

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1003902 AGENDA# 1 DATE: 2/11/09

1. Name: ~~Richard Blumenthal~~ Address: ~~7007 JEFFERSON STREET~~ Zip: ~~06104~~
2. Name: KEVIN PATTON Address: 7500 Jefferson Street
Albany Zip: 81109
3. Name: _____ Address: _____ Zip: _____
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 11, 2009

Project# 1003902
09DRB-70009 VACATION OF PUBLIC EASEMENT

SURV-TEK INC agent(s) for FOX PLAZA LLC request(s) the above action(s) for all or a portion of Tract(s) 8, 3-A-1 & A-A, **LANDS OF TIJERAS PLACE IMPROVEMENT CO INC** zoned C-2, located on CENTRAL AVE SE BETWEEN SAN PEDRO DR SE AND VALENCIA DR SE containing approximately 3.0732 acre(s). (K-18)

At the February 11, 2009 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance.

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

(B)(1) The public welfare is in no way served by retaining the public easements.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by February 26, 2009 in the manner described below.

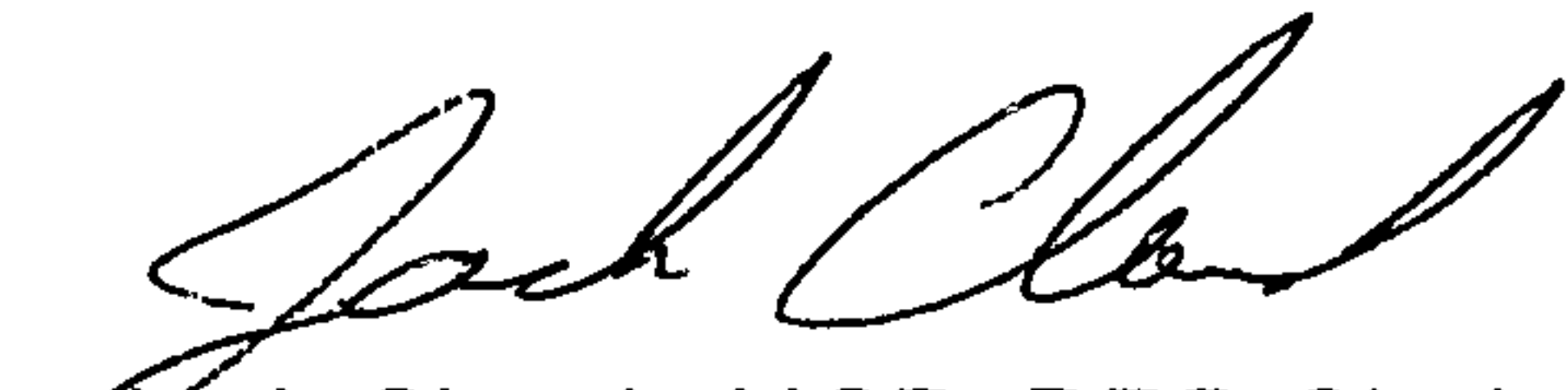
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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



Jack Cloud, AICP, DRB Chair

Cc: Surv-Tek Inc. – 9384 Valley View Dr NW – Albuquerque, NM 87114
Cc: Fox Plaza, LLC – 2325 San Pedro NE Ste 2-A – Albuquerque, NM 87110
Marilyn Maldonado
Scott Howell
File



DEVELOPMENT REVIEW BOARD
Action Sheet

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

February 11, 2009 9:00 AM
MEMBERS:

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

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

Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development

CASES WHICH REQUIRE PUBLIC NOTIFICATION
MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. ~~Project# 1003902~~
09DRB-70009 VACATION OF PUBLIC
EASEMENT

SURV-TEK INC agent(s) for FOX PLAZA LLC request(s) the above action(s) for all or a portion of Tract(s) 8, 3-A-1 & A-A, **LANDS OF TIJERAS PLACE IMPROVEMENT CO INC** zoned C-2, located on CENTRAL AVE SE BETWEEN SAN PEDRO DR SE AND VALENCIA DR SE containing approximately 3.0732 acre(s). (K-18) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

2. **Project# 1007263**
09DRB-70012 MAJOR - PRELIMINARY
PLAT APPROVAL
09DRB-70013 SIDEWALK WAIVER
09DRB-70014 MINOR - TEMP DEFR
SWDK CONST

BOHANNAN HUSTON INC agent(s) for KHANI COMPANY-NASER ALIKHANI request(s) the above action(s) for all or a portion of Tract(s) A-1, **FOUR HILLS VILLAGE- 21ST INSTALLMENT** zoned R-1, located on HIDEWAY LN SE AND WARM SNADS DR SE AND OPEN SPACE containing approximately 7.2734 acre(s). (M-23) **DEFERRED TO 3/4/09 AT THE AGENT'S REQUEST.**

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

Meeting Date: February 11, 2009
Zone Atlas Page: K-18
Notification Radius: 100 Ft.

Project# 1003902
App# 09DRB-70009

Cross Reference and Location:CENTRAL AVE SE BETWEEN SAN PEDRO DR SE
AND VALENCIA DR SE

Applicant: FOX PLAZA LLC
2325 SAN PEDRO NE ATE 2-A
ALBUQUERQUE, NM 87110

Agent: SAN TEK, INC
9384 VALLEY VIEW DR NW
ALBUQUERQUE, NM 87114

Special Instructions:

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

Date Mailed: JANUARY 23, 2009
Signature: ERIN TREMLIN

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): SURV-TEK, INC PHONE: 897-3366
 ADDRESS: 9384 VALLEY VIEW DR NW FAX: 897-3377
 CITY: ALB STATE NM ZIP 87114 E-MAIL: RUSSHUGG@SURVTEK

APPLICANT: FOX PLAZA, LLC PHONE: 884-3578
 ADDRESS: 2325 SAN PEDRO NE SUITE 2-A FAX: _____
 CITY: ALB STATE NM ZIP 87110 E-MAIL: _____

Proprietary interest in site: OWNERS List all owners: _____

DESCRIPTION OF REQUEST: VACATION OF A PUBLIC SANITARY SEWER EASEMENT

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

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

Lot or Tract No. TRACTS B, 3-A-1 AND 4-A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: LAND OF TIJERAS PLACE IMPROVEMENT CO., INC.
 Existing Zoning: C-2 Proposed zoning: SAME MRGCD Map No N/A
 Zone Atlas page(s): K-1B UPC Code: 101805724813831314
101805721313731313
101805722812931301

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? N/A
 No. of existing lots: 3 No. of proposed lots: 3 Total area of site (acres): 3.0732
 LOCATION OF PROPERTY BY STREETS: On or Near: CENTRAL AVENUE SE
 Between: SAN PEDRO DR SE and VALENCIA DR SE

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

SIGNATURE [Signature] DATE 11.24.08

(Print) Russ Hugg Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers
09DRB-10009

Action	S.F.	Fees
<u>VPE</u>	<u>4</u>	<u>\$45.00</u>
<u>ADV</u>		<u>\$70.00</u>
<u>CMF</u>		<u>\$70.00</u>
		\$ _____
		\$ _____
		\$ _____
		Total
		<u>\$185.00</u>

Hearing date FEB 11, 09

Sandy Handley 01/15/09
 Planner signature / date

Project # 1003902

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 ___ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 ___ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
 VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)
 ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
 (Not required for City owned public right-of-way.)
 ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 ✓ Zone Atlas map with the entire property(ies) clearly outlined
 ✓ Letter briefly describing, explaining, and justifying the request
 ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ✓ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

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

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

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

- VACATION OF PRIVATE EASEMENT (DRB26)**
 VACATION OF RECORDED PLAT (DRB29)
 ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 ___ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

Russ Hugg
 Applicant name (print)
[Signature] 12-
 Applicant signature / date



Form revised 4/07

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

Application case numbers
09DRB-70009

Sandy Hugg
 Planner signature / date
 Project # 1003902

Rec	UPC	OWNER	OWNADD	OWNCITY	OWNSTATE	OWNZIPCODE	PROPCLAS	TAXDIST	LEGALDESC	ACRES	OBJECTID
1	10180 57189 14331 323	ROMERO ROBERT D & NANCY R TRUSTE ES ROMERO TRUST	1704 ST ATE ROAD 502	SAN TAFE	NM	875 06	C	A 1 A	TR 2A1 PLAT OF TRACT "2-A" & "2-A- 2" TIJERAS PLACE IMPROVEMENT CO INC CON T 0.975 AC OR 42,487 SF	0. 99 76 32 98	16 14 28
2	10180 57213 13731 313	FOX PLAZA LLC	2325 SA N PEDR O DR N E Z-A	ALB UQ UE RQ UE	NM	871 10	V	A 1 A	TR 3-A-1 PLAT OF LOT 3-A- 1 LAND OF TIJERAS PLACE IMPROVEMENTCOM PANY INC (BEING A REPLAT OF LOT 3- A LAND OF TIJERAS PLACEIMPROVEMENT CO I NC) CONT .4463 AC	0. 44 63 23 66	16 51 05
3	10180 57248 13831 314	FOX PLAZA LLC	2325 SA N PEDR O NE Z- A	ALB UQ UE RQ UE	NM	871 10	V	A 1 A	TR 8 LAND OF TIJERAS PLACE IMPROVEMENT CO INC (BEING AREPLAT OF LOTS 1 THRU 8 BL OCK 41 VAC PORTION OF CAGUA DRSE & VAC 15' PUBLIC ALLEY TIJERAS PLACE CONT .8440 AC	0. 83 52 30 84	16 60 44
4	10180 57183 11731 322	COUNTY OF BERNA LILLO C/O COUNTY MANAGER	1 CIVIC PLAZA NW	ALB UQ UE RQ UE	NM	871 02	R	A 1 A	TRACT 2-B-1 PLAT OF TRACT 2-B- 1 TIJERAS PLACEIMPROVEMENT CO INC CONT 4.2103 AC	4. 09 05 63 35	16 64 39
5	10180 57240 08231 312	FOX PLAZA PARTNE RS C/O JAMES A PE TERSON	2325 SA N PEDR O DR N E Z-A	ALB UQ UE RQ UE	NM	871 10	C	A 1 A	TR 4-D PLAT OF TRS 4-A THRU 4- F INCLUSIVE LANDS OF TIJERAS PLACE IMPRO VEMENT CO INC FORMERLY BEING TR 4 CONT 4.3081 ACM/L OR 187,662 SF M/L	4. 42 65 76 23	16 74 25
6	10180 57225 18732 904	6101 CENTRAL LLC	13101 R EBONIT O RD N E	ALB UQ UE RQ UE	NM	871 12	C	A 1 A	* 002 002SANTILLA PLACE L2 THRU 19	2. 30 89 54 32	16 79 15
7	10180 57198 17032 802	FRAPPIER RAY	13204 C ANYON EDGE T RL NE	ALB UQ UE RQ UE	NM	871 11	C	A 1 A	*009 003 SANTILLA PLACE	0. 16 01 05 87	17 18 53
8	10180 57204 16932 803L1	FRAPPIER RAY	13204 C ANYON EDGE T RL NE	ALB UQ UE RQ UE	NM	871 11	C	A 1 A	003SANTILLA PLACE LOTS 10 & 11	0. 32 86 06 65	17 19 05
9	10180 57229 10531 303	FOX PLAZA LLC % P ETERSON PROP RE AL ESTATE	2325 SA N PEDR O DR N E 2A	ALB UQ UE RQ UE	NM	871 10	C	A 1 A	TR 4-C PLAT OF TRS 4-A THRU 4- F INCLUSIVE LANDS OF TIJERAS PLACE IMPRO VEMENT CO INC FORMERLY BEING TR 4 CONT 1.1973 ACM/L OR 52,154 SF M/L	1. 19 38 10 61	17 21 42
10	10180 57273 12041 301	ALPHA ZETA C/O M COMMERCIAL CO	3503 C ENTRA L AVE N E SUIT ED	ALB UQ UE RQ UE	NM	871 06	C	A 1 A	* 025 001FAIR GROUNDS W29 FT LT24 E LTS 25 E 26	0. 41 04 16 18	17 26 73
11	10180 57196 07731 327	VENTAS REALTY LIM ITED PARTNERSHIP C/O N TEXAS TEAM/ MARVIN F POER & C O	PO BOX 802206	DA LLA S	TX	753 80	R	A 1 A	TRACT 5-A-1-A PLAT OF TRACT 5-A-1- A TIJERAS PLACE IMPROVEMENT COMPANY IN C CONT 5.2324 AC OR 227,923 SF	5. 21 50 50 48	17 29 89
12	10180 57250 17133 001	WILGER JOHN PAUL TR WILGER FT % WA LGREEN CO TAX DE P 1435	104 WIL MOT R D	DE ER FIE LD	IL	600 15	C	A 1 A	LOT 7- A BLK 1 PLAT FOR SANTILLA PLACE LT 7A BLK 1 CONT 1.3059 AC M/L OR 56,885 SQ FT M/L	1. 30 41 76 98	17 31 95
1	10180	PROVIDENT BANK %	PO BOX	PH	AZ	850	C	A	TR A REPLAT OF LOTS 1 THRU 4 BLK 1 FAIRGR	0.	17

3	57279 13741 315	CIRCLE K CORP PR OPERTY TAX DEPT DC17	52085	OE NIX		72		1 A	OUNDS ADDN CONT 28,284 SQ FT M/L	61 67 48 23	40 02
1 4	10180 57228 12931 301	FOX PLAZA LLC	2325 SA N PEDR O DR N E Z-A	ALB UQ UE RQ UE	N M	871 10	C	A 1 A	TR 4-A PLAT OF TRS 4-A THRU 4- F INCLUSIVE LANDS OF TIJERAS PLACE IMPRO VEMENT CO INC FORMERLY BEING TR 4 CONT 1.7829 ACM/L OR 77,662 SF M/L	1. 84 33 04 98	17 51 55
1 5	10180 57253 11931 302	FOX PLAZA LLC	2325 SA N PEDR O DR N E Z-A	ALB UQ UE RQ UE	N M	871 10	C	A 1 A	TR 4-B PLAT OF TRS 4-A THRU 4- F INCLUSIVE LANDS OF TIJERAS PLACE IMPRO VEMENT CO INC FORMERLY BEING TR 4 CONT 0.5528 ACM/L OR 24,079 SF M/L	0. 57 56 32 45	17 62 45
1 6	10180 57272 15241 701	JOHN K & HELENA K WHITE & FRED WHIT E LLC	5715 M ENAU BLVD N E	ALB UQ UE RQ UE	N M	871 10	C	A 1 A	LTS 23, 24 & W'LY 1/2 LT 22 BLK 17 FAIRGROUN DS ADDITION EXCLSW'LY PORT OF LT 24 OUT T O RW CONT .3715 AC +/-	0. 46 49 41 76	18 67 46

OR CURRENT RESIDENT
101805722518732904
6101 CENTRAL LLC
13101 REBONITO RD NE
ALBUQUERQUE, NM 87112

Project# 1003902
101805721313731313
FOX PLAZA LLC
2325 SAN PEDRO DR NE Z-A
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101805727215241701
JOHN K & HELENA K WHITE & FRED
WHITE LLC
5715 MENAUL BLVD NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101805719607731327
VENTAS REALTY LIMITED
PARTNERSHIP C/O N TEXAS
TEAM/MARVIN F POER & CO
PO BOX 802206
DALLAS, TX 75380

OR CURRENT RESIDENT
101805727312041301
ALPHA ZETA C/O M COMMERCIAL
3503 CENTRAL AVE NE SUITE D
ALBUQUERQUE, NM 87106

Project# 1003902
101805724008231312
FOX PLAZA PARTNERS C/O JAMES A
PETERSON
2325 SAN PEDRO DR NE Z-A
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101805727913741315
PROVIDENT BANK CIRCLE K CORP
PROPERTY TAX DEPT DC17
PO BOX 52085
PHOENIX, AZ 85072

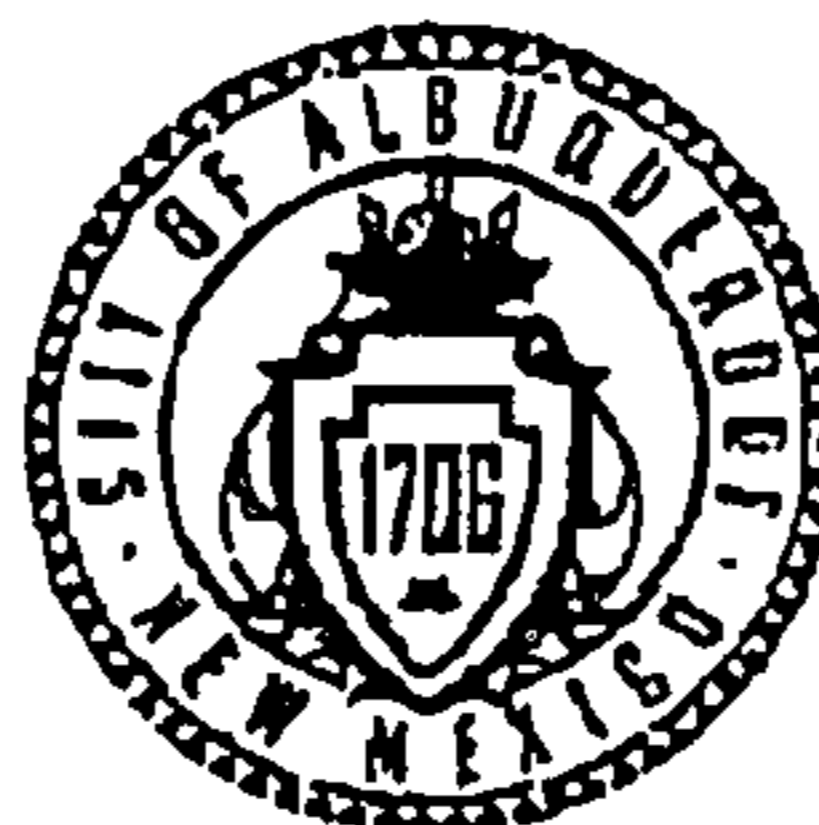
OR CURRENT RESIDENT
101805725017133001
WILGER JOHN PAUL TR WILGER FT
WALGREEN CO TAX DEP 1435
104 WILMOT RD
DEERFIELD, IL 60015

OR CURRENT RESIDENT
101805718311731322
COUNTY OF BERNALILLO C/O
COUNTY MANAGER
1 CIVIC PLAZA NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101805719817032802
FRAPPIER RAY
13204 CANYON EDGE TRL NE
ALBUQUERQUE, NM 87111

OR CURRENT RESIDENT
101805718914331323
ROMERO ROBERT D & NANCY R
TRUSTEES ROMERO TRUST
1704 STATE ROAD 502
SANTA FE, NM 87506

Project# 1003902
SURB TEK INC
9384 VALLEY VIEW DR NW
ALBUQUERQUE, NM 87114



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: December 23, 2008

TO CONTACT NAME: Russ Hugg
 COMPANY/AGENCY: SURV-TEK INC
 ADDRESS/ZIP: 9384 Valley View Dr NW 87114
 PHONE/FAX #: 897-3360 / 897-3377

Thank you for your inquiry of 12-23-08 (date) requesting the names of **ALL Affected**

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at Tracts 3-A-1, 4-A and 8, Lands of Tijeras Place Improvement Company located on Central zone map page(s) K-18 Ave SE between San Pedro + Valencia SE.

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

Jair West
 Neighborhood or Homeowner Association
 Contacts: Tim Newell
1023 Valencia NE 87108
255-8321 (h) 853-5651 (w)
Leah Steimel
332 Cardenas Dr NE
268-9358 (h) 87108-1712

South San Pedro
 Neighborhood or Homeowner Association
 Contacts: Reyna Luz Suarez
816 San Pedro SE 87108
254-2142 (h)
Enrique Cardiel
400 Indiana SE
255-9312 (h) 87108

See reverse side for additional Neighborhood and/or Homeowner Associations 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 Harmona
 OFFICE OF NEIGHBORHOOD COORDINATION

.....
ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations 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 NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments 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 and/or homeowner associations may contact someone with questions or comments.

INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

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

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

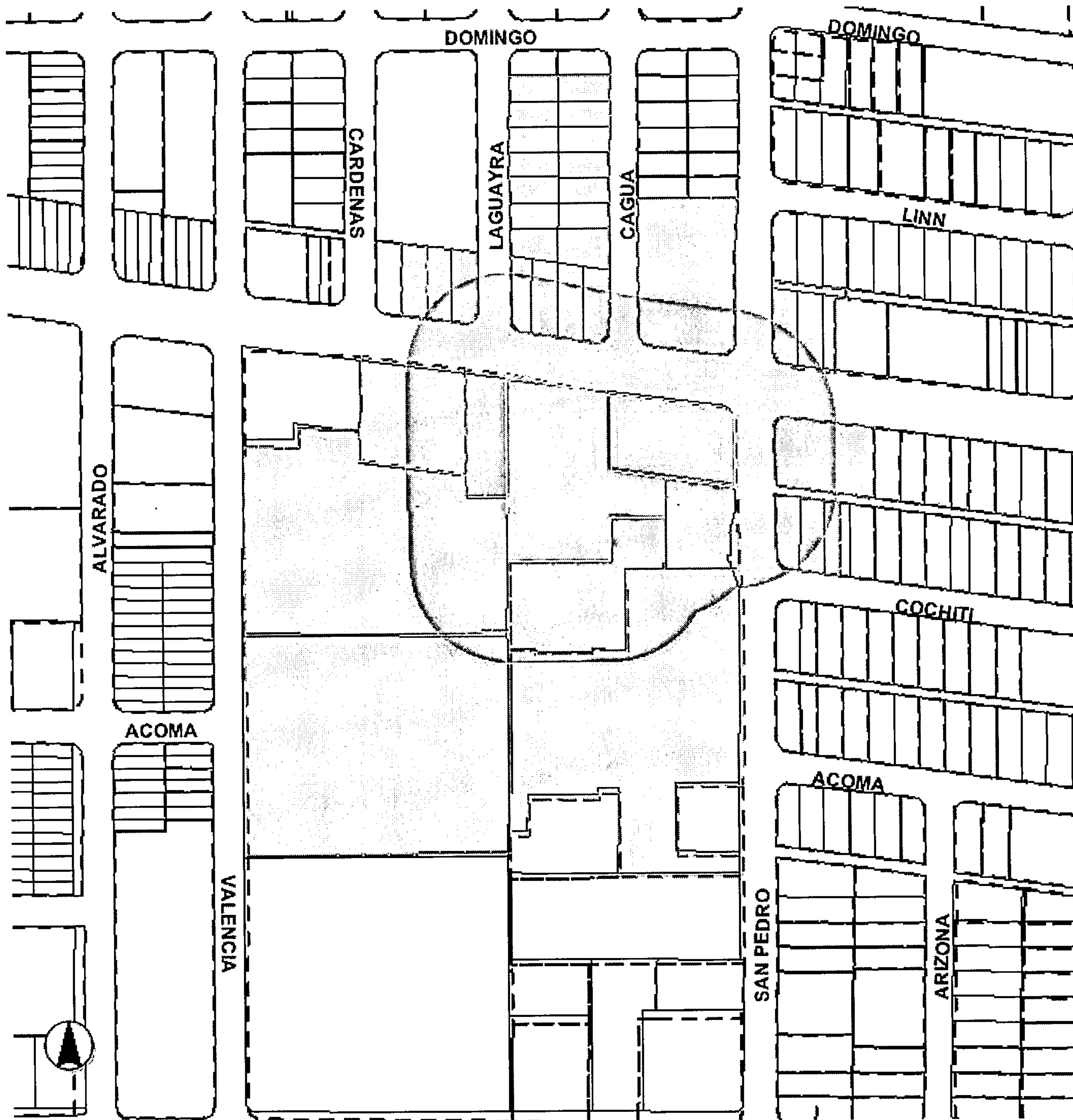
Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

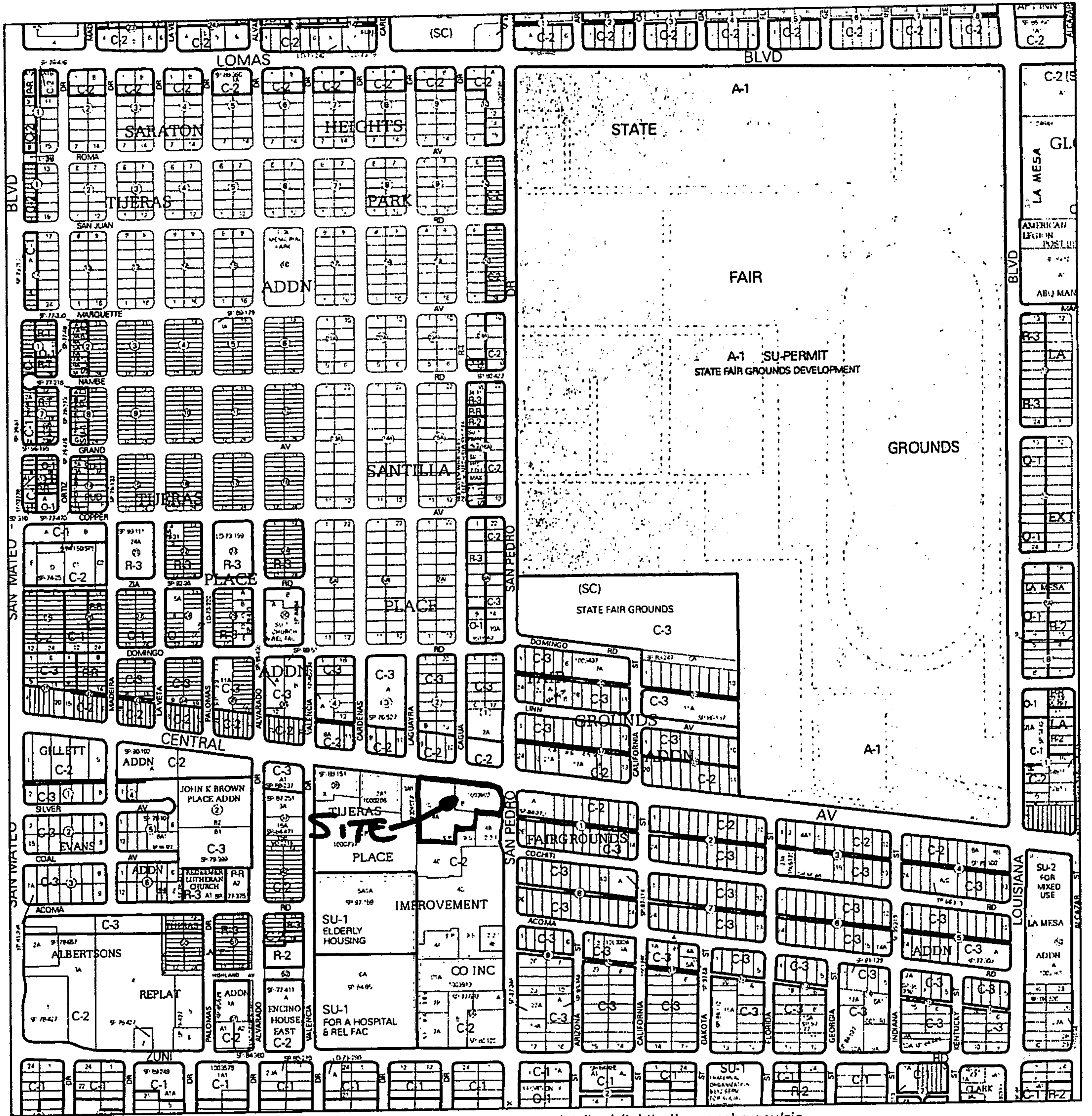
(Below this line for ONC use only)

Date of Inquiry: 12-23-08

Time Entered: 3:15pm

ONC Rep. Initials: OC










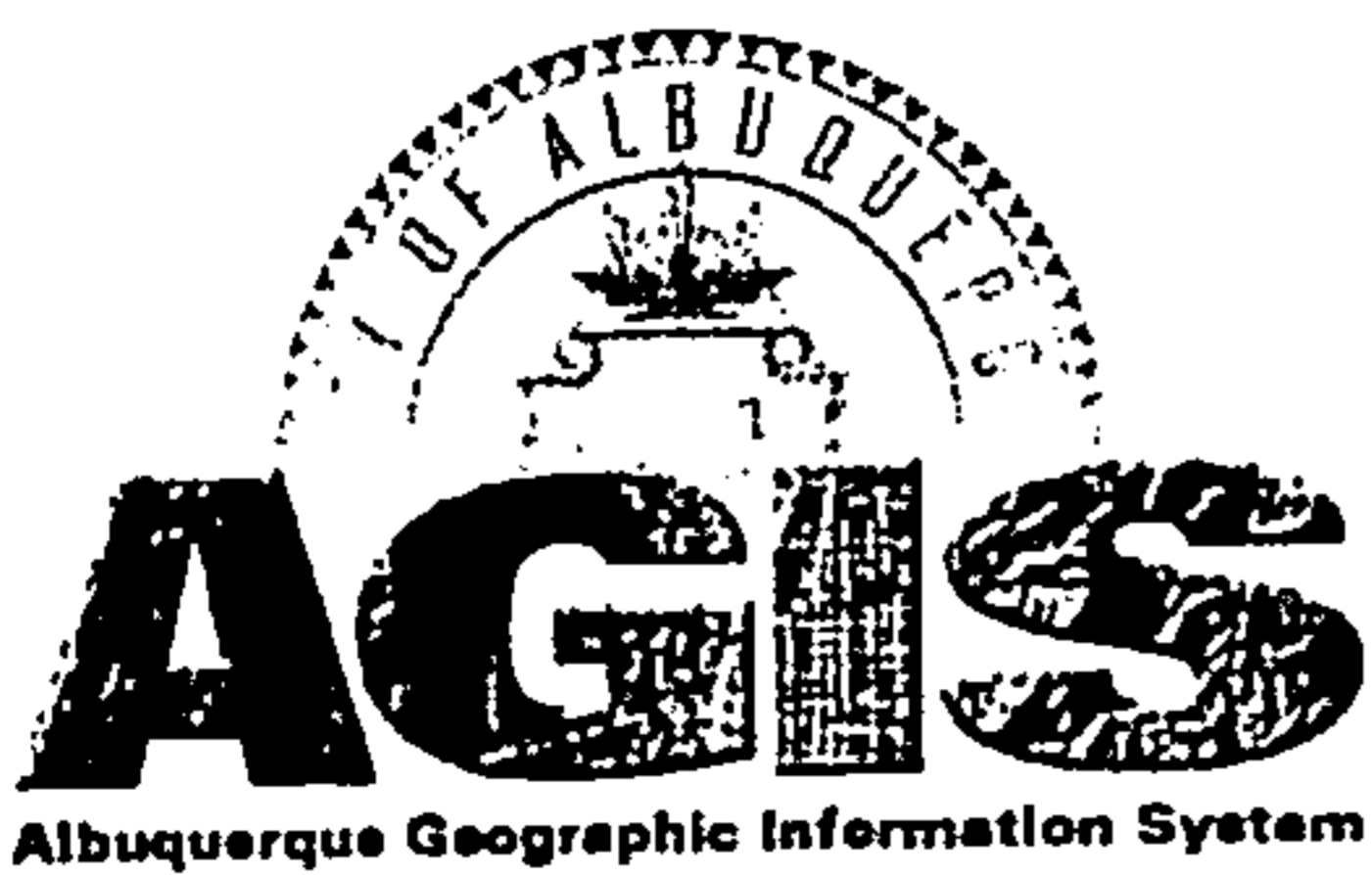
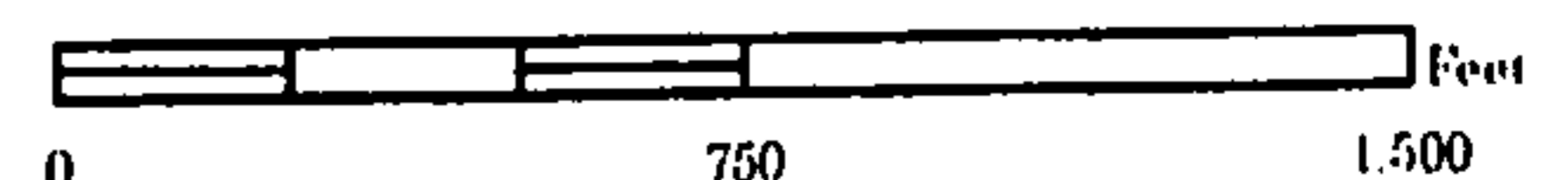
For more current information and more details visit: <http://www.cabq.gov/gis>

Zone Atlas Page:

K-18-Z

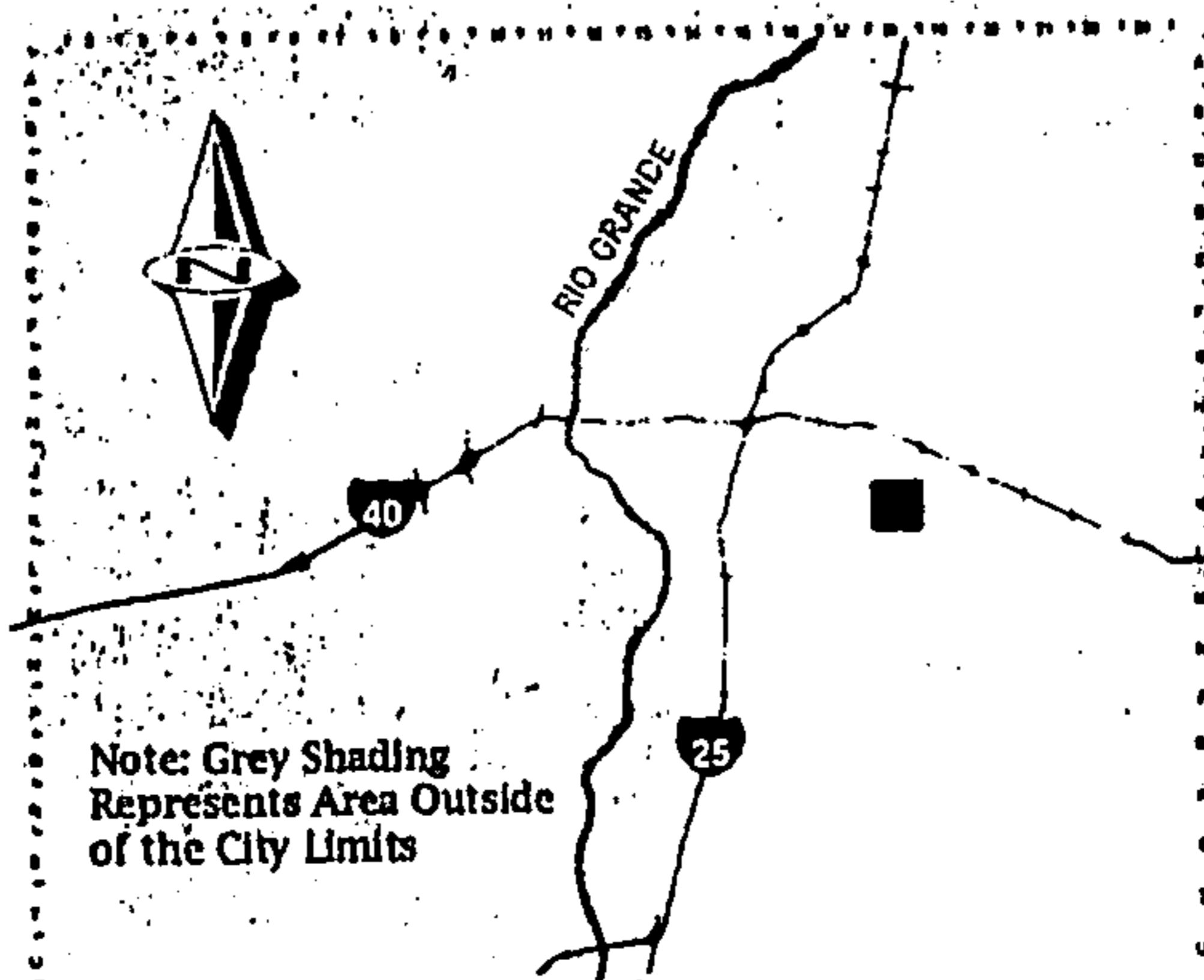
Selected Symbols

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



Map amended through: 1/4/2008

Note: Grey Shading Represents Area Outside of the City Limits



SURV **TEK**, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 12, 2009

Albuquerque Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

Attention: Mr. Jack Cloud, Chair

RE: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement
Company, City of Albuquerque, Bernalillo County, New Mexico.
City Zone Atlas Page K-18-Z.

Dear Mr. Cloud

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement through Tracts 3-A-1, 4-A and 8 as shown on the attached Vacation Exhibit.

Please contact me at your convenience, if you have any questions or need additional information.

Sincerely,



Russ P. Hugg, PS
Surv-Tek, Inc.



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

February 11, 2009

Project# 1003902

09DRB-70009 VACATION OF PUBLIC SANITARY SEWER EASEMENT

SURV-TEK INC agent(s) for FOX PLAZA LLC request(s) the referenced/ above action(s) on all or a portion of Tract(s) 3-A-1, 4-A & 8, **LANDS OF TIJERAS PLACE IMPROVEMENT CO INC** zoned C-2, located on the southwest corner of CENTRAL AVE SE AND SAN PEDRO DR SE containing approximately 3 acre(s). (K-18)

AMAFCA	No comment.
COG	No comment.
TRANSIT	<p>Adjacent and nearby routes Eastbound Route #66, Central route, stops at property approximately 50 feet west of the Central/ San Pedro intersection. Southbound Route #34, San Pedro peak hour route, stops approximately 100 feet south of the Central/ San Pedro intersection. Route #766 Rapid Ride passes the sight on Central.</p> <p>Adjacent bus stops There are two Bus stops located near the property as follows: Bus stop on Central is located 50 feet west of Central/ San Pedro intersection. The second bus stop is located on San Pedro approximately 100 feet south of Central/ San Pedro intersection.</p> <p>Site plan requirements None.</p> <p>Large site TDM suggestions None.</p> <p>Other information None.</p>
ZONING ENFORCEMENT	No comments.
NEIGHBORHOOD COORDINATION	Fair West NA (R), South San Pedro NA (R)
APS	Lands of Tijeras Place Improvement Co Inc , Tracts 3-A-1, 4-A, and 8, is located on the southwest corner of Central Ave SE and San Pedro Dr SE. The owner of the above property requests a Vacation of Public Sanitary Sewer Easement for a property zoned C-2. This will have no adverse impacts to the APS district.
POLICE DEPARTMENT	No comment.
FIRE DEPARTMENT	No comment.
PNM ELECTRIC & GAS	No comment.
COMCAST	No comment.
QWEST	See informational comments in file.
ENVIRONMENTAL HEALTH	No comments.

M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION No comment.
CITY ENGINEER
TRANSPORTATION DEVELOPMENT No adverse comments.
PARKS AND RECREATION
ABCWUA No objection to Vacation request with the condition that prior to Final Plat approval, a new sanitary sewer line be in place and accepted by the Water Authority and the existing line abandoned, or a temporary easement be recorded after the plat for the existing line with a financial guarantee.
PLANNING DEPARTMENT Refer to comments from ABCWUA regarding proposed vacation.

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

Cc:

#3



Completed 6/30/05

DRB CASE ACTION LOG (PREL & FINAL)

REVISED 2/5/04

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 05DRB-00544 (P&F)
Project Name TIJERAS PLACE IMPROVEMENT CO.
Agent: Surv Tek Inc.

Project #: 1003902
Phone No.: 897-3366

Project Number

1003902

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS) (MASTER DEVELOPMENT PLAN), was approved on 4/29/05 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): AGIS 15 days appeal

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: 6/24/05
- Tax printout from the County Assessor.

- Include 3 copies of the approved site plan along with the originals.
- County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
- Property Management's signature must be obtained prior to Planning Department's signature.

AGIS DXF File approval required.

Copy of recorded plat for Planning. ✓



PETERSON PROPERTIES
Real Estate Services, Inc.

VIA U.S. MAIL
June 27, 2005

Development Review Board
Attn: Sheran Matson, Chair
600 2nd St. NW
Albuquerque, NM 87103

RE: PROJECT #1003902; FINAL PLAT ACTION
SWC CENTRAL / SAN PEDRO

Dear Sheran:

Please find enclosed the following items pursuant to your request:

1. Copy of plat recorded June 24, 2005
2. Case Action Log Sheet for Project #1003902

Thank you for your consideration and assistance. Please contact me at the number below if you need anything.

Sincerely,

Dean Smith

Encl: As stated
CC: James A. Peterson

#3



DRB CASE ACTION LOG (PREL & FINAL)

REVISED 2/5/04

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 05DRB-00544 (P&F)
Project Name TIJERAS PLACE IMPROVEMENT CO.
Agent: Surv Tek Inc.

Project #: 1003902
Phone No.: 897-3366

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS) (MASTER DEVELOPMENT PLAN), was approved on 4/23/05 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): AGIS 15 day appeal
- _____
- _____
- _____

Project Number 1003902

- Planning must record this plat. Please submit the following items:**
- The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
 - Tax printout from the County Assessor.
 - Include 3 copies of the approved site plan along with the originals.
 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
 - Property Management's signature must be obtained prior to Planning Department's signature.
 - AGIS DXF File approval required.
 - Copy of recorded plat for Planning.

OKay

3902

DXF Electronic Approval Form

DRB Project Case #: 1003902

Subdivision Name: LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC

Surveyor: RUSS P HUGG

Contact Person: RUSS P HUGG

Contact Information: 897-3366

DXF Received: 5/10/2005

Hard Copy Received: 5/10/2005

Coordinate System: Ground rotated to NMSP Grid

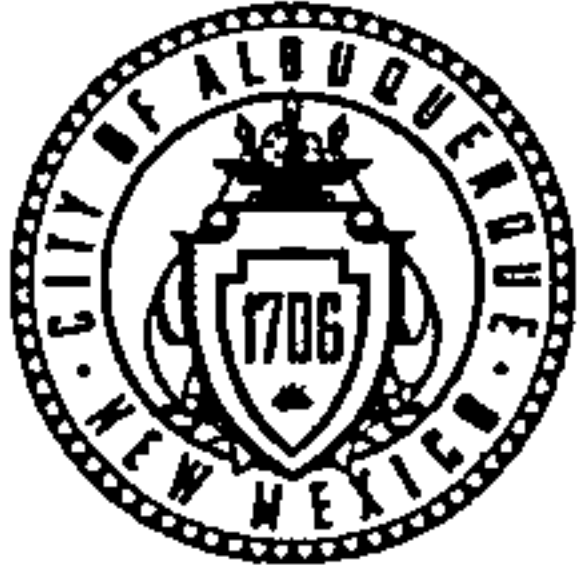

Approved

5-10-05
Date

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

AGIS Use Only

Copied cov 3902 to agiscov on 5/10/2005 Contact person notified on 5/10/2005



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 27, 2005

3. Project # 1003902

05DRB-00542 Major-Vacation of Pub Right-of-Way
05DRB-00543 Major-Vacation of Public Easements
05DRB-00544 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for PETERSON-FOX LLC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 41, **TIJERAS PLACE IMPROVEMENT COMPANY INC**, zoned C-2, located on CENTRAL AVE SE, between SAN PEDRO SE and VALENCIA DR SE containing approximately 1 acre(s). [REF: 05DRB00102] (K-18)

At the April 27, 2005, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

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

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.
2. 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 preliminary and final plat was approved with final plat sign off delegated to Planning or AGIS dxf file and the 15-day appeal period.

If you wish to appeal this decision, you must do so by May 12, 2005, in the manner described below.




OFFICIAL NOTICE OF DECISION
PAGE 2

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

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


Sheran Matson, AICP, DRB Chair

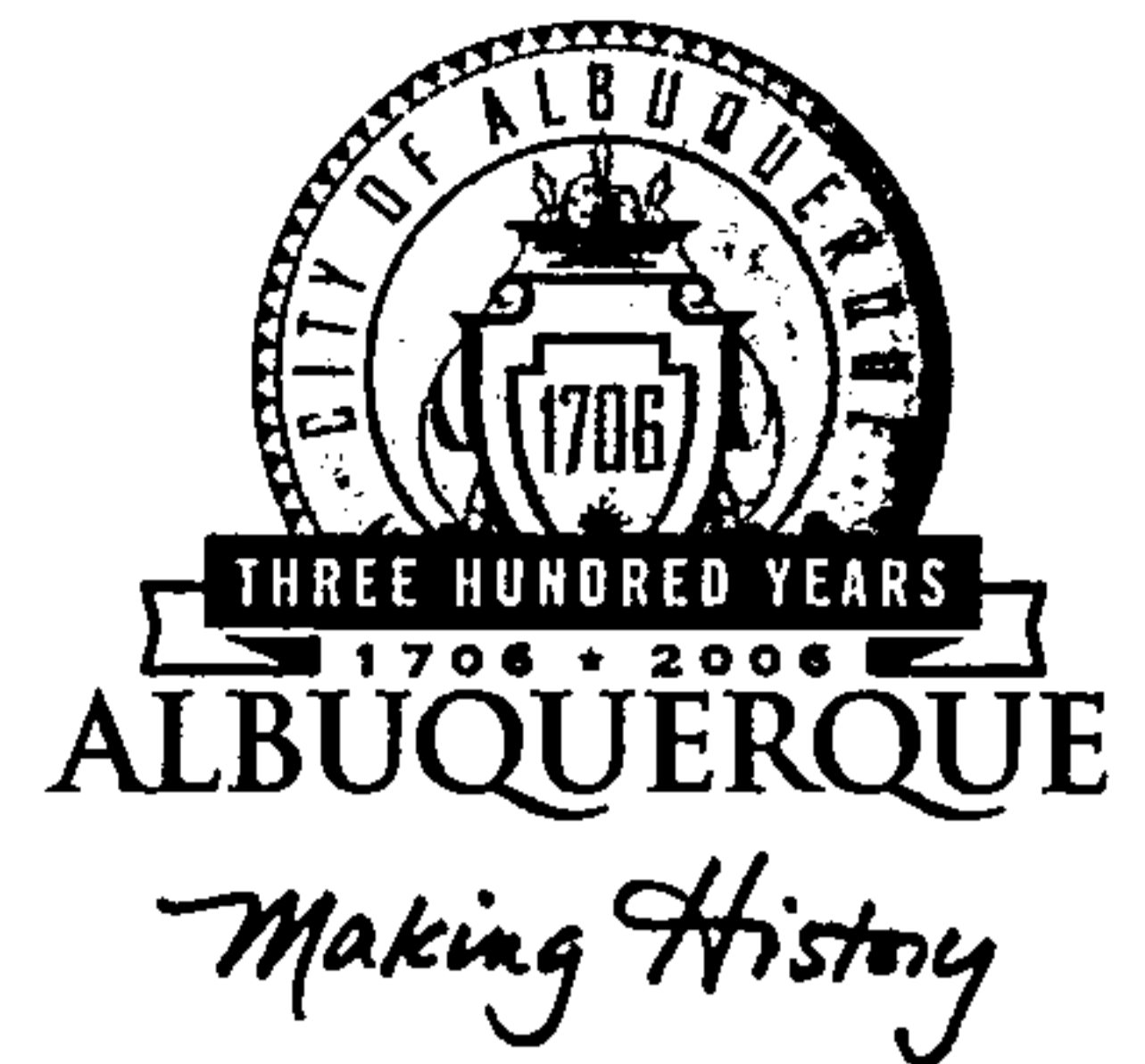
Cc:Surv-Tek Inc., 9384 Valley View Dr NW, 87114
Peterson-Fox LLC, 2325 San Pedro NE, Suite 2-A, 87110
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1003902 AGENDA#: 3 DATE: 4.27.05

- 1. Name: Russ Huggs Address: 9384 Zip: 87114
VALLEY VIEW
- 2. Name: Dean Peterson Address: Jay Zip: _____
- 3. Name: _____ Address: _____ Zip: _____
- 4. Name: _____ Address: _____ Zip: _____
- 5. Name: _____ Address: _____ Zip: _____
- 6. Name: _____ Address: _____ Zip: _____
- 7. Name: _____ Address: _____ Zip: _____
- 8. Name: _____ Address: _____ Zip: _____
- 9. Name: _____ Address: _____ Zip: _____
- 10. Name: _____ Address: _____ Zip: _____
- 11. Name: _____ Address: _____ Zip: _____
- 12. Name: _____ Address: _____ Zip: _____
- 13. Name: _____ Address: _____ Zip: _____
- 14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003902

AGENDA ITEM NO: 3

SUBJECT:

Vacation
Final Plat
Preliminary Plat

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

Albuquerque

The Hydrology Section has no objection to the vacation request.
No adverse comments on plat.

New Mexico 87103

RESOLUTION:

www.cabq.gov

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: April 27, 2005

PLANNING TRACKING LOG

Date	Project Name & #	Action Request	Action Taken
2/2/05	Tjvera Blvd Add. 1003902	Sketch Plot	Reviewed and Comments Given
4/27/05	Same	Vac R/w Vac PE Prel & Final	(Approved)



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 27, 2005

Project # 1003902

05DRB-00542 Major-Vacation of Pub Right-of-Way
05DRB-00543 Major-Vacation of Public Easements
05DRB-00544 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for PETERSON-FOX LLC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 41, **TIJERAS PLACE IMPROVEMENT COMPANY INC**, zoned C-2, located on CENTRAL AVE SE, between SAN PEDRO SE and VALENCIA DR SE containing approximately 1 acre(s). [REF: 05DRB00102] (K-18)

AMAFCA	No adverse comments.
COG	For information, the LRBS identifies both Central and San Pedro in the project vicinity as bike study corridors.
Transit	No objection to the requests.
Zoning Enforcement	No adverse comments.
Neighborhood Coordination	Letter sent to Fair West NA (R).
APS	No comments received.
Police Department	No comments at this time.
Fire Department	No adverse comments.
PNM Electric & Gas	
	PNM has facilities in the area to vacated, developer will have to pay to relocate or rededicate easement to PNM.
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 The Hydrology section has no objection to the vacation request.

Transportation Development

How wide is the dedication being made along San Pedro? (Assuming this will provide 10' from existing face of curb?) No objection to Vacation requests.

Parks & Recreation

Defer to Transportation regarding the vacation requests. No objection to the platting action.

Utilities Development

No objection to Vacation requests. No objection to Plat approval.

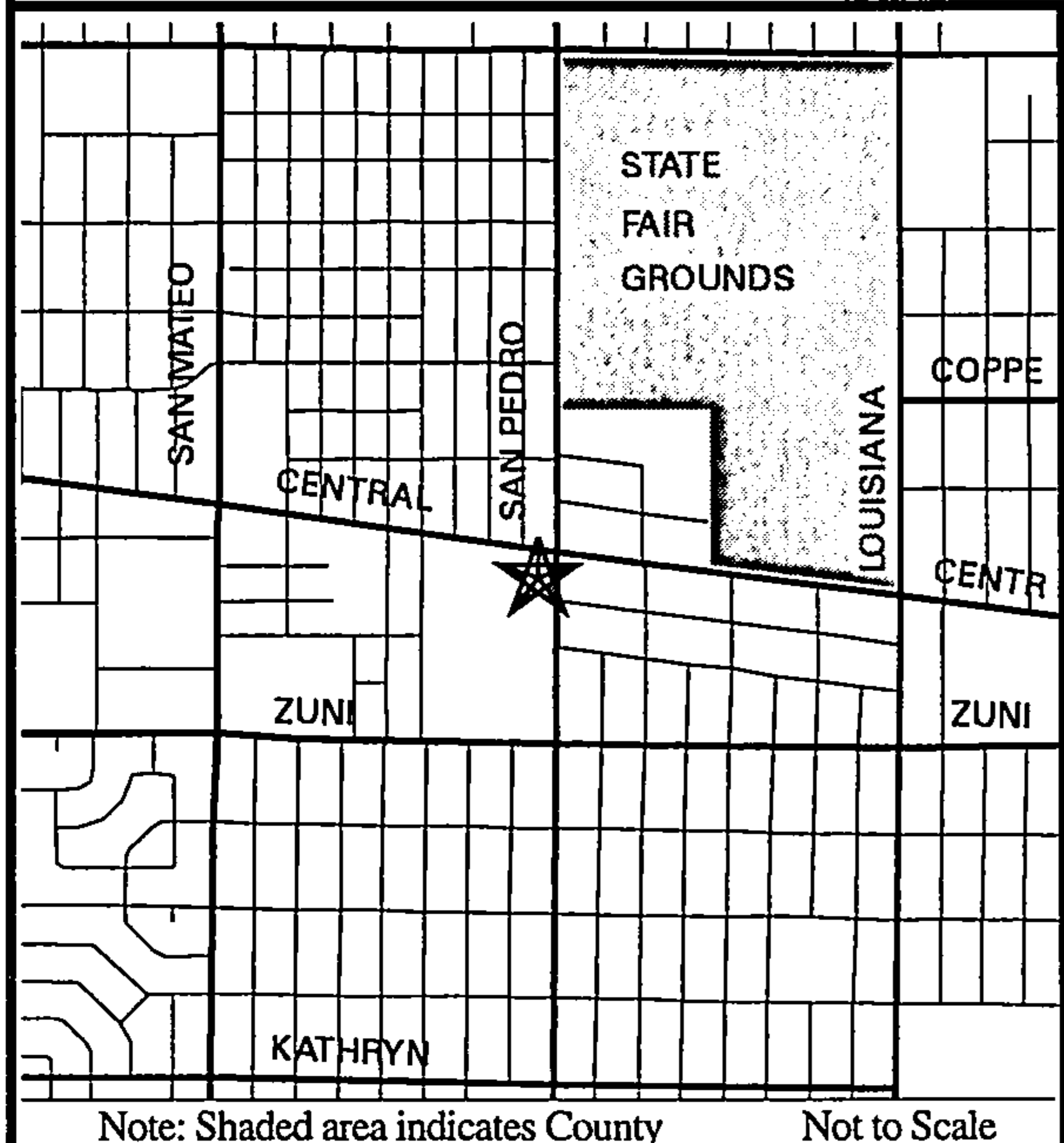
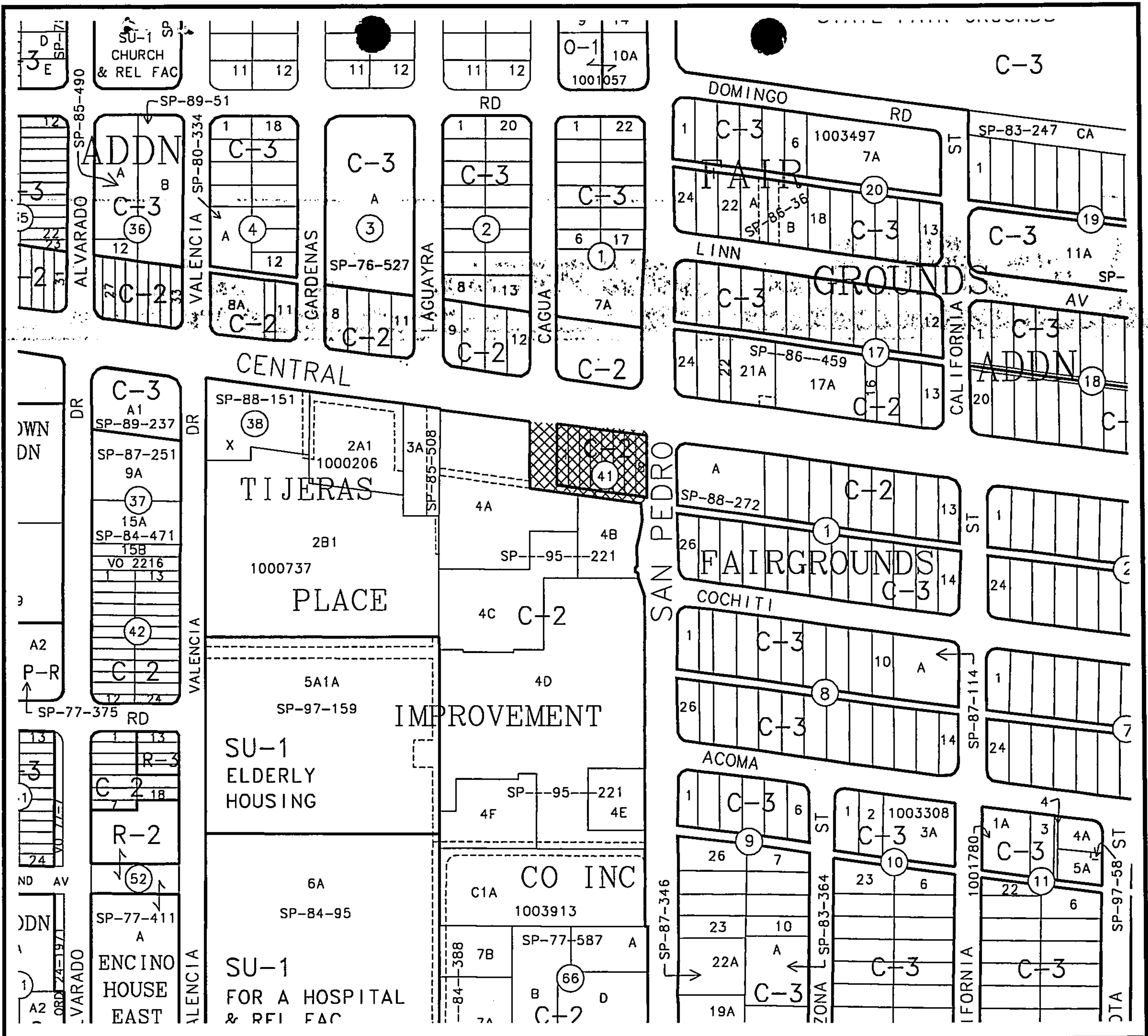
Planning Department

No objection to the requested actions. AGIS dxf approval is required before Planning signs.

The 15-day appeal period for the vacations means Planning will sign after the 15 days expires.

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

cc: Peterson-Fox LLC, 2523 San Pedro Dr NE, Suite 2-A, 87110
Surv-Tek Inc., 9384 Valley View Dr NW, 87114



ZONING MAP



Scale 1"=318'

PROJECT NO.
1003902

HEARING DATE
4-27-05

MAP NO.
K-18

ADDITIONAL CASE NUMBER(S)
05DRB-00542
05DRB-00543
05DRB-00544

Note: Shaded area indicates County Not to Scale



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, April 27, 2005, beginning at 9:00 a.m. for the purpose of considering the following:

Project # 1000635

05DRB-00547 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for DE BARTOLO DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 38-1A1, 38-2A1, 38-2A2 and 38-3A1, **TAYLOR RANCH**, zoned SU-1 FOR C-1, located on MONTANO RD NW, between MONTANO PLAZA DR NW and COORS BLVD NW containing approximately 3 acre(s). [REF: 00DRB00878, 02DRB01040, 04DRB01698, 04DRB01764] (E-12)

Project # 1002948

05DRB-00538 Major-Vacation of Public Easements

05DRB-00539 Minor-Prelim&Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for BEALHEN CONSTRUCTION LLC, C/O MS DEV ONE LLC, request(s) the above action(s) for all or a portion of Lot(s) 7, **VISTA FAISAN SUBDIVISION**, zoned RA-2, located on VISTA FAISAN TRAIL NW, between EL POTRERO NW and GUADALUPE TRAIL NW containing approximately 1/4 acre(s). [REF: 03EPC01736, 03EPC01485, 03DRB01486, 03DRB01497, 04DRB01504, 04DRB01669] (F-14)

Project # 1003902

05DRB-00542 Major-Vacation of Pub Right-of-Way

05DRB-00543 Major-Vacation of Public Easements

05DRB-00544 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for PETERSON-FOX LLC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 41, **TIJERAS PLACE IMPROVEMENT COMPANY INC**, zoned C-2, located on CENTRAL AVE SE, between SAN PEDRO SE and VALENCIA DR SE containing approximately .1 acre(s). [REF: 05DRB00102] (K-18)

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

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, APRIL 11, 2005.

**NOTIFICATION OF HEARING for the DEVELOPMENT
REVIEW BOARD**

April 11, 2005

TO: Laura Feight and Roger Flegel, Fair West Neighborhood Association

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately one (1) acre(s): Major Vacation of Public Right-of-Way; Vacation of Public Easements and Minor Preliminary and Final Plat Approval for a proposed twenty (20) foot sanitary sewer easement along the south boundary and dedicate additional new street right-of-way for San Pedro Drive NE.**

Proposed by: Surv-Tek, Inc. at 897-3366

Agent for: Peterson-Fox, LLC

For property located: On or near Central Avenue NE between San Pedro Drive NE and Valencia Drive NE.

The case number(s) assigned is: 05DRB-00542, 00543 and 00544, Project # 1003902.

City Planning accepted application for this request on April 1, 2005.

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

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at 9 a.m. on Wednesday, April 27, 2005 in the Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.

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

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

Sincerely,

Stephani I. Winklepleck

Stephani I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

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

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

Meeting Date: APRIL 27, 2005
Zone Atlas Page: K-18-Z
Notification Radius: 100 Ft.

Project# 1003902
App# 05DRB-00542
App# 05DRB-00543
App# 05DRB-00544

Cross Reference and Location:

Applicant: PETERSON – FOX, LLC
Address: 2523 SAN PEDRO DR NE, STE# 2-A
ALBUQUERQUE NM 87110

Agent: SURV-TEK, INC.
Address: 9384 VALLEY VIEW DR NW
ALBUQUERQUE NM 87114

Special Instructions:

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

Date Mailed: APRIL 8, 2005

Signature: KYLE TSEHLIKAI

PROPERTY OWNERSHIP / LEGAL LIST

App# _____
 Proj# _____

Date: _____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
K-18	1018057	243-140	320-01	✓ mp 1018057
		250-140	02	✓ mp 225-187
		254-140	03	✓ mp 250-171
		258-139	04	✓ mp 275-168
		228-129	313-01	✓ mp 285-158
		212-130	13	✓ 230-150
		183-117	22	✓ 288-174
		229-105	03	✓ mp
		240-082	12	✓ mp
		253-119	02	✓ mp
		279-137	413-15	✓
		290-134	14	✓
		273-120	01	✓
		283-120	02	✓
		310-118	03	✓
		272-100	407-20	✓ mp
		279-099	19	✓ mp
		283-098	18	✓
		204-169	328-034	✓

Handwritten notes on the right side of the table, including checkmarks and additional markings.



<mainframe@coa1mp3.cabq.gov>

04/06/2005 03:08 PM

To:
cc:
cc:
Subject:

1 RECORDS WITH LABELS PAGE
1
01018057 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101805724314032001 LEGAL: 001 041 TIJERAS PLACE LOTS 1 AND 2
LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: MORGENSTERN DANIEL & VIOLA
OWNER ADDR: 02424 BRITT ST NE
ALBUQUERQUE NM 87109
0101805725014032002 LEGAL: 41 T IJER AS PLACE LOTS 3 & 4
LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: MORGENSTERN DANIEL & VIOLA
OWNER ADDR: 02424 BRITT ST NE
ALBUQUERQUE NM 87109
0101805725414032003 LEGAL: 41 T IJER AS PLACE LOTS 5 & 6
LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: MORGENSTERN DANIEL A
OWNER ADDR: 02424 BRITT ST NE
ALBUQUERQUE NM 87109
0101805725813932004 LEGAL: LOTS 7 & 8 BLK 41 TIJERAS PLACE ADDN EXC NLY &
ELY LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: MORGENSTERN DANIEL A
OWNER ADDR: 02424 BRITT ST NE
ALBUQUERQUE NM 87109
0101805722812931301 LEGAL: TR 4 -A P LAT OF TRS 4-A THRU 4-F INCLUSIVE LANDS
OF LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: FOX PLAZA PARTNERS
OWNER ADDR: 02325 SAN PEDRO DR NE
ALBUQUERQUE NM 87110
0101805721213631313 LEGAL: TR 3 -A R EPLAT OF TRACTS 2 & 3 LAND OF TIJERAS
PLAC LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: PETERSON JAMES A
OWNER ADDR: 02325 SAN PEDRO DR NE
ALBUQUERQUE NM 87110
0101805718311731322 LEGAL: TRAC T 2- B-1 PLAT OF TRACT 2-B-1 TIJERAS PLACE
LAND USE:
PROPERTY ADDR: 00000 VALENCIA
OWNER NAME: COUNTY OF BERNALILLO
OWNER ADDR: 00001 CIVIC PLAZA NW
ALBUQUERQUE NM 87102
0101805722910531303 LEGAL: TR 4 -C P LAT OF TRS 4-A THRU 4-F INCLUSIVE LANDS
OF LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: FOX PLAZA LLC
OWNER ADDR: 02325 SAN PEDRO DR NE
ALBUQUERQUE NM 87110

PAGE 2

0101805724008231312 LEGAL: TR 4 -D P LAT OF TRS 4-A THRU 4-F INCLUSIVE LANDS
OF LAND USE:
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: FOX PLAZA PARTNERS
OWNER ADDR: 02325 SAN PEDRO DR NE
87110

ALBUQUERQUE NM
0101805725311931302 LEGAL: TR 4 -B P LAT OF TRS 4-A THRU 4-F INCLUSIVE LANDS
OF LAND USE:
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: FOX PLAZA PARTNERS
OWNER ADDR: 02325 SAN PEDRO DR NE
87110

ALBUQUERQUE NM
0101805727913741315 LEGAL: TR A REP LAT OF LOTS 1 THRU 4 BLK 1 FAIRGROUNDS
ADD LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: PROVIDENT BANK & CIRCLE K CORP
OWNER ADDR: PO BOX 52085
85072

PHOENIX AZ
0101805729013441314 LEGAL: 005 001F AIR GROUNDS
LAND USE:
PROPERTY ADDR: 00000 CENTRAL
OWNER NAME: SAN PEDRO DRIVE-IN
OWNER ADDR: 00825 EUBANK BL NE
87112

ALBUQUERQUE NM
0101805727312041301 LEGAL: 025 001F AIR GROUNDS W29 FT LT24 E LTS 25 E 26
LAND USE:
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: ALPHA ZETA
OWNER ADDR: 03503 CENTRAL AV NE
87106

ALBUQUERQUE NM
0101805728312041302 LEGAL: 1 FA IR G ROUNDS LOT 23 X R 21.9 FT OF LOT 24
LAND USE:
PROPERTY ADDR: 00000 COCHITI
OWNER NAME: BACA MARGARITO M & HEDLIND
OWNER ADDR: 00140 GENERAL ARNOLD NE
87123

ALBUQUERQUE NM
0101805730011841303 LEGAL: LT 1 8 BL 1 FAIR GROUNDS L18 THRU L22
LAND USE:
PROPERTY ADDR: 00000 COCHITI
OWNER NAME: HUDSON ALEX D & SUZANNE W
OWNER ADDR: 01517 PLAZA ENCANTADA NW
87107

ALBUQUERQUE NM
0101805727210040920 LEGAL: 001 008F AIR GROUNDS L1 & L2
LAND USE:
PROPERTY ADDR: 00000 SAN PEDRO
OWNER NAME: FANGROW MARTHA P
OWNER ADDR: 00200 SAN PEDRO DR SE
87108

ALBUQUERQUE NM
0101805727909940919 LEGAL: 003 008F AIR GROUNDS
LAND USE:
PROPERTY ADDR: 00000 COCHITI
OWNER NAME: FANGROW MARTHA P
OWNER ADDR: 00200 SAN PEDRO DR SE
87108

ALBUQUERQUE NM
87108

"Attachment A"

3/30/05

RUSS, HUGG, SURV-TEK, INC.
9384 VALLEY VIEW DR. NW/87114
PHONE: 897-3366 FAX: 897-3377
ZONE MAP: K-18

Fair West NA (R)

*Laura Feight

725 Cagua NE / 87108 255-0194 (h)

Roger Flegel

605 Valencia NE / 87108 255-4704 (h)

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

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

(below this line for ONC use only)

Date of Inquiry: 3/30/05 Time Entered: 8:03 AM ONC Rep. Initials: JK

Project# 1003902

PETERSON-FOX, LLC
2523 SAN PEDRO DR NE, STE# 2-A
ALBUQUERQUE NM 87110

ROGER FLEGEL
Fair West Neigh. Assoc.
605 VALENCIA NE
ALBUQUERQUE NM 87108

101805721213631313

PETERSON JAMES A
2325 SAN PEDRO DR NE
ALBUQUERQUE NM 87110

101805729013441314

SAN PEDRO DRIVE-IN
825 EUBANK BL NE
ALBUQUERQUE NM 87112

101805730011841303

HUDSON ALEX D & SUZANNE W
1517 PLAZA ENCANTADA NW
ALBUQUERQUE NM 87107

101805720416932803L1

FRAPPIER RAY
13204 CANYON EDGE TR NE
ALBUQUERQUE NM 87111

101805725017133001

WILGER JOHN PAUL TRUSTEE OF
3515 MATEO PRADO NW
ALBUQUERQUE NM 87107

SURV-TEK, INC.
9384 VALLEY VIEW DR NW
ALBUQUERQUE NM 87114

101805724314032001

MORGENSTERN DANIEL & VIOLA
2424 BRITT ST NE
ALBUQUERQUE NM 87109

101805718311731322

COUNTY OF BERNALILLO
1 CIVIC PLAZA NW
ALBUQUERQUE NM 87102

101805727312041301

ALPHA ZETA
3503 CENTRAL AV NE
ALBUQUERQUE NM 87106

101805727210040920

FANGROW MARTHA P
200 SAN PEDRO DR SE
ALBUQUERQUE NM 87108

101805719919932804

ANELLA ALBERT A MRS ETAL
7109 PROSPECT PL NE
ALBUQUERQUE NM 87110

101805727516841701

GENESIS PROPERTIES LLC
505 5TH AVE SOUTH
SEATTLE WA 98104

LAURA FEIGHT
Fair West Neigh. Assoc.
725 CAGUA NE
ALBUQUERQUE NM 87108

101805722812931301

FOX PLAZA PARTNERS
2325 SAN PEDRO DR NE
ALBUQUERQUE NM 87110

101805727913741315

PROVIDENT BANK
C/O CIRCLE K CORP
PO BOX 52085
PHOENIX AZ 85072
101805728312041302

BACA MARGARITO M & HEDLIND
140 GENERAL ARNOLD NE
ALBUQUERQUE NM 87123

101805728309840918

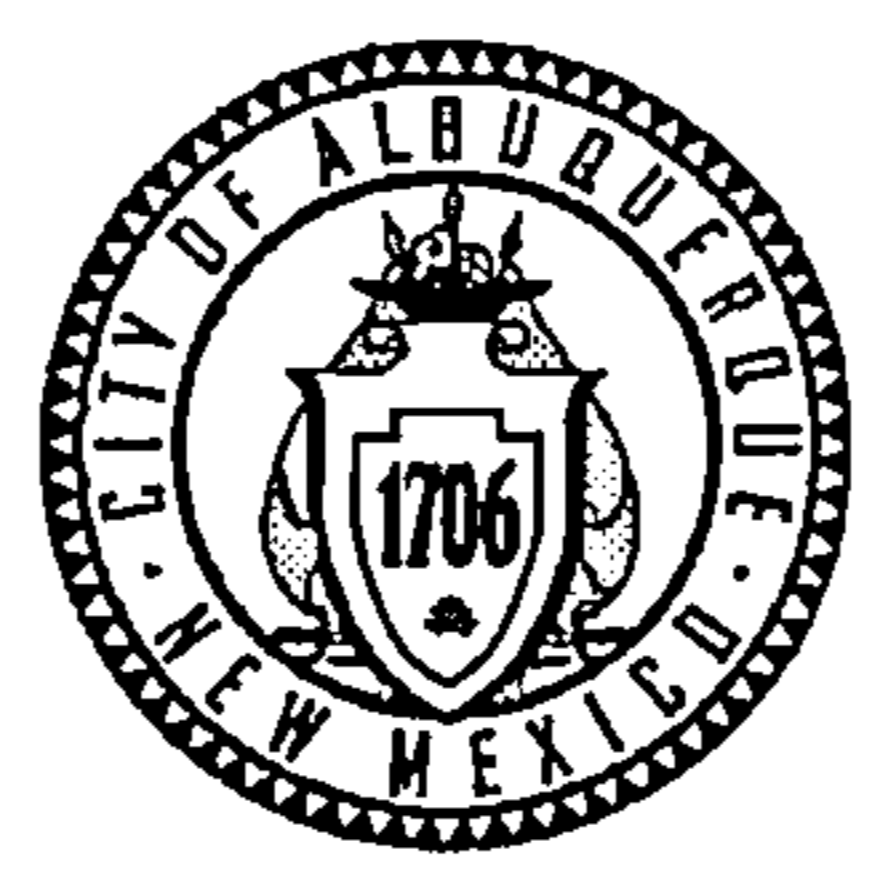
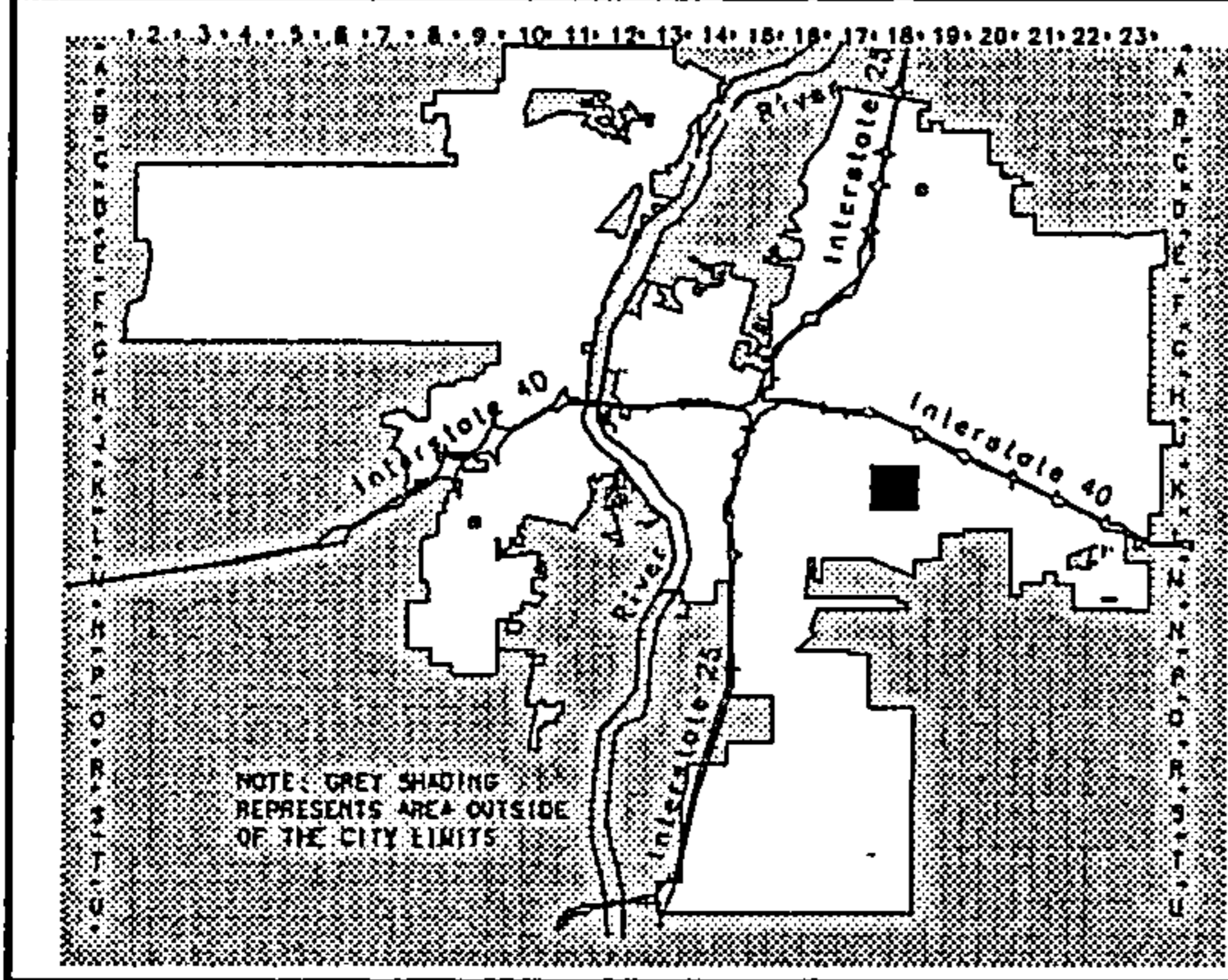
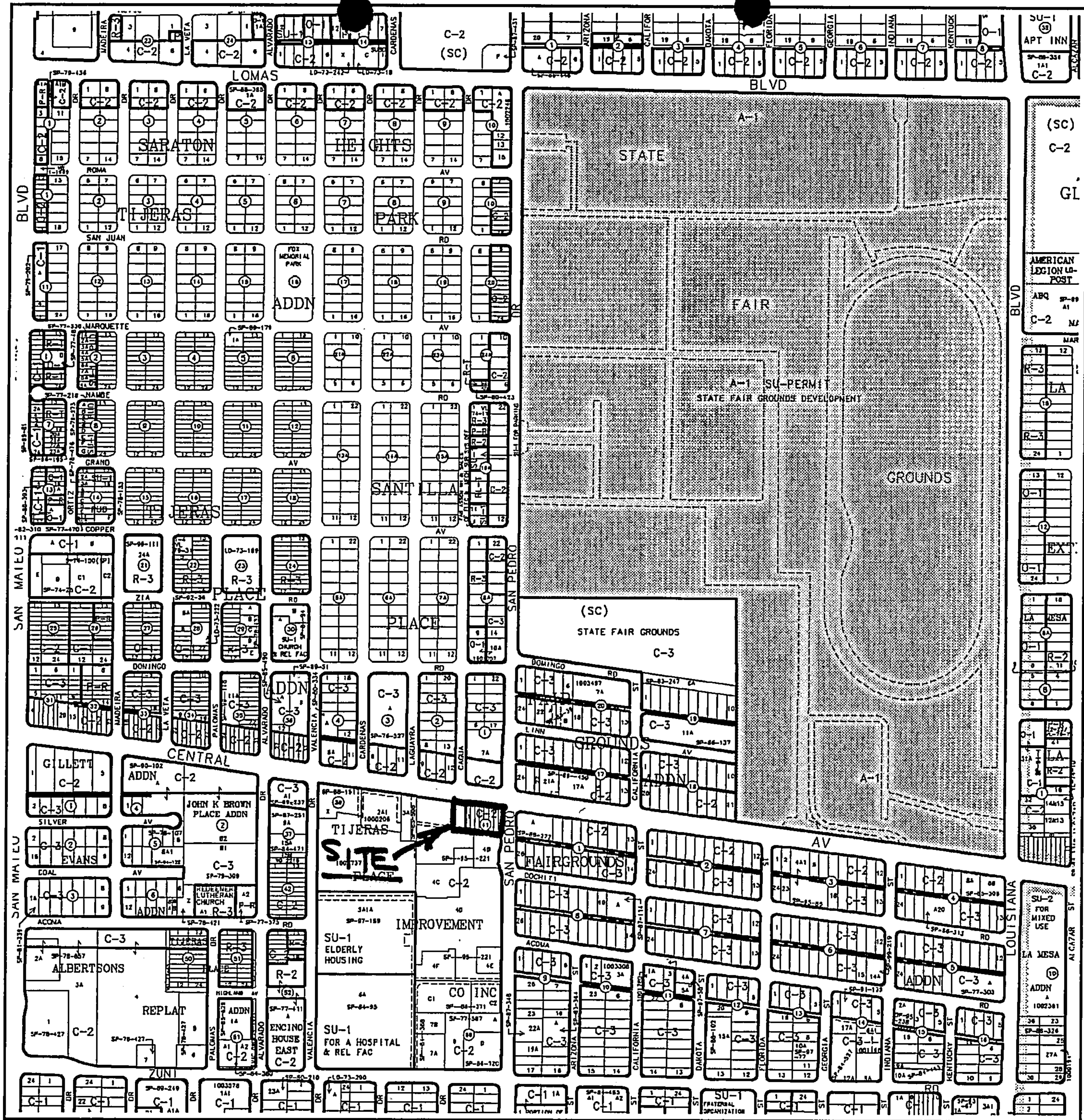
SOLAR DYNAMICS INC
200 JEFFERSON NE
ALBUQUERQUE NM 87108

101805722518732904

KASSAM NIZAR ALI & MEHRUN
13211 CENTRAL AV SE
ALBUQUERQUE NM 87123

101805728515841702

AMERCO REAL ESTATE COMPANY
PO BOX 29046
PHOENIX AZ 85038



Albuquerque Geographic Information System
PLANNING DEPARTMENT
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Zone Atlas Page
K-18-Z
 Map Amended through February 01, 2005



PETERSON PROPERTIES, LLC

January 17, 2005

Mr. Russ Hugg
Surv-Tek, Inc.
5643 Paradise Blvd. N.W.
Albuquerque, New Mexico 87114

Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of Peterson Properties, for the purpose of re-platting of Lots 1 thru 8, Block 41, Tijeras Place Addition, City of Albuquerque, Bernalillo County, New Mexico.

Please call me if you have any further questions.

Sincerely,

Doug Peterson
Peterson Properties
2325 San pedro NE, Suite 2-A
Albuquerque, New Mexico 87110



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

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Project # 1000635

05DRB-00547 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for DE BARTOLO DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 38-1A1, 38-2A1, 38-2A2 and 38-3A1, **TAYLOR RANCH**, zoned SU-1 FOR C-1, located on MONTANO RD NW, between MONTANO PLAZA DR NW and COORS BLVD NW containing approximately 3 acre(s). [REF: 00DRB00878, 02DRB01040, 04DRB01698, 04DRB01764] (E-12)

Project # 1002948

05DRB-00538 Major-Vacation of Public Easements
05DRB-00539 Minor-Prelim&Final Plat Approval

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Project # 1003902

05DRB-00542 Major-Vacation of Pub Right-of-Way
05DRB-00543 Major-Vacation of Public Easements
05DRB-00544 Minor-Prelim&Final Plat Approval

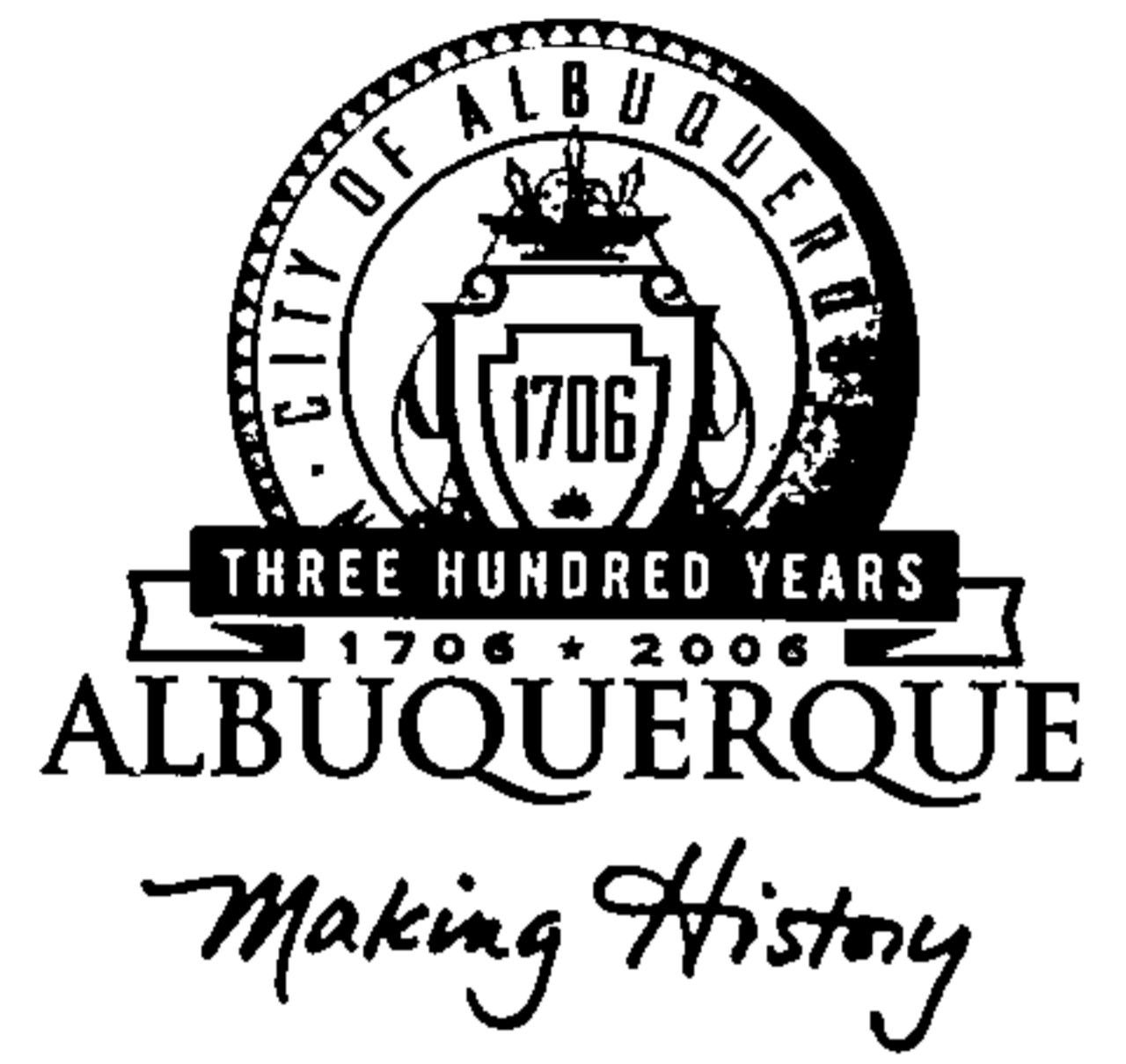
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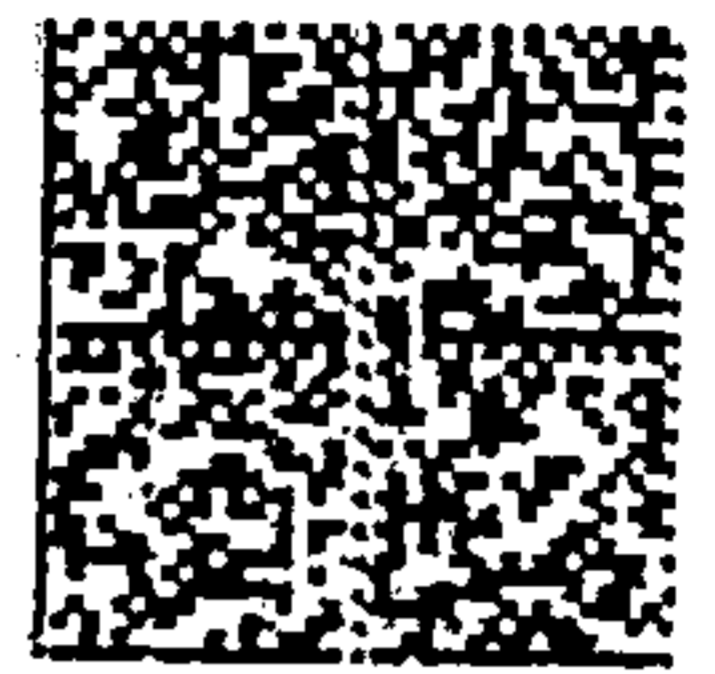
Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, APRIL 11, 2005.

CITY OF ALBUQUERQUE



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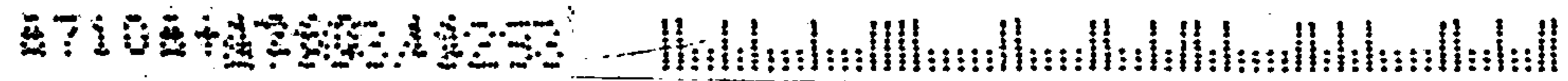
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SOLAR DYNAMICS INC
200 JEFFERSON NE
ALBUQUERQUE NM 87108

Planning Department
P.O. Box 1293
Albuquerque, NM 87103

SOLA200 871082001 1104 21 04/09/05
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6530 HOOCHANEES #A
COCHITI LAKE NM 87083

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05DRB-00543 Major-Vacation of Public Easements

05DRB-00544 Minor-Prelim&Final Plat Approval

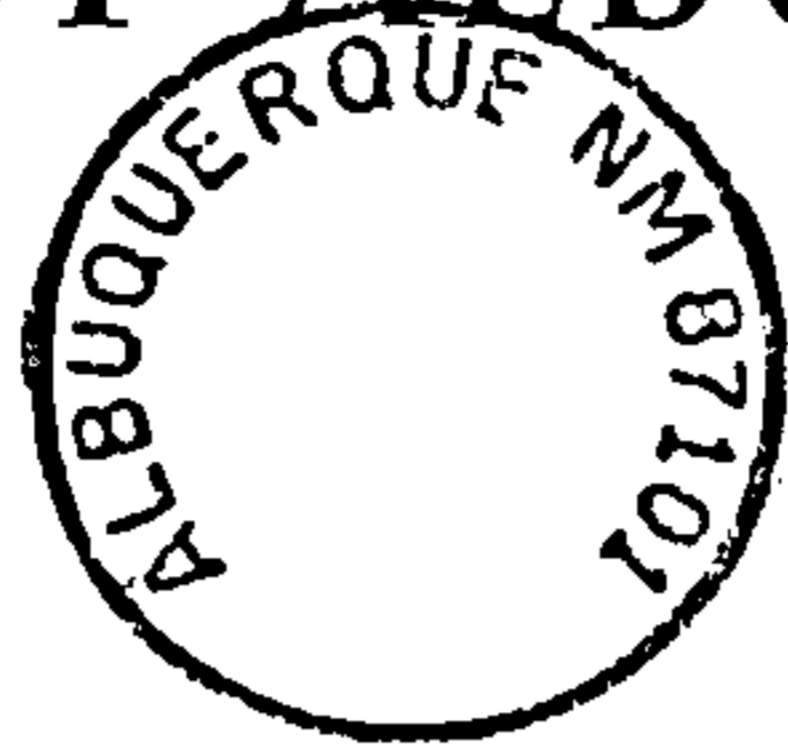
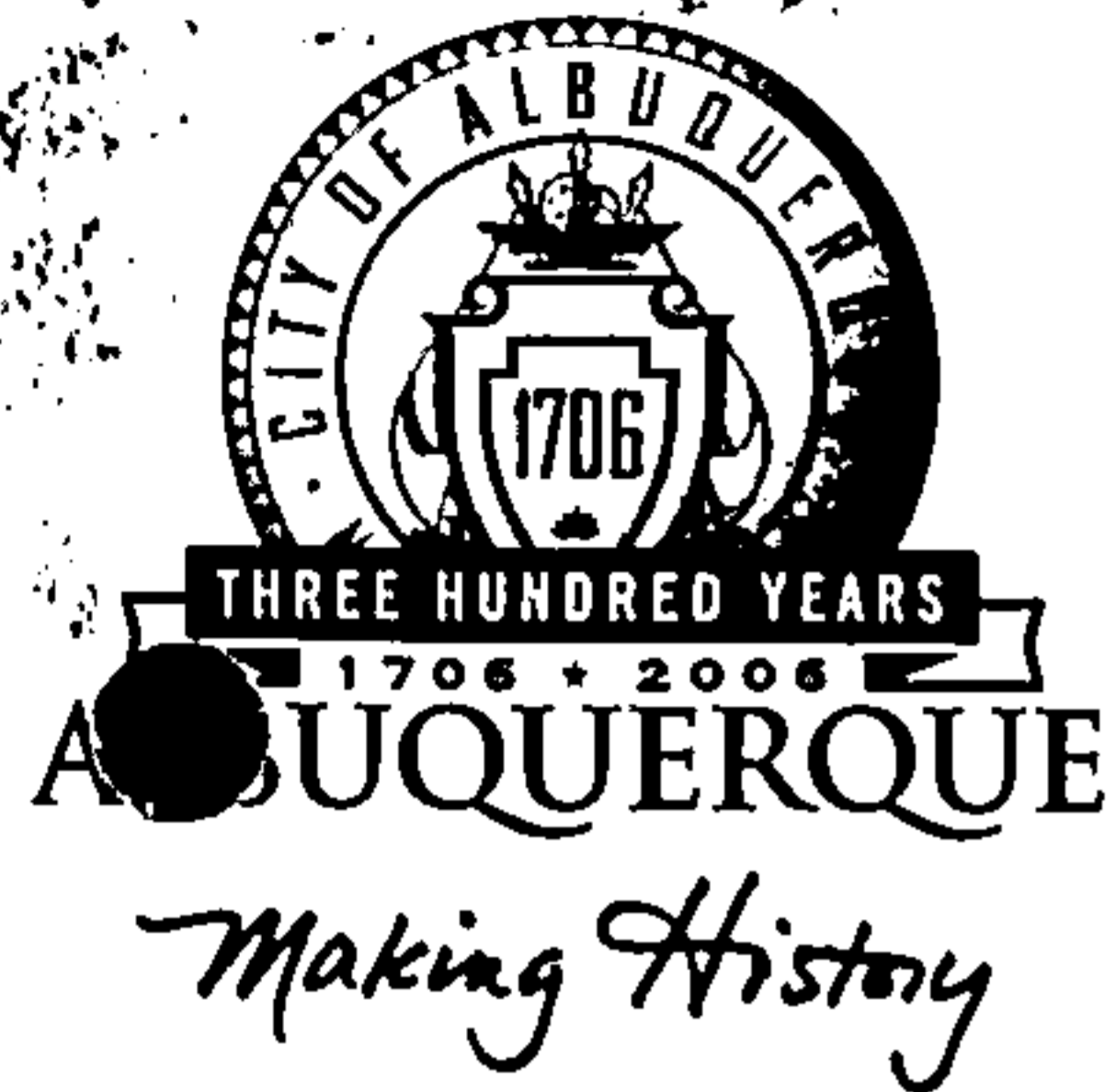
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CITY OF ALBUQUERQUE



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Planning Department

P.O. Box 1293

Albuquerque, NM 87103

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ALBUQUERQUE

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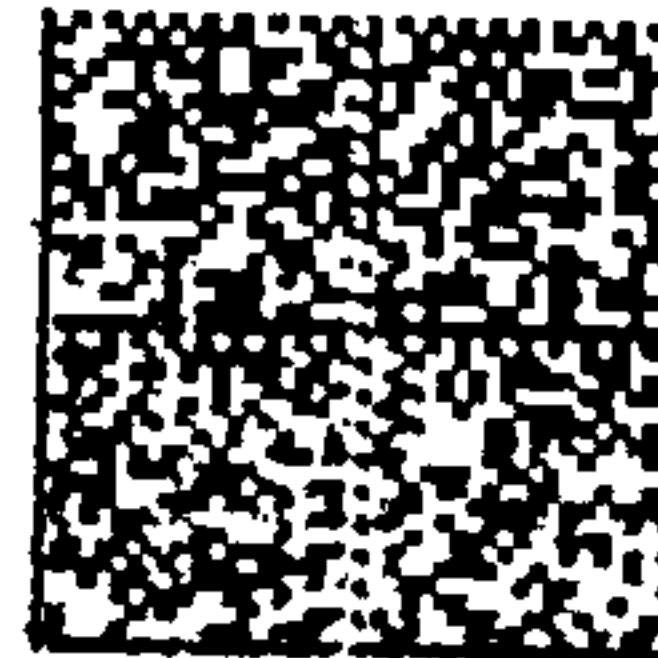
Planning Department

P.O. Box 1293

Albuquerque, NM 87103

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~~GENESIS PROPERTIES LLC
505 5TH AVE SOUTH
SEATTLE WA 98104~~



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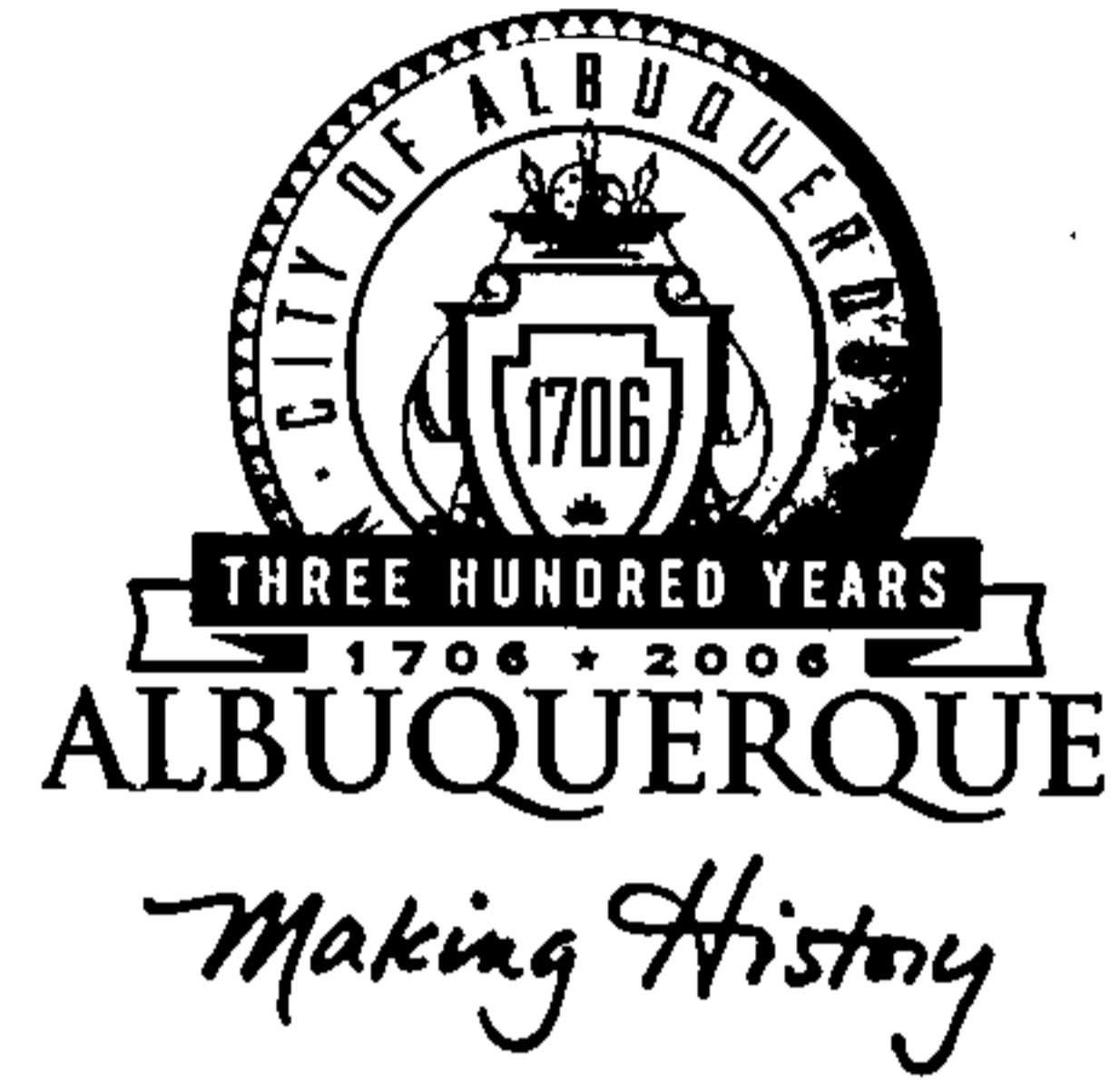
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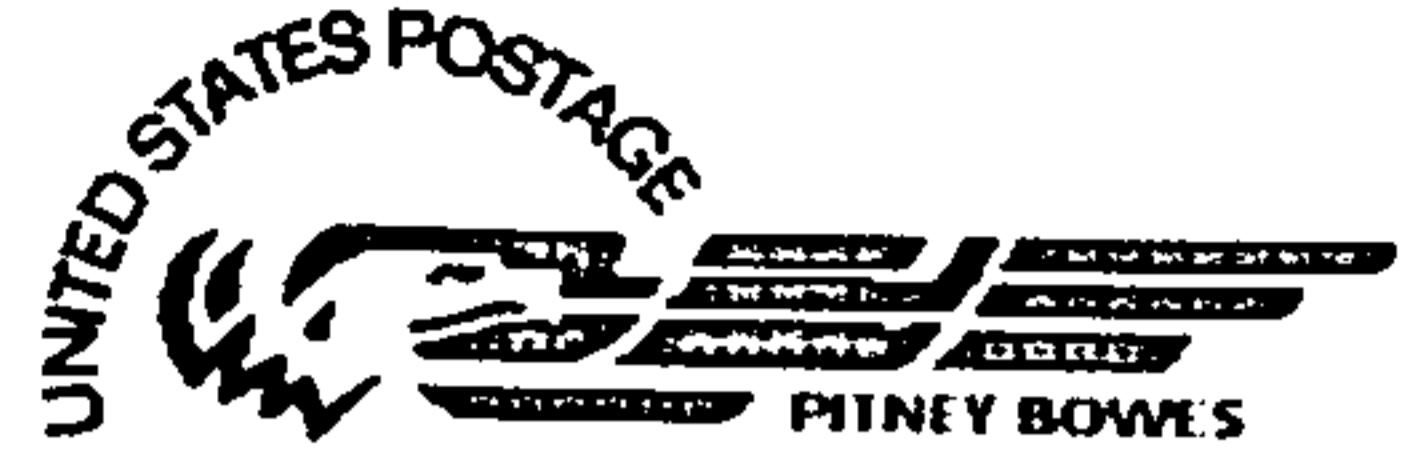
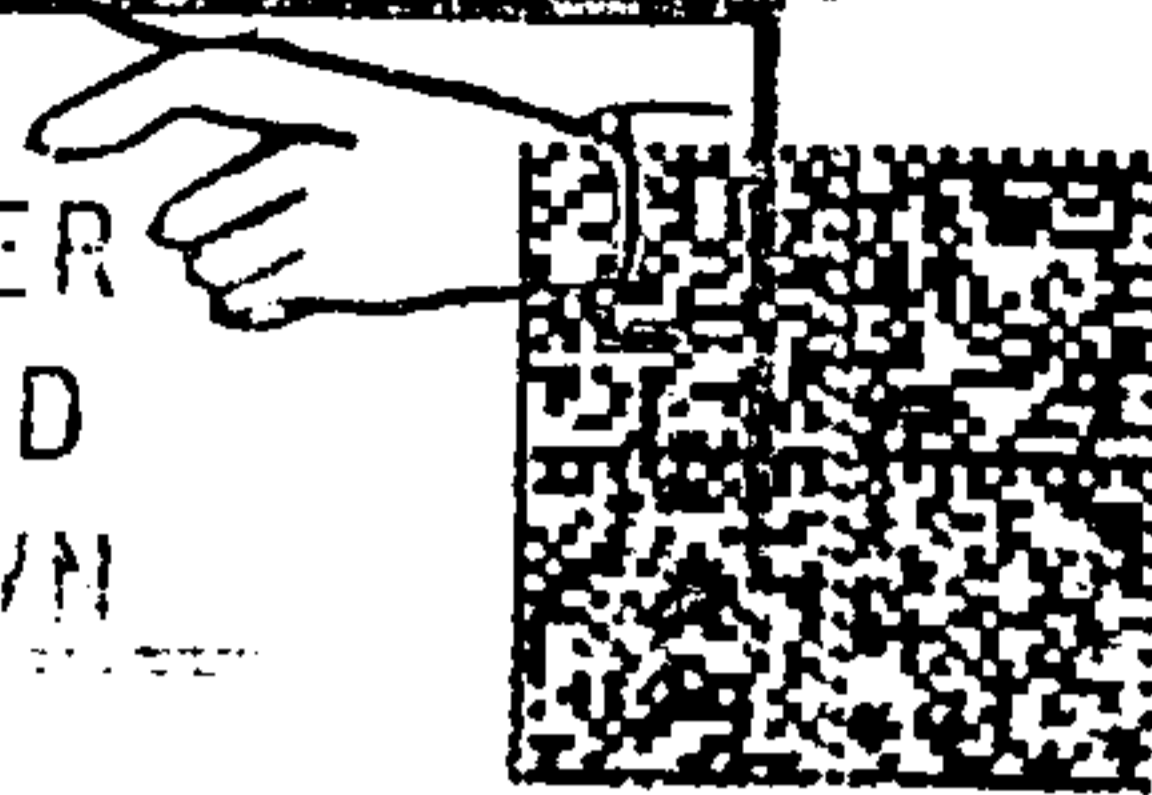
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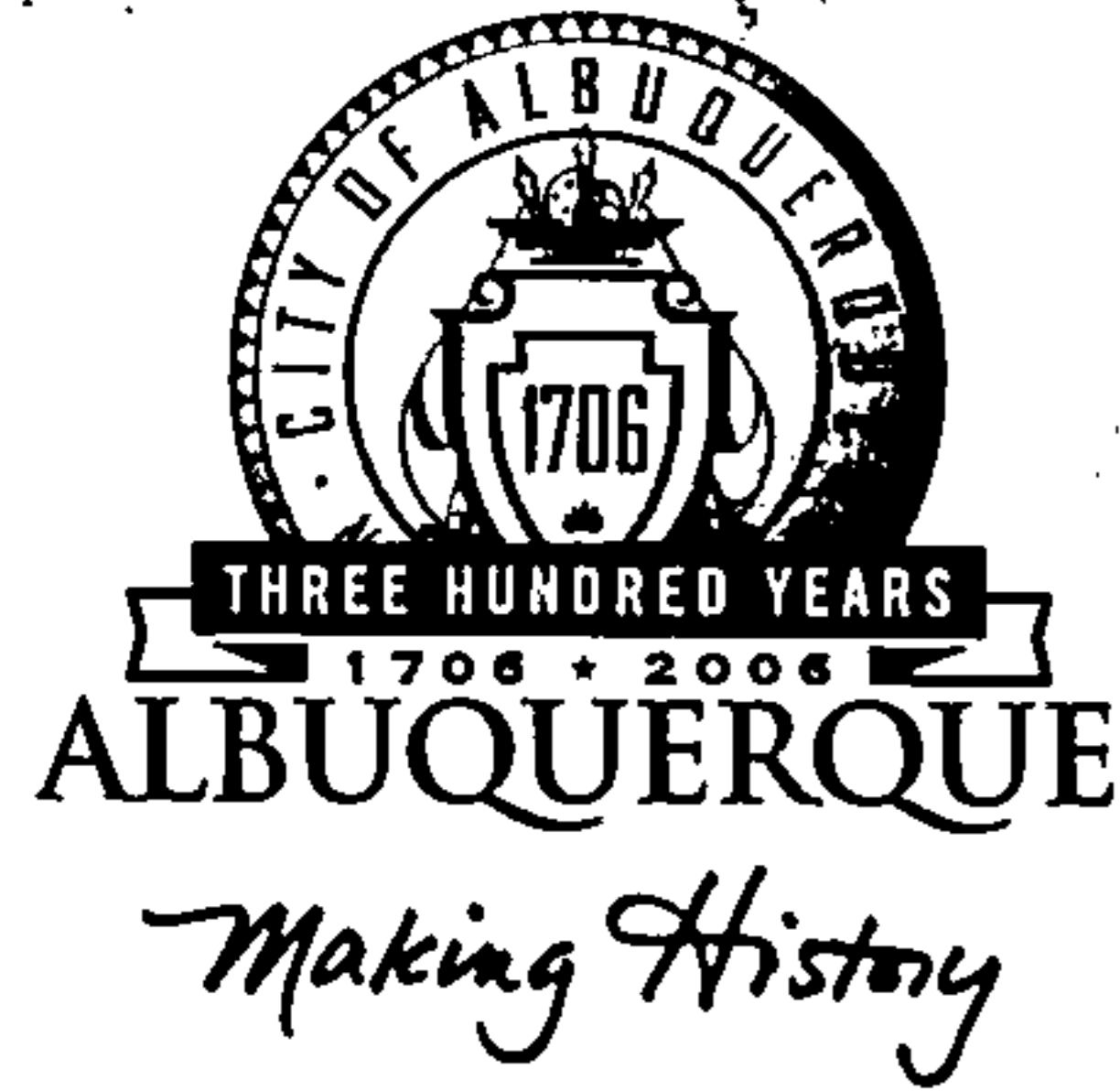
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05DRB-00542 Major-Vacation of Pub Right-of-Way
05DRB-00543 Major-Vacation of Public Easements
05DRB-00544 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for PETERSON-FOX LLC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 41, **TIJERAS PLACE IMPROVEMENT COMPANY INC**, zoned C-2, located on CENTRAL AVE SE, between SAN PEDRO SE and VALENCIA DR SE containing approximately 1 acre(s). [REF: 05DRB00102] (K-18)

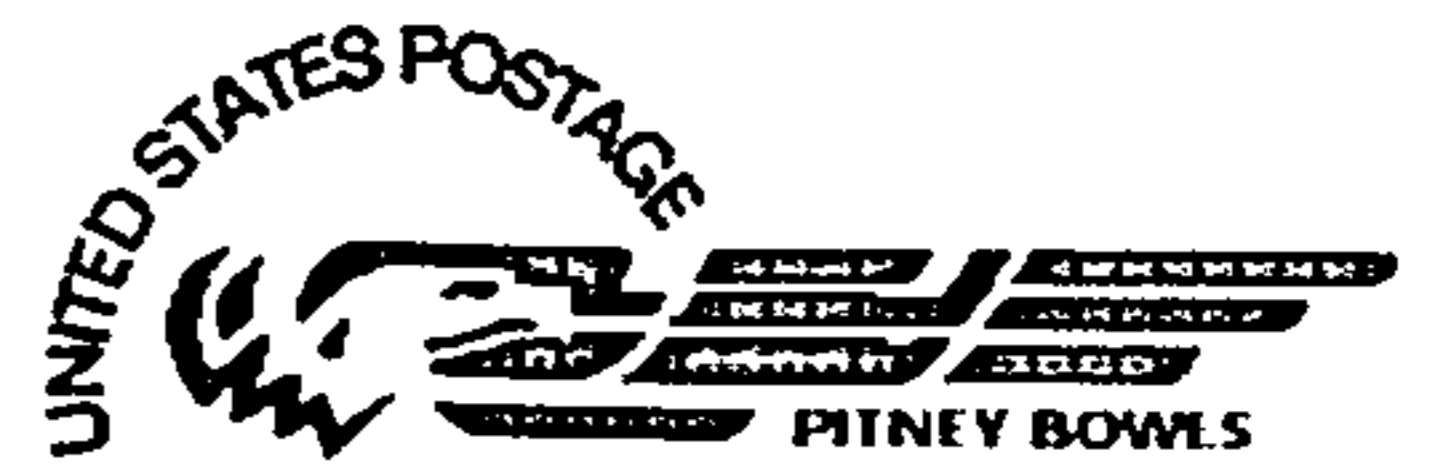
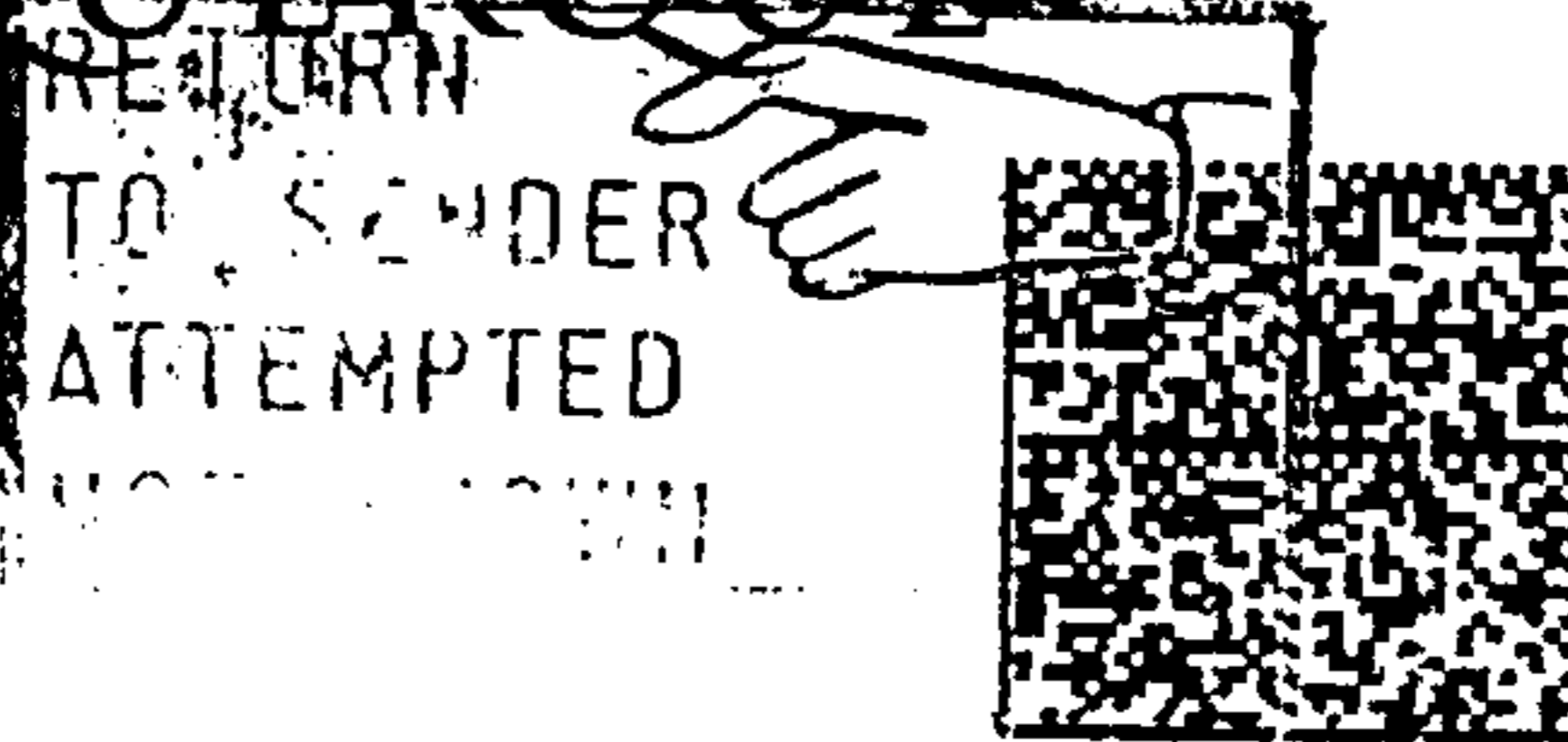
Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays **INDIVIDUALS WITH DISABILITIES** who need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

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, APRIL 11, 2005.



CITY OF ALBUQUERQUE



02 1A \$ 00.37⁰
0004329277 APR 07 2005
MAILED FROM ZIP CODE 87102

101805728312041302

BACA MARGARITO M & HEDLIND
140 GENERAL ARNOLD NE
ALBUQUERQUE NM 87123

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

87123+2552 02

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

01/15/2009 Issued By: PLNSDH

Permit Number: 2009 070 009

Category Code 910

Application Number: 09DRB-70009, Vacation Of Public Easement

Address:

Location Description: CENTRAL AVE SE BETWEEN SAN PEDRO DR SE AND VALENCIA DR SE

Project Number: 1003802

Applicant

Fox Plaza Llc

2325 San Pedro Ne Ste 2-A
Albuquerque NM 87110
884-3578

Agent / Contact

Surv-Tek Inc

Russ Hugg

9384 Valley View Dr Nw
Albuquerque NM 87114

russhugg@survtek.com

Application Fees

441018/4871000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4883000	DRB Actions	\$45.00

TOTAL: \$140.00

City Of Albuquerque
Treasury Division

1/15/2009 11:41AM LOC: ANNX
WSH 001 TRANS# 0017
RECEIPT# 00102047-00102047
PERMIT# 2009070009 TRSDMG
Trans Amt \$140.00
APR Fee \$75.00
Conflict Manag. Fee \$20.00
DRB Actions \$45.00
VI \$140.00
CHANGE \$0.00

Thank You

SURV TEK, INC.

96
76
76

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

DRB

1003902

January 19, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

South San Pedro N.A.
816 San Pedro SE
Albuquerque, NM 87108
Attention: Reyna Luz Juarez

Re: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement Company, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 3110 0000 0151 3388
FREE 1ST CLASS PERMIT NO. 5001

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To	
SOUTH SAN PEDRO ATN: REYNA LUZ JUAREZ	
Street, Apt. No., or PO Box No. 816 SAN PEDRO SE	
City, State, ZIP+4	
ALBUQUERQUE, NM 87108	
PS Form 3800, June 2002	
See Reverse for Instructions	

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 19, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

South San Pedro N.A.
420 Indiana SE
Albuquerque, NM 87108
Attention: Enrique Cardiel

Re: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement Company, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

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If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 3110 0000 0151 3371

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To	
SOUTH SAN PEDRO N.A.	
Street, Apt. No.; or PO Box No. 420 INDIANA SE	
City, State, ZIP+4	
ALBUQUERQUE, NM 87108	

PS Form 3800, June 2002 See Reverse for Instructions

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 19, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
623 Valencia NE
Albuquerque, NM 87108
Attention: Tim Newell

Re: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement Company, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

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If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 7570 0000 077E 5001
704E 7570 0000 077E 5001

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
FAIR WEST N.A. ATTN: TIM NEWELL
Street, Apt. No.;
or PO Box No. 623 VALENCIA NE
City, State, ZIP+4
ALBUQUERQUE NM 87108



Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 19, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
332 Cardenas Dr. NE
Albuquerque, NM 87108
Attention: Leah Steimel

Re: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement Company, City of Albuquerque, Bernalillo County, New Mexico. City Zone Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

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If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 3110 0000 0151 3395

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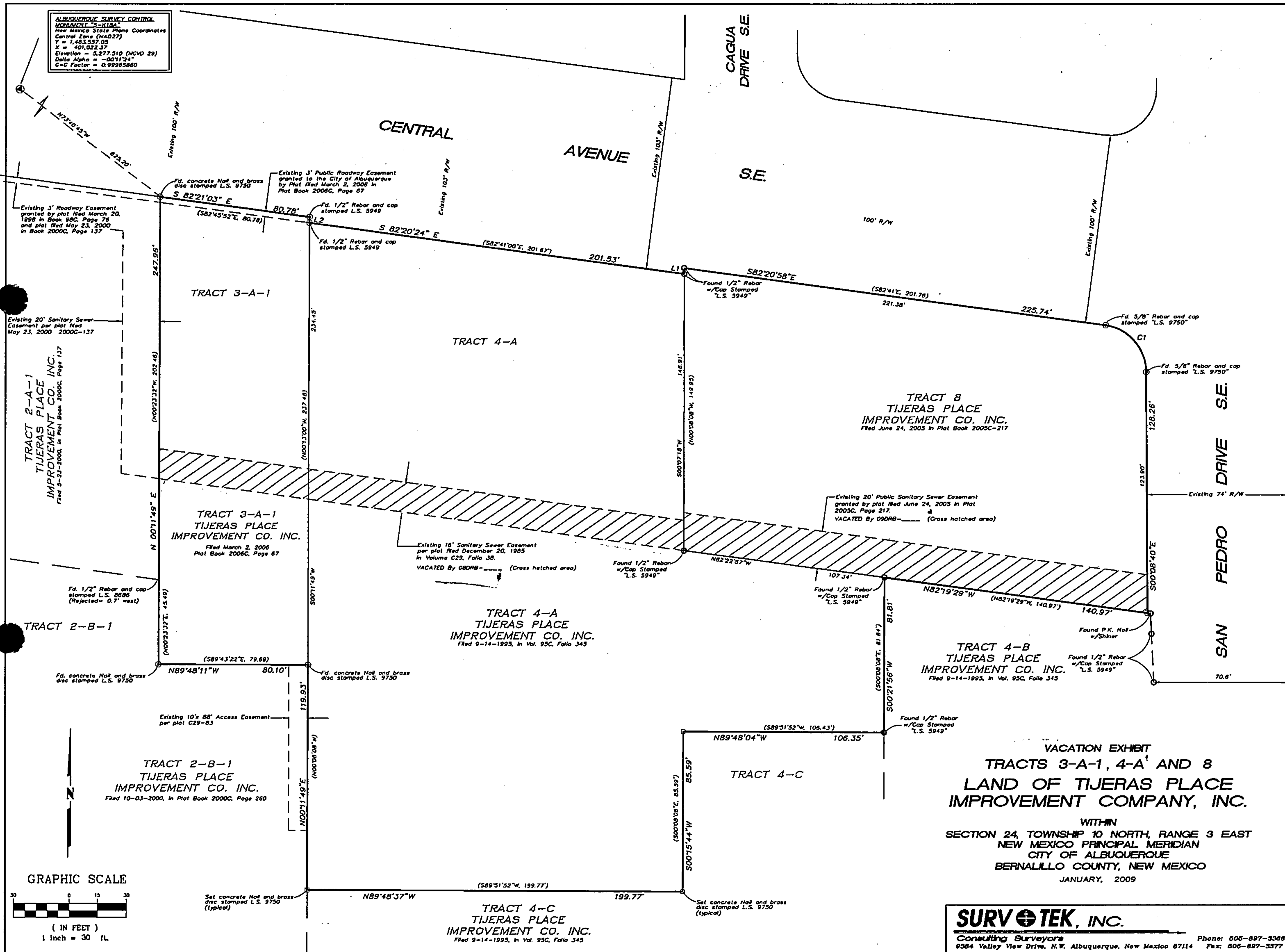
OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
FAIR WEST N.A. ATTN: LEAH STEIMEL
Street, Apt. No.,
or PO Box No. 332 CARDENAS DR NE
City, State, ZIP+4
ALBUQUERQUE, NM 87108

PS Form 3800, June 2002 See Reverse for Instructions

ALBUQUERQUE SURVEY CONTROL
 MONUMENT "S-K18A"
 New Mexico State Plane Coordinates
 Central Zone (NAD27)
 Y = 1,483,557.05
 X = 401,822.37
 Elevation = 5,277.510 (NGVD 29)
 Delta Alpha = -00'17.24"
 G-C Factor = 0.99983880



**VACATION EXHIBIT
 TRACTS 3-A-1, 4-A AND 8
 LAND OF TIJERAS PLACE
 IMPROVEMENT COMPANY, INC.**

WITHIN
 SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST
 NEW MEXICO PRINCIPAL MERIDIAN
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 2009

SURV+TEK, INC.
 Consulting Surveyors
 9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3366
 Fax: 505-897-3377

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): SURV-TEK, INC PHONE: 897-3366
 ADDRESS: 9384 VALLEY VIEW DR NW FAX: 897-3377
 CITY: ALB STATE NM ZIP 87114 E-MAIL: RUSSHUGG@SURVTEK

APPLICANT: FOX PLAZA, LLC PHONE: 884-3578
 ADDRESS: 2325 SAN PEDRO NE SUITE 2-A FAX: _____
 CITY: ALB STATE NM ZIP 87110 E-MAIL: _____

Proprietary interest in site: OWNERS List all owners: _____

DESCRIPTION OF REQUEST: VACATION OF A PUBLIC SANITARY SEWER EASEMENT

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

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

Lot or Tract No. TRACTS 8, 3-A-1 AND 4-A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: LAND OF TIJERAS PLACE IMPROVEMENT CO., INC.
 Existing Zoning: C-2 Proposed zoning: SAME MRGCD Map No N/A
 Zone Atlas page(s): K-18 UPC Code: 101805724813831314
101805721313731313
101805722812931301

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? N/A
 No. of existing lots: 3 No. of proposed lots: 3 Total area of site (acres): 3.0732
 LOCATION OF PROPERTY BY STREETS: On or Near: CENTRAL AVENUE SE
 Between: SAN PEDRO DR SE and VALENCIA DR SE

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

SIGNATURE [Signature] DATE 11.24.08
 (Print) Russ Hugg Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers
09DRB 70009

Action	S.F.	Fees
<u>VPE</u>	<u>4</u>	<u>\$ 45.00</u>
<u>ADV</u>		<u>\$ 70.00</u>
<u>CME</u>		<u>\$ 70.00</u>
		\$ _____
		\$ _____
		Total
		<u>\$ 185.00</u>

Hearing date FEB 11, 09

Sandy Handley 01/15/09
 Planner signature / date

Project # 1003902

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**
 ___ Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 ___ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
 VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)
 ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
 (Not required for City owned public right-of-way.)
 ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 ✓ Zone Atlas map with the entire property(ies) clearly outlined
 ✓ Letter briefly describing, explaining, and justifying the request
 ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ✓ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

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

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

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

- VACATION OF PRIVATE EASEMENT (DRB26)**
 VACATION OF RECORDED PLAT (DRB29)
 ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 ___ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

Russ Hugg
 Applicant name (print)
[Signature] 12-
 Applicant signature / date



Form revised 4/07

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

Application case numbers
09DRB - 70009

Sandy Handley
 Planner signature / date
 Project # 1003902

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

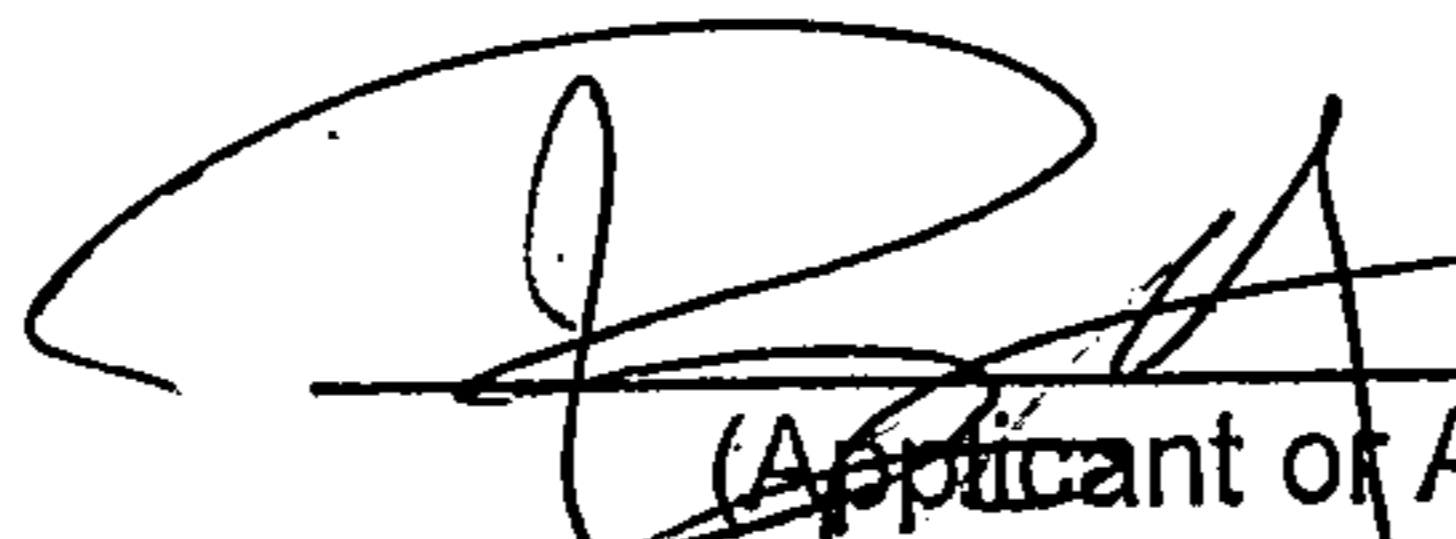
4. TIME

Signs must be posted from JAN 27, 2009 To FEB. 11, 2009

5. REMOVAL

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

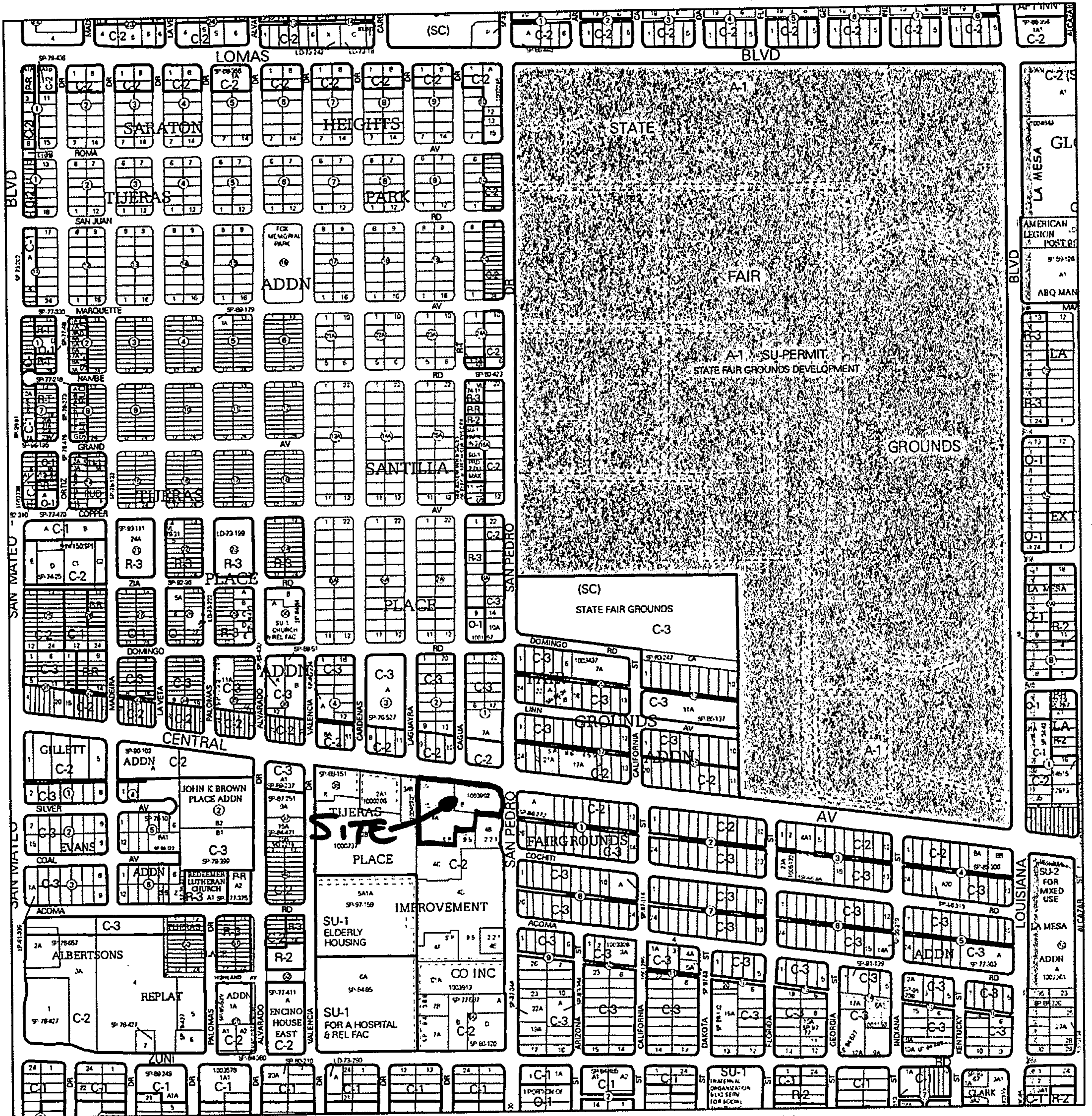
I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.



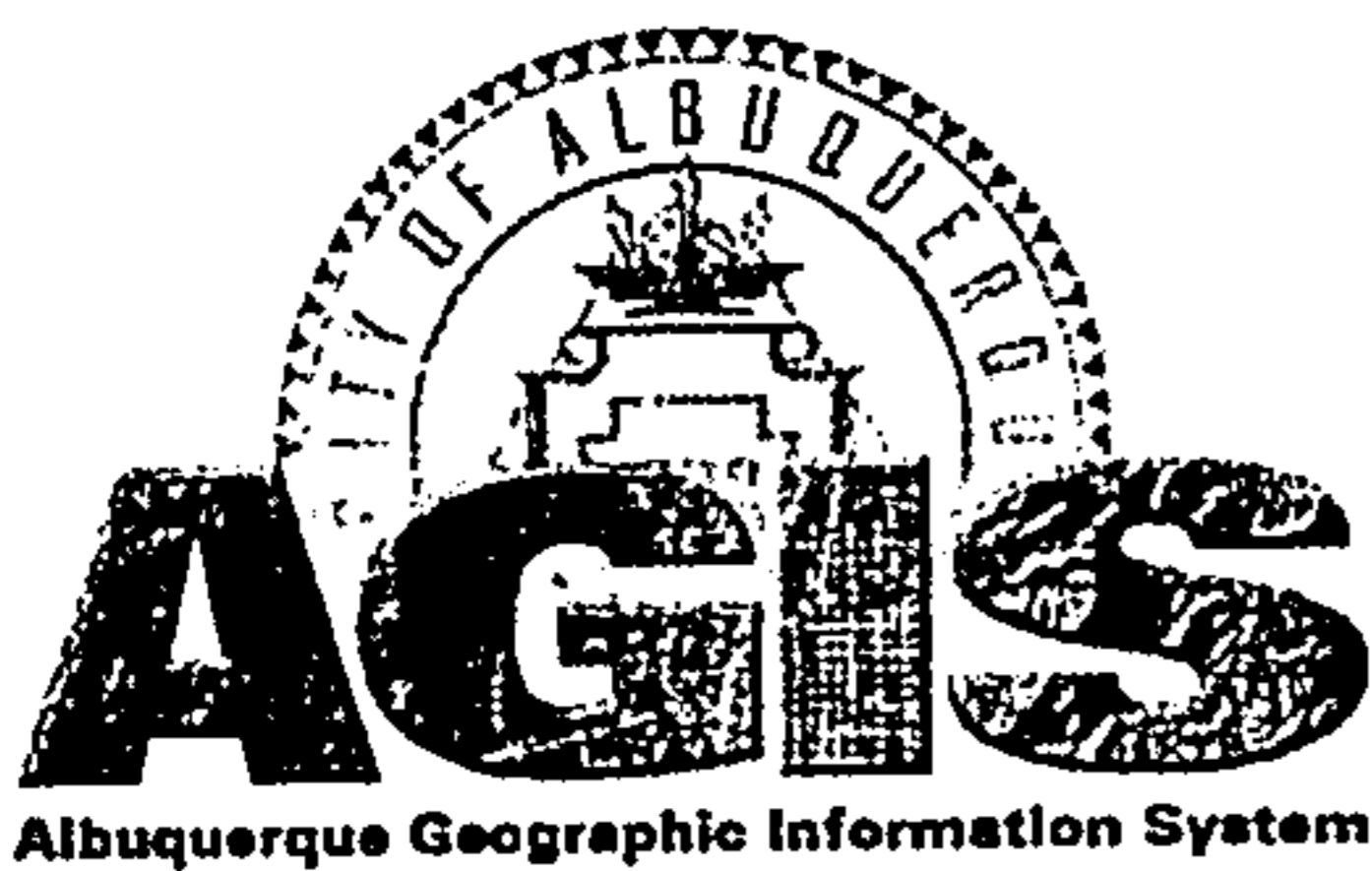
(Applicant or Agent) 1.15.09
(Date)

I issued 1 signs for this application, 01/15/09 Sandy Handley
(Date) (Staff Member)

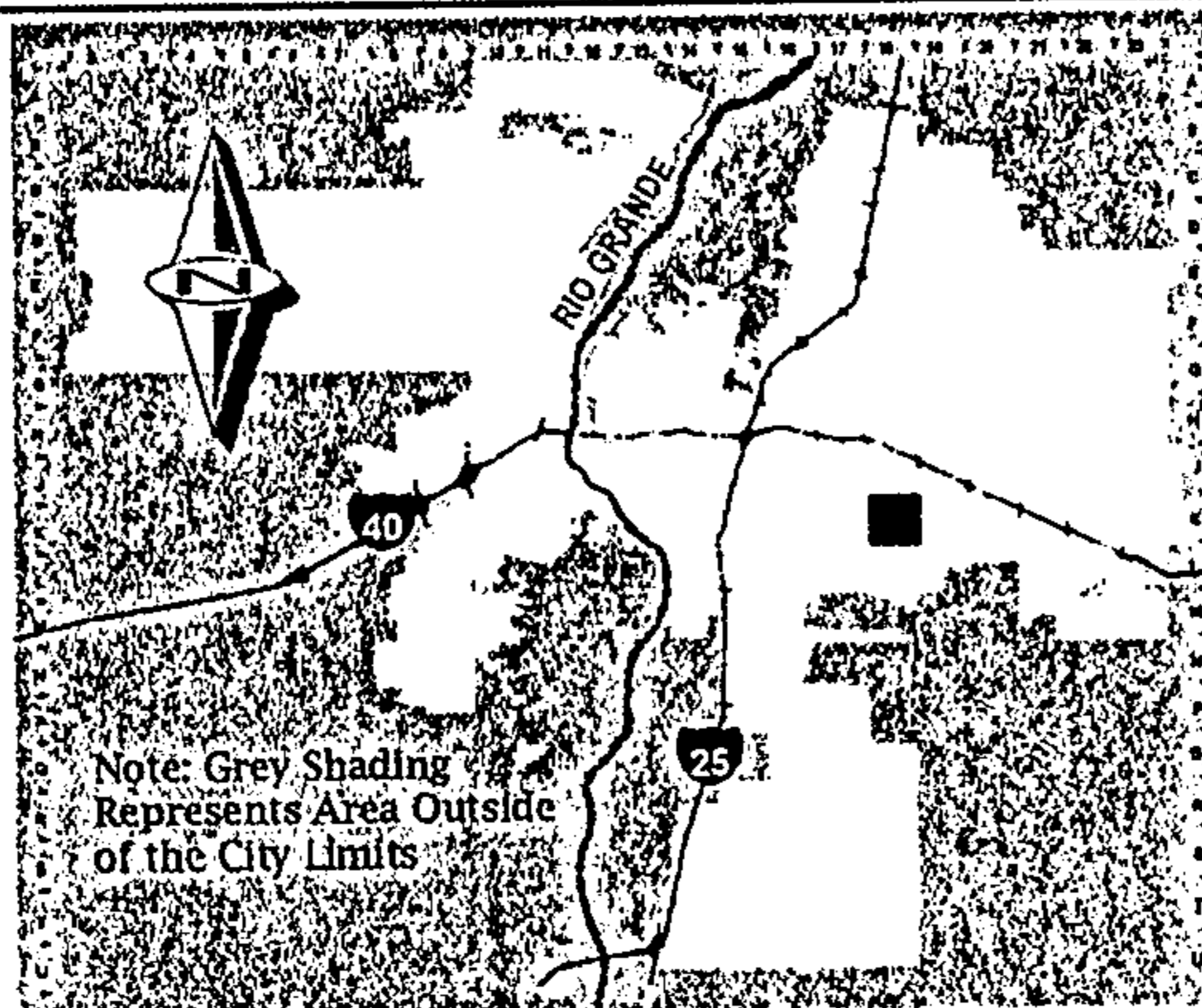
DRB PROJECT NUMBER: 1003902



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



Map amended through: 1/4/2008



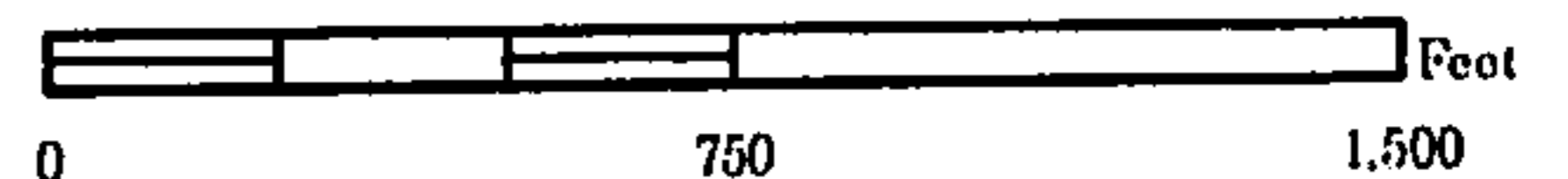
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

K-18-Z

Selected Symbols

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



SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 12, 2009

Albuquerque Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

Attention: Mr. Jack Cloud, Chair

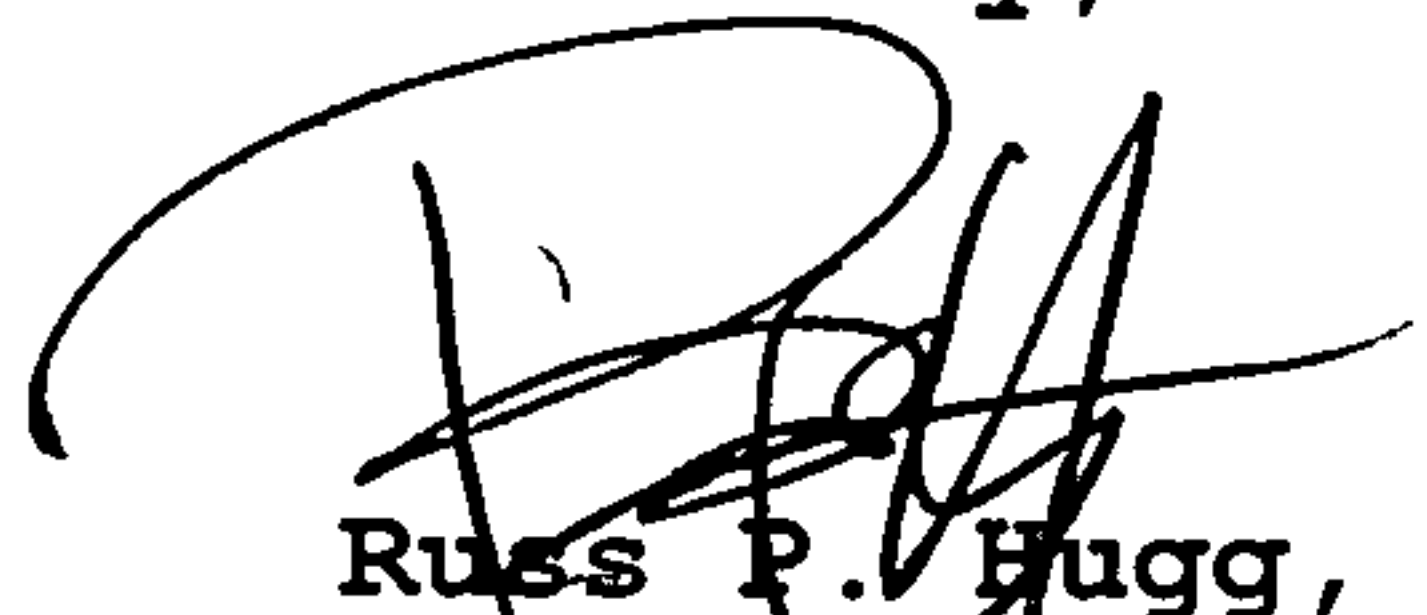
RE: Tracts 3-A-1, 4-A and 8, Land of Tijeras Place Improvement
Company, City of Albuquerque, Bernalillo County, New Mexico.
City Zone Atlas Page K-18-Z.

Dear Mr. Cloud

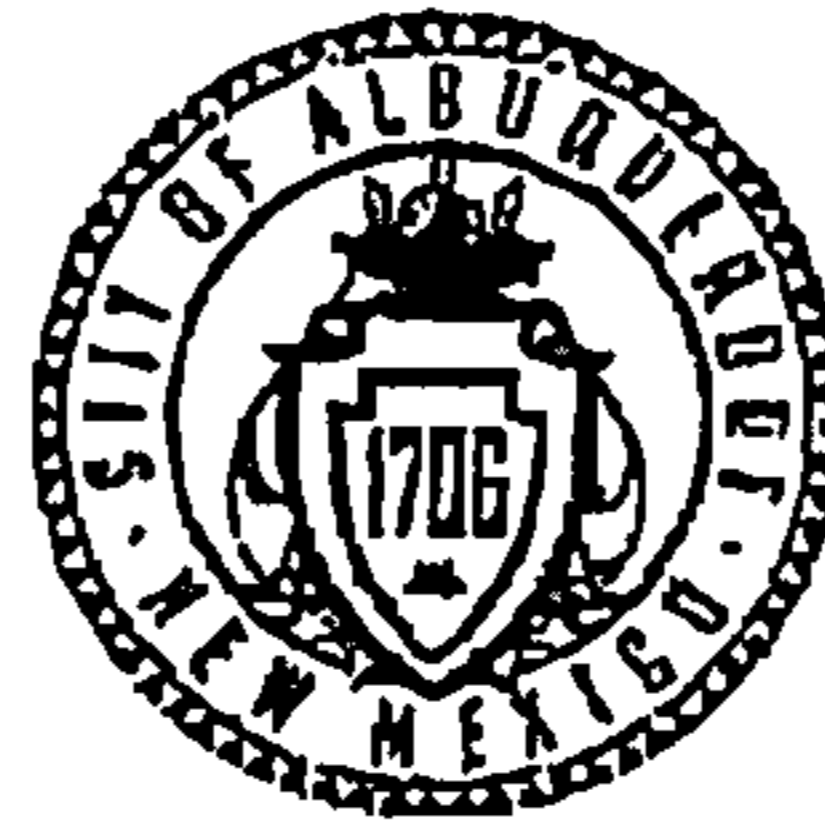
The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement through Tracts 3-A-1, 4-A and 8 as shown on the attached Vacation Exhibit.

Please contact me at your convenience, if you have any questions or need additional information.

Sincerely,



Russ P. Hugg, PS
Surv-Tek, Inc.



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: December 23, 2008

TO CONTACT NAME: Russ Hugg
 COMPANY/AGENCY: SURV-TEK INC
 ADDRESS/ZIP: 9384 Valley View Dr NW 87114
 PHONE/FAX #: 897-3366 / 897-3377

Thank you for your inquiry of 12-23-08 (date) requesting the names of **ALL Affected**

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at Tracts 3-A-1, 4-A and 8, Lands of Tijeras Place Improvement Company located on Central zone map page(s) K-18 Ave SE between San Pedro + Valencia SE.

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

Jair West
 Neighborhood or Homeowner Association
 Contacts: Tim Newell
123 Valencia NE 87108
255-8321 (h) 853-5651 (w)
Leah Steimel
332 Cardenas Dr NE
268-9358 (h) 87108-1712

South San Pedro
 Neighborhood or Homeowner Association
 Contacts: Reyna Luz Suarez
816 San Pedro SE 87108
254-2142 (h)
Enrique Cardiel
420 Indiana SE
255-9312 (h) 87108

See reverse side for additional Neighborhood and/or Homeowner Associations 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 Carmona
 OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations 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 Q-92 to notify **ALL AFFECTED NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS** PRIOR TO FILING THE APPLICATION TO THE **PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments 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 and/or homeowner associations may contact someone with questions or comments.

INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

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

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

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

(Below this line for ONC use only)

Date of Inquiry: 12-23-08 Time Entered: 3:15pm ONC Rep. Initials: OC

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 5, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

South San Pedro N.A.
420 Indiana SE
Albuquerque, NM 87108
Attention: Enrique Cardiel

Re: Tracts 4-A and 8, Land of Tijeras Place Improvement Company,
City of Albuquerque, Bernalillo County, New Mexico. City Zone
Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 3110 0000 0151 3326

U.S. Postal Service™	
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To	
SOUTH SAN PEDRO N.A. ATTN: ENRIQUE CARDIEL	
Street, Apt. No.; or PO Box No. 420 INDIANA SE	
City, State, ZIP+4	
ALBUQUERQUE NM 87108	
PS Form 3800, June 2002	
See Reverse for Instructions	

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 5, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
332 Cardenas Dr. NE
Albuquerque, NM 87108
Attention: Leah Steimel

Re: Tracts 4-A and 8, Land of Tijeras Place Improvement Company,
City of Albuquerque, Bernalillo County, New Mexico. City Zone
Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby filing application with the City of Albuquerque Development Review Board for Vacation of a Public Sanitary Sewer easement as shown on the attached Vacation Exhibit.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366



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

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Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
FAIR WEST N.A. ATTN: LEAH STEIMEL
Street, Apt. No.;
or PO Box No. 332 CARDENAS DRIVE NE
City, State, ZIP+4
ALBUQUERQUE, NM 87108

04EE T510 0000 0157 3340
7005 3110 0157 5002



Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 5, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

South San Pedro N.A.
816 San Pedro SE
Albuquerque, NM 87108
Attention: Reyna Luz Juarez

Re: Tracts 4-A and 8, Land of Tijeras Place Improvement Company,
City of Albuquerque, Bernalillo County, New Mexico. City Zone
Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby
filing application with the City of Albuquerque Development Review Board
for Vacation of a Public Sanitary Sewer easement as shown on the attached
Vacation Exhibit.

The application will require a public hearing before the Development
Review Board in the DRB Meeting Room in the basement floor of the Plaza
Del Sol Building at Second and Roma N.W. The Chair of the Development
Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at
P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

7005 3110 0000 0151 3364
49EE T5T0 0151 3364

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To	SOUTH SAN PEDRO N.A., ATTN: REYNA LUZ JUAREZ
Street, Apt. No.; or PO Box No.	816 SAN PEDRO SE
City, State, ZIP+4	ALBUQUERQUE, NM 87108

PS Form 3800, June 2002 See Reverse for Instructions

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 5, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
623 Valencia NE
Albuquerque, NM 87108
Attention: Tim Newell

Re: Tracts 4-A and 8, Land of Tijeras Place Improvement Company,
City of Albuquerque, Bernalillo County, New Mexico. City Zone
Atlas Page K-18-Z.

The owner of the above captioned property, Fox Plaza, LLC, is hereby
filing application with the City of Albuquerque Development Review Board
for Vacation of a Public Sanitary Sewer easement as shown on the attached
Vacation Exhibit.

The application will require a public hearing before the Development
Review Board in the DRB Meeting Room in the basement floor of the Plaza
Del Sol Building at Second and Roma N.W. The Chair of the Development
Review Board, Mr. Jack Cloud, may be contacted at 924-3880 or by mail at
P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To FAIRWEST NA ATTN: TIM NEWELL Street, Apt. No.; or PO Box No. 623 VALENCIA NE City, State, ZIP+4 ALBUQUERQUE, NM 87108	
PS Form 3800, June 2002 See Reverse for Instructions	

CG-5

CERTIFICATE OF SURVEYOR

Pursuant to Sections 72-2-26 to 72-2-33, Inclusive, of New Mexico Statutes, Annotated, 1953 Compilation, as now or hereafter amended, the undersigned Professional Engineer and Land Surveyor, Registered and Licensed to practice in the State of New Mexico, hereby certifies that the Plat upon which this certificate appears was prepared under his supervision for the purpose of filing in the Office of the Clerk of Bernalillo County, New Mexico, and that the descriptions of the Tracts designated on said Plat are adequately and correctly shown on said Plat as of this 6th day of May, 1963.

Edmund Pitt Rosa
Edmund Pitt Rosa
New Mexico Registered Professional
Engineer and Land Surveyor No. 1274

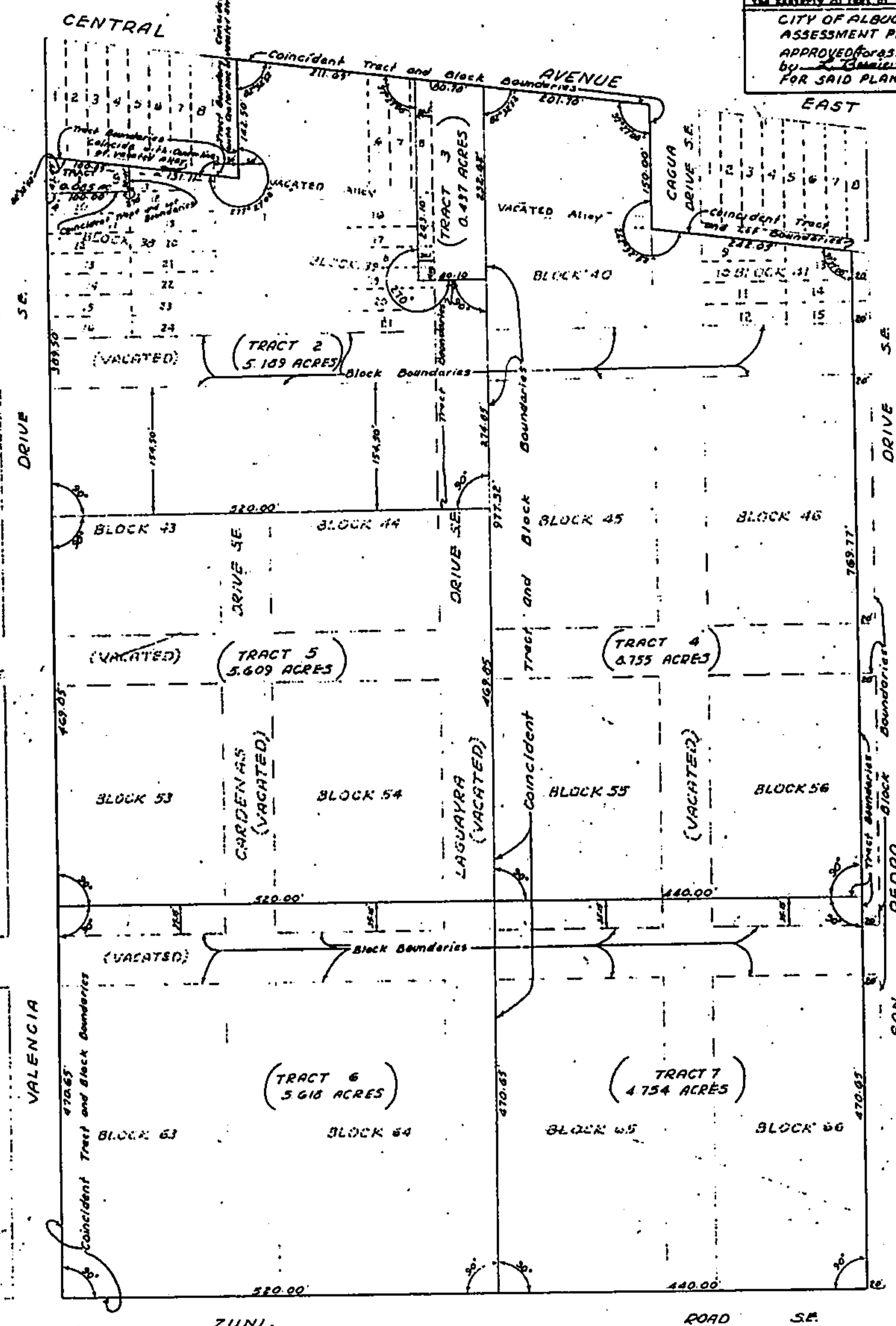
TIJERAS PLACE IMPROVEMENT COMPANY'S
ASSESSMENT- PLAT "A"

BEING A PORTION OF
TIJERAS PLACE, an ADDITION
TO THE CITY OF ALBUQUERQUE, NEW MEXICO
AS SAID ADDITION IS SHOWN AND DESIGNATED
ON THE AMENDED PLAT OF TIJERAS PLACE,
FILED IN THE OFFICE OF THE CLERK OF
BERNALILLO COUNTY, NEW MEXICO ON
AUGUST 24, 1923

Comprising that Portion of said Addition lying East of and adjacent to
Valencia Drive SE, including the several Streets, Roads, Drives, and
Alleys within said Portion duly vacated by City Commission Ordinances
1106, 2064, and 2174, excepting Lots 1 thru 8 in Block 36 together with
the Westerly Half of the Alley and the Westerly Half of Cardenas Drive
adjacent thereto, excepting Lots 1 thru 8 in Block 43, and excepting
the Westerly 70 feet of Blocks 44, 45, 46 and Lots 13, 14 & 15 in Block 41

CITY OF ALBUQUERQUE PLANNING DEPARTMENT
ASSESSMENT PLAT No. 83-46

APPROVED for assessment purpose only on May 6, 1963
by the Planning Commission
FOR SAID PLANNING DEPARTMENT



SCALE: 1" = 100'



State of New Mexico
County of Bernalillo
This instrument was filed for record on
MAR 12 1964
at 10 o'clock P.M. Recorded in Vol. 66
of records of said County Folio 5
Clerk & Recorder
Mary G. ...

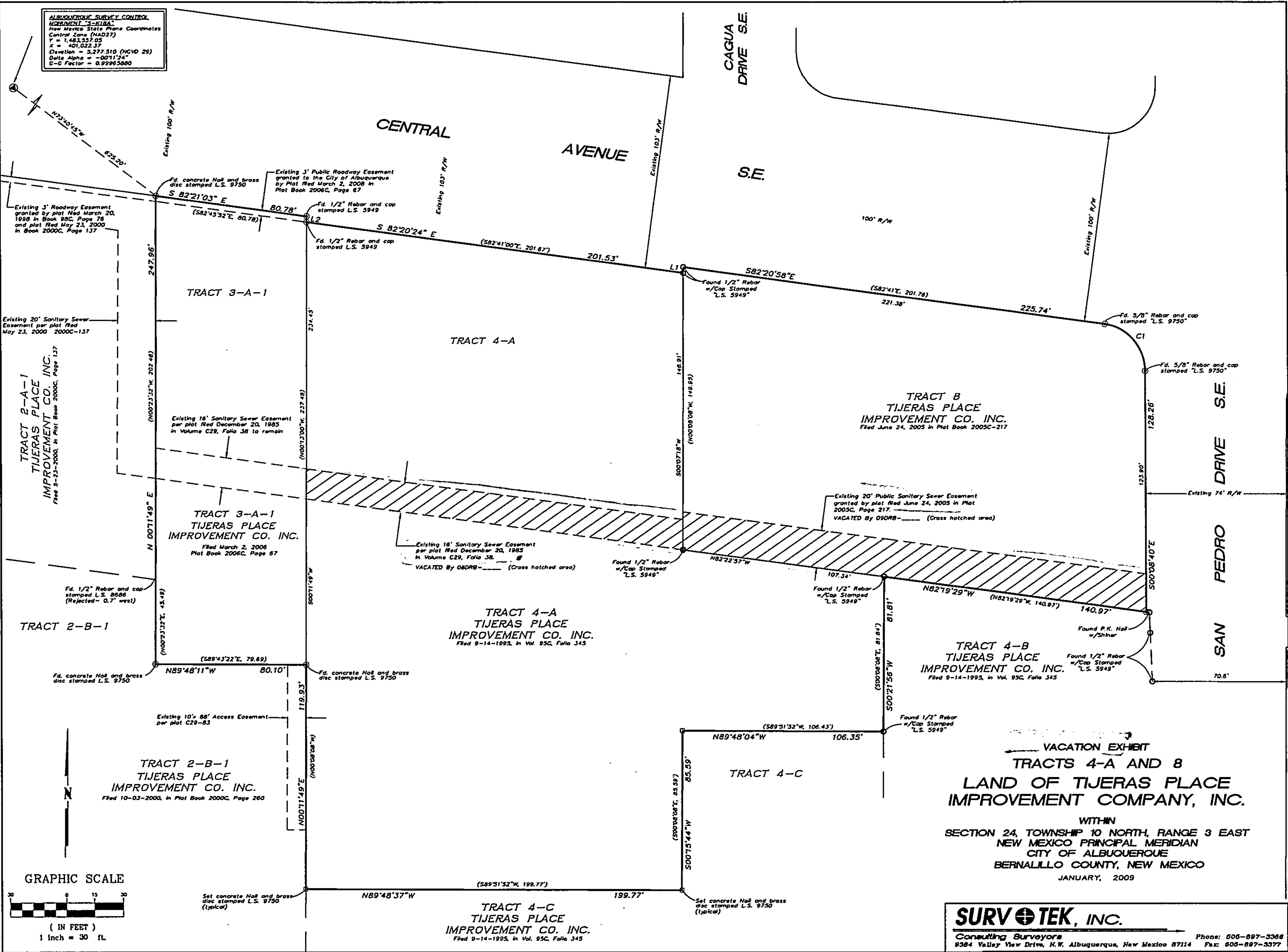
Rosa-Royer Engineering Office ER
Sub. No. 43148 - EPA-EBJ
For Tijeras Place Improvement Co.
Apr 11, 1963

CG-5 11-7-15

11-7-15 CG-5

CG-5

ALBUQUERQUE SURVEY CONTROL
 MONUMENT 3-KIRA
 New Mexico State Plane Coordinates
 Central Zone (NAD27)
 Y = 1,481,237.03
 X = 401,022.37
 Elevation = 3,277.510 (NGVD 29)
 Delta Alpha = -00'11".24"
 G-G Factor = 0.99965880



VACATION EXHIBIT
 TRACTS 4-A AND 8
 LAND OF TIJERAS PLACE
 IMPROVEMENT COMPANY, INC.

WITHIN
 SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST
 NEW MEXICO PRINCIPAL MERIDIAN
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 2009

SURVOTEK, INC.
 Consulting Surveyors
 9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3368
 Fax: 505-897-3377

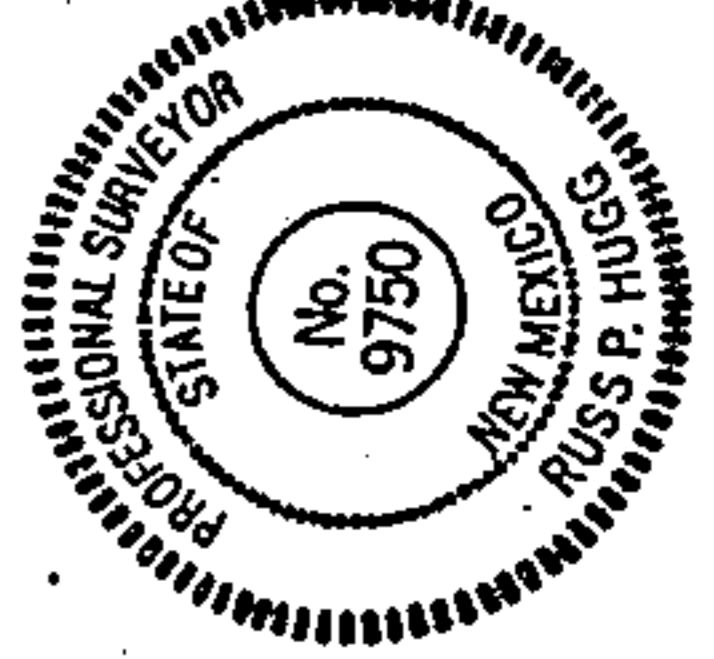
TRACT 8
LAND OF TIJERAS PLACE
IMPROVEMENT COMPANY, INC.
 (BEING A REPLAT OF LOTS 1 THRU 8, BLOCK 41; VACATED PORTION OF CAGUA DRIVE S.E. AND VACATED 18' PUBLIC ALLEY, TIJERAS PLACE)
SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
 FEBRUARY, 2005

PROJECT NUMBER: 1003702
 Application Number: 05DRB-00514

FLAT APPROVAL	DATE
UTILITY APPROVALS	
PNM Electric Services	5-10-05
PNM Gas Services	5-10-05
City of Albuquerque	3-29-05
City Engineer	3-29-05
City Surveyor	3-18-05
Real Property Division	6-20-05
NA	6/23/05
Environmental Health Department	4-27-05
Traffic Engineering/Transportation Division	4-27-05
Utilities Department	4-27-05
Parks and Recreation Department	4/27/05
City Engineer	4/27/05
City Planner, Planning Department	6/23/05

SURVEYOR'S CERTIFICATION

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my supervision; that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for survey and monumentation of the Albuquerque Subdivision Ordinance; that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.



Russ P. Hugg
 N.M.P.S. No. 9750
 February 16, 2005

SURVOTEK, INC.
 Consulting Surveyors
 608 Valley View Drive N.E. Albuquerque, New Mexico 87114
 Phone: 505-897-5366
 Fax: 505-897-5377

TREASURER'S CERTIFICATION

This is to certify that taxes are current and paid on the following:

- UPC# 101805724314032001 LOT 1
- UPC# 101805724314032001 LOT 2
- UPC# 101805725014032002 LOT 3
- UPC# 101805725014032002 LOT 4
- UPC# 101805725414032003 LOT 5
- UPC# 101805725414032003 LOT 6
- UPC# 101805725814032004 LOT 7
- UPC# 101805725814032004 LOT 8

R. Rodriguez
 Bernalillo County Treasurer
 Date: _____

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- PNM Electric Services for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical service.
- PNM Gas Services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
- Qwest Corporation for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to ground pedestals and closures.
- Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes of electric, gas, telephone, and cable television service, and overhead and underground electrical lines, transformers, and other equipment and related facilities, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool deck, or other structure shall be erected or constructed on a solid easement, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of poles, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformers/switchgear, as installed, shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

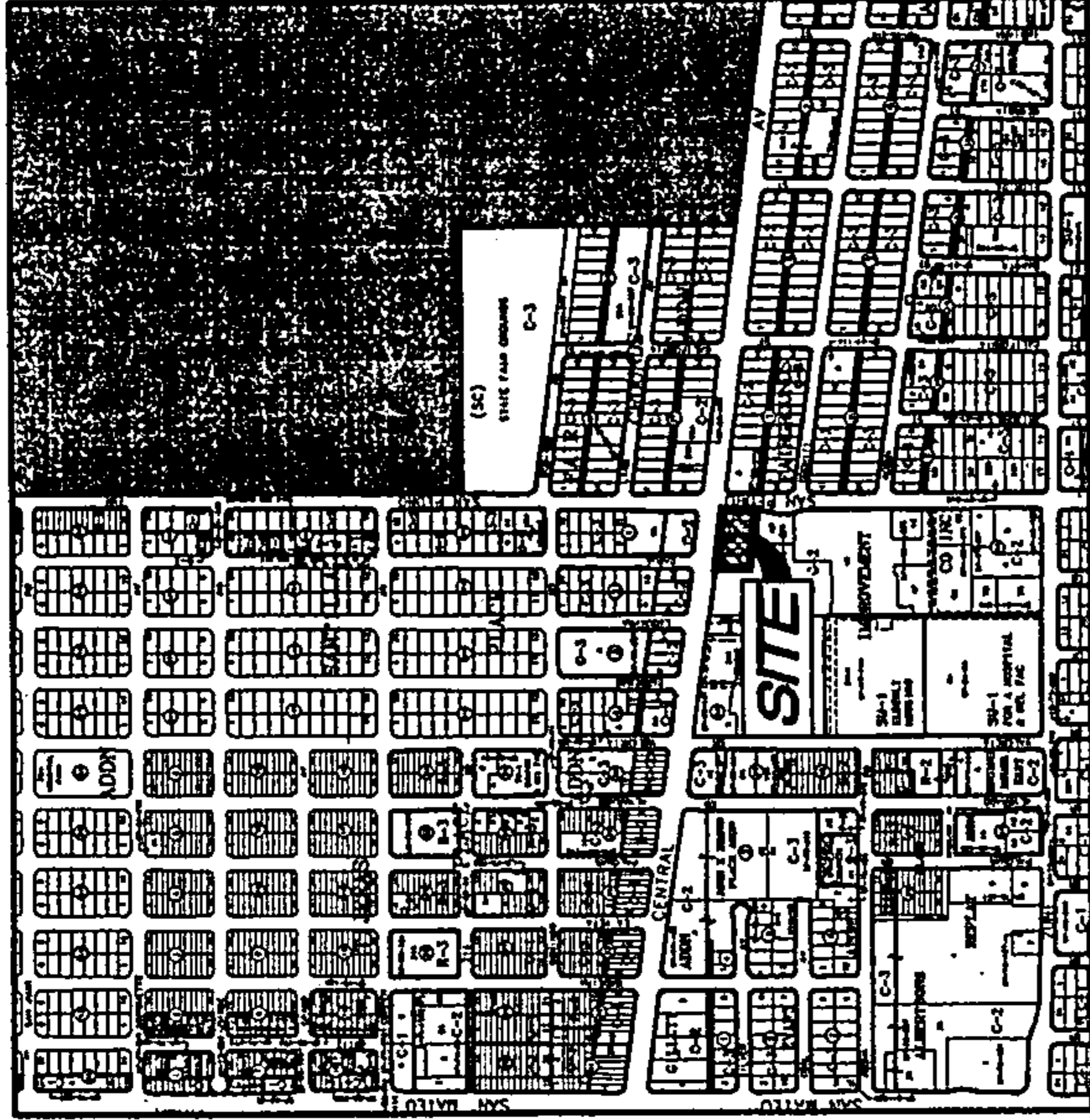
DISCLAIMER

In approving this plat, PNM Electric Services and Gas Services (PNM) did not conduct a Title Search of the properties shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled.

NOTE: PNM has facilities in the area to be vacated, developer will have to pay to relocate and re-dedicate easements to PNM.

PURPOSE OF

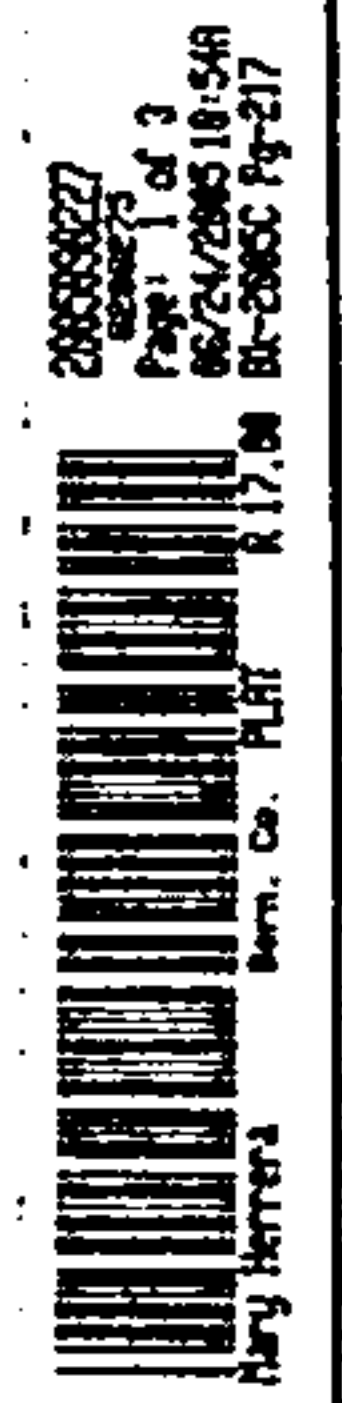
- The purpose of this plat is to:
- Eliminate all existing interior lot lines.
 - Create one Tract.
 - Dedicate additional right of way for San Pedro Drive.
 - Grant a 20' Public Sanitary Sewer Easement.
 - Show public road R/W and alleyway vacated by 05DRB 00514, 05DRB 00513.
 - Grant the public utility easements as shown hereon.



VICINITY MAP
 Not To Scale

GENERAL NOTES

- Bearings are New Mexico State Plane Grid Bearings (Central Zone - NAD27) originated at the Albuquerque Central Survey Monument 3-K18A.
- Bearings and distances shown in parentheses are record.
- All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- All corners that were set are either a 5/8" rebar with cap stamped "HUGG L.S. 9750" or a concrete nail with brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- City of Albuquerque Zone Atlas Page K-18-Z.
- Documents used in the preparation of this survey are as follows:
 - Plat entitled "AMENDED PLAT OF TIJERAS PLACE, AN ADDITION TO THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", as filed in the Office of the County Clerk of Bernalillo County, New Mexico on August 24, 1923, in Volume C, Folio 21.
 - Plat entitled "TIJERAS PLACE IMPROVEMENT COMPANY'S ASSESSMENT PLAT 'A'", as filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 12, 1984, in Volume C6, Folio 5.
 - Unfiled survey entitled "A.L.T.A./A.G.S.M. LAND TITLE SURVEY LOTS 1, THRU 8, BLOCK 41, TIJERAS PLACE ADDITION, WITHIN SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", prepared by Russ P. Hugg, N.M.P.S. No. 9750 for SURV-TEK, INC., Albuquerque, New Mexico, dated January 7, 2005.
 - U.C.L.S. Log Number: 2005092465.
 - Total Plat acreage: 0.8517 Acres, more or less.
 - This property is currently zoned "C-2, Community Commercial Zone" per the City of Albuquerque Zone Atlas, dated July 06, 2004.



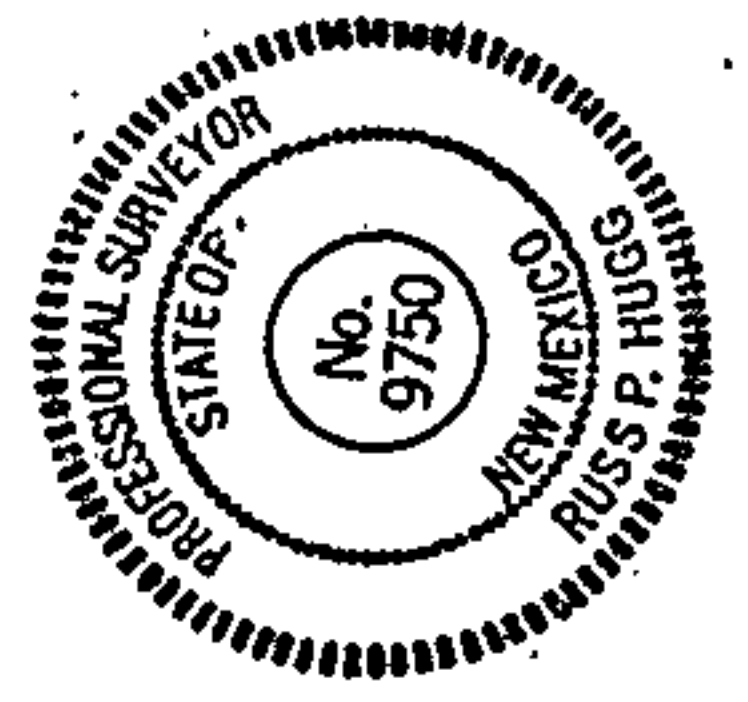
TRACT 8
LAND OF TIJERAS PLACE
IMPROVEMENT COMPANY, INC.
 (BEING A REPEAT OF LOTS 1 THRU 8, BLOCK 41; VACATED PORTION
 OF CAGUA DRIVE S.E. AND VACATED 15' PUBLIC ALLEY, TIJERAS PLACE)
WITHIN
SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
 FEBRUARY, 2005

FREE CONSENT AND DEDICATION
 SURVEYED and REPLATTED and now comprising, TRACT & LAND OF TIJERAS PLACE IMPROVEMENT COMPANY, INC. (BEING A REPEAT OF LOTS 1 THRU 8, BLOCK 41; VACATED PORTION OF CAGUA DRIVE S.E. AND VACATED 15' PUBLIC ALLEY, TIJERAS PLACE) WITHIN SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby grant to the use of the public forever, the public utility easements as shown hereon. Said owner(s) and proprietor(s) do hereby dedicate the additional street right of way for San Pedro Drive S.E. as shown hereon to the City of Albuquerque in fee simple with warranty covenants. Said owner(s) and proprietor(s) do hereby warrant that they hold among them, complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby represent that they are so authorized to act.

OWNER
 Peterson-Fox LLC, a New Mexico limited liability company
 By: James A. Peterson Date 10/18/05
 James A. Peterson, Trustee

ACKNOWLEDGEMENT
 STATE OF NEW MEXICO
 COUNTY OF BERNALILLO SS
 The foregoing instrument was acknowledged before me this 4TH day of March, 2005, by James A. Peterson.

James A. Peterson
 My commission expires 10/18/05



LEGAL DESCRIPTION
 That certain parcel of land situate within Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being and comprising the following: All of Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block numbered Forty-one (41), Tijeras Place, an addition to the City of Albuquerque, as shown and designated on the plat of said addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on August 24, 1923, EXCEPTING that portion conveyed to the City of Albuquerque, New Mexico by Special Warranty Deed recorded in Book D1944, Page 541; That certain Fifteen (15) Public Alley lying immediately south of and adjacent to said Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block Forty-one (41); and that certain portion of Cagua Drive S.E. lying immediately west of and adjacent to said Lot One (1), Block Forty-one (41), being more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane coordinate system, Central Zone (NAD 27) grid bearings and ground distances as follows:

- BEGINNING at the Northwest corner of the parcel herein described (a 1/2" rebar and cap stamped "LS 5949" found in place) a point on the Northernly right of way line of Central Avenue S.E. whence the Albuquerque Survey Control monument "5-KT8A" bears N 76° 22' 31" W, 905.35 feet distant; Thence,
 - S 82° 20' 58" E, 228.28 feet along said Northernly right of way line of Central Avenue S.E. to a point of curvature; Thence,
 - Southeasterly 35.89 feet on the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 82° 29' 38" and a chord which bears S 41° 06' 08" E, 32.87 feet) to a point of tangency on the Westerly right of way of San Pedro Drive S.E.; Thence Southwesterly along said Westerly right of way of San Pedro Drive S.E. for the following two (2) courses:
 - S 00° 08' 40" W, 113.08 feet to a point; Thence,
 - S 01° 00' 00" W, 14.94 feet to the Northeast corner of said Tract 4-B, Tijeras Place Improvement Company, Inc. as the same is shown and designated on the plat entitled "PLAT OF TRACTS 4-A THRU 4-F INCLUSIVE, LAND OF TIJERAS PLACE IMPROVEMENT COMPANY, INC., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, MAY 1995", filed September 14, 1995, in Volume 95C, Folio 345, records of Bernalillo County, New Mexico (a PK nail and shiner found in place); Thence Northwesterly and Northwesterly along the Northernly and Westerly line of said Tract 4-B and 4-A for the following three (3) courses:
 - N 82° 18' 29" W, 142.64 feet to the Northwest corner of said Tract 4-B and the Northeast corner of said Tract 4-A (a 1/2" rebar and cap stamped "LS 5949" found in place); Thence,
 - N 82° 22' 57" W, 107.34 feet to an angle point of said Tract 4-A (a 1/2" rebar and cap stamped "LS 5949" found in place); Thence,
 - N 00° 07' 18" E, 146.91 feet to the Northeast corner of said Tract 4-A (a 1/2" rebar and cap stamped "LS 5949" found in place); Thence,
 - N 01° 14' 14" E, 3.08 feet to the Northwest corner and point of beginning of the parcel herein described.
- Said parcel contains 0.8517 acres, more or less.

TRACT 8
LAND OF TIJERAS PLACE
IMPROVEMENT COMPANY, INC.

(BEING A REPLAT OF LOTS 1 THRU 8, BLOCK 41; VACATED PORTION OF CAGUA DRIVE S.E. AND VACATED 15' PUBLIC ALLEY, TIJERAS PLACE) WITHIN

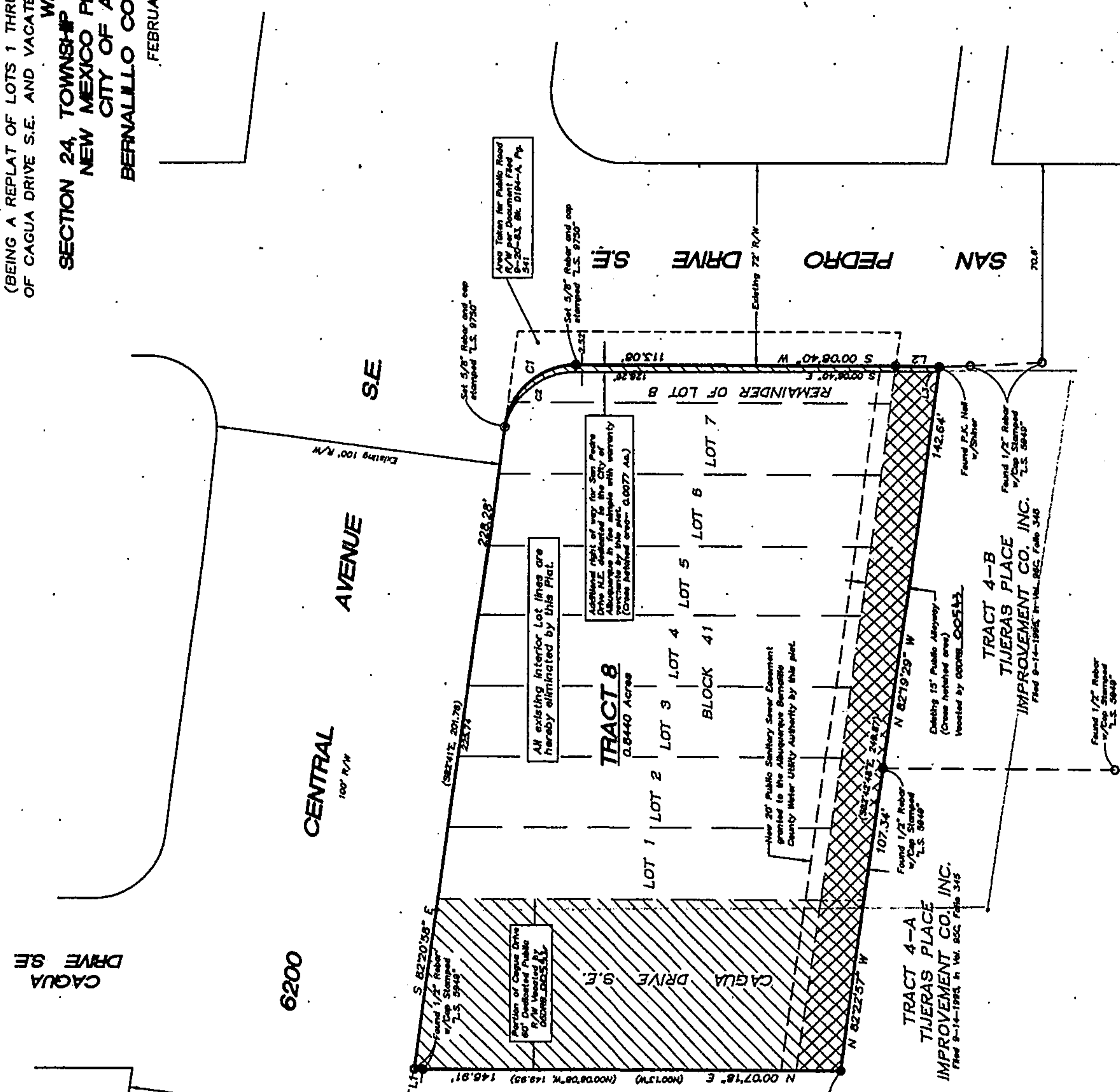
SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

FEBRUARY, 2005

NOTE
 Tract 3-A, Tracts 4-A thru 4-F, Tracts C-1 and C-2 and Tract 8, Tijeras Place Improvement Company, Inc. are subject to that certain First Amendment to the Declaration of Cross-Easements for Fox Plaza Shopping Center filed in the office of the County Clerk of Bernalillo County, New Mexico on February 16, 2005 in Book 192, Page 2408.

ALBUQUERQUE SURVEY CONTROL
 National Grid Station
 Central Zone (NAD83)
 Y = 1,431,567.05
 X = 62,777.510
 Delta Alpha = -0011734"
 B-C Factor = 0.99995880

TRACT 4-A
TIJERAS PLACE
IMPROVEMENT CO., INC.
 Filed 9-14-1986, 1st Vol. SEC. Table 345

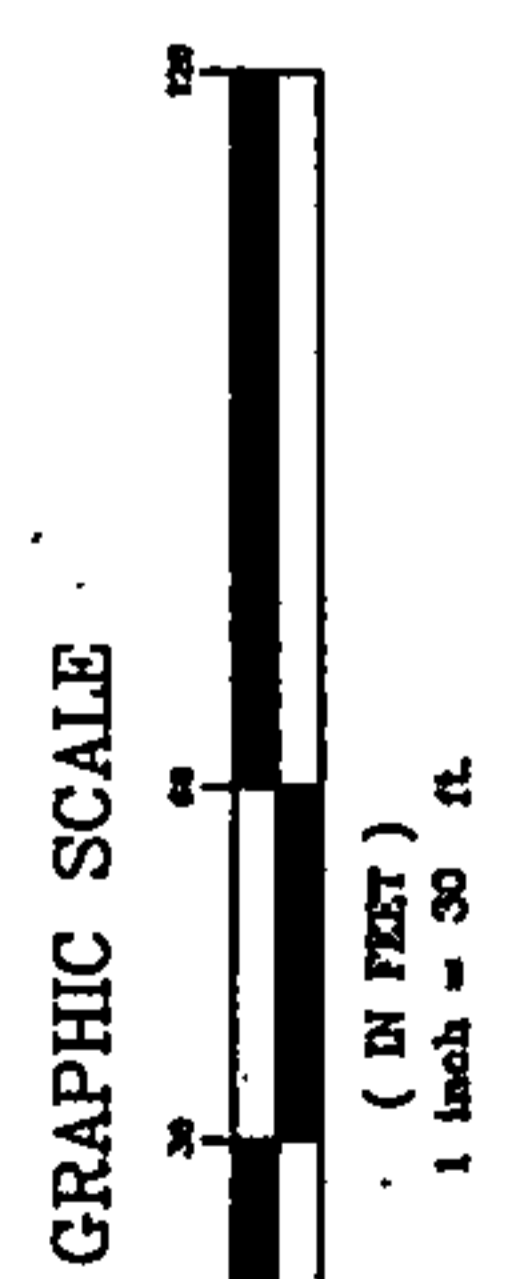


CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	35.99	25.00	21.92	32.87	S41°08'09"E	82°29'39"
C2	35.87	25.00	21.81	32.87	N41°14'49"W	82°12'18"

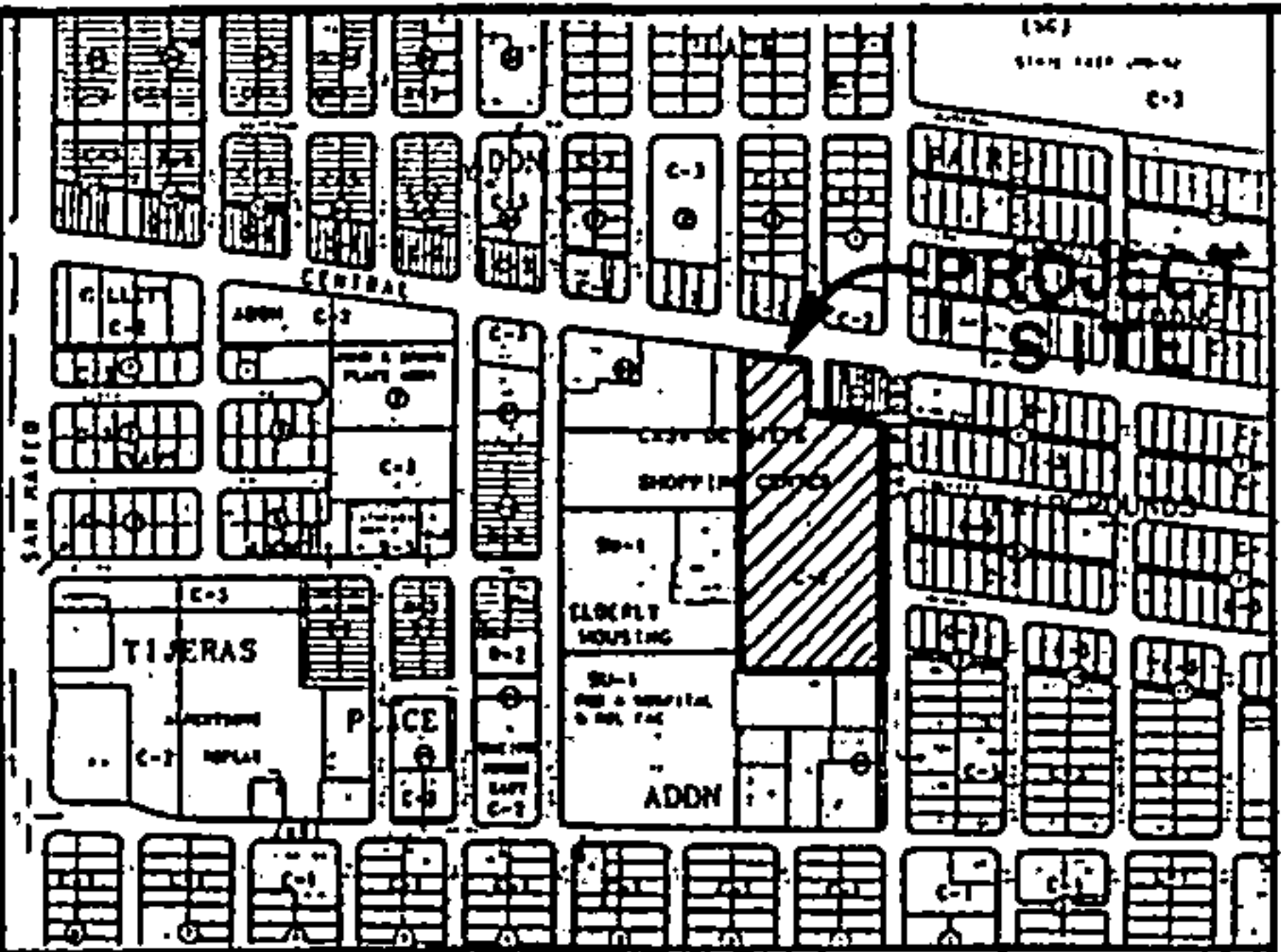
LINE TABLE

LINE	LENGTH	BEARING
L1	3.08'	S0114°14'W
L2	14.84'	N0100°00'E
L3	1.67'	S82°19'29"E



20559827
 200502
 Page 3 of 3
 86/24/2005 10:54
 R 17.00 BR-3965 Pg-517
 Surv letters
 Surv. Co. PLI

SURVOTEK, INC.
 Consulting Surveyors
 8005 Valley View Drive N.E. Albuquerque, New Mexico 87114 Fax 505-897-5877



VICINITY MAP SCALE: 1" = 750' K-18-Z

SUBDIVISION DATA:

U.C.L.S. LOG NUMBER: 950515 11080359
CASE NUMBER: DRB-95-219
ZONE ATLAS INDEX NUMBER: K-18-Z
GROSS ACREAGE: 9.0759 AC.
TOTAL NUMBER OF LOTS CREATED: 6
TOTAL MILEAGE OF FULL WIDTH STREETS CREATED: 0
DATE OF SURVEY: MAY 12, 1995

DISCLOSURE STATEMENT:
The purpose of filing this plat, is to construct boundary lines to conform to property now utilized by others into private ownership, of Tracts 4-A through 4-F, inclusive.

- NOTES:
1. Bearings shown hereon are based on the "Consolidation Plat of Tracts 3-A, 4, C-1 and C-2, Land of Tijeras Place Improvement Company", as shown in DRB case 89-260, SP 105-16-1756.
2. All distances shown hereon, are ground distances.
3. There is a rotation factor of 00°20'39" clockwise to obtain New Mexico State Plane Grid Bearings (Central Zone).
4. Cross Access and Parking Easements are granted by this plat to serve Tracts 4-A through 4-F. Reciprocal Cross Drainage Easements are granted by this plat to serve Tracts 4-A through 4-F. The maintenance of these drainage facilities will be at the owner's cost, per this plat.
5. Prior to development, City of Albuquerque Water and Sanitary Sewer to Tracts 4-B and 4-E, must be verified and coordinated with the Water Utilities Department, City of Albuquerque, via a request for a water and sanitary sewer availability statement.

- REFERENCE PLATS:
1. Assessment Plat "A", Land of Tijeras Improvement Company, filed March 12, 1964, in Plat Book C6, Page 5.
2. "Consolidation Plat of Tracts 3-A, 4, C-1 and C-2, Land of Tijeras Place Improvement Company", DRB Case 89-260, SP 105-16-1756.
3. Certificate of Survey by Elder Company Dated October 27, 1986, revised November 12, 1986 and November 26, 1986 for Tracts 3-A and 4, Land of Tijeras Place Improvement Company.
4. Plat of Tracts C-1 and C-2, Land of Tijeras Place Improvement Company, filed October 9, 1986, in Plat Book C31, Page 164.
5. Plat of Tracts 2-A, 2-B and 3-A, Land of Tijeras Place Improvement Company, filed December 20, 1985.
6. Plat of Tracts 5-A and 6-A, Land of Tijeras Place Improvement Company, filed June 13, 1984, in Plat Book 820, Page 173.
7. Approved Site Development Plan, File No. ZA-92-208/AA-95-34, dated May 4, 1995, entitled Fox Plaza Administrative Amendment, consists of Tract 4-B and 4-E.

THIS IS NO COUNTY THAT TAXES ARE CURRENT AND PAID OR UP TO DATE - 051-240095-2312
PROPERTY OWNER ON RECORD:
FOX PLAZA PARTNERS
SAN JUAN COUNTY TAXPAYER'S OFFICE
Jaime Chiriac

LEGAL DESCRIPTION

A certain tract of land situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said tract being designated Tract 4, Tijeras Place Improvement Company, as the same is shown and designated on the plat of record filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 12, 1964, in Plat Book C6, Page 5, together with the Westerly Twenty feet (20') of San Pedro Boulevard S.E., adjacent to said Tract 4, vacated by the City of Albuquerque, by Ordinance No. V77-7, recorded in the Office of the County Clerk of Bernalillo County, New Mexico on March 30, 1977, in Book Misc. 527, Page 272, as Document No. 77-17363, but excepting therefrom, that portion deeded to the City of Albuquerque, New Mexico, a Municipal Corporation, by Special Warranty Deed recorded in the Office of the County Clerk of Bernalillo County, New Mexico on April 13, 1983, in Book D182A, Page 193, as Document No. 83-22571 and being more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of the tract herein described, said point being a found #4 rebar with plastic cap stamped LS 4690; Thence leaving said point of beginning and running on a bearing of N 00°08'08" W, a distance of 977.32 feet to the Northwest corner of the tract herein described, said point being a set #4 rebar with plastic cap stamped LS 5949, on the South right of way line of Central Avenue; Thence running along said South right of way line on a bearing of S 82°41'00" E, a distance of 201.67 feet to an angle point of the tract herein described, said point being a set #4 rebar with plastic cap stamped LS 5949; Thence leaving said South right of way line of Central Avenue and running on a bearing of S 00°08'08" E, a distance of 149.98 feet to an angle point of the tract herein described, said point being a set #4 rebar with plastic cap stamped LS 5949; Thence continuing along said West right of way line on a bearing of S 02°06'27" E, a distance of 10.71 feet to an angle point of the tract herein described, said point being a set #4 rebar with plastic cap stamped LS 5949; Thence continuing along said West right of way line on a bearing of S 02°59'53" E, a distance of 191.29 feet to an angle point of the tract herein described, said point being a set #4 rebar with plastic cap stamped LS 5949; Thence continuing along said West right of way line on a bearing of N 89°51'47" E, a distance of 2.47 feet to an angle point of the tract herein described, said point being a set concrete nail with aluminum tag marked LS 5949; Thence continuing along said West right of way on a bearing of S 00°08'08" E, a distance of 567.15 feet to the Southeast corner of the tract herein described, said point being a chiseled cross (+) in the gutter; Thence leaving said West right of way line of San Pedro Boulevard and running on a bearing of S 89°51'52" W, a distance of 460.14 to the Southwest corner of the tract herein described and true point of beginning containing 395,347.9795 square feet or 9.0759 acres more or less.

OWNERS CERTIFICATE:
SURVEYED, REPLATTED AND NOW BEING IDENTIFIED AS TRACTS 4-A THROUGH 4-F, INCLUSIVE, LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC., FORMERLY BEING TRACT 4, LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC., LYING AND BEING SITUATE WITHIN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, IS WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETORS THEREOF, AND SAID OWNER(S) AND/OR PROPRIETORS DO HEREBY DEDICATE ALL STREET AND PUBLIC RIGHTS-OF-WAY AS SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE.

BY: James A Peterson
FOX PLAZA PARTNERS, JAMES A. PETERSON
MANAGING GENERAL PARTNER

OFFICIAL SEAL
G.C. GAYET
NOTARY PUBLIC-STATE OF NEW MEXICO
Notary Bond Filed with Secretary of State
My Commission Expires 12/9/97

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12th DAY OF May, 1995, BY JAMES A. PETERSON.
BY: G.C. Gayet
NOTARY PUBLIC
MY COMMISSION EXPIRES: Dec. 9, 1997

EASEMENT DESCRIPTIONS:

- A) SURFACE FLOW AND UNDERGROUND STORM DRAINAGE EASEMENT, FILED FEBRUARY 24, 1981, IN BOOK MISC. 833, PAGE 98, AS DOCUMENT NUMBER 81-9674.
B) DEDICATION OF PRIVATE EASEMENT (30 FOOT NON-EXCLUSIVE, PRIVATE ACCESS, SURFACE EASEMENT), FILED DECEMBER 31, 1981, BOOK MISC. 900, PAGE 325, AS DOCUMENT NUMBER 81-67406.
C) GRANT OF EASEMENT FOR STORM DRAINAGE, FILED JUNE 09, 1982, BOOK MISC. 936, PAGE 129, AS DOCUMENT NUMBER 82-30003.
D) 20 FOOT WIDE UNDERGROUND WATERLINE EASEMENT, FILED APRIL 06, 1990, BOOK BCR90-6, PAGE 3277, AS DOCUMENT NUMBER 90-27210.
E) 30 FOOT PRIVATE ACCESS EASEMENT AND A 15 FOOT UTILITY EASEMENT AS CONTAINED IN VACATED ALLEY, AS SHOWN ON PLATS FILED DECEMBER 20, 1985, IN PLAT BOOK C29, FOLIO 38 AND FILED MARCH 12, 1964, IN PLAT BOOK C6, FOLIO 5.
F) EASEMENT FOR PUBLIC AND/OR PRIVATE UTILITIES, RESERVED IN ORDINANCE NUMBER 77-7, FILED MARCH 30, 1977, IN BOOK MISC. 527, PAGE 272, AS DOCUMENT NUMBER 77-17363 AND FILED APRIL 06, 1977, IN BOOK D28A, PAGE 980, AS DOCUMENT NUMBER 77-19058.

PLAT OF 95093831
TRACTS 4-A THRU 4-F, INCLUSIVE
LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC.
FORMERLY BEING

TRACT 4
LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC.
SITUATE WITHIN THE SOUTHWEST ONE-QUARTER (SW 1/4)
OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST,
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE,
BERNALILLO COUNTY, NEW MEXICO

MAY, 1995
(SHEET 1 OF 2)

State of New Mexico) SS
County of Bernalillo)
This instrument was filed for record on
SEP 14 1995
of records of said County File 345
Ind. Dubodant, City & County
Deputy Clerk

APPROVED: Jack Chinn 9-19-95
CITY OF ALBUQUERQUE/BERNALILLO COUNTY
PLANNING DIVISION

SUMMARY PLAT NO. SP-95-221

APPROVED: P. R. R. 9-6-95
PROPERTY MANAGEMENT

APPROVED: Michael D. Park 9-05-95
TRAFFIC ENGINEER

APPROVED: Fred R. R. 5-30-95
CITY ENGINEER/HAZOP

APPROVED: P. R. R. 5-20-95
PARKS AND RECREATION DEPARTMENT

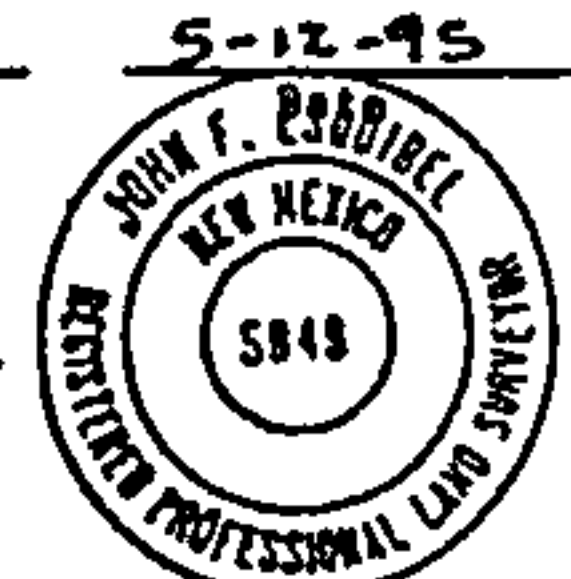
APPROVED: Robert W. R. 9-1-95
WATER RESOURCES DEPARTMENT

APPROVED: H. C. C. 051895
CITY SURVEYOR

APPROVED: Fred R. R. 5-30-95
A.R.A.F.C.A.

SURVEYOR'S CERTIFICATION:
I, JOHN F. ESQUIBEL, NEW MEXICO REGISTERED LAND SURVEYOR No. 5949, do hereby certify that this plat was prepared by me or under my direct supervision, shows accurate dimensions, land areas and all easements of record made readily available to me by the land owner and/or utility companies, meets the minimum requirements for monumentation and surveys set forth by the Albuquerque Subdivision Ordinance and is true and correct to the best of my knowledge and belief.

John F. Esquibel
JOHN F. ESQUIBEL N.M.R.L.S. No. 5949



ACKNOWLEDGEMENT
STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

The foregoing Surveyor's Certificate was acknowledged before me on this 12th day of May, 1995, by John F. Esquibel, LS No. 5949.
By: G.C. Gayet
Notary Public
My commission expires December 9, 1997

OFFICIAL SEAL
G.C. GAYET
NOTARY PUBLIC-STATE OF NEW MEXICO
Notary Bond Filed with Secretary of State
My Commission Expires 12/9/97

A & E SURVEYING INC.
LAND PLANNING & SURVEYING

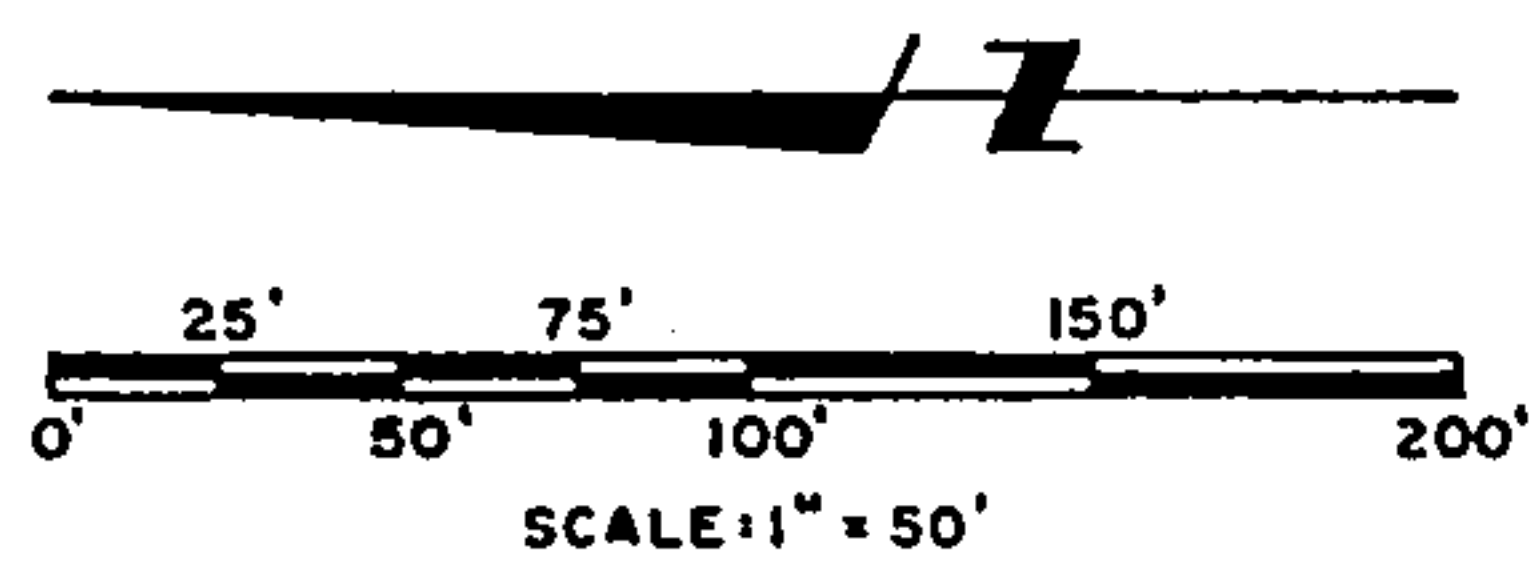
1330 SAN PEDRO N.E. SUITE 208
ALBUQUERQUE, NEW MEXICO 87110
(505) 266-8781

LINE DATA			CURVE DATA					
KEY	BEARING	DISTANCE	KEY	LENGTH	RADIUS	DELTA	TANGENT	CHORD
A1*	S02°06'27"E	10.71'	1	40.24'	143.50'	16°04'03"	20.25'	40.11'
A2*	N89°55'47"E	2.47'	2	22.06'	56.50'	22°22'20"	11.17'	21.92'
A3*	N89°51'52"E	51.70'	3	22.06'	56.50'	22°22'20"	11.17'	21.92'
A4*	S00°08'08"E	6.00'	4	39.62'	143.50'	15°49'13"	19.94'	39.50'
A5*	N00°08'08"W	6.00'	5	11.77'	56.50'	11°56'06"	5.91'	11.75'
A6*	N89°51'52"E	67.14'	6	10.29'	56.50'	10°26'14"	5.16'	10.28'
A7*	S00°08'08"E	85.59'						
A8*	N89°51'52"E	35.73'						
A9*	N00°08'08"E	70.46'						
A10*	N00°08'09"W	13.00'						
A11*	N89°51'52"E	40.58'						
A12*	S02°59'53"E	25.70'						
A13*	S02°18'12"E	45.00'						
A14*	S87°41'48"W	5.00'						
A15*	S02°18'12"E	12.00'						
A16*	N87°41'48"E	5.00'						
A17*	S02°18'12"E	3.00'						

LEGEND

- SURVEY MARKER FOUND AND USED (AS NOTED)
- SURVEY MARKER SET, NO. 4 REBAR WITH PLASTIC CAP, N.M.L.S. NO. 5949, UNLESS OTHERWISE INDICATED

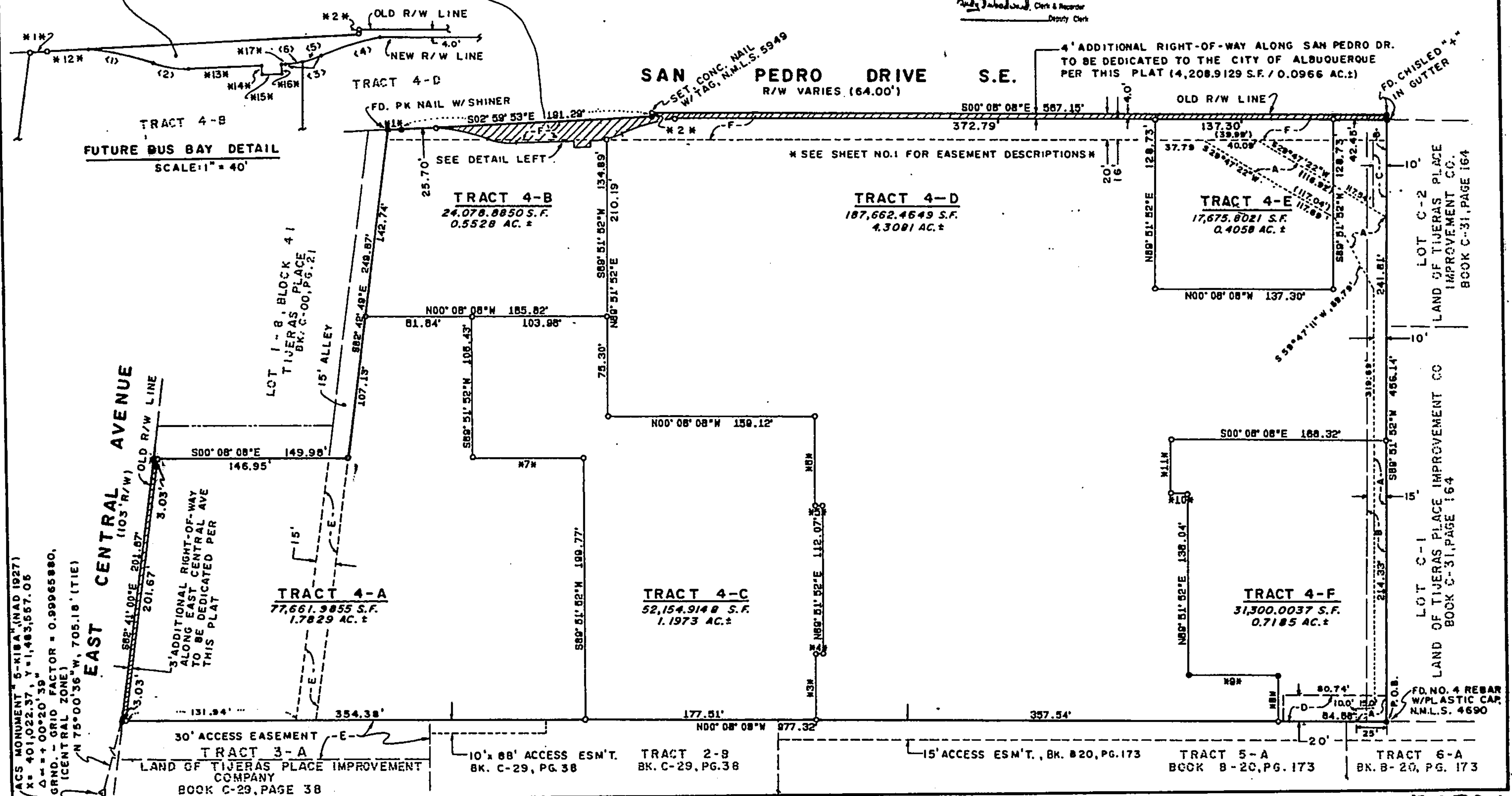
PLAT OF 95093831
TRACTS 4-A THRU 4-F, INCLUSIVE
LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC.
 FORMERLY BEING
TRACT 4
 LAND OF TIJERAS PLACE IMPROVEMENT COMPANY INC.
 SITUATE WITHIN THE SOUTHWEST ONE-QUARTER (SW 1/4)
 OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 EAST,
 NEW MEXICO PRINCIPAL MERIDIAN
 CITY OF ALBUQUERQUE,
 BERNALILLO COUNTY, NEW MEXICO
 MAY, 1995
 (SHEET 2 OF 2)



State of New Mexico) SS
 County of Bernalillo)
 This instrument was filed for record on
 SEP 14 1995
 of records of said County File 215
 Clerk & Recorder
 Deputy Clerk

ADDITIONAL STREET RIGHT-OF-WAY FOR BUS BAY WILL BE DEDICATED TO CITY OF ALBUQUERQUE, PER THIS PLAT

4' ADDITIONAL RIGHT-OF-WAY ALONG SAN PEDRO DR. TO BE DEDICATED TO THE CITY OF ALBUQUERQUE PER THIS PLAT (4,208.9129 S.F. / 0.0966 AC.)



ACS MONUMENT 5-RIBA (NAD 1927)
 X = 401,022.37, Y = 1,483,557.06
 Δ = 0° 00' 39"
 GRID FACTOR = 0.99965880
 (CENTRAL ZONE)
 N 75°00'36"W, 705.18 (TIE)

FD. NO. 4 REBAR W/PLASTIC CAP, N.M.L.S. 4690

A City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

NAME: PETERSON-FOX, LLC PHONE: 884-3578
 ADDRESS: 2325 SAN PEDRO NE SUITE 2-A FAX: 884-6793
 CITY: ALBUQ. STATE NM ZIP 87110 E-MAIL: _____
 Proprietary Interest in Site: OWNERS List all owners: _____
 AGENT (if any): Surv-Tek, Inc PHONE: 897-3366
 ADDRESS: 9384 Valley View Drive NW FAX: 897-3377
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: Hugg@survtek.com

DESCRIPTION OF REQUEST: VACATION OF PUBLIC RIGHT OF WAY AND PUBLIC ALLEY AND PRELIMINARY / FINAL PLAT APPROVAL

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

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

Lot or Tract No. LOTS 1 THRU 8 Block: 41 Unit: —
 Subdv. / Addn. TIERAS PLACE IMPROVEMENT COMPANY, INC.
 Current Zoning: C-2 Proposed zoning: SAME
 Zone Atlas pages(s) K-18 No. of existing lots: 8 No. of proposed lots: 1
 Total area of site (acres): 0.85 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A
 Within city Limits? Yes. No, (but site is within 5 miles of the city limits.) Within 1000FT of a landfill? N/A
 UPC No. SEE ATTACHED LIST MRGCD Map No. N/A
 LOCATION OF PROPERTY BY STREETS: On or Near: CENTRAL AVENUE SE
 Between: SAN PEDRO and VALENCIA DRIVE

CASE HISTORY:

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

1003902 05 DRB-00102 SK

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-Application Review Team Date of review: 2.2.05

SIGNATURE [Signature] DATE 3.29.05
 (Print) Margo Lucero - Russ Hugg Applicant Agent

FOR OFFICIAL USE ONLY
3/04

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

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>05DRB - 00542</u>	<u>VRW</u>	<u>✓</u>	<u>\$ 300.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>05DRB - 00543</u>	<u>VPE</u>	<u>✓</u>	<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	<u>05DRB - 00544</u>	<u>PIF</u>		<u>\$ 215.00</u>
<input type="checkbox"/> AGIS copy has been sent		<u>AD Fee</u>		<u>\$ 25.00</u>
<input type="checkbox"/> Case history #s are listed		<u>CMF</u>		<u>\$ 20.00</u>
<input type="checkbox"/> Site is within 1000ft of a landfill				Total
<input type="checkbox"/> F.H.D.P. density bonus	Hearing date <u>4-27-05</u>			<u>\$ 655.00</u>
<input type="checkbox"/> F.H.D.P. fee rebate				

4-1-05
Planner signature / date

Project # 1003902

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

SKETCH PLAT REVIEW AND COMMENT

YOUR ATTENDANCE IS REQUIRED.

- ___ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
- ___ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Any original and/or related file numbers are listed on the cover application

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

Your attendance is required.

- ___ Preliminary Plat reduced to 8.5" x 11"
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Copy of previous D.R.B. approved infrastructure list
- ___ Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
- ___ Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.
Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL

Your attendance is required.

- ___ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- ___ Design elevations & cross sections of perimeter walls **3 copies**
- ___ 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
- ~~N/A~~ Signed Pre-Annexation Agreement if Annexation required.
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application
- ~~N/A~~ Infrastructure list if required (verify with DRB Engineer) **NO INTERNAL ROUTING**
- ___ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.** *Pending*

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

Your attendance is required.

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

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

- ___ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings.
 - ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings
 - ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - ___ Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - ___ Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year

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

ANTONIO SILVA FOR Russ Hugg
Applicant name (print)
[Signature] 4-1-05
Applicant signature / date



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

Application case numbers
OSDRB-00544

Form revised 11/04
[Signature] 4-1-05
Planner signature / date
Project # 1003902

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE

(PUBLIC HEARING CASE)

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

VACATION OF PUBLIC RIGHT-OF-WAY

VACATION OF PUBLIC EASEMENT

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

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

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

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

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

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

VACATION OF PRIVATE EASEMENT

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

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

Russ Hugg
Applicant name (print)
[Signature] 3.29.05
Applicant signature / date



Form revised 4/03 and October 2003

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

Application case numbers
OSDRB _____ 00542
OSDRB _____ 00543

[Signature] 3-1-05
Planner signature / date

Project # 1003902

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

March 29, 2005

Albuquerque Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

Attention: Sheran Matson, Chair

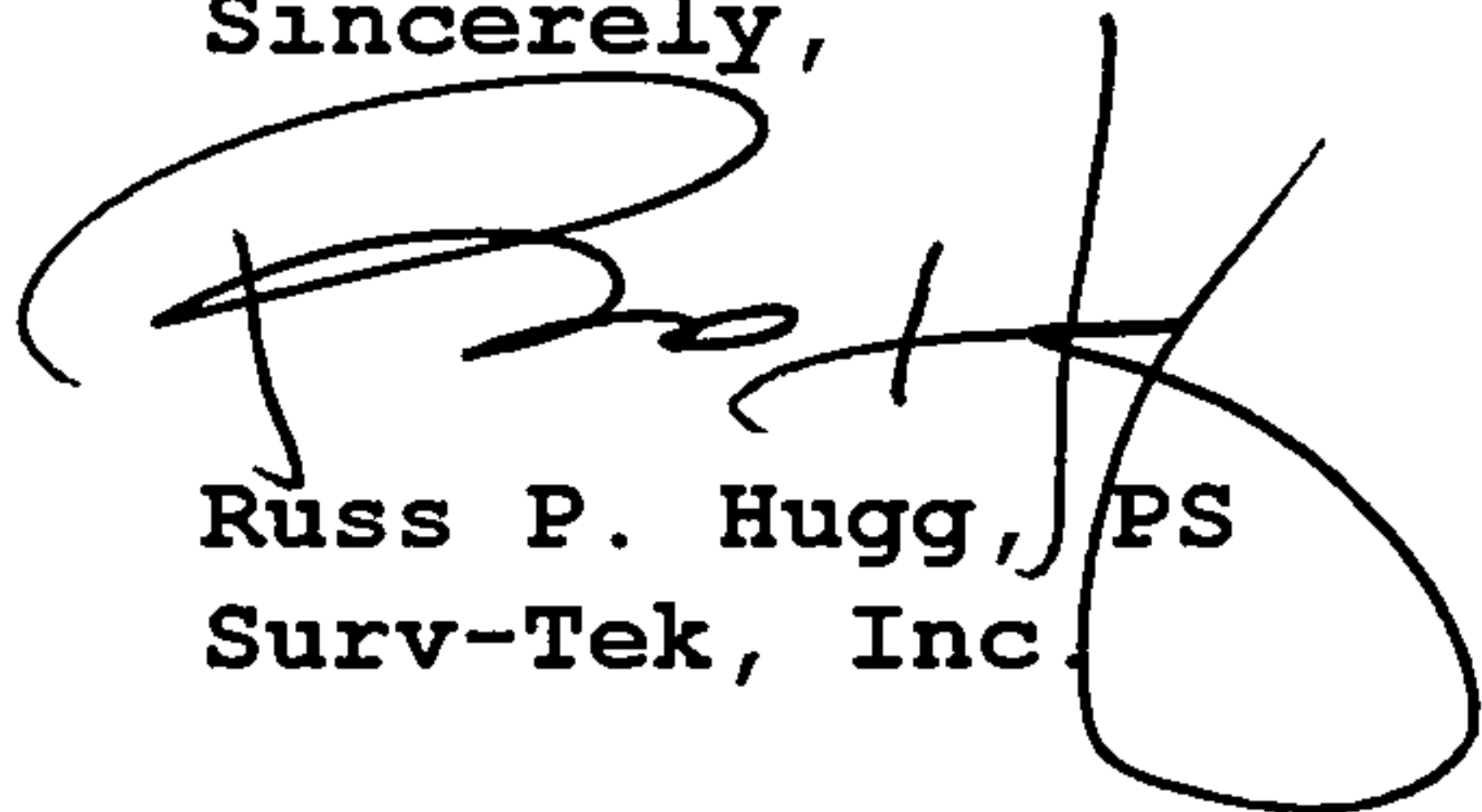
RE: Lots 1 thru 8, Block 41, Tijeras Place Addition, City of
Albuquerque, Bernalillo County, New Mexico (Zone Atlas Page K-
18-Z). Project 1003902

The owner of the above captioned property, Peterson-Fox, L.L.C., is hereby filing application with the City of Albuquerque Development Review Board for Vacation of Public Right of Way (a portion of Cagua Drive S.E.) and Vacation of a 15' Public Alley as shown on the attached Vacation Exhibit and for Preliminary and Final Plat approval to eliminate all existing interior lot lines between lots 1 thru 8 and combine into one (1) tract.

Said Preliminary and Final Plat will also grant a new 20' sanitary sewer easement along the south boundary of the project and dedicate additional new street right of way for San Pedro Drive N.E. as determined during sketch plat review of February 2, 2005.

If you should have any further questions regarding this request, please call me at your convenience.

Sincerely,



Russ P. Hugg, PS
Surv-Tek, Inc.



PETERSON PROPERTIES, LLC

January 17, 2005

Mr. Russ Hugg
Surv-Tek, Inc.
5643 Paradise Blvd. N.W.
Albuquerque, New Mexico 87114

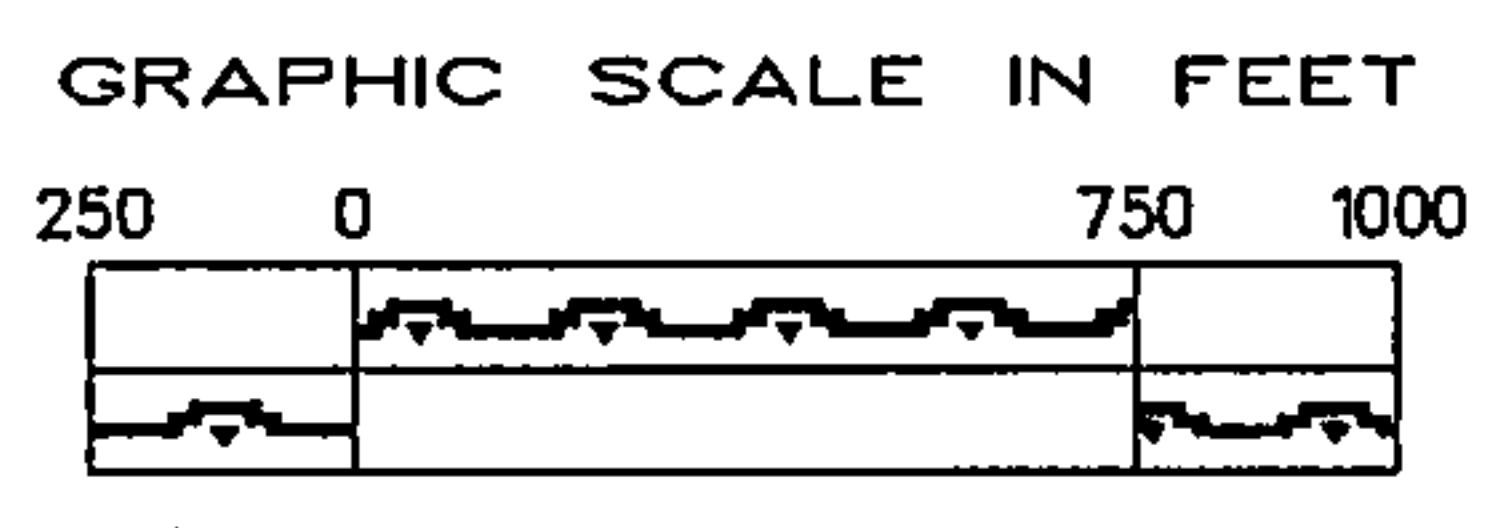
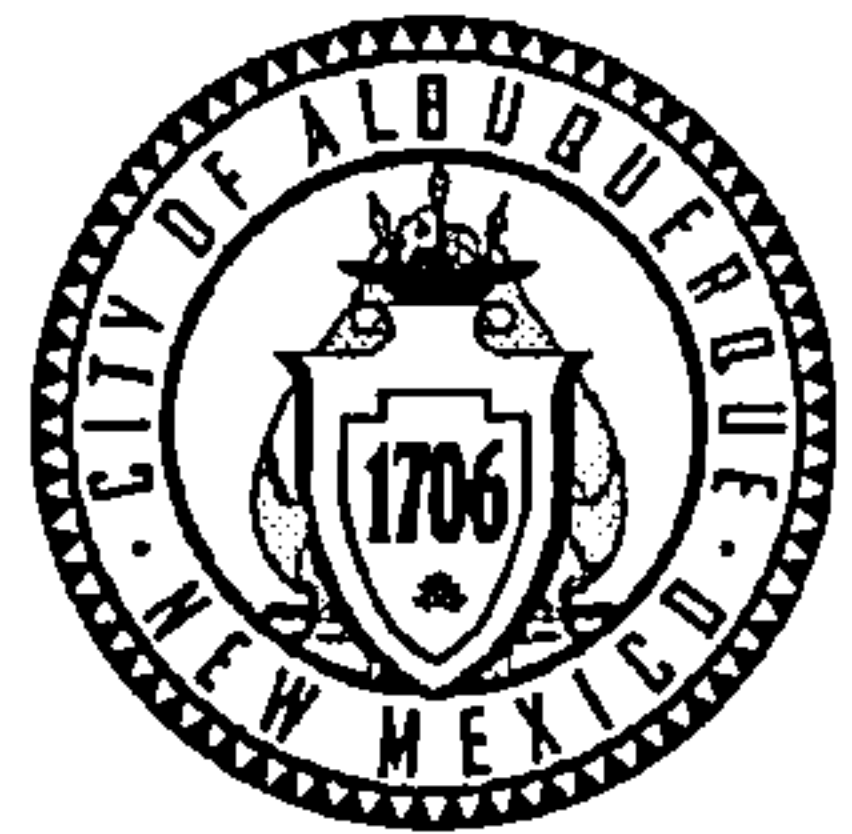
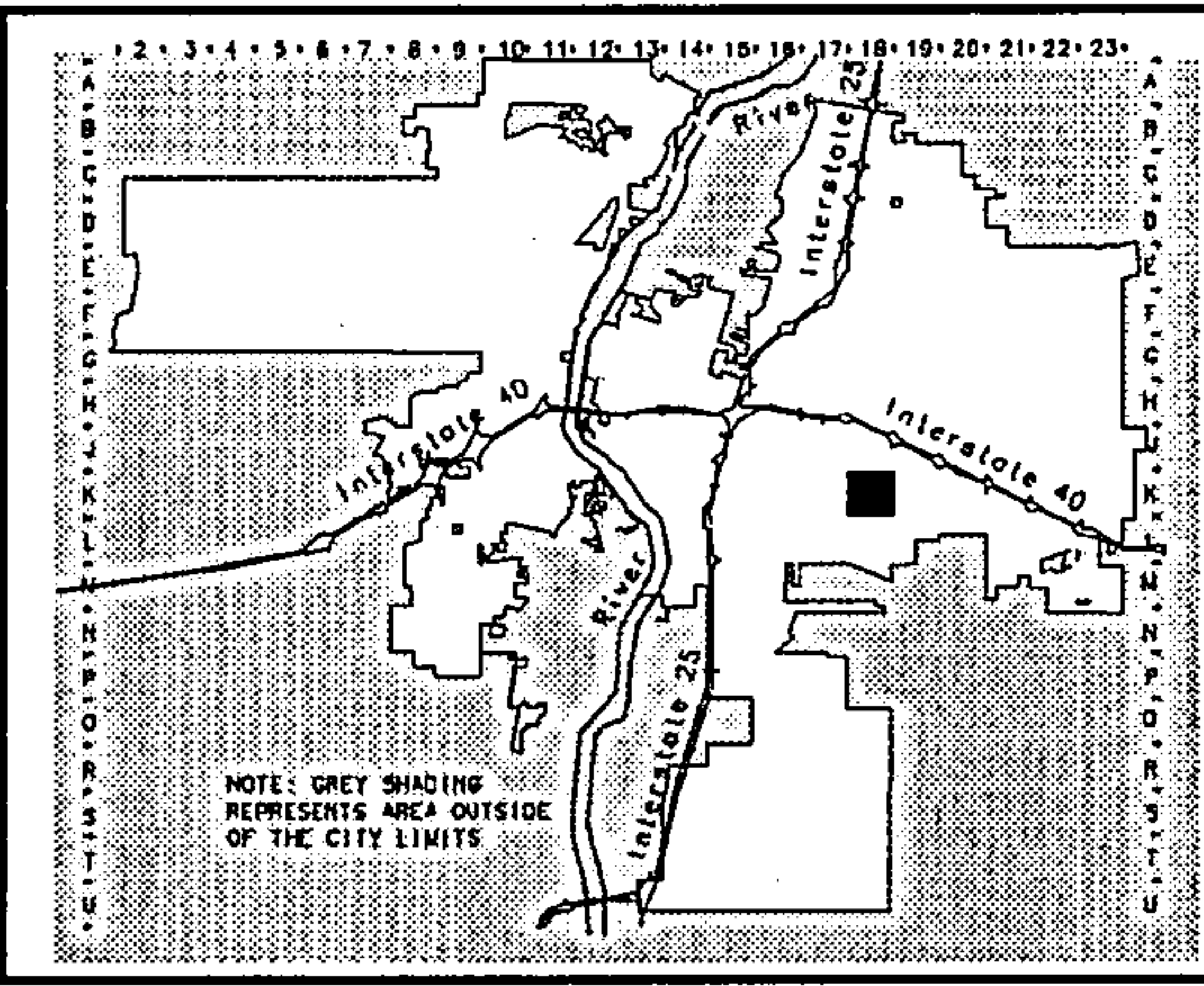
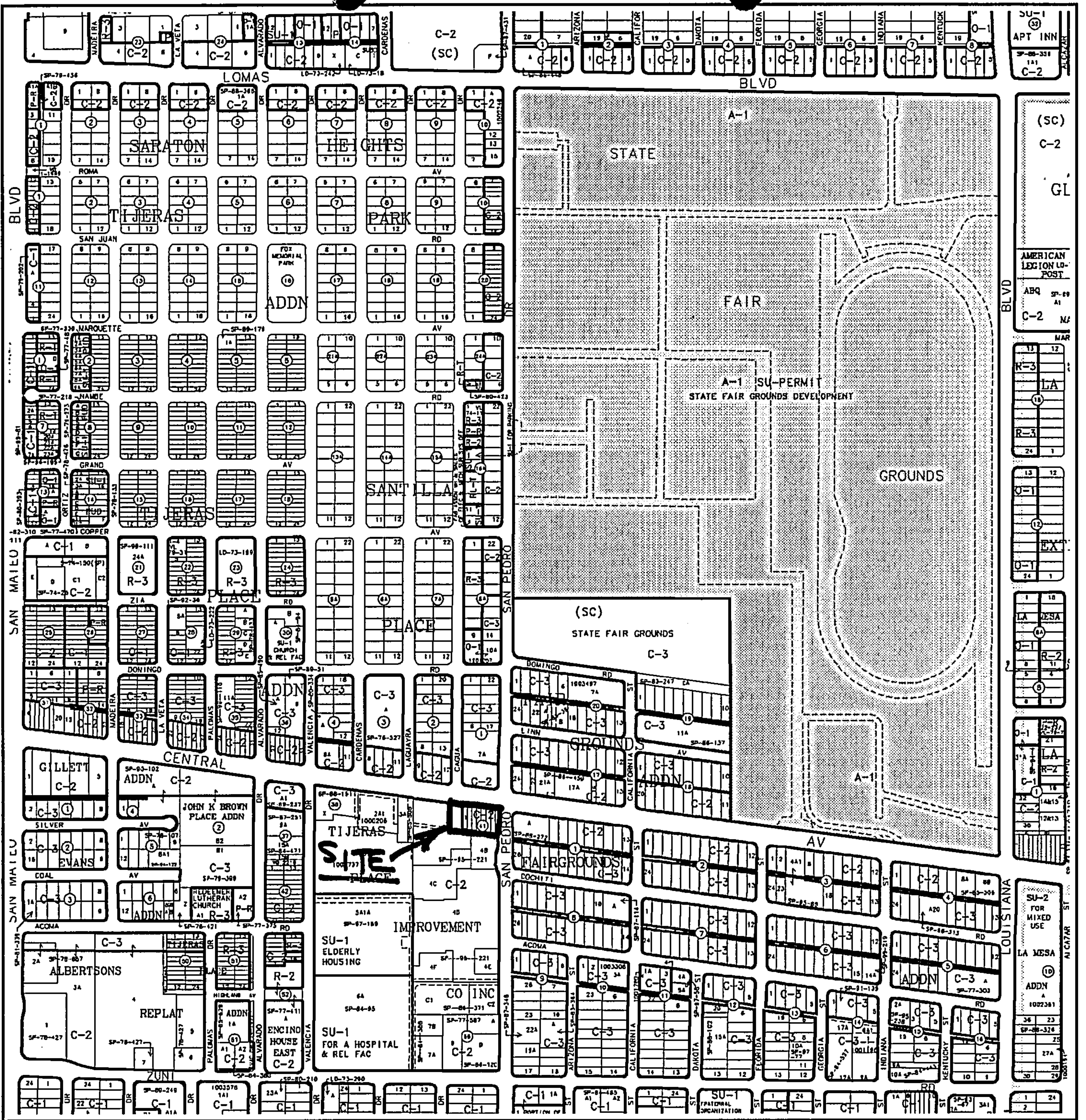
Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of Peterson Properties, for the purpose of re-platting of Lots 1 thru 8, Block 41, Tijeras Place Addition, City of Albuquerque, Bernalillo County, New Mexico.

Please call me if you have any further questions.

Sincerely,

Doug Peterson
Peterson Properties
2325 San Pedro NE, Suite 2-A
Albuquerque, New Mexico 87110



Zone Atlas Page

K-18-Z

Map Amended through February 01, 2005

Albuquerque Geographic Information System
PLANNING DEPARTMENT
© Copyright 2004

TREASURERS CERTIFICATION

This is to certify that taxes are current and paid on the following:

UPC# 101805724314032001 LOT 1
UPC# 101805724314032001 LOT 2
UPC# 101805725014032002 LOT 3
UPC# 101805725014032002 LOT 4
UPC# 101805725414032003 LOT 5
UPC# 101805725414032003 LOT 6
UPC# 101805725813932004 LOT 7
UPC# 101805725813932004 LOT 8

Bernalillo County Treasurer

Date

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- A. PNM Electric Services for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical service.
- B. PNM Gas Services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
- C. QWest Corporation for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to ground pedestals and closures.
- D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

March 30, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
725 Cagua NE
Albuquerque 87108
Attention: Laura Feight

Re: Lots 1 thru 8, Block 41, Tijeras Place Addition, City of
Albuquerque, Bernalillo County, New Mexico (Zone Atlas Page K-18-Z).
Project 1003902

The owner of the above captioned property, Peterson-Fox, L.L.C., is hereby filing application with the City of Albuquerque Development Review Board for Vacation of Public Right of Way (a portion of Cagua Drive S.E.) and Vacation of a 15' Public Alley as shown on the attached Vacation Exhibit and for Preliminary and Final Plat approval to eliminate all existing interior lot lines between lots 1 thru 8 and combine into one (1) tract.

Said Preliminary and Final Plat will also grant a new 20' sanitary sewer easement along the south boundary of the project and dedicate additional new street right of way for San Pedro Drive N.E. as determined during sketch plat review of February 2, 2005.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Ms. Sheran Matson, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366

March 30, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fair West N.A.
605 Valencia NE
Albuquerque 87108
Attention: Roger Flegel

Re: Lots 1 thru 8, Block 41, Tijeras Place Addition, City of
Albuquerque, Bernalillo County, New Mexico (Zone Atlas Page K-18-Z).
Project 1003902

The owner of the above captioned property, Peterson-Fox, L.L.C., is hereby filing application with the City of Albuquerque Development Review Board for Vacation of Public Right of Way (a portion of Cagua Drive S.E.) and Vacation of a 15' Public Alley as shown on the attached Vacation Exhibit and for Preliminary and Final Plat approval to eliminate all existing interior lot lines between lots 1 thru 8 and combine into one (1) tract.

Said Preliminary and Final Plat will also grant a new 20' sanitary sewer easement along the south boundary of the project and dedicate additional new street right of way for San Pedro Drive N.E. as determined during sketch plat review of February 2, 2005.

The application will require a public hearing before the Development Review Board in the DRB Meeting Room in the basement floor of the Plaza Del Sol Building at Second and Roma N.W. The Chair of the Development Review Board, Ms. Sheran Matson, may be contacted at 924-3880 or by mail at P.O. Box 1293, Albuquerque, New Mexico 87103.

If you have any questions or comments on this matter please contact:

Sincerely,

Russ P. Hugg, PS, Agent

Surv-Tek, Inc.
9384 Valley View Drive N.W.
Albuquerque, New Mexico 87114
505 897 3366



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

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

March 30, 2005

Russ Hugg
Surv-Tek, Inc.
9384 Valley View Dr. NW / 87114
Phone: 897-3366 Fax: 897-3377

Thank you for your inquiry of March 29, 2005 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **LOTS 1 THRU 8, BLOCK 41, TIJERAS PLACE IMPROVEMENT COMPANY, Zone Map K-18**

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

SEE "ATTACHMENT A" FOR NEIGHBORHOOD INFORMATION.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT!** Failure of adequate notification may result in your Application Hearing being deferred for 30 days. If you have any questions about the information provided, please contact me at (505) 924-3914 or via an e-mail message at juliaking@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Julia King

Julia King
Senior Office Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

planningrnaform(10/27/04)

"Attachment A"

3/30/05

RUSS, HUGG, SURV-TEK, INC.

9384 VALLEY VIEW DR. NW/87114

PHONE: 897-3366 FAX: 897-3377

ZONE MAP: K-18

Fair West NA (R)

*Laura Feight

725 Cagua NE / 87108 255-0194 (h)

Roger Flegel

605 Valencia NE / 87108 255-4704 (h)

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

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

(below this line for CNC use only)

Date of Inquiry: **3/30/05** Time Entered: **8:03 AM** ONC Rep. Initials: **JK**

7003 1010 0005 4144 7876

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

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

ALBUQUERQUE, NM 87108

OFFICIAL USE

Postage	\$ 1.29
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.34

UNIT ID: 0127

Postmark
Here

Clerk: KTGH19

03/30/05

Sent To

Street, Apt. No.,
or PO Box No. FAIR WEST N.A.
605 VALENCIA N.E.
City, State, ZIP+4 ALBUQUERQUE, N.M. 87108

PS Form 3800, June 2002

See Reverse for Instructions

7003 1010 0005 4144 7876

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

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

ALBUQUERQUE, NM 87108

OFFICIAL USE

Postage	\$ 1.06
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.11

UNIT ID: 0127

Postmark
Here

Clerk: KTGH19

03/30/05

Sent To

Street, Apt. No.,
or PO Box No. FAIR WEST N.A.
725 CAGUA N.E.
City, State, ZIP+4 ALBUQUERQUE, N.M. 87108

PS Form 3800, June 2002

See Reverse for Instructions

FIRST AMENDMENT TO DECLARATION OF CROSS-EASEMENTS

This First Amendment to Declaration of Cross-Easements ("First Amendment") is made as of the 10th day of February, 2005, by and between Fox Plaza Limited Liability Company, a New Mexico limited liability company ("Fox Plaza"), and Peterson - Fox, LLC, a New Mexico limited liability company ("Peterson - Fox") (hereinafter referred to collectively as the "Parties").

PREAMBLE:

A. WHEREAS, Fox Plaza Partners is the Declarant under that certain Declaration of Cross-Easements dated December 12, 1995, and recorded in Book 9530, Pages 9095-9103 of the real property records of Bernalillo County, New Mexico (hereinafter referred to as the "Declaration"); and

B. WHEREAS, Fox Plaza is the fee owner of, and successor in interest to Fox Plaza Partners with respect to, those certain parcels of real property shown and delineated as Parcels C, D and F on Exhibit "A" attached hereto and by this reference incorporated herein, which Parcels are more particularly described on Exhibit "B" attached hereto and by this reference incorporated herein; and

C. WHEREAS, Peterson - Fox is the fee owner of, and successor in interest to Fox Plaza Partners with respect to, those certain parcels of real property shown and delineated as Parcels A, B, E, G, H, and I on Exhibit "A", which Parcels are more particularly described on Exhibit "B"; and

D. WHEREAS, Peterson - Fox is also the fee owner of that certain parcel of real property shown and delineated as Parcel J on Exhibit "A", which Parcel is more particularly described on Exhibit "C" attached hereto and by this reference incorporated herein, and which Parcel was not originally included in the Declaration;

E. WHEREAS, the Parties desire to amend the Declaration to include Parcel J as shown on the attached Exhibit "A",

F. NOW, THEREFORE, the Parties hereby amend the Declaration as follows:

- 1. Capitalized Terms. Except as otherwise provided herein, the terms in this First Amendment shall have the same meanings as set forth in the Declaration.

DS 2/8/05



2005022522
6218565
Page: 1 of 8
02/16/2005 10:29A
Bk-A92 Pg-2439

RETURN TO: FIRST AMERICAN TITLE
LISA ORTEGA GF: WA

COURTESY RECORDING ONLY NO TITLE LIABILITY ASSUMED

2. Site Plan. The Site Plan attached hereto as Exhibit "A" is hereby inserted into and substituted for the Exhibit "A" attached to the Declaration.

3. Cross-Easements.

A. The Parties hereby grant and establish for the benefit of the owners of each of Parcels A, B, C, D, E, F, G, H, I and J, their lessees and customers, mutual, non-exclusive cross-easements of ingress, egress and parking over and across the Common Areas of each of said Parcels, as such may exist from time to time.

B. The Parties hereby grant and establish for the benefit of the owners of each of Parcels A, B, C, D, E, F, G, H, I and J, mutual, non-exclusive easements across, through and under the Common Areas of each of said Parcels, as such are maintained from time to time, for utility services, including but not limited to, water, storm sewer, drainage, sanitary sewer, gas and electric distribution systems, currently existing or to be constructed in the future, in the Common Areas of each of said Parcels. Except as amended hereby, all of the provisions of Paragraph 10 of the Declaration shall apply to Parcels A, B, C, D, E, F, G, H, I and J, and to their respective owners.

C. The Parties hereby grant and establish for the benefit of the owners of each of Parcels A, B, C, D, E, F, G, H, I and J, mutual, non-exclusive easements for encroachment of footings, foundation walls and common walls upon each of said Parcels, and each of such owners may attach to a building wall along a common boundary and use it as a party wall so long as such does not diminish the structural integrity of said wall, or violate any lease of any lessee whose leased premises may include or adjoin said wall.

D. Paragraph 12 of the Declaration is hereby amended to include Parcel J.

E. Paragraph 13 of the Declaration is hereby amended to include Parcel J and its respective owner.

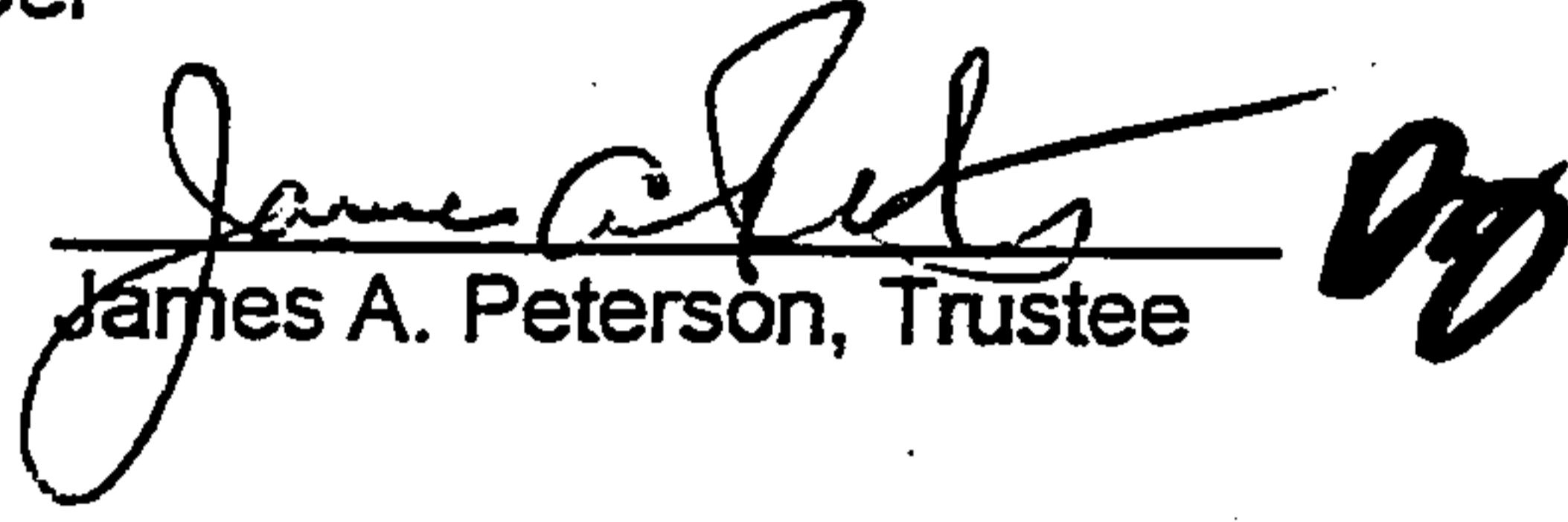
Except as amended hereby, the Declaration shall in all other particulars, terms and conditions, remain in full force and effect. In the event of any inconsistency between the Declaration and this First Amendment, the provisions of this First Amendment shall prevail.



IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the day and year first above written.


Fox Plaza Limited Liability Company, a New Mexico limited liability company

By: The James A. Peterson and Mary B. Peterson Revocable Trust (created 8/18/1998), managing member

By: James A. Peterson 
James A. Peterson, Trustee

Peterson – Fox, LLC, a New Mexico limited liability company

By: The James A. Peterson and Mary B. Peterson Revocable Trust (created 8/18/1998), managing member

By: James A. Peterson 
James A. Peterson, Trustee

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ^{10th} day of February, 2005, by James A. Peterson in his capacity as Trustee.

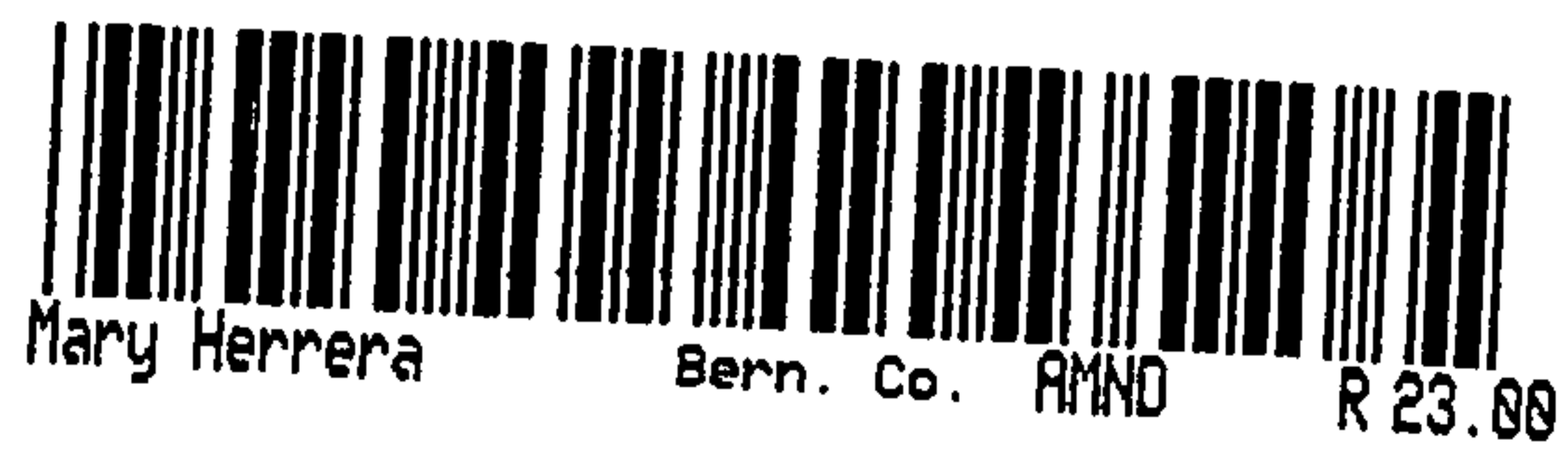


OFFICIAL SEAL
KYLE P. CONNALLY
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 4-10-2006

Kyle P. Connally
Notary Public

My commission expires April 10, 2006

DS 2/8/05



2005022522
6218565
Page: 3 of 8
02/16/2005 10:29A
Bk-A92 Pg-2439

EXHIBIT "B"

LEGAL DESCRIPTIONS OF PARCELS A, B, C,
D, E, F, G, H AND IPARCEL A:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-A", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 77,661.9855 Square Feet or 1.7829 acres more or less.

PARCEL B:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-B", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 24,078.8850 Square Feet or 0.5528 acres more or less.

PARCEL C:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-C", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 52,154.9148 Square Feet or 1.1973 acres more or less.

PARCEL D:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-D", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 187,662.2649 Square Feet or 4.3081 acres more or less.



EXHIBIT "B"

PARCEL E:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-E", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 17,675.8021 Square Feet or 0.4058 acres more or less.

PARCEL F:

A certain Tract of Land, lying and being situate within the Southwest one-quarter (SW1/4) of Section 24, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said Tract being designated as Tract "4-F", Plat of Tracts 4-A THRU 4-F INCLUSIVE, Land of Tijeras Place Improvement Company Inc., formerly being Tract 4, Land of Tijeras Place Improvement Company Inc. as the same is shown and designated on the Plat of record, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 14, 1995 in Plat Book 95-C, Folio 345, containing an area of 31,300.0037 Square Feet or 0.7185 acres more or less.

PARCEL G:

TRACT 3-A OF LAND OF TIJERAS PLACE IMPROVEMENT COMPANY, INC., ALBUQUERQUE, NEW MEXICO, AS SHOWN AND DESIGNATED ON THE REPLAT OF TRACTS 2 AND 3 OF SAID LAND FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 20, 1985, AND MORE PARTICULARLY DESCRIBED BY SURVEY OF ELDER COMPANY IN OCTOBER, 1986, WITH BEARINGS RELATED TO THOSE OF THE TIJERAS PLACE IMPROVEMENT COMPANY'S ASSESSMENT PLAT "A", FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, MARCH 12, 1964, AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER, WHICH IS THE NORTHWEST CORNER OF TRACT 4 AS SHOWN ON SAID ASSESSMENT PLAT, AND RUNNING THENCE S. 00° 08' 08" E., 237.48 FEET ALONG THE LINE COMMON TO SAID TRACT 4 AND THE PARCEL HEREIN DESCRIBED (WHICH LINE IS DESCRIBED ON SAID REPLAT OF TRACTS 2 AND 3 AS RUNNING S. 00° 13' E., AND BEING ONE IDENTICAL LINE PHYSICALLY ON THE GROUND), TO THE SOUTHEAST CORNER;
 THENCE N. 89° 51' 52" W., 80.10 FEET (DESCRIBED ON SAID REPLAT AS RUNNING N. 89° 47' W.) TO THE SOUTHWEST CORNER;
 THENCE N. 00° 08' 08" W., 247.95 FEET (DESCRIBED ON SAID REPLAT AS RUNNING N. 00° 13' W.) TO THE NORTHWEST CORNER, A POINT ON THE SOUTHERLY LINE OF CENTRAL AVENUE;
 THENCE S. 82° 41' E., 80.78 FEET (DESCRIBED ON SAID REPLAT AS RUNNING S. 82° 45' 52" E.) TO THE POINT OF BEGINNING.

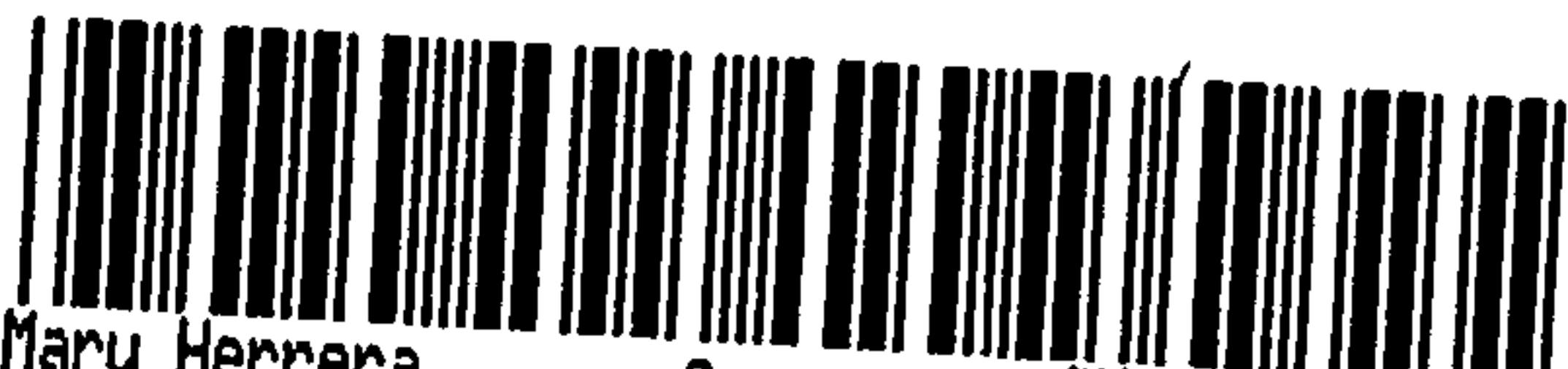
PARCEL H:

LOT C-1, BEING A REPLAT OF LOT C, LAND OF TIJERAS PLACE IMPROVEMENT COMPANY, INC., ALBUQUERQUE, NEW MEXICO, 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 OCTOBER 9, 1986, IN PLAT BOOK C31, PAGE 164.



PARCEL I:

LOT C-2, LAND OF TIJERAS PLACE IMPROVEMENT CO., INC., ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON OCTOBER 9, 1986, AS DOCUMENT NUMBER 86-98117, RECORDED IN VOL. C31, FOLIO 164, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.


 2005022522
 6218585
 Page: 7 of 8
 02/16/2005 10:29A
 Bk-A92 Pg-2439
 Mary Herrera Bern. Co. AMND R 23.00

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

95 DEC 20 PM 3:00

9530 PG 9095-9103
JUSTICE CLERK
A Casaus

EXHIBIT "C"

LEGAL DESCRIPTION OF PARCEL J

Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block numbered Forty-one (41), Tijeras Place, an addition to the City of Albuquerque, as shown and designated on the plat of said addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on August 24, 1923, EXCEPTING that portion conveyed to the City of Albuquerque, New Mexico by Special Warranty Deed recorded in Book D194A, Page 541.



Mary Herrera

Bern. Co. AMND

R 23.00

2005022522

6218565

Page: 8 of 8

02/16/2005 10:29A

Bk-A92 Pg-2439

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

PAID RECEIPT

APPLICANT NAME Peterson - Fox
AGENT Surv-Tek
ADDRESS 9384 Valley View NW
PROJECT & APP # 1003902/05DRB 00542/00543/00544
PROJECT NAME Tijeras Pl Improv. Co

\$ 20.00 441032/3424000 Conflict Management Fee

\$ 560.00 441006/4983000 DRB Actions

\$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals

\$ 75.00 441018/4971000 Public Notification

\$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
() Major/Minor Subdivision () Site Development Plan () Bldg Permit
() Letter of Map Revision () Conditional Letter of Map Revision
() Traffic Impact Study

\$ 655.00 TOTAL AMOUNT DUE

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

DUPLICATE
City of Albuquerque
Treasury Division
11/2005 9:07AM LOC: ANNX
RECEIPT# 00039656 WSH 007 TRANSH 0002
ACCOUNT 441006 Fund 0110 TRSCCS
Activity 4983000 \$655.00
Trans AMT \$560.00
24 Misc
Thank You

ORIGINAL CHECK HAS A COLORED BACKGROUND PRINTED ON CHEMICAL REACTIVE PAPER - SEE BACK FOR DETAILS

SURV-TEK, Inc.
Consulting Surveyors
9384 Valley View Drive Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377

BANK OF AMERICA
ACH R/T 107000327 2211 95-32 NM 1070

051432
4.1.05
\$ 655.00
DOLLARS

PAY TO THE ORDER OF CITY OF ALBUQUERQUE
SIX HUNDRED FIFTY-FIVE & 09/100

Tijeras Pl 041173

AUTHORIZED SIGNATURE [Signature]

MEMO

051432 107000327 004275593649

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from 4-12-05 To 4-27-05

5. REMOVAL

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

I have read this sheet and discussed it with the 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.

[Signature] 4-1-05
(Applicant or Agent) (Date)

I issued 1 signs for this application, 4-1-05 [Signature]
(Date) (Staff Member)

DRB PROJECT NUMBER: 1003902

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 2, 2005
DRB Comments**

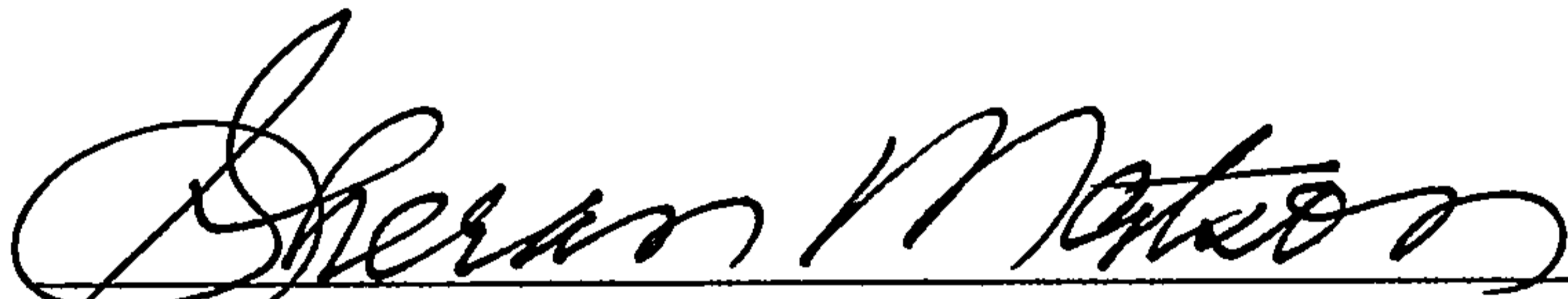
ITEM # 17

PROJECT # 1003902

APPLICATION # 05-00102

RE: Lots 1-8, Block 41, Tijeras Place Addition/sketch

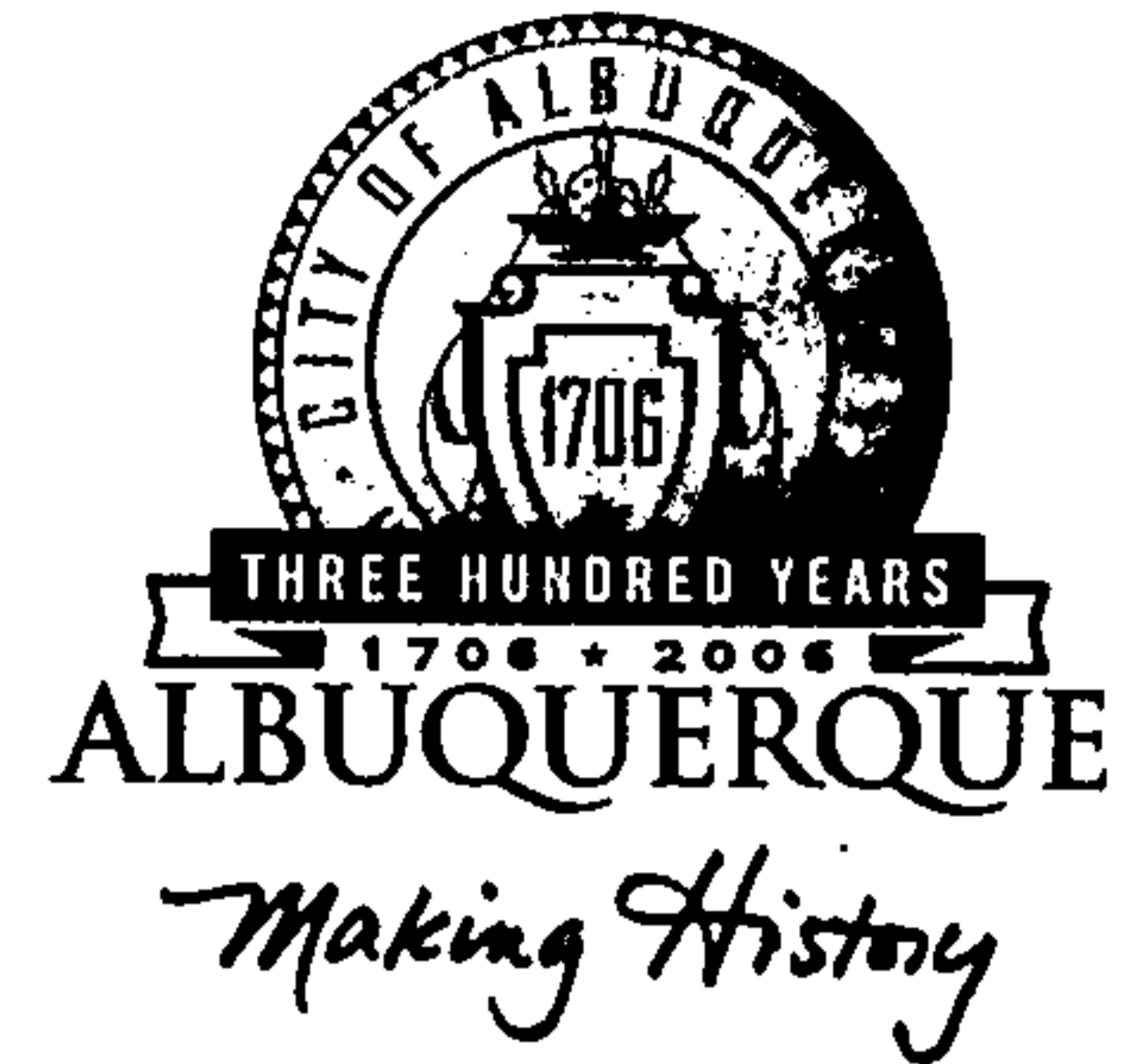
What is the existing building on the site?



Sheran Matson, AICP DRB Chair

924-3880 Fax 924-3864 smatson@cabq.gov

CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1003902

AGENDA ITEM NO: 17

SUBJECT:

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

ACTION REQUESTED:

P.O. Box 1293

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

ENGINEERING COMMENTS:

Albuquerque

No adverse comments.

New Mexico 87103

RESOLUTION:

www.cabq.gov

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: February 2, 2005

**DEVELOPMENT REVIEW BOARD
TRANSPORTATION DEVELOPMENT
Standard Comment Sheet**

DRB-1003902

Item No. 17

Zone Atlas K-18

DATE ON AGENDA 2-2-05

INFRASTRUCTURE REQUIRED YES () NO

CROSS REFERENCE: _____

TYPE OF APPROVAL REQUESTED:

- SKETCH PLAT () PRELIMINARY PLAT () FINAL PLAT
() SITE PLAN REVIEW AND COMMENT () SITE PLAN FOR SUBDIVISION
() SITE PLAN FOR BUILDING PERMIT

No. Comment

- 1) The vacation actions are public hearing items and must be advertised.
- 2) Is the owner also the adjoining property owner?
- 3) Property line should be located 10' from face of curb on San Pedro.
- 4) What is width and condition of sidewalks?
- 5) Assuming the driveways will be consolidated per DPM standards with redevelopment.

If you have any questions or comments please call Wilfred Gallegos at 924-3991. Meeting notes:

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

NAME: <u>PETERSON PROPERTIES</u>	PHONE: <u>884-3578</u>
ADDRESS: <u>2325 SAN PEDRO NE SUITE 2-4</u>	FAX: <u>884-6793</u>
CITY: <u>ALBUQ</u> STATE <u>NM</u> ZIP <u>87110</u>	E-MAIL: _____
Proprietary Interest in Site: <u>OWNER</u> List all owners: _____	
AGENT (if any): <u>Surv-Tek, Inc</u>	PHONE: <u>897-3366</u>
ADDRESS: <u>9384 Valley View Drive NW</u>	FAX: <u>897-3377</u>
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87114</u>	E-MAIL: <u>Hugg@survtek.com</u>

DESCRIPTION OF REQUEST: 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. LOTS 1 THRU 8 Block: 41 Unit: _____

Subdv. / Addn. TIJERAS PLACE ADDITION

Current Zoning: C-2 Proposed zoning: SAME

Zone Atlas pages(s) K-18 No. of existing lots: 8 No. of proposed lots: 1

Total area of site (acres): _____ Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A

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

UPC No. SEE ATTACHED LIST 101805 7243140 MRGCD Map No. N/A

LOCATION OF PROPERTY BY STREETS: On or Near: S.W. CORNER OF CENTRAL SE

~~Between:~~ AND SAN PEDRO SE and the Cañada SE

CASE HISTORY:

List any current or prior case numbers that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): SP 95-221

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

SIGNATURE _____ DATE 1.18.05

(Print) ~~Margo Lucero~~ Russ Hugg Applicant Agent

FOR OFFICIAL USE ONLY 3/04	Form revised 9/01, 3/03, 7/03, 10/03,																												
<input type="checkbox"/> INTERNAL ROUTING <input checked="" type="checkbox"/> All checklists are complete <input checked="" type="checkbox"/> All fees have been collected <input checked="" type="checkbox"/> All case #s are assigned <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 <input checked="" type="checkbox"/> F.H.D.P. density bonus <input checked="" type="checkbox"/> F.H.D.P. fee rebate	<table border="0"> <tr> <th>Application case numbers</th> <th>Action</th> <th>S.F.</th> <th>Fees</th> </tr> <tr> <td><u>05DRB-00102</u></td> <td><u>SK</u></td> <td><u>SC(3)</u></td> <td><u>\$ 0</u></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>Hearing date <u>2-2-05</u></td> <td></td> <td></td> <td>Total \$ <u>0</u></td> </tr> </table>	Application case numbers	Action	S.F.	Fees	<u>05DRB-00102</u>	<u>SK</u>	<u>SC(3)</u>	<u>\$ 0</u>	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	Hearing date <u>2-2-05</u>			Total \$ <u>0</u>
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Hearing date <u>2-2-05</u>			Total \$ <u>0</u>																										
<p><u>[Signature]</u> <u>1-19-05</u> Planner signature / date</p>	<p>Project # <u>1003902</u></p>																												

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

SKETCH PLAT REVIEW AND COMMENT

YOUR ATTENDANCE IS REQUIRED.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Any original and/or related file numbers are listed on the cover application

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Copy of previous D.R.B. approved infrastructure list
- Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
- Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.

Extension of preliminary plat approval expires after one year.

MAJOR SUBDIVISION FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Design elevations & cross sections of perimeter walls **3 copies**
- 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
- Signed** Pre-Annexation Agreement if Annexation required.
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application
- Infrastructure list if required (verify with DRB Engineer) **NO INTERNAL ROUTING**
- DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

Your attendance is required.

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

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

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings.
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
 - Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
 - Any original and/or related file numbers are listed on the cover application
- Amended preliminary plat approval expires after one year

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

Russ Hugg
Applicant name (print)

Applicant signature / date



Form revised 4/04

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

Application case numbers
05 DRB - 00102

[Signature] 1-19-05
Planner signature / date
Project # 1003902

Lots 1 thru 8, Block 41, Altura Place Addition

Lot 1, Block 41	101805724314032001
Lot 2, Block 41	101805724314032001
Lot 3, Block 41	101805725014032002
Lot 4, Block 41	101805725014032002
Lot 5, Block 41	101805725414032003
Lot 6, Block 41	101805725414032003
Lot 7, Block 41	101805725813932004
Lot 8, Block 41	101805725813932004

SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: hugg@swcp.com

January 17, 2005

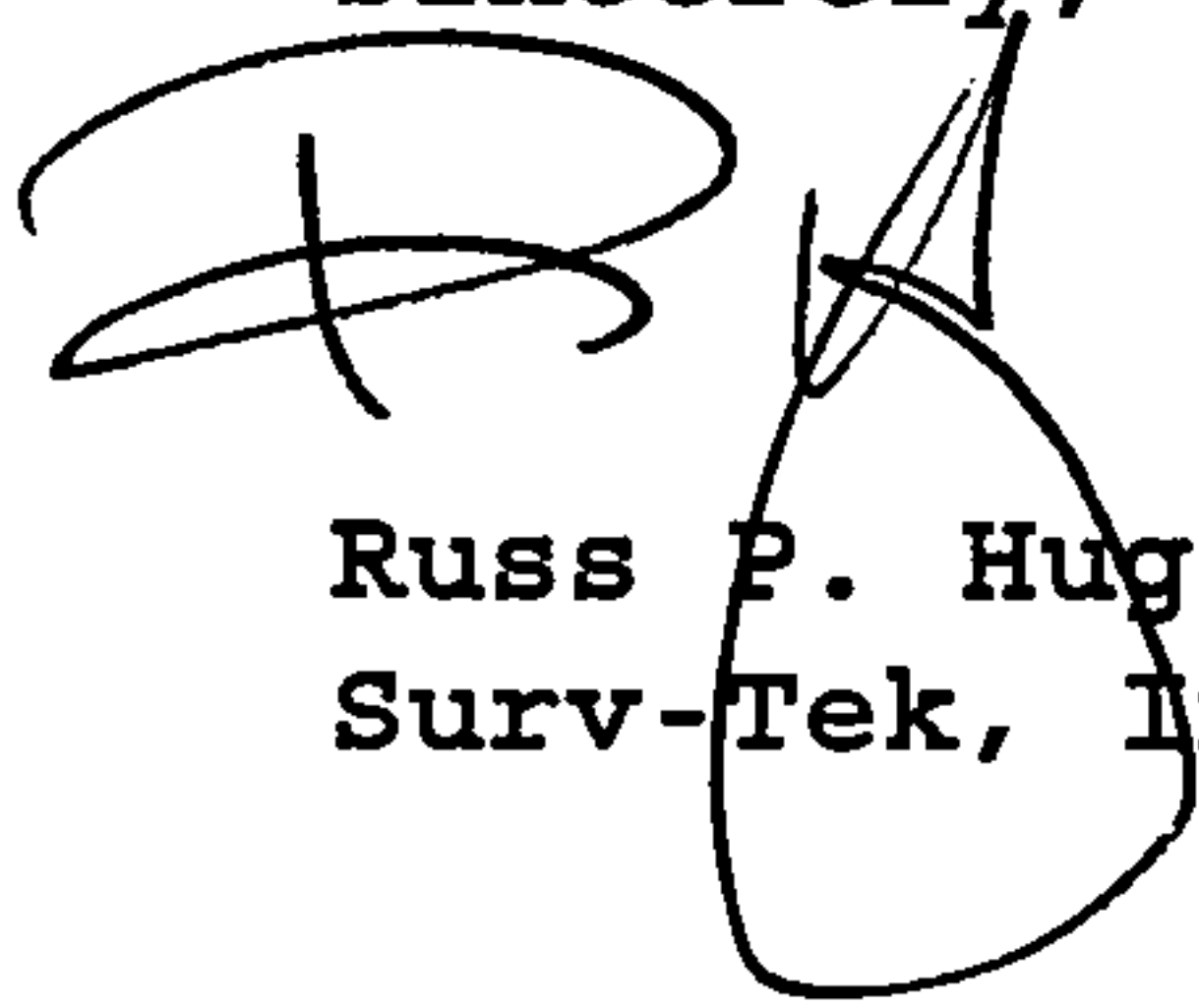
Albuquerque Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

Attention: Sheran Matson, Chair

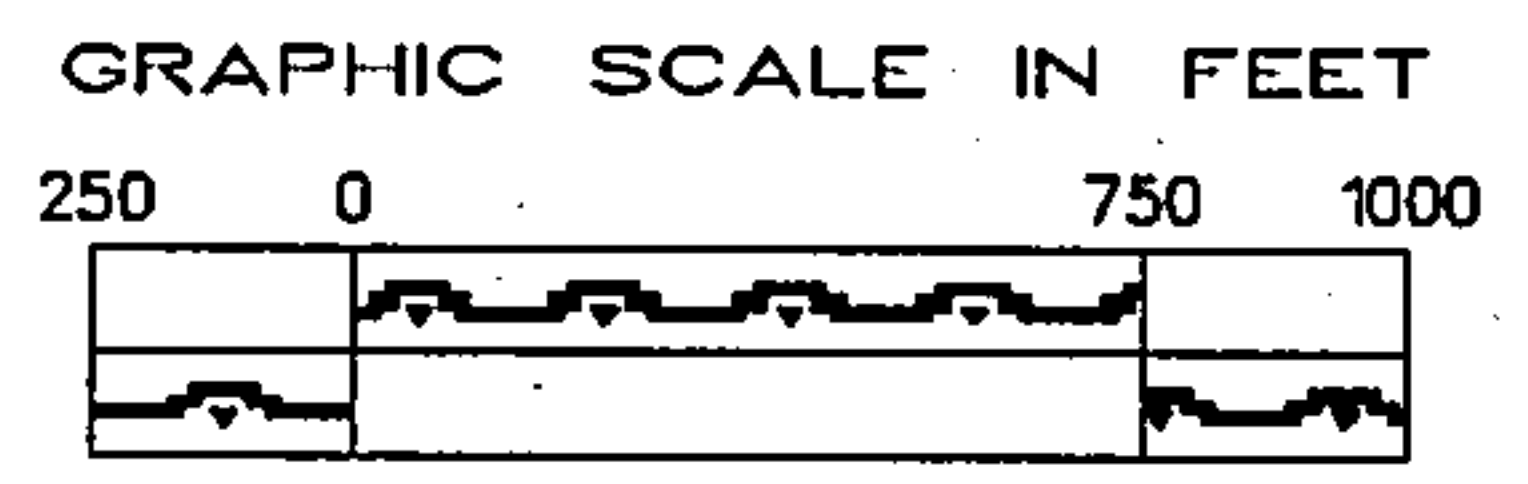
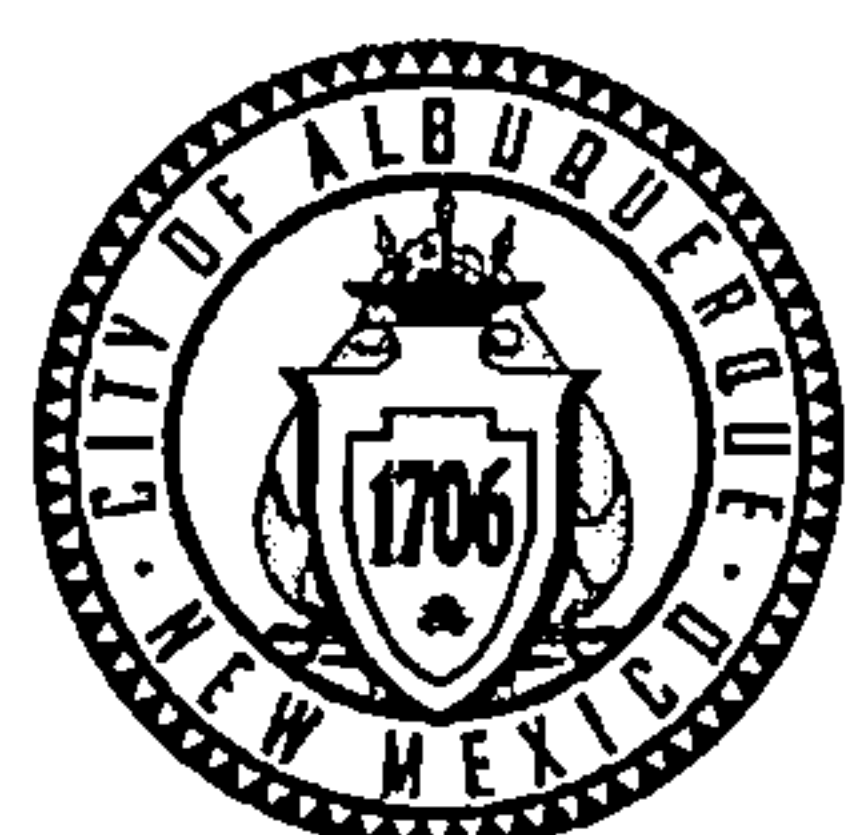
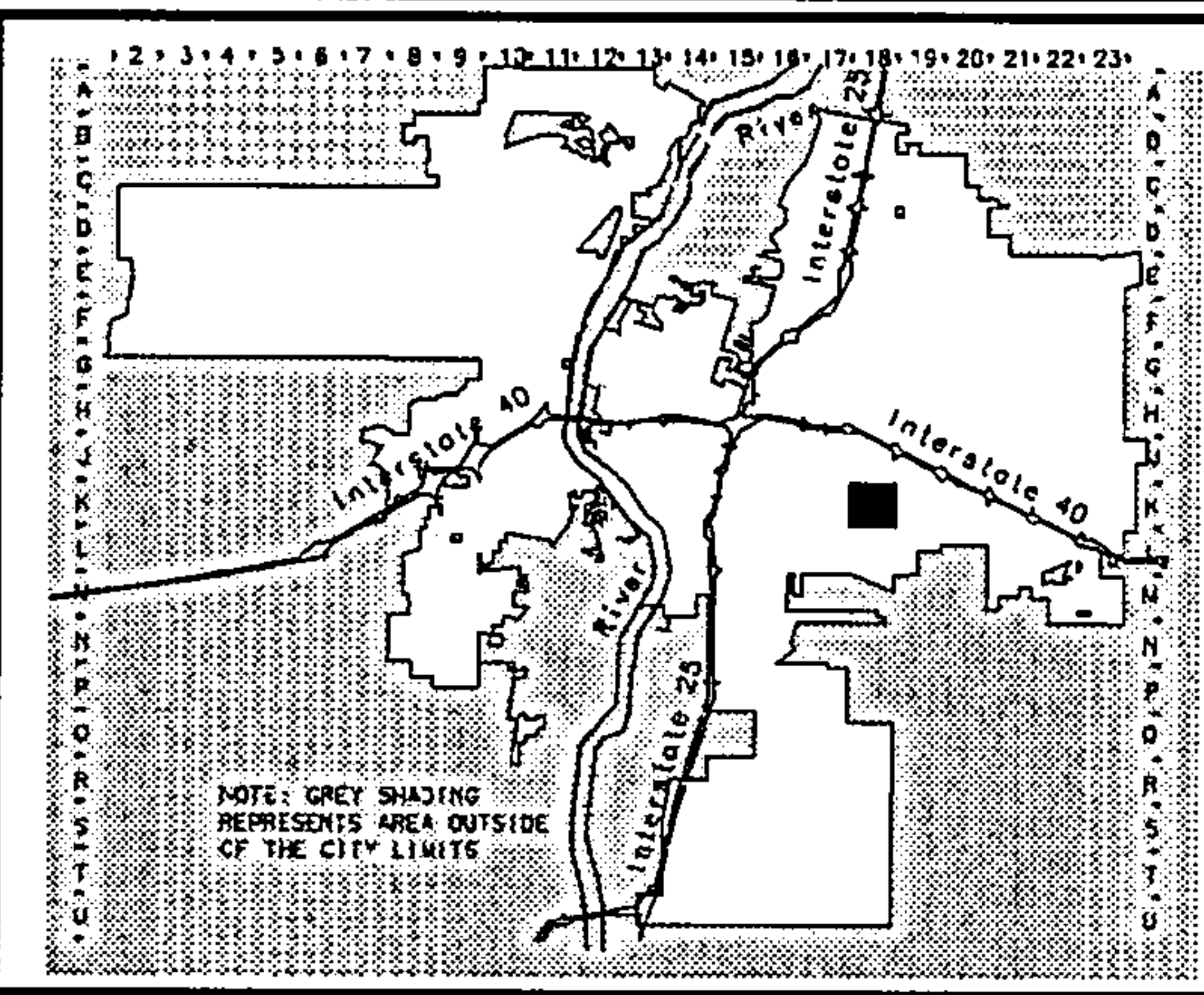
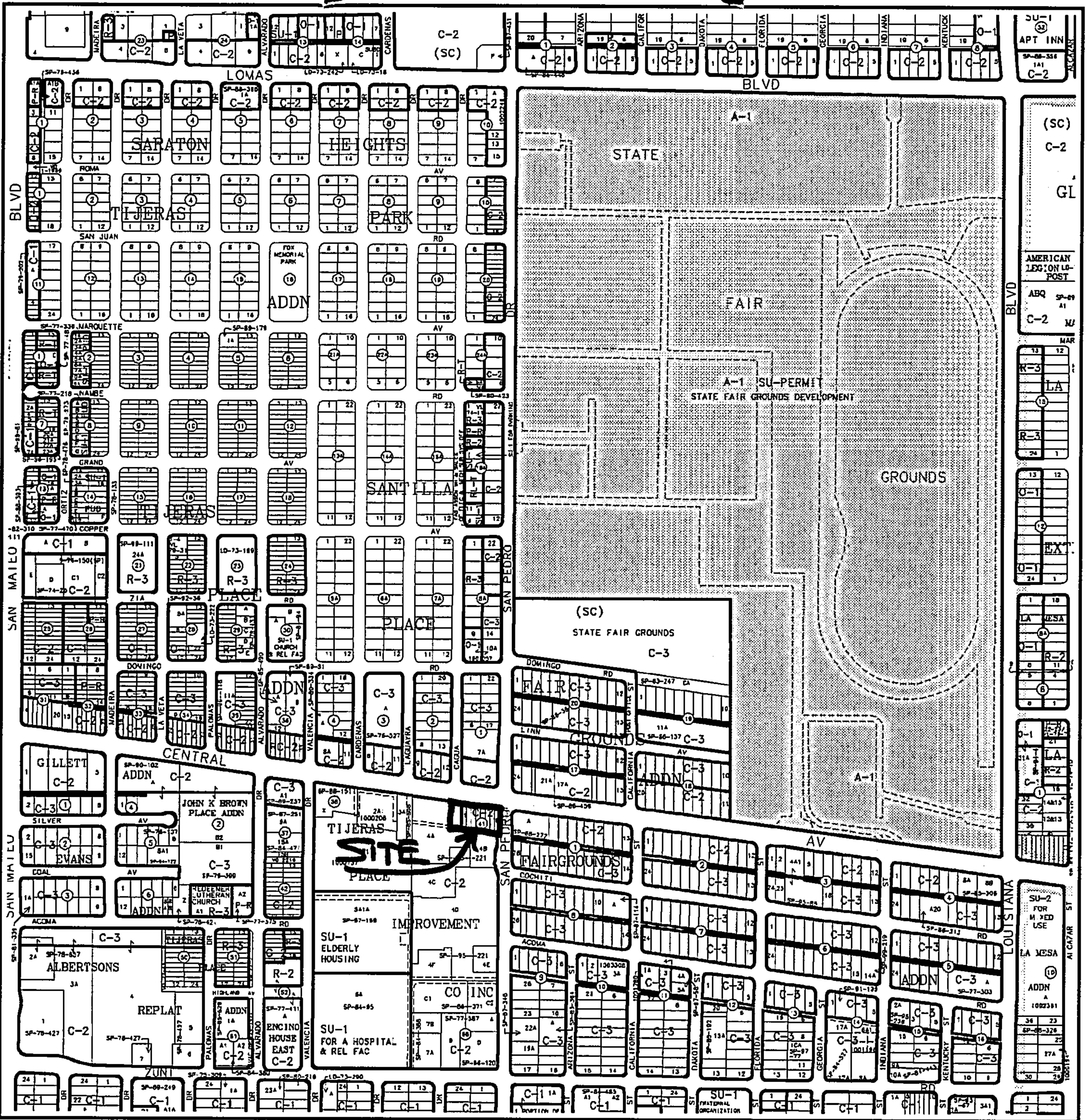
RE: Lots 1 thru 8, Block 41, Tijeras Place Addition, City of
Albuquerque, Bernalillo County, New Mexico
(K-18-Z).

The owner of the above captioned property, Peterson Properties, is hereby filing application with the City of Albuquerque Development Review Board for Sketch plat review and comment to: a.) eliminate the existing interior lot lines between lots 1 thru 8 and combine into one lot and Vacate the adjoining portion of Cagua Street and existing 15' alley.

Sincerely,



Russ P. Hugg, PS
Surv-Tek, Inc.



Albuquerque Geographic Information System
PLANNING DEPARTMENT

© Copyright 2004

Zone Atlas Page

K-18-Z

Map Amended through July 06, 2004

January 17, 2005

Mr. Russ Hugg
Surv-Tek, Inc.
5643 Paradise Blvd. N.W.
Albuquerque, New Mexico 87114

Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of Peterson Properties, for the purpose of re-platting of Lots 1 thru 8, Block 41, Tijeras Place Addition, City of Albuquerque, Bernalillo County, New Mexico.

Please call me if you have any further questions.

Sincerely,

Doug Peterson
Peterson Properties
2325 San pedro NE, Suite 2-A
Albuquerque, New Mexico 87110



PETERSON PROPERTIES, LLC

January 17, 2005

Mr. Russ Hugg
Surv-Tek, Inc.
5643 Paradise Blvd. N.W.
Albuquerque, New Mexico 87114

Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of Peterson Properties, for the purpose of re-platting of Lots 1 thru 8, Block 41, Tijeras Place Addition, City of Albuquerque, Bernalillo County, New Mexico.

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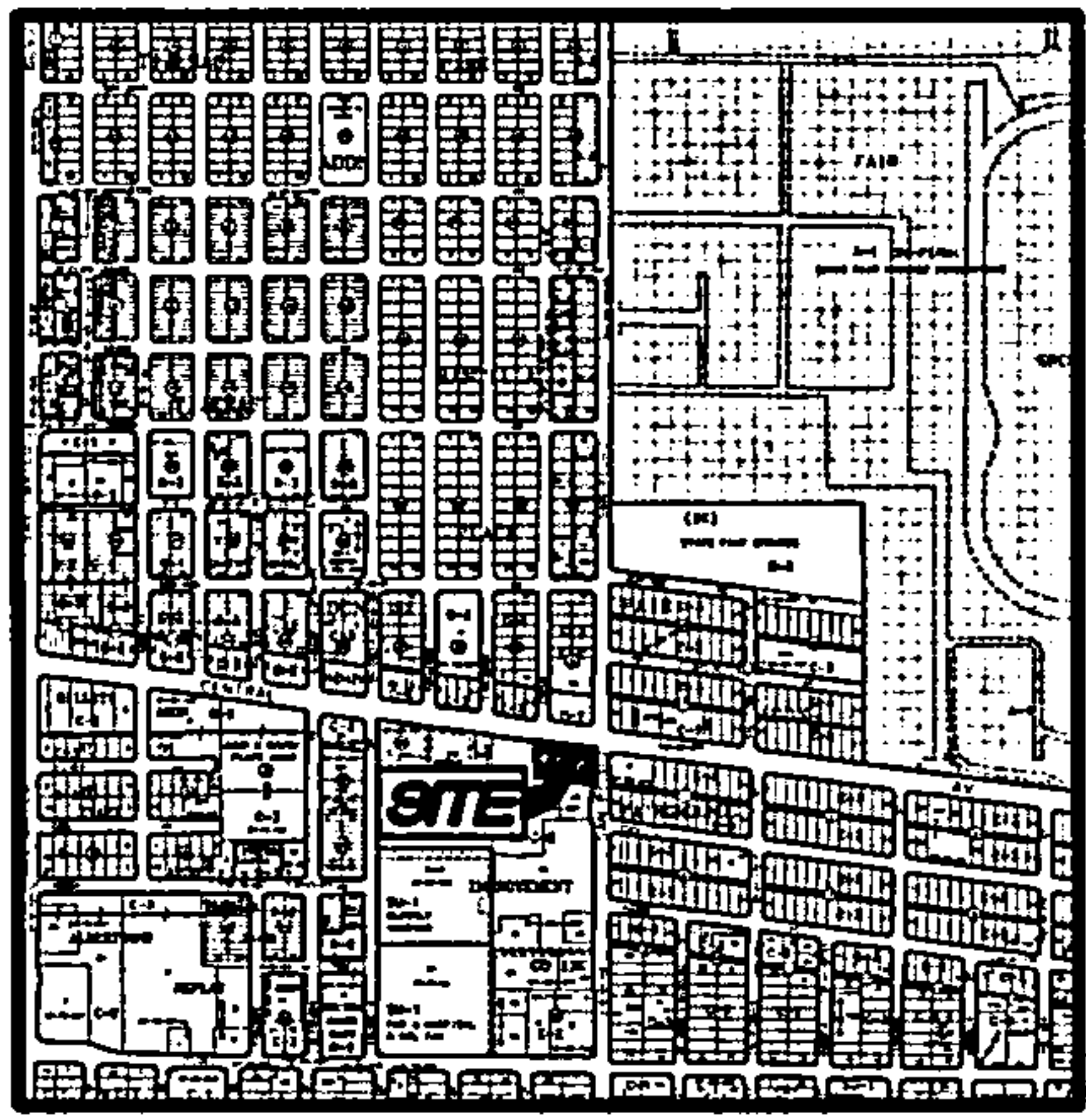
Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Peterson', is written over a faint, illegible stamp or watermark.

Doug Peterson
Peterson Properties
2325 San Pedro NE, Suite 2-A
Albuquerque, New Mexico 87110

2325 SAN PEDRO, N.E., SUITE 2-A • ALBUQUERQUE, NEW MEXICO 87110 • (505) 884-3578 • FAX (505) 884-6793
www.PetersonProperties.net

VACATION EXHIBIT
 PORTION OF CAGUA DRIVE S.E.
 AND
 15' PUBLIC ALLEYWAY
 TIERAS PLACE ADDITION
 WITHIN
 SECTION 24, TOWNSHIP 10 NORTH, RANGE 8 EAST
 NEW MEXICO PRINCIPAL MERIDIAN
 THE CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 2008



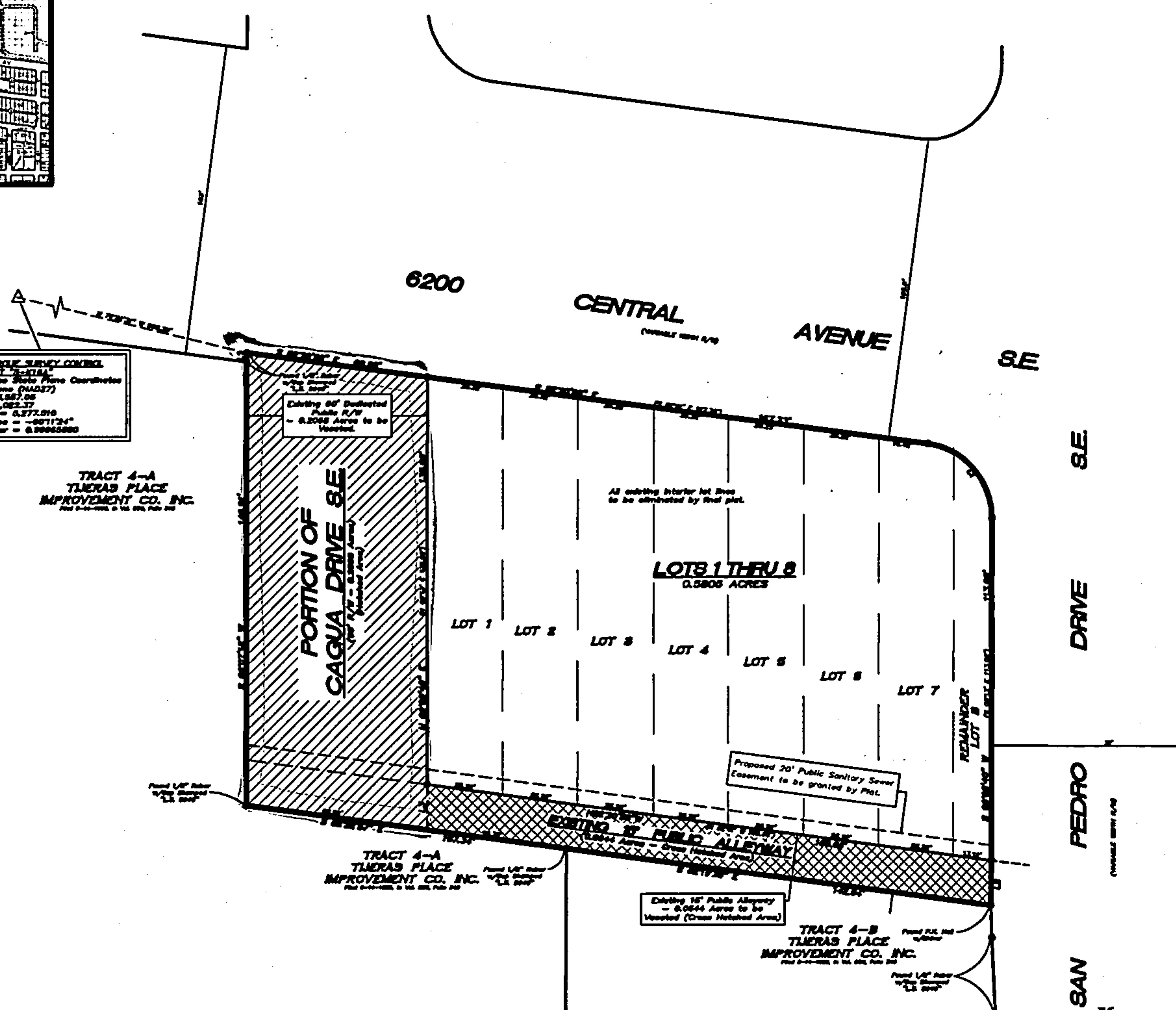
VICINITY MAP
 Not To Scale
 Base Atlas Page K-10-2

CURVE TABLE

CHORD	ANGLE	CHORD	ANGLE	CHORD	ANGLE	CHORD	ANGLE
21.87	23.87°	21.87	23.87°	21.87	23.87°	21.87	23.87°

LINE TABLE

LINE	LENGTH	BEARING
1	14.87	S 89° 12' 12" W
2	14.87	S 89° 12' 12" W
3	14.87	S 89° 12' 12" W
4	14.87	S 89° 12' 12" W



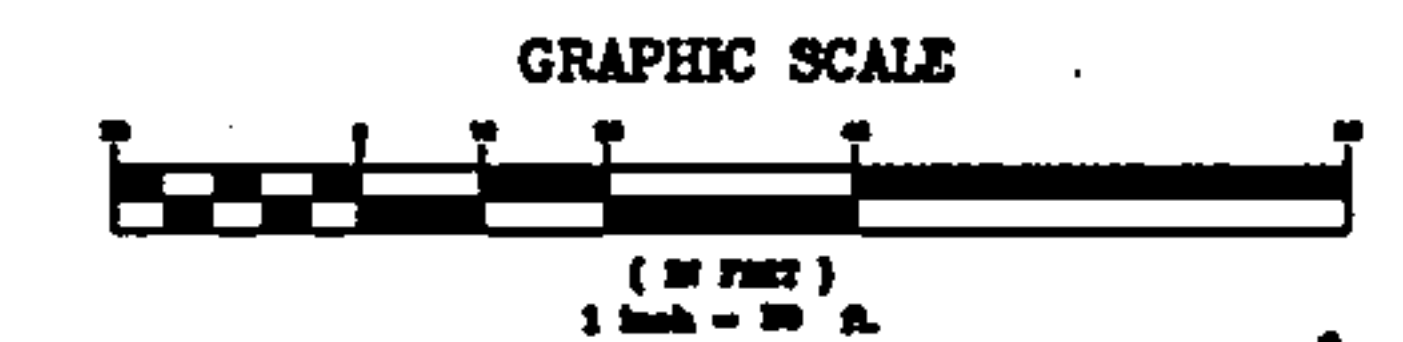
ALBUQUERQUE BENCH CONTROL
 MONUMENT 2-5114
 New Mexico State Plane Coordinates
 Central Zone (NAD83)
 Y = 1,481,887.08
 X = 401,022.37
 Declination = 0.577210
 Delta Alpha = -001134"
 G-S Factor = 0.99962280

TRACT 4-A
 TIERAS PLACE
 IMPROVEMENT CO., INC.
 Not To Scale, 1/4" = 100' (SEE PLAN)

TRACT 4-A
 TIERAS PLACE
 IMPROVEMENT CO., INC.
 Not To Scale, 1/4" = 100' (SEE PLAN)

TRACT 4-B
 TIERAS PLACE
 IMPROVEMENT CO., INC.
 Not To Scale, 1/4" = 100' (SEE PLAN)

LEGAL DESCRIPTION
 That certain parcel of land situate within Section 24, Township 10 North, Range 8 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising all of Lots 5, 6, 7 and the remaining portion of Lot 8, all being within Block 24, Teras Place Addition, as the same is shown and designated on the plat entitled "ADJUSTED FLAT OF TIERAS PLACE AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO", filed August 24, 1983 in Volume 6, Page 21, records of Bernalillo County, New Mexico,
 TOGETHER WITH
 A remaining portion of Cagua Drive S.E. and a remaining portion of a street that with public alley as the same is shown and designated on the plat entitled "TIERAS PLACE APPROXIMATE COMPANY'S ASSIGNMENT FLAT 'A', CITY OF ALBUQUERQUE, NEW MEXICO", filed March 13, 1984 in Volume 06, Page 6, records of Bernalillo County, New Mexico,
 Said parcel contains 0.5817 acres, more or less.




VACATION EXHIBIT B
 Date 4/27/05

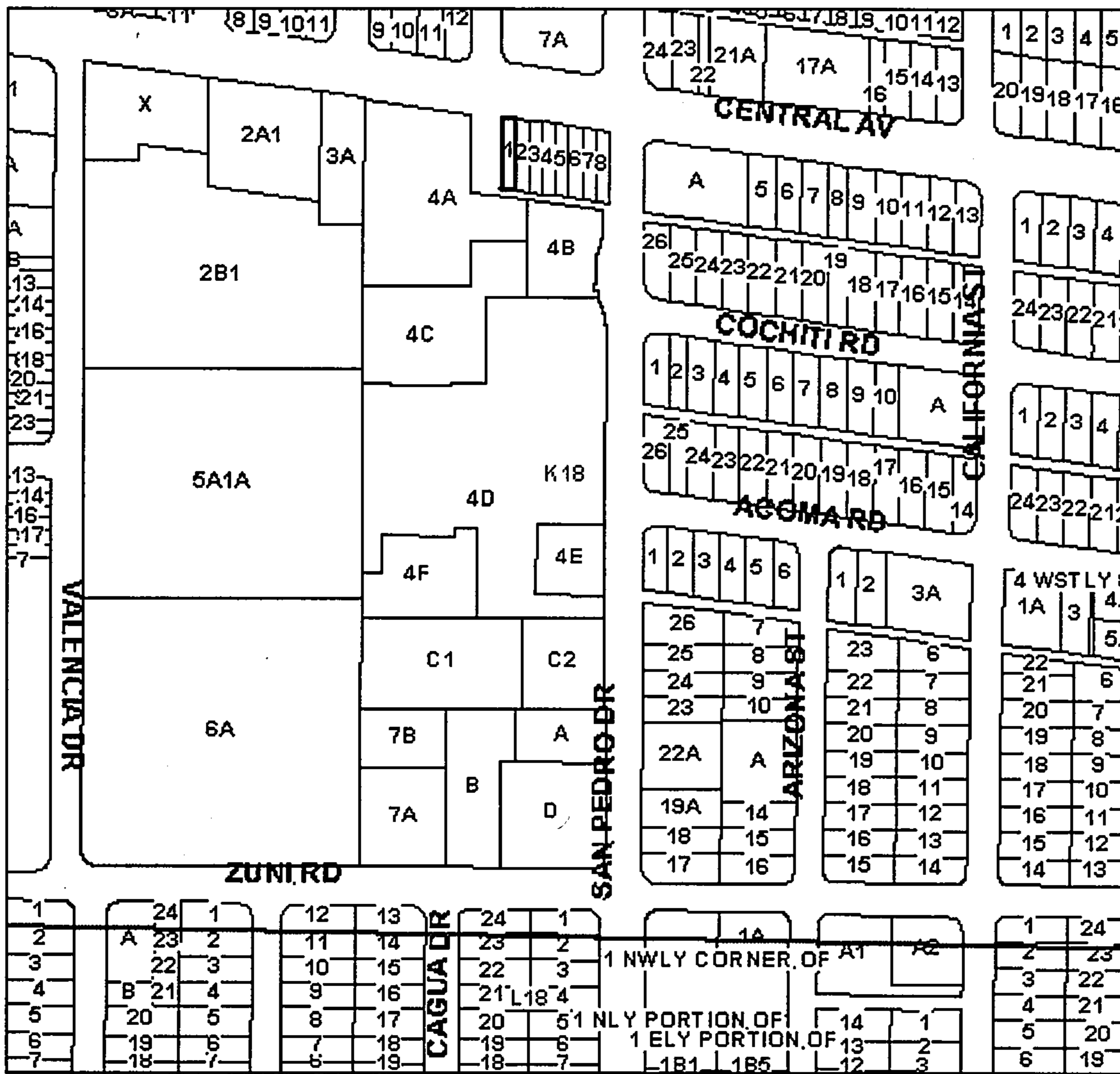
SURVOTEK, INC.
 Consulting Surveyors
 2824 Valley View Road S.E. Albuquerque, New Mexico 87106
 Phone 505-261-5555 Fax 505-261-5577

ACTIVATE BUTTONS BY 'CLICKING' ON THE MAP

Zoom In Id Address Id ZM Pan Zoom Out

LAYER LEGEND

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



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 1, 41, TIJERAS PLACE ADDN

Council District/Name: SIX, HEINRICH County Commission: 3 Rep District/Sen District: 19, 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805724314032001

Owner Name: MORGENSTERN DANIEL & VIOLA

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct. Please check with the Bernalillo County Assessor for official data.

SEARCH FOR OTHER SERVICES AROUND THIS ADDRESS


ZOOM LEVEL MEDIUM

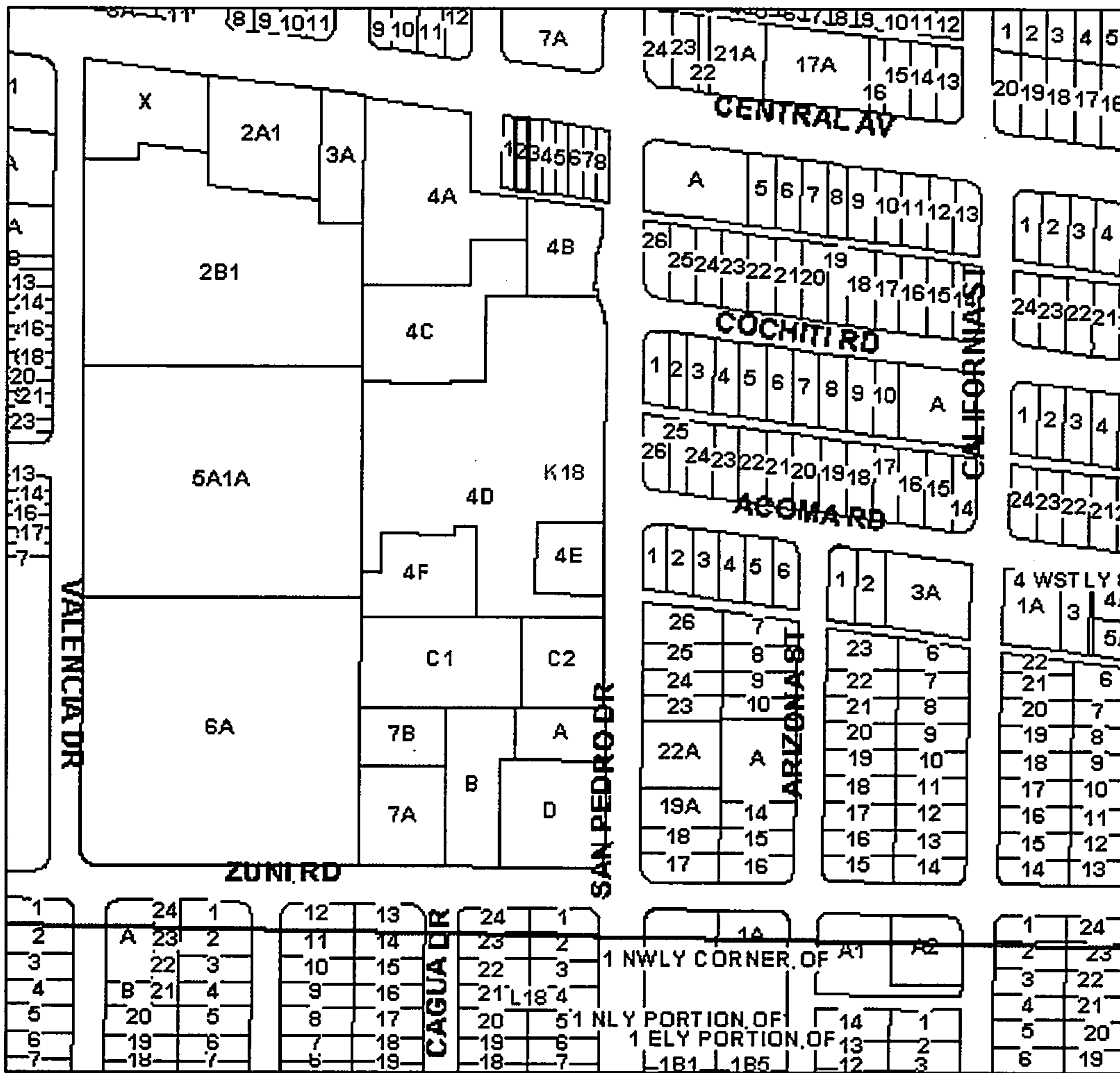
TEXT SIZE MEDIUM

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- PUBLIC FACILITIES
- LAND USE
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- LANDFILLS/BUFFE
- CRP LOCATIONS



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAL

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 2 , 41 , TIJERAS PLACE ADDN

Council District/Name: SIX , HEINRICH County Commission: 3 Rep District/Sen District: 19 , 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805724314032001

Owner Name: MORGENSTERN DANIEL & VIOLA

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner Info cannot be guaranteed correct. Please check with the Bernalillo County Assessor for official data.

SEARCH FOR OTHER SERVICES AROUND THIS ADDRESS


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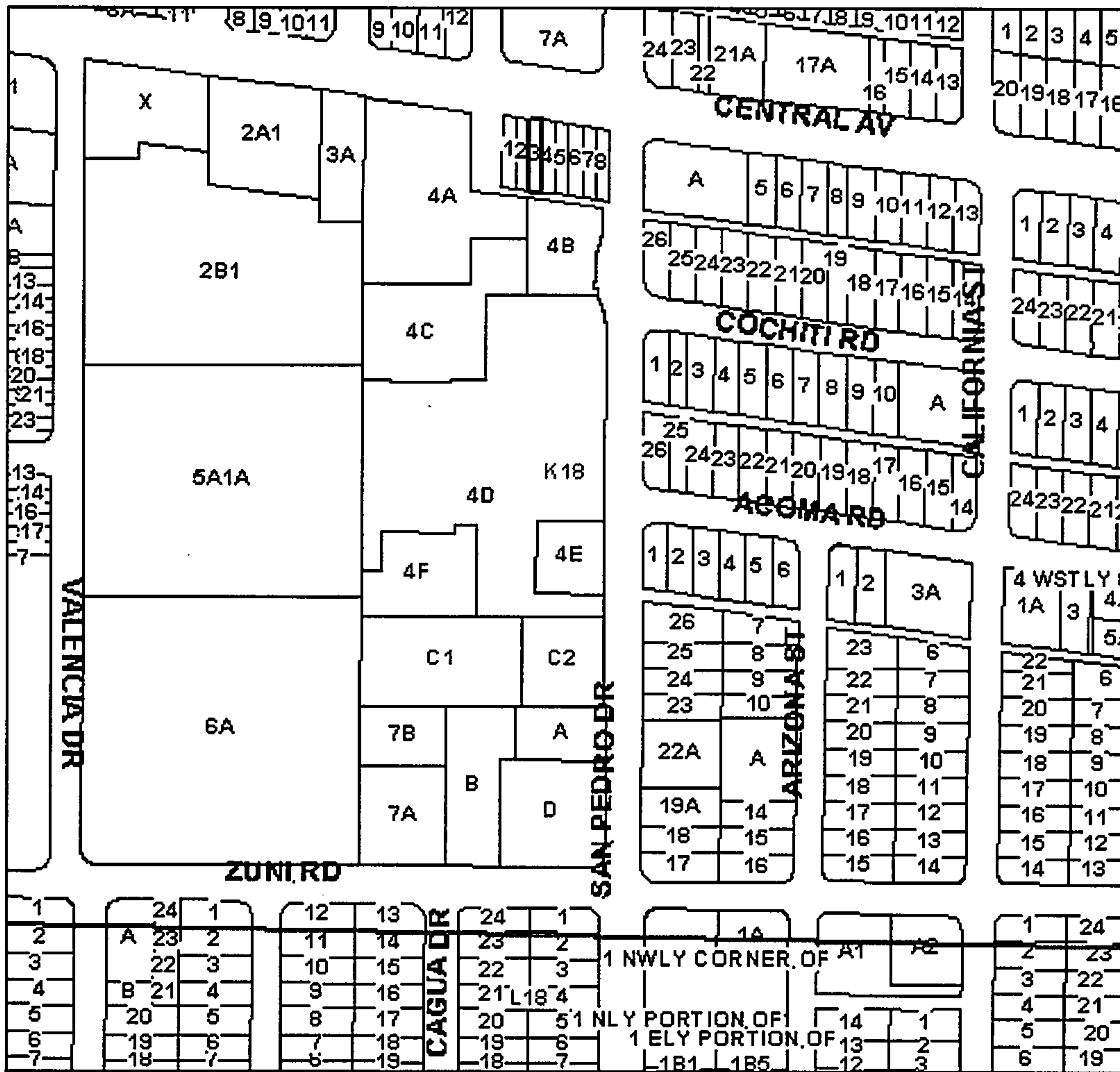
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- CRP LOCATIONS



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 3 , 41 , TIJERAS PLACE ADDN

Council District/Name: SIX , HEINRICH County Commission: 3 Rep District/Sen District: 19 , 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725014032002

Owner Name: MORGENSTERN DANIEL & VIOLA

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

Please check with the Bernalillo County Assessor for official data.

SEARCH FOR OTHER SERVICES AROUND THIS ADDRESS


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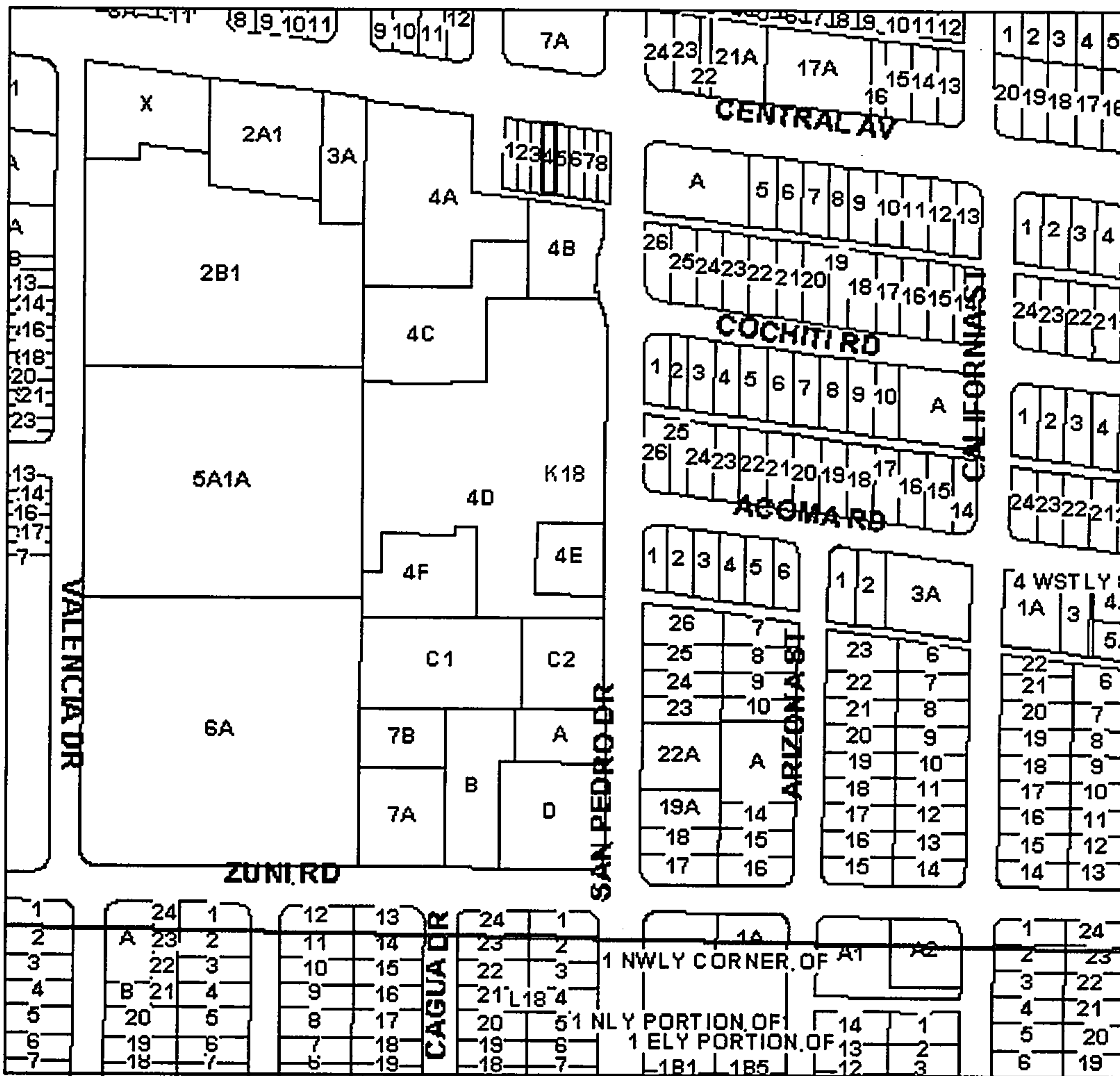
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- CRP LOCATIONS



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 4 , 41 , TIJERAS PLACE ADDN

Council District/Name: SIX , HEINRICH County Commission: 3 Rep District/Sen District: 19 , 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725014032002

Owner Name: MORGENSTERN DANIEL & VIOLA

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

Please check with the Bernalillo County Assessor for official data.

SEARCH FOR OTHER SERVICES AROUND THIS ADDRESS


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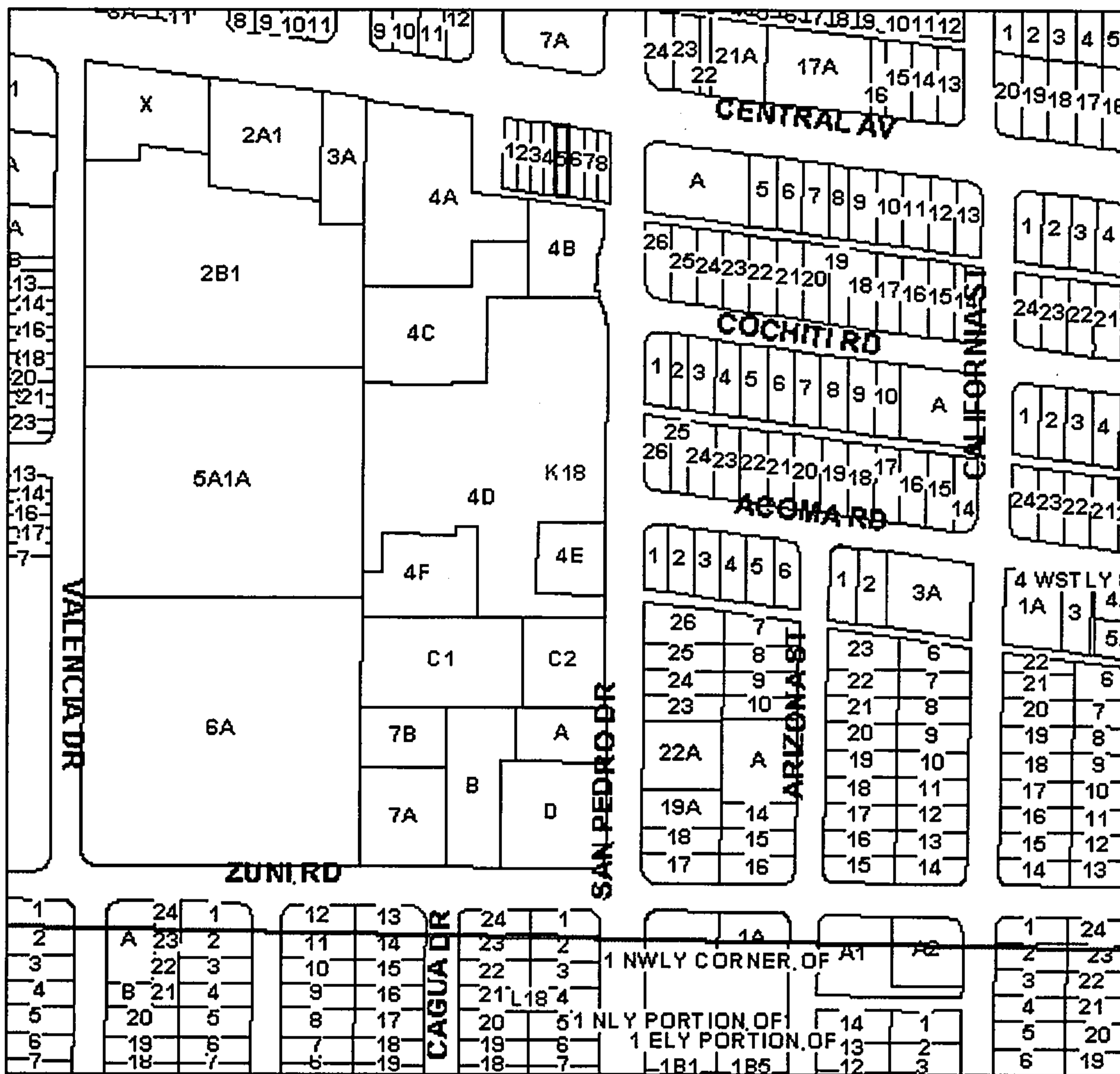
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ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 5, 41, TIJERAS PLACE ADDN

Council District/Name: SIX, HEINRICH County Commission: 3 Rep District/Sen District: 19, 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725414032003

Owner Name: MORGENSTERN DANIEL A

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

Please check with the Bernalillo County Assessor for official data.

SEARCH FOR OTHER SERVICES AROUND THIS ADDRESS


ZOOM LEVEL MEDIUM

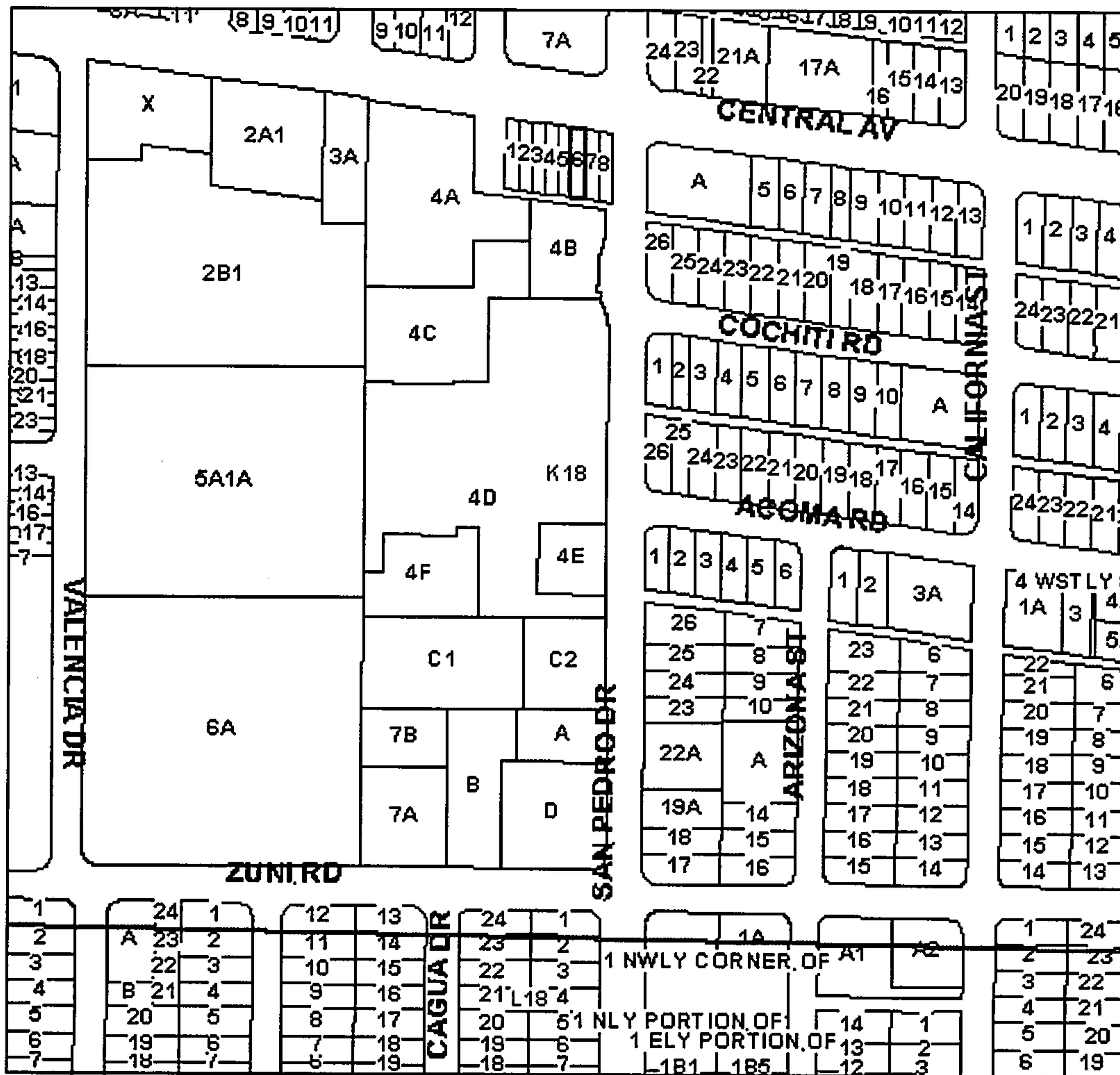
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- LANDFILLS/BUFFEI
- CRP LOCATIONS



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 6 , 41 , TIJERAS PLACE ADDN

Council District/Name: SIX , HEINRICH County Commission: 3 Rep District/Sen District: 19 , 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725414032003

Owner Name: MORGENSTERN DANIEL A

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

Please check with the Bernalillo County Assessor for official data.

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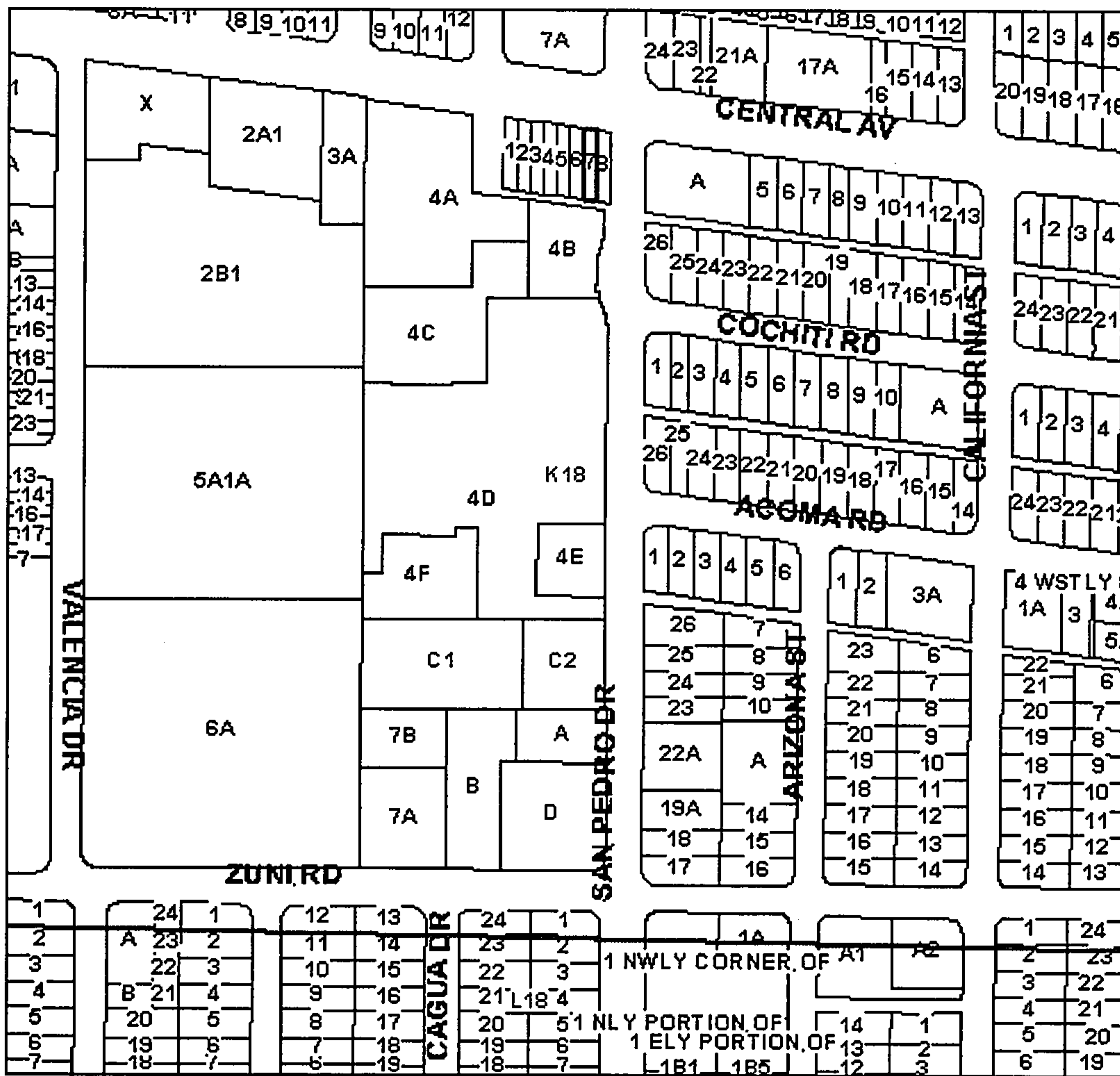
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CRP LOCATIONS



ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 7, 41, TIJERAS PLACE ADDN

Council District/Name: SIX, HEINRICH County Commission: 3 Rep District/Sen District: 19, 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725813932004

Owner Name: MORGENSTERN DANIEL A

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

Please check with the Bernalillo County Assessor for official data.

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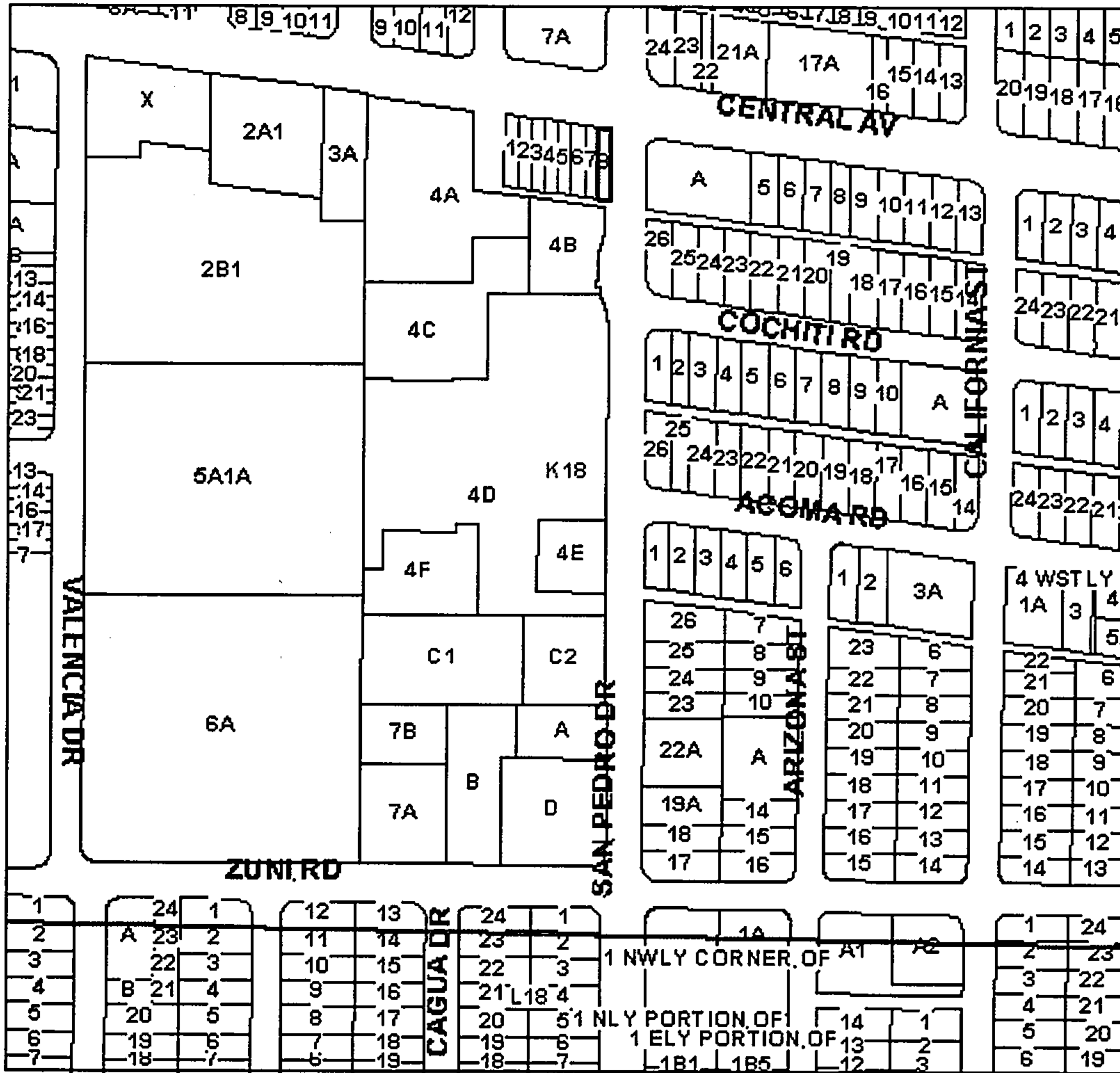
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ReDraw Screen

SHOW LOCATION M

SHOW 1999 AERIAI

Selected Address: 6200 CENTRAL AV SE

Zoning: C-2 Lot/Block/Subd: 8 , 41 , TIJERAS PLACE ADDN

Council District/Name: SIX , HEINRICH County Commission: 3 Rep District/Sen District: 19 , 17

Nbr Assoc: NO NEIGHBORHOOD ASSOCIATION Comp. Plan: Established Urban

Voter Pct: 282

High Sch District: HIGHLAND Mid Sch District: WILSON Elem Sch District: WHITTIER

ZoneMap Page: K18 Jurisdiction: CITY

Police Beat: 333/SOUTHEAST

Flood Zone: ZONE X (500 YR)

Comm Plan Area: NEAR HEIGHTS

UPC #: 101805725813932004

Owner Name: MORGENSTERN DANIEL A

Owner Street Address: 2424 BRITT ST

Owner City/State/Zip: ALBUQUERQUE / NM / 87109 NM

Note: Accuracy for Owner info cannot be guaranteed correct.

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ZOOM LEVEL MEDIUM

TEXT SIZE MEDIUM