalillo by Jim and Connie Clark that covers a lot formerly owned by myself and currently under real estate contract as set forth in a purchase agreement by Jim and Connie Clark.

The lot corresponds to Lot 10, Block 18, North Albuquerque Acres, Tract 3, Unit 1.

Accordingly, having reviewed the terms of the easement description of the easement I concur with the grant and do hereby acknowledge the terms and conditions of the easement.

Lou Feltz 
Real Estate Contract Holder

Date: 10/14/02

 2002151009
5758183
Page: 3 of 5
11/18/2002 02:30P
Bk-A45 Pg-600
Mary Herrera Bern Co. ERSE R 0.60

Page 1

LINE	DIRECTION	DISTANCE
E1	S 00°11'25" W	30.00'
E2	N 89°32'10" W	47.14'
E3	N 00°27'50" E	17.64'
E4	S 89°32'10" E	52.33'

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
EC1	17.00'	13.84'	N 22°51'24" W	13.46'	46°38'29"



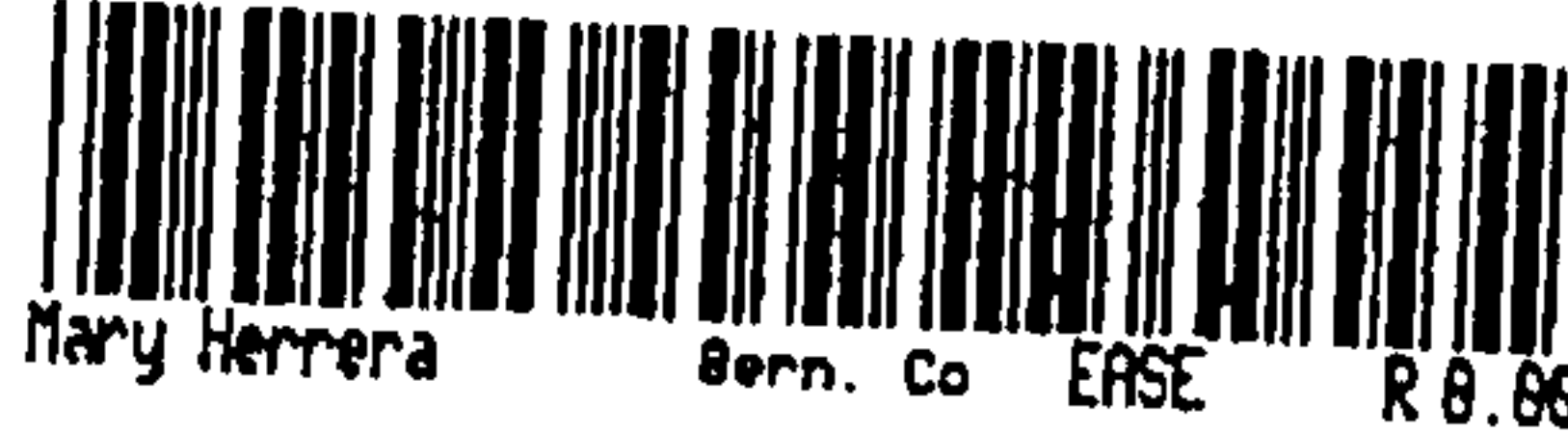


SCALE: 1" = 50'



EXHIBIT 'A'

PUBLIC VEHICULAR ACCESS EASEMENT SURVEY



2002151009
5758183
Page: 4 of 5
11/18/2002 02:30P
Bk-A45 Pg-600

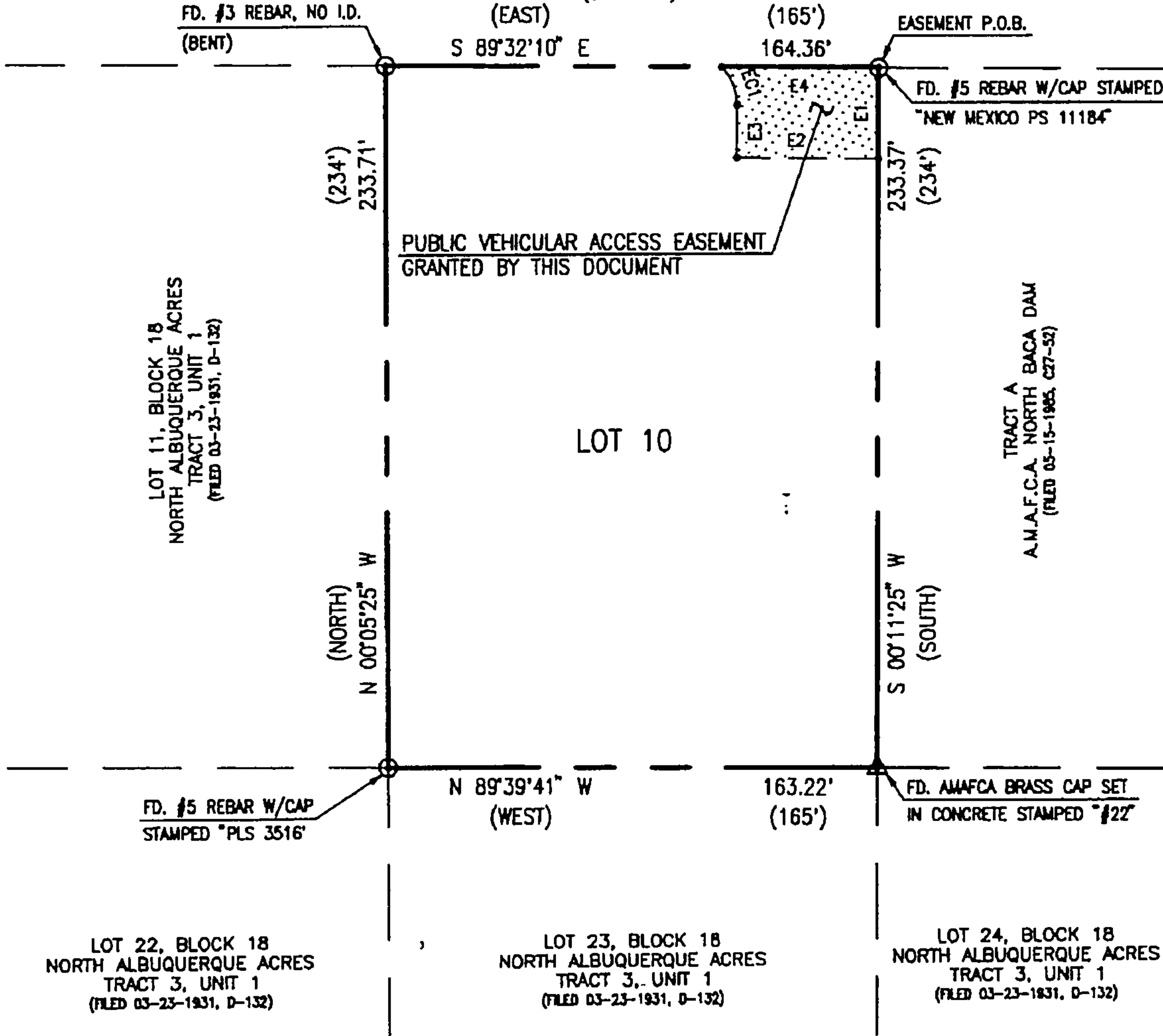
LOT 22, BLOCK 16
NORTH ALBUQUERQUE ACRES
TRACT 3, UNIT 1
(FILED 03-23-1931, D-132)

LOT 23, BLOCK 16
NORTH ALBUQUERQUE ACRES
TRACT 3, UNIT 1
(FILED 03-23-1931, D-132)

LOT 24, BLOCK 16
NORTH ALBUQUERQUE ACRES
TRACT 3, UNIT 1
(FILED 03-23-1931, D-132)

CARMEL AVENUE N.E.

(60° R.O.W.)



LINE	DIRECTION	DISTANCE
E1	S 00°11'25" W	30.00'
E2	N 89°32'10" W	47.14'
E3	N 00°27'50" E	17.64'
E4	S 89°32'10" E	52.33'

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
EC1	17.00'	13.84'	N 22°51'24" W	13.46'	46°38'29"



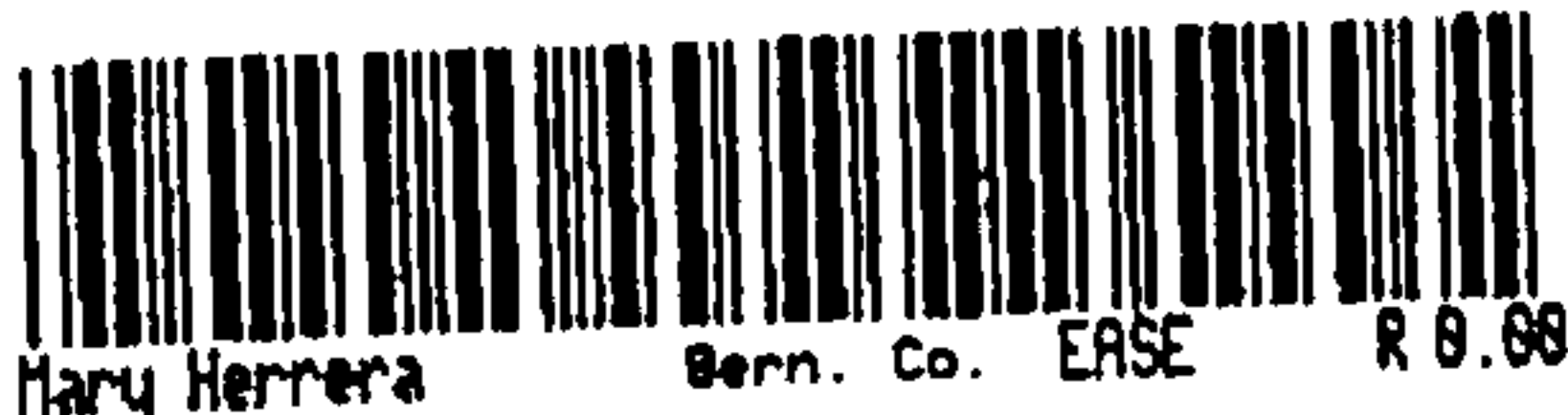
JEFF MORTENSEN & ASSOCIATES, INC.
 6010-B MIDWAY PARK BLVD. N.E.
 ALBUQUERQUE NEW MEXICO 87109
 ENGINEERS SURVEYORS (505) 345-4250
 JOB NO. 2001.059.8 EASE

EXHIBIT 'A'
PUBLIC VEHICULAR ACCESS EASEMENT SURVEY

EASEMENT DESCRIPTION

A certain tract of land located within Bernalillo County, New Mexico comprising a portion of Lot 10, Block 18, North Albuquerque Acres, Tract 3, Unit 1 as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 23, 1931, Book D, Page 132 and being more particularly described as follows:

Beginning at the northeast corner of the easement herein described, being the northeast corner of said Lot 10, Block 18, also being a property corner on the west boundary of Tract A, A.M.A.F.C.A. North Baca Dam as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on May 15, 1985, Book C27, Page 52, and also being a point on the south right-of-way line of Carmel Avenue N.E.; thence S 00°11'25" W a distance of 30.00 feet to the southeast corner of the easement herein described, being a point on the east property line of said Lot 10, Block 18; thence N 89°32'10" W a distance of 47.14 feet to the southwest corner of the easement herein described; thence N 00°27'50" E a distance of 17.64 feet to a point of curvature; thence along an arc of a curve to the left with Delta = 46°38'29", R = 17.00 feet and L = 13.84 feet (Chord Bearing = N 22°51'24" W, Chord Length = 13.46 feet) to the northwest corner of the easement herein described, being a point on the south right-of-way line of Carmel Avenue N.E.; thence S 89°32'10" E a distance of 52.33 feet along said south right-of-way line to the point of beginning and containing 0.0329 acres more or less.




2002151009
5758103
Page: 5 of 5
11/18/2002 02:38P
Bk-R45 Pg-698

Notes:

1. An easement survey was performed in August, 2002. Property corners were found as indicated.
2. Site located within projected Section 17, Township 11 North, Range 4 East, N.M.P.M. (Elena Gallegos Grant).
3. All distances are ground distances.
4. Bearings shown hereon are New Mexico State Plane Grid Bearings, Central Zone. Record bearings and distances are shown in parenthesis.
5. Purpose of this document is to define the new public vehicular access easement.
6. This survey is based upon the boundary/right-of-way survey conducted by this office dated January 30, 2002.

SURVEYORS CERTIFICATION

I, Charles G. Cala, Jr., New Mexico Professional Surveyor No. 11184, do hereby certify; that this easement survey and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that this survey meets the Minimum Standards for Surveying in New Mexico, and that it is true and correct to the best of my knowledge and belief.


Charles G. Cala, Jr., NMPS 11184



9-11-2002
Date

