Complete VS
12-16-13

DRB CASE ACTION LOG - BLUE SHEET

☒ Preliminary/Final Plat [FP]
☐ Site Plan - Subdivision [SPS]
☐ Site Plan - Building Permit [SBP]

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

Project #: 1004075 *Application #:* 13DRB-70412
Project Name: Mesa Del Sol Tracts 1-15
Agent: Bohannan Huston Inc. *Phone #:*

Your request was approved on 1-23-13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

☐ **TRANSPORTATION:**

☐ **ABCWUA:**

☐ **CITY ENGINEER / AMAFCA:**

☐ **PARKS / CIP:**

☒ **PLANNING (Last to sign):** draft, utility signatures, verify legal access to public right of way

PLATS:

☒ **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.
- -County Treasurer's signature must be obtained prior to the recording of the plat with 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.**

ALL SITE PLANS:

☐ **3 copies of the approved site plan. Include all pages.**

4075

DXF Electronic Approval Form

DRB Project Case #: 1004075

Subdivision Name: TRACT 8A MESA DEL SOL

Surveyor: ALAN R BENHAM

Contact Person: MARY COLE

Contact Information: 823-1000

DXF Received: 1/23/2013 Hard Copy Received: 1/23/2013

Coordinate System: NMSP Grid (NAD 83)

Approved

1-25-13

Date

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

AGIS Use Only

Copied fc **4075** to agiscov on **1/25/2013** Contact person notified on **1/25/2013**

4075

DXF Electronic Approval Form

DRB Project Case #: 1004075

Subdivision Name: TRACT 8A, MESA DEL SOL

Surveyor: ALAN BENHAM

Contact Person: MARY COLE

Contact Information: 823-1000

DXF Received: 12/11/2013 Hard Copy Received: 12/11/2013

Coordinate System: NMSP Grid (NAD 83)

Approved

12-12-2013
Date

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

AGIS Use Only

Copied fc **4075** to agiscov on **12/11/2013** Contact person notified on **12/11/2013**

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☐ **Copy of recorded plat for Planning.**

ALL SITE PLANS:

☐ **3 copies of the approved site plan. Include all pages.**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
January 23, 2012
DRB Comments

ITEM # 5

PROJECT # 1004075 APPLICATION # 13-70412

RE: Tract 8, Mesa del Sol Bulk Land Subdivision

Access to public right of way needs to be verified.

Planning Dept. must record this plat to complete the vacation.

_____

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- X Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan — D
- ___ Cert. of Appropriateness (LUCC) — L

STORM DRAINAGE (Form D)
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan **(Phase I, II, III)**
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector) — A

APPEAL / PROTEST of...
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): BOHANNAN HUSTON INC. PHONE: 505.823.1000
ADDRESS: 7500 JEFFERSON ST., NE FAX: 505.798.7988
CITY: ALBUQUERQUE STATE NM ZIP 87109 E-MAIL: CSHOLTIS@BHINC.COM

APPLICANT: MESA DEL SOL, LLC PHONE: 505.400.3021
ADDRESS: 801 UNIVERSITY BLVD., SUITE 200 FAX: 505.242.2978
CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL:
Proprietary interest in site: OWNER List all owners:

DESCRIPTION OF REQUEST: PRELIMINARY/FINAL PLAT APPROVAL TO VACATE EXISTING EASEMENT VACATION ACTION PREVIOSLY APPROVED

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

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

Lot or Tract No. TRACT 8 Block: Unit:
Subdiv/Addn/TBKA: MESA DEL SOL TRACTS 1-15
Existing Zoning: PC Proposed zoning: PC MRGCD Map No
Zone Atlas page(s): U-13 UPC Code: 101304830426930199

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004075
12DRB-70362

CASE INFORMATION:
Within city limits? X Yes Within 1000FT of a landfill? NO
No. of existing lots: 1 No. of proposed lots: 1 Total area of site (acres): 23.6
LOCATION OF PROPERTY BY STREETS: On or Near: SW COR I-25 AND NM 47
Between: and

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

SIGNATURE DATE 1-15-13
(Print) CHRISTIAN J. SHOLTIS Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
13 - DRB - 70412	P&F		$ 215.00
	CMF		$ 20.00
			$
			$
			$
			$
			Total $ 235.00

Hearing date Jan. 23, 2013

1-15-13
Planner signature / date

Project # 1004075

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

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

☐ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

__ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ List any original and/or related file numbers on the cover application

☐ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Copy of DRB approved infrastructure list
__ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
__ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

☐ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

__ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Copy of recorded SIA
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ List any original and/or related file numbers on the cover application
__ DXF file and hard copy of final plat data for AGIS is required.

☒ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

N/A 5 Acres or more: Certificate of No Effect or Approval
__ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
N/A Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
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__ Fee (see schedule)
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N/A Infrastructure list if required **(verify with DRB Engineer)**
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☐ **AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**

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.

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

Christian J. Sholtis, as Agent
Applicant name (print)

Applicant signature / date

Form revised **October 2007**

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

Application case numbers
13 - DRB - 70412
- -
- -

1-15-13
Planner signature / date

Project # 1004075

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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FOR OFFICIAL USE ONLY Form revised 4/07

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Hearing date Jan. 23, 2013

1-15-13
Planner signature / date

Project # 1004075

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Christian J. Sholtis, as Agent
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Applicant signature / date

Form revised **October 2007**

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Application case numbers
13 - DRB - 70412
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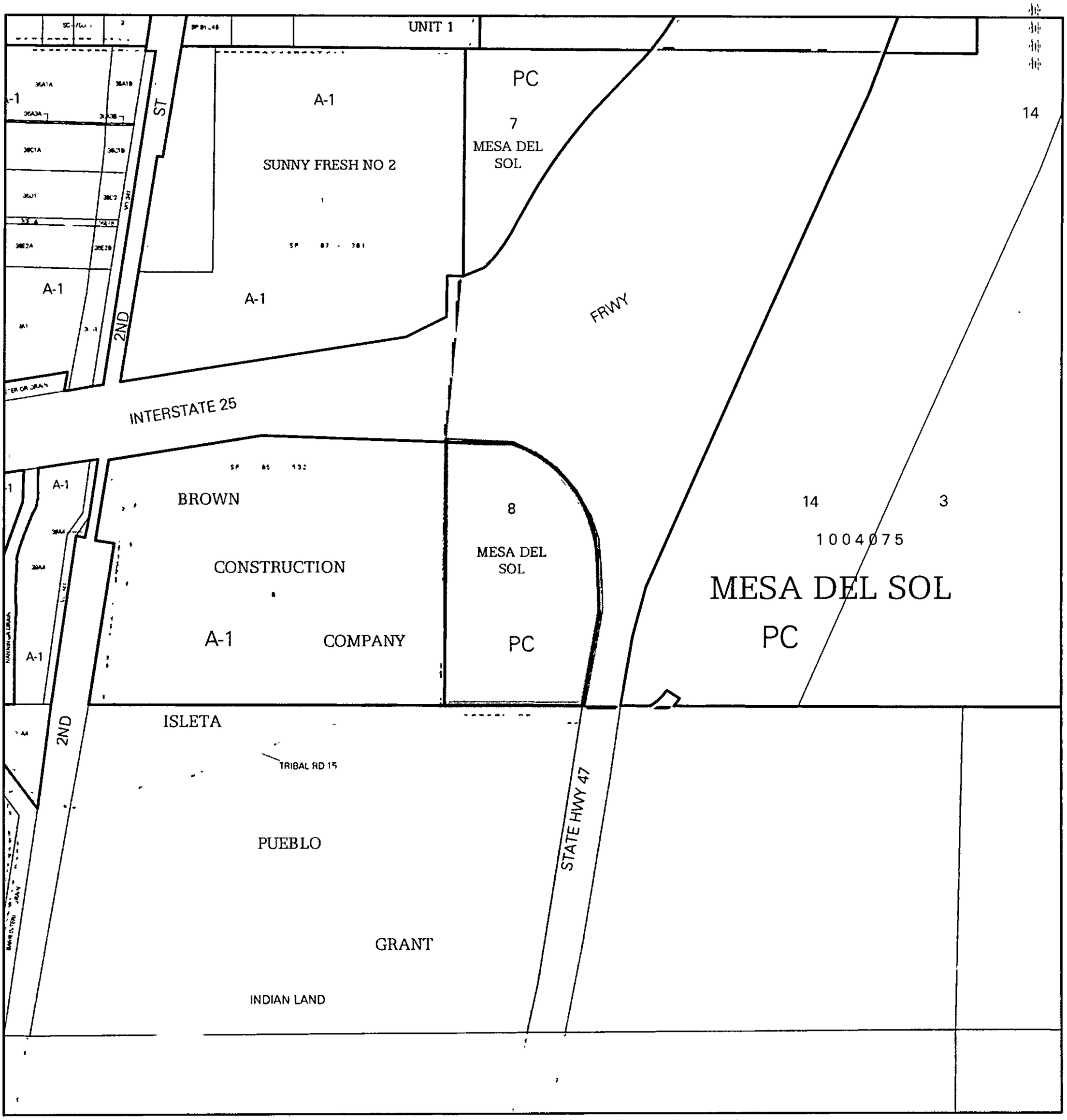
Planner signature / date

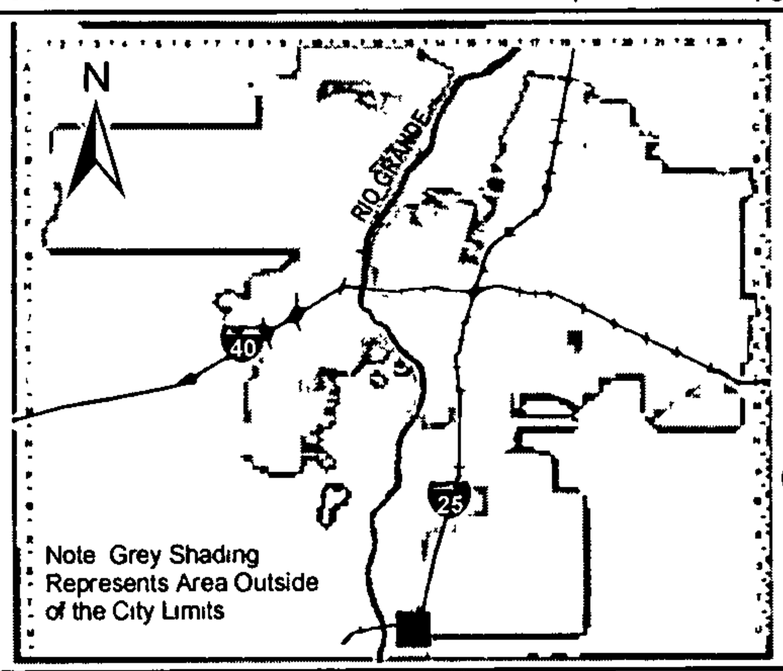
Project # 1004075



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

Albuquerque Geographic Information System

Map amended through: 4/2/2012



Zone Atlas Page:

U-13-Z

Selected Symbols

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

0 750 1,500 Feet

City of Albuquerque

P.O. Box 1293 Albuquerque, New Mexico 87103

Planning Department

Suzanne Lubar, Director

Richard J. Berry, Mayor

Robert J. Perry, CAO

January 15, 2013

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation
Project Number(s):
Case Number(s):
Agent: **Bohannan Huston, Inc**
Applicant: **Forest City Mesa Residential Development LLC (Mesa del Sol)**

Legal Description: **Tract 8, Bulk Land Plat of Mesa del Sol, Tracts 1-15**
Zoning: **PC**
Acreage: **23.58 acres**
Zone Atlas Page: **U-13**

PROVISIONAL CERTIFICATE OF NO EFFECT: Yes __X__ No _____

CERTIFICATE OF APPROVAL: Yes _____ No _____

TREATMENT PLAN REVIEW:
DISCOVERY:

SUPPORTING DOCUMENTATION:
SITE VISIT: n/a

RECOMMENDATION(S):
PROVISIONAL CERTIFICATE of NO EFFECT ISUED TO ALLOW FOR SUBMITTAL PURPOSES ONLY. Archaeological survey required as part of subsequent platting actions. NOTE: Tract may have already been surveyed previously. Agent to provide back-up documentation to obtain final Certificate of No Effect.

SUBMITTED:
Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

January 15, 2013

Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
PO Box 1293
Albuquerque, NM 87102

Re: Tract 8-A, Mesa del Sol – Preliminary/Final Plat

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) preliminary plat review and comment are copies of the following information:

- Application for Development Review
- Application Checklist Items

The purpose of this plat is to vacate an existing floating access easement. The vacation was previously approved by vacation action 12DRB-70362.

We request that this item be scheduled for the next appropriate DRB hearing. Please feel free to contact me at 505-823-1000 with questions or comments.

Sincerely,

Christian J. Sholtis, P.E.
Senior Project Manager
Community Development and Planning

CJS/tms
Enclosures

cc: Manny Barrera, Mesa Del Sol, LLC

Engineering ▲

Spatial Data ▲

Advanced Technologies ▲

January 23, 2013

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 12, 2012

Project# 1004075
12DRB-70362 VACATION OF ACCESS & UTILITY EASEMENTS

MYERS, OLIVER & PRICE, P.C. agent(s) for MESA DEL SOL LLC request(s) the referenced/ above action(s) on Tract 8, **BULK LAND PLAT of MESA DEL SOL** zoned PC, located in the southwest corner of the intersection of I-25 and NM 47, containing approximately 23.5768 acre(s). (U-13)

At the December 12, 2012 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. Additional documentation for tract 8 access must be provided.

Findings

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

(B)(1) The applicant has agreed that the original easement may have platted in error, and subject to documentation of adequate access, the City of Albuquerque would concur that thepublic welfare is in no way served by retaining the 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. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing, *notice was published in a newspaper of general circulation 15 days before the date of the hearing,* and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Access to public right of way for Tract 8 must be documented with the application to the Development Review Board for the required replat.

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.

If you wish to appeal this decision, you must do so by December 27, 2012 in the manner described below.

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

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

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

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

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

Jack Cloud, DRB Chair

Cc: Myers, Oliver & Price, P.C.
Marilyn Maldonado
File

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 12, 2012

Project# 1004075
12DRB-70362 VACATION OF ACCESS & UTILITY EASEMENTS

MYERS, OLIVER & PRICE, P.C. agent(s) for MESA DEL SOL LLC request(s) the referenced/ above action(s) on Tract 8, **BULK LAND PLAT of MESA DEL SOL** zoned PC, located in the southwest corner of the intersection of I-25 and NM 47, containing approximately 23.5768 acre(s). (U-13)

AMAFCA No comments provided.
COG No comments provided.
TRANSIT No comments provided.
ZONING ENFORCEMENT No comments provided.
NEIGHBORHOOD COORDINATION
APS No comments provided.
POLICE DEPARTMENT No comments provided.
FIRE DEPARTMENT No comments provided.
PNM ELECTRIC & GAS No comments provided.
COMCAST No comments provided.
QWEST No comments provided.
ENVIRONMENTAL HEALTH No comments provided.
M.R.G.C.D No comments provided.
OPEN SPACE DIVISION No comments provided.
CITY ENGINEER Hydrology has no objection

TRANSPORTATION DEVELOPMENT Clarify how each lot will have public access if the floating easement is vacated. The vacation exhibit is unclear; is this request to vacate the entirety of the easement, or a portion?
PARKS AND RECREATION no objection
ABCWUA
PLANNING DEPARTMENT Refer to comments from affected agencies plus any public hearing comments regarding proposed vacations.

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

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

DEBBIE BAUMAN, Transportation Development
SHABIH RIZVI, Transit & Parking Department
STEVE MONTIEL, Council of Governments
LYNN MAZUR, AMAFCA
STEVE SINK, APD Crime Prevention
JAY LEE EVANS, Open Space Division
RAY SANCHEZ, Fire Department
DAVID KILPATRICK, Zoning Enforcement Inspector
STEPHANI WINKLEPLECK, Neighborhood Coordination
DANIEL ARAGON, Public Service Company of New Mexico
PATRICK SANCHEZ, New Mexico Gas Company
APRIL WINTERS, Albuquerque Public Schools
MICHELE RAMIREZ, CenturyLink
MIKE MORTUS, Comcast Cable
RAY GOMEZ, Middle Rio Grande Conservancy District (MRGCD)
SUZANNE BUSCH, Environmental Health

Your comments on the following case(s) are requested. Board hearing date:

PROJECT # 1004075

Wednesday, December 12, 2012

Comments must be received by:

Friday, December 7, 2012

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests.

If you have any questions, please contact me at 924-3946 or agomez@cabq.gov

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW,** on **Wednesday, December 12, 2012,** beginning at **9:00 a.m.** for the purpose of considering the following items. The Development Review Board will hold a Pre-Hearing Discussion in the Conference Room of Suite 201, Lobby Level, Plaza del Sol Building, 600 2nd St NW, Albuquerque, NM on Tuesday, **December 11, 2012**, beginning at 3:00 p.m. for the purpose of reviewing these items prior to the public hearing; no action or public comments will be taken at this Discussion.

Project# 1004075
12DRB-70362 VACATION OF ACCESS & UTILITY EASEMENTS

MYERS, OLIVER & PRICE, P.C. agent(s) for MESA DEL SOL LLC request(s) the referenced/ above action(s) on Tract 8, **BULK LAND PLAT of MESA DEL SOL** zoned PC, located in the southwest corner of the intersection of I-25 and NM 47, containing approximately 23.5768 acre(s). (U-13)

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

Jack Cloud, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, DECEMBER 26, 2012.

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Myers, Oliver & Price, P.C. PHONE: 247-9080
ADDRESS: 1401 Central Avenue, NW FAX: 247-9109
CITY: Albuquerque STATE NM ZIP 87104 E-MAIL: jmyers@moplaw.com

APPLICANT: Mesa del Sol, LLC PHONE: 452-2600
ADDRESS: 5700 University West Blvd., SE #310 FAX: 452-1900
CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: chrisanderson@forestcity.net
Proprietary interest in site: Owner List all owners:

DESCRIPTION OF REQUEST: Vacation of floating access and utility easements across Tract 8, Mesa del Sol

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

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

Lot or Tract No. Tract 8 Block: ___ Unit: ___
Subdiv/Addn/TBKA: Bulk Land Plat Mesa del Sol
Existing Zoning: PC Proposed zoning: N/A MRGCD Map No ___
Zone Atlas page(s): U-13 UPC Code: 101304269301 99

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Project No. 1004075; 05DRB-01228 and 06DRB-00716

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No
No. of existing lots: 1 No. of proposed lots: N/A Total site area (acres): approx. 25 acres
LOCATION OF PROPERTY BY STREETS: On or Near: South of I-25 and west of Broadway Blvd., SE
Between ___ and ___

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

SIGNATURE ___ DATE Nov. 16, 2012

(Print Name) John A. Myers Applicant. ☐ Agent. ☒

FOR OFFICIAL USE ONLY Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
☒ All checklists are complete	12DRB-70362	VPE		$90.00
☒ All fees have been collected	-	CMF		$20.00
☒ All case #s are assigned	-	ADV		$75.00
☐ AGIS copy has been sent	-			$
☐ Case history #s are listed	-			$
☐ Site is within 1000ft of a landfill	-			$
☐ F.H.D.P. density bonus				Total
☐ F.H.D.P. fee rebate	Hearing date Dec. 12, 2012			$

11-16-12
Staff signature & Date

Project # 1004075

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)**

X 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.)
X Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request
X Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
X Sign Posting Agreement
X Fee (see schedule)
X 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.

John A. Myers
Applicant name (print)

11/16/12
Applicant signature / date

Form revised 4/07

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

Application case numbers
12 - DRB - 70362
____ - ____ - ____
____ - ____ - ____

11-16-12
Planner signature / date

Project # 1004075

November 15, 2012

Hand Delivered
City of Albuquerque
Planning Department
600 Second Street, NW
Suite 200
Albuquerque, New Mexico 87103

Re: Tract D, Mesa del Sol

Ladies and Gentlemen:

The undersigned is the owner of the above referenced Property. Myers, Oliver & Price, P.C. (John A. Myers, Esq. and J. Matt Myers, Esq.) is hereby authorized to act as the agent in the application for vacation of the floating access Easement Agreement dated June 20, 2006, by and among the State Land Office, Forest City Covington NM, LLC. and the University of New Mexico recorded in the Bernalillo County, New Mexico real estate records on June 21, 2006, in Book A119, Page 1053, as Document No. 2006091310.

Myers, Oliver & Price is further authorized to remain as the agent through any appeals process, if any.

MESA DEL SOL, LLC, a New Mexico limited liability company

By: FC Covington Manager, LLC, a New Mexico limited liability company, Member

By: Forest City NM, LLC, a New Mexico limited liability company, Member

By: Forest City Commercial Group, Inc., an Ohio corporation, Member

By: _____

Its: Vice President

REASONS FOR REQUEST

This is a request to vacate a floating easement which encumbers Tract 8 of Mesa del Sol, as shown on the Bulk Land Plat of Mesa del Sol, Tracts 1-15, filed in the Bernalillo County, New Mexico real estate records on June 21, 2006, in Book 2006C, Page 185 ("Tract 8"). The floating easement was created by the Easement Agreement dated June 20, 2006, and filed in the Bernalillo County, New Mexico real estate records on June 21, 2006, in Book A118, Page 1052 (the "Easement Agreement").

The Easement Agreement was entered into between the owners of the Mesa del Sol property and the City of Albuquerque to provide for accesses and utilities to serve the fifteen (15) parcels created by the Bulk Land Plat of Mesa del Sol, until such time as roadways are platted.

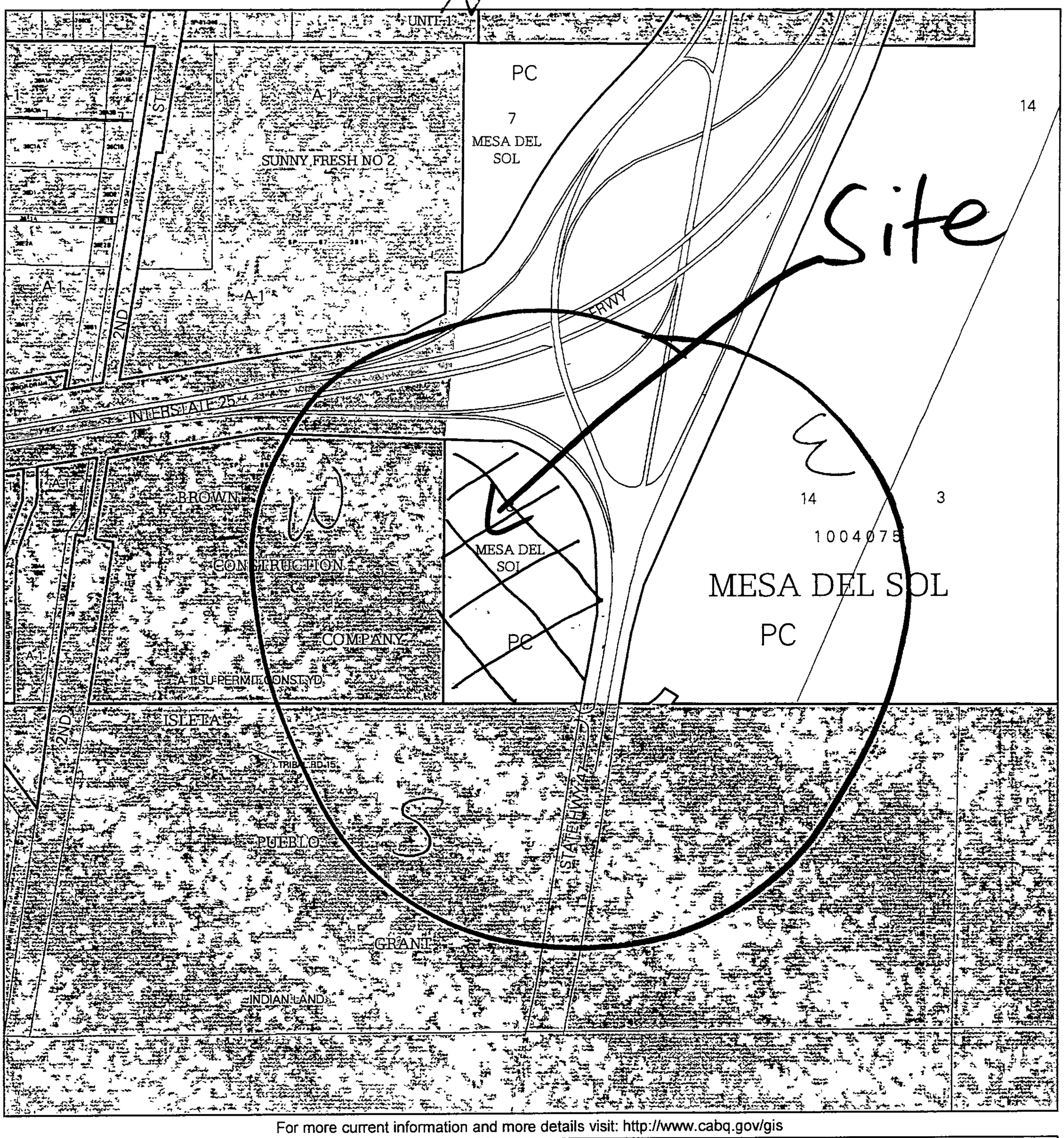
Tract 8 is under contract for sale to the Isleta Pueblo. Tract 8 is physically separated from the remainder of Mesa del Sol by the Interstate 25 right-of-way and the Broadway right-of-way on the north and eastern boundaries of Tract 8. Tract 8 is bounded by the lands of the Isleta Pueblo on the south.

The Easement Agreement is not required to provide access or utilities to Tract 8, nor are access or utility easements required across Tract 8 to provide access to the remainder of Mesa del Sol.

Therefore, the vacation of the floating easement across Tract 8 for access and utilities is appropriate because:

1. The public welfare is no way served by retaining this easement; and

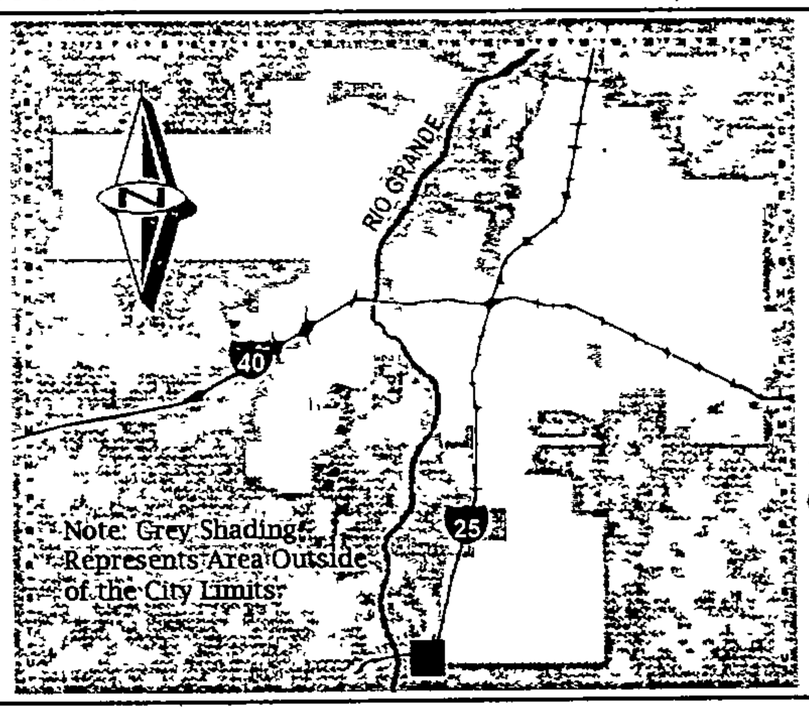
2. There is no convincing evidence that any substantial property right would be abridged against the will of the owner of the right by such vacation.



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011



Zone Atlas Page:

U-13-Z

Selected Symbols

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

0 750 1,500 Feet

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The Neighborhood and/or Homeowner Association Information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

November 15, 2012

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

This letter will serve to notify you that on **November 15, 2012:**

Contact Name: KAREN ARFMAN

Company or Agency: MYERS, OLIVER AND PRICE, P.C.
1401 CENTRAL AVENUE NW/87104
PHONE: 505-247-9080/FAX: 505-247-9609

contacted the Office of Neighborhood Coordination requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACT 8, BULK LAND PLAT – MESA DEL SOL LOCATED SOUTH OF I-25 FREEWAY AND WEST OF BROADWAY BOULEVARD SE** zone map **U-13.**

Our records indicate that as of November 15, 2012, there were no Neighborhood and/or Homeowner Associations in this area.

If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

Planningnna/hoaform(03/20/12)

15

EASEMENT AGREEMENT

This Easement Agreement ("Agreement") is made as of the 20TH day of June, 2006, by the State of New Mexico, acting by and through its Commissioner of Public Lands ("SLO"), joined by Forest City Covington, NM, L.L.C., a New Mexico limited liability company ("FCC"), and the University of New Mexico, a constitutionally created institution of the State of New Mexico ("UNM"). The SLO and UNM are sometimes jointly referred to herein as the Grantors.

RECITALS:

A. SLO is the owner in fee simple, in trust, of all of the land (the "SLO Land") except for the UNM Land, as hereinafter defined, as shown and described on the unrecorded Mesa del Sol Bulk Plat, a copy of which is attached hereto as **Exhibit "A"** (the "Plat");

B. The Plat creates fifteen (15) parcels of property (the "Parcels");

C. FCC is the lessee of all of the SLO Land except for Tracts 11, 12, 13 and 15 shown on the Plat (the "FCC Lease Land"), pursuant to the First Amended and Restated Business Ground Lease entered into by and between FCC and the SLO dated September 4, 2002, as amended by the First Amendment to First Amended and Restated Business Ground Lease dated February 25, 2003 (the "FCC Lease");

D. UNM is the owner of the portion of the Property shown on the Plat described on **Exhibit "B"** (the "UNM Land"). The SLO Land and the UNM Land are jointly referred to herein as the Grantors' Land;

E. Third parties are the owners of the five (5) 40 acre parcels identified on the Plat as Patent #3948, Patent #3944, Patent #3957, Patent #3943 and Patent #3972 and shown as NOT PART OF THIS PLAT (the "Out-Parcels");

F. The Grantors have made application to the City of Albuquerque (the "City") for approval of the Plat, which approval requires that each of the Parcels and the Out-Parcels have legal access to the public street system and utility easements providing for access to public and private utilities ("Utilities") located, or to be located, in or adjacent to, the public street system;

G. Once created by the Plat, Parcels 4, 6, 7, 8, 9, 10, 12, and 13 will have access to the public street system and to Utilities (the "Accessed Parcels") and Parcels 1, 2, 3, 5, 11, 12, 14 and 15 and the Out-Parcels will not have access to the public street system nor the Utilities (the "Non-Accessed Parcels");

H. Immediately upon the filing of the Plat, as a result of certain conveyances which are conditioned upon the filing of the Plat, the SLO will own Parcels 1, 3, 10, 11,

Mary Herrera Bern. Co. EASE R 23.00
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Page: 1 of 8
06/21/2006 08:54A
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12, 13, 14 and 15 (the "SLO Parcels"), UNM will own Parcels 2 and 5 (the "UNM Parcels") and FCC will own Parcels 4, 6, 7, 8 and 9 (the "FCC Parcels");

I. It is premature to locate and dedicate public street rights-of-way and utility easements until the Parcels are further developed, however to satisfy the City's requirement for approval of the Plat the Grantors agree to grant the Easements defined herein pursuant to the terms hereof.

NOW, THEREFORE, for good and valuable consideration the Grantors agree as follows:

1. Grants of Easements. The Grantors grant to the owners of the Non-Accessed Parcels easements for ingress and egress and for the installation, maintenance, and operation of Utilities over, under and across the Grantor's Land (the "Easements") subject to the following terms:

1.1. The Easements shall be "floating", that is they are not currently located, but will be located pursuant to the terms hereof.

1.2. Upon further subdivision of each of the Parcels (the "Specific Parcels"), public rights-of-way shall be dedicated exclusively to the City within the Specific Parcels which will locate specific rights-of-way eventually providing access to all of the Non-Accessed Parcels at which time this floating easement shall terminate to the extent that it encumbers any of the Specific Parcels, or portions thereof, which have had rights-of-way dedicated through them, subject to the determination of the City that additional fixed easements are not required across the Specific Parcels to serve other Parcels. The termination of the floating easement shall be noted on the plat which dedicates the specific rights-of-way. .

1.3. In the event that the owner of any of the Non-Accessed Parcels (the "Developing Owner") desires to develop or put its parcel to use, prior to rights-of-way having been dedicated from the public street system to the Developing Owner's parcel (the "Developing Parcel"), the Developing Owner shall give written notice to the owner(s) (the "Crossed Owner") of the Grantors' Parcel(s) (the "Crossed Parcel") located between the Developing Parcel and the public street system (the "Access Notice"). The Crossed Owner shall have sixty (60) days following the Access Notice to dedicate a reasonably non-circuitous right-of-way from the public road system to the Developing Parcel which right-of-way shall be of a width and location acceptable to the City (the "Fixed ROW"). The Crossed Owner shall have no obligation to improve the Fixed ROW with roadway or utility improvements. Upon dedication of the Fixed ROW, the floating easement shall terminate to the extent that it encumbers the Crossed Parcel(s) through which the Fixed ROW has been dedicated subject to the determination by the City that additional fixed easements are not required to serve other Parcels. In the event that the Crossed Owner has not dedicated the Fixed ROW within the sixty (60) day period the Developing Owner shall have the right to locate the Fixed ROW across the Crossed Parcel(s) having a width and location acceptable to the City.

Mary Herrera Bern. Co. EASE R 23.00
2006091310
8478873
Page: 2 of 8
08/21/2006 08:54A
Bk-A119 Pg-1052

The Fixed ROW, whether its alignment is fixed by the Crossed Owner or by the Developing Owner, shall be fixed in a location reasonably consistent with any adopted City plans for the Parcels. The dedication of the fixed right-of-way shall be by plat or by a grant of easement in the form as attached as **Exhibit "C"**. Following the location of the Fixed ROW the owner of the Crossed Parcel(s) encumbered with the Fixed ROW shall have the right to relocate the Fixed ROW so long as: (a) the Crossed Owner bears all expense associated with such relocation, including removal of then existing improvements to the Fixed ROW and construction of replacement improvements of at least a comparable quality, (b) the relocated Fixed ROW enters and leaves the Crossed Parcel(s) in the same locations as it did prior to relocation, (c) there is at all times uninterrupted access to the Parcel(s) served by the Fixed ROW, and (d) the relocated ROW is of a width and location acceptable to the City and is reasonably consistent with any adopted City plans for the Parcels. In the event that the Fixed ROW is relocated the Easement in the location of the original Fixed ROW shall automatically terminate, subject to the City's subdivision ordinance requirements.

1.4. This Easement includes the right to enter upon the Grantors' Parcel(s) following establishment of the Fixed ROW at any time that it may become reasonably necessary to construct, maintain and repair the Fixed ROW, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said rights-of-way.

1.5. Grantors reserve the right to authorize or grant rights-of-way or other easements to third parties, which may be parallel to, cross over or bisect the Fixed ROWs.

1.6. In clearing the Fixed ROWs, the Developing Owner agrees to dispose of brush and other debris so as not to interfere with the movement of livestock of State agriculture lessees or the FCC Lease, and so as not to obstruct or interfere with any development of the SLO adjacent lands.

1.7 FCC shall have the right to dedicate to the City the Fixed ROWs, to the extent permitted by the FCC Lease.

1.8. The Developing Owner hereby agrees to carefully avoid destruction or injury to any improvements or livestock lawfully upon the Parcels, to close all gates immediately upon passing through same, and to pay promptly the reasonable and just damages for any injury or destruction arising from construction or maintenance of these Easements.

1.9. The rights granted herein are subject to valid existing rights.

1.10. SLO reserves the right to execute leases of the Parcels for oil and gas, coal, and minerals of whatsoever kind and for geothermal resources development and operation, the right to sell or dispose of same and the right to grant rights-of-way and easements related to such leasing.

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Page: 3 of 8
06/21/2006 08:54A
Mary Herrera · Bern. Co. EASE R 23.00 Bk-A119 Pg-1052

1.11. In all matter affecting the Parcels or operations thereon, the beneficiaries of the Easements (the "Grantees"), their employees, agents and contractors shall, at their own expense, fully comply with all laws, regulations, rules, ordinances, and requirements of any governmental authority or agency, which may be enacted or promulgated, including, but not limited to, requirements or enactment's pertaining to conservation, sanitation, aesthetics, pollution, cultural properties, fire, or ecology, including those provisions of the New Mexico Cultural Properties Act, §§18-6-1 through 17, NMSA 1978, that attach criminal penalties to the appropriation, excavation, injury or destruction of any site or object of historical, archaeological, architectural, or scientific value located on state lands. In addition, Grantees, their employees, agents and contractors must comply with the provisions of the Pipeline Safety Act, §§ 70-3-11 through 20, NMSA 1978, and rules enacted pursuant to the Act, and agree to provide the Public Regulation Commission access to records of compliance.

1.12. Each Grantee, agrees to save and hold harmless, defend and indemnify the State of New Mexico, the Commissioner of Public Lands, and his agents or employees, in their official and individual capacities, of and from any and all liability, claims, losses, or damages arising out of or alleged to arise out of or indirectly arising from the negligence or wrongful intentional acts of their employees, agents, or contractors hereunder.

1.13. Each Grantee agrees to preserve and protect the natural environmental conditions of the land encompassed in this Easement, and to take those reclamation or corrective actions that are accepted soil and water conservation practices and that are deemed necessary by the SLO to protect the land from pollution, erosion, or other environmental degradation.

1.14. Each Grantee agrees to reclaim by grading, leveling, or terracing all areas disturbed by the construction or maintenance of the rights-of-way or operations thereon and to landscape such areas at its own cost and expense. Landscaping shall include the planting of native grasses, shrubs, or other vegetation so as to return disturbed areas to their natural state and prevent water and wind erosion.

1.15. These Easements shall become effective upon its execution by Grantors and filing in the Bernalillo County, New Mexico real estate records.

2. FCC Consent. FCC, as lessee of the FCC Lease Property pursuant to the FCC lease, consents to the terms of this Easement.

3. Expenses. Under no circumstances shall the terms of this Agreement obligate the State of New Mexico or the New Mexico Commissioner of Public Lands to construct any roadway or utility to improvements or to encumber its property except as expressly set out herein. In the event that pursuant to applicable law the Grantor is obligated to receive compensation for any rights-of-way granted pursuant to the terms

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Page: 4 of 8
06/21/2006 08:54A
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Mary Herrera Bern. Co. EASE R 23.00

hereof, it shall be the obligation of the owner of the Non-Accessed Parcel requiring such right-of-way to pay such compensation.

4. Appurtenant. All rights and obligations contained in this Agreement shall run with, be appurtenant to, benefit and burden the Parcels described herein.

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7. Counterparts. This Agreement may be executed in counterparts.

Executed as of the day and year first set out above.

_____
Pat Lyons, Commissioner Of Public Lands Of
The State Of New Mexico

FOREST CITY COVINGTON NM, LLC, a
New Mexico limited liability company

By:_____
Michael Daly, Chief Operating Officer

THE REGENTS OF THE UNIVERSITY
OF NEW MEXICO, a constitutionally created
educational institution of the State of New Mexico

By: _____
David W. Harris, Acting President
University of New Mexico

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Page: 5 of 8
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Mary Herrera Bern. Co. EASE R 23.00 Bk-A118 Pg-1052

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By: _____
David W. Harris, Acting President
University of New Mexico

APPROVED:

City Engineer

6-20-06
Date

6/20/06

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Page: 6 of 8
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Bk-A119 Pg-1052
Mary Herrera Bern. Co. EASE R 23.00

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

The foregoing instrument was acknowledged before on _____, 2006, by Michael D. Daly, Chief Operating Officer of Forest City Covington NM, LLC, a New Mexico limited liability company.

_____
Notary Public

My Commission Expires:

_____

STATE OF NEW MEXICO)
)ss.
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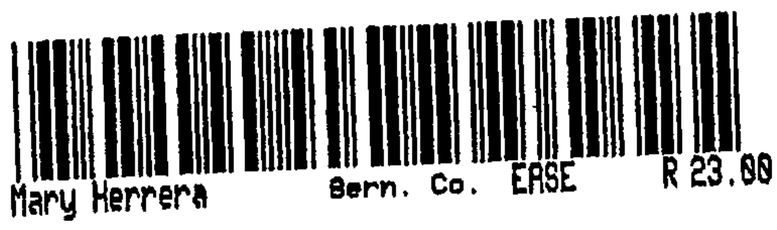
The foregoing instrument was acknowledged before me on June 18th, 2006, by David W. Harris, Acting President, University of New Mexico, on behalf of The Regents of the University of New Mexico.

Emily R. Pongas
Notary Public

My Commission Expires:
February 18, 2008



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5/4/08

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06/21/2006 08:54A
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City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2013 070 412

01/15/2013 Issued By: BLDAVM 176897

Application Number: **13DRB-70412**, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: SW CORNER OF I-25 AND HIGHWAY 47

Project Number: 1004075

Applicant
MESA DEL SOL, LLC

801 UNIVERSITY BLVD, SUITE 200
ALBUQUERQUE NM 87106

Agent / Contact
BOHANNAN HUSTON INC
CHRISTIAN J SHOLTIS
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
5058231000

Application Fees

APN Fee	
Conflict Mgmt Fee	**$20.00**
DRB Actions	**$215.00**
TOTAL:	**$235.00**

City of Albuquerque Treasury
Date:1/15/2013 Office:ONHEX
Stat ID:USR000007 Cashier:TRSCXG
Rec #: 1291 Trans #:52
Permit: 2013070412
Fee Item Nbr 00002426
Payment Total:$235.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $215.00
Cash Tendered : $240.00
Change Tendered : ($5.00)

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2012 070 362

11/16/2012 Issued By: E08375 171293

Application Number: **12DRB-70362**, Vacation Of Public Easement

Address:

Location Description: SOUTH OF I-25 AND WEST OF BROADWAY SE

Project Number: 1004075

Applicant
MESA DEL SOL, LLC

5700 UNIVERSITY WEST BLVD SE, SE #310
ALBUQUERQUE NM 87106

Agent / Contact
MYERS, OLIVER & PRICE, P.C.

1401 CENTRAL AVE NW
ALBUQUERQUE NM 87104
5052479080

Application Fees

APN Fee	**$75.00**
Conflict Mgmt Fee	**$20.00**
DRB Actions	**$90.00**
TOTAL:	**$185.00**

City of Albuquerque Treasury
Date:11/16/2012 Office:ANNEX
Stat ID:WS000008 Cashier:TRSSIV
Batch: 1021 Trans #:16
Permit: 2012070362
Receipt Num 00071993
Payment Total:$185.00

0900	APN Fee	$75.00
0901	Conflict Manag. Fee	$20.00
0903	DRB Actions	$90.00
	Check Tendered :	$185.00

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 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 November 27, 2012 To December 12, 2012

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.

Lauren Gilmore for John VA Myers — (Applicant or Agent) — 11-16-12 (Date)

I issued 2 signs for this application, 11-16-12 (Date) — (Staff Member)

DRB PROJECT NUMBER: 1004075

Rev. 1/11/05

PROJECT

1004075

App #	Action	Date
13-70412	P&F	1-23-13

PROJECT # 1004075

Application # :

12-70362 (VPE)

15

EASEMENT AGREEMENT

This Easement Agreement ("Agreement") is made as of the 20th day of June, 2006, by the State of New Mexico, acting by and through its Commissioner of Public Lands ("SLO"), joined by Forest City Covington, NM, L.L.C., a New Mexico limited liability company ("FCC"), and the University of New Mexico, a constitutionally created institution of the State of New Mexico ("UNM"). The SLO and UNM are sometimes jointly referred to herein as the Grantors.

RECITALS:

A. SLO is the owner in fee simple, in trust, of all of the land (the "SLO Land") except for the UNM Land, as hereinafter defined, as shown and described on the unrecorded Mesa del Sol Bulk Plat, a copy of which is attached hereto as **Exhibit "A"** (the "Plat");

B. The Plat creates fifteen (15) parcels of property (the "Parcels");

C. FCC is the lessee of all of the SLO Land except for Tracts 11, 12, 13 and 15 shown on the Plat (the "FCC Lease Land"), pursuant to the First Amended and Restated Business Ground Lease entered into by and between FCC and the SLO dated September 4, 2002, as amended by the First Amendment to First Amended and Restated Business Ground Lease dated February 25, 2003 (the "FCC Lease");

D. UNM is the owner of the portion of the Property shown on the Plat described on **Exhibit "B"** (the "UNM Land"). The SLO Land and the UNM Land are jointly referred to herein as the Grantors' Land;

E. Third parties are the owners of the five (5) 40 acre parcels identified on the Plat as Patent #3948, Patent #3944, Patent #3957, Patent #3943 and Patent #3972 and shown as NOT PART OF THIS PLAT (the "Out-Parcels");

F. The Grantors have made application to the City of Albuquerque (the "City") for approval of the Plat, which approval requires that each of the Parcels and the Out-Parcels have legal access to the public street system and utility easements providing for access to public and private utilities ("Utilities") located, or to be located, in or adjacent to, the public street system;

G. Once created by the Plat, Parcels 4, 6, 7, 8, 9, 10, 12, and 13 will have access to the public street system and to Utilities (the "Accessed Parcels") and Parcels 1, 2, 3, 5, 11, 12, 14 and 15 and the Out-Parcels will not have access to the public street system nor the Utilities (the "Non-Accessed Parcels");

H. Immediately upon the filing of the Plat, as a result of certain conveyances which are conditioned upon the filing of the Plat, the SLO will own Parcels 1, 3, 10, 11,

Mary Herrera Bern. Co. EASE R 23.00
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Page: 1 of 8
06/21/2006 08:54A
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12, 13, 14 and 15 (the "SLO Parcels"), UNM will own Parcels 2 and 5 (the "UNM Parcels") and FCC will own Parcels 4, 6, 7, 8 and 9 (the "FCC Parcels");

I. It is premature to locate and dedicate public street rights-of-way and utility easements until the Parcels are further developed, however to satisfy the City's requirement for approval of the Plat the Grantors agree to grant the Easements defined herein pursuant to the terms hereof.

NOW, THEREFORE, for good and valuable consideration the Grantors agree as follows:

1. Grants of Easements. The Grantors grant to the owners of the Non-Accessed Parcels easements for ingress and egress and for the installation, maintenance, and operation of Utilities over, under and across the Grantor's Land (the "Easements") subject to the following terms:

1.1. The Easements shall be "floating", that is they are not currently located, but will be located pursuant to the terms hereof.

1.2. Upon further subdivision of each of the Parcels (the "Specific Parcels"), public rights-of-way shall be dedicated exclusively to the City within the Specific Parcels which will locate specific rights-of-way eventually providing access to all of the Non-Accessed Parcels at which time this floating easement shall terminate to the extent that it encumbers any of the Specific Parcels, or portions thereof, which have had rights-of-way dedicated through them, subject to the determination of the City that additional fixed easements are not required across the Specific Parcels to serve other Parcels. The termination of the floating easement shall be noted on the plat which dedicates the specific rights-of-way. .

1.3. In the event that the owner of any of the Non-Accessed Parcels (the "Developing Owner") desires to develop or put its parcel to use, prior to rights-of-way having been dedicated from the public street system to the Developing Owner's parcel (the "Developing Parcel"), the Developing Owner shall give written notice to the owner(s) (the "Crossed Owner") of the Grantors' Parcel(s) (the "Crossed Parcel") located between the Developing Parcel and the public street system (the "Access Notice"). The Crossed Owner shall have sixty (60) days following the Access Notice to dedicate a reasonably non-circuitous right-of-way from the public road system to the Developing Parcel which right-of-way shall be of a width and location acceptable to the City (the "Fixed ROW"). The Crossed Owner shall have no obligation to improve the Fixed ROW with roadway or utility improvements. Upon dedication of the Fixed ROW, the floating easement shall terminate to the extent that it encumbers the Crossed Parcel(s) through which the Fixed ROW has been dedicated subject to the determination by the City that additional fixed easements are not required to serve other Parcels. In the event that the Crossed Owner has not dedicated the Fixed ROW within the sixty (60) day period the Developing Owner shall have the right to locate the Fixed ROW across the Crossed Parcel(s) having a width and location acceptable to the City.

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Page: 2 of 8
06/21/2006 08:54A
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The Fixed ROW, whether its alignment is fixed by the Crossed Owner or by the Developing Owner, shall be fixed in a location reasonably consistent with any adopted City plans for the Parcels. The dedication of the fixed right-of-way shall be by plat or by a grant of easement in the form as attached as **Exhibit "C"**. Following the location of the Fixed ROW the owner of the Crossed Parcel(s) encumbered with the Fixed ROW shall have the right to relocate the Fixed ROW so long as: (a) the Crossed Owner bears all expense associated with such relocation, including removal of then existing improvements to the Fixed ROW and construction of replacement improvements of at least a comparable quality, (b) the relocated Fixed ROW enters and leaves the Crossed Parcel(s) in the same locations as it did prior to relocation, (c) there is at all times uninterrupted access to the Parcel(s) served by the Fixed ROW, and (d) the relocated ROW is of a width and location acceptable to the City and is reasonably consistent with any adopted City plans for the Parcels. In the event that the Fixed ROW is relocated the Easement in the location of the original Fixed ROW shall automatically terminate, subject to the City's subdivision ordinance requirements.

1.4. This Easement includes the right to enter upon the Grantors' Parcel(s) following establishment of the Fixed ROW at any time that it may become reasonably necessary to construct, maintain and repair the Fixed ROW, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said rights-of-way.

1.5. Grantors reserve the right to authorize or grant rights-of-way or other easements to third parties, which may be parallel to, cross over or bisect the Fixed ROWs.

1.6. In clearing the Fixed ROWs, the Developing Owner agrees to dispose of brush and other debris so as not to interfere with the movement of livestock of State agriculture lessees or the FCC Lease, and so as not to obstruct or interfere with any development of the SLO adjacent lands.

1.7 FCC shall have the right to dedicate to the City the Fixed ROWs, to the extent permitted by the FCC Lease.

1.8. The Developing Owner hereby agrees to carefully avoid destruction or injury to any improvements or livestock lawfully upon the Parcels, to close all gates immediately upon passing through same, and to pay promptly the reasonable and just damages for any injury or destruction arising from construction or maintenance of these Easements.

1.9. The rights granted herein are subject to valid existing rights.

1.10. SLO reserves the right to execute leases of the Parcels for oil and gas, coal, and minerals of whatsoever kind and for geothermal resources development and operation, the right to sell or dispose of same and the right to grant rights-of-way and easements related to such leasing.

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Page: 3 of 8
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Mary Herrera · Bern. Co. EASE R 23.00 Bk-A119 Pg-1052

1.11. In all matter affecting the Parcels or operations thereon, the beneficiaries of the Easements (the "Grantees"), their employees, agents and contractors shall, at their own expense, fully comply with all laws, regulations, rules, ordinances, and requirements of any governmental authority or agency, which may be enacted or promulgated, including, but not limited to, requirements or enactment's pertaining to conservation, sanitation, aesthetics, pollution, cultural properties, fire, or ecology, including those provisions of the New Mexico Cultural Properties Act, §§18-6-1 through 17, NMSA 1978, that attach criminal penalties to the appropriation, excavation, injury or destruction of any site or object of historical, archaeological, architectural, or scientific value located on state lands. In addition, Grantees, their employees, agents and contractors must comply with the provisions of the Pipeline Safety Act, §§ 70-3-11 through 20, NMSA 1978, and rules enacted pursuant to the Act, and agree to provide the Public Regulation Commission access to records of compliance.

1.12. Each Grantee, agrees to save and hold harmless, defend and indemnify the State of New Mexico, the Commissioner of Public Lands, and his agents or employees, in their official and individual capacities, of and from any and all liability, claims, losses, or damages arising out of or alleged to arise out of or indirectly arising from the negligence or wrongful intentional acts of their employees, agents, or contractors hereunder.

1.13. Each Grantee agrees to preserve and protect the natural environmental conditions of the land encompassed in this Easement, and to take those reclamation or corrective actions that are accepted soil and water conservation practices and that are deemed necessary by the SLO to protect the land from pollution, erosion, or other environmental degradation.

1.14. Each Grantee agrees to reclaim by grading, leveling, or terracing all areas disturbed by the construction or maintenance of the rights-of-way or operations thereon and to landscape such areas at its own cost and expense. Landscaping shall include the planting of native grasses, shrubs, or other vegetation so as to return disturbed areas to their natural state and prevent water and wind erosion.

1.15. These Easements shall become effective upon its execution by Grantors and filing in the Bernalillo County, New Mexico real estate records.

2. FCC Consent. FCC, as lessee of the FCC Lease Property pursuant to the FCC lease, consents to the terms of this Easement.

3. Expenses. Under no circumstances shall the terms of this Agreement obligate the State of New Mexico or the New Mexico Commissioner of Public Lands to construct any roadway or utility to improvements or to encumber its property except as expressly set out herein. In the event that pursuant to applicable law the Grantor is obligated to receive compensation for any rights-of-way granted pursuant to the terms

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David W. Harris, Acting President
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APPROVED:

City Engineer

6-20-06 6/20/06
Date

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)ss.
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_____
Notary Public

My Commission Expires:

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Notary Public

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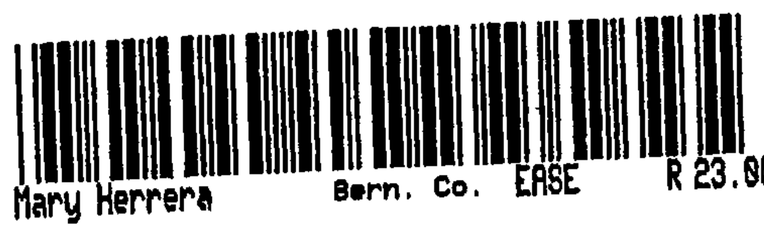
February 18, 2008



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James T.

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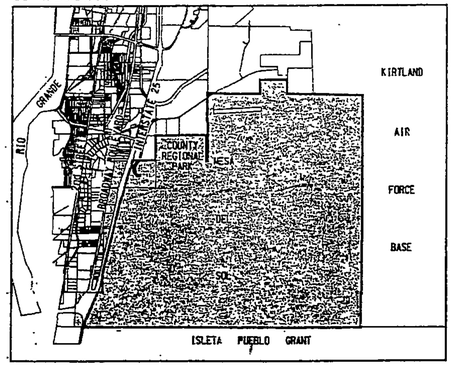


LOCATION MAP

ZONE ATLAS INDEX MAPS

Q-15, Q-16, Q-17, Q18, R-14, R-15, R-16, R-17, R-18, S-14, S-15, S-16, S-17, S-18, T-13, T-14, T-15, T-16, T-17, T-18, U-13, U-14, U-15, U-16, U-17, U-18

NOT TO SCALE

NOTES

1. Bearings shown hereon are New Mexico State Plane Grid Bearings (Central Zone, NAD 83).
2. Distances are ground distances.
3. Project Ground to Grid Factor = 0.999656215
4. The Gross Area of this Tract is 12.917±Acres.
5. Bearings and distances along the Bernalillo County Regional Park, Business Lease BL-1394, have been adjusted to be consistent with the field evidence.
6. The location of pipeline, power line, and communication line easements and/or right-of-ways shown hereon were plotted from the granting documents in conjunction with field ties of existing infrastructure.
7. Access to all tracts is provided as detailed in note 36 on sheet 3 of 8.
8. All easements shown hereon were provided by Fidelity National Title or the State Land Office as detailed on sheet 3 or 8.

DISCLOSURE STATEMENT

The purpose of this plat is for the assemblage and subdivision of the Mesa Del Sol and La Semilla Lease areas, Albuquerque, New Mexico in conjunction with previously patented properties as shown on the plat.

LANDFILL DISCLOSURE STATEMENT

The subject property is located on a former landfill. Due to the subject property being on a former landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the Interim Guidelines for Development within City Designated Landfill Buffer Zones) shall be consulted prior to development of the site.

Any improvements encroaching into existing PNM transmission easements and rights of way must comply with the National Electrical Safety Code (NESC), and shall not interfere or inhibit PNM's ability to operate and maintain its facilities. The City of Albuquerque and/or owner-developer shall pay for all PNM utility relocations or modifications caused by such easement encroachments which violate the NESC.

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	TRACT BOUNDARIES & ACREAGES
3	EXISTING EASEMENTS
4	DETAIL SHEET
5	DETAIL SHEET
6	DETAIL SHEET
7	DETAIL SHEET
8	DETAIL SHEET

NOTICE OF SUBDIVISION PLAT CONDITIONS

PURSUANT TO SECTION 7 OF THE CITY OF ALBUQUERQUE, NEW MEXICO SUBDIVISION ORDINANCE, A VARIANCE OR WAIVER FROM CERTAIN SUBDIVISION REQUIREMENTS HAS BEEN GRANTED BY THE CITY AND THE ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY IN CONNECTION WITH THIS PLAT.

FUTURE SUBDIVISION OF LANDS WITHIN THIS PLAT, ZONING SITE DEVELOPMENT PLAN APPROVALS, AND DEVELOPMENT PERMITS MAY BE CONDITIONED UPON DEDICATION OF RIGHTS-OF-WAY AND EASEMENTS, AND/OR UPON INFRASTRUCTURE IMPROVEMENTS BY THE OWNER FOR WATER, SANITARY SEWER, STREETS, DRAINAGE, GRADING AND PARKS IN ACCORDANCE WITH CURRENT RESOLUTIONS, ORDINANCES AND POLICIES IN EFFECT AT THE TIME FOR ANY SPECIFIC PROPOSAL.

THE CITY (AND AMAFCA WITH REFERENCE TO DRAINAGE) MAY REQUIRE AND/OR PERMIT EASEMENTS TO BE ADDED, MODIFIED, OR REMOVED WHEN FUTURE PLATS AND/OR SITE DEVELOPMENT PLANS ARE APPROVED.

BY ITS APPROVAL OF THIS SUBDIVISION THE CITY MAKES NO REPRESENTATION OR WARRANTIES AS TO AVAILABILITY OF UTILITIES, OR FINAL APPROVAL OF ALL REQUIREMENTS INCLUDING (BUT NOT LIMITED TO) THE FOLLOWING ITEMS:

1. WATER AND SANITARY SEWER AVAILABILITY.
2. FUTURE STREET DEDICATIONS AND/OR IMPROVEMENTS.
3. PARK AND OPEN SPACE REQUIREMENTS.
4. DRAINAGE REQUIREMENTS AND/OR IMPROVEMENTS.
5. EXCAVATION, FILLING OR GRADING REQUIREMENTS.

ANY PERSON INTENDING DEVELOPMENT OF LANDS WITHIN SUBJECT SUBDIVISION IS CAUTIONED TO INVESTIGATE THE STATUS OF THESE ITEMS.

AT SUCH TIME AS ALL SUCH CONDITIONS HAVE BEEN SATISFACTORILY MET, THE CITY ENGINEER SHALL APPROVE A RECORDABLE DOCUMENT, REMOVING SUCH CONDITIONS FROM ALL OR FROM A PORTION OF THE AREA WITHIN THE SUBJECT SUBDIVISION.

PUBLIC UTILITY EASEMENTS

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

A. PNM Electric Services for the installation, maintenance and service of underground electrical lines, transformers, and other equipment, fixtures, structures, and related facilities reasonably necessary to provide electrical service.

B. PNM Gas services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.

C. QWEST for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.

D. 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, (above ground 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 Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

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

FREE CONSENT AND DEDICATION

The foregoing plat of land hereon described is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this Bulk Plat is their free act and deed and said owner(s) and/or proprietor(s) do hereby dedicate any streets and public rights-of-way as may be shown hereon to the City of Albuquerque in fee simple with warranty covenants and do hereby grant: Any access, Utility, and Drainage Easements hereon, inspect, and maintain facilities therein; and any Public Utility easements as may be shown hereon for the common and joint use of Gas, Electrical Power and Communication Services for buried and/or overhead distribution lines, conduits, pipes for underground and/or overhead Utilities as may be shown or indicated, and including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The city has the right to enter upon the Grantees Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If work effects any improvements or Encroachments made by the Grantee, the City will not be financially or otherwise responsible for rebuilding or repairing of improvements or Encroachments. If in the opinion of the City, the work to be performed by the City could endanger the structural integrity or otherwise damage the improvements or Encroachments, the Grantee shall, at its own expense, take whatever protective measures are required to safeguard the improvements or Encroachments. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is with their free act and deed.

REGENTS OF THE UNIVERSITY OF NEW MEXICO,
A CONSTITUTIONALLY CREATED EDUCATIONAL
INSTITUTION OF THE STATE OF NEW MEXICO

By: David W. Harris
David W. Harris
Executive Vice President for Administration
University of New Mexico

OFFICIAL SEAL
Ivan A. Paramo
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 6/24/07

State of New Mexico)
) SS
County of Bernalillo)

This instrument was acknowledged before me on 26 day of July, 2005, by David W. Harris, Executive Vice President for Administration, University of New Mexico.

My Commission Expires: June 24, 2007 Notary Public

COMMISSIONER OF PUBLIC LANDS
OF THE STATE OF NEW MEXICO, Trustee
for the Enabling Act Trust, Act of June 29, 1910,
36 stat. 557, ch. 310

By: Patrick H. Lyons
Patrick H. Lyons, Commissioner

Date: 7-22-05

SURVEYOR'S CERTIFICATION

I, Alan R. Benham, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors in October, 2000 and meets the minimum requirements for monumentation and surveys contained in the Albuquerque subdivision ordinance, and is true and accurate to the best of my knowledge and belief.

ALAN R. BENHAM
NEW MEXICO
15700
LICENSED PROFESSIONAL SURVEYOR

Bohannan-Huston, Inc.
Courtyard I
7500 Jefferson Street, N.E.
Albuquerque, New Mexico 87109
(505)823-1000

Alan R. Benham
Alan R. Benham
New Mexico Professional Surveyor 15700

Date: 07-22-05
05-22-06 ARB

TAX CERTIFICATION

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC 101-060-252-201-101-45
1018-050-175-205-201-32
Westerdevelopment, Lennar, Shaun Hunnicutt
PROPERTY OWNER OF RECORD Gloria Caup

P Robison 6/20/06
BERNALILLO COUNTY TREASURER'S OFFICE DATE

BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6, TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

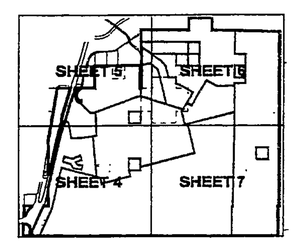
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006

PROJECT NUMBER 1004075
APPLICATION NUMBER 05DRB-01228
+06DRB-00116

PLAT APPROVAL

UTILITY APPROVALS:		
QWEST		DATE 8-9-05
COMCAST CABLE		DATE 8-9-05
PNM ELECTRIC SERVICES		DATE 8-09-05
PNM GAS SERVICES		DATE 8-09-05
CITY APPROVALS:		
CITY SURVEYOR		DATE 7-27-05
TRAFFIC ENGINEERING, TRANSPORTATION DIVISION		DATE 6-20-06
UTILITIES DEVELOPMENT		DATE 8-24-05
PARKS & RECREATION DEPARTMENT		DATE 5/24/05
A.M.A.F.C.A.		DATE 8-23-05
CITY ENGINEER		DATE 8-24-05
DRB CHAIRPERSON, PLANNING DEPARTMENT		DATE 05/16/06
REAL PROPERTY DIVISION		DATE 8/24/05
ENVIRONMENTAL HEALTH DEPARTMENT		DATE Aug. 15, 2005

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.



Mary Herrera Bern. Co. PLAT R 47.00
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SHEET 1 OF 8

Bohannan ▲ Huston

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335

ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

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BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35,
TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6,
TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006

ALAN R. BENHAM
NEW MEXICO
15700
05-22-06
LICENSED PROFESSIONAL SURVEYOR

DESCRIPTION

A certain tract of land being a portion of Sections 13, 14, 15, 20, 21, 22, 24, 25, all of Sections 23, 26, 27, 28, a portion of Sections 29, 32, 33, all of Sections 34, 35, 36, Township 9 North, Range 3 East, all of Sections 1, 2, 3, 4, 5, and a portion of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a BLM brass cap marking the southwest corner of said Section 32, thence along the west boundary line of said Section 32,
N00°07'12"E a distance of 2057.31 feet to a point on the easterly right-of-way line of Interstate 25; thence along said easterly right-of-way line,
N14°02'20"E a distance of 7461.00 feet; thence,
N20°20'04"E a distance of 733.77 feet to a point of curvature (non-tangent); thence,
963.81 feet along the arc of a non-tangent curve to the right having a radius of 22,688.32 feet and a chord bearing N15°14'03"E a distance of 963.74 feet and an interior angle of 02°26'02" to a point of non-tangency; thence,
N16°27'00"E a distance of 1586.93 feet; thence,
N30°29'10"E a distance of 371.08 feet; thence,
N04°48'59"E a distance of 347.13 feet; thence,
N16°34'33"E a distance of 235.84 feet; thence leaving said easterly right-of-way line of Interstate 25,
N89°28'36"E a distance of 629.29 feet to a point of curvature (non-tangent) on the westerly right-of-way line the Sanitary Landfill Road; thence along said westerly right-of-way line,
150.11 feet along the arc of a tangent curve to the right having a radius of 1070.92 feet and a chord bearing S42°50'51"W a distance of 149.98 feet and an interior angle of 08°01'51" to a point of tangency; thence,
S46°51'47"W a distance of 187.88 feet to a point of curvature; thence,
925.21 feet along the arc of a tangent curve to the left having a radius of 791.20 feet and a chord bearing S13°21'47"W a distance of 873.39 feet and an interior angle of 67°00'00" to a point of tangency; thence,
S20°08'13"E a distance of 255.70 feet to a point of curvature; thence,
590.11 feet along the arc of a tangent curve to the left having a radius of 433.10 feet and a chord bearing S59°10'13"E a distance of 545.51 feet and an interior angle of 78°4'00" to a point of tangency; thence,
N81°47'47"E a distance of 100.00 feet; thence leaving said westerly right-of-way line,
N08°12'13"W a distance of 150.00 feet to a point on the easterly right-of-way line of said Sanitary Landfill Road, thence along said easterly right-of-way line,
S81°47'47"W a distance of 100.00 feet to a point of curvature; thence,
385.73 feet along the arc of a tangent curve to the right having a radius of 283.10 feet and a chord bearing N59°10'13"W a distance of 356.58 feet and an interior angle of 78°04'00" to a point of tangency; thence,
N20°08'13"W a distance of 255.70 feet to a point of curvature; thence,
749.80 feet along the arc of a tangent curve to the right having a radius of 641.20 feet and a chord bearing N13°21'47"E a distance of 707.80 feet and an interior angle of 67°00'00" to a point of tangency; thence,
N46°51'47"E a distance of 187.88 feet to a point of curvature; thence,
286.58 feet along the arc of a tangent curve to the left having a radius of 1220.92 feet and a chord bearing N40°04'06"E a distance of 285.88 feet and an interior angle of 04°41'34" to a point of non-tangency; thence leaving said easterly right-of-way line,
N89°29'38"E a distance of 1521.45 feet to a 2 inch iron pipe on the west boundary line of said Section 21; thence along the west boundary line of said Section 21,
N00°18'58"E a distance of 2524.22 feet to a 2 inch iron pipe being the corner common to said Section 17, Sections 16, 20 and 21; thence along the north boundary line of said Section 21,
N89°57'52"E a distance of 5190.46 feet to a point on the westerly right-of-way line of University Boulevard SE; thence along the westerly right-of-way line of said University Boulevard SE,
S00°07'15"E a distance of 2630.19 feet to a point on the southerly right-of-way line of said University Boulevard, said point also being the southwest corner of said University Boulevard SE; thence along the southerly right-of-way line of said University Boulevard SE,
S88°52'11"E a distance of 78.02 feet to a point on the west boundary line of said Section 22; thence,
S89°47'27"E a distance of 78.00 feet to the southeast corner of the easterly right-of-way line of University Boulevard SE; thence along the easterly right-of-way line,
N00°07'15"W a distance of 2631.35 feet to a point on the northerly boundary line of said Section 22; thence along said northerly boundary line,
S88°28'45"E a distance of 18.75 feet; thence,
N00°59'25"E a distance of 86.78 feet; thence,
N89°00'35"W a distance of 20.00 feet to a point on the easterly right-of-way line of said University Boulevard SE; thence along the easterly right-of-way line,
N00°59'25"E a distance of 946.23 feet to a point of curvature; thence,
446.94 feet along the arc of a tangent curve to the left having a radius of 1078.00 feet and a chord bearing N10°53'13"W a distance of 443.74 feet and an interior angle of 05°18'54" to a point of non-tangency on the west boundary line of said Section 15; thence along the west boundary line of said Section 15,
N00°27'38"E a distance of 2587.05 feet; thence along the northerly boundary line of the tract herein described,
S89°22'09"E a distance of 5350.40 feet to a point on the west boundary line of said Section 14; thence along the west boundary line of said Section 14,
N01°17'42"E a distance of 1347.77 feet to a 3 1/4" City of Albuquerque Brass Cap stamped "I-P17 – MON. NO. 14 COR. NO. 4" being the corner common to Sections 10 and 11, said Sections 14 and 15; thence along the north boundary line of said Section 14,
S89°20'11"E a distance of 2631.44 feet; thence,
S01°15'25"W a distance of 1338.55 feet; thence,
S89°30'07"E a distance of 2662.47 feet to a point on the west boundary line of said Section 13; thence,
S88°24'41"E a distance of 5150.64 feet to a 3 inch brass cap stamped "1950 BOUNDARY LINE SANDIA BASE" on the east boundary line of said Section 13, also being a point on the range line of Township 9 North, Range 3 East and Township 9 North, Range 4 East; thence along the east boundary line of said Section 13,
S00°19'39"W a distance of 1316.33 feet to a 3 1/2" brass cap being the east quarter-corner of said Section 13; thence continuing along the east boundary line of said Section 13,
S00°19'23"W a distance of 2636.22 feet to a 3 inch brass cap stamped "1950 S13 S18 S24 S19 SANDIA BASE" being the corner common to said Sections 13 and 24, Township 9 North, Range 3 East, Sections 18 and 19, Township 9 North, Range 4 East; thence along the east boundary line of said Section 24,
S00°03'11"E a distance of 5258.05 feet to a 3 inch brass cap stamped "1950 S24 S19 S25 S30 SANDIA BASE" being the corner common to said Sections 24 and 25, Township 9 North, Range 3 East, Sections 19 and 30, Township 9 North, Range 4 East; thence along the east boundary line of said Section 25,
S00°02'08"E a distance of 2636.74 feet to a 5/8" rebar being the east quarter-corner of said Section 25; thence continuing along the east boundary line of said Section 25,
S00°20'09"W a distance of 2631.18 feet to a 3 inch brass cap stamped "1950 S25 S36 S30 S31 SANDIA BASE" being the corner common to said Sections 25 and 36, Township 9 North, Range 3 East, Sections 30 and 31, Township 9 North, Range 4 East; thence along the east boundary line of said Section 36,
S00°06'49"W a distance of 2655.81 feet to a 3 1/2" brass cap being the east quarter-corner of said Section 36; thence continuing along the east boundary line of said Section 36,
S00°06'51"W a distance of 2655.82 feet to a 3 1/2" inch USGLO brass cap stamped "SC T9N R3E R4E S36 S31 S1 T9NR3E 1934" being the closing corner common to said Sections 36, Township 9 North, Range 3 East, Section 31, Township 9 North, Range 4 East; thence along the south boundary line of said Section 36,
S89°29'06"W a distance of 52.75 feet to a 3 1/2" inch USGLO brass cap stamped "T9NR3E S31 S1 S6 R3E R4E T8N CC 1934" being the closing corner of said Section 1, Township 8 North, Range 3 East, Section 6, Township 8 North, Range 4 East; thence along the east boundary line of said Section 1,
S00°19'04"W a distance of 3411.90 feet to a 3 1/2" inch USGLO brass cap stamped "T8N R3E R4E S1 S6 IPG 1934" being the corner common to said Section 1, Township 8 North, Range 3 East, Section 6, Township 8 North, Range 4 East, also being a point on the north boundary line of Isleta Pueblo Grant; thence along the north boundary line of said Isleta Pueblo Grant,
N89°55'39"W a distance of 111.63 feet to a 3 1/2" inch USGLO brass cap stamped "PL IPG 7M 1915" being the 7 mile marker of said Isleta Pueblo Grant Boundary; thence,
N89°52'43"W a distance of 2946.33 feet to a 2 1/2" inch USGLO brass cap stamped "T8NR3E S1 IPG 1915" being the south quarter-corner of said Section 1; thence,
N89°52'06"W a distance of 2647.36 feet to a 3 1/2" inch USGLO brass cap stamped "T8NR3E S2 IPG 6M 1915" being the 6 mile marker of said Isleta Pueblo Grant Boundary; thence,
N89°51'28"W a distance of 5293.95 feet to a 3 1/2" inch USGLO brass cap stamped "T8NR3E S3 IPG 5M 1915" being the 5 mile marker of said Isleta Pueblo Grant Boundary; thence,
N89°50'13"W a distance of 5294.81 feet to a 3 1/2" inch USGLO brass cap stamped "T8NR3E S4 IPG 4M 1915" being the 4 mile marker of said Isleta Pueblo Grant Boundary; thence,
N89°50'40"W a distance of 2647.05 feet to a 2 1/2" inch USGLO brass cap stamped "T8NR3E S4 IPG 1/2 M 1915" being the south quarter-corner of said Section 4; thence,
N89°50'17"W a distance of 2647.07 feet to a 3 1/2" inch USGLO brass cap stamped "T8NR3E S5 IPG 3M 1915" being the 3 mile marker of said Isleta Pueblo Grant Boundary; thence,
N89°50'15"W a distance of 5295.78 feet to a 3 1/2" inch USGLO brass cap stamped "T8NR3E S6 IPG 2M 1915" being the 2 mile maker of said Isleta Pueblo Grant Boundary; thence,
N89°46'54"W a distance of 1348.79 feet to a point on the easterly boundary of Parcel 24-2 as the said is shown on Sheet 24 of the New Mexico State Highway Project I-025-4(39)200; thence along the boundary of said Parcel 24-2,
48.84 feet along the arc of a tangent curve to the left having a radius of 326.48 feet and a chord bearing N37°01'08"E a distance of 48.79 feet and an interior angle of 08°34'16" to a point of non-tangency; thence,
N57°16'00"W a distance of 80.00 feet to a point of non-tangency; thence,
120.46 feet along the arc of a tangent curve to the right having a radius of 246.48 feet and a chord bearing S46°44'03"W a distance of 119.26 feet and an interior angle of 28°00'05" to a point of non-tangency on the said north boundary line of the Isleta Pueblo Grant; thence along said Grant boundary line,
N89°46'54"W a distance of 160.35 feet to a point on the said easterly right-of-way line of Interstate 25; thence along said easterly right-of-way line,
N10°13'50"E a distance of 374.55 feet; thence,
N15°09'17"E a distance of 268.67 feet; thence,
N24°01'51"E a distance of 1148.82 feet; thence,
N24°01'44"E a distance of 1254.13 feet; thence,
N25°09'32"E a distance of 456.17 feet; thence,
N20°59'34"E a distance of 241.27 feet to a point on the southerly boundary line of Section 34, Township 9 North, Range 3 East; thence along the said southerly boundary line,
S89°36'12"E a distance of 491.59 feet to the point and place of beginning.

EXCEPTING Patent #3943, the northwest one-quarter of the northwest one-quarter of said Section 24, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a found stone set in ground at the northwest corner of said Section 24 whence a 3" brass survey cap stamped "COA 1-P17 MON. NO. 14 COR. NO. 4" bears N44°11'22"W a distance of 7515.48 feet, thence along the north boundary line of said Section 24,
N88°47'40"W a distance of 1303.05 feet to the northeast corner of said Patent, thence,
S00°15'24"E a distance of 1330.05 feet to the southeast corner of said Patent; thence,
N89°54'39"W a distance of 1301.42 feet to a point on the west boundary line of said Section 24 and the southwest corner of said Patent; thence along the said west boundary line,
N00°19'26"W a distance of 1332.73 feet to the point and place of beginning of this exception.

This EXCEPTION contains 39.7843 acres, more or less.

And EXCEPTING Patent #3944, the southeast one-quarter of the southeast one-quarter of said Section 15, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a 3" dia. Alum. survey cap stamped "PS 8658" at the southeast corner of said Section 15 whence a 3" brass survey cap stamped "COA 1-P17 MON. NO. 14 COR. NO. 4" bears N01°17'40"E a distance of 5393.01 feet, thence along the south boundary line of said Section 16,
N89°26'45"W a distance of 1322.88 feet to the southwest corner of said Patent; thence,
N01°05'02"E a distance of 1349.46 feet to the northwest corner of said Patent; thence,
S89°26'45"E a distance of 1327.82 feet to a point on the east boundary line of said Section 15 and the northeast corner of said Patent; thence along the said east boundary line,
S01°17'38"W a distance of 1348.74 feet to the point and place of beginning of this exception.

This EXCEPTION contains 41.0447 acres, more or less.

And EXCEPTING Patent #3948, the northeast one-quarter of the northeast one-quarter of said Section 33, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a No. 4 rebar with an obliterated survey cap at the northeast corner of said Section 33 whence a 3" brass survey cap stamped "COA 1-P17 MON. NO. 14 COR. NO. 4" bears N18°45'32"E a distance of 16,841.19 feet; thence along the east boundary line of said Section 33,
S00°09'29"W a distance of 1334.79 feet to the southeast corner of said Patent; thence,
S89°48'15"W a distance of 1320.50 feet to the southwest corner of said Patent; thence,
N00°06'18"E a distance of 1330.65 feet to a point on the north boundary line of said Section 33 and the northwest corner of said Patent; thence along the said north boundary line,
N89°37'26"E a distance of 1320.98 feet to the point and place of beginning of this exception.

This EXCEPTION contains 40.4069 acres, more or less.

And EXCEPTING Patent #3957, the northwest one-quarter of the southwest one-quarter of said Section 14, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at the southwest corner of said Patent whence a 3" brass survey cap stamped "COA 1-P17 MON. NO. 14 COR. NO. 4" bears N01°17'41"E a distance of 4044.27 feet; thence along the west boundary line of said Section 14,
N01°17'38"E a distance of 1348.74 feet to the northwest corner of said Patent; thence,
S89°43'47"E a distance of 1341.75 feet to the northeast corner of said Patent; thence,
S01°16'31"W a distance of 1343.89 feet to the southeast corner of said Patent; thence,
N89°56'12"W a distance of 1342.29 feet to a point on the west boundary line of said Section 14 and the point and place of beginning of this exception.

This EXCEPTION contains 41.4700 acres, more or less.

And EXCEPTING Patent #3972, the southwest one-quarter of the southeast one-quarter of said Section 25, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at the southeast corner of said Patent whence a 3" brass survey cap stamped "COA 1-P17 MON. NO. 14 COR. NO. 4" bears N29°39'25"E a distance of 18469.44 feet, thence along the south boundary line of said Section 25,
S89°26'02"W a distance of 1312.96 feet to the southwest corner of said Patent, thence,
N00°30'11"E a distance of 1329.99 feet to the northwest corner of said Patent, thence,
N89°46'48"E a distance of 1312.00 feet to the northeast corner of said Patent, thence,
S00°32'57"W a distance of 1322.81 feet to a point on the south boundary line of said Section 25 and the point and place of beginning of this exception.

This EXCEPTION contains 39.9602 acres more or less.

The net area of this tract is 12,476.9892 acres, more or less.

TRACT 6 DESCRIPTION

A certain tract of land situate between State Road 47 (Broadway Boulevard) and Interstate 25 in Sections 20, 29 and 32, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at the BLM brass cap marking the corner common to said Section 29, Sections 30 and 31, and said Section 32, thence along the west boundary of said Section 29,
N00°30'03"E a distance of 1881.54 to a point on the east right-of-way line of said Broadway Boulevard, thence along said east right-of-way line,
N10°09'48"E a distance of 6203.76 feet to the northwest corner of the tract herein described, thence along the north boundary line of the south one-half of said Section 20,
N89°22'39"E a distance of 1423.68 feet to the northeast corner of the tract herein described and a point on the west right-of-way line of said Interstate 25, thence along the said west right-of-way line,
S16°27'00"W a distance of 2382.21 feet; thence,
983.00 feet along the arc of a non-tangent curve to the left having a radius of 23,158.32 feet and a chord bearing S15°14'07"W a distance of 982.93 feet and an interior angle of 02°25'55" to a point of non-tangency; thence,
S08°35'49"W a distance of 733.24 feet; thence,
S14°02'22"W a distance of 4800.00 feet; thence,
S15°28'16"W a distance of 200.06 feet; thence,
S14°02'20"W a distance of 1149.61 feet to a point on the west boundary line of said Section 32 and the most southerly corner of the tract herein described, thence along said west boundary line,
N00°07'12"E a distance of 1922.34 feet to the point and place of beginning of the tract herein described.

This tract contains 200.8912 acres, more or less.

TRACT 7 DESCRIPTION

A certain tract of land being a northwesterly portion Lot 2, of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico. Said tract being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a No. 4 rebar with a survey cap stamped "LS 2300" at the northwest corner of said Lot 2, thence along the northerly boundary line of said Section 6,
S89°37'38"E a distance of 984.52 feet to a point on curve (non-tangent) on the westerly right-of-way of the Interstate 25 frontage road, thence along said right-of-way line,
77.01 feet along the arc of a non-tangent curve to the right having a radius of 1245.48 feet and a chord bearing S42°07'09"W a distance of 76.99 feet and an interior angle of 03°32'38" to a point of non-tangency; thence,
S43°51'08"W a distance of 241.16 feet to a point of curature; thence,
712.58 feet along the arc of a non-tangent curve to the left having a radius of 2721.67 feet and a chord bearing S36°47'27"W a distance of 710.55 feet and an interior angle of 15°00'00" to a t-rail being a point of non-tangency; thence,
S29°13'39"W a distance of 206.90 feet to a t-rail being a point of curvature; thence,
215.19 feet along the arc of a non-tangent curve to the right having a radius of 779.90 feet and a chord bearing S37°52'58"W a distance of 214.51 feet and an interior angle of 16°46'38" to a point of non-tangency; thence,
S62°03'39"W a distance of 134.30 feet to a t-rail on the westerly boundary line of said Lot 2; thence along said westerly boundary line,
N00°22'25"E a distance of 1202.88 feet to the point and place of beginning.

This tract contains 13.7525 acres, more or less.

TRACT 8 DESCRIPTION

A certain tract of land being a portion Lot 7, and a portion of the south one-half of the northeast one-quarter of Section 6, Township 8 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico. Said tract being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at a Bureau of Land Management (BLM) brass cap marking the closing corner on the north boundary line of the Isleta Pueblo Grant and the line common to Lot 6 and said Lot 7 of said Section 6. Said point being the southwest corner of the tract herein described, thence along the westerly boundary line of said Lot 7,
N00°20'05"E a distance of 1382.81 feet to a point on the southerly right-of-way line of the ramp to State Road 47; thence along said ramp right-of-way line,
S88°16'35"E a distance of 356.36 feet to a t-rail; thence along a transition curve,
788.58 feet along the arc of a non-tangent curve to the right having a radius of 663.94 feet and a chord bearing S38°51'15"E a distance of 743.04 feet and an interior angle of 68°03'07" to a t-rail being a point of non-tangency; thence along the now westerly right-of-way line,
S01°52'44"E a distance of 304.32 feet; thence,
S10°13'50"W a distance of 494.01 feet to a point on the said north boundary line of the Isleta Pueblo Grant; thence along said Grant boundary line,
N89°46'54"W a distance of 732.33 to the point and place of beginning.

This tract contains 23.5768 acres, more or less.

TRACT ACREAGE

TRACT 1	1,202.0523	Ac.
TRACT 2	437.8072	Ac.
TRACT 3 (NET)	4,234.6723	Ac.
TRACT 4	2,089.2984	Ac.
TRACT 5	40.0000	Ac.
TRACT 6	200.8912	Ac.
TRACT 7	13.7525	Ac.
TRACT 8	23.5768	Ac.
TRACT 9	205.0715	Ac.
TRACT 10	267.9006	Ac.
TRACT 11 (NET)	2,665.5508	Ac.
TRACT 12	153.7833	Ac.
TRACT 13	629.6659	Ac.
TRACT 14	509.7034	Ac.
TRACT 15	41.4835	Ac.
TOTAL ACREAGE	12,715.2097	Ac.

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Page: 2 of 8
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SHEET 1A OF 8

Bohannan Huston
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
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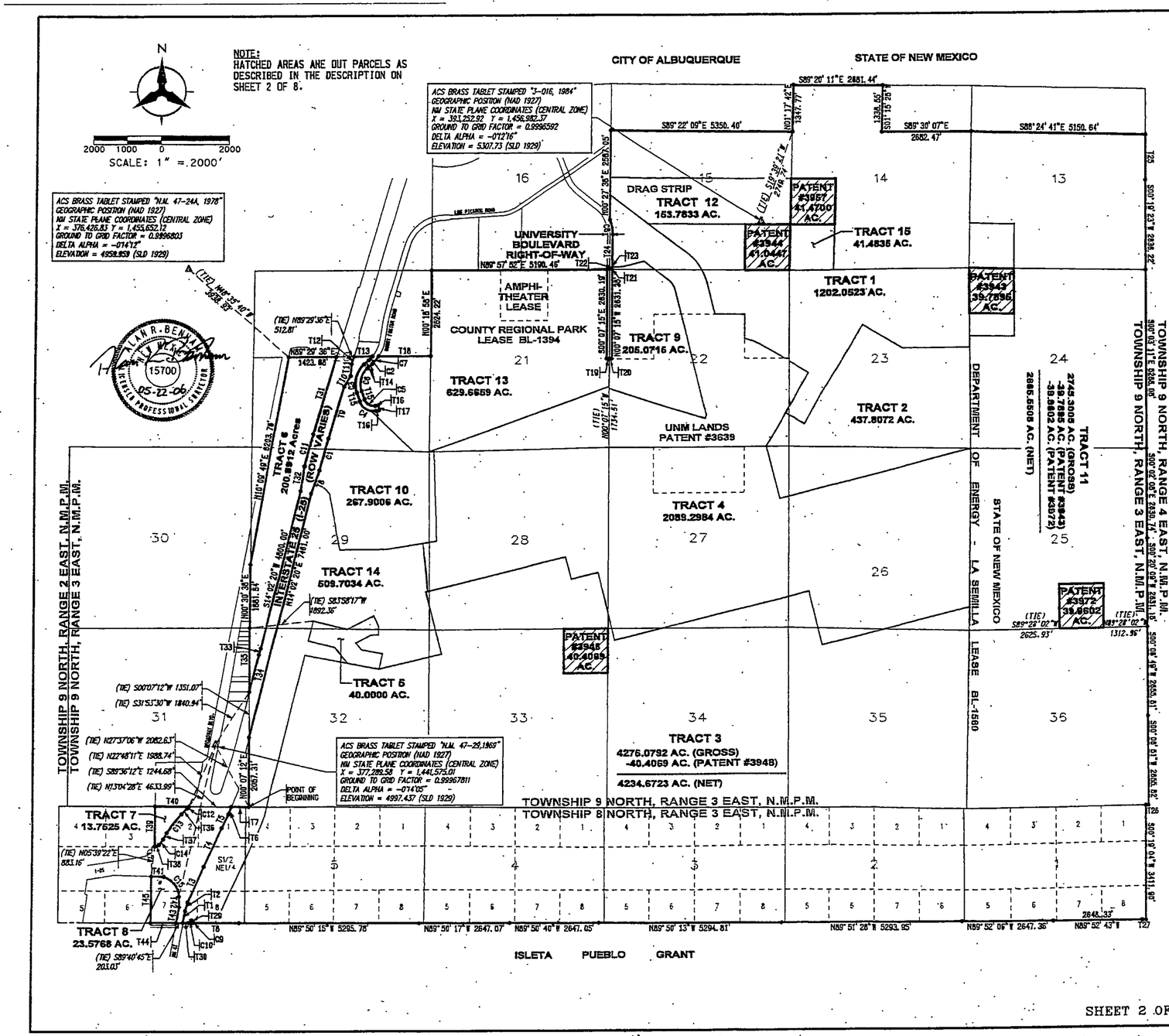
BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6, TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006



TRACT BOUNDARIES AND ACREAGES

NOTE: TABLE IS FOR THIS SHEET ONLY

TANGENT DATA

ID	BEARING	DISTANCE	ID	BEARING	DISTANCE
T1	N10° 13' 50"E	374.55'	T24	N00°59' 25"E	946.23'
T2	N15° 09' 17"E	268.67'	T25	S00° 19' 39"W	1316.33'
T3	N24° 01' 51"E	1148.32'	T26	S89° 29' 06"W	82.75'
T4	N24° 01' 44"E	1254.13'	T27	N89° 55' 39"W	111.63'
T5	N25° 09' 52"E	459.17'	T28	N89° 46' 54"W	1348.79'
T6	N20° 99' 34"E	241.27'	T29	N57° 16' 00"W	80.00'
T7	S89° 36' 12"E	491.59'	T30	N89° 46' 54"W	160.35'
T8	N20° 20' 04"E	733.77'	T31	S16° 27' 00"W	2382.21'
T9	N16° 27' 00"E	1595.93'	T32	S08° 35' 49"W	733.24'
T10	N30° 29' 10"E	371.08'	T33	S15° 28' 15"W	200.06'
T11	N04° 48' 59"E	347.13'	T34	S14° 02' 20"W	1149.61'
T12	N16° 34' 35"E	235.94'	T35	N00° 07' 12"E	1922.34'
T13	N89° 29' 36"E	526.29'	T36	S43° 51' 08"W	241.16'
T14	S46° 51' 47"W	187.88'	T37	S29° 13' 39"W	206.99'
T15	S20° 08' 13"E	256.70'	T38	S68° 03' 39"W	124.30'
T16	N81° 47' 47"E	100.00'	T39	N00° 22' 25"E	1202.88'
T17	N08° 12' 13"W	150.00'	T40	S89° 37' 33"E	984.52'
T18	N89° 29' 36"E	1521.45'	T41	S88° 16' 35"E	356.36'
T19	S88° 52' 11"E	78.02'	T42	S01° 53' 44"E	304.32'
T20	S89° 47' 27"E	78.00'	T43	S10° 13' 50"W	494.01'
T21	S89° 28' 45"E	18.75'	T44	N89° 46' 54"W	732.33'
T22	N00° 59' 25"E	86.76'	T45	N00° 20' 05"E	1392.81'
T23	N89° 00' 35"W	20.00'			

NOTE: TABLE IS FOR THIS SHEET ONLY

CURVE DATA

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	02° 26' 02"	481.98'	963.81'	22688.32'	963.74'	N15° 14' 03"E
C2	08° 01' 51"	75.18'	150.11'	1070.92'	149.98'	S42° 50' 51"W
C3	67° 00' 00"	523.68'	925.21'	791.20'	873.39'	S13° 21' 47"W
C4	78° 04' 00"	351.13'	590.11'	433.10'	545.51'	S59° 10' 13"E
C5	78° 04' 00"	229.52'	385.73'	283.10'	356.58'	N59° 10' 13"W
C6	67° 00' 00"	424.40'	749.80'	641.20'	707.80'	N13° 21' 47"E
C7	13° 35' 18"	145.46'	289.56'	1220.92'	288.88'	N40° 04' 08"E
C8	23° 45' 17"	226.73'	446.94'	1078.00'	443.74'	N10° 53' 13"W
C9	08° 34' 16"	24.47'	48.84'	326.48'	48.79'	N37° 01' 08"E
C10	28° 00' 05"	61.46'	120.46'	246.48'	119.26'	S46° 44' 03"W
C11	02° 25' 55"	491.57'	983.00'	23158.32'	982.93'	S15° 14' 07"W
C12	03° 32' 33"	38.52'	77.01'	1245.48'	76.99'	S42° 07' 09"W
C13	15° 00' 00"	358.34'	712.58'	2721.87'	710.55'	S36° 47' 27"W
C14	15° 48' 33"	108.28'	215.19'	779.90'	214.51'	S37° 52' 58"W
C15	68° 03' 07"	448.27'	788.58'	663.94'	743.04'	S36° 51' 15"E

LEGEND

- BOUNDARY LINE
- TRACT BOUNDARY LINE
- ADJOINING PROPERTY LINE
- SECTION LINE

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ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

SHEET 2 OF 8

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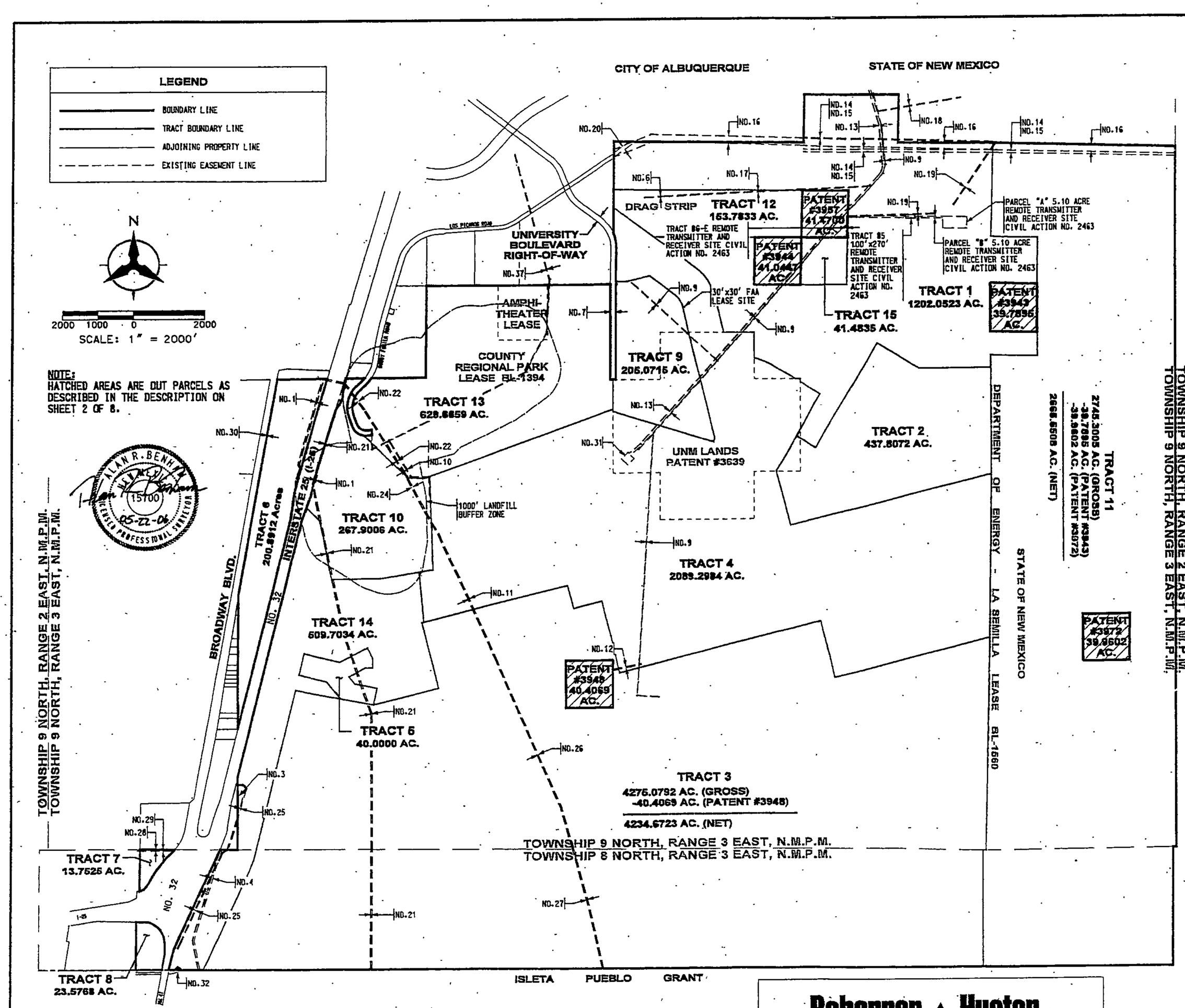

BULK LAND PLAT OF
MESA DEL SOL
TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35,
TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6,
TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006

EASEMENTS/RIGHTS-OF-WAY

TO THE FURTHEST EXTENT POSSIBLE ALL EASEMENTS AS MAY BE SHOWN HEREON WERE PLOTTED BASED ON FIDELITY NATIONAL TITLE: COMMITMENT NO. 03-1033983-B-RAD OR WERE PROVIDED BY THE STATE LAND OFFICE AS UNRECORDED DOCUMENTS.

The following documents describing right-of ways and/or easements were included in SCHEDULE B II of the COMMITMENT FOR TITLE INSURANCE prepared by Fidelity National Title, Commitment No. 03-1033983-B-RAD, effective date: July 17, 2003, at 08:00 A.M.:

1. A 40 foot wide Permit for Right-of-Way and Easement granted to Chevron Pipe Line Company filed April 10, 1972 in Book Misc. 255, page 773, as Document No. 80309. (Item 13 in Commitment)
2. (Item 14 in Commitment does not apply to these parcels (A 30 foot wide Grant of Right-of-Way granted to the New Mexico State Highway Commission filed January 31, 1973 in Book Misc. 296, page 573 as Document No. 32717)
3. A 25 X 35 foot Permit of Right-of-Way and Easement granted to PNM filed October 22, 1972 in Book Misc. 342, page 65 as Document No. 34751. (Item 15 in Commitment)
4. A 50 foot wide Permit for Right-of-Way and Easement granted to PNM filed March 5, 1974 in Book Misc. 356, page 724 as Document No. 37266. (Item 18 in Commitment)
5. Section 21 is subject to a Water Easement between the State of New Mexico and the City of Albuquerque filed as Document No. 88 46315 as renewed by that Document filed as Document No. 89 14001. (Item 20 in Commitment)
6. A 10 foot wide easement granted to PNM and MSTAT filed August 16, 1988 in Misc. Book 654A, page 996, Document No. 88 74453. (Item 21 in Commitment)
7. University Boulevard is subject the terms and conditions of the Stipulated Partial Judgment filed April 7, 1998 in Book 980A, page 518, Document No. 1998 042037 (Items 24 and 25 in Commitment)
8. NOT USED
9. A 10 foot wide Permit for Right-of-Way and Easement granted to PNM filed July 22, 1954 in Book D285, page 511 as Document No. 28421, modified by Quitclaim Deed and Assignment filed February 8, 1955 in Book D305, page 307 as Document No. 48705. (Item 27 in Commitment)
10. A 30 foot wide Right-of-Way and Easement granted to PNM for a electrical distribution line dated September 14, 1982. (No filing information provided) (Item 30 in Commitment)
11. A 40 foot wide Permit for Right-of-Way and Easement granted to West Emerald Pipe Line Corporation dated August 11, 1958. (No filing information provided) (Item 31 in Commitment)
12. A 30 foot wide Permit for Right-of-Way and Easement for a primary distribution line granted to PNM dated April 28, 1965. (No filing information provided) (Item 32 in Commitment)
13. A 60 foot wide Right-of-Way Permit granted to the Civil Aeronautics Authority dated July 22, 1939. (No filing information provided) (Item 34 in Commitment)

The following documents were made available by the New Mexico State Land Office:

14. Right-of-Way (25' and 75') Easement No. 18904 for electrical power lines granted to PNM dated November 14 1979.
15. Right-of-Way (25' and 75') Easement No. 25413 granted to PNM dated August 18, 1994.
16. Right-of-Way (200') Easement No. 25413 granted to PNM dated August 18, 1994.
17. A 20' wide Permit for Right-of-Way Easement No. RW 17636 granted to PNM dated February 3, 1971.
18. A 20' foot wide for Right-of-Way Easement No. RW 17816 granted to PNM dated October 20, 1971.
19. A 33 foot wide Permit for Right-of-Way Easement No. RW-18811 granted to the Department of the Air Force dated November 19, 1975.
20. A 106 foot wide Permit for Right-of-Way Easement No. RW-14903 granted to the City of Albuquerque dated May 26, 1959 for the construction of Los Picaros Road, S.E.
21. A 40 foot wide Assignment of Right-of-Way dated April 9, 1973. This document includes Permit for Right-of-Way and Easement No. M-7423 dated September 10, 1954.
22. A 40 foot wide Permit for Right-of-Way and Easement No. RW-14310 granted to West Emerald Pipe Line Corporation dated August 11, 1958.
23. A 20 foot wide Permit for Right-of-Way and Easement No. RW-16149 granted to PNM dated January 27, 1965.
24. A 40 foot wide Permit for Right-of-Way and Easement No. RW-14312 granted to West Emerald Pipe Line Corporation dated August 11, 1958.
25. A 30 foot wide Permit for Right-of-Way Easement No. RW-17969 granted to MSTAT dated June 21, 1972.
26. A 40 foot wide Permit for Right-of-Way and Easement No. RW-14311 granted to West Emerald Pipe Line Corporation dated August 11, 1958.
27. A 40 foot wide Permit for Right-of-Way and Easement No. RW-14314 granted to West Emerald Pipe Line Corporation dated August 11, 1958.
28. A 30 foot Assignment of Right-of-Way and Easement No. 14570 dated April 26, 1990.
29. A 30 foot Permit for Right-of-Way and Easement Permit No. RW-14879 granted to PNM dated March 2, 1960.
30. Grant of Right-of-Way Easement No. 23807, granted to AT&T dated June 7, 1990.
31. 2.0134 acre Non-Directional Beacon Site leased to Federal Aviation Administration recorded October 5, 2001, Document No. 2001117807.
32. District Court Civil Action No. 7-72-04137.
33. Patent 3619
34. Patent 2287
35. District Court Civil Action No. 2463

Additional Documents

36. Access and utility easements serving Tracts 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14 and 15 and the Out-Parcels are granted by the Easement Agreement filed in the Bernalillo County, New Mexico real estate records in Book 5114 Page 1242.
37. A 20 foot wide Permit for Right-of-Way and Easement No. RW-16134 granted to PNM dated January 14, 1965.

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Mary Herrera Bern. Co. PLAT R 47.00 BK-2006C Pg-135

Bohannan ▲ Huston
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

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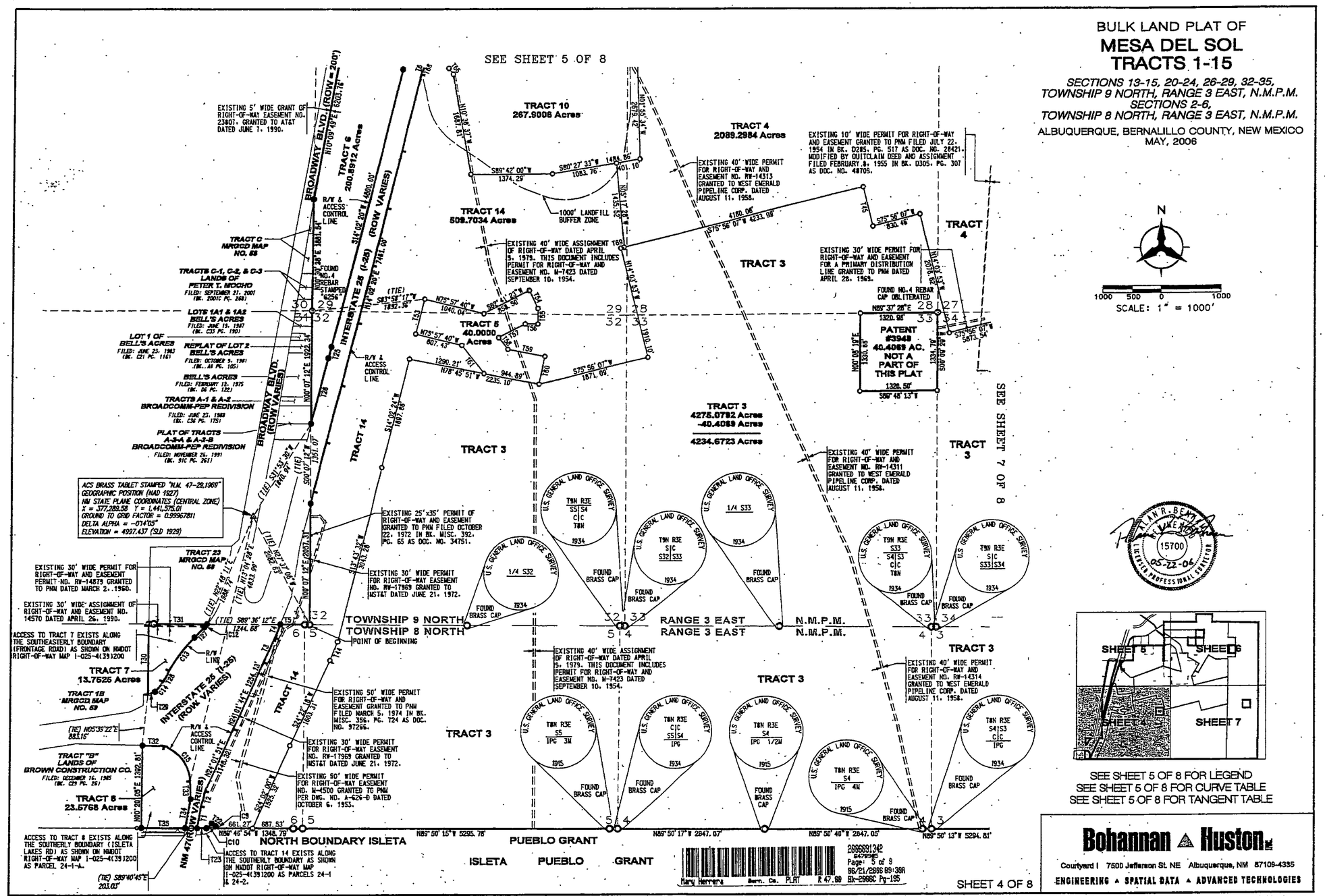
BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6, TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006



SEE SHEET 5 OF 8 FOR LEGEND
SEE SHEET 5 OF 8 FOR CURVE TABLE
SEE SHEET 5 OF 8 FOR TANGENT TABLE

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ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

Mary Herrera Bern. Co. PLAT R 47.00
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BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6, TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

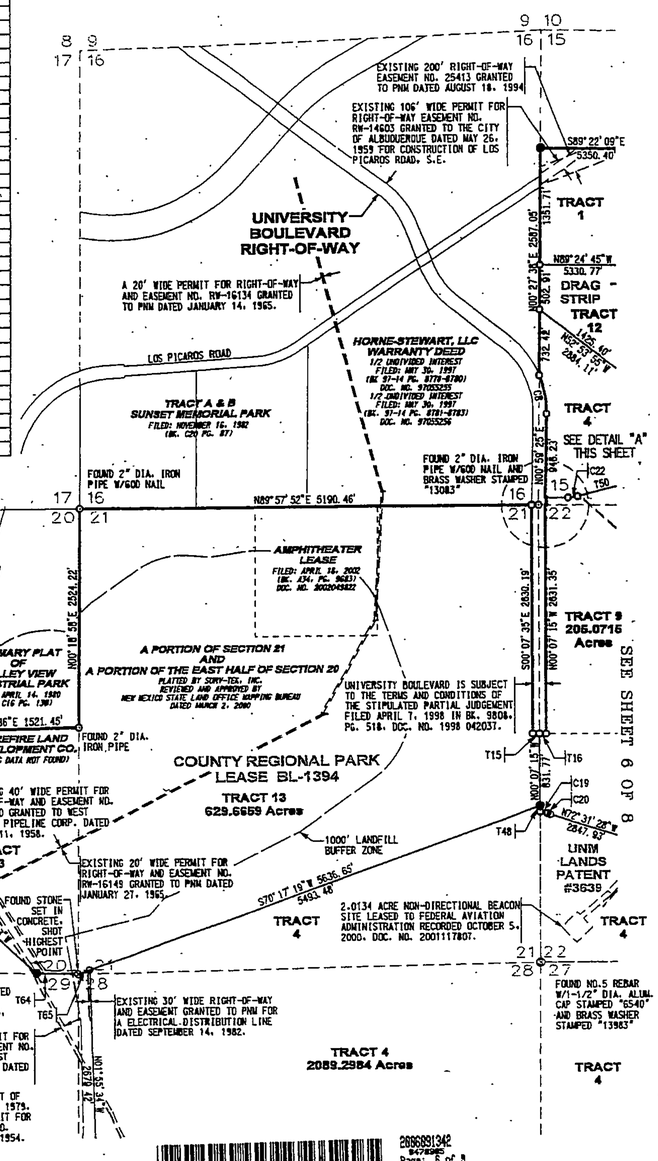
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006

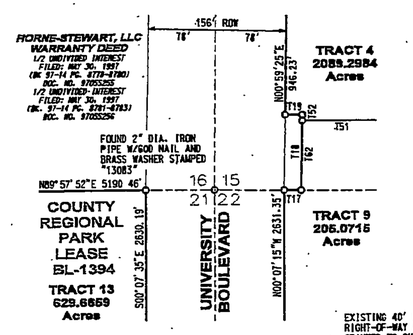
CURVE DATA

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	02°26'02"	481.98'	963.81'	22688.32'	963.74'	N15°14'03"E
C2	08°01'51"	75.18'	150.11'	1070.92'	149.98'	S42°50'51"W
C3	67°00'00"	523.68'	925.21'	791.20'	873.39'	S13°21'47"W
C4	78°04'00"	351.13'	590.11'	433.10'	545.51'	S59°10'13"E
C5	78°04'00"	229.52'	385.73'	283.10'	356.58'	N59°10'13"W
C6	67°00'00"	424.40'	749.80'	641.20'	707.80'	N13°21'47"E
C7	13°35'18"	145.46'	289.56'	1220.92'	288.88'	N40°04'08"E
C8	23°45'17"	226.73'	446.94'	1078.00'	443.74'	N10°53'13"W
C9	08°34'16"	24.47'	48.84'	326.48'	48.79'	N37°01'08"E
C10	28°00'05"	61.46'	120.46'	246.48'	119.26'	S46°44'03"W
C11	02°25'55"	491.57'	983.00'	23158.32'	982.93'	S15°14'07"W
C12	03°32'33"	38.52'	77.01'	1245.48'	76.99'	S42°07'09"W
C13	15°00'00"	358.34'	712.58'	2721.67'	710.55'	S36°47'27"W
C14	15°48'33"	108.28'	215.19'	779.90'	214.51'	S37°52'58"W
C15	68°03'07"	448.27'	788.56'	663.94'	743.04'	S36°51'15"E
C16	15°07'15"	320.29'	636.86'	2413.20'	635.02'	N67°23'06"W
C17	38°50'02"	535.78'	1030.23'	1520.00'	1010.62'	N33°28'54"W
C18	04°17'24"	95.28'	190.46'	2544.00'	190.43'	S11°55'11"E
C19	18°29'16"	42.15'	83.57'	259.00'	83.21'	S78°25'03"E
C20	03°21'02"	19.16'	38.30'	655.00'	38.30'	S70°50'56"E
C21	38°50'02"	199.16'	382.95'	565.00'	375.66'	N33°28'54"W
C22	14°02'09"	57.12'	113.67'	464.00'	113.38'	S62°57'11"W
C23	49°45'16"	200.83'	376.08'	433.10'	364.39'	S45°00'51"E
C24	23°46'48"	84.22'	166.02'	400.00'	164.83'	S58°00'05"E
C25	28°18'44"	109.24'	214.01'	433.10'	211.84'	S84°02'51"E

TANGENT DATA

ID	BEARING	DISTANCE	ID	BEARING	DISTANCE
T1	N10°13'50"E	374.55'	T36	N00°15'24"W	665.02'
T2	N15°09'17"E	268.67'	T37	N00°19'26"W	329.86'
T3	N25°09'52"E	459.17'	T38	N59°49'29"W	659.90'
T4	N20°59'34"E	241.27'	T39	N59°49'29"W	680.37'
T5	S89°36'12"E	491.59'	T40	N00°00'22"W	78.25'
T6	N20°20'04"E	733.77'	T41	N89°47'27"W	135.42'
T7	N30°29'10"E	371.08'	T42	N59°49'29"W	694.35'
T8	N04°48'59"E	347.13'	T43	S75°56'04"W	17.45'
T9	N16°34'35"E	235.84'	T44	S20°59'53"W	342.51'
T10	N89°29'36"E	529.29'	T45	N14°03'53"W	683.98'
T11	S46°51'47"W	187.88'	T46	N88°24'49"W	83.01'
T12	S20°08'13"E	256.70'	T47	N89°52'06"W	71.63'
T13	N81°47'47"E	100.00'	T48	N00°07'15"W	65.49'
T14	N08°12'13"W	150.00'	T49	S17°28'32"W	110.00'
T15	S88°52'11"E	78.02'	T50	S75°56'07"W	595.93'
T16	S89°47'27"E	78.00'	T51	S89°58'16"W	239.64'
T17	S89°28'45"E	19.75'	T52	S00°59'25"W	6.82'
T18	N00°59'25"E	86.76'	T53	S14°02'20"W	610.46'
T19	N89°00'35"W	20.00'	T54	N25°40'10"W	339.96'
T20	S89°29'06"W	82.75'	T55	N00°11'33"W	261.30'
T21	N89°55'39"W	111.63'	T56	N90°00'00"W	210.86'
T22	N57°16'00"W	80.00'	T57	S62°37'24"W	502.95'
T23	N89°46'54"W	160.35'	T58	N38°19'08"W	259.17'
T24	S08°35'49"W	733.24'	T59	N78°45'44"W	629.15'
T25	S15°28'16"W	200.06'	T60	S11°18'56"W	483.45'
T26	S14°02'20"W	1149.61'	T61	N38°18'46"W	618.36'
T27	S43°51'08"W	241.16'	T62	S00°59'25"W	79.94'
T28	S29°13'39"W	206.98'	T63	S20°20'04"W	312.92'
T29	S68°03'39"W	124.30'	T64	N88°18'20"W	467.68'
T30	N00°22'25"E	1202.88'	T65	S70°17'19"W	143.18'
T31	S89°37'35"E	984.52'	T66	N37°53'08"W	123.77'
T32	S88°16'35"E	356.36'	T67	N46°49'09"W	435.91'
T33	S01°53'44"E	304.32'	T68	S20°20'04"W	420.85'
T34	S10°13'50"W	494.01'	T69	S75°56'07"W	53.92'
T35	N89°46'54"W	732.33'			





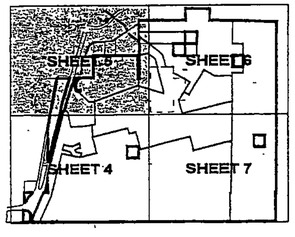
DETAIL "A"
NOT TO SCALE

N

1000 500 0 1000
SCALE: 1" = 1000'

LEGEND

- BOUNDARY LINE
- EXCEPTION BOUNDARY LINE
- EXISTING EASEMENT LINE
- ADJOINING PROPERTY LINE
- SECTION LINE
- FOUND IRON PIPE AS NOTED
- FOUND NAGHTD T-RAIL MARKER
- FOUND STONE AS NOTED
- FOUND REBAR AS NOTED
- FOUND CAPPED REBAR AS NOTED
- FOUND BRASS CAP AS NOTED
- FOUND 5/8" REBAR W/RED PLASTIC CAP STAMPED "LS 5978"
- SET 5/8" REBAR W/ORANGE PLASTIC CAP STAMPED "BENHAM LS 15700"



PAUL R. BENHAM 15700 DS-22-06 LICENSED PROFESSIONAL SURVEYOR

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Page: 6 of 9
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Bk-2866C Pg-185
Mary Herrera Bern. Co. PLAT R 47.00

SHEET 5 OF 8

Bohannan ▲ Huston INC.

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335

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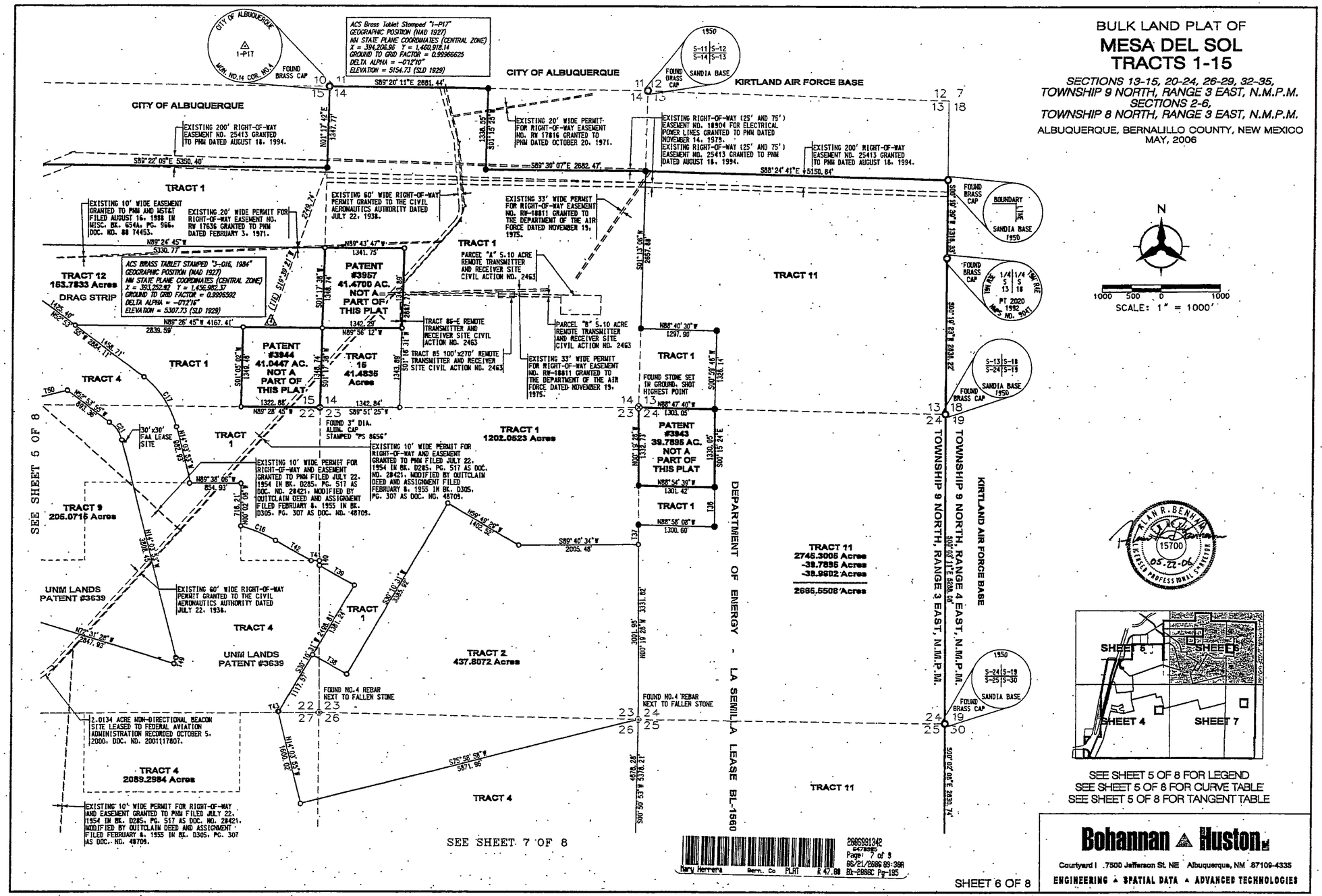
BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
SECTIONS 2-6, TOWNSHIP 8 NORTH, RANGE 3 EAST, N.M.P.M.

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006



BULK LAND PLAT OF

MESA DEL SOL TRACTS 1-15

SECTIONS 13-15, 20-24, 26-29, 32-35, TOWNSHIP 9 NORTH, RANGE 3 EAST, N.M.P.M.
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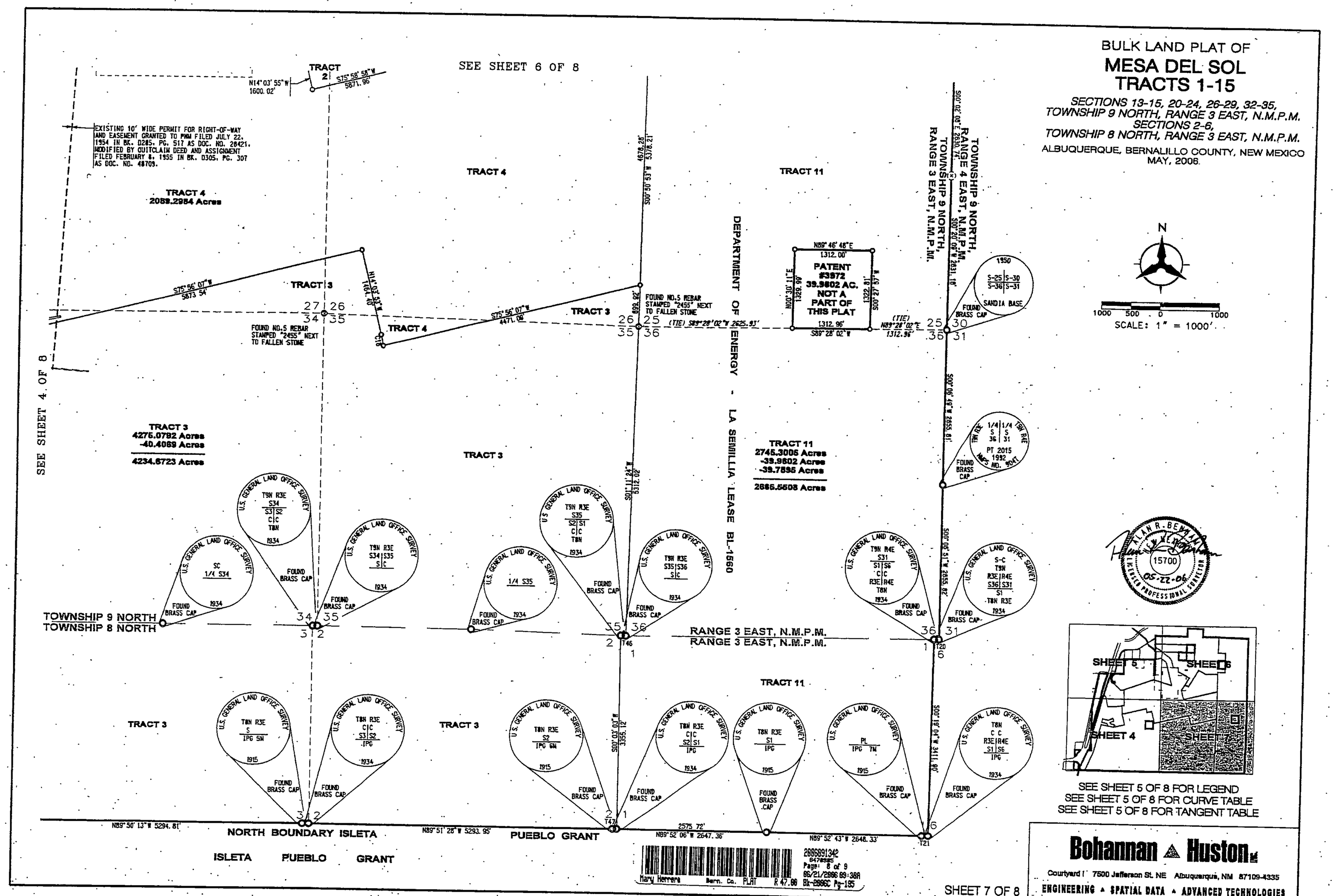
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY, 2006.



SEE SHEET 5 OF 8 FOR LEGEND
SEE SHEET 5 OF 8 FOR CURVE TABLE
SEE SHEET 5 OF 8 FOR TANGENT TABLE

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