OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 26, 2014

Project# 1004360
14DRB-70046 EXT OF SIA FOR TEMP DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for ALFELD LLC request(s) the above action(s) for all or a portion of Lot(s) 1-17, **ENTRADA DEL BOSUE Unit(s) 2,** zoned RA2, located on MOUNTAIN ROAS BETWEEN GABALDON AND RIO GRANDE containing approximately 3 acre(s). (J-11)

At the February 26, 2014 Development Review Board meeting, a 2 year extension to the agreement for the deferral of sidewalks was approved. Please provide an exhibit to the Design Review Committee indicating the lot number/addresses where sidwalks are still deferred.

If you wish to appeal this decision, you must do so by March 13, 2014, in the manner described below.

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

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

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

Jack Cloud, DRB Chair

Cc: RIO GRANDE ENGINEERING
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 27, 2012

Project# 1004360
12DRB-70169 EXT OF SIA FOR TEMP DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for 50/50 LLC request(s) the above action(s) for all or a portion of Lot(s) I-18, **VENTANA DEL BOSQUE** zoned R A-2, located on MOUNTAIN NW, BETWEEN GABALDON AND RIO GRANDE (J-12) *[Deferred from 6/20/12*

At the June 27, 2012 Development Review Board meeting, a 2 year extension to the agreement for the deferral of sidewalks was approved. Please provide an exhibit to the Design Review Committee indicating the lot number/addresses where sidwalks are still deferred.

If you wish to appeal this decision, you must do so by July 12, 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).

Jack Cloud, DRB Chair

Cc:
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 21, 2012

Project# 1004360
12DRB-70086 EXT OF SIA FOR TEMP DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for ALFELD, LLC request(s) the above action(s) for all or a portion of **ENTRADA DEL BOSQE** zoned RA-2, located on MOUNTAIN BETWEEN GABALDON AND LUCERO (J-12)

At the March 21, 2012 Development Review Board meeting, a 2 year extension to the agreement for the deferral of sidewalks was approved. Please provide an exhibit to the Design Review Committee indicating the lot number/addresses where sidwalks are still deferred.

If you wish to appeal this decision, you must do so by April 5, 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).

Jack Cloud, DRB Chair

Cc:
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 21, 2012

Project# 1004360
12DRB-70086 EXT OF SIA FOR TEMP DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for ALFELD, LLC request(s) the above action(s) for all or a portion of **ENTRADA DEL BOSQE** zoned RA-2, located on MOUNTAIN BETWEEN GABALDON AND LUCERO (J-12)

At the March 21, 2012 Development Review Board meeting, a 2 year extension to the agreement for the deferral of sidewalks was approved. Please provide an exhibit to the Design Review Committee indicating the lot number/addresses where sidwalks are still deferred.

If you wish to appeal this decision, you must do so by April 5, 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).

Jack Cloud, DRB Chair

Cc:
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 9, 2010

4639

Project# 1004360
10DRB-70159 EXT OF SIA FOR TEMP DEFR SDWK CONST

RIO GRANDE ENGINEERING agent(s) for ALFELD, LLC request(s) the above action(s) for all or a portion of Lot(s) 1-18, **VENTANA DEL BOSQUE,** zoned RA2, located on MOUNTAIN RD NW BETWEEN GABALDON NW AND RIO GRANDE NW containing approximately 3 acre(s). (J-12)

At the June 9, 2010 Development Review Board meeting, a two year extension for the deferral of sidewalks was approved.

If you wish to appeal this decision, you must do so by June 24, 2010, in the manner described below.

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

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

Jack Cloud, AICP, DRB Chair

Cc: Rio Grande Engineering – P.O. Box 67305 – Albuquerque, NM 87190
Cc: Alfeld LLC – 2015 Mountain Rd NW – Albuquerque, NM 87104
Marilyn Maldonado
File

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 3, 2010

Project# 1004360
10DRB-70062 EXT OF SIA FOR TEMP DEFR SDWK CONST

WASHINGTON STEET INVESTMENT agent(s) for DAVID SOULE request(s) the above action(s) for all or a portion of Lot(s) 1-17, **ENTRADA DEL BOSQUE** zoned RA-2, located on MOUNTAIN RD NW BETWEEN GABALDON NW AND DURANES DITCH containing approximately 4 acre(s). (J-12)

At the March 3, 2010 Development Review Board meeting, a two year extension to the four-year agreement for the deferral of sidewalks was approved.

If you wish to appeal this decision, you must do so by March 18, 2010 in the manner described below.

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

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

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

Jack Cloud, AICP, DRB Chair

Cc: David Soule – 1606 Central Ave NE – Albuquerque, NM 87106
Cc: Washington Stree Invest – 100 Gold SW # 209 – Albuquerque, NM 87102
Marilyn Maldonado
file

HEARING DATE 6-9-10 (ESIA)

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 3, 2010

Project# 1004360
10DRB-70062 EXT OF SIA FOR TEMP DEFR SDWK CONST

WASHINGTON STEET INVESTMENT agent(s) for DAVID SOULE request(s) the above action(s) for all or a portion of Lot(s) 1-17, **ENTRADA DEL BOSQUE** zoned RA-2, located on MOUNTAIN RD NW BETWEEN GABALDON NW AND DURANES DITCH containing approximately 4 acre(s). (J-12)

At the March 3, 2010 Development Review Board meeting, a two year extension to the four-year agreement for the deferral of sidewalks was approved.

If you wish to appeal this decision, you must do so by March 18, 2010 in the manner described below.

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

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

Jack Cloud, AICP, DRB Chair

Cc: David Soule – 1606 Central Ave NE – Albuquerque, NM 87106
Cc: Washington Stree Invest – 100 Gold SW # 209 – Albuquerque, NM 87102
Marilyn Maldonado
file

HEARING DATE 3-3-10 (ESIA)

Mesa Reprographics
5901 Lomas Blvd. NE
262-2046 office
256-9435 fax

Date: Aug 2 2006

PLEASE CALL/DELIVER COPIES & INVOICE TO:

Felipe Fuentana
New Mexico Legal Aid, Inc
500 Copper NW, Suite 300
Alb NM 87102
Ph: 243-7871

PLEASE RETURN ORIGINALS

TO: **City Of Albuquerque**
Planning Department /Publications
2nd Level (on the west side from the entry area)
600 2nd St. NW Suite 201

CONTACT: Sandy Handley @ 924-3861 or Tim Sims @ 924-3895

DOCUMENT: 100-4360 -- entire file to be copied

RELEASED TO: MESA MIKE MARTIN

DATE: AUG 2

RETURNED TO: _____

DATE: _____

#8

COMPLETED 05/24/06 SH

DRB CASE ACTION LOG (FINAL PLAT)

REVISED 9/28/05

C01

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

DRB Application No.: **06DRB-00395 (FP)** Project # **1004360**

Project Name: **ENTRADA DEL BOSQUE**

Agent: Rio Grande Engineering Phone No.: 872-0999

Your request for (**SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 4-5-06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☒ TRANSPORTATION: ADA ramps in S/W
- ☐
- ☐
- ☐
- ☐

- ☐ UTILITIES:
- ☐
- ☐
- ☐
- ☐

- ☐ CITY ENGINEER / AMAFCA:
- ☐
- ☐
- ☐
- ☐

- ☐ PARKS / CIP:
- ☐
- ☐
- ☐
- ☐

- ☒ PLANNING (Last to sign): Restrictions & Covenants recorded
- ☒ AGIS DXF
- ☒ record plat (-X)
- ☒ MRGCD signature ✓ 5/22/06
- ☒

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.

- ☐ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☒ **AGIS DXF File approval required.** — OR
- ☐ **Copy of recorded plat for Planning.**

Project Number 1004360

4360

DXF Electronic Approval Form

DRB Project Case #: 1004360

Subdivision Name: ENTRADA DEL BOSQUE

Surveyor: WILL PLOTNER JR

Contact Person: DAVID SOULE

Contact Information: 872-2205

DXF Received: 5/18/2006 Hard Copy Received: 5/19/2006

Coordinate System: Ground rotated to NMSP Grid

Approved 05-22-2006 Date

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

AGIS Use Only

Copied fc **4360** to agiscov on **5/22/2006** Contact person notified on **5/22/2006**

#8

DRB CASE ACTION LOG (FINAL PLAT)

REVISED 9/28/05

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

DRB Application No.: **06DRB-00395 (FP)** Project # **1004360**

Project Name: **ENTRADA DEL BOSQUE**

Agent: Rio Grande Engineering Phone No.: 872-0999

Your request for **(SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 4-5-06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☒ TRANSPORTATION: ADA ramps in E/W

☐

☐

☐

☐

☐ UTILITIES:

☐

☐

☐

☐ CITY ENGINEER / AMAFCA:

☐

☐

☐

☐

☐ PARKS / CIP:

☐

☐

☐

☒ PLANNING (Last to sign): Restrictions & Covenants recorded

☒ AGIS DXF

☒ record plat (-X)

☒ MRGCD signature

☒ **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.

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

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

☐ **Property Management's signature must be obtained prior to Planning Department's signature.**

☒ **AGIS DXF File approval required.**

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

Project Number 1004360

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

APRIL 5, 2006 9:00 A.M.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

****

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

A. Call to Order: 9:00 A.M. Adjourned: 10:40 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

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

1. **Project # 1000696**
   05DRB-01529 Major-Preliminary Plat Approval
   05DRB-01530 Minor-Sidewalk Waiver
   05DRB-01531 Minor-Temp Defer SDWK

   MARK GOODWIN & ASSOCIATES agent(s) for ICDC LLC request(s) the above action(s) for all or a portion of Tract(s) C, LEE'S BOSQUE SUBDIVISION (to be known as **BOSQUECITO SUBDIVISION)** zoned RD, located on BOSQUE MEADOWS BLVD NW, between LA ORILLA NW and PASEO DEL NORTE containing approximately 7 acre(s).*[Deferred from 10/26/05 & 11/9/05 & 11/23/05 & 11/30/05 & 1/4/06 & 1/25/06 & 2/22/06 & 3/15/06 & 4/5/06]* (D-12) **DEFERRED AT THE AGENT'S REQUEST TO 4/19/06.**

5

SITE DEVELOPMENT PLANS (E[redacted] FINAL SIGN-OFF) AMENDED PLA[redacted] AND MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)

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

2. Project # 1003125
06DRB-00401 Minor-SiteDev Plan Subd/EPC

DEKKER PERICH SABATINI agent(s) for ECLIPSE AVIATION request(s) the above action(s) for all or a portion of Tract(s) D-1, DOUBLE EAGLE II AIRPORT, **ECLIPSE AVIATION CAMPUS,** zoned SU-1 FOR AIRPORT RELATED FACILITIES, located on AEROSPACE PARKWAY NW, between PASEO DEL VOLCAN NW and SHOOTING RANGE ACCESS RD NW containing approximately 150 acre(s). [REF: 03EPC02054, 04DRB01505, 04DRB01506] **[Stephanie Shumsky, EPC Case Planner]** (F-6) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 4/5/06 THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PUBLIC ACCESS EASEMENT BY PLAT OR A PAPER EASEMENT NEEDS TO BE RECORDED AND PLANNING FOR 3 COPIES OF THE SITE PLAN, AND THERE ARE TWO MODIFICATIONS THAT NEED TO BE MADE TO THIS SITE PLAN FOR SUBDIVISION. STEPHANIE SHUMSKY IS IN AGREEMENT ON THESE CHANGES. 1. ON THE SITE PLAN SHEET DIRECTLY UNDER "SITE PLAN FOR SUBDIVISION REQUIRED INFORMATION", THIS STATEMENT SHOULD APPEAR: THIS SITE PLAN FOR SUBDIVISION IS FOR THE ECLIPSE AVIATION CAMPUS ONLY (TRACT D-1) AND SUPERCEDES THAT PORTION OF THE PREVIOUSLY APPROVED AEROSPACE TECHNOLOGY PARK SITE PLAN FOR SUBDIVISION (03EPC-02054) WHICH INCLUDED THE ECLIPSE AVIATION CAMPUS PROPERTY. 2. UNDER #1, FRAMEWORK ON SHEET, THIS CHANGE SHOULD BE MADE: "...FUTURE SITE PLANS FOR BUILDING PERMIT SHALL BE DELEGATED TO <u>THE DEVELOPMENT REVIEW BOARD</u> AND SHALL NOT REQUIRE...."**

3. **Project # 1004784**
06DRB-00402 Minor-SiteDev Plan BldPermit

SANDERS & ASSOCIATES ARCHITECTS agent(s) for MIKE BAKER request(s) the above action(s) for all or a portion of Lot(s) 39, **ALAMEDA BUSINESS PARK,** zoned SU-2/IP-EP, located on CALLE ALAMEDA NE, between PASEO ALAMEDA NE and VISTA ALAMEDA NE containing approximately 1 acre(s).[REF:DRB-98-223] (C-16) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN AND ENVIRONMENTAL HEALTH ISSUES.**

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

4. **Project # 1001685**
06DRB-00405 Minor-Vacation of Private Easements

GREAT BASIN ENGINEERING agent(s) for SMITH'S FOOD & DRUG CENTERS request(s) the above action(s) for all or a portion of Tract(s) 1B-2, PARADISE NORTH (to be known as **GOLF COURSE MARKET PLACE**) zoned C-2 (SC), located on MCMAHON BLVD NW and GOLF COURSE RD NW, containing approximately 8 acre(s). [REF: 04EPC-01348, 04EPC-01349, 04EPC-01590, 04ZHE-01924, 05DRB-01349, 05DRB-01350, 05DRB-01893, 05DRB01894] (A-12) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

5. **Project # 1003483**
06DRB-00400 Minor-Prelim&Final Plat Approval

TERRAMETRICS OF NEW MEXICO agent(s) for SANTOSH MODY request(s) the above action(s) for all or a portion of Lot(s) 17, 18 & 19, Block(s) 12, Tract(s) A, **NORTH ALBUQUERQUE ACRES, UNIT B,** zoned SU-2 IP, located on SAN PEDRO NE, between ALAMEDA BLVD NE and SIGNAL AVE NE containing approximately 3 acre(s). [REF: 04DRB-00881, 04DRB-01167] (C-18) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

6. **Project # 1004785**
06DRB-00403 Minor-Prelim&Final Plat Approval

TERRAMETRICS OF NEW MEXICO agent(s) for LLAVE DEVELOPMENT INC request(s) the above action(s) for all or a portion of Lot(s) 18, Block(s) 1, Tract(s) 3, **NORTH ALBUQUERQUE ACRES, UNIT 3,** zoned R-D 3DU/A, located on EAGLE ROCK AVE NE, between VENTURA ST NE and BARSTOW ST NE containing approximately 1 acre(s). *(Indef Deferred from 4/5/06)* (C-20) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

7. **Project # 1003885**
06DRB-00389 Minor-Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for FAMILY HOUSING DEVELOPMENT CORPORATION request(s) the above action(s) for all or a portion of Lot(s) 4-7, 9-12 & 21-24, Block(s) 13, PEREA ADDITION (to be known as **BELL TRADING POST HOMES),** zoned SU-2 TH, located on ROMA AVE NW, between 15TH ST NW and 16TH ST NW containing approximately 1 acre(s). [REF: 05ZHE00271, 05ZHE00273, 05ZHE00274, 05DRB00057, 05DRB01674, 05DRB01675, 05DRB01676] (J-13) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR REVIEW OF CONSTRUCTION PLANS WITH EASEMENT AND CORRECT NOTES N AND P AND PLANNING TO RECORD THE PLAT.**

8. **Project # 1004360**
06DRB-00395 Minor-Final Plat Approval

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 5 acre(s). [REF: 05DRB01737, 06DRB00025, 06DRB00024] (J-12) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR ADA RAMPS IN RIGHT-OF-WAY AND PLANNING FOR RESTRICTIONS AND COVENANTS TO BE RECORDED, AGIS DXF FILE, MRGCD SIGNATURE AND TO RECORD.**

9. **Project # 1004177**
06DRB-00407 Major-Final Plat Approval

BOHANNAN HUSTON INC agent(s) for D.R. HORTON HOMES INC request(s) the above action(s) for all or a portion of Tract(s) 12-A VENTANA HIGHLANDS, UNIT 1, (to be known as **VENTANA HIGHLANDS, UNIT 3,** zoned R-LT residential zone, located on VENTANA RIDGE RD NW and DEL OESTE DR NW, containing approximately 26 acre(s). [REF:05DRB01122, 06DRB00374, 06DRB00098] (B-8) **FINAL PLAT APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

10. **Project # 1004788**
06DRB-00408 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON agent(s) for UNIVERSITY OF NEW MEXICO request(s) the above action(s) for all or a portion of Tract(s) 1E1-A-1 and 1E2-A-1, 1E2-A-2, **UNIVERSITY OF NEW MEXICO, SCIENCE & TECHNOLOGY PARK,** zoned SU-1 PDA, PERMISSIVE USE OF O-1/C-2, IP, located on UNIVERSITY BLVD SE , between AVENIDA CESAR CHAVEZ SE and INTERSTATE 40 SE containing approximately 13 acre(s). *[Deferred from 4/5/06]* (L-15) **DEFERRED AT AGENT'S REQUEST TO 4/12/06.**

11. **Project # 1004036**
06DRB-00263 Minor-Final Plat Approval

HALL SURVEYING CO agent(s) for MAX CONTRERAS request(s) the above action(s) for all or a portion of Tract(s) A & B, **MAX REPLAT,** zoned R-1 residential zone, located on RIO GRANDE BLVD NW, between LOS ANAYAS RD NW and ZICKERT NW containing approximately 2 acre(s). [REF: 05DRB 00446, 05DRB00922] *[Indef deferred from 3/8/06]* (H-12/H-13) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

12. **Project # 1004771**
06DRB-00373 Minor-Prelim&Final Plat Approval

RON GARNER agent(s) for GARBAC, LLC request(s) the above action(s) for all or a portion of Lot(s) 4, 5 & 6, Block(s) 41, **RAYNOLDS ADDITION,** zoned SU-2/NCR, located on COAL AVE SW, between 10TH ST SW and 11TH ST SW containing approximately 1 acre(s). *[Deferred from 3/29/06 & 4/5/06]* (K-13) **DEFERRED AT THE AGENT'S REQUEST TO 4/12/06.**

13. **Project # 1002176**
06DRB-00092 Major-Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for MOUNTAIN WEST DEVELOPMENT request(s) the above action(s) for all or a PORTION OF LAND IN SW 1/4 - NW 1/4 SEC 26 TION R4E TOGETHER W/ TRACT E-1, NORTH FOUR HILLS, (to be known as **COVERED WAGON SUBDIVISION**) zoned SU-1, located on FOUR HILLS RD SE, between LANIER DR SE and WATERFALL DR SE containing approximately 7 acre(s).*(Was Indef deferred on 2/1/06) [Deferred from 4/5/06]* (L-23) **DEFERRED AT THE AGENT'S REQUEST TO 4/12/06.**

14. **Project # 1004770**
06DRB-00372 Minor-Prelim&Final Plat Approval

WAYJOHN SURVEYING INC agent(s) for COE PROPERTIES, STEVE COE request(s) the above action(s) for all or a portion of Lot(s) 9-12, Block(s) 10, **MESA GRANDE ADDITION,** zoned O-R, located on SIERRA DR SE, between SILVER AVE SE and ZUNI RD SE containing approximately 1 acre(s). *[Deferred from 3/29/06 & 4/5/06]* (K-17) **DEFERRED AT THE AGENT'S REQUEST TO 4/12/06.**

15. **Project # 1004766**
06DRB-00361 Minor-Prelim&Final Plat Approval

LAND DEVELOPMENT CONSULTANTS agent(s) for JESUS & CINDY FRAIRE request(s) the above action(s) for all or a portion of Lot(s) 12 & 13, Block(s) 2, **GREGORIO & RAFAEL APODACA ADDITION,** zoned SU-2 MR, located on JESUS ST SE, between DAN AVE

SE and JESUS ST SE containing approximately 1 acre(s). *[Deferred from 3/29/06] [Indef deferred from 4/5/06]* (L-14) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

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

16. Project # 1004782
06DRB-00398 Minor-Sketch Plat or Plan

THOMAS GUITERREZ request(s) the above action(s) for all or a portion of Lot(s) 18, Block(s) 1, **SLOANS ACRES,** zoned R-1, located on ESTANCIA NW, between WAYNE NW and EVERITT NW containing approximately 1 acre(s). (G-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. Project # 1004789
06DRB-00409 Minor-Sketch Plat or Plan

REBECCA LANGTON request(s) the above action(s) for all or a portion of Lot(s) 10A & 10B, **GAUL - RL ADDITION,** zoned R-1 residential zone, located on 4TH ST NW, between GRIEGOS NW and MONTANO NW containing approximately 1 acre(s). (F-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

18. Approval of the Development Review Board Minutes for March 29, 2006. **THE DEVELOPMENT REVIEW BOARD MINUTES FOR MARCH 29, 2006 WERE APPROVED BY THE BOARD.**

ADJOURNED: 10:40 A.M.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
April 5, 2006
DRB Comments

ITEM # 8

PROJECT # 1004360 APPLICATION # 06-00395

RE: Entrada del Bosque/final plat

The SIA is recorded. Are there any changes since the preliminary plat was approved ?

Agent was faxed a copy of additional language required on the final plat specific to PCD development.

Note 1 on the second page of the plat is confusing.

Planning will take delegation until the Restrictions & Covenants document is signed & recorded. Or, it can be recorded with the plat as Planning will also take delegation for recording the plat.

Are the 3 conditions of final plat imposed at the time of approval of the preliminary plat satisfied?

Is AGIS dxf approved?

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

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	0019
CONNECTION TEL	9p2429028
SUBADDRESS	
CONNECTION ID	
ST. TIME	03/30 11:54
USAGE T	01'14
PGS.	2
RESULT	OK

DEVELOPMENT REVIEW BOARD
FAX FORM

TO: Bill Kraemer

FAX NUMBER: 242-9028 **# PAGES** 2

SENT BY: Sheran Matson, DRB Chair **DATE:** 3/30/06

PHONE NUMBER: 924-3880 **FAX #** 924-3864

PROJECT NO: 1004360 **APPLICATION NO:** _____

****

Here you go!

Notes that go on original Plat

EXHIBIT A

If the Trust or the individual lot owners within the PCD fail or refuse to act on maintenance obligations as set forth in the easement, the city shall have the authority to perform such maintenance as necessary to protect public health and safety. The city may, after written notice and failure to comply within 30 days, enter upon and maintain the PCA. The cost of such maintenance plus any other penalties or costs allowed by law in connection therein, shall be assessed against the properties within the PCD and failure to pay assessed charges may result in a municipal lien against each of the individual lots in the PCD. This provision shall not be deemed to create an obligation to act o the part of the city. Under no circumstances will the city maintain recreational uses. Under no circumstances shall the city maintain the PCA for a period longer than one year.

A PCD is created by DRB approval of a site development plan and a subdivision plat. Site plan and subdivision approval are contingent upon recorded deed restrictions approved by the DRB.

The recorded deed restrictions may not be amended or repealed without the city's prior written approval.

Upon recording the plat and all required documents for a PCD the area of the PCD shall be delineated and designated with the letters "PCD" on the official zone map.

The Planning Director, at the request of the owner, may void the site development plan and remove the PCD designation if no development has occurred on the site, and the property is replatted to conform to the requirements of the underlying zoning district. (Ord. 10-1995)

H12
RA-1
3 ELY PORTION OF
AZAR
A REMAINDER OF
DURANES DITCH
GABALDON
J12
313A2A
313A2B
5A1
5A3
A-1
LULAC
GABALDON DR + NW MOUNTAIN RD NW
MOUNTAIN
C1/PRIVATE ROAD EASEMENT
DON GABAL
315A1A1
315B1
315B2
315B3A2
315B3B
LAGUNA SECA
26-P2
25-P2
24-P2
C4
RA-1
8-P2
9-P2
7-P2
6-P2
5-P2
4-P2
316/OLD TOWN ELEM SCHOOL
C5
C3

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 8**

SUBJECT:

Final Plat

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

An approved SIA with Financial Guarantee(s) is in place.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: APRIL 5, 2006

PLANNING TRACKING LOG

Date	Project Name & #	Action Request	Action Taken
8/10/05	Entrada del Bosque Proj 1004360	Sketch	Comments Given
12/14/05	Same	Prel Plat Site Plan Subd.	Approved
1/18/06	"	Amended SPS	
4/5/06	"	Final Plat	Approved Delegation to Planning 3 copies / Mylar delineation

#7

A Garcia 2-9-06

DRB CASE ACTION LOG (AMENDED SITE PLAN SUBD.)

REVISED 9/28/05

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

DRB Application No.: **05DRB-00025 (ASPS)** Project # **1004360**

Project Name: **ENTRADA DEL BOSQUE**

Agent: Garcia Kraemer & Associates Phone No: 242-5566

Your request for (AMENDED) **(SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 1-18-06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

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

- ☐ UTILITIES: _____
- ☐ _____
- ☐ _____
- ☐ _____

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

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

- ☒ PLANNING (Last to sign): 3 copies - all pages
  Tract A needs to be clearly identified
- ☐ _____
- ☐ _____
- ☐ _____

- ☐ **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.
- ☒ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☐ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Project Number 1004360

#7

DRB CASE ACTION LOG (AMENDED SITE PLAN SUBD.)

REVISED 9/28/05

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

DRB Application No.: **05DRB-00025 (ASPS)** Project # **1004360**

Project Name: **ENTRADA DEL BOSQUE**

Agent: Garcia Kraemer & Associates Phone No: 242-5566

Your request for (AMENDED) **(SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN),** was approved on 12-18-06 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☐ CITY ENGINEER / AMAFCA:
- ☐ PARKS / CIP:
- ☒ PLANNING (Last to sign): 3 copies - all pages
  Tract A needs to be clearly identified
- ☐ **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.
- ☒ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☐ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Project Number 1004360

CITY OF ALBUQUERQUE
Planning Department
January 18, 2006
DRB Comments

ITEM # 7

PROJECT # 1004360 APPLICATION # 06

RE: Entrada Del Bosque/ amd

Tract A boundry needs to be clearly marked on the site plan.

Andrew Garcia, Planning Alternate
924-3858 fax 924-3864 agarcia@cabq.gov

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 7**

SUBJECT:

Site Plan for Subd
Preliminary Plat

ACTION REQUESTED:

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

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

An approved amended drainage plan dated 1-9-06 is on file for Preliminary Plat approval.

RESOLUTION:

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: January 18, 2006

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

January 18, 2006 9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

****

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

A. Call to Order: 9:00 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

Adjourned: 10: 25 A.M.

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

1. **Project # 1001696**
   05DRB-01919 Major-Two Year SIA

   TIERRA WEST LLC agent(s) for PICO LLC request(s) the above action(s) for all or a portion of Tract(s) 1-13 & A, **PICO LA CUEVA,** zoned R-D, located on BARSTOW ST NE, between OAKLAND AVE NE and ALAMEDA BLVD NE [REF: 03DRB-01952] (C-20) **TWO-YEAR SIA WAS APPROVED.**

2. **Project # 1003585**
05DRB-01925 Major-Vacation of Public Easements
05DRB-01926 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for 3900 SILVER AVE LLC, PHILLIP RABY MANAGER request(s) the above action(s) for Lot(s) 1-A-1, 10-A-1, 11-A-1 and 20-A-1, **SILVER STREET TOWNHOMES,** zoned O-R, located on SILVER AVE SE between ALISO AVE SE and MORNINGSIDE AVE SE containing approximately 1 acre(s). [REF:05DRB-00737, 05DRB-01191,05DRB-01190] (K-17) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 15-DAY APPEAL PERIOD.**

3. **Project # 1004464**
05DRB-01540 Major-Vacation of Pub Right-of-Way

GARCIA KRAEMER & ASSOCIATES agent(s) for 4120 SILVER LLC & 4200 SILVER LLC, request(s) the above action(s) for Lot(s) 5 & 6, Block(s) 10 and Lot(s) 1, Block(s) 11, **MESA GRANDE ADDITION,** zoned O-R, located on SIERRA DR SE, between SILVER AVE SE and MESA GRANDE PL SE. *[Deferred from 10/26/05 & 1/18/06]* (K-17) **DEFERRED AT THE AGENT'S REQUEST TO 3/29/06.**

4. **Project # 1004282**
05DRB-01061 Major-Preliminary Plat Approval

GARCIA/KRAEMER & ASSOCIATES agent(s) for PAT MILLIGAN request(s) the above action(s) for all or a portion of Lots(s) A-1, B-1, C-1, D-1, E-1, F-1, H-1, J-1, K-1, **ALAMOSA ADDITION,** zoned R-T residential zone, located on TRUJILLO RD SW, between 62nd ST SW and BATAAN DR SW containing approximately 2 acre(s).*[Deferred from 7/20/05 & 7/27/05 & 1/11/06 & 1/18/06]* (K-11) **DEFERRED AT THE AGENT'S REQUEST TO 1/25/06.**

5. **Project # 1004404**
05DRB-01364 Major-Bulk Land Variance
05DRB-01365 Major-Vacation of Public Easements
05DRB-01367 Minor-Prelim&Final Plat Approval

SURV-TEK INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) H-2, THE TRAILS, UNIT 1, and unplatted lands (to be known as **THE TRAILS, UNIT 3**) zoned R-D residential and related uses zone, developing area, located on PASEO DEL NORTE NW west of RAINBOW ST NW and containing approximately 165 acre(s). *[Deferred from 9/21/05 & 10/5/05 & 10/26/05 & 12/7/05 & 1/18/06]* (C-8/C-9) **DEFERRED AT THE AGENT'S REQUEST TO 2/15/06.**

6. **Project # 1004607**
05DRB-01904 Major-Preliminary Plat Approval
05DRB-01905 Minor-Temp Defer SDWK

WILSON & COMPANY, INC. agent(s) for VISTA VIEJA INVESTMENTS, LLC request(s) the above action(s) for all or a portion of Tract(s) 3 & 4, **VISTA VIEJA SUBDIVISION,** zoned RD, located on SCENIC NW, between 81ST ST NW and ALBERICOQUE PL NW containing approximately 78 acre(s). [REF: 04DRB-00825, 04DRB-01460, 05DRB-01235, 05DRB-01236] *[Deferred from 1/11/06 & 1/18/06]* (D-9) **DEFERRED AT THE AGENT'S REQUEST TO 1/25/06.**

SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)
NOTE: IF THE APPLICANT/AGENT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

7. **Project # 1004360**
06DRB-00025 Minor-Amnd SiteDev Plan Subd
06DRB-00024 Minor-Amnd Prelim Plat Approval

GARCIA/KRAEMER & ASSOCIATES agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, **ENTRADA DEL BOSQUE,** zoned RA-2, located on MOUNTAIN RD NW, between GALBALDON NW and LULAC NW containing approximately 5 acre(s). [REF: 05DRB-01736, 05DRB-01737] (J-12) **THE AMENDED SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED**

TO PLANNING FOR 3 COPIES OF THE SITE PLAN AND CLEAR DEFINITION OF TRACT A BOUNDARY. THE AMENDED GRADING PLAN ENGINEER STAMP DATED 1/9/06 WAS APPROVED. THE AMENDED PRELIMNARY PLAT WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT.

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

8. Project # 1002247
06DRB-00052 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON INC agent(s) for HUNT UPTOWN LLC request(s) the above action(s) for all or a portion of Tract(s) A, **ABQ UPTOWN SITE,** zoned SU-3 special center zone, located on LOUISIANA BLVD NE, between ARVADA AVE NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 04DRB00830, 00831, 00832] (H-19) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

9. Project # 1003687
06DRB-00054 Minor-Final Plat Approval

BOHANNAN HUSTON INC agent(s) for PULTE HOMES OF NEW MEXICO request(s) the above action(s) for all or a portion of Tract(s) 2 & 9, VENTANA RANCH WEST (to be known as **WESTERN RIDGE, UNIT 2**) zoned R-LT residential zone, located on PASEO DEL NORTE BLVD NW, between VENTANA RIDGE RD NW and VENTANA WEST PARKWAY NW containing approximately 50 acre(s). [REF: 05DRB-01418] (B-8) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR NMU INC SIGNATURE ON THE PLAT AND TO RECORD.**

10. **Project # 1003366**
06DRB-00056 Minor-Prelim&Final Plat Approval

ADVANCED ENGINEERING & CONSULTING agent(s) for SHARIF (FELIX) RABADI request(s) the above action(s) for all or a portion of Tract(s) T-1A-2, **TOWN OF ALAMEDA GRANT,** zoned SU-1 FOR PRD, located on GOLF COURSE RD NW, between IRVING BLVD NW and the CALABACILLAS ARROYO, containing approximately 9 acre(s). [REF: 05DRB01272, 05DRB01273, 04EPC00498, 04DRB00596, Z-80-74, AX-80-16, Z-85-84, AX-85-20, Z-93-131, DRB-94-146, V-96-89] *[Deferred from 1/18/06]* (A-12/B-12) **DEFERRED AT THE AGENT'S REQUEST TO 1/25/06.**

11. **Project # 1004637**
06DRB-00050 Minor-Prelim&Final Plat Approval

WILKS COMPANY agent(s) for DONALD & BARBARA MAESTAS request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 66, **BEL AIR SUBDIVISION,** zoned C-1, located on COMANCHE NE NE and SAN MATEO NE, containing approximately 1 acre(s). (G-17) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR TRAFFIC ISSUES.**

12. **Project # 1004638**
06DRB-00051 Minor-Prelim&Final Plat Approval

WILKS COMPANY agent(s) for LARRY LANDINI, GALA III LLC request(s) the above action(s) for all or a portion of Tract(s) 5-D3, **PARADISE VALLEY SUBDIVISION,** zoned SU-1, C-2 & IP, located on MARNA LYNN AVE NW, between GOLF COURSE RD NW and COORS BLVD NW containing approximately 4 acre(s). [REF: DRB-99-66, DRB-99-189] (C-12) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR SIDEWALK EASEMENTS AND PLANNING FOR AMENDMENT TO EXISTING SITE PLAN, NMU INC SIGNATURE ON THE PLAT, CORRECTION OF ZONING ON THE PLAT AND AGIS DXF FILE.**

13. **Project # 1001568**
05DRB-01422 Minor- Final Plat Approval

BORDENAVE DESIGNS agent(s) for ED HADDAWAY request(s) the above action(s) for all or a portion of Tract(s) 90 and 91A-1, A1-B1-A1-B2, **MRGCD MAP NO 35,** zoned RA-2 & R-1, located on RIO GRANDE BLVD NW, between ZICKERT NW and LOS ANAYAS NW containing approximately 3 acre(s). *[Final Plat was Indef deferred 9/21/05 for SIA]* (A-2) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD.**

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

14. **Project # 1004634**
06DRB-00044 Minor-Sketch Plat or Plan

FORSTBAUER SURVEYING LLC agent(s) for CALABACILLAS GROUP request(s) the above action(s) for all or a portion of Tract(s) A-1, B-1 & C-1, **BLACK ARROYO DAM,** zoned C-2 community commercial zone, located on GOLF COURSE RD NW, between WESTSIDE BLVD NW and DRIFTWOOD AVE NW containing approximately 14 acre(s). (A-12) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. **Project # 1004639**
06DRB-00055 Minor-Sketch Plat or Plan

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-B, **ACRES ADDITION,** zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON DR NW and LULAC AVE NW containing approximately 5 acre(s). [REF: BA-1771] (J-12) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. Approval of the Development Review Board Minutes for January 11, 2006. **THE DRB MINUTES FOR JANUARY 11, 2006 WERE APPROVED BY THE BOARD.**

ADJOURNED: 10:25 A.M.

#4

Complete 2-9-06
Ag.

DRB CASE ACTION LOG (SITE PLAN SUBD.)

REVISED 9/28/05

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

DRB Application No.: **05DRB-01736 (SPS)** Project # **1004360**

Project Name: **ENTRADA DEL BOSQUE SUBD**

Agent: Rio Grande Engineering Phone No.: 872-0999

Your request for (**SDP for SUB**), (**SDP for BP**), (**FINAL PLATS**), (**MASTER DEVELOP. PLAN**), was approved on 12/21/05 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION: * S.W. DEFERRAL V
  - * ADA RAMPS (Plat).
  - * MAINT. of ACCESS (Plat)
- ☐ UTILITIES:
- ☐ CITY ENGINEER / AMAFCA:
- ☐ PARKS / CIP:
- ☒ PLANNING (Last to sign): 15 day appeal period. 3 Copies.
- ☐ **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.
- ☒ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☐ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Project Number 1004360

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 4, 2006

11. Project # 1004360
05DRB-01922 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, **ENTRADA DEL BOSQUE,** zoned RA-2, located on MOUNTAIN RD NW, between GABALDON RD NW and LULAC AVE NW containing approximately 5 acre(s). [REF: 05DRB-01245, 05DRB-1736, 05DRB-01737] (J-12)

At the January 4, 2006, Development Review Board meeting, the temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

for Sheran Matson, AICP, DRB Chair

Cc:Washington Investors, P.O. Box 93024, 87199
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

CITY OF ALBUQUERQUE
Planning Department
January 4, 2006
DRB Comments

ITEM # 11

PROJECT # 1004360 APPLICATION # 05-01922

RE: Entrada Del Bosque\temp def SDWK

There is no objection to the requested temporary deferral of sidewalk request.

Andrew Garcia, Planning Alternate
924-3858 fax 924-3864 agarcia@cabq.gov

11
10
9
REMAINDER OF
DURANES DITCH
DURANES DITCH
313A2B
RA-2
J12
313A2A
C
SU-1
MOUNTAIN
315B1
315B2
315B3A2
C4
0
200ft

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

January 4, 2006 9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

A. Call to Order: 9:00 A.M. Adjourned: 11:03 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

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

1. Project # 1003172
05DRB-01845 Major-Two Year SIA

TIERRA WEST LLC agent(s) for STILLBROOKE HOMES request(s) the above action(s) for **SEVILLE ESTATES, UNIT 9,** zoned R-LT residential zone, located on KAYENTA ST NW, between IRVING BLVD NW the CALABACILLAS ARROYO, containing approximately 7 acre(s). [REF: 04DRB-00529,04DRB-01955, 04DRB-01957,05DRB-01053] (A-10) **A ONE-YEAR EXTENSION OF THE SIA WAS APPROVED.**

2. **Project # 1002247**
05DRB-01815 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for HUNT UPTOWN LLC request(s) the above action(s) for all or a portion of Tract(s) A, **ABQ UPTOWN SITE,** zoned SU-3 special center zone, located on LOUISIANA BLVD NE, between ARVADA AVE NE and INDIAN SCHOOL RD NE containing approximately 18 acre(s). [REF: 04DRB-00830, 04DRB-00831, 04DRB-00832, 04EPC-00914] (H-19) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH CONDITIONS OF FINAL PLAT APPROVAL: REPLACE THE EASEMENT BEING NARROWED WITH A NEW EASEMENT THAT WILL RESULT IN A 20-FOOT EASEMENT. ON THE PORTION OF INDIAN SCHOOL ROAD BEING VACATED A MINIMUM OF 5-FEET FROM THE EXISTING WELL COLLECTION LINE TO THE PROPOSED VACATION IS REQUIRED.**

3. **Project # 1002743**
05DRB-01818 Major-Preliminary Plat Approval

BORDENAVE DESIGNS agent(s) for HARVEST HOMES LLC request(s) the above action(s) for all or a portion of Tract(s) I & J, **LA LUZ DEL OESTE, UNIT 4,** zoned SU-1 FOR PRD, located on COORS BLVD NW, between WESTERN TRAILS NW and DELLYNE NW containing approximately 4 acre(s). [REF: 03DRB-00989] (F-11) **THE AGENT WILL NEED TO READVERTISE. THE REQUEST WAS INDEFINITELY DEFERRED ON A NO SHOW.**

4. **Project # 1003762**
05DRB-01822 Major-Preliminary Plat Approval
05DRB-01823 Minor-Sidewalk Waiver
05DRB-01824 Minor-Temp Defer SDWK

ISAACSON & ARFMAN PA agent(s) for CHELWOOD HILLS LLC request(s) the above action(s) for all or a portion of Tract(s) B, CHELWOOD ELEMENTARY SCHOOL (to be known as **CHELWOOD HILLS SUBDIVISION**) zoned R-LT, located on EASTRIDGE PARK BLVD NE, between CHELWOOD PARK BLVD NE and INDIAN SCHOOL RD NE containing approximately 4 acre(s). [REF: 04EPC-01714, 05DRB-00316] (J-22) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 1/4/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 12/1/05 THE PRELIMINARY PLAT WAS APPROVED WITH**

CONDITIONS OF FINAL PLAT APPROVAL: MAKE THE DRAINAGE EASEMENT ALONG THE WEST SIDE "PRIVATE" AND ESTABLISH MAINTENANCE AND BENEFICIARIES. FIRE AND SOLID WASTE APPROVAL IS REQUIRED. THE PERIMETER WALL DESIGN MUST BE APPROVED PRIOR TO FINAL PLAT. THE LOT LINES ON LOTS 11-P1, 12-P1 AND 13-P1 WILL NEED ADJUSTMENT TO MEET THE 20-FOOT SIDEYARD SETBACK ON LOT 20-P1. A SIDEWALK VARIANCE FOR WAIVER OF SIDEWALKS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.

5. Project # 1004083
05DRB-01849 Major-Vacation of Pub Right-of-Way

RHOMBUS PA INC agent(s) for SANCHEZ & WADE ENTERPRISES LLC request(s) the above action(s) for all or a portion of Lot(s) 19-33, Block(s) 11, **VALLEY VIEW ADDITION,** zoned C-2 community commercial zone, located on ZUNI RD SE, between ADAMS ST NE and JEFFERSON ST SE containing approximately 1 acre(s). [REF: 05ZHE00537] (K-17) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE WITH THE CONDITION OF FINAL PLAT APPROVAL: THE CITY WILL RETAIN 16-FEET FROM THE FACE OF CURB ALONG ZUNI.**

6. Project # 1004456
05DRB-01817 Major-Preliminary Plat Approval
05DRB-01819 Minor-Temp Defer SDWK

BRASHER & LORENZ agent(s) for BARON'S RUN, LLC request(s) the above action(s) for all or a portion of Lot(s) 14, 15, 16, 17 & 18, Tract(s) 1, Block(s) 11, NORTH ALBUQUERQUE ACRES (to be known as **BARON'S RUN SUBDIVISION)** zoned RD, located on BARSTOW ST NE, between FLORENCE AVE NE and GLENDALE AVE NE containing approximately 5 acre(s). [REF: 05DRB-01507] (B-19) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 1/4/06 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 12/1/05 THE PRELIMNARY PLAT WAS APPROVED WITH THE**

CONDITION OF FINAL PLAT: THE PERIMETER WALL DESIGN SHALL BE APPROVED PRIOR TO FINAL PLAT. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.

7. **Project # 1000696**
   05DRB-01529 Major-Preliminary Plat Approval
   05DRB-01530 Minor-Sidewalk Waiver
   05DRB-01531 Minor-Temp Defer SDWK

MARK GOODWIN & ASSOCIATES agent(s) for ICDC LLC request(s) the above action(s) for all or a portion of Tract(s) C, LEE'S BOSQUE SUBDIVISION (to be known as **BOSQUECITO SUBDIVISION)** zoned RD, located on BOSQUE MEADOWS BLVD NW, between LA ORILLA NW and PASEO DEL NORTE containing approximately 7 acre(s).*[Deferred from 10/26/05 & 11/9/05 & 11/23/05 & 11/30/05 & 1/4/06]* (D-12) **DEFERRED AT THE AGENT'S REQUEST TO 1/25/06.**

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

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

8. **Project # 1002134**
   05DRB-01928 Minor-SiteDev Plan BldPermit

Mullen Heller Architecture PC request(s) the above action(s) for all or a portion of Tract(s) 13 and 14, **LAS LOMITAS BUSINESS PARK**, zoned IP, located on the east side of LAS LOMITAS DR NE between CUESTA ARRIBA CT NE and CUESTA ABAJO CT NE containing approximately 2 acre(s). [REF: 04DRB-01804, 04DRB-01967] (D-16) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN AND REPLATTING OF THE PROPERTY.**

9. **Project # 1004471**
05DRB-01881 Minor-SiteDev Plan Subd/EPC
05DRB-01882 Minor-SiteDev Plan BldPermit/EPC
05DRB-01889 Minor-Prelim&Final Plat Approval

ARCH & PLAN LAND USE CONSULTANTS LLC agent(s) for HACIENDA MARTINEZ LLC request(s) the above action(s) for all or a portion of Tract(s) C3 A-1-A-1, **SEVEN BAR RANCH,** zoned SU-1 FOR IP, located on NM 528 NW, between COTTONWOOD DR NW and CIELO VISTA DEL SUR NW containing approximately 1 acre(s). [REF: Z-79-146-4-5] **[Stephanie Shumsky, EPC Case Planner]** *[Deferred from 12/21/05]* (A-14) **THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN. THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO PLANNING FOR NEW MEXICO UTILITIES SIGNATURE ON THE PLAT AND TO RECORD THE PLAT.**

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

10. **Project # 1000087**
05DRB-01923 Minor-Ext of SIA for Temp Defer SDWK

ISAACSON & ARFMAN agent(s) for PALOMA DEL SOL LLC & THE STROSNIDER CO request(s) the above action(s) for all or a portion of Lot(s) 1-29, Block(s) 1 and Lot(s) 1-37, Block(s) 2, **PALOMA DEL SOL SUBDIVISION, UNIT 1,** zoned R-1, located on MCMAHON BLVD NW, between BANDELIER DR NW and GOLF COURSE RD NW containing approximately 33 acre(s). [REF: 00-DRB-00014, 01DRB-01779, 03DRB-02075, V-90-38] (A-12) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

11. **Project # 1004360**
05DRB-01922 Minor-Temp Defer SDWK

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, **ENTRADA DEL BOSQUE,** zoned RA-2, located on MOUNTAIN RD NW, between GABALDON RD NW and LULAC AVE NW containing approximately 5 acre(s). [REF: 05DRB-01245, 05DRB-1736, 05DRB-01737] (J-12) **THE TEMPORARY**

DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.

12. Project # 1002123
05DRB-01917 Minor-Final Plat Approval

DEL'S HIDE-A-WAY PARK, PHILIP D SHEETS, request(s) the above action(s) for all or a portion of Tract(s) B, **DEL'S HIDE-A-WAY PARK,** zoned SU-1 FOR RT, located on SAN CLEMENTE AVE NW, between 4TH ST NW and ALAMEDA DRAIN NW containing approximately 3 acre(s). [REF: 05-DRB-00981] (G-14) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE, DRAINAGE EASEMENT MODIFICATION AND TO RECORD THE PLAT.**

13. Project # 1003291
05DRB-01924 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST agent(s) for BUD COWHAM request(s) the above action(s) for all or a portion of Lot(s) 1, 2 & 3, **LANDS OF COWHAM-BOWEN,** zoned RL-T, located on RIO GRANDE BLVD NW, between CANTRERAS PL NW and MATTHEW AVE NW containing approximately 2 acre(s). [REF: 04DRB-00322, 04DRB-00528] (H-13) **THE PRELIMINARY AND FINAL PLAT WS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

14. **Project # 1003813**
05DRB-01912 Minor-Final Plat Approval

THOMPSON ENGINEERING agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 1 & 2 and B, Lot(s) 24 & 25, GURULE ESTATES, TOWN OF ATRISCO GRANT, PAINTED SKY SUBDIVISION, UNIT 1 (to be known as **SUNDORO SOUTH, UNIT 8**) zoned SU-2 FOR RLT, located on LADERA DR NW, between 98TH ST NW and GAVIN RD NW containing approximately 15 acre(s). (J-9) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR AMAFCA SIGNATURE, MAINTENANCE AND BENEFICIARY OF TRACTS AND PLANNING FOR AGIS DXF FILE AND TO RECORD THE PLAT.**

15. **Project # 1004390**
05DRB-01911 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON INC agent(s) for CMC STEEL FABRICATORS INC request(s) the above action(s) for all or a portion of Tract(s) 1-A-1, **FRANCISCAN ADDITION,** zoned M-2, located on 1ST NE, between I-40 NE and BN & SF RAILROAD containing approximately 4 acre(s). [REF: 05DRB-01346] (H-14) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL PLAT SIGN OFF DELEGATED TO PLANNING FOR PNM SIGNATURE ON THE PLAT AND ZONING DESIGNATION ON THE PLAT.**

16. **Project # 1000089**
05DRB-01480 Minor- Final Plat Approval

SURV-TEK INC agent(s) for RIVERSIDE PLAZA LTD CO request(s) the above action(s) for all or a portion of Tract(s) 1-A-2, **RIVERSIDE PLAZA,** zoned SU-1 FOR C-1, located on COORS BLVD NW, between STONE BRIDGE NW and MONTANO PLAZA DR NW containing approximately 2 acre(s). [REF: Z-98-27, DRB-97-477, 05EPC-01106, 05EPC-01107] *[Indef Deferred from 9/28/05,10/26/05, Final Plat Indef Deferred for SIA]* (E-12) **FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

17. **Project # 1004546**
05DRB-01735 Minor-Final Plat Approval

SURV-TEK, INC agent(s) for SOUTH COORS LIMITED PARTNERSHIP request(s) the above action(s) for all or a portion of Tract(s) A-1A-3, **HUBBELL PLAZA,** zoned C-2, SC located on CENTRAL AVE NW, between COORS BLVD NW and AIRPORT RD NW containing approximately 4 acre(s).[REF:DRB-92-194] [Indef Deferred for SIA] (K-10) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

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

18. **Project # 1004604**
05DRB-01896 Minor-Sketch Plat or Plan

P. THOMAS GUTIERREZ agent(s) for SILVERTON CUSTOM HOMES request(s) the above action(s) for all or a portion of Lot(s) 8-11, Block(s) 6, **BELMONT PLACE,** zoned R-1 residential zone, located on 5TH ST NW, between FREEMAN AVE NW and SAN CLEMENTE AVE NW containing approximately 1 acre(s). (G-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

19. **Project # 1004612**
05DRB-01918 Minor-Sketch Plat or Plan

EDWARD & NELDA PUZAK request(s) the above action(s) for all or a portion of Tract(s) 64A1A, SECTION 32, **M.R.G.C.D. MAP 44,** zoned M-1 light manufacturing zone, located on WOODWARD RD SE, between BROADWAY BLVD SE and WILLIAM ST SE containing approximately 2 acre(s). [REF: ZA-85-90] (M-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

20. Approval of the Development Review Board Minutes for December 21, 2005. **THE DRB MINUTES FOR DECEMBER 21, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:03 A.M.

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 11**

SUBJECT:

Sidewalk Deferral

ACTION REQUESTED:

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

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the subject request.

RESOLUTION:

APPROVED _X_; DENIED _____; DEFERRED _____; COMMENTS PROVIDED ___; WITHDRAWN

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: January 4, 2006

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 21, 2005

4. Project # 1004360
05DRB-01736 Major-SiteDev Plan Subd
05DRB-01737 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] [Deferred from 12/14/05] (J-12)

At the December 21, 2005, Development Review Board meeting, the site plan for subdivision was approved with final sign off delegated to Planning for 15-day appeal period and 3 copies of the site plan.

With the signing of the infrastructure list dated 12/21/05 and approval of the grading plan engineer stamp dated 10/24/05 the preliminary plat was approved with the following conditions of final plat:

A sidewalk deferral application is required.

Place ADA ramps within the public right-of-way.

Access Maintenance note is required.

If you wish to appeal this decision, you must do so by January 6, 2006, 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 a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc:Washington Investors, P.O. Box 93024, 87199
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106
Bill Kraemer, Garcia Kraemer Association, 200 Lomas Blvd NW, #1111, 87102
Paul Kuenstler, 3114 Spur Ct NW, 87104
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004360 AGENDA#: 4 DATE: 12/21/05

1. Name: PAUL KOENSTLER Address: 3114 SPUR COURT NW Zip: 87104
2. Name: Bill Kraemer Address: Garcia Kraemer Zip: _____
3. Name: David Soule Address: Rio Grande Eng Zip: _____
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____

A REMAINDER OF
DURANES DITCH
DURANES DITCH
313A2A
J12
LULAC
MOUNTAIN
MOUNTAIN + NW LULAC NW
R-1
SU
D
E
26-P2
RA-1
C4
316/OLD TOWN ELEM SCHOOL
DURANES DITCH
R-1
317/OLD TOWN ELEM SCHOOL
222ft

CITY OF ALBUQUERQUE

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 4**

SUBJECT:

Site Plan for Subd
Preliminary Plat

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

See DRB minutes/speed memo dated 12-14-05.

RESOLUTION: signed I.L.

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: December 21, 2005

DEVELOPMENT REVIEW BOARD
ACTION SHEET

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

December 14, 2005 9:00 a.m.

MEMBERS:

Sheran Matson, AICP, DRB Chair
Claire Senova, Administrative Assistant

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer
Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

****

NOTE: UNLESS ANNOUNCED DURING THE MEETING, THE DEVELOPMENT REVIEW BOARD WILL NOT TAKE A LUNCH BREAK.

NOTE: INDIVIDUALS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE TO PARTICIPATE AT THIS MEETING SHOULD CONTACT CLAIRE SENOVA, PLANNING DEPARTMENT, AT 924-3946. HEARING IMPAIRED USERS MAY CONTACT HER VIA THE NEW MEXICO RELAY NETWORK BY CALLING TOLL-FREE:1-800-659-8331.

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON.

A. Call to Order: 9:00 A.M. Adjourned: 11:25 A.M.
B. Changes and/or Additions to the Agenda
C. New or Old Business

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

1. ~~**Project #1004360**~~
   05DRB-01736 Major-SiteDev Plan Subd
   05DRB-01737 Major-Preliminary Plat Approval

   RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] [Deferred from 12/14/05] (J-12) **DEFERRED AT THE BOARD'S REQUEST TO 12/21/05.**

2. **Project # 1003132**
05DRB-01754 Major- Vacation of Public Easements
05DRB-01753 Major- Vacation of Public Easements

ADVANCED ENGINEERING AND CONSULTING LLC agent(s) for MWS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A & 9-B, **BROADWAY INDUSTRIAL CENTER, UNIT 3,** zoned SU-2 - HM located on KARSTEN COURT SE, between SAN JOSE SE and GIBSON AVE SE containing approximately 4 acre(s). [REF: 03DRB020703, DRB-97-271] (M-14) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A CONDITION OF FINAL PLAT: THE EXISTING LOTS WILL BE CONSOLIDATED INTO A SINGLE LOT.**

3. **Project # 1001594**
05DRB-01761 Major-Vacation of Public Easements

WILSON & COMPANY agent(s) for CURB INC request(s) the above action(s) for all or a portion of Tract(s) 29A, LANDS OF SALAZAR/QUATRO/JSJ/ HANNETT, (to be known as **ARROWWOOD HILLS, UNIT 1,** zoned R-LT residential zone, located on AMOLE MESA SW, between MESA ARENOSO DR SW and MESSINA DR SW containing approximately 1 acre(s). [REF: 02DRB01621, 01622,, 04DRB00137, 00261, 00262,00263] (N-8/N-9) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **Project # 1003921**
05DRB-01758 Major-Vacation of Pub Right-of-Way
05DRB-01759 Major-Vacation of Public Easements
05DRB-01760 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES agent(s) for AMAFCA & CITY OF ALBUQUERQUE, MUNICIPAL DEVELOPMENT DIVISION, request(s) the above action(s) for all or a portion of Lot(s) 1-32, Block(s) 7 and Lot(s) 1-32, Block(s) 8, **NORTH ALBUQUERQUE ACRES, TRACT 2, UNIT 3,** zoned SU-1, R-D, R-T, located on CORONA AVE NE, between LOUISIANA BLVD NE and WYOMING AVE NE containing approximately 10 acre(s). (C-19) **VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE GIVEN.**

5. **Project # 1004387**
05DRB-01332 Major-Vacation of Pub Right-of-Way

MARK HARENBERG agent(s) for SPRUCE PARK LLC request(s) the above action(s) for tract northeast of Lot(s) 35, Block(s) 12, **COUNTRY CLUB ADDITION,** located on the northeast corner of ENCINO PLACE NE and LOS LOMAS RD NE and containing approximately 1 acre(s). *[Deferred from 9/14/05 & 10/5/05 & 11/9/05 & 12/14/05]* (J-15) **DEFERRED AT THE AGENT'S REQUEST TO 12/21/05.**

6. **Project # 1004462**
05DRB-01525 Major-Vacation of Public Easements
05DRB-01524 Major-Preliminary Plat Approval
05DRB-01526 Minor-Sidewalk Waiver
05DRB-01527 Minor-Temp Defer SDWK

BOHANNAN HUSTON INC agent(s) for ANDALUCIA DEVELOPMENT CO INC request(s) the above action(s) for REPLAT OF Tract(s) A, ANDALUCIA AT LA LUZ, (to be known as **ANDALUCIA @ LA LUZ, UNIT 3)** zoned SU-1, located on COORS BLVD NW, between NAMASTE RD NW and LA BIENVENIDA PL NW containing approximately 13 acre(s). [REF: 05EPC-01115, 05EPC-01117] *[Deferred from 10/26/06 & 11/2/05 & 11/9/05 & 11/16/05 & 11/23/05 & 11/30/05 & 12/7/05 & 12/14/05]* (F-11) **DEFERRED AT THE AGENT'S REQUEST TO 12/21/05.**

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

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

7. **Project # 1004343**
05DRB-01213 Minor-SiteDev Plan BldPermit

BOHANNAN HUSTON INC. agent(s) for CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Lot(s) 22-27, **ALAMEDA BUSINESS PARK,** zoned SU-2 IP-EP, located on EDITH BLVD NW, between ALAMEDA PARK DR NW and the AMAFCA DIVERSION CHANNEL containing approximately 12 acre(s). [REF: DRB-98-223] *[Deferred from 8/3/05 & 8/10/05 & INDEF DEFERRED ON 9/7/05]* (C-16) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR SIDEWALK DIMENSIONING AND SIDEWALK DETAIL AND 3 COPIES OF THE SITE PLAN.**

8. **Project # 1004097**
05DRB-01790 Minor-SiteDev Plan BldPermit/EPC

DENISH & KLINE ASSOCIATES agent(s) for FOREST CITY COVINGTON LLC request(s) the above action(s) for all or a portion of Tract(s) 4-1, **MESA DEL SOL EMPLOYMENT CENTER, PHASE 1,** zoned SU-1 FOR IP USES, located at the intersection of BOBBY FOSTER SE and UNIVERSITY BLVD SE Extension, containing approximately 7 acre(s). **[Catalina Lehner, EPC Case Planner]** *[Deferred from 12/7/05]* (Q-16/R-16) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR RADII TURNING TEMPLATES, A COPY OF COUNTY LETTER AND 3 COPIES OF THE SITE PLAN.**

05DRB-01826 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON INC agent(s) for REGENTS OF UNM & COMMISSIONER OF PUBLIC LANDS OF THE STATE OF NEW MEXICO TRUSTEE, request(s) the above action(s) for all or a portion of Tract(s) 9-A & 9-B, **MESA DEL SOL, EMPLOYMENT CENTER PHASE 1,** zoned SU-2 PLANNED COMMUNITY, located on BOBBY FOSTER SE, between UNIVERSITY BLVD SE Extension, containing approximately 7 acre(s).Q-16,R-15/R-16, S-16) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/14/05 THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITION OF FINAL PLAT: A 17-FOOT RIGHT-OF-WAY EXCHANGE WITH THE COUNTY SHALL BE REVISITED PRIOR TO FINAL PLAT. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

9. **Project # 1002346**
05DRB-01794 Minor-SiteDev Plan BldPermit/EPC
05DRB-01792 Minor-Prelim&Final Plat Approval

GEORGE RAINHART ARCHITECT & ASSOCIATES agent(s) for GRADY RENTALS LLC request(s) the above action(s) for all or a portion of Tract(s) G, VENTANA RANCH, (to be known as **VENTANA SQUARE @ VENTANA RANCH**) zoned C-2 community commercial zone, located on UNIVERSE BLVD NW, between PARADISE BLVD NW and VENTANA RD NW containing approximately 10 acre(s). [REF: 05EPC-01264, 05EPC-01263, 02DRB-01735, 03DRB-00070, 03DRB-00171] **[Carmen Marrone, EPC Case Planner]** *[Deferred from 12/7/05]* (B-10) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR COORDINATION AND APPROVAL WITH AMAFCA OF MAINTENANCE ROAD**

ACCESS AND PLANNING FOR 3 COPIES OF THE SITE PLAN. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/14/05 THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITIONS OF FINAL PLAT: AMAFCAS SIGNATURE ON FINAL PLAT. MAINTENANCE NOTES FOR CROSS ACCESS EASEMENTS ARE ADDED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.

05DRB-01830 Minor-SiteDev Plan Subd/EPC

GEORGE RAINHART ARCHITECT & ASSOCIATES agent(s) for GRADY RENTALS LLC request(s) the above action(s) for all or a portion of Tract(s) G, VENTANA RANCH, (to be known as **VENTANA SQUARE @ VENTANA RANCH**) zoned C-2 community commercial zone, located on UNIVERSE BLVD NW, between PARADISE BLVD NW and VENTANA RD NW containing approximately 10 acre(s). [REF: 05EPC-01264, 05EPC-01263, 02DRB-01735, 03DRB-00070, 03DRB-00171] **[Carmen Marrone, EPC Case Planner]** (B-10) **SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER TO CLARIFY TRACT BOUNDARY AND PLANNING FOR 3 COPIES OF SITE PLAN.**

10. Project # 1000871
05DRB-01839 Minor-SiteDev Plan Subd/EPC
05DRB-01840 Minor-SiteDev Plan BldPermit/EPC

DESIGN GROUP agent(s) for JIM JEPPSON request(s) the above action(s) for all or a portion of Lot(s) B-5-B-1, B-5-C-1, **ACADEMY ACRES SUBDIVISION,** zoned SU-1, located on HARPER AVE NE, between I-25 FRONTAGE RD NE and BARNHART ST NE containing approximately 8 acre(s). [REF: 05-EPC-01257, 05-EPC-01261, 05-DRB-01458,05DRB-01715,05DRB-01706] **[David Stallworth, EPC Case Planner]** *[Deferred from 12/14/05]* (E-17, E-18) **DEFERRED AT THE AGENT'S REQUEST TO 12/21/05.**

05DRB-01837 Minor-Prelim&Final Plat Approval

TERRAMETRICS OF NEW MEXICO agent(s) for PRESBYTERIAN HEALTHCARE SERVICES request(s) the above action(s) for Tract(s) B-5-B-1 and B-5-C-1, **ACADEMY ACRES SUBDIVISION, UNIT 5,** zoned SU-1, located on HARPER DR NE, between INTERSTATE 25 NE and SAN PEDRO DR NE containing approximately 8 acre(s). *[Deferred from 12/14/05]* (E-17/E-18) **DEFERRED AT THE AGENT'S REQUEST TO 12/21/05.**

11. Project # 1002739
05DRB-01835 Minor-Amnd SiteDev Plan Subd
05DRB-01832 Minor-Amnd Prelim Plat Approval
05DRB-01834 Major-Final Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for K B HOME NEW MEXICO INC request(s) the above action(s) for, ANDERSON HEIGHTS, UNIT 1 (to be known as **ANDERSON HEIGHTS, UNIT 5**) zoned RD/RLT, located on 118TH STREET SW, between DENNIS CHAVEZ BLVD SW and GIBSON BLVD SW containing approximately 57 acre(s). [REF: 05DRB00681, 05DRB00683, 05DRB00684, 05DRB00685, 05DRB00686, 05DRB00639] (N-8/P-8) **THE AMENDED SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES OF THE SITE PLAN. THE AMENDED PRELIMINARY PLAT WAS APPROVED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT. THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD THE PLAT.**

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

12. Project # 1003886
05DRB-01831 Minor-Amnd Prelim Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for EVERGREEN DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Tract(s) C & 42, MESA VILLAGE SUBDIVISION, (to be known as **SILVER LEAF SUBDIVISION**) zoned R-3, located on LOMAS BLVD NE, between SELLARS DR NE and EASTERDAY DR NE containing approximately 6 acre(s). [REF: 05DRB-00908, 05DRB-01572] (J-20) **WITH THE SIGNING OF THE AMENDED INFRASTRUCTURE LIST DATED 12/14/05 AND APPROVAL OF THE AMENDED GRADING PLAN DATED 11/9/05 THE AMENDED PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS OF FINAL PLAT: REVISED PERIMETER WALL LOCATION MAP. P-1 LOT DESIGNATIONS ARE REQUIRED. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT.**

13. Project # 1001770
05DRB-01232 Minor-Final Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for JPS, LLC request(s) the above action(s) for all or a portion of Tract(s) 5-A1-B & 5-A2-A, LANDS OF JOEL P. TAYLOR (to be known as **MONTANO RETAIL**), zoned C-2, (SC) located on COORS BLVD NW, between MONTANO NW and MONTANO PLAZA NW containing approximately 7 acre(s). [REF: 05-DRB-00320] *[Final Plat Indef Deferred for SIA]* (E-12) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR REMOVAL OF EASEMENT 24 AND EASEMENT 22 SHOULD BE PRIVATE AND PLANNING FOR AGIS DXF FILE AND TO RECORD.**

14. Project # 1003655
05DRB-01833 Minor-Final Plat Approval

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 8, 15, 16 & 17, Block(s) 1, Tract(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **LA VISTA AT DESERT RIDGE TRAILS**) zoned RD, located on WYOMING BLVD NE, between EAGLE ROCK AVE NE and MODESTO AVE NE containing approximately 3 acre(s). [REF: 04DRB01373] *[Deferred from 12/14/05]* (C-19) **DEFERRED AT THE AGENT'S REQUEST TO 1/11/06.**

15. Project # 1003594
05DRB-01827 Minor-Prelim&Final Plat Approval

BOHANNAN HUSTON agent(s) for D. R. HORTON HOMES request(s) the above action(s) for all or a portion of Lot(s) 109-A-1 thru 113-A-1 and Tract(s) N-1, **VENTANA MESA SUBDIVISION, UNIT 1, @ VENTANA RANCH WEST,** zoned R-LT, located on PASEO DEL NORTE NW, between CARSON MESA DR NW and VENTANA WEST PARKWAY NW containing approximately 1 acre(s). [REF: 04-DRB-01199] (B-9) **PRELIMINARY AND FINAL PLAT WERE APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR NMU INC SIGNATURE.**

16. **Project # 1002330**
05DRB-01838 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST agent(s) for JIM HAKEEM request(s) the above action(s) for all or a portion of Tract(s) G-2-A, **MONTGOMERY COMPLEX,** zoned SU-1 for C-2, located near the AMAFCA NORTH DIVERSION CHANNEL NE, between MONTGOMERY BLVD NE and CARLISLE BLVD NE containing approximately 3 acre(s). [REF: 04DRB-01985, 03DRB-00401, 03DRB-00402, 03DRB-00347] (F-16) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR AMAFCAS SIGNATURE AND TRANSPORTATION DEVELOPMENT FOR MEDIAN MODIFICATION ON MONTGOMERY, 15-FOOT RADIUS AND 20-FOOT WATER LINE EASEMENT.**

17. **Project # 1004570**
05DRB-01828 Minor-Prelim&Final Plat Approval

PRECISION SURVEYS agent(s) for BRUCE & KATHERINE BESSER request(s) the above action(s) for all or a portion of Lot(s) 6A1 & 6A2, Block(s) 14, Tract(s) A, **UNIT B, NORTH ALBUQUERQUE ACRES,** zoned SU-2 M-1, located between WILSHIRE AVE NE and INTERSTATE 25, containing approximately 3 acre(s). *[Deferred from 12/14/05]* (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 12/21/05.**

18. **Project # 1000922**
05DRB-01829 Minor-Extension of Preliminary Plat

WILSON & COMPANY INC agent(s) for LEGACY SUSTAINABLE DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) A, **LA CUENTISTA SUBDIVISION,** zoned R-1, located on KIMMICK DR NW, between URRACA ST NW and CAMINO DE PAZ NW containing approximately 50 acre(s). [REF: 04-DRB-01880, 04DRB-01881] (C-10/C-11/D-10/D-11) **AN EXTENSION OF PRELIMINARY PLAT WAS APPROVED TO APRIL 30, 2006. THE CONDITIONS OF FINAL PLAT STILL APPLY.**

19. Project # 1001085
05DRB-01836 Minor-Prelim&Final Plat Approval

ANTHONY DECK request(s) the above action(s) for all or a portion of Lot(s) 16 & 17, Block(s) B, **ROSEWOOD SUBDIVISION, UNIT 1,** zoned R-D, located on BLOSSOMWOOD PL NW, between HANOVER RD NW and I-40 NW containing approximately 10 acre(s). [REF: 05-DRB-00133, 05DRB00402] (J-10) **PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

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

THERE ARE NO SKETCH PLATS THIS WEEK . . .

20. Approval of the Development Review Board Minutes for November 30, 2005. **THE DEVELOPMENT REVIEW BOARD MINUTES FOR NOVEMBER 30, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:25 A.M.

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 1**

SUBJECT:

Site Plan for Subd
Preliminary Plat

ACTION REQUESTED:

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

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

An approved drainage report dated 10-24-05 is on file for Preliminary Plat approval.
An approved infrastructure list is required for Preliminary Plat approval.

RESOLUTION:

12-21-05

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: December 14, 2005

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004360 AGENDA#: 1 DATE: 12.14.05

1. Name: PAUL KUENSTLER Address: 3114 SPUR CT. NW Zip: 87104
2. Name: David Soule Address: 1606 Catron St Zip: 87106
3. Name: Bill Krivanek Address: 200 Lomas NW #1111 Zip: 87102
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 14, 2005

Project # 1004360
05DRB-01736 Major-SiteDev Plan Subd
05DRB-01737 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] (J-12)

AMAFCA — No adverse comments.

COG — The Long Range Bikeway System map identifies this section of Mountain Road as having on street bike lanes. City of Albuquerque DMD should be consulted for inclusion of these improvements with the project as appropriate.

Transit — No objection to the requests.

Zoning Enforcement — No adverse comments.

Neighborhood Coordination — No Association(s).

APS — The proposed development, **Entrada del Bosque Subdivision**, is planning for 17 single-family detached houses. The proposed development will affect Reginald Chavez Elementary, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity and will have capacity to absorb any student growth from the proposed development.

School	2005-06 40 Day Count	Capacity	Space Available
REGINALD CHAVEZ	361	390	29
WASHINGTON MS	564	710	146
ALBUQUERQUE HS	1,794	2,030	236

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

Fire Department

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

PNM Electric & Gas — Approves.

Comcast — No comments received.

QWEST — No comments received.

Environmental Health — No comments received.

M.R.G.C.D. — No comments received.

Open Space Division — No adverse comments.

City Engineer

An approved drainage report is required for Preliminary Plat approval.

Transportation Development

Where is the maintenance note for the access easement? Are these P1 lots? A x-section of Mountain Road is needed to verify that 17 additional feet will provide the required lanes and bikelane. Where is the gated entrance width on the infrastructure list? How far back does the gate need to be set to prevent queuing on Mountain? What is the distance from back of curb to the sidewalk? (5'?) Are the sidewalks going to be deferred?

Parks & Recreation

A maintenance and beneficiary note needs to be added to the plat for Tract A.

Utilities Development

All of Tract A must be a public water/sanitary sewer easement granted to the ABCWUA, otherwise no objection to Site Plan and Preliminary Plat approval

Planning Department

The submittal requires design standards criteria for the subdivision.

The Declaration of Restrictions, Covenants and Conditions for the Creation and Maintenance Of a Pivate Commons Development must be signed prior to Preliminary Plat approval.

The wall exhibit must show the verticle pilasters with aminimum projection of 2" from the public side of the wall surface. Also, there must be a cap along the length of the wall projected at least 2" from the public side of the wall.

Impact Fee Administrator

Construction of new homes in the proposed Entrada Del Bosque Subdivision will be subject to impact fees. Using an average of 2500sf of heated area and .11 acres for the impervious acreage the estimated impact fees are as follows.

1. Roadway Facilities for the Near North Valley have no charge
2. Public Safety Facilities for the Eastside are approximately $740.00
3. Drainage Facilities for Central City have no charge.
4. Parks, Recs.,Trails and Open Space for the Central University are approximately $965.00

Impact Fees are to be paid at the time of issuance of building permits; however, the total Impact Fees may be paid at a rate of 67% if permits are obtained by December 29, 2006.

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

cc: Washington Investors, P.O. Box 93024, 87199
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106

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 14, 2005,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1004360 05DRB-01736 Major-SiteDev Plan Subd 05DRB-01737 Major-Preliminary Plat Approval	RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] (J-12)
Project # 1003132 05DRB-01754 Major- Vacation of Public Easements 05DRB-01753 Major- Vacation of Public Easements	ADVANCED ENGINEERING AND CONSULTING LLC agent(s) for MWS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A & 9-B, **BROADWAY INDUSTRIAL CENTER, UNIT 3,** zoned SU-2 - HM located on KARSTEN COURT NE, between SAN JOSE NE and GIBSON AVE NE containing approximately 4 acre(s). [REF: 03DRB020703, DRB-97-271] (M-14)
Project # 1001594 05DRB-01761 Major-Vacation of Public Easements	WILSON & COMPANY agent(s) for CURB INC request(s) the above action(s) for all or a portion of Tract(s) 29A, LANDS OF SALAZAR/QUATRO/JSJ/ HANNETT, (to be known as **ARROWWOOD HILLS, UNIT 1,** zoned R-LT residential zone, located on AMOLE MESA SW, between MESA ARENOSO DR SW and MESSINA DR SW containing approximately 1 acre(s). [REF: 02DRB01621, 01622,, 04DRB00137, 00261, 00262,00263] (N-8/N-9)
Project # 1003921 05DRB-01758 Major-Vacation of Pub Right-of-Way 05DRB-01759 Major-Vacation of Public Easements 05DRB-01760 Minor-Sketch Plat or Plan	JEFF MORTENSEN & ASSOCIATES agent(s) for AMAFCA & CITY OF ALBUQUERQUE, MUNICIPAL DEVELOPMENT DIVISION, request(s) the above action(s) for all or a portion of Lot(s) 1-32, Block(s) 7 and Lot(s) 1-32, Block(s) 8, **NORTH ALBUQUERQUE ACRES, TRACT 2, UNIT 3,** zoned SU-1, R-D, R-T, located on CORONA AVE NE, between LOUISIANA BLVD NE and WYOMING AVE NE containing approximately 10 acre(s). (C-19)

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

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 28, 2005.

CITY OF ALBUQUERQUE

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

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REASON CHECKED

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Addressee Unknown ___

Insufficient Address ___

No such street ___ number ___

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PO BOX 2164
ALBUQUERQUE, NM 87103

87103+2164-64 B024

DRB

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 14, 2005,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1004360 05DRB-01736 Major-SiteDev Plan Subd 05DRB-01737 Major-Preliminary Plat Approval	RÍO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] (J-12)
Project # 1003132 05DRB-01754 Major- Vacation of Public Easements 05DRB-01753 Major- Vacation of Public Easements	ADVANCED ENGINEERING AND CONSULTING LLC agent(s) for MWS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A & 9-B, **BROADWAY INDUSTRIAL CENTER, UNIT 3,** zoned SU-2 - HM located on KARSTEN COURT NE, between SAN JOSE NE and GIBSON AVE NE containing approximately 4 acre(s). [REF: 03DRB020703, DRB-97-271] (M-14)
Project # 1001594 05DRB-01761 Major-Vacation of Public Easements	WILSON & COMPANY agent(s) for CURB INC request(s) the above action(s) for all or a portion of Tract(s) 29A, LANDS OF SALAZAR/QUATRO/JSJ/ HANNETT, (to be known as **ARROWWOOD HILLS, UNIT 1,** zoned R-LT residential zone, located on AMOLE MESA SW, between MESA ARENOSO DR SW and MESSINA DR SW containing approximately 1 acre(s). [REF: 02DRB01621, 01622,, 04DRB00137, 00261, 00262,00263] (N-8/N-9)
Project # 1003921 05DRB-01758 Major-Vacation of Pub Right-of-Way 05DRB-01759 Major-Vacation of Public Easements 05DRB-01760 Minor-Sketch Plat or Plan	JEFF MORTENSEN & ASSOCIATES agent(s) for AMAFCA & CITY OF ALBUQUERQUE, MUNICIPAL DEVELOPMENT DIVISION, request(s) the above action(s) for all or a portion of Lot(s) 1-32, Block(s) 7 and Lot(s) 1-32, Block(s) 8, **NORTH ALBUQUERQUE ACRES, TRACT 2, UNIT 3,** zoned SU-1, R-D, R-T, located on CORONA AVE NE, between LOUISIANA BLVD NE and WYOMING AVE NE containing approximately 10 acre(s). (C-19)

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Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 28, 2005.

CITY OF ALBUQUERQUE

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THREE HUNDRED YEARS
1706 * 2006
ALBUQUERQUE
Making History

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

101205829050720307

HOSEY GWENDOLYN M &
3100 SPUR CT NW
ALBUQUERQUE NM 87104

87104+1812-00 C003

Rb

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

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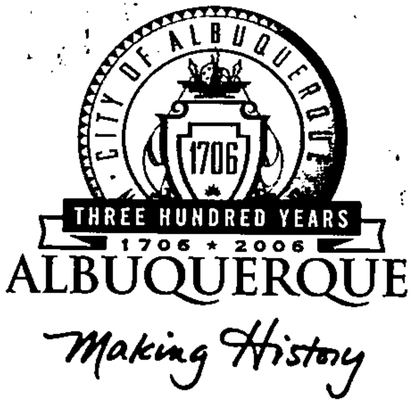
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 28, 2005.

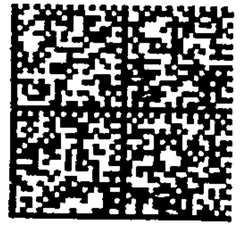
CITY OF ALBUQUERQUE

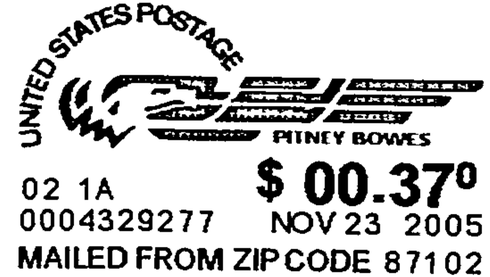


Planning Department

P.O. Box 1293

Albuquerque, NM 87103





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PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

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Development Review Board

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CITY OF ALBUQUERQUE

THREE HUNDRED YEARS
1706 * 2006
ALBUQUERQUE
Making History

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

☐ Not Deliverable As Addressed
Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☒ Attempted - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due

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PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

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Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 28, 2005.

CITY OF ALBUQUERQUE

FYI

Making History

NOTIFICATION OF HEARING for the DEVELOPMENT REVIEW BOARD

December 1, 2005

TO: Isabel F. Cabrera and Linda Gordon, Clayton Heights/Lomas Del Cielo NA
Vincent Baty and Joycelyn N. Lewis, Kirtland Community Assoc.

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately four (4) acre(s): Major Vacation of Public Easements and Major Vacation of Public Easements for public utility lines and to eliminate the lot line to create one lot line.**

Proposed by: **Advanced Engineering and Consulting, LLC at 898-5570**
Agent for: **MWS, LLC**

For property located: **On or near Karsten Court SE between San Jose SE and Gibson Avenue SE.**

P.O. Box 1293

The case number(s) assigned is: **05DRB- 01736 and 01737, Project # 1004360.**

Albuquerque

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

The owner, applicant, and/or agent certified at the time of application acceptance

New Mexico 87103

that they notified you of the proposed action by *certified mail, return receipt requested.*

Please be advised that this application is scheduled for a hearing before the **Development Review Board (DRB) at 9 a.m. on Wednesday, December 14, 2005** in

www.cabq.gov

the Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.

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

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

Sincerely,

Stephani I. Winklepleck

Stephani I. Winklepleck
Neighborhood Program Coordinator
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

cc: Claire Senova, DRB Administrative Assistant

CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: DECEMBER 14, 2005
Zone Atlas Page: J-12
Notification Radius: 100 Ft.

Project# 1004360
App#05DRB-01736
App#05DRB-01737

Cross Reference and Location: MOUNTAIN RD NW BETWEEN GABALDON NW AND LULAC AVE NW

Applicant: WASHINGTON INVESTORS
Address: PO BOX 93024
ALBUQUERQUE, NM 87199

Agent: RIO GRANDE ENGINEERING
1606 CENTRAL SE, SUITE 201
ALBUQUERQUE, NM 87106

Special Instructions:

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

Date Mailed: NOVEMBER 23, 2005
Signature: YVONNE SAAVEDRA

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP / LEGAL LIST

Project# 1004360
Application# 05DRB01786-01737

Zone Atlas Page #	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
J-12	1012058	079-465	203-06	✓
		233-470	03	✓
		192-465	202-05	✓
		196-449	01	✓
		210-504	203-12	✓
		225-504	11	✓
		240-503	10	✓
		256-502	09	✓
		272-499	08	✓
		290-507	07	✓
		312-508	112-54	✓
		312-502	55	✓
		327-475	112-01	✓
		356-431	108-16	✓
		322-427	115-26	✓
		291-391	16	✓ Dup
		279-432	29	✓
		278-423	28	✓
		323-406	30	✓ Dup 2
		247-392	201-17	✓
		255-427	30	✓
		249-426	31	✓
		241-424	32	✓
		221-428	38	✓

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP / LEGAL LIST

Project# 1004360
Application#

Zone Atlas Page #	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address
J-12	1012058	250-411	201-29	✓
		250-405	28	✓
		227-424	39	✓ COA
		229-418	40	✓ COA
		213-430	37	✓ COA
		207-430	36	✓ COA
		202-431	35	✓ COA
		196-431	34	✓ COA
		190-431	33	✓ COA
		165-460	202-04	✓

Yvonne C. Saavedra/APD/CABQ
11/21/2005 04:04 PM

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

----- Forwarded by Yvonne C. Saavedra/APD/CABQ on 11/21/2005 04:04 PM -----

mainframe@coa1mp3.cabq.gov
11/21/2005 04:02 PM

To
cc
Subject

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1          R E C O R D S   W I T H   L A B E L S                    PAGE
1
01012058                  ***  THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101205827946520306       LEGAL: MAP  38 T RACT 313 A2A CONT 4.560 AC
LAND USE:
                          PROPERTY ADDR: 00000   MOUNTAIN
                             OWNER NAME: TERRELL JAY P &  AUSTIN KELLY
                             OWNER ADDR: 03015   MOUNTAIN                RD NW
ALBUQUERQUE NM         87104
0101205823347020303       LEGAL: MAP  38 T RACT 313 A2B
LAND USE:
                           PROPERTY ADDR: 00000   MOUNTAIN
                              OWNER NAME: SANDIA CREEK LLC
                              OWNER ADDR: 00410   S ORCHARD
BOISE          ID         83705
0101205819246520205        LEGAL: LOT  5-A2  PLAT OF LTS 5A1 5A2 & 5A3 KELLY TRACTS
CO  LAND USE:
                           PROPERTY ADDR: 00000   GABALDON
                              OWNER NAME: TELLEZ LOUIS P
                              OWNER ADDR: 00625   GABALDON                DR NW
ALBUQUERQUE NM         87104
0101205819644920201        LEGAL: LOT  5-A3  PLAT OF LTS 5A1 5A2 & 5A3 KELLY TRACTS
CO  LAND USE:
                           PROPERTY ADDR: 00000   MOUNTAIN
                              OWNER NAME: AMERICAN GI FORUM
                              OWNER ADDR: 03301   MOUNTAIN                RD NW
ALBUQUERQUE NM         87104
0101205821050420312        LEGAL: 012  QUAR TER HORSE ACRES ADD
LAND USE:
                           PROPERTY ADDR: 00000   SPUR
                              OWNER NAME: GUTIERREZ MICHAEL M & DOROTHY
                              OWNER ADDR: 03122   SPUR                    CT NW
ALBUQUERQUE NM         87104
0101205822550420311        LEGAL: 011  QUAR TER HORSE ACRES ADD
LAND USE:
                           PROPERTY ADDR: 00000   SPUR
                              OWNER NAME: VELASQUEZ LINDA E & ROBERT BRU
                              OWNER ADDR: 03118   SPUR                    CT NW
ALBUQUERQUE NM         87104
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0101205824050320310 LEGAL: 010 QUAR TER HORSE ACRES ADD
LAND USE:
PROPERTY ADDR: 00000 SPUR
OWNER NAME: KUENSTLER PAUL A JR
OWNER ADDR: 03114 SPUR CT NW
ALBUQUERQUE NM 87104
0101205825650220309 LEGAL: 009 QUAR TER HORSE ACRES ADD
LAND USE:
PROPERTY ADDR: 00000 SPUR
OWNER NAME: ROMERO JOSEPH N & MARTHA A
OWNER ADDR: 03110 SPUR CT NW
ALBUQUERQUE NM 87104
0101205827249920308 LEGAL: 008 QUAR TER HORSE ACRES ADD
LAND USE:
PROPERTY ADDR: 00000 SPUR
OWNER NAME: HARTLEY JIMMIE ETUX
OWNER ADDR: 03104 SPUR CT NW
ALBUQUERQUE NM 87104
0101205829050720307 LEGAL: LT 7 QUA RTER HORSE ACRES ADD'N AND THE S1/2 OF
TR LAND USE:
PROPERTY ADDR: 00000 SPUR
OWNER NAME: HOSEY GWENDOLYN M &
OWNER ADDR: 03100 SPUR CT NW
ALBUQUERQUE NM 87104
0101205831250811254 LEGAL: 0028 JOE AZAR SUBD REPLAT TR B LULAC PROYECTO
BIEN LAND USE:
PROPERTY ADDR: 00000 AZAR
OWNER NAME: BENNINGTON JO ELLEN
OWNER ADDR: 02917 AZAR PL NW
ALBUQUERQUE NM 87104
0101205831250211255 LEGAL: 0029 JOE AZAR SUBD REPLAT TR B LULAC PROYECTO
BIEN LAND USE:
PROPERTY ADDR: 00000 AZAR
OWNER NAME: DURAN MARY C
OWNER ADDR: 02920 AZAR DR NW
ALBUQUERQUE NM 87104
0101205832747511201 LEGAL: TRAC T C LULAC PROYECTO BIENVENIDO SUBD
LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: ALBUQUERQUE SUNNY ACRES LIMITE
OWNER ADDR: PO BOX 802206
DALLAS TX 75380
0101205835643110816 LEGAL: MAP 38 T RACT 317
LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: BOARD OF EDUCATION
OWNER ADDR: PO BOX 25704
ALBUQUERQUE NM 87125
0101205832242711526 LEGAL: MRGC D MA P #38 TR 316-A CONT .7210 AC
LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: GARCIA MELINDA A & EFFERTZ
OWNER ADDR: 02918 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

0101205829139111516 LEGAL: TRAC T C4 PLAT FOR UNIT 1 THE GARDENS ON THE RIO GR LAND USE:
PROPERTY ADDR: 00000
OWNER NAME: GARDENS INC (THE)
OWNER ADDR: PO BOX 2164
ALBUQUERQUE NM 87103

0101205827943211529 LEGAL: LOT 26-P 2 PLAT FOR UNIT 1 THE GARDENS ON THE RIO G LAND USE:
PROPERTY ADDR: 00000 LAGUNA SECA
OWNER NAME: SANCHEZ ROBERT & BETH
OWNER ADDR: 00512 LAGUNA SECA LN NW
ALBUQUERQUE NM 87104

0101205827842311528 LEGAL: LOT 25-P 2 PLAT FOR UNIT 1 THE GARDENS ON THE RIO G LAND USE:
PROPERTY ADDR: 00000 LAGUNA SECA
OWNER NAME: GONZALES RICHARD L & LYNCH KAT
OWNER ADDR: 00512 CILANTRO LN NW
ALBUQUERQUE NM 87104

0101205832340611530 LEGAL: TRAC T C1 PLAT FOR UNIT 1 THE GARDENS ON THE RIO GR LAND USE:
PROPERTY ADDR: 00000
OWNER NAME: GARDENS INC (THE)
OWNER ADDR: PO BOX 2164
ALBUQUERQUE NM 87103

0101205824739220117 LEGAL: MRGC D MA P 38 TRACTS 315A1B & 315A2B & 315B3A1C2 CO LAND USE:
PROPERTY ADDR: 00000 N/A
OWNER NAME: LUCAS LYNN DEAN &
OWNER ADDR: 03102 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

0101205825542720130 LEGAL: MAP 38 T RACT 315 B3A2 LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: RON MARGOLIS & KATYA MILLER
OWNER ADDR: 00913 WESTGATE NW
ALBUQUERQUE NM 87107

0101205824942620131 LEGAL: TRAC T 31 5B2 MAP 38 LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: AVILA TORIBIO V
OWNER ADDR: 01411 ROMA AV NW
ALBUQUERQUE NM 87104

0101205824142420132 LEGAL: MAP 38 T RACT 315 B 1 LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: NUANES CHARLENE LUCERO
OWNER ADDR: 03120 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

0101205822142820138 LEGAL: 0020 0001 RIVERVIEW ADDN LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103

0101205825041120129 LEGAL: MAP 38 T RACTS 315 B3A1A & 315 B3B
LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: NUANES ANNA M
OWNER ADDR: 03100 MOUNTAIN RD NW
ALBUQUERQUE NM 87104
0101205825040520128 LEGAL: MAP 38 T RACT 315 B3A1B
LAND USE:
PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: LUCAS LYNN DEAN &
OWNER ADDR: 03102 MOUNTAIN RD NW
ALBUQUERQUE NM 87104
0101205822742420139 LEGAL: 0019 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205822941820140 LEGAL: 0018 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205821343020137 LEGAL: 0021 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205820743020136 LEGAL: 0022 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205820243120135 LEGAL: 0023 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205819643120134 LEGAL: 0024 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103
0101205819043120133 LEGAL: 0025 0001 RIVERVIEW ADDN
LAND USE:
PROPERTY ADDR: 00000 DON GABAL
OWNER NAME: CITY OF ALBUQUERQUE
OWNER ADDR: PO BOX 1293
ALBUQUERQUE NM 87103

01012058165460202O4 LEGAL: LOT 5-A1 PLAT OF LTS 5A1 5A2 & 5A3 KELLY TRACTS
CO LAND USE:

PROPERTY ADDR: 00000 MOUNTAIN
OWNER NAME: GUTIERREZ JOHN A & PAMELA D
OWNER ADDR: 03421 MOUNTAIN RD NW

ALBUQUERQUE NM 87104

QUIT

101205832747511201 LEGAL: TRACT C LULAC PROYECTO BIENVENIDO SUBDIVISION
PROPERTY ADDR: 2821 MOUNTAIN RD NW

OWNERS NAME: COWAN BILLY
OWNERS ADDR: PO BOX 802206
DALLAS TX, 75380

101205835643110816 LEGAL: MAP 38 TRACT 317
PROPERTY ADDR: 2700 MOUNTAIN RD NW

OWNERS NAME: BOARD OF EDUCATION
OWNERS ADDR: PO BOX 25704
ALBUQUERQUE, NM 87125

101205829139111516 LEGAL: TRACT C4 PLAT FOR UNIT 1 THE GARDENS ON THE IVISION CONT 2.5104
PROPERTY ADDR: N/A

OWNERS NAME: GARDENS INC (THE)
OWNERS ADDR: PO BOX 2164
ALBUQUERQUE, NM 87103

101205832340611530 LEGAL: TRACT C1 PLAT FOR UNIT 1 THE GARDENS ON THE IVISION CONT 2.1031
PROPERTY ADDR: N/A

OWNERS NAME: GARDENS INC (THE)
OWNERS ADDR: PO BOX 2164
ALBUQUERQUE, NM 87103

101205822142820138 LEGAL: *00200001 RIVERVIEW ADDN
PROPERTY ADDR: 524 DON GABAL PL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205822742420139 LEGAL: 00190001 RIVERVIEW ADDN
PROPERTY ADDR: 516 DON GABAL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205822941820140 LEGAL: *00180001 RIVERVIEW ADDN
PROPERTY ADDR: 512 DON GABAL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205821343020137 LEGAL: 00210001 RIVERVIEW ADDN
PROPERTY ADDR: 528 DON GABAL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205820743020136 LEGAL: 00220001 RIVERVIEW ADDN
PROPERTY ADDR: 532 DON GABAL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205820243120135 LEGAL: *00230001 RIVERVIEW ADDN
PROPERTY ADDR: 536 DON GABAL PL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205819643120134 LEGAL: *00240001 RIVERVEW ADDN
PROPERTY ADDR: 540 DON GABAL PL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

101205819043120133 LEGAL: *00250001 RIVERVIEW ADDN
PROPERTY ADDR: 544 DON GABAL PL NW

OWNERS NAME: CITY OF ALBUQUERQUE
OWNERS ADDR: PO BOX 1293
ALBUQUERQUE, NM 87103

ALBUQUERQUE
Making History

City of Albuquerque

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

Date: November 3, 2005

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

This letter will serve to notify you that on November 3, 2005 (date)

TO CONTACT NAME: William Kraemer
COMPANY/AGENCY: Garcia / Kraemer & Assoc.
ADDRESS/ZIP: 200 Lomas NW Suite 1111 / 87102
PHONE/FAX #: 242-5516 / FX 242-9028

Contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Tract 313A2A, MRGCD Map 38, located on 3105 Mountain Rd NW, Between Lugo Ave NW & Cabaldon Rd NW zone map page(s) J-12.

Our records indicate that as of November 3, 2005 (date), there were **no Recognized Neighborhood Associations** in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalaina L Carmona

OFFICE OF NEIGHBORHOOD COORDINATION

planning.norecognized.na.form(07/04)

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: Washington Investors **DATE OF REQUEST:** 11/11/05 **ZONE ATLAS PAGE(S):** J-12

CURRENT:

ZONING RA2

PARCEL SIZE (AC/SQ. FT.) 4.2 Ac.

LEGAL DESCRIPTION:

LOT OR TRACT # 313-A-2-A BLOCK #

SUBDIVISION NAME MRGCD Map #28

REQUESTED CITY ACTION(S):

ANNEXATION	[ ]	SECTOR PLAN	[ ]	SITE DEVELOPMENT PLAN:	
COMP. PLAN	[ ]	ZONE CHANGE	[ ]	A) SUBDIVISION [X]	BUILDING PERMIT [ ]
AMENDMENT	[ ]	CONDITIONAL USE	[ ]	B) BUILD'G PURPOSES [ ]	ACCESS PERMIT [ ]
				C) AMENDMENT [ ]	OTHER [ ]

PROPOSED DEVELOPMENT: **GENERAL DESCRIPTION OF ACTION:** [1]

NO CONSTRUCTION/DEVELOPMENT	[ ]	# OF UNITS:	17
NEW CONSTRUCTION	[X]	BUILDING SIZE:	2500 e.a. (sq. ft.)
EXPANSION OF EXISTING DEVELOPMENT	[ ]		

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

APPLICANT OR REPRESENTATIVE _____ DATE 11/11/05

(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

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

THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR **NOT** REQUIRING TIS: PREVIOUSLY STUDIED: [ ]
Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. ***Any subsequent changes to the development proposal identified above may require an update or new TIS.***

_____ 11-14-05

TRAFFIC ENGINEER DATE

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an **AQIA.** Please refer to this section in order to determine if your proposal merits study for air quality impacts. An **AQIA** is not required, if a **TIS** is not required by the City or an associated **TIS** shows all signalized intersections functioning at Level of Service (LOS) C or better. An **AQIA** will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES [ ] NO [ ]

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion **TIS.** ***Any subsequent changes to the development proposal identified above may require an update or new AQIA.***

_____ 11/11/05

APPLICANT DATE

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

TIS **-SUBMITTED** ___/___/___ _____ _____

-FINALIZED ___/___/___ TRAFFIC ENGINEER DATE

Revised June 27, 2005

Project # 1004360

WASHINGTON INVESTORS
PO BOX 93024
ALBUQUERQUE, NM 87199

101205823347020303

SANDIA CREEK LLC
410 S ORCHARD
BOISE ID 83705

101205821050420312

GUTIERREZ MICHAEL M & DOROTHY
3122 SPUR CT NW
ALBUQUERQUE NM 87104

101205825650220309

ROMERO JOSEPH N & MARTHA A
3110 SPUR CT NW
ALBUQUERQUE NM 87104

101205831250811254

BENNINGTON JO ELLEN
2917 AZAR PL NW
ALBUQUERQUE NM 87104

101205835643110816

BOARD OF EDUCATION
PO BOX 25704
ALBUQUERQUE, NM 87125

101205827943211529

SANCHEZ ROBERT & BETH
512 LAGUNA SECA LN NW
ALBUQUERQUE NM 87104

101205825542720130

RON MARGOLIS & KATYA MILLER
913 WESTGATE NW
ALBUQUERQUE NM 87107

101205825041120129

NUANES ANNA M
3100 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

Project # 1004360

RIO GRANDE ENGINEERING
1606 CENTRAL SE, SUITE 201
ALBUQUERQUE, NM 87106

101205819246520205

TELLEZ LOUIS P
625 GABALDON DR NW
ALBUQUERQUE NM 87104

101205822550420311

VELASQUEZ LINDA E & ROBERT BR
3118 SPUR CT NW
ALBUQUERQUE NM 87104

101205827249920308

HARTLEY JIMMIE ETUX
3104 SPUR CT NW
ALBUQUERQUE NM 87104

101205831250211255

DURAN MARY C
2920 AZAR DR NW
ALBUQUERQUE NM 87104

101205832242711526

GARCIA MELINDA A & EFFERTZ
2918 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

101205827842311528

GONZALES RICHARD L & LYNCH KA
512 CILANTRO LN NW
ALBUQUERQUE NM 87104

101205824942620131

AVILA TORIBIO V
1411 ROMA AV NW
ALBUQUERQUE NM 87104

101205825040520128

LUCAS LYNN DEAN &
3102 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

101205827946520306

TERRELL JAY P & AUSTIN KELLY
3015 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

101205819644920201

AMERICAN GI FORUM
3301 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

101205824050320310

KUENSTLER PAUL A JR
3114 SPUR CT NW
ALBUQUERQUE NM 87104

101205829050720307

HOSEY GWENDOLYN M &
3100 SPUR CT NW
ALBUQUERQUE NM 87104

101205832747511201

COWAN BILLY
PO BOX 25704
DALLAS, TX 75380

101205829139111516

GARDENS INC (THE)
PO BOX 2164
ALBUQUERQUE, NM 87103

101205824739220117

LUCAS LYNN DEAN &
3102 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

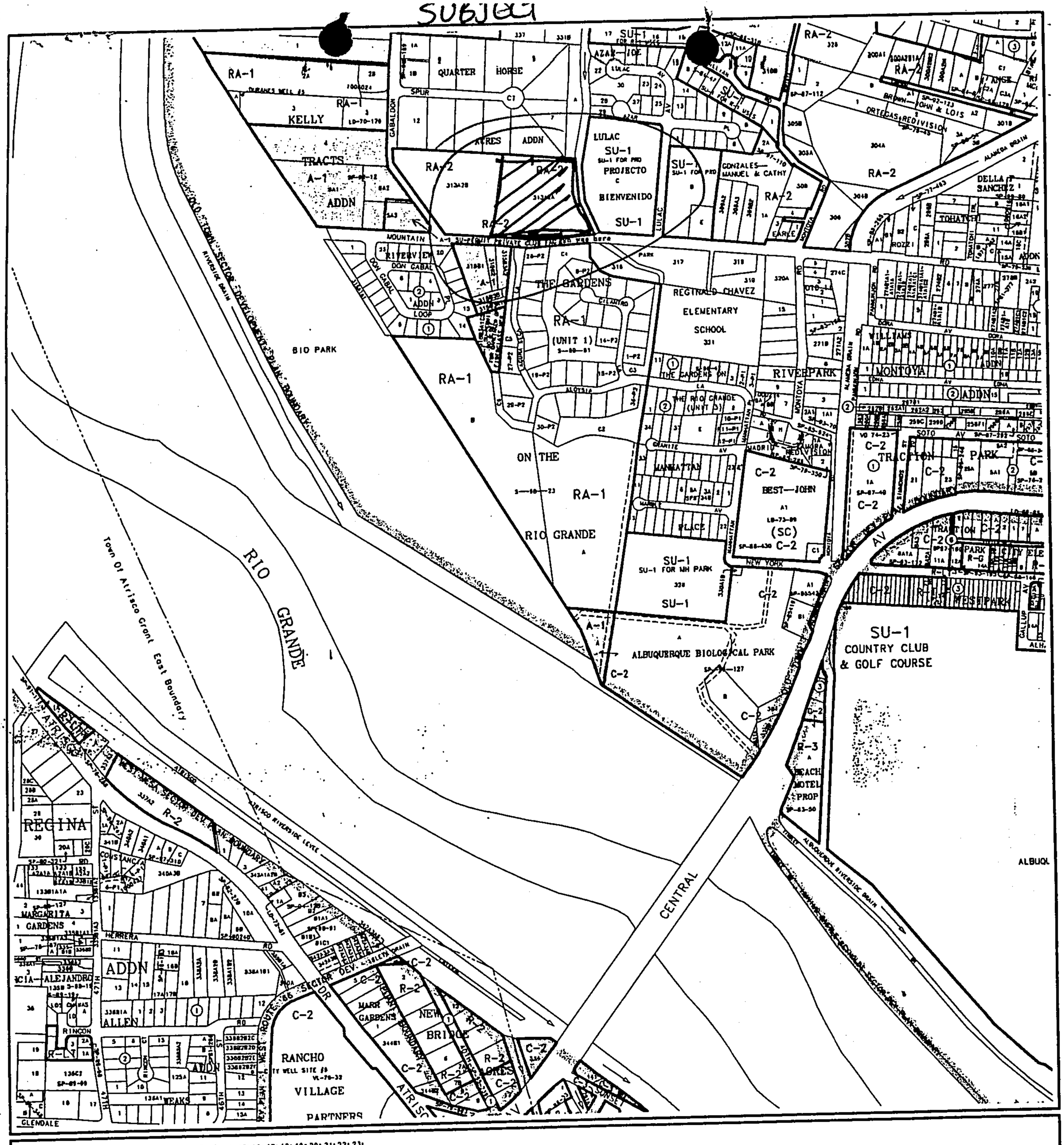
101205824142420132

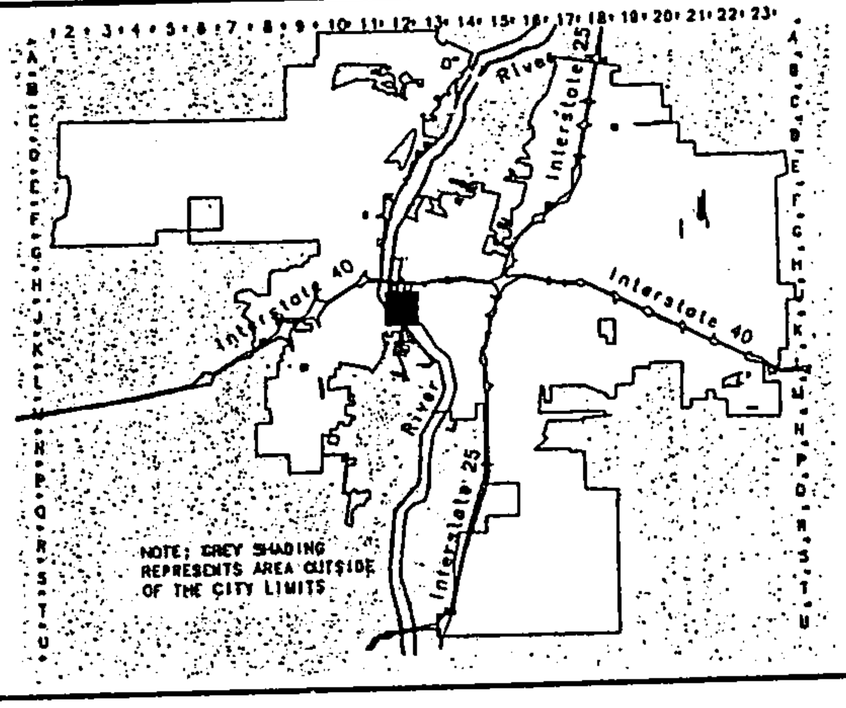
NUANES CHARLENE LUCERO
3120 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

101205816546020204

GUTIERREZ JOHN A & PAMELA D
3421 MOUNTAIN RD NW
ALBUQUERQUE NM 87104

SUBJECT





CITY OF
Albuquerque

Albuquerque Geographic Information System

PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

Zone Atlas Page

J-12-Z

Map Amended through April 03, 2002

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

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

☑ **MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL**

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

Preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

☐ **MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)**
☐ **MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)**
☐ **MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)**

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

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

Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

☐ **MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT**

(Temporary sidewalk deferral uses FORM-V)

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

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

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

David Soule
Applicant name (print)

11/11/04
Applicant signature / date

Form revised 11/04 and JUNE 05

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

Application case numbers
~~05DRB~~ - _____ - ~~01736~~
05 DRB - _____ - 01737
_____ - _____ - _____

11-14-05
Planner signature / date

Project # 1004360

City of
Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

		S	Z
SUBDIVISION			
___	Major subdivision action		
___	Minor subdivision action		
___	Vacation	V	
X	Variance (Non-Zoning)		
SITE DEVELOPMENT PLAN		P	
___	for Subdivision		
___	for Building Permit		
___	Administrative Amendment/Approval (AA)		
___	IP Master Development Plan	D	
___	Cert. of Appropriateness (LUCC)		
STORM DRAINAGE (Form D)			
___	Storm Drainage Cost Allocation Plan		

		L	A
ZONING & PLANNING			
___	Annexation		
___	Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)		
___	Adoption of Rank 2 or 3 Plan or similar		
___	Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations		
___	Street Name Change (Local & Collector)		
APPEAL / PROTEST of...			
___	Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other		

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

APPLICATION INFORMATION:

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

APPLICANT: ALFELD LLC PHONE:
ADDRESS: PO BOX 37438 FAX:
CITY: ALB STATE NM ZIP 87176 E-MAIL:
Proprietary interest in site: List all owners:

DESCRIPTION OF REQUEST: 2-year extension of SIA approval for Deffered sidewalks

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. LOT 1-17 Block: Unit: 2
Subdiv/Addn/TBKA: ENTRADA DEL BOSUE
Existing Zoning: RA2 Proposed zoning: RA2 MRGCD Map No
Zone Atlas page(s): J-11 UPC Code: 101205829745020329

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#1004360

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of existing lots: 17 No. of proposed lots: 17 Total site area (acres): 3.0
LOCATION OF PROPERTY BY STREETS: On or Near: MOUNTAIN ROAS
Between: GABALDON RD and RIO GRANDE RD

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

SIGNATURE DATE
(Print Name) DAVID SOULE Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY **Revised: 4/2012**

☒ **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
14DRB-70046	ESIA		$ 56.00
	CMF		$ 20.00
			$
			$
			$
			Total $ 70.00

Hearing date Feb. 26, 2014

2-18-14
Staff signature & Date

Project # 1004360

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

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

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

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

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

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
☒ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
- X Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Letter briefly describing, explaining, and justifying the deferral or extension
- X 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.

David Soule
Applicant name (print)

Applicant signature / date

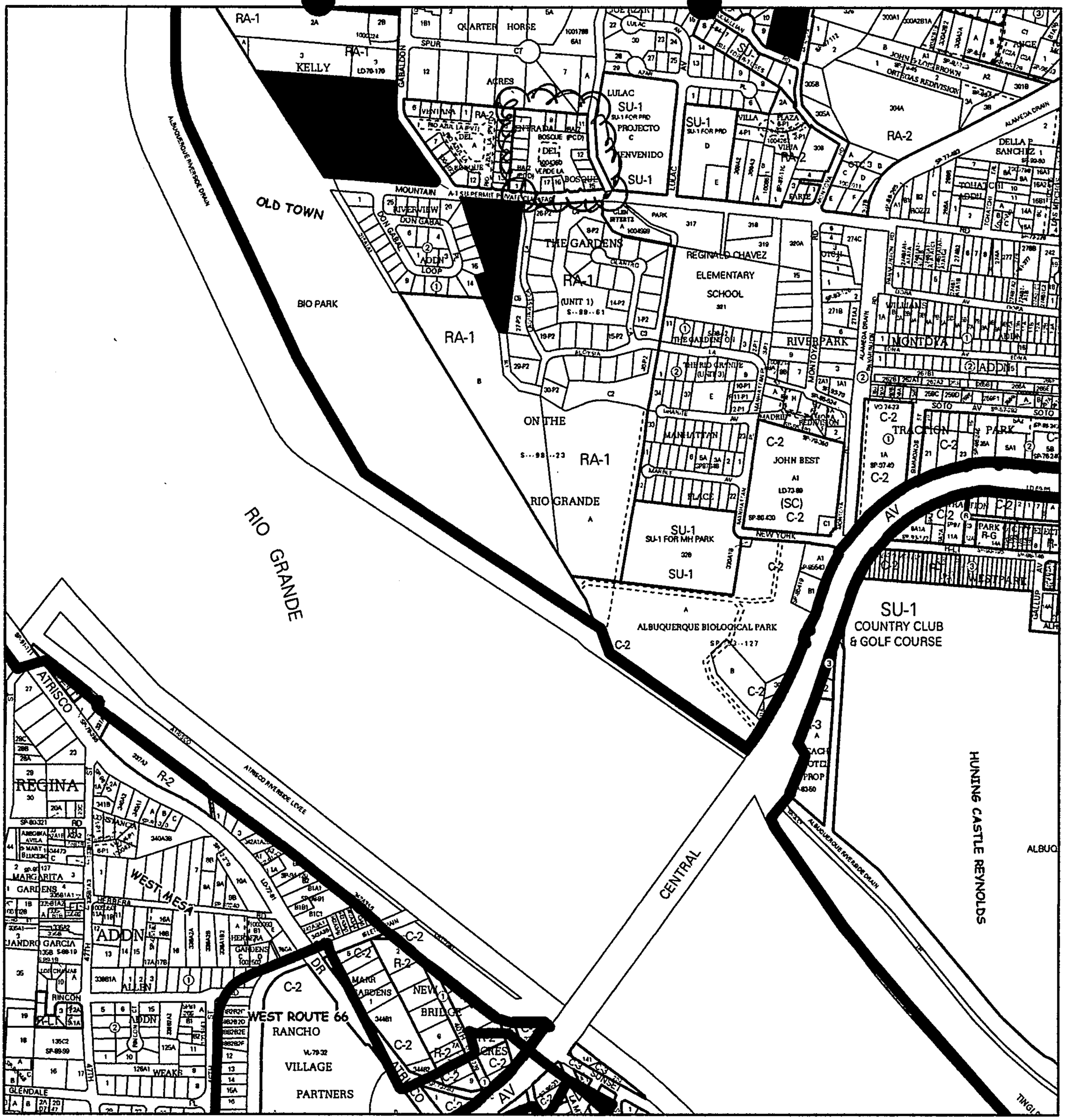
Form revised 4/07

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

Application case numbers
14 - DRB - 70046
___ - ___ - ___
___ - ___ - ___

2-18-14
Planner signature / date

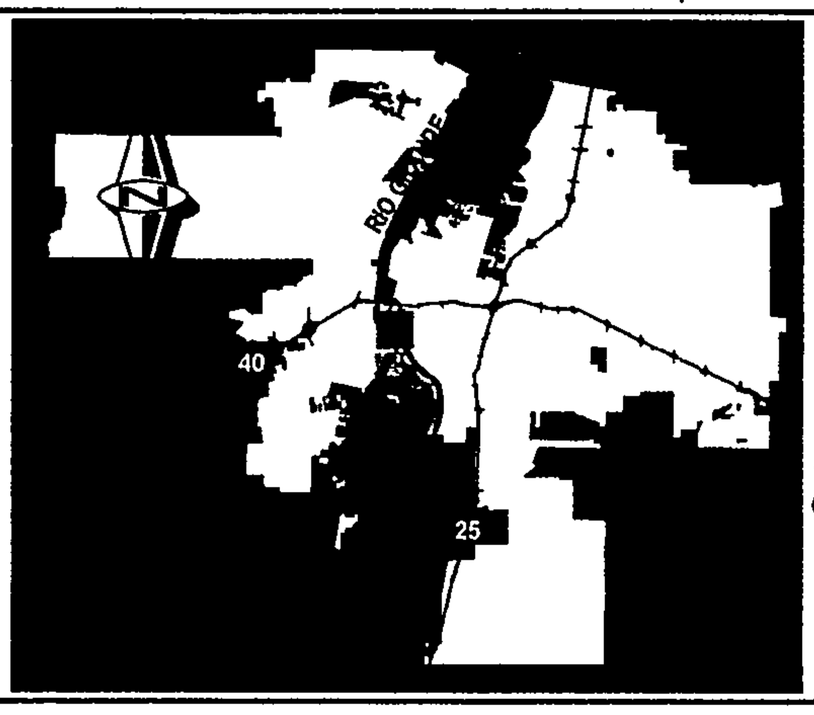
Project # 1004360



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

Albuquerque Geographic Information System

Map amended through: 2/4/2010



Zone Atlas Page:

J-12-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

February 17, 2014

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

RE: Extension of SIA for deferred sidewalks
Entrada Del Bosque
PROJECT # 1004360
Albuquerque, New Mexico

Dear Mr. Cloud:

Rio Grande Engineering requests a two year extension to the SIA for deferred sidewalks. The project has been very slow to complete. The project is approaching completion.

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

Sincerely,

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

Enclosures

JN: 2514

Mountain Rd NW
Google earth

February 26. 2014

(ESIA)

RIO GRANDE ENGINEERING OF NEW MEXICO, LLC

July 9, 2012

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

RE: Other Matter
Correction of project number for approved
Extension of SIA for deferred sidewalks
Ventana Del Bosque
PROJECT # 1004639
Albuquerque, New Mexico

Dear Mr. Cloud:

Rio Grande Engineering requests correction to the approval and notice of decision for the Ventana Del Bosque subdivision. The project number (1004360) that was mistakenly used was for the adjacent project, Entrada Del Bosque. The name and layout are similar so my mistake was not found until the SIA paperwork was reviewed. Therefore I request this correction be placed on the next available agenda, under other matters. I have included the notice of decision for the previous two extensions.

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

Sincerely,

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

Enclosures

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

		S	Z
SUBDIVISION			
___	Major subdivision action		
___	Minor subdivision action		
___	Vacation	V	
X	Variance (Non-Zoning)		
SITE DEVELOPMENT PLAN		P	
___	for Subdivision		
___	for Building Permit		
___	Administrative Amendment/Approval (AA)		
___	IP Master Development Plan	D	
___	Cert. of Appropriateness (LUCC)		
STORM DRAINAGE (Form D)			
___	Storm Drainage Cost Allocation Plan		

		S	Z
ZONING & PLANNING			
___	Annexation		
___	Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plan boundaries)		
___	Sector Plan **(Phase I, II, III)**		
___	Amendment to Sector, Area, Facility or Comprehensive Plan		
___	Text Amendment (Zoning Code/Sub Regs)		
___	Street Name Change (Local & Collector)		
APPEAL / PROTEST of...		L	A
___	Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, 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): Rio Grande Engineering PHONE: 321-9099

ADDRESS: PO Box 93924 FAX: —

CITY: Alb STATE NM ZIP 871 E-MAIL: david@riograndeengineering.com

APPLICANT: ALFelD, LLC PHONE: 875-1641

ADDRESS: PO Box FAX: —

CITY: Alb STATE NM ZIP 87176 E-MAIL: —

Proprietary interest in site: — List all owners: —

DESCRIPTION OF REQUEST: Extension of SIA for Deffered Sidewalk

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. Entrada Del Bosque Block: — Unit: —

Subdiv/Addn/TBKA: —

Existing Zoning: RA2 Proposed zoning: RA2 MRGCD Map No —

Zone Atlas page(s): J17 UPC Code: 101205827844520337

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004360

CASE INFORMATION:

Within city limits? ___Yes Within 1000FT of a landfill? ___

No. of existing lots: ___ No. of proposed lots: ___ Total site area (acres): ___

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road NW

Between: Gabaldon and Lula

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

SIGNATURE [signature] DATE 3/5/12

(Print Name) David Sale Applicant: ☐ Agent: ☐

FOR OFFICIAL USE ONLY Revised: 6/2011

		Application case numbers	Action	S.F.	Fees
☑	**INTERNAL ROUTING**				
☑	All checklists are complete	12DRB-70086	ESIA	___	$50.00
☑	All fees have been collected	___-___	CMF	___	$20.00
☑	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				Total
☐	F.H.D.P. fee rebate	Hearing date March 21, 2012			$70.00

[signature] 3-5-12
Staff signature & Date

Project # 1004360

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

☐ **VACATION OF PUBLIC EASEMENT (DRB27)**
☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
__ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
__ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
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☐ **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
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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)**
X Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the deferral or extension
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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.

David Soult
Applicant name (print)
3/5/12
Applicant signature / date

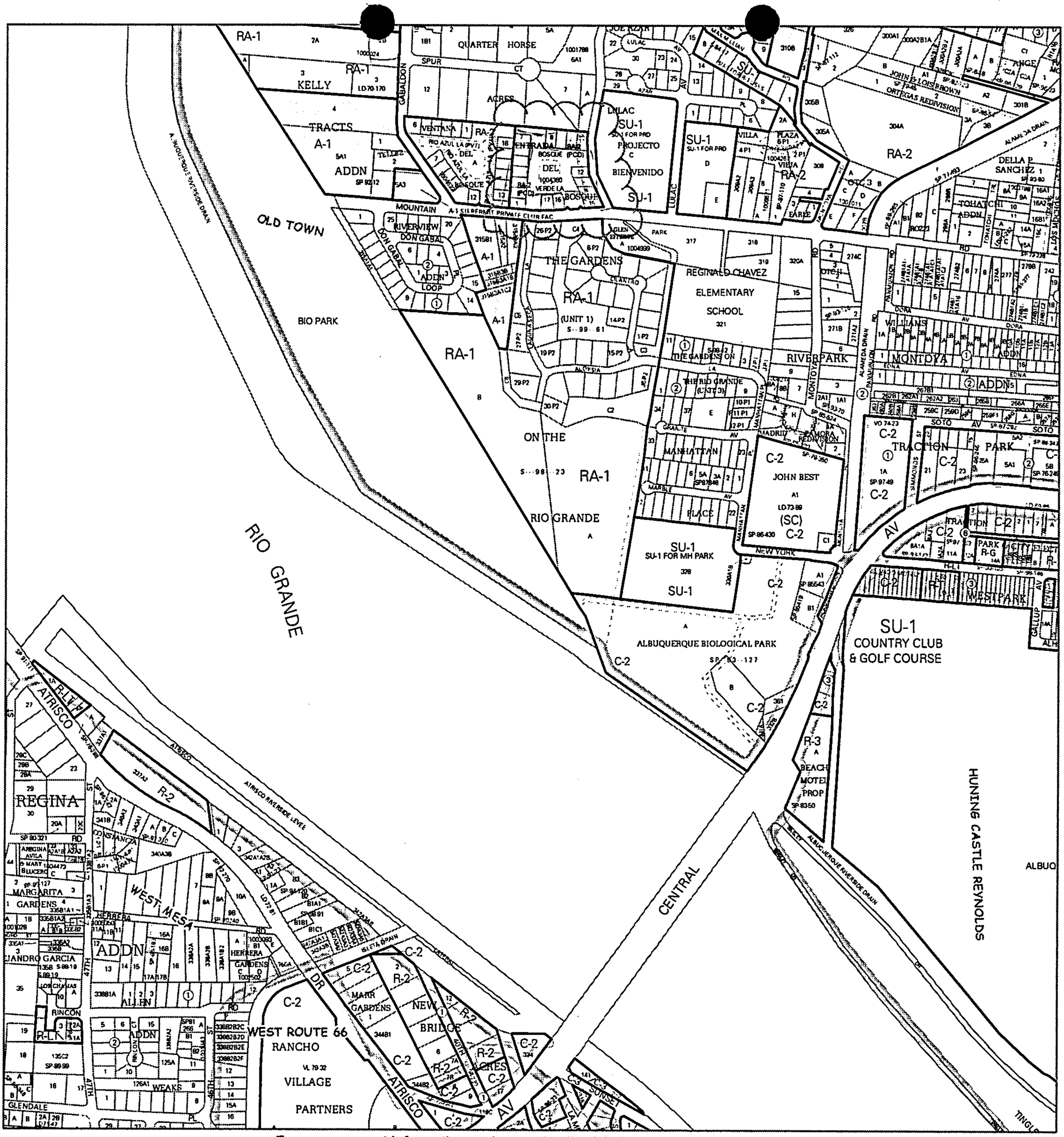
Form revised 4/07

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

Application case numbers
12-DRB-70086
_____
_____

3-5-12
Planner signature / date

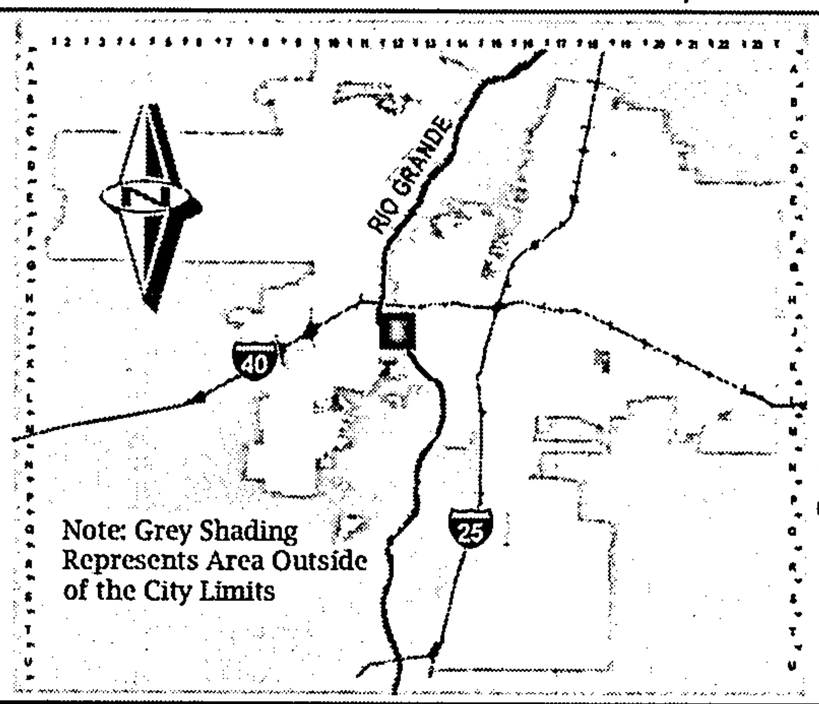
Project # 1004360



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

Albuquerque Geographic Information System

Map amended through: 2/4/2010



Zone Atlas Page:

J-12-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

March 5, 2012

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

RE: Extension of SIA for deferred sidewalks
Entrada Del Bosque
PROJECT # 1004360
Albuquerque, New Mexico

Dear Mr. Cloud:

Rio Grande Engineering requests a two year extension to the SIA for deferred sidewalks. The project has been very slow to complete due to the current economic conditions.

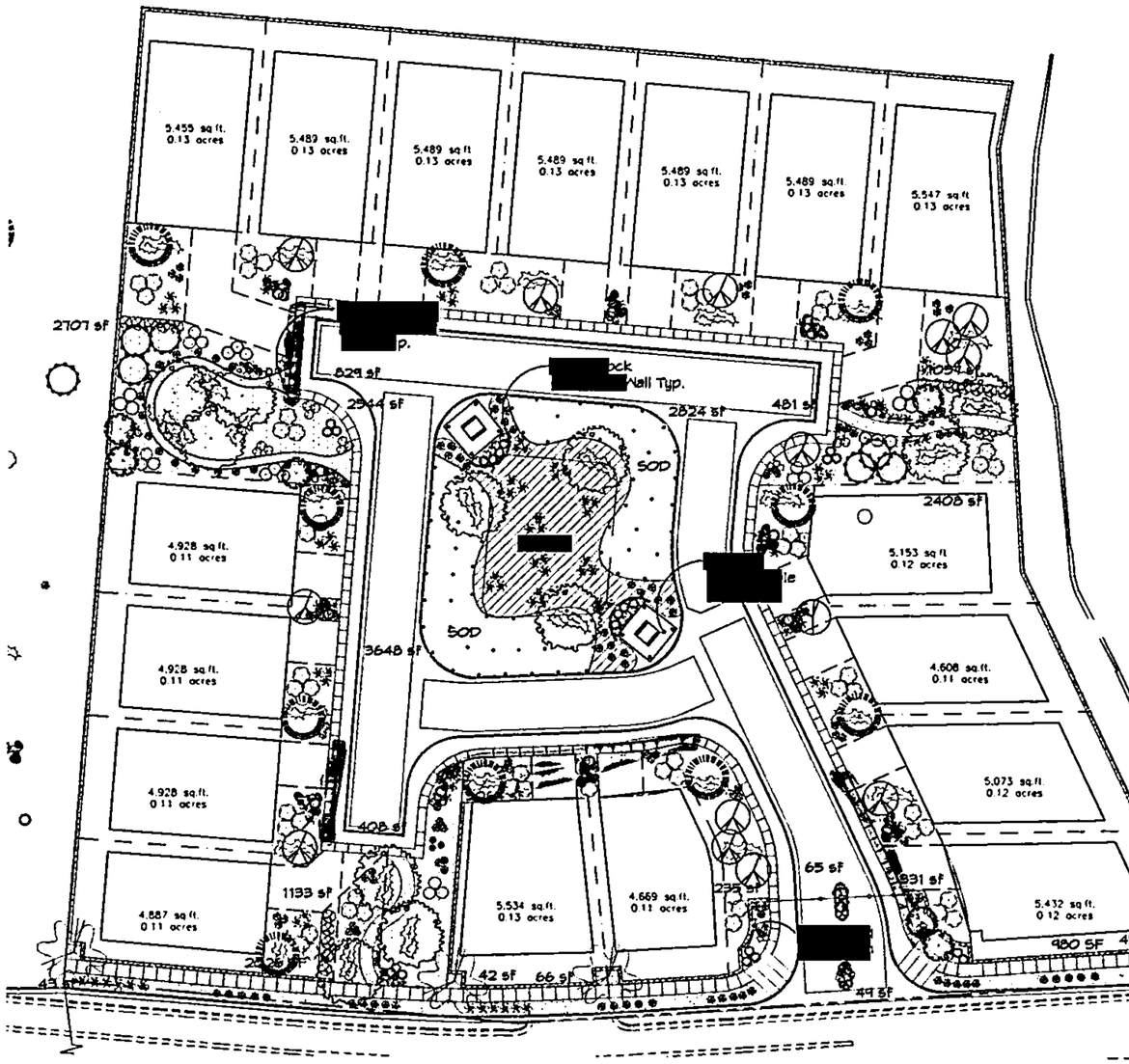
Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

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

Enclosures

JN: 2514



PLANT LEGEND
front yard package typ.

EVERGREEN TREE
Austrian pine

ORNAMENTAL TREE
Flowering Pear
Purple Plum

ACCENT
Mugo Pine
Red Yucca
Sotol

LARGE SHRUB
Butterfly Bush
Bird of Paradise
Honeysuckle

MEDIUM SHRUB
Rosemary
Russian Sage
Apache Plume

ORNAMENTAL GRASS
Maidengrass
Threadgrass

GROUNDCOVER
Creeping Rosemary
Honeysuckle
Cotoneaster

OVERSIZED GRAVEL
& BOULDERS

SANTA FE BROWN GRAVEL
WITH FILTER FABRIC

PLANT LEGEND

CHINESE PISTACHE (M) 4
Pistachia chinensis
2" Cal.

COTTONWOOD 11
Populus fremontii
2" Cal.

DESERT WILLOW (L) 6
Chilopsis linearis
15 Gal.

CRABAPPLE 1
Malus cultivars
15 Gal.

WASHINGTON HAWTHORN (M+) 6
Crataegus phaenopyrum
15 Gal.

MUGO PINE (M) 4
Pinus mugo
5 Gal.

BIRD OF PARADISE (L) 9
Caesalpinia gilliesii
5 Gal. 100sf

BUTTERFLY BUSH (M) 6
Buddleia davidii
5 Gal. 100sf

BLUE MIST SPIREA (M) 18
Caryopteris clandonensis
5 Gal. 9sf

MAIDENGRASS (M) 60
Miscanthus sinensis
5 Gal. 16sf

INDIAN HAWTHORN (M) 19
Raphiolepis indica
5 Gal. 36sf

POTENTILLA (M) 13
Potentilla fruticosa
2 Gal.

ROSEMARY (M) 23
Rosmarinus officianalis
2 Gal. 9sf

APACHE PLUME (L) 12
Fallugia paradoxa
1 Gal. 25sf

RUSSIAN SAGE (M) 10
Perovskia atriplicifolia
1 Gal. 36sf

REGAL MIST (M) 73
Muhlenbergia capillaris
1 Gal. 9sf

LAVENDER (M) 17
Lavandula angustifolia
1 Gal. 9sf

THREADGRASS (M) 47
Stipa tennuisima
1 Gal. 4sf

CREEPING ROSEMARY (L) 33
Rosmarinus officinalis 'Prostrata'
1 Gal. 36sf
Symbol indicates 3 plants

WILDFLOWER 34
1 Gal. 4sf

18 BOULDERS

COMMERCIAL GRADE
STEEL EDGING

CRUSHER FINE
WITH FILTER FABRIC

3/4" GRAY GRAVEL
WITH FILTER FABRIC

TAMPED COBBLE

COBBLE

SOD SOD WITH POP UP SPRINKLER

LANDSCAPE NOTES:
Landscape maintenance shall be the responsibility of the Property Owner.

It is the intent of this plan to comply with the City Of Albuquerque Water Conservation Landscaping and Water Waste Ordinance planting restriction approach. Approval of this plan does not constitute or imply exemption from water waste provisions of the Water Conservation Landscaping and Water Waste Ordinance.

Water management is the sole responsibility of the Property Owner. All landscaping will be in conformance with the City of Albuquerque Zoning Code, Street Tree Ordinance, Pollen Ordinance, and Water Conservation Landscaping and Water Waste Ordinance. In general, water conservative, environmentally sound landscape principles will be followed in design and installation.

Plant beds shall achieve 75% live ground cover at maturity.

¾" Grey Gravel over Filter Fabric shall be placed in all landscape areas which are not designated to receive native seed.

IRRIGATION NOTES:
Irrigation shall be a complete underground system with Trees to receive (5) 1.0 GPH Drip Emitters and Shrubs to receive (2) 1.0 GPH Drip Emitters. Drip and Bubbler systems to be tied to 1/2" polypipe with flush caps at each end.

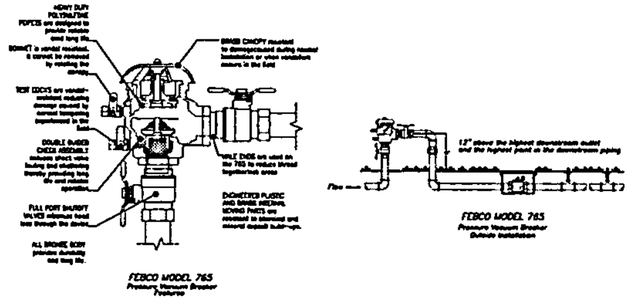
Run time per each drip valve will be approximately 15 minutes per day, to be adjusted according to the season.

Point of connection for irrigation system is unknown at current time and will be coordinated in the field. Irrigation will be operated by automatic controller.

Location of controller to be field determined and power source for controller to be provided by others.

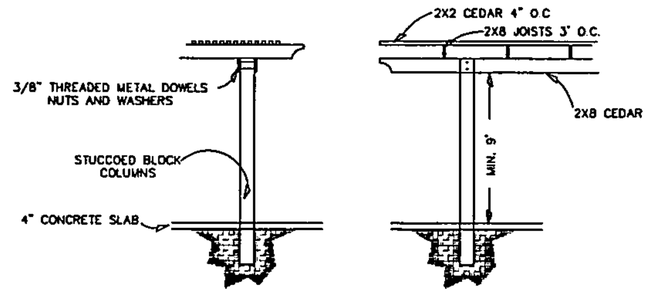
Irrigation maintenance shall be the responsibility of the Property Owner.

Water and Power source shall be the responsibility of the Developer/Builder.



Bacflow Preventer Detail

not to scale



Ramada Detail Typ.

not to scale

GRAPHIC SCALE
30 15 0 15 30
SCALE: 1"=30'

Cont. Lic. #28458
7909 Edith N.E.
Albuquerque, NM 87184
Ph. (505) 898-9690
Fax (505) 898-7737
cm@hilltoplandscaping.com

LANDSCAPE ARCHITECT'S SEAL

JAMES DE FLON #0007

ENTRADA del BOSQUE
ALBUQUERQUE, NM

LANDSCAPE PLAN
ENTRY AND COMMON AREAS

All concepts, ideas, designs and drawings indicated or represented by this drawing are the property of The Hilltop Landscape Architects and Contractors and may not be used in any form or manner whatsoever without the express written permission of The Hilltop. This is an original design and must not be reproduced or copied unless applicable fees have been paid or a written release obtained.

The Hilltop
LANDSCAPE ARCHITECTS & CONTRACTORS

DRAWN BY: MT
REVISION #: -
DATE: 11-7-05
SHEET #: L1 of L1

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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

STORM DRAINAGE (Form D) — **A**
- ____ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — **S 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)

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): Rio Grande Engineering PHONE: 321-9099
ADDRESS: PO Box 67305 FAX: 872-2205
CITY: Alb STATE NM ZIP 87193 E-MAIL: dave@riograndeengineering.com

APPLICANT: Alfeld, LLC PHONE:
ADDRESS: 2015 Mountain Rd NW FAX:
CITY: Alb STATE NM ZIP 87104 E-MAIL:
Proprietary interest in site: Owner **List all owners:** —

DESCRIPTION OF REQUEST: 2 year extension of deferred sidewalks

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

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

Lot or Tract No. Lots 1 to 18 Block: — Unit: —
Subdiv/Addn/TBKA: Ventana del Bosque
Existing Zoning: RA-2 Proposed zoning: RA-2 MRGCD Map No
Zone Atlas page(s): J-12 UPC Code: 101205825746620517

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004360

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of existing lots: 18 No. of proposed lots: 18 Total area of site (acres): 3
LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road
Between: Gabaldon and Rio Grande

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

SIGNATURE DMM DATE 6/2/10
(Print) David Soule 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: 10DRB - - 70159

Action	S.F.	Fees
ESIA		$ 50.00
CMF		$ 20.00
		$
		$
		$
		Total $ 70.00

Hearing date 6-9-10

6-1-10
Planner signature / date

Project # 1004360

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

☐ **VACATION OF PUBLIC EASEMENT (DRB27)**

☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
- ___ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- ___ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
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- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
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☐ **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)**
- X Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Letter briefly describing, explaining, and justifying the deferral or extension
- X 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.

David Soule
Applicant name (print)

Applicant signature / date 5/30/10

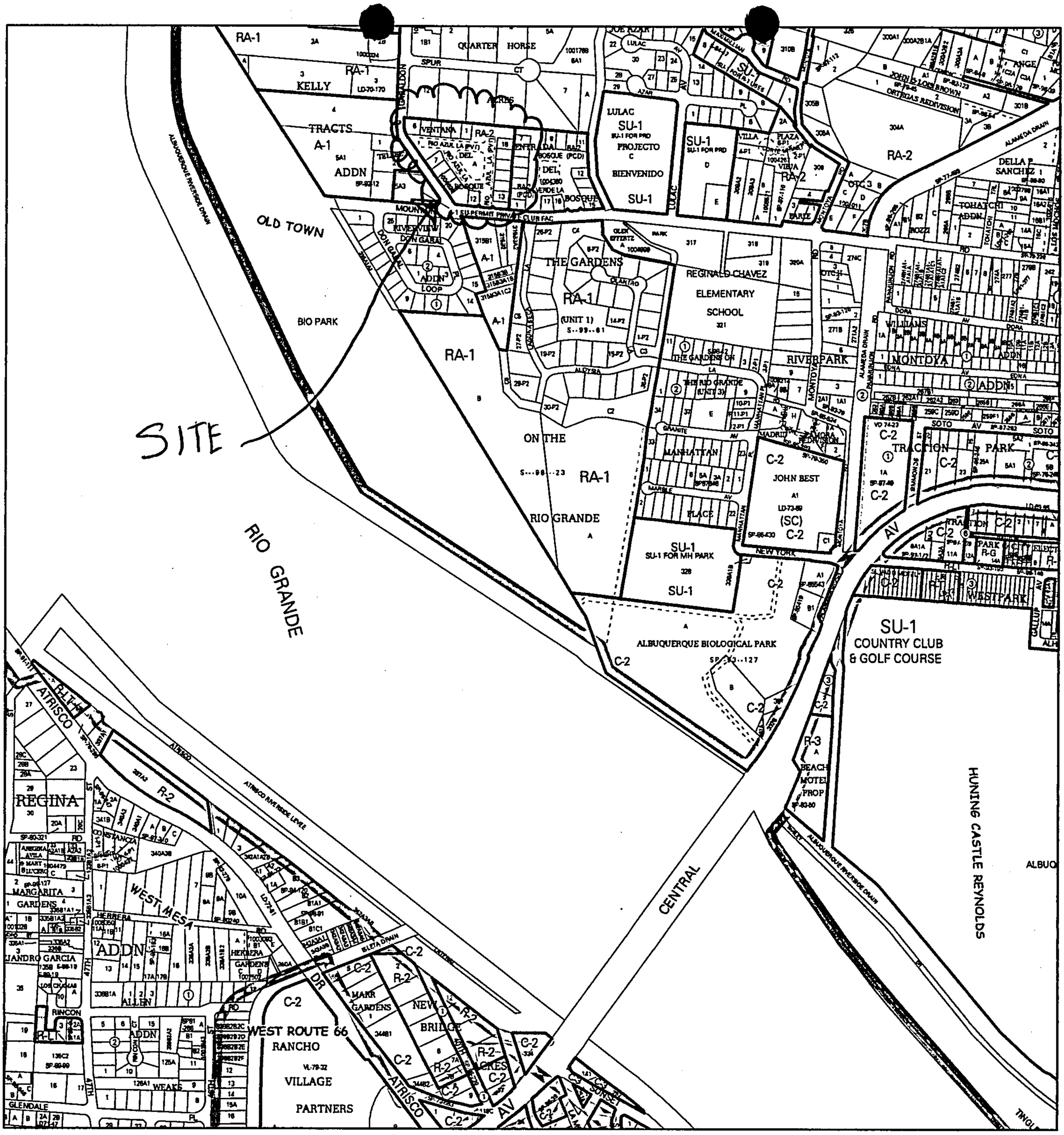
Form revised 4/07

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

Application case numbers
10DRB - 70159
- -
- -

6.1-10
Planner signature / date

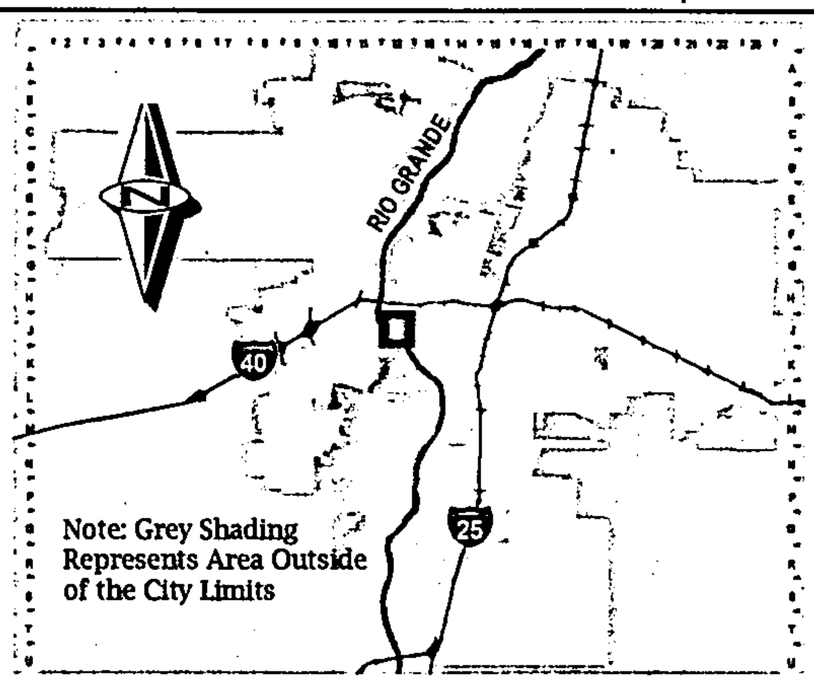
Project # 1004360



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

Albuquerque Geographic Information System

Map amended through: 2/4/2010



Zone Atlas Page:

J-12-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

May 30, 2010

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

RE: Extension of Temporary Deferral of Internal Sidewalks
Ventana Del Bosque
PROJECT # 1004360
Albuquerque, New Mexico

Dear Mr. Cloud:

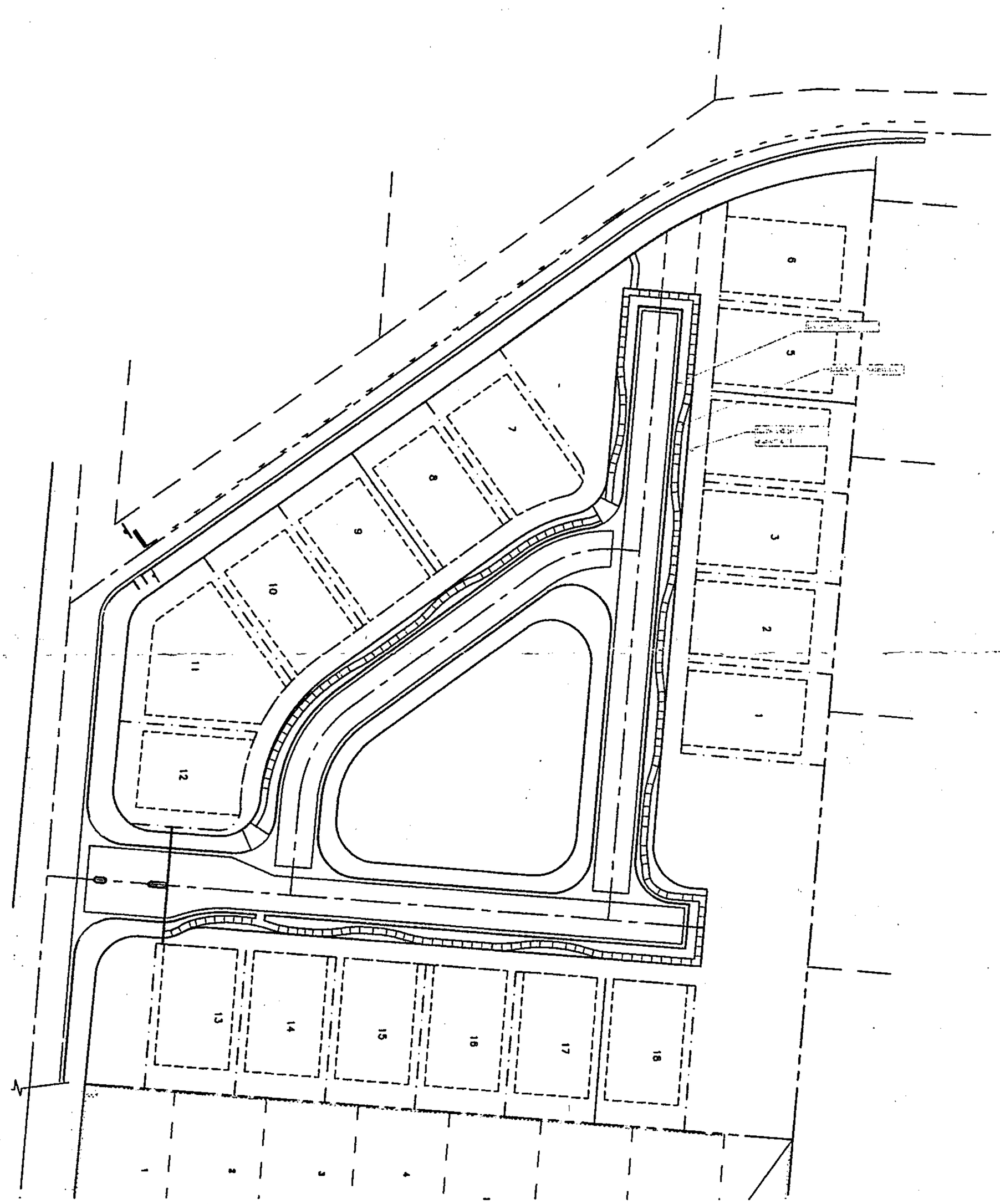
Rio Grande Engineering requests a 2-year extension of the Subdivision Improvement Agreement for temporary deferral of internal sidewalk construction.

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

Sincerely,

David Soule, PE
RIO GRANDE ENGINEERING
PO Box 67305
ALBUQUERQUE, NM 87193
321-9099

Enclosures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City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION	**S**	**Z**	**ZONING & PLANNING**
___ Major Subdivision action			___ Annexation
X Minor Subdivision action			___ County Submittal
___ Vacation	**V**		___ EPC Submittal
___ Variance (Non-Zoning)			___ Zone Map Amendment (Establish or Change Zoning)
SITE DEVELOPMENT PLAN	**P**		___ Sector Plan **(Phase I, II, III)**
X for Subdivision			___ Amendment to Sector, Area, Facility or Comprehensive Plan
___ for Building Permit			___ Text Amendment (Zoning Code/Sub Regs)
___ Administrative Amendment (AA)			___ Street Name Change (Local & Collector)
___ IP Master Development Plan	**D**	**L**	**A** **APPEAL / PROTEST of...**
___ Cert. of Appropriateness (LUCC)			___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
STORM DRAINAGE (Form D)			
___ 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): David Soule PHONE: 872-0999

ADDRESS: 1606 Central Ave NE FAX:

CITY: Albuq STATE NM ZIP 87106 E-MAIL:

APPLICANT: Washington Street Invest PHONE: 362-6824

ADDRESS: 100 Gold SW # 209 FAX: 8563520

CITY: Albuq STATE NM ZIP 87102 E-MAIL: ScottAshcraft@Comcast.Net

Proprietary interest in site: Developer List all owners: Reazer Homes

DESCRIPTION OF REQUEST: Extension of SIA for Temporary Deferral of Sidewalk Construction

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

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

Lot or Tract No. Lots 1-17 Block: Unit:

Subdiv/Addn/TBKA: Entrada Del Bosque

Existing Zoning: RA-2 Proposed zoning: Same MRGCD Map No 28

Zone Atlas page(s): J-12 UPC Code:

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 # 775281

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO

No. of existing lots: 17 No. of proposed lots: 17 Total area of site (acres): ±4 Ac.

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain NW

Between: GABALDON NW and DURANES DITCH

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

SIGNATURE T Scott Ashcraft DATE 2-10-10

(Print) T Scott Ashcraft Applicant: X 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
10DRB - 70062	ESIA	V	$ 50.00
	CHE		$ 20.00
			$
			$
			$
			Total $ 70.00

Hearing date 03/03/10

Sandy Handley 02/23/10 Project # 1004360

Planner signature / date

FORM V: SUBDIVISION VA[redacted]NCES & VACATIONS [redacted]

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

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

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

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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

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☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
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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.

T. Scott Ashcraft
Applicant name (print)

2-18-10
Applicant signature / date

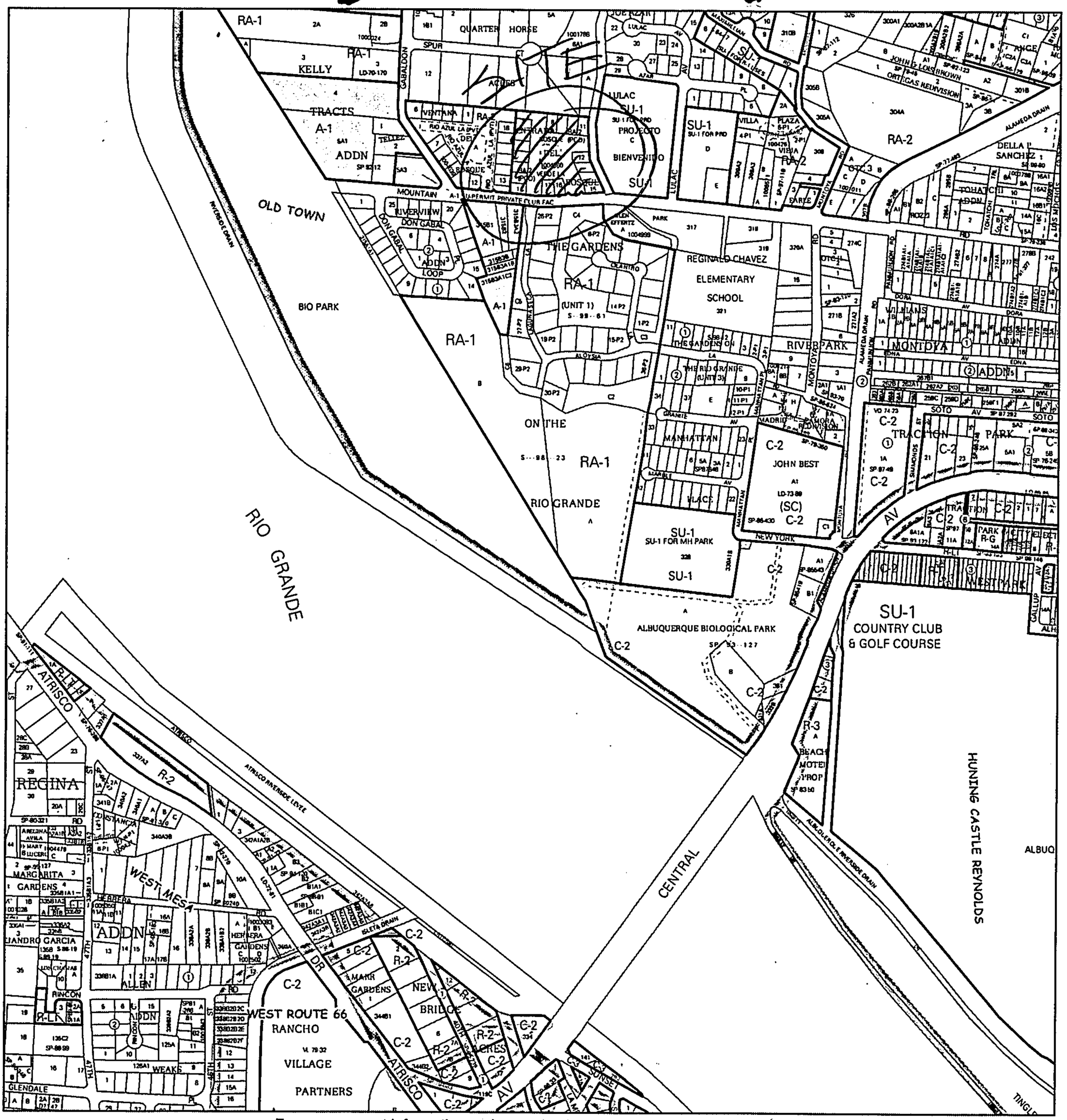
Form revised 4/07

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

Application case numbers
10DRB-70062
_____
_____

Sandy Handley 02/23/10
Planner signature / date

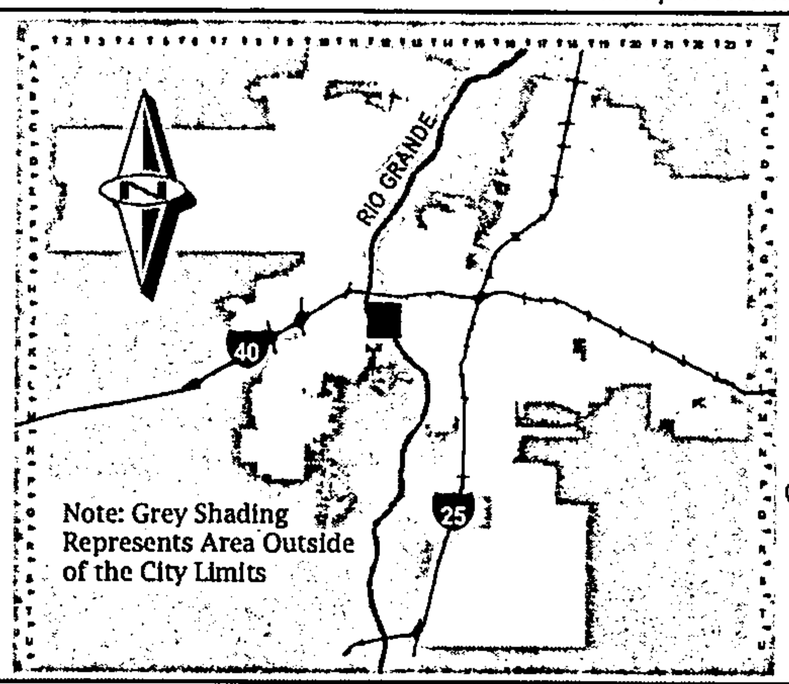
Project # 1004360



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

Albuquerque Geographic Information System

Map amended through: 6/5/2009



Zone Atlas Page:

J-12-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

Washington Street Investors,LLC
P.O. Box 93745
Albuquerque, NM 87199

February 22, 2010

Mr. Jack Cloud, Chair DRB
600 2nd St. NW
Albuquerque, NM 87103

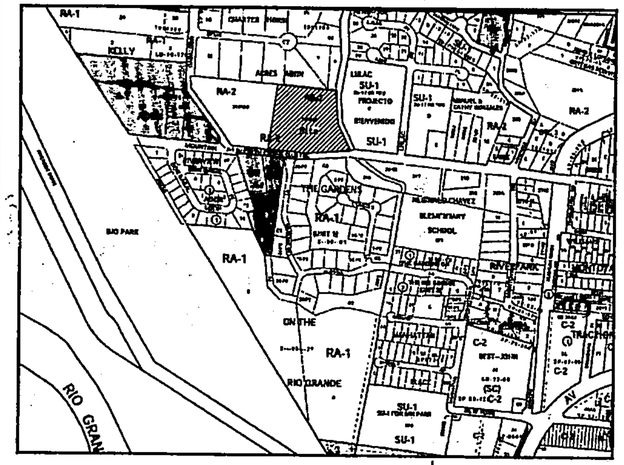
Re: Project #775281 DRB #: 1004360

Mr. Cloud,

Please consider the attached sidewalk extension for the Entrada Del Bosque Subdivision. Due to a slow down in new home sales there are approximately 6 lots in this subdivision that have not yet had homes constructed. We respectfully request an extension to complete the sidewalks on these 6 lots.

Sincerely,

T. Scott Ashcraft
Member
Washington Street Investors, LLC



VICINITY MAP

(NOT TO SCALE)

CONDITIONS

If the Trust or the individual lot owners within the PCD fail or refuse to act on maintenance obligations as set forth in the easement, the city shall have the authority to perform such maintenance as necessary to protect public health and safety. The city may, after written notice and failure to comply within 30 days, enter upon and maintain the PCA. The cost of such maintenance plus any other penalties or costs allowed by law in connection therein, shall be assessed against the properties within the PCD and failure to pay assessed charges may result in a municipal lien against each of the individual lots in the PCD. This provision shall not be deemed to create an obligation to act on the part of the city. Under no circumstances will the city maintain recreational uses. Under no circumstances shall the city maintain the PCA for a period longer than one year.

A PCD is created by DRB approval of a site development plan and a subdivision plat. Site plan and subdivision approval are contingent upon recorded deed restrictions approved by the DRB.

The recorded deed restrictions may not be amended or repealed without the city's prior written approval.

Upon recording the plat and all required documents for a PCD the area of the PCD shall be delineated and designated with the letters "PCD" on the official zone map.

The Planning Director, at the request of the owner, may void the site development plan and remove the PCD designation if no development has occurred on the site, and the property is replatted to conform to the requirements of the underlying zoning district. (Ord. 10-1995)

FREE CONSENT, DEDICATION AND ACKNOWLEDGMENTS

The subdivision hereon described is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof and said owner(s) and/or proprietor(s) do hereby dedicate additional public right-of-way as shown hereon to the City of Albuquerque in fee simple with warranty covenants and do hereby grant: all access, roadway, utility and drainage easements shown hereon including the right to construct, operate, inspect, and maintain facilities therein; and all public utility easements shown hereon for the common and joint use of gas, electrical power, water, sewer and communication services for buried distribution lines, conduits, and pipes for underground utilities where shown or indicated, and including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is their free act and deed. Said owner(s) warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided.

Scott Ashcraft, Member Washington Street Investors, LLC — 3-17-2006 Date

OFFICIAL SEAL
CHARLES CALDERON
NOTARY PUBLIC-STATE OF NEW MEXICO
My Commission Expires 1/12/2010

STATE OF NEW MEXICO
SS
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 3/17/2006
By Scott Ashcraft

NOTARY PUBLIC — MY COMMISSION EXPIRES 1/12/2010

LEGAL

A CERTAIN TRACT IDENTIFIED AS TRACT 313A2A, MRGCD MAP NUMBER 38, LOCATED IN PROJECTED SECTION 13, TOWNSHIP 10 NORTH, RANGE 2 EAST, NMPM, TOWN OF ALBUQUERQUE GRANT, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, BEING A POINT ON THE NORTHERLY RIGHT OF WAY OF MOUNTAIN ROAD, N.W., MARKED BY A BATHEY MARKER WITH CAP "LS 14271", WHENCE A TIE TO ACS MONUMENT "15-J12" BEARS, S 71°13'07" E, A DISTANCE OF 4284.14 FEET.

THENCE, LEAVING SAID RIGHT OF WAY, N 04°19'22" E, A DISTANCE OF 442.71 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, MARKED BY A PK NAIL WITH TAG "LS 6446";

THENCE, S 85°15'51" E, A DISTANCE OF 392.10 FEET TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING A POINT ON THE WESTERLY RIGHT OF WAY OF DURANES DITCH, MARKED BY A BATHEY MARKER WITH CAP "LS 14271";

THENCE, COINCIDENTAL WITH SAID DURANES DITCH RIGHT OF WAY THE FOLLOWING THREE COURSES, ALL OF WHICH ARE MARKED BY A BATHEY MARKER WITH CAP "LS 14271":

S 10°36'16" W, A DISTANCE OF 31.10 FEET TO AN ANGLE POINT;

S 3°21'54" E, A DISTANCE OF 192.07 FEET TO AN ANGLE POINT;

S 25°13'01" E, A DISTANCE OF 203.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF MOUNTAIN ROAD N.W.,

THENCE, COINCIDING SAID MOUNTAIN ROAD RIGHT OF WAY THE FOLLOWING TWO COURSES, ALL OF WHICH ARE MARKED BY A BATHEY MARKER WITH CAP "LS 14271":

S 86°06'40" W, A DISTANCE OF 313.90 FEET;

N 84°46'41" W, A DISTANCE OF 204.02 FEET TO THE POINT OF BEGINNING, CONTAINING 4.2941 ACRES (187,053 SQ. FT) MORE OR LESS.

SUBDIVISION DATA

GROSS ACREAGE	4.2941 AC.
ZONE ATLAS NO.	J-12-Z
NO. OF EXISTING TRACTS/LOTS	1 TRACT
NO. OF TRACTS/LOTS CREATED	17 LOTS/1 TRACT
NO. OF TRACTS/LOTS ELIMINATED	0
FULL WIDTH STREETS CREATED	0.17 MILE
AREA DEDICATED TO THE CITY OF ALBUQUERQUE	0.1593 AC.

DISCLOSURE STATEMENT

A. GRANT THE UTILITY EASEMENTS.
B. GRANT THE ROADWAY EASEMENTS.
C. GRANT THE NEW UTILITY EASEMENTS AS SHOWN HEREON.
D. CREATE 17 LOTS AND 1 TRACT.
E. DEDICATE RIGHT OF WAY AS SHOWN HEREON.
F. VACATE UTILITY EASEMENTS.
G. GRANT THE DRAINAGE EASEMENTS.

APPROVED on the condition that all rights of the Middle Rio Grande Conservancy District in easements, rights of way, assessments and liens, are fully reserved to said District, and that if provision for irrigation source and easements are not provided for by the subdivider for the subdivision, addition, or plat, said District is absolved of all obligations to furnish irrigation waters and services to any portions thereof, other than from existing turnouts.
APPROVED [illegible] DATE 3-30-06

GENERAL NOTES

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone) originated at the Albuquerque Control Survey Monument "12-J12" (NAD 1927).

2. All street centerline monumentation shall be installed at all centerline PC's, PT's, angle points, and street intersections and shown thus ▲. All centerline monumentation will be set using the standard four (4") aluminum monument stamped "City of Albuquerque Centerline Monument- Do not disturb, PS Number 14271" and will be set flush with the final asphalt lift.

3. Lot lines eliminated with the filing of this Plat Shown Thus . . . . .

4. Talos Log number is 2005394420.

5. Private Commons Area (PCA)-See restrictions of Entrada Del Bosque Subdivision recorded in Book A117, Page 8803, as document

6. All property, except as shown hereon, are a set Bathey Marker with cap "LS 14271".

2006073824
Page: 1 of 2
05/24/2006 03:25P
Bk-2006C Pg-183
Mary Herrera Bern. Co. PLAT R 12.00

Plat of
Entrada Del Bosque

(Being a replat of Tract 313A2A, MRGCD Map 38)
within
The Town of Albuquerque Grant
Projected Section 13, Township 10 North, Range 2 East, NMPM
City of Albuquerque, Bernalillo County, New Mexico
March 2006

APPROVED AND ACCEPTED BY:

APPROVAL AND CONDITIONAL ACCEPTANCE as specified by the Albuquerque subdivision Ordinance, Chapter 14 Article 14 of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Project Number: 1004360

Application Number: 06DRB-00395

PLAT APPROVAL

Utility Approvals:

PNM Electric Services	[signature]	3-30-06 Date
PNM Gas Services	[signature]	3-30-06 Date
Qwest	[signature]	4/11/06 Date
Comcast	[signature]	3-30-06 Date

City Approvals:

City Surveyor	[signature]	3-17-06 Date
Real Property Division	N/A	Date
Traffic Engineering, Transportation Division	[signature]	4-4-06 Date
Albuquerque-Bernalillo County Utility Authority	[signature]	4-5-06 Date
Parks and Recreation Department	[signature]	4/5/06 Date
AMAFCA	[signature]	4/5/06 Date
City Engineer	[signature]	5/22/06 Date
DRB Chairperson, Planning Department	[signature]	5/2/06 Date
MRGCD	[signature]	4-26-06 Date
HOME OWNERS ASSOCIATION		Date

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON PROPERTY TAX ACCOUNT # 1013064050000 AND 1013064050000
BERNALILLO COUNTY TREASURER'S OFFICE

Washington Street Investors, LLC
5-8-06

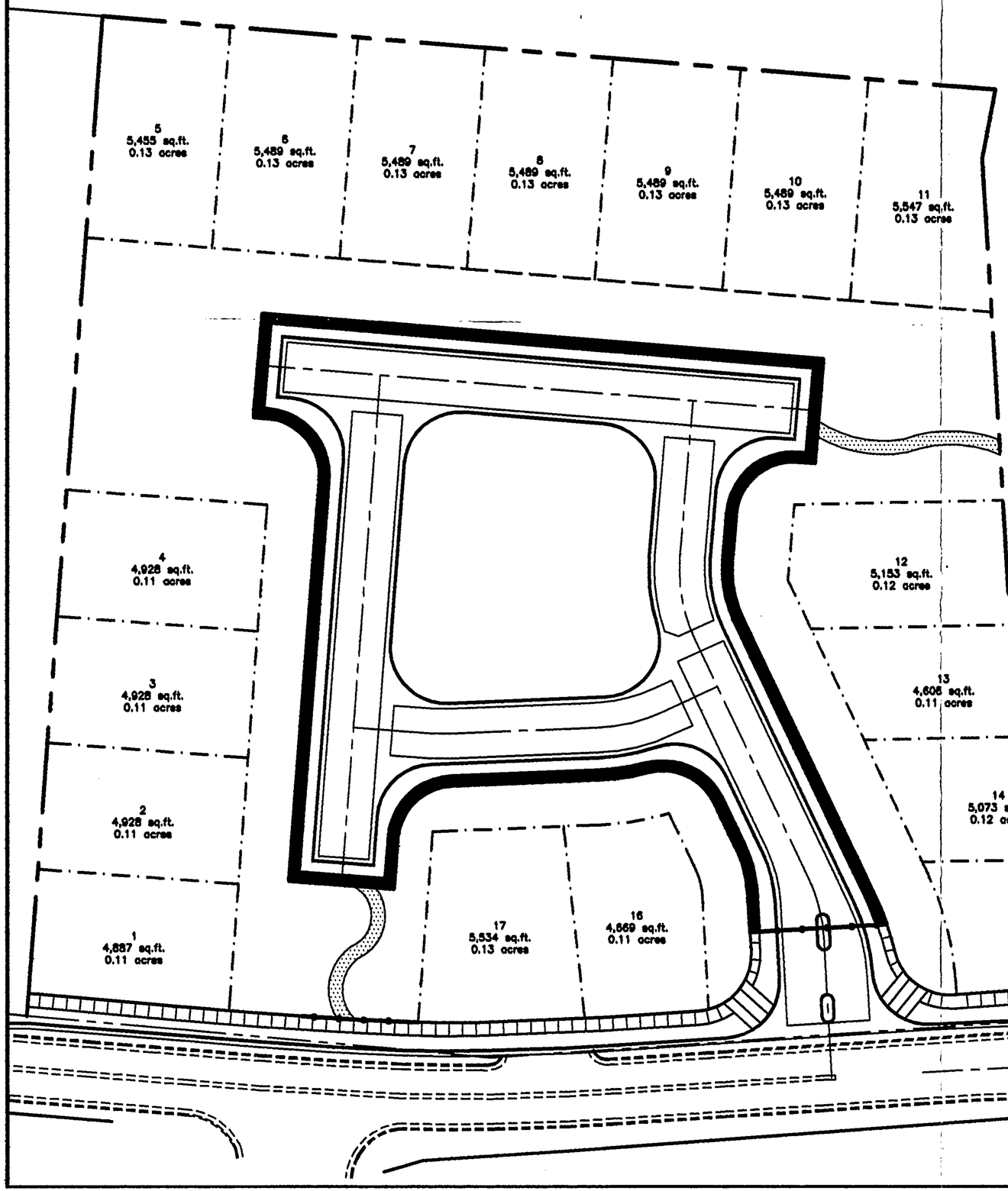
SURVEYOR'S CERTIFICATION:

"I Will W. Plotner Jr., a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat and description were prepared by me or under my supervision, shows all easements as shown on the plat of record or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties expressing an interest and meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, and further meets the Minimum Standards for Land Surveying in the State of New Mexico, and is true and correct to the best of my knowledge and belief."

WILL PLOTNER JR. N.M.P.S. No. 14271 — DATE 3/16/06

WILL W. PLOTNER JR. NEW MEXICO No. 14271 REGISTERED PROFESSIONAL SURVEYOR

CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505)891-0244



LEGEND

- BOUNDARY LINE
- EXISTING BOUNDARY LINE
- CENTERLINE
- RIGHT-OF-WAY
- SIDEWALK TO BE BUILT W/THIS PROJECT
- SIDEWALK TO BE DEFFERED
- PROPOSED LOT LINE
- PROPOSED CURB AND GUTTER
- EXISTING CURB AND GUTTER

DRB #1004360

ENGINEER'S SEAL	ENTRADA DEL BOSQUE SIDEWALK DEFFERRAL EXHIBIT	DRAWN BY WCWJ DATE 11-02-05 SHEET # — JOB # 2518
DAVID SOULE P.E. #14522	Rio Grande Engineering 1000 CENTRAL AVENUE SE SUITE 201 ALBUQUERQUE, NM 87106 (505) 271-3560	

Current DRC Project Number: _____

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Date Submitted: 11/11/05
Date Site Plan Approved: _____
Date Preliminary Plat Approved: _____
Date Preliminary Plat Expires: _____
DRB Project No.: 1004360
DRB Application No.: 05 DRB 01737

Entrada Del Bosque Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract 313A-2-A, MRGCD MAP 38
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification Private Inspector	Private P.E.	City Cnst Engineer
		6"	Water line (looped)	Bosque Plaza Loop	Mountain Road	Mountain road	/	/	/
		8"	Sanitary Sewer Line	Bosque Plaza Loop	Mountian Road	Lots 1-17	/	/	/
		.989 ac feet	Pond improvement with agreement and covenant	Tract A			/	/	/
		26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-one side* and ADA ramps	Bosque Plaza Loop Lots 1-17	Mountain Road	Mountain road	/	/	/
		17' F-CL	Arterial Road with Curb and Gutter including 6' wide Sidewalk and 6' bike lane	Mountain Road	West PL	East PL	/	/	/
		40' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk* and ADA ramps	Bosque Plaza Loop	Mountain Road	Gate-48' from FL of mountain RD	/	/	/
							/	/	/
							/	/	/

ORIGINAL

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification: Private Inspector	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:

Impact Fee Admistrator Signature Date

Approval of Creditable Items:

City User Dept. Signature Date

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.

Street lights per City rquirements.

1 Engineers certification of gradeing plan required for release of SIA and Financial Guarantees.

2 * Internal sidewalks to be deffered.

3

AGENT / OWNER

DAVID SOULE
NAME (print)

RIO GRANDE ENGINEERING
FIRM

12/16/05
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

12/21/05
DRB CHAIR - date

12/21/05 Christina Sandoval 12/21/05
PARKS & GENERAL RECREATION - date

12-21-05
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

12/21/05
UTILITY DEVELOPMENT - date

_____ - date

12/21/05
CITY ENGINEER - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

(rev. 9-05)

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

__X__ Major Subdivision action
____ Minor Subdivision action
____ Vacation **V**
____ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

__x__ ...for Subdivision Purposes
____ ...for Building Permit
____ IP Master Development Plan
____ Cert. of Appropriateness (LUCC) **L**

Supplemental form

ZONING & PLANNING **Z**

____ Annexation
____ County Submittal
____ EPC Submittal
____ Zone Map Amendment (Establish or Change Zoning)
____ Sector Plan (Phase I, II, III)
____ Amendment to Sector, Area, Facility or Comprehensive Plan
____ Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: Washington Investors PHONE: 856-3419
ADDRESS: PO Box 93024 FAX: 856-3520
CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:
Proprietary interest in site: OWNER **List all owners:** SOLE OWNER
AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999
ADDRESS: 1606 CENTRAL SE, SUITE 201 FAX: 872-2205
CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST PRELIMINARY PLAT AND SITE PLAN FOR SUBDIVISION

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

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

Lot or Tract No. lots 313-A-2-A Block: Unit:
Subdiv. / Addn. Acres Addition TBK ENTRADA DEL BOSQUE
Current Zoning: RA-2 Proposed zoning: RA-2
Zone Atlas page(s): J-12-Z No. of **existing** lots: 1 No. of **proposed** lots: 16
Total area of site (acres): ~~3.0~~ 4.2 acs. Density if applicable: dwellings per gross acre: ~~4.99~~ dwellings per net acre: 4
Within city limits? _x_ Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? no
UPC No. 101205827946520306, MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road NW
Between: Gabaldon NW and Lulac Avenue NW

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004360

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

SIGNATURE DATE 11/11/05

(Print) DAVID SOULE, PE ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 9/01, 3/03, 7/03, 10/03, **3/04**

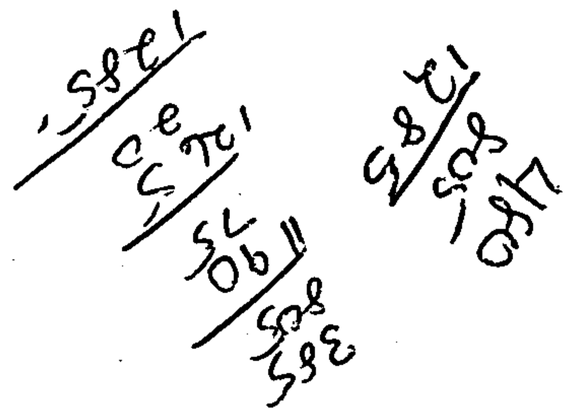
☐ **INTERNAL ROUTING**
☐ All checklists are complete
☐ All fees have been collected
☐ All case #s are assigned
☐ AGIS copy has been sent
☐ Case history #s are listed
☐ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers		Action	S.F.	Fees
05DRB -	- 01736	SPS	$(2)	$ 385
05DRB	01737	PP	$(2)	$ 805
-	-			$
-	Adv- Fee			$ 75
-	Conf fee			$ 20
				Total

Hearing date Dec 14, 2005 $ 1285

Project # 1004360

11/14/05
Planner Signature Date



FORM P(2): SITE PLAN REVIEW - D.R.B. PUBLIC HEARING

☑ **SITE DEVELOPMENT PLAN FOR SUBDIVISION**

- ✓ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **24** copies for DRB public hearings
- ✓ Zone Atlas map with the entire property(ies) precisely and clearly outlined and ~~cross~~hatched (to be photocopied)
- ✓ Letter briefly describing, explaining, and justifying the request
- ✓ Letter of authorization from the property owner if application is submitted by an agent
- N/A Copy of the document delegating approval authority to the DRB
- ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ✓ Completed Site Plan for Subdivision Checklist
- ✓ 6 copies of the Infrastructure List, if relevant to the site plan
- ✓ TIS/AQIA Traffic Impact Study form with required signature
- ___ Fee (see schedule)
- ✓ Any original and/or related file numbers are listed on the cover application

D. R. B. hearings are approximately ONE MONTH after the filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

- ___ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **24** copies for DRB public hearings
- ___ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **24** copies for DRB public hearings
- ___ Solid Waste Management Department signature on Site Plan
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Copy of the document delegating approval authority to the DRB
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ Completed Site Plan for Building Permit Checklist
- ___ 6 copies of the Infrastructure List, if relevant to the site plan
- ___ TIS/AQIA Traffic Impact Study form with required signature
- ___ Copy of Site Plan with Fire Marshal's stamp
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

D. R. B. hearings are approximately ONE MONTH after the filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

☐ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION**

☐ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

- ___ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **24** copies for DRB public hearings
- ___ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **24** copies for DRB public hearings
- ___ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **24** copies for DRB public hearings
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- ___ 6 copies of the Infrastructure List, if relevant to the site plan
- ___ TIS/AQIA Traffic Impact Study form with required signature
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application

D. R. B. hearings are approximately ONE MONTH after the filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

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

David Sak
Applicant name (print)

11/11/05
Applicant signature / date

Form revised **JUNE 2005**

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

Application case numbers
05 DRB - 01736
- -
- -

Planner signature / date 11/14/05

Project # 1004360

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

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

☑ **MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL**

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

Preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

☐ **MAJOR SUBDIVISION AMENDMENT TO PRELIMINARY PLAT (with significant changes)**
☐ **MAJOR SUBDIVISION AMENDMENT TO INFRASTRUCTURE LIST (with significant changes)**
☐ **MAJOR SUBDIVISION AMENDMENT TO GRADING PLAN (with significant changes)**

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

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

Amended preliminary plat approval expires after one year.
DRB Public hearings are approximately ONE MONTH after the filing deadline. **Your attendance is required.**

☐ **MAJOR SUBDIVISION EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT**

(Temporary sidewalk deferral uses FORM-V)

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

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

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

David Soule
Applicant name (print)

11/11/05
Applicant signature / date

Form revised 11/04 and **JUNE 05**

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

Application case numbers
~~05DRB~~ - ____ - ~~01736~~
05 DRB - ____ - 01737
____ - ____ - ____

Planner signature / date 11-14-05

Project # 1004360

#1 FOR 12/14/05

December 12, 2005

From: Paul Kuenstler
3114 Spur Court NW
Albuquerque, NM 87104
Phone: 764-9450

RECEIVED
DEC 12 2005
LAND DEVELOPMENT SECTION

To: Sheran Matson
DRB Chair
Planning Department
City of Albuquerque

Subject: Upcoming DRB review of Project # 1004360, to be known as Entrada Del Bosque

Dear Ms. Matson,

I wish to point out that the site plan for project #1004360 does not appear to satisfy the requirements of § 14-16-3-16 of the Zoning Code for a Private Commons Development (PCD). The submittal claims the full number of lots derived from the calculation in Paragraph (B), however the remaining requirements of the Code section are not satisfied for that number of lots, as they are currently situated on the site plan. This development borders on my subdivision. Dwelling density in excess of that allowed by the Zoning Code does harm to immediate neighbors and, in our case, sets precedent for further harm when other sites bordering our subdivision are developed.

The primary issue is that Paragraph (E) of § 14-16-3-16 specifies the following requirement:

> "A minimum of 30% of the gross area of a PCD <u>or 100% of the area gained through lot size reductions, whichever is greater</u>, shall be set aside as a Private Commons Area (PCA)."

The submittal claims 30% of the PCD is designated as PCA. However, the site plan does not address the remainder of Paragraph (E) and does not set aside enough PCA to compensate for area gained through lot size reduction. I believe City Council inserted the requirement to roughly preserve the dwelling density of the zoning while offering an alternative for development and marketing of sites. Through clustering of smaller lots, costs may be reduced for access and utilities, and the attendant reduction in street area may also allow for a few additional lots. Ignoring the requirement to compensate for reduction in lot area subverts the intent and offers a significant increase in dwelling density for doing little more than reducing lot sizes.

Less serious, but still questionable, is the site plan's assertion that numerous small areas between driveways, streets, sidewalks, and front lot lines may be counted as PCA. Paragraph (F) of § 14-16-3-16 includes the following description for PCA:

> "It may be composed of separate tracts but each shall have a minimum length and width of 35 feet and shall be visible from a public right-of-way."

The PCD Section offers no further description or explanation of intent. If the intent is that qualifying areas must have the above minimum dimensions, uninterrupted by streets and driveways, then many of the small areas in the submitted site plan should not be counted as PCA.

Thank you for your consideration,

Paul A. Kuenstler Jr.

Paul A. Kuenstler Jr.

RECEIVED
DEC 12 2005
LAND DEVELOPMENT SECTION

GARCIA/KRAEMER&ASSOCIATES

Wells Fargo Bank Building
200 Lomas N.W., Suite 1111
Albuquerque, NM 87102
(505) 242 5566
Fax (505) 242 9028

December 20, 2005

Entrada del Bosque
Project # 1004360, 05DRB-01736, -01737
Private Commons Regulations SUMMARY

Parcel consists of 4.2941 acres (187,051 square feet) zoned RA-2

Number of lots allowed (187,051/10,890= 17.1764) rounded to **seventeen (17)**

Tract A gross private commons area (PCA)	2.1100 acres	91,912 square feet
less sidewalk area	.0849	3,699
roadway area	.5281	23,003
drivepad area	.1561	6,800
PCA NET AREA	**1.3409**	**58,410**

This PCD includes a single parcel designated as a PCA (see exhibit). That parcel meets the minimum length and width requirements and is visible from Mountain Rd and the ditch r-o-w to the east. Section 14-16-3-16 (F) requires that certain uses not be included in PCA net calculation but does not require that PCA be divided into separate parcels.

30% of total parcel size	**1.2882**	**56,115**

Total parcel	4.2941 acres or	187,051 s.f.
Less right of way	1.0701	46,613
RA-2 lot area	3.2240	140,438
PCD lot area	2.0337	88,586
Area gained through lot size reductions	**1.1904**	**51, 852**

therefore, the **net PCA (58,410 sf) is larger than 30% of the gross parcel size (56,115) and/or 100% of the area gained through lot size reductions (51,852)** Section 14-16-3-16 (E) zone code

William 2 Kraemer

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 Nov. 29 To Dec. 14

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.

Rose Ryan — 11/14/05
(Applicant or Agent) (Date)

I issued 1 signs for this application, 11/14/05 (Date) Paul Landa (Staff Member)

DRB PROJECT NUMBER: 1004360

Rev. 1/11/05

GARCIA/KRAEMER&ASSOCIATES

Wells Fargo Bank Building
200 Lomas N.W., Suite 1111
Albuquerque, NM 87102
(505) 242 5566
Fax (505) 242 9028

November 2, 2005

EXPLANATION OF REQUEST
Private Commons Development (PCD)
Preliminary Plat & Site Plan for Subdivision
Entrada del Bosque Project #1004360

Applicant, Washington Investors seek approvals of preliminary plat and site plan for subdivision for a seventeen (17) unit private commons development (PCD) on 4.2191 ac+/-, described as Tract 313A2A, MRGCD Map#38 zoned RA-2. Applicant is the contract purchaser of the subject property.

Private Commons Developments are governed by Section 14-16-3-16 of the zoning code supplementing the regulations of the specific zone (RA-2), normal minimum lot size 10,890.

(A) This site exceeds the minimum tract size of two acres. 4.29 Based on Plat. = 17.18

(B) Number of lots allowed 17. (43,560 x 4.2191/ 10,890= 16.87)

(C) These are detached houses allowed on any size lot. (.11 to .15 acre)

(D) Meets setbacks as set out in regulations. Front yard setback measured from back of sidewalk.

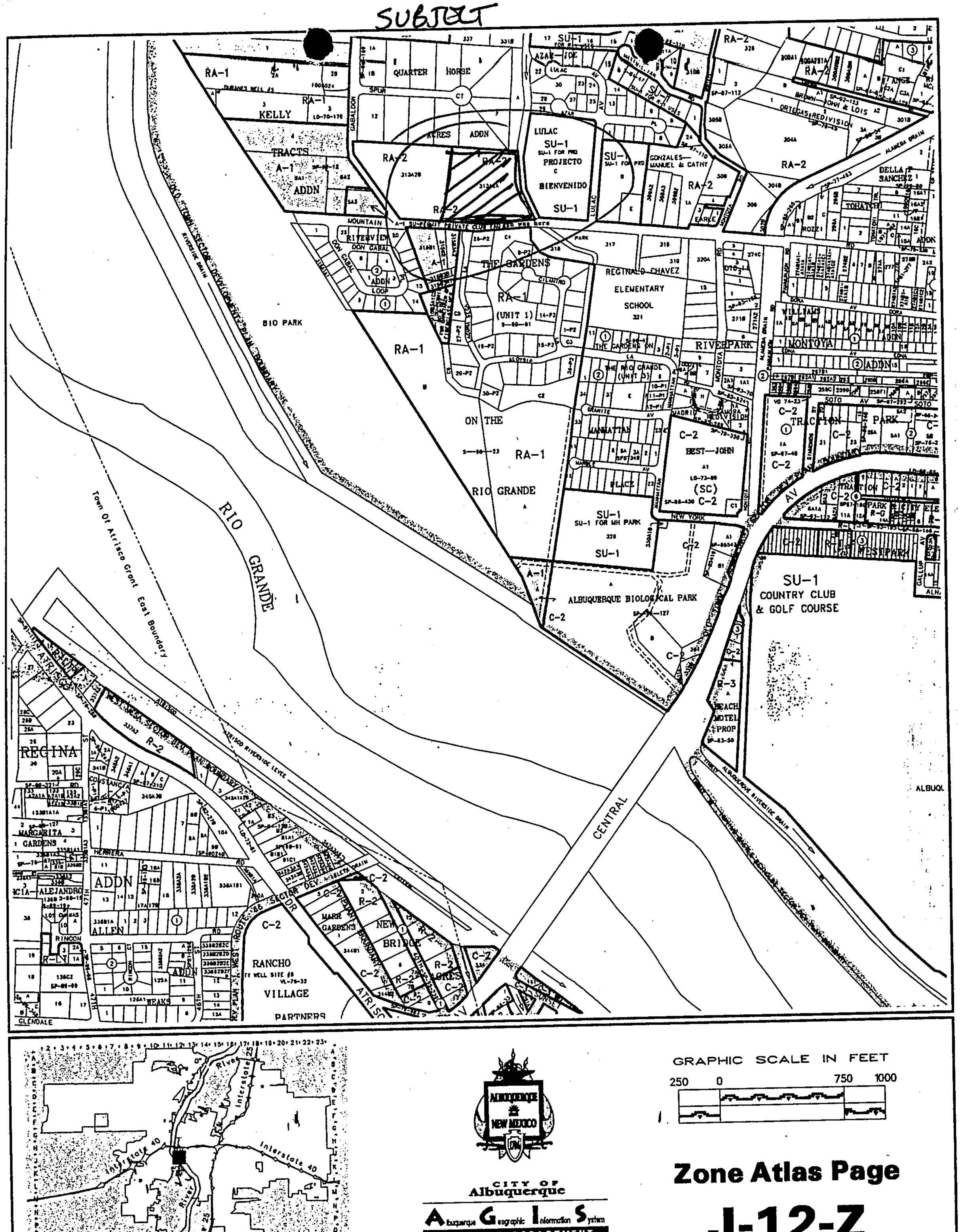
(E) The net size of the private commons area (PCA) is greater than 30% of the tract size (43,560 x 4.2191 x.30= 55,135 sq ft)

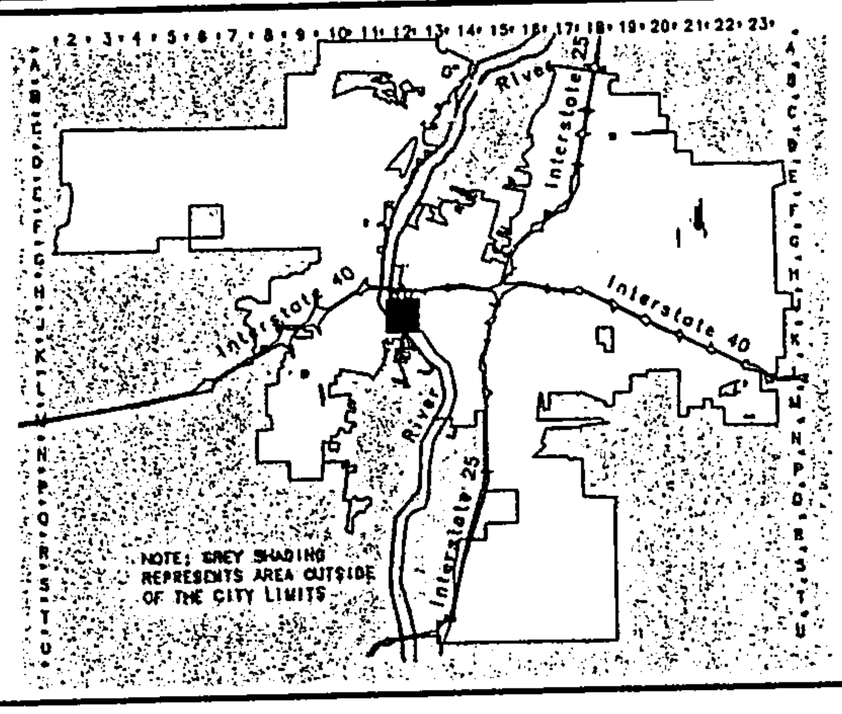
(F) Tract A, Gross PCA is 2.0395 acres; net PCA does not include streets, sidewalks, parking, structures or private yards. The front yards of these dwellings will be owned and maintained by the association.

(G) & (I) are addresses in restrictions submitted to DRB City Attorney.

(H) Plat and site plan for subdivision are required and submitted herewith.

SUBJECT





CITY OF
Albuquerque

A buquerque G eographic I nformation S ystem
PLANNING DEPARTMENT

©Copyright 2002

GRAPHIC SCALE IN FEET
250 0 750 1000

Zone Atlas Page

J-12-Z

Map Amended through April 03, 2002

November 11, 2005

Re: Entrada del Bosque
Tract 313A2A, MRGCD Map #28
ALBUQUERQUE, NEW MEXICO

To Whom It May Concern:

As the OWNER/DEVELOPER of the referenced property, I hereby grant Garcia / Kraemer& Associates and Rio Grande Engineering to act as agents on behalf of Washington Investors on matters pertaining to the development of the Entrada Del Bosque project.

Scott Ashcraft

November 11, 2005
(Date)

11/11/2005 07:31 5058722205 RIOGRANDEENGINEERING PAGE 02/02

ALBUQUERQUE
Making History

City of Albuquerque

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

Date: November 3, 2005

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

This letter will serve to notify you that on November 3, 2005 (date)

TO CONTACT NAME: William Kraemer
COMPANY/AGENCY: Garcia / Kraemer & Assoc.
ADDRESS/ZIP: 200 Lomas NW Suite 1111 / 87102
PHONE/FAX #: 242-5516 / FX 242-9028

Contacted the Office of Neighborhood Coordination requesting the contact names for any Recognized Neighborhood Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Tract 313A2A, MRGCD Map 38, located on 3105 Mountain Rd NW, Between Lugo Ave NW & Cabaldon Rd NW zone map page(s) J-12.

Our records indicate that as of November 3, 2005 (date), there were **no Recognized Neighborhood Associations** in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Adriana L Carmona

OFFICE OF NEIGHBORHOOD COORDINATION

planning.norecognized.na.form(07/04)

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: Washington Investors **DATE OF REQUEST:** 11/11/05 **ZONE ATLAS PAGE(S):** J-12

CURRENT:

ZONING RA 2

PARCEL SIZE (AC/SQ. FT.) 4.2 Ac.

LEGAL DESCRIPTION:

LOT OR TRACT # 313-A-2-A BLOCK #

SUBDIVISION NAME MRGCD Map # 28

REQUESTED CITY ACTION(S):

ANNEXATION	[ ]	SECTOR PLAN	[ ]	SITE DEVELOPMENT PLAN:	
COMP. PLAN	[ ]	ZONE CHANGE	[ ]	A) SUBDIVISION [X]	BUILDING PERMIT [ ]
AMENDMENT	[ ]	CONDITIONAL USE	[ ]	B) BUILD'G PURPOSES [ ]	ACCESS PERMIT [ ]
				C) AMENDMENT [ ]	OTHER [ ]

PROPOSED DEVELOPMENT:

GENERAL DESCRIPTION OF ACTION: [1]

NO CONSTRUCTION/DEVELOPMENT	[ ]	# OF UNITS:	17
NEW CONSTRUCTION	[X]	BUILDING SIZE:	2500 ea. (sq. ft.)
EXPANSION OF EXISTING DEVELOPMENT	[ ]		

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

APPLICANT OR REPRESENTATIVE _____ DATE 11/11/05
(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

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

THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR **NOT** REQUIRING TIS: PREVIOUSLY STUDIED: [ ]
Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. ***Any subsequent changes to the development proposal identified above may require an update or new TIS.***

_____ 11-14-05
TRAFFIC ENGINEER DATE

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an **AQIA.** Please refer to this section in order to determine if your proposal merits study for air quality impacts. An **AQIA** is not required, if a **TIS** is not required by the City or an associated **TIS** shows all signalized intersections functioning at Level of Service (LOS) C or better. An **AQIA** will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES [ ] NO [ ]

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion **TIS.** ***Any subsequent changes to the development proposal identified above may require an update or new AQIA.***

_____ 11/11/05
APPLICANT DATE

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

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

_____ _____
TRAFFIC ENGINEER DATE

Revised June 27, 2005

FORM DRWS: DRAINAGE REPORT / WATER & SANITARY SEWER AVAILABILITY
THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW BOARD APPLICATION FOR MAJOR SUBDIVISIONS AND SITE DEVELOPMENT PLANS.

PROJECT NAME: ENTRADA DEL BOSQUE

AGIS MAP # J-12 MR.

LEGAL DESCRIPTIONS: # 313-A-2-A
MRGCD MAP #28

X **DRAINAGE REPORT**

A drainage report, as per the Drainage Ordinance, was submitted to the City of Albuquerque Public Works Department, Hydrology Division (2nd Floor Plaza del Sol) on 11/2/05 (date).

T _____ 11/14/05
Applicant/Agent — Date

_____ 11/14/05
Hydrology Division Representative — Date

K **WATER AND SEWER AVAILABILITY STATEMENT**

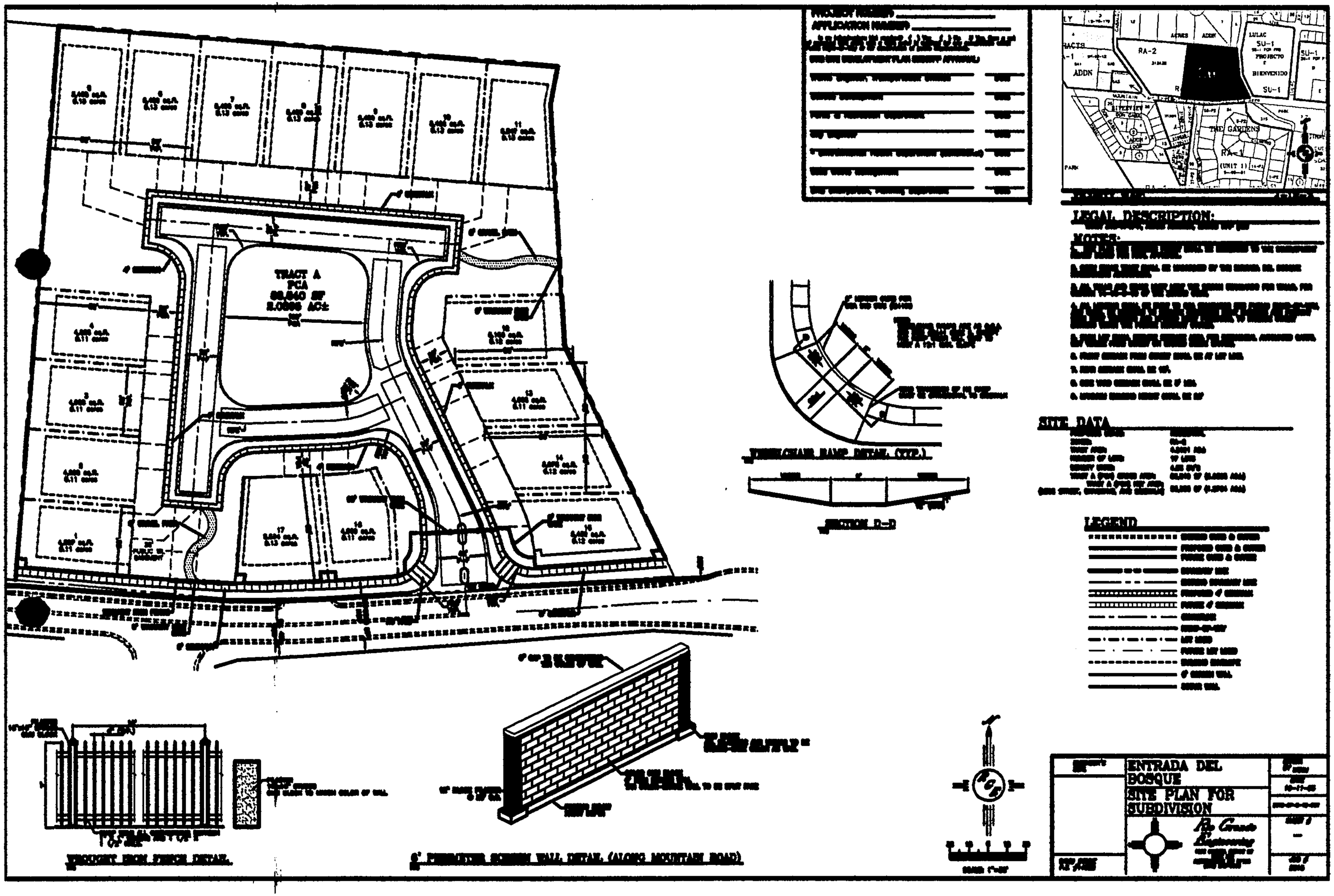
A Water and Sewer Availability Statement for this project was requested from the City of Albuquerque Utilities Development Division (2nd floor, Plaza del Sol) on 9/28/05 (date).

K _____ 11/14/05
Applicant/Agent — Date

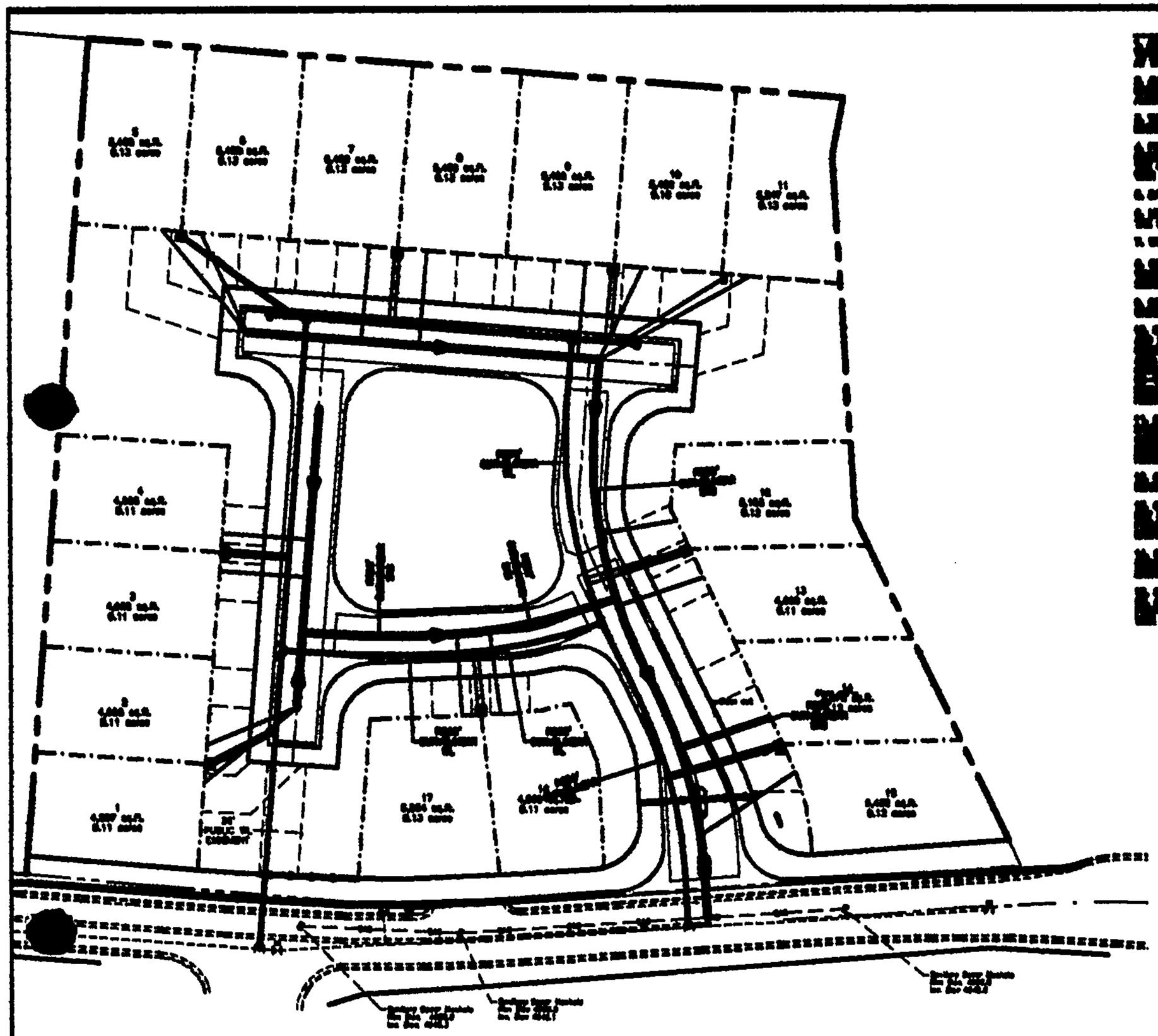
_____ 11/14/05
Utilities Division Representative — Date

PROJECT # _____

Revised 4/03



TRACT A
PCA
LEGAL DESCRIPTION:
NOTES:
SITE DATA
LEGEND
WHEELCHAIR RAMP DETAIL (TYP.)
SECTION D-D
WROUGHT IRON FENCE DETAIL
6' PERIMETER SCREEN WALL DETAIL (ALONG MOUNTAIN ROAD)
ENTRADA DEL BOSQUE
SITE PLAN FOR SUBDIVISION
Rio Grande Engineering

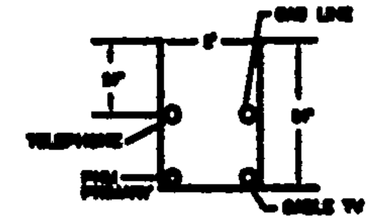


NOTICE TO CONTRACTORS

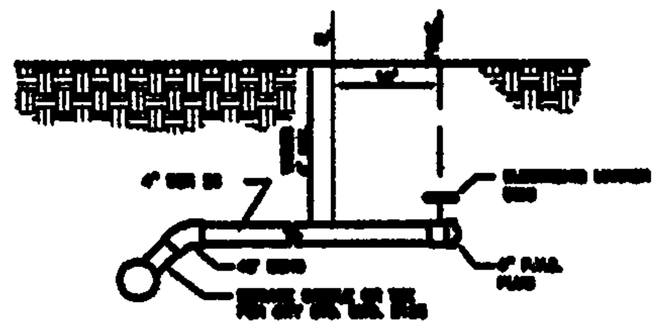
WATER SHUTOFF NOTES:

LEGEND

GENERAL NOTES:



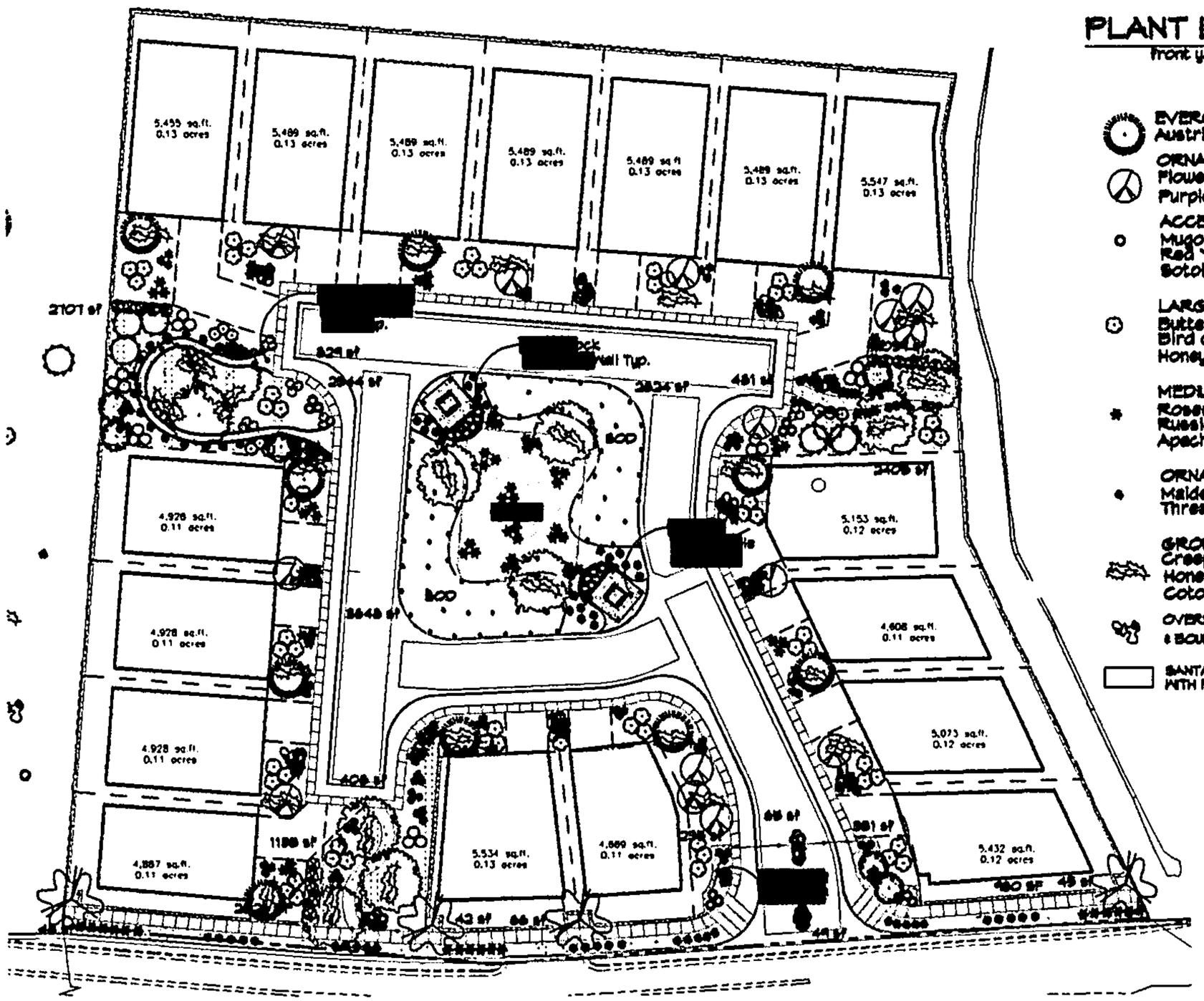
UTILITY TRENCH DETAIL



TYP. SANITARY SYSTEM SERVICE CONNECTION

ENTRADA DEL BOSQUE

CONCEPTUAL MASTER UTILITY PLAN



PLANT LEGEND
front yard package typ.

- EVERGREEN TREE — Austrian pine
- ORNAMENTAL TREE — Flowering Pear, Purple Plum
- ACCENT — Mugo Pine, Red Yucca, Sotol
- LARGE SHRUB — Butterfly Bush, Bird of Paradise, Honeysuckle
- MEDIUM SHRUB — Rosemary, Russian Sage, Apache Plume
- ORNAMENTAL GRASS — Maidengrass, Threadgrass
- GROUNDCOVER — Creeping Rosemary, Honeysuckle, Cotoneaster
- OVERSIZED GRAVEL & BOULDERS
- SANTA FE BROWN GRAVEL WITH FILTER FABRIC

PLANT LEGEND

- CHINESE PISTACHE (M) 4 — Pistachia chinensis, 2" Cal.
- COTTONWOOD 11 — Populus fremontii, 2" Cal.
- DESERT WILLOW (L) 6 — Chilopsis linearis, 15 Gal.
- CRABAPPLE 1 — Malus cultivars, 15 Gal.
- WASHINGTON HAWTHORN (M+) 6 — Crataegus phaenopyrum, 15 Gal.
- MUGO PINE (M) 4 — Pinus mugo, 5 Gal.
- BIRD OF PARADISE (L) 9 — Caesalpinia gilliesii, 5 Gal. 100sf
- BUTTERFLY BUSH (M) 6 — Buddleia davidii, 5 Gal. 100sf
- BLUE MIST SPIREA (M) 18 — Caryopteris clandonensis, 5 Gal. 96sf
- MAIDENGRASS (M) 60 — Miscanthus sinensis, 5 Gal. 160sf
- INDIAN HAWTHORN (M) 19 — Raphiolepis indica, 5 Gal. 36sf
- POTENTILLA (M) 13 — Potentilla fruticosa, 2 Gal.
- ROSEMARY (M) 23 — Rosmarinus officinalis, 2 Gal. 96sf
- APACHE PLUME (L) 12 — Fallugia paradoxa, 1 Gal. 25sf
- RUSSIAN SAGE (M) 10 — Perovskia atriplicifolia, 1 Gal. 36sf
- REGAL MIST (M) 13 — Muhlenbergia capillaris, 1 Gal. 48sf
- LAVENDER (M) 17 — Lavandula angustifolia, 1 Gal. 96sf
- THREADGRASS (M) 47 — Stipa tenuissima, 1 Gal. 46sf
- CREEPING ROSEMARY (L) 35 — Rosmarinus officinalis 'Prostrata', 1 Gal. 36sf, Symbol indicates 3 plants
- WILDFLOWER 84 — 1 Gal. 48sf
- 19 BOULDERS
- COMMERCIAL GRADE STEEL EDGING
- CRUSHER FINE WITH FILTER FABRIC
- 3/4" GRAY GRAVEL WITH FILTER FABRIC
- TAMPED COBBLE
- COBBLE
- SOD — SOD WITH POP UP SPRINKLER

LANDSCAPE NOTES:
Landscape maintenance shall be the responsibility of the Property Owner.

It is the intent of this plan to comply with the City Of Albuquerque Water Conservation Landscaping and Water Waste Ordinance planting restriction approach. Approval of this plan does not constitute or imply exemption from water waste provisions of the Water Conservation Landscaping and Water Waste Ordinance.

Water management is the sole responsibility of the Property Owner. All landscaping will be in conformance with the City of Albuquerque Zoning Code, Street Tree Ordinance, Pollen Ordinance, and Water Conservation Landscaping and Water Waste Ordinance. In general, water conservative, environmentally sound landscape principles will be followed in design and installation.

Plant beds shall achieve 75% live ground cover at maturity.

¾" Grey Gravel over Filter Fabric shall be placed in all landscape areas which are not designated to receive native seed.

IRRIGATION NOTES:
Irrigation shall be a complete underground system with Trees to receive (5) 1.0 GPH Drip Emitters and Shrubs to receive (2) 1.0 GPH Drip Emitters. Drip and Bubbler systems to be tied to 1/2" polyplbe with flush caps at each end.

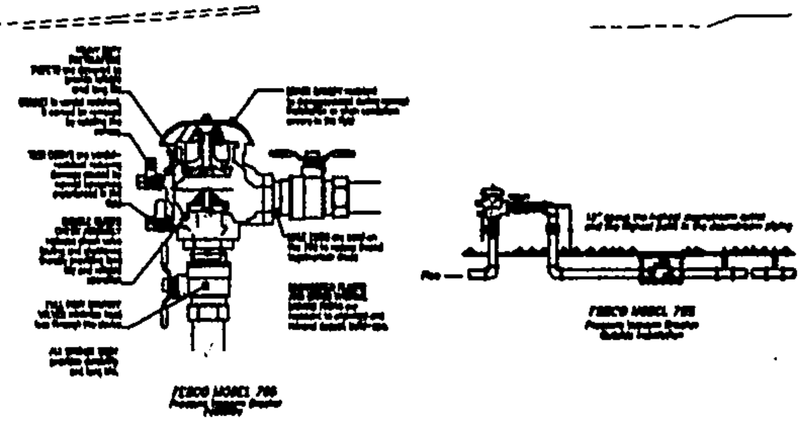
Run time per each drip valve will be approximately 15 minutes per day, to be adjusted according to the season.

Point of connection for irrigation system is unknown at current time and will be coordinated in the field. Irrigation will be operated by automatic controller.

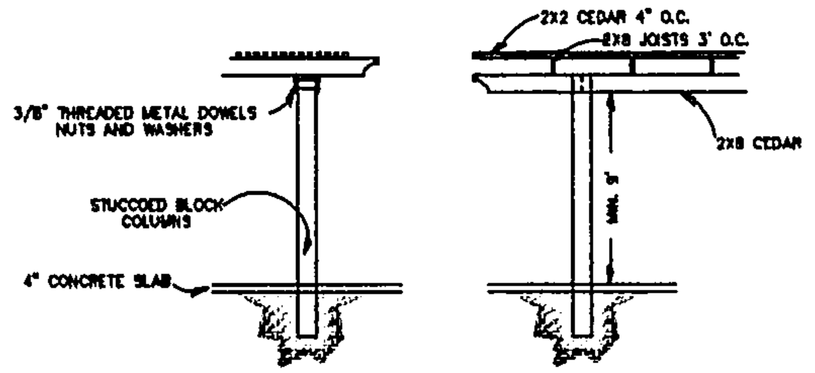
Location of controller to be field determined and power source for controller to be provided by others.

Irrigation maintenance shall be the responsibility of the Property Owner.

Water and Power source shall be the responsibility of the Developer/Builder.



Backflow Preventer Detail
not to scale



Ramada Detail Typ.
not to scale

GRAPHIC SCALE
30 15 0 15 30
SCALE: 1"=30'

Const. Llc. 425455
7309 Edith N.E.
Albuquerque, NM 87184
Ph: (505) 898-9990
Fx: (505) 890-7737
email@landscapearchitecture.com

LANDSCAPE ARCHITECT'S SEAL

JAMES DE FEO #10017

ENTRADA del BOSQUE
ALBUQUERQUE, NM

LANDSCAPE PLAN
ENTRY AND COMMON AREAS

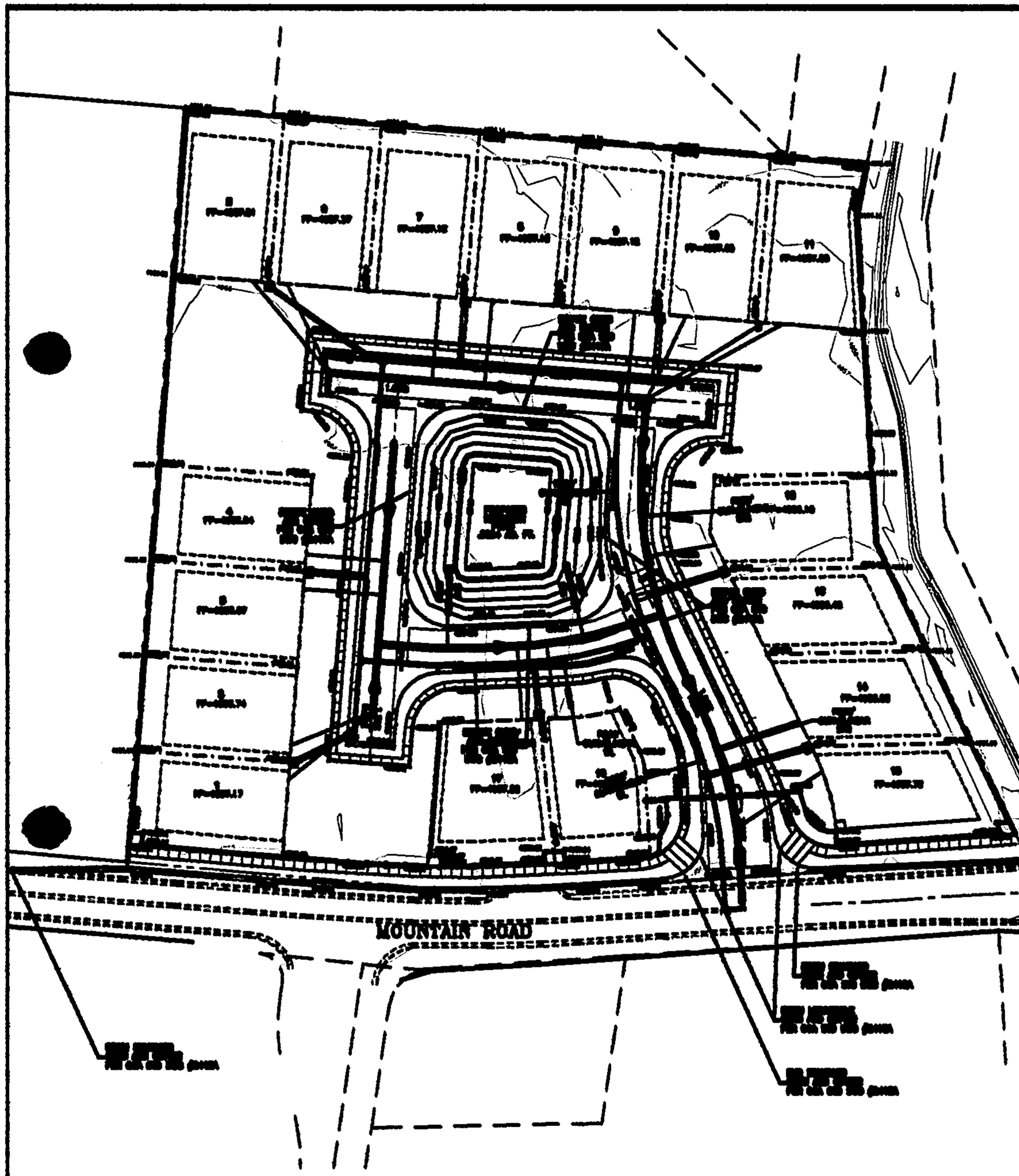
All ideas, designs, arrangements and plans indicated or represented by this drawing are owned by and the property of The Higley Group and were created, evolved and developed for use on and in connection with the specified project. None of such ideas, designs, arrangements or plans shall be used by or disclosed to any person, firm or corporation for any purpose whatsoever without the written permission of The Higley Group.

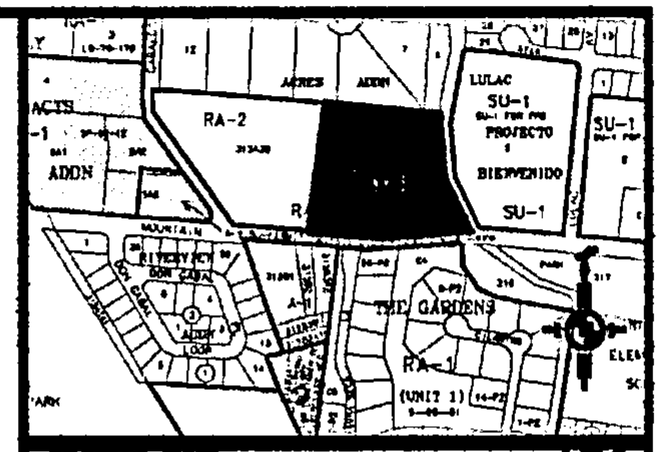
The Higley Group
LANDSCAPE ARCHITECTS & CONSULTANTS

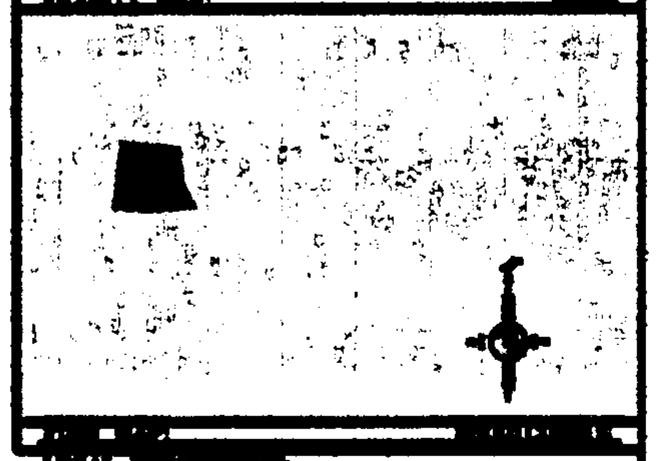
DRAWN BY: JH
REVISION #: 1
DATE: 11-7-05

SHEET #
L1 of L1

LEGEND







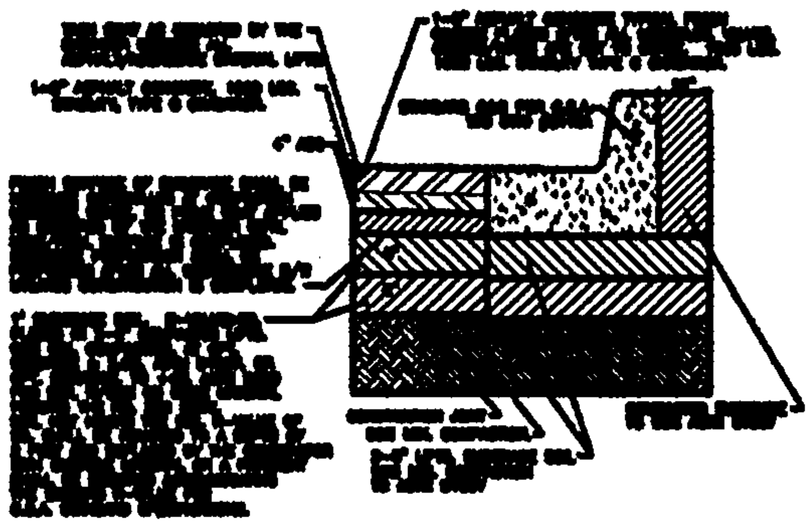
NOTES:

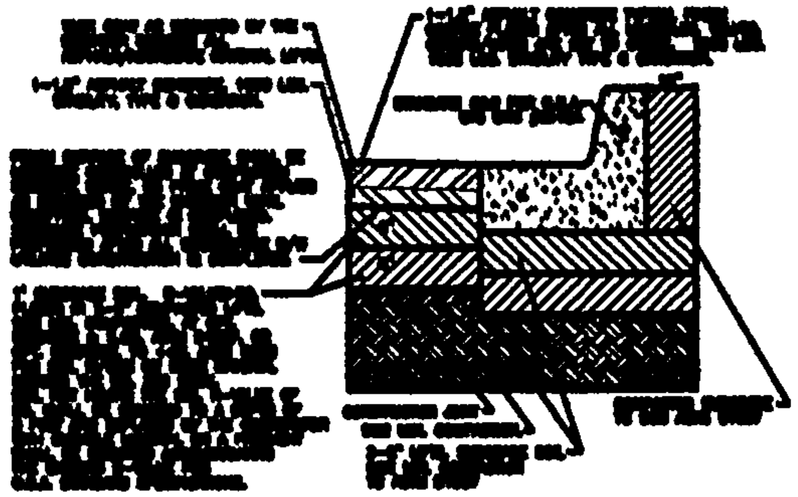
EROSION CONTROL NOTES:

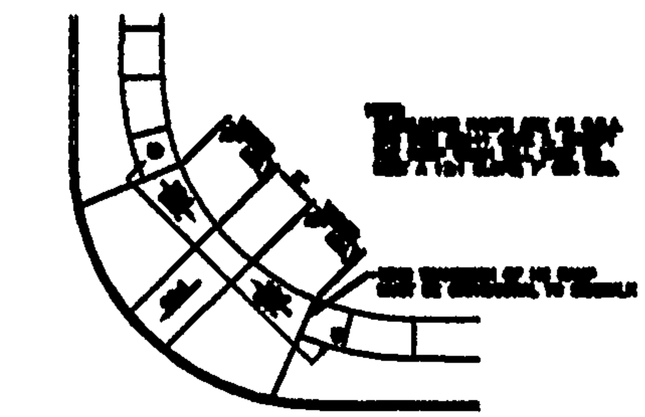
ENTRADA DEL BOSQUE

GRADING AND DRAINAGE PLAN

1 OF 2







	ENTRADA DEL BOSQUE	
	GRADING AND DRAINAGE PLAN	
	Rio Grande Engineering	2 OF 2

SITE DEVELOPMENT PLAN FOR SUBDIVISION CHECKLIST

Revised 10/20/04

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission (EPC). Since development proposals vary in type and scale, there may be application requirements that are not included here and others that may not be necessary. Nonetheless, it is the applicant's responsibility to provide a complete submittal. The EPC will not consider incomplete submittals. Incomplete submittals run the risk of not being scheduled for hearing until they are made complete. Site development plans should ordinarily be composed of the following plan sheets:

1. **Site Plan** (required)
2. **Conceptual Utility Plan** (required)
3. **Design requirements for future site development plans for building permit** (optional, but STRONGLY recommended)

The following checklist describes the minimum information necessary for each sheet. Most of the site plan requirements for *Sheet #1* are taken from the definition for "SITE DEVELOPMENT PLAN" as outlined in the Zoning Code (§ 14-16-1-1 et. seq.). **The Applicant shall include and check off all items shown on the site plan or write in "n/a" if not applicable.**

Accompanying Material

___ A. Fee payment
___ B. Complete application
___ C. Written Summary of Request
___ D. 8-1/2" x 11" reductions

SHEET # 1 – SITE PLAN (Required)

___ 1. Scale: at least 1" = 100'
___ 2. Bar Scale
___ 3. North Arrow
___ 4. Scaled Vicinity Map
___ 5. The Site (property lines)
___ 6. Proposed Use(s)
___ 7. Pedestrian Ingress and Egress (Access)
___ 8. Vehicular Ingress and Egress (Access)
___ 9. Any Internal Circulation Requirements
___ 10. For each lot:
  ___ a. Maximum Building Height
  ___ b. Minimum Building Setback
  ___ c. Maximum Total Dwelling Units and / or
  ___ d. Nonresidential Uses' Maximum Floor Area Ratio (F.A.R.)

Revised 10/20/04

SHEET #2 – DESIGN REQUIREMENTS FOR FUTURE SITE DEVELOPMENT PLANS FOR BUILDING PERMIT (Optional, but STRONGLY recommended)

_✓_ 1. Overall Design Theme and Land Use Concept
_NA_ 2. Off-Street Parking Requirements and Design (Automobile and Bicycle)
_✓_ 3. Street Design
_✓_ 4. Transit Facilities (benches, shelters, pedestrian connections, etc.)
_NA_ 5. Landscape Design Requirements (plant list, buffer areas, locations, amounts, etc.)
_NA_ 6. Architectural Design Requirements (façade elements, massing, colors, materials, etc.)
_NA_ 7. Signage Design Requirements (face area, colors, materials, maximum height, etc.)
_NA_ 8. Lighting Design Requirements (type, locations, colors materials, maximum height, etc.)
_✓_ 9. Pedestrian Amenities (walkways, plazas, shade structures, etc.)

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

PAID RECEIPT

APPLICANT NAME Washington Investors

AGENT Rio Grande Engineering

ADDRESS 11006 Central Ave SE Ste 201

PROJECT & APP # _____

PROJECT NAME Entrada del Bosque

$ 20 **441032/3424000 Conflict Management Fee**

$ 1190 **441006/4983000 DRB Actions**

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

$ 75 **441018/4971000 Public Notification**

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

$ 1285 **TOTAL AMOUNT DUE**

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

DUPLICATE
City Of Albuquerque
Treasury Division

11/14/2005 12:40PM LOC: ANN
X
RECEIPT# 00053144 WS# 007 TRANS# 0030
Account 441032 Fund 0110
Activity 3424000 TRSKAL
Trans Amt $1,285.00
J24 Misc $20.00
$1,190.00
Trans Amt $75.00
CK $1,285.00

DUPLICATE
City Of Albuquerque
Treasury Division

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J24 Misc

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City Of Albuquerque
Treasury Division

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Trans Amt $1,285.00
J24 Misc

$1,190.00
Trans Tot

$75.00
CK $1,285.00

City of Albuquerque
Parks and Recreation Department

PO Box 1293, Albuquerque, New Mexico 87103

Inter-Office Correspondence

Development Review Board Comments

Project Number: 1004360

Application Number: 05DRB-01245

DRB Date: 8/10/2005

Item Number: 11

Subdivision: Entrada Del Bosque

Lots 313-A-2-A, Acres Addition

Request for:

- [x] Sketch Plat Review & Comment
- [ ] Bulk Land Variance
- [ ] Site Development Plan for Subdivision
- [ ] Site Development Plan for Building Permit
- [ ] Preliminary Plat
- [ ] Final Plat
- [ ] Vacation of Public RoW
- [ ] Vacation of Public Easement
- [ ] Vacation of Private Easement
- [ ] Temp. Deferral of Sidewalk Construction
- [ ] Sidewalk Variance
- [ ] SIA Extension
- [ ] Other

Zoning: RA-2

Zone Page: J-12

New Lots (or units) : 16

Parks and Recreation Comments:

This development will be subject to Parks, Recreation, Trails and Open Space Impact Fees due at building permit.

Who will own and maintain the commons area, place a note clarifying this on the plat.

Signed: CS

Christina Sandoval, (DMD) Phone: 768-3808

DEVELOPMENT REVIEW BOARD

TRANSPORTATION DEVELOPMENT

Standard Comment Sheet

DRB- 1004360 Item No. 11 Zone Atlas J-12

DATE ON AGENDA 8-10-05

INFRASTRUCTURE REQUIRED (X)YES ( )NO

CROSS REFERENCE: _____

_____

TYPE OF APPROVAL REQUESTED:

(X)SKETCH PLAT ( )PRELIMINARY PLAT ( )FINAL PLAT

( )SITE PLAN REVIEW AND COMMENT ( )SITE PLAN FOR SUBDIVISION

( )SITE PLAN FOR BUILDING PERMIT

No.	Comment
1)	Are these P1 lots?
2)	Standard infrastructure per DPM is required.
3)	A cross-section of Mountain Road is needed to determine improvements and dedications. The sidewalk should be 6′ with a 6′ buffer area to the back of curb.
4)	Mountain Road requires bike lanes.
5)	Ensure that gated entrance does not cause que problems and that sight distance on to Mountain is met.

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

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004360 **AGENDA ITEM NO: 11**

SUBJECT:

Sketch Plat

ACTION REQUESTED:

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

ENGINEERING COMMENTS:
An approved infrastructure list is required for Preliminary Plat approval.
An approved grading and drainage report must be on file prior to Preliminary Plat approval.
MRGCD must approve the Final Plat.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: August 10, 2005

IMPACT FEES – # 1004360

Development Review Board 8/10/05 Agenda Item #11
Sketch Plat: Lot 313A2A, Acres Addition

Construction of a new single family residence within the proposed subdivision will require payment of Impact Fees. Based on a house size between 1,500 square feet and 2,499 square feet, it is estimated that impact fees will total approximately $453 if a building permit is obtained by December 30, 2005, $892 if a permit is obtained prior to December 29, 2006, and $1,332 thereafter.

JACK CLOUD
IMPACT FEE ADMINISTRATOR

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
August 10, 2005
DRB Comments

ITEM # 11
PROJECT # 1004360 **APPLICATION # 05-01245**
Re: Entrada Del Bosque/sketch plat

Planning is assuming that a private commons development is proposed for this site. Otherwise, RA2 zoning requires 10,890 square feet per residential lot.

Please provide the calculations used to determine the lot sizes and the private commons area acreage.

Section 14-16-3-16 Private Commons Development lists the requirements, including the legal documents and plat language, which must be satisfied.

The land use easements & restrictive covenants require the approval of the DRB Assistant City Attorney. In addition, there are notes required on the final plat, also approved by the Assistant City Attorney.

Any perimeter walls fronting a ~~tree~~ street or public open space, park or trail require DRB Chair design approval.

A Site Development Plan for Subdivision containing design regulations and a landscape plan is required for this PCD. DRB is the approval body. However, final sign off by Planning will not occur until all requirements for the PCD are met including the platting action and the land use easements & restrictive covenants.

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

RA-1
R-1
R-1
AZAR
R-1
A-1
GABALDON
J12
DURANES DITCH
SU-
LULAC
SU-1
A-1
MOUNTAIN
R-1
R-1
DON GABAL
R-1
A-1
RA-1
REGINALD CHAVEZ
R-1
0
358ft

RESTRICTIONS

OF

DEL BOSQUE SUBDIVISIONS

A Declaration of Restrictions, Covenants and Conditions for the Creation and Maintenance Of Private Commons Development

2006075823
6463385
Page: 1 of 28
05/24/2006 03:25P
Bk-A117 Pg-5603
Mary Herrera Bern. Co. COV R 63.00

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05/24/2006 03:25P
Mary Herrera Bern. Co. COV R 63.00 Bk-A117 Pg-5603

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DEL BOSQUE SUBDIVISIONS RESTRICTIONS

A Declaration of Restrictions, Covenants and Conditions for the Creation and Maintenance of a Private Commons Development

THIS DECLARATION is made as of May 5, 2006, by WASHINGTON INVESTORS, L.L.C., a New Mexico limited liability company, with respect to that certain real property situate in Bernalillo County, New Mexico and more particularly described as follows:

> All of the ENTRADA DEL BOSQUE SUBDIVISION, as the same is shown on the Plat for ENTRADA DEL BOSQUE recorded in the Bernalillo County, New Mexico Real Estate Records on _____, 2006, in Vol. _____, Folio ____, as Document No._____
>
> All of the VENTANA DEL BOSQUE SUBDIVISION, as the same will be shown on the Plat for VENTANA DEL BOSQUE to be recorded in the Bernalillo County, New Mexico Real Estate Records.

It is hereby declared that all of the described real property is subject to this Declaration which is for the purpose of creating and maintaining private commons developments on the described real property and for the improvement and protection of the value, desirability and attractiveness of the described real property, and to meet the requirements of the Private Commons Development Regulations, as they exist from time to time (the "PCD Regulations"), as contained within the City of Albuquerque (the "City") Comprehensive Zoning Ordinance (the "Ordinance").

It is the purpose of this Declaration to create private commons development consisting of two subdivisions for a total of thirty five (35) single family lots on two private streets with private common area for the benefit of the Lot owners.

This Declaration shall run with the described real property and shall be binding upon and inure to the benefit of Grantor, the Association, each Owner of the described real property or any part of it, and each successor in interest of Grantor, the Association, and any such Owner.

ARTICLE 1
Definitions

Unless the context otherwise specifies or requires, the terms defined in this Article 1 shall have the meanings as defined in this Article for the purposes of these Restrictions.

Section 1.01: Architectural Control Committee.

The terms "Architectural Control Committee" or "Committee" shall mean the architectural control committee created pursuant to Article 8.

Section 1.02: Association.

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The term "Association" shall mean the DEL BOSQUE HOMEOWNERS ASSOCIATION, INC., a New Mexico non-profit corporation described in the Article entitled, "Organization, Powers and Duties of the Association," and any predecessor or successor unincorporated association.

Section 1.03: Board.

The term "Board" shall mean the Board of Directors of the Association and the governing body of any predecessor or successor unincorporated association.

Section 1.04: City.

The term "City" means the City of Albuquerque, a municipal corporation.

Section 1.05: Common Area.

The term "Common Area" shall mean the portions of the Subdivision which will be conveyed to the Association for the benefit of the Lot Owners and/or to meet the requirements of the PCD Regulations and/or are portions of the Subdivision which the Association has the beneficial interest in an easement for purposes of maintaining such area for the benefit of the Owners. The Common Area consists of the Common Area, the Private Street and the Front Yard Landscape Area.

Section 1.06: Eligible Mortgagee.

The term "Eligible Mortgagee" means any holder of a first mortgage lien against any Lot provided that such mortgagee has given the Association written notice of its mortgage setting forth its name and address and identifying the Lot, by legal description and address, which is subject to such first mortgage.

Section 1.07: Fiscal Year.

The term "Fiscal Year" shall be the calendar year; but, a different Fiscal Year may be adopted by the Association by By-Law or Board Resolution.

Section 1.08: Front Yard Landscape Area.

The term "Front Yard Landscape Area" shall mean the portions of the Private Commons Area located between the front of the Lots and the back of the sidewalk, which have been landscaped by the Grantor, or by the homebuilder, and which shall be maintained by the Association.

Section 1.09: Grantor.

The term "Grantor" shall mean Washington Investors, L.L.C., a New Mexico limited liability company, its successors and assigns, who are assigned, in writing, all or part of Grantor's powers and responsibilities for all or a specific area or portion of the Subdivision and who accept such powers and responsibilities in writing. All such assignments and agreements to accept the obligations of Grantor shall be recorded, filed with the Board and placed with the records of the Association.

Section 1.10: Improvements.

The term "Improvements" shall include, without limitation, buildings, out-buildings, (including sheds and storage buildings), roads, driveways, parking areas, fences, retaining walls, privacy walls or fences, subdivision exterior

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walls or fences, stairs, decks, windbreaks, poles, antennas, signs, utility or communication installations (whether above or underground), and any structure and excavation of any type or kind.

Section 1.11: Landscape Plan.

The term "Landscape Plan" shall mean the landscape plan for the Private Common Area pursuant to the PCD Regulations as approved by the City, and as amended from time to time.

Section 1.12: Lot.

The term "Lot" shall mean each of the thirty five (35) lots designated on the Plats together with the Improvements located on each such Lot.

Section 1.13: Mortgage.

The term Mortgage shall mean a deed of trust, as well as a mortgage, and the term "Mortgagee" shall mean a beneficiary under or a holder of a deed of trust, as well as a Mortgagee.

Section 1.14: Owner.

The term "Owner" shall mean the persons or entities, including Grantor, holding the beneficial ownership of the Lots, including the purchaser under a real estate contract, and shall not include persons holding only a security interest or a seller under a real estate contract. For the purposes of the Article entitled, "Permitted and Prohibited Uses of Property," unless the context otherwise requires, "Owner" shall include the family, invitees, licensees and tenants of any Owner. The term "Owner" is used interchangeably with "Member" unless otherwise specified herein.

Section 1.15: Option.

The term "Option" shall mean the Option granted by Grantor, as more fully set out in Section 3.03, hereof.

Section 1.16: Plat.

The term "Plat" shall mean all of the real property shown on the Plat and comprising the Subdivision Plats of:
Entrada del Bosque Subdivision,as recorded in the Bernalillo County, New Mexico real estate records,and;
Ventana del Bosque Subdivision,to be recorded in the Bernalillo County, New Mexico real estate records.

Section 1.17: Private Common Area.

The term "Private Common Area" shall mean the portions of the Subdivision to be owned by the Association for the common benefit of the Owners to be used for agriculture, landscaping, recreation or any combination thereof as determined from time to time by the Association. These restrictions and the Plat create for the benefit of the City negative easements which restrict and limit how the Private Common Area can be put to use which restrictions and limitations the City is given the right to enforce. The Private Common Areas are shown and designated on the Plats as Tract A.

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Section 1.18: Private Street.

The term "Private Street" shall mean the private streets providing access to the Lots identified on the Plats as "Bosque Verde Lane" and/or "Rio Azul Lane"

Section 1.19: Site Plan.

The term "Site Plan" or "Site Development Plan" shall mean the site development plans for the Subdivision approved by the City, as amended from time to time, pursuant to the terms of the PCD Regulations.

Section 1.20: Subdivision.

The term "Subdivision" shall mean the Private Commons Development created by and subject to this Declaration.

Section 1.21: Subdivision Restrictions.

The term "Subdivision Restrictions" shall mean, with respect to all property within the Subdivision, the limitations, easements, restrictions, covenants, and conditions set forth in this Declaration, as this Declaration may from time to time be amended. The term "This Declaration" and the title to this Declaration shall have the same meaning as "Subdivision Restrictions."

ARTICLE 2
Property Subject to Subdivision Restrictions

All of the property shown on the Plats.

ARTICLE 3
Permitted and Prohibited Uses of Property

Section 3.01: Permitted Uses of Property Within the Subdivision.

a. Improvements and development within the Subdivision shall be limited to residential single family dwellings, having a minimum of 1500 square feet of heated living area, associated parking, garages, roads and access ways, landscaped areas, and all public or private service and utility facilities related to such uses, including, but not limited to, drainage, sewer, gas, water, electric and communication facilities. No dwelling shall be used as a boarding house or divided into apartments or rooms for rental purposes. This subsection does not prevent the rental or lease of the whole dwelling by the Owner thereof, but any such rental or lease must be by a written agreement which requires the tenant to observe these Restrictions. No dwelling may be leased or rented for a period of less than thirty (30) days.

b. Grantor shall, so long as Grantor is the owner of any Lot, have all of the rights of use set out in the Article entitled, "Limitation of Subdivision Restrictions on Grantor."

Section 3.02: Prohibited Uses of Subdivision.

a. In no event shall any Lot be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas or other hydrocarbons, minerals, rocks, stones, gravel or earth, or be used in any other way inconsistent with the Subdivision Restrictions.

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b. No illegal, noxious or offensive activity shall be carried on within the Subdivision. No light shall be emitted from any Lot which is unreasonably bright to cause unreasonable glare to any residences. No sound shall be emitted on or from any Lot which is unreasonably loud or annoying. No odor shall be emitted from any Lot which is noxious or offensive to others. Nothing shall be done or placed which may be or become a nuisance, or cause unreasonable embarrassment, disturbance, or annoyance to Owners in the enjoyment of their dwellings.

c. No signs whatsoever, including, but without limitation, commercial or similar signs, visible from other Lots, shall be erected or maintained upon any Lot, except(1) such signs as may be required by legal proceedings or are useful for such proceedings; (2) during the time of construction of any structure or other Improvement, job identification signs having a maximum face area of twelve (12) square feet per sign and of the type usually employed by contractors, subcontractors, and tradesmen; (3) appropriate safety, directional, and identification and safety signs installed by Grantor, the Association, or required by law; (4) customary "for sale" or "for rent" signs; (5) political signs as regulated by the Board, and (6) such residential or commercial identification signs as Grantor has the right to maintain, or as are specifically approved by the Board in accordance with the rules adopted by the Board.

d. Except as provided otherwise by this Section, no mobile home, motor home, recreational vehicle, motorcycles, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Subdivision at any time, unless enclosed within a standard size garage or within the side or rear yard so as not to be visible from any street. The provisions of this subsection shall not apply to (i) temporary construction shelters or facilities maintained during, and used exclusively in connection with, the construction of any work or improvement permitted by this Declaration, (ii) a recreational vehicle parked in the driveway or the street for a period not to exceed 24 hours, and (iii) a guest's use of a recreational vehicle for a period not to exceed one week per year.

e. Any outside clothes lines or other outside clothes drying or airing facilities shall be maintained exclusively within a fenced yard in such a way as not to be visible from streets and the ground floor of neighboring dwellings.

f. No garbage, clippings from trees, shrubs or lawns, trash, ashes or other refuse may be thrown, dumped or allowed to accumulate on any land within the Subdivision visible from the street or the ground floor of neighboring homes. There shall be no burning of refuse out of doors, except for the burning of natural materials in connection with land clearance or fire control. No incinerators or other device for the burning of refuse indoors shall be constructed, installed or used by any person except in conformity with law and approved by the Board.

g. No animals, livestock, horses, insects or poultry of any kind shall be kept, raised, or bred in the Subdivision. A total of three household pets per Lot, with no more than two of the household pets being dogs, may be kept, provided they are not kept, raised or bred for commercial or hobby breeding purposes. Such household pets, except cats, must be restrained on a leash or otherwise under the direct control of an individual when in the Subdivision.

h. All exterior spot or directional lighting of any sort, the light source of which is visible from neighboring Lots, shall be approved, in writing, by the Board prior to installation.

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i. No exterior antenna, or satellite dishes, of any sort shall be installed or maintained on any Lot or within the Subdivision, except those devices which are erected, installed, placed or maintained and used entirely under the eaves or enclosed within a building or structure or are screened so as not to be visible from the ground level of other Lots. This provision shall remain enforceable even if enforcement action is not commenced within the time limitations otherwise provided by the Subdivision Restrictions.

j. No mechanical device shall be installed or maintained on the roof or exterior surface of any dwelling if such device is visible from the street which the dwelling faces unless screened or enclosed to the satisfaction of the Committee.

k. No vehicles of any type shall be permanently or semi-permanently parked in any portion of the Subdivision visible from other Lots for purposes of repairs or reconstruction, or storage. A vehicle shall be deemed parked for storage if it is not driven out of the Subdivision for thirty (30) consecutive days.

l. No trucks other than pick-up trucks or other commercial vehicles shall be kept or maintained in the Subdivision, except within standard size garages, and except where customary or required for the limited purposes of building, repairing, refinishing, or maintaining the Subdivision or a dwelling, or for the purpose of moving household goods or other necessary or customary furnishings, equipment or supplies in or out of the Subdivision.

m. Except temporarily during a construction period, all utility lines, including, but not limited to, electrical, gas, telephone, cable television, and other communications systems shall be underground, except for access ports and aboveground transformers.

n. No portion of the Subdivision shall be used for any purpose or in any manner which would increase the rate at which insurance against loss or damage by fire and the perils covered by extended coverage, bodily injury, property damage liability insurance, covering any other dwelling may be obtained, or cause any other dwelling to be uninsurable or have such insurance canceled or suspended.

Section 3.03: Common Area.

The Common Area shall be reserved by the Association for the benefit of all Owners pursuant to this Declaration and the PCD Regulations, to enhance the value, desirability and safety of the Subdivision for watering, planting, cutting, removing and otherwise caring for the landscaping and for installing, maintaining and repairing of signs identifying the Subdivision and utility lines necessary for the maintenance of the Landscaping. No improvements or structures may be constructed upon the Common Area except those which are: (a) approved from time to time by the City pursuant to the approved Site Development Plan, and (b) those which are necessary for the operation and maintenance of the Common Area or are otherwise permitted by the PCD Regulations. The use of the Common Area shall be limited to the agriculture, landscaping, recreation or any combination thereof, or any other uses permitted, from time to time, by the PCD Regulations and approved by the Association.

The Private Streets shall be reserved for the benefit of the Owners, their guests and invitees. The Association shall maintain the Private Streets (including any landscaped medians) and streetlights within the Private Streets, in accordance with rules relating to the streets that may be adopted by the Board of the Association pursuant to this Declaration, as amended or modified from time

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to time (the "Street Rules"). A copy of the current Street Rules, if any, shall be available at the office of the Association. The Street Rules may contain parking and traffic regulations, including but not limited to regulations as to the number of vehicles that may be parked in the streets within the Subdivision. The Association shall also maintain the private sidewalks within the Subdivision. The Association shall maintain the entrance to the Subdivision including the Entrance Gates. The Association may adopt rules relating to the Entrance Gates and the signage pursuant to this Declaration, which rules may be amended and modified from time to time.

Section 3.04: Encroachment Easements.

Should minor variations between lot lines as shown on the Plat and actual physical lot boundaries (such as walls, including interior party walls, and fences) occur, either due to original construction, reconstruction, repair or due to the settling, shifting or movement of structures, a valid easement shall exist for the encroaching Improvements for so long as the encroachment exists.

ARTICLE 4
Membership in the Association Voting Rights

Section 4.01: Membership.

a. Each Owner, by virtue of being an Owner and during such time as such Owner remains an Owner, shall be a member of the Association, or, a member of the unincorporated association preceding the Association or succeeding to the Association (herein "Member" or "Members").

b. The rights, duties, privileges, and obligations of an Owner as a member of the Association or its proceeding or succeeding unincorporated association shall be those set forth in, and shall be exercised and imposed in accordance with the provisions of this Declaration and the Association's Articles of Incorporation and By-Laws.

Section 4.02: Voting Rights.

Each Owner shall be entitled to vote as provided in this Article on all matters properly submitted for vote to the membership of the Association. Every Owner entitled to vote at any election of members of the Board may cumulate his votes and give any one or more candidates a number of votes equal to the number of votes to which the Owner is entitled, multiplied by the number of Directors to be elected. The right to vote may not be severed or separated from any Lot, and any sale, transfer or conveyance of the beneficial interest of the fee of any Lot to a new Owner shall operate to transfer the appurtenant voting rights without the requirement of any express reference thereto. Voting may be by written proxy.

The rights of membership, including the right to vote and the right to participate in Association affairs, are subject to suspension by the Board for: (1) failure or refusal to pay any assessment levied by the Association for a period of thirty (30) days after the due date of such assessment; or (2) an infraction of, default in or breach of any provision of the Restrictions, the Articles, the By-Laws or the Rules and Regulations of the Association.

Section 4.03: Voting Rules.

When any provision of the Subdivision Restrictions calls for the vote or the consent of the Members in any stated percentage, the following rules apply, unless the specific language of the provision provides to the contrary (a)

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whenever a vote of the members is required, it is sufficient to obtain the written consent of the same percentage of Members; (b) the percentage requirement shall be a percentage of the total voting power of the Association and not a percentage of the number of Members of the Association, and (c) in any election held pursuant to the requirements of this Declaration, ballots may be transmitted to Owners in the manner provided for the giving of notice.

ARTICLE 5
Organization, Powers and Duties of the Association

Section 5.01: Organization.

a. The Association shall be organized as a non-profit corporation charged with the duties and empowered with the rights set forth herein. The Association's affairs shall be governed by this Declaration, the Articles of Incorporation and the By-Laws.

b. In the event that the Association, as a corporate entity, is not formed or after formation loses its corporate powers or is dissolved, a non-profit, unincorporated association shall forthwith and without further action or notice, be formed and shall succeed to all the rights and obligations of the Association hereunder until a qualified non-profit corporation is formed. Said unincorporated association's affairs shall be governed by the laws of the State of New Mexico, and to the extent not inconsistent therewith, by this Declaration, the Articles of Incorporation and the By-Laws, respectively, as if they were created for the purpose of governing the affairs of an unincorporated association.

c. The President and Secretary of the Association, or any three (3) members of the Board of Directors, may execute, seal, acknowledge and record a certificate of identity stating the names of all of the members of the then current Board and the then current Architectural Control Committee, if any. The most recently recorded affidavit shall be conclusive evidence of the identity of the persons then composing the Board and Architectural Control Committee in favor of any person relying thereon in good faith.

d. The Board shall be appointed by the Grantor, and shall serve at the Grantor's pleasure until December 31, 2008. Thereafter, the Board shall be elected by the members at annual meetings of the Association.

e. The affairs of the Association shall be managed by the Board of Directors, which shall exercise all of the rights and powers and perform all of the duties and responsibilities set out in this Declaration for the Association.

Section 5.02: Powers and Authority of the Association.

The Association shall have all of the powers set forth in its Articles of Incorporation, together with its general powers as a non-profit corporation, subject only to the limitations upon the exercise of such powers as are expressly set forth in its Articles of Incorporation, its By-Laws and in this Declaration, to do any and all lawful things which may be authorized, required, or permitted to be done by the Association under and by virtue of the Subdivision Restrictions and to do and perform any and all acts which may be necessary or proper for or incidental to the exercise of any of the express powers of the Association or for the peace, health, comfort, safety, and general welfare of Owners.

a. Any of the following actions by the Board shall require a majority vote or written assent of the members:

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1. Entering into a contract for the furnishings of goods or services for Easement Area or the Association for a term longer than three (3) years with the exception of prepaid casualty or liability policies of not to exceed three (3) years duration provided that the policy permits short rate cancellation by the insured; and

2. Paying compensation to members of the Board or officers for services performed in the conduct of the Association's business provided that the Board may cause a member or officer to be reimbursed for expenses incurred in carrying on the business of the Association.

b. In fulfilling any of its obligations or duties under the Subdivision Restrictions, including, without limitation, its obligations or duties for the maintenance, repair, operation, or administration of the Common Areas, the Association shall have the power and authority:

1. To contract and pay for, or otherwise provide for, the improvement, maintenance, restoration, and repair of the Common Area and all Improvements located thereon;

2. To obtain, maintain, and pay for such insurance policies or bonds, whether or not required by this Declaration, as the Association shall deem to be appropriate for the protection or benefit of the Subdivision, the Association, the members of the Board, and the Owners;

3. To incur indebtedness; but any indebtedness in excess of the Association's estimate of its estimated gross revenue for the year incurred or any indebtedness to be repaid over a period longer than one (1) year must be approved by a two-thirds (2/3) vote of the Members;

4. To contract and pay for, or otherwise provide for, such utility services, including, but without limitation, water and electrical services, as may from time to time be required;

5. To contract and pay for, or otherwise provide for, the services of architects, engineers, attorneys, bookkeepers and certified public accountants, and such other professional and non-professional services as the Association deems necessary;

6. To contract and pay for, or otherwise provide for, such materials, supplies, furniture, equipment, and labor as and to the extent the Association deems necessary;

7. To pay and to discharge any and all liens from time to time placed or imposed upon any Common Area, or on account of any work done or performed by the Association in the fulfillment of any of its obligations and duties of maintenance, repair, operation, or administration;

8. To lease or contract for the use of land and Improvements for recreation or other purposes to the extent the Association deems necessary; and

9. To place and maintain upon the Common Area such signs as the Association may deem necessary for the identification of the Subdivision and/or roads, the regulation of traffic, including parking, for the health, welfare and safety of owners and other persons.

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c. In fulfilling any of its obligations or in exercising any of its rights with respect to the development, construction, installation or acquisition of a capital improvement, the Association shall have the power and authority:

1. To contract and pay for such Improvements upon such terms and conditions as the Association shall deem appropriate;

2. To obtain, maintain, and pay for such insurance policies or bonds as the Association may deem appropriate for the protection and benefit of the Association, the members of the Board, and Owners, including, but without limitation, builder's risk insurance, additional comprehensive liability insurance, workman's compensation insurance, and performance and fidelity bonds;

3. To incur indebtedness under terms and conditions as provided by this Article; and

4. To contract and pay for the services of architects, engineers, attorneys, and certified public accountants, and other professional and non-professional services.

d. With respect to the Common Area, the Association shall exercise control over the Common Area, but only for the purpose of carrying out the purposes of these Restrictions. The Association shall have no authority to mortgage, sell or convey the Common Area or any part thereof, unless approved by unanimous vote of the Members except that the Association shall have the power and authority from time to time without a vote of the Members to: (i) grant and convey easements or rights of way, in, on, over, or under any Common Area, for the purpose of constructing, erecting, operating and maintaining thereon, therein, and thereunder wires, conduits and other equipment for the transmission of electricity and signals for lighting, heating, power, communication, cable television and other purposes, and for the necessary attachments in connection therewith; and public and private sewers, storm water ponding areas, storm water drains, storm water ponding areas, land drains and pipes, water systems, sprinkling systems, water, heating and gas lines or pipes and any and all equipment in connection with the foregoing, and (ii) to convey the Option Property pursuant to the terms of the Option. Any sale of the Private Common Area, except the Option Property, shall be subject to the PCD Regulations unless released by the City.

e. The Association may, from time to time and upon such terms and conditions as it may deem appropriate, agree with the governing body of any other subdivision to jointly manage the affairs of the Subdivision, to jointly hire a manager, or jointly to engage in other activities not inconsistent with the Subdivision Restrictions.

f. The Association shall have the right from time to time to pay, compromise, or contest any and all taxes and assessments levied against all or any part of the Common Area any income of or assessed to the Association, and upon any personal property belonging to or assessed to the Association.

g. The Association shall have the power and authority from time to time, in its own name, on its own behalf, and on behalf of any Owner or Owners who consent thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of the Subdivision Restrictions and to enforce, by mandatory injunction or otherwise, all of the provisions of this Declaration.

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h. The Association shall have the power, but not the duty, to enter upon and maintain, or provide for the maintenance of, any Lot or Improvements which is not maintained by the Owner thereof in accordance with the requirements of these Restrictions, at the expense of any such Owner.

Section 5.03: Liability of Members of Board.

No member of the Board shall be personally liable to any Owner, or to any other person, including Grantor, for any error or omission of the Association, its representatives and employees, or the manager; provided, however, that such member has, with the actual knowledge possessed by him, acted in good faith.

Section 5.04: Duties and Obligations of the Association.

a. The Association shall have the obligation and duty, subject to the Subdivision Restrictions, to do and perform each and everything set out in this Section, for the benefit of the Owners and for the maintenance and improvement of the Subdivision.

b. The Association shall accept all Owners as Members of the Association.

c. The Association shall accept from Grantor the Common Areas and maintenance responsibilities in all Common Areas subject to the reservations of all easements, licenses and rights to use and the rights of Grantor.

d. The Association shall maintain, or provide for the maintenance of, the Common Areas and all Improvements thereon.

e. The Association shall fulfill all obligations of the Drainage Covenant.

f. The Association shall maintain or provide for the maintenance of all landscaping and vegetation (including without limitation, grass, mass plantings, shrubs and trees) on Common Areas and shall keep such vegetation properly trimmed, mowed, cut, watered, fertilized, planted and replaced so that it provides an attractive appearance.

g. The Association may employ the services of a corporate or individual manager to manage the affairs of the Association and, upon such conditions as are otherwise advisable by the Association, the Association may delegate to the manager any of its powers under the Subdivision Restrictions. No management agreement entered into between the Association and any professional management company (whether or not such professional management company is owned or controlled by the Grantor) shall provide for a term in excess of two (2) years and all such agreements shall permit the Association to terminate for cause upon not more than thirty (30) days' prior written notice and all such agreements shall provide for termination by either party without cause and without payment of a termination fee on ninety (90) days or less written notice.

h. The Association shall obtain and maintain in force the following policies of insurance:

1. Fidelity Bond: The Association shall procure and maintain a fidelity bond naming the Association as obligee in an amount equal to the estimated maximum amount of funds to be in the custody or control of the Association or its professional management company, including reserves for replacement and working capital, at any given time during the term of such bond, but in any event in an amount at least equal to three (3) months'

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aggregate monthly assessments on all Lots plus the sum of all reserve funds. Such fidelity bond shall cover all officers, directors, trustees and employees of the Association and all other persons handling or responsible for funds of or administered by the Association, including the officers, directors, employees and agents of the professional management company employed by the Association pursuant to these Restrictions. Provided, however, that the fidelity bond to be procured by the Association need not cover the professional management company and its officers, directors, employees and agents, if such professional management company provides a sufficient fidelity bond naming the Association as an additional obligee or loss payee. Such bond shall contain a waiver of any defense or exclusion based upon the exclusion of persons serving without compensation from the definition of "employees" or other similar terms or expressions. Such bond shall require at least ten (10) days' prior written notice to the Association of cancellation or substantial modification (including cancellation for non-payment of premiums). The cost of such fidelity bond (except for premiums on any fidelity bond provided by the professional management company which the Board determines to be satisfactory and in compliance with the provisions of this Section) shall constitute a common expense of the Subdivision.

2. Liability Insurance: The Association shall procure and maintain comprehensive public liability insurance in the amount of at least one million dollars ($1,000,000) per single occurrence for bodily injury, death and property damage suffered by the public or any Owner and his family, guests, agents, employees or invitees occurring in, on or about the Common Areas. Such policy shall insure the Owners and the Association and its officers, directors, employees and agents, including expressly the professional management company and its officers, directors, employees, agents, and shall further expressly cover legal liability arising from lawsuits related to employment contracts of every nature to which the Association is a party. Such policy shall be issued by insurers of recognized responsibility authorized to do business within the State of New Mexico and shall require at least ten (10) days' prior written notice of cancellation or substantial modification (including cancellation for nonpayment of premiums) to the Association and to any Mortgagee having a first lien against any Lot which is listed as a scheduled holder of such a first mortgage in the policy and to the City. The cost of such policy shall constitute a common expense of the Subdivision. Such insurance must not provide for contribution with regard to any policies of liability insurance carried individually by any Owner.

3. Additional Insurance: The Board shall have the authority to obtain such other insurance, including the authority to increase the scope or amount of any insurance required by this Article 5, as the Board shall determine to be necessary or advisable. The cost of any such additional insurance shall constitute a common expense of the Subdivision.

i. The Association shall prepare an annual operating statement reflecting the money received by the Association and the expenditures of the Association for each fiscal year and distribute such statement to each member and each Eligible Mortgagee upon request.

j. The Association shall take such action, whether or not expressly authorized by the Subdivision Restrictions, as may reasonably be necessary to enforce or carry out the purposes of the Subdivision Restrictions.

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ARTICLE 6
Funds, Assessments and Delinquency

Section 6.01: Creation of Lien and Personal Obligation for Assessments.

Grantor for each Lot owned by it hereby agrees to pay, and each Owner of any Lot by the acceptance of a deed or contract of sale therefor, whether or not so expressed in any such deed or contract or other conveyance, is deemed to agree to pay to the Association (a) maintenance assessments, (b) delinquency assessments, and (c) all other fees or other moneys due to the Association from such Owner.

The maintenance assessment and delinquency assessment, plus interest, late charges, costs and attorney's fees, shall be a charge against the Lot and shall be a continuing lien upon the Lot against which each such assessment is made, and shall also be the personal obligation of the Owner or Owners of such property on the assessment date. The personal obligation to pay assessments shall not pass to successors in title unless expressly assumed by them.

Section 6.02: Operating Fund.

There shall be an operating fund, into which the Association shall deposit all monies paid to it, and from which the Association shall make disbursements in performing the functions for which the foregoing assessments are levied.

Section 6.03: Maintenance Assessment.

a. Within thirty (30) days prior to the commencement of each fiscal year the Association shall estimate the costs and expenses to be incurred by the Association during such year, including a reasonable provision for contingencies, and reserves for major repair and replacement, and shall subtract from such estimate an amount equal to the anticipated balance, exclusive of any reserves for contingencies and reserves for major repair and replacement, in the operating fund at the start of such year. The sum or net estimate so determined shall be assessed to all Owners in shares: one (1) share for each Lot owned.

b. If, at any time and from time to time, during any fiscal year, the maintenance assessment proves or appears likely to prove inadequate for any reason, including non-payment of any Owner's share thereof, the Association may levy a further maintenance assessment in the amount of such actual or estimated inadequacy, which shall be assessed to all Owners apportioned as provided in subsection a, if approved by a two-thirds (2/3) vote of the Members.

c. Maintenance assessments shall be due and payable to the Association when levied or in such installments during the year, and on such due dates as the Board shall designate.

d. The Board shall not levy assessments to defray the costs of any action or undertaking on behalf of the Association which in the aggregate exceed five percent (5%) of the budgeted gross expenses of the Association for that fiscal year and which are not part of such budgeted gross expenses without the vote or written consent of the Members.

e. From and after the December 31st immediately following the conveyance of the first Lot by Grantor, the maximum maintenance assessment may be increased each year not more than ten percent (10%) from the previous year without a vote of two-thirds (2/3) of the Members. The percent of increase shall be cumulative from year to year so that an increase not used in one year may be used in a subsequent year without a vote of the members.

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Section 6.04: Delinquency Assessment.

The Association shall levy a delinquency assessment against any Owner or Owners as a result of whose acts, or failure or refusal to act, or otherwise comply with the Subdivision Restrictions, monies were expended from the operating fund by the Association. Such assessment shall be in the amount so expended, and shall be due and payable to the Association when levied, or in such installments as the Association shall designate. Prior to the levy of a delinquency assessment the Board shall hold a hearing to determine the validity and amount of the assessment upon at least thirty (30) days notice to the Owner to be assessed at which hearing such Owner shall be given an opportunity to be heard.

Section 6.05: Reserves as Trust Funds.

Reserves for major repairs and replacements and for capital improvements to be built or acquired shall be kept segregated from the other monies held by the Association as trust funds in an account or accounts labeled "Reserve Trust Fund" and shall be withdrawn and used only for the purposes of major repairs and replacements or for capital improvements respectively, unless a different or other use is authorized by the vote of the members.

Section 6.06: Delinquency.

Each assessment under this Article shall be the separate, distinct and personal debt and obligation of the Owner against whom it is assessed. Any assessment provided for in this Article, which is not paid when due, shall be delinquent. With respect to each assessment not paid within ten (10) days after its due date, the Association may, at its election, require the Owner to pay a sum (late charge) to be determined by the Association, to pay the costs of handling the delinquent sum. Such a charge shall be considered an additional assessment and collectible with the assessment for which it was charged. If any such assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at a rate set from time to time by the Association, however not greater than twenty percent (20%), and the Association may, at its option, bring an action at law against the Owner or Owners personally obligated to pay the same, and upon compliance with the provisions of this Article to foreclose the lien against the Lot, and there shall be added to the amount of such assessment the late charge, the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest at the rate provided herein and a reasonable attorney's fee, together with the costs of action. Each Owner vests in the Association, or its assigns, the right and power to bring all actions at law or lien foreclosure against such Owner or other Owners for the collection of such delinquent assessments.

Section 6.07: Notice of Lien.

No action shall be brought to foreclose an assessment lien less than thirty (30) days after the date a notice of claim of lien is deposited in the United States mail, certified or registered, postage prepaid, to the Owner of said Lot, and a copy thereof is recorded by the Association in the office of the Bernalillo County Clerk; said notice of claim must recite a good and sufficient legal description of any such Lot, the record owner or reputed owner thereof, the amount claimed (which shall include the interest charges, costs and attorney's fees recoverable by an action at law) and the name and address of the Association.

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Section 6.08: Foreclosure Sale.

Any such sale provided for above is to be conducted in accordance with the customary practice of the court of the State of New Mexico, applicable to the foreclosure of Mortgages, or in any other manner permitted or provided by law. The Association, through its duly authorized agents, shall have the power to bid on the Lot at a foreclosure sale, and to acquire and hold, lease, mortgage and convey the same.

Section 6.09: Curing a Default.

Upon the timely curing of any default for which a notice of claim of lien was filed by the Association, the officers of the Association are hereby authorized to file or record, as the case may be, an appropriate release of such notice, upon payment by the defaulting owner of a fee, to be determined by the Association, to cover the costs of preparing and filing or recording such release, together with the payment of such other costs, interest or fees as shall have been incurred.

Section 6.10: Cumulative Remedies.

The assessment lien and the rights to foreclosure and sale thereunder shall be in addition to and not in substitution for all other rights and remedies which the Association and its assigns may have hereunder and by law, including a suit to recover a money judgment for unpaid assessments, as above provided.

Section 6.11: Certificate of Payment.

The Association shall, upon demand, furnish to any Owner liable for assessments, a certificate in writing signed by an officer of the Association, setting forth whether the assessments on a specified Lot have been paid, and the amount of the delinquency, if any. A reasonable charge may be made by the Board for the issuance of these certificates. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 6.12: Commencement of Annual Assessments.

Upon the conveyance of each Lot by the Grantor, the purchaser shall pay an initial assessment of $600.00. The regular maintenance assessments provided for in this Article shall commence as to each Lot upon the first anniversary date of the closing of the conveyance of each Lot by the Grantor. The Grantor shall make up the shortfall necessary to meet the Association=s obligations, either in cash or services, until such time as all of the Lots are paying assessments, but the Grantor shall not be obligated to pay more than the amount which would be assessed to Lots owned by the Grantor, nor shall the Grantor be obligated to contribute to reserve accounts.

ARTICLE 7
Duties and Responsibilities of Owners

Section 7.01: Owner's Responsibility to Repair.

Each Owner shall be responsible for the maintenance and repair of his dwelling, his Lot, his landscaping, except the Front Yard Landscape which shall be maintained by the Association.

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Section 7.02: Joint Maintenance by Owners.

a. Each wall which is built as part of the original construction of the Subdivision and placed on the dividing line between Lots shall constitute a party wall. Each part of the structure of a building which is shared by more than one dwelling is a common structure. To the extent not inconsistent with the provisions of this Section, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omission shall apply.

b. The cost of reasonable repair, maintenance and replacement of a party wall, common structure or joint utility shall be shared by the Owners who make use of the wall in proportion to such use.

c. Notwithstanding any other provision of this Section, an Owner who, by his negligent or willful act, causes a party wall or common structure to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

d. The right of any Owner to contribution from any other Owner under this Section shall be appurtenant to the Lot and shall pass to such Owner's successors in title.

e. In the event of any dispute arising under the provisions of this Section, the Board shall arbitrate the dispute and its decision shall be final.

Section 7.03: Parking Areas, Vehicles.

For overnight parking, each Owner shall park his vehicle in his garage, except that when there are more vehicles used by the Owner than his garage will accommodate.

Section 7.04: Maintenance of Landscaping.

Each Owner shall maintain the landscaping on his lot in a neat and attractive manner. All grass, mass plantings and other plantings shall be mowed, trimmed and cut as necessary at regular intervals. Notwithstanding this provision, the Association shall be responsible for maintenance of each Lot's Front Yard Landscape Area.

Section 7.05: Observance of Subdivision Restrictions.

Each Owner shall comply with the Subdivision Restrictions and will cause and be responsible for Owner's family, agents, guests, contractors, employees and any person renting or leasing Owner's dwelling to do likewise.

Section 7.06: Rights of Action.

Each Owner and the Association shall have a right of action against any Owner for failure to comply with the provisions of this Article 7 of the Subdivision Restrictions.

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ARTICLE 8
Construction and Architectural Control

Section 8.01: Architectural Control Committee:

An Architectural Control Committee for the Subdivision is hereby established consisting of the following three persons:

JUSTIN TAIBBI
SCOTT ASHCRAFT
WILLIAM KRAEMER

At least one Board member shall serve on the Committee at all times. The Committee shall serve at the pleasure of the Grantor who shall have the right to appoint, reappoint and discharge members of the Committee at will so long as the Grantor owns any lots within the Subdivision. Thereafter, the Committee shall serve at the pleasure of the Board. A majority of the members of the Committee may appoint one member of the Committee to act on and for the Committee.

Section 8.02: Construction of Improvements.

(a) Before anyone shall commence on any Lot within the Subdivision the installation or construction of, remodeling of, addition to, or alteration of any Improvement of whatsoever nature; and before anyone shall paint, texture, repaint or retexture the exterior surfaces of any Improvement, there shall be submitted to the Committee plans and specifications as follows:

(i) Preliminary or tentative plans and specifications which shall clearly show the nature of the work or installation proposed and the location thereof, on the Lot, which such preliminary or tentative plans shall include sufficient description of materials, colors, textures, etc. together with a landscaping plan (including all planting materials and landscape areas) as shall enable the Committee to evaluate whether the proposed construction, alteration, installation, etc., complies with the Site Plan, the Restrictions, and will harmonize with the motif and style of the Subdivision; and be compatible with surrounding homes; and

(ii) After approval of the preliminary or tentative plans, including therein any requirements made by the Committee in the due and proper exercise of its discretion and powers, two complete sets of the final plans and specifications. If deemed necessary by the Committee, the following may be required as part of the application: (A) details of exterior furnishings including exterior colors, and exterior material finish texture; (B) a drainage report prepared by a registered engineer; and (C) an architect's rendering showing the proposed construction. These renderings shall be ink drawings.

(iii) Upon completion of the stem wall for the home, the Committee shall be provided a stem wall survey to enable the Committee to ascertain if the home is located upon the Lot in conformance with the approved plans and with these Restrictions. No further construction can take place on the Lot until the Committee has given written approval of the survey. The Committee shall have 72 hours to approve the survey, otherwise it shall be deemed approved.

(b) No Improvement of any kind, installations, painting or texturing, shall ever be, or permitted to be, erected, constructed, installed, placed or maintained on any Lot within the Subdivision, unless and until the final plans, specifications and elevations therefor shall have received written approval of

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the Committee, and approved by the City as required pursuant to the zoning for the Subdivision. All such final plans shall include plot plans showing the location on the Lot of all Improvements proposed to be constructed and/or installed, planted, placed or maintained on the Lot and shall further include elevations, together with the proposed color scheme and textures for roofs and exteriors thereof, indicating the materials for same.

The Committee is authorized to charge not more than $100.00 for review of plans and specifications. Payment of the required charge shall be a part of, and condition to, the submittal of plans and specifications for committee approval.

(c) The Committee shall approve or disapprove within thirty days after receipt thereof plans and specifications which have been submitted to it. One set of plans and specifications, with the Committee's approval or disapproval and requirements endorsed thereon, shall be returned to the applicant and the other copy thereof, with a duplicate endorsement thereon corresponding to the first set, shall be retained in the Committee's files.

In the event that the Committee shall fail to approve or disapprove the plans, specifications and other information within thirty days after receipt thereof by the Committee, then such approval shall not be required, provided that no structure, building or other improvement shall be installed, erected, painted, textured, altered or modified which violates any of the Restrictions.

The Committee shall have the right and power to disapprove any plans, specification or details submitted to it, if the Committee shall find that the plans and specifications are not in accord with all provisions of this Declaration, or if a design or color scheme submitted is not in harmony and accord with the Subdivision, or surrounding homes, or if the plans and specifications are incomplete. The Committee shall have the right to consider the impact of proposed Improvements upon the views from other Lots, but the Committee shall be under no obligation to preserve views, or to deny approval of plans for Improvements which will, or may, impair views.

(d) If any Improvement or work is completed or done without compliance with this Article, such Improvement or work shall be deemed to have been done in compliance with this Article if no action has been commenced to enforce the provisions of this Article against such Improvement or work within one (1) year of its completion.

(e) Approval of building plans and/or specifications by the Committee will not constitute a waiver of the Restrictions if they violate the Restrictions upon the completion of construction.

(f) Approval by the Committee is independent for requirements created pursuant to the Site Plan approved by the City.

Section 8.03: Estoppel Certificate.

Within thirty (30) days after written demand is delivered to the Committee by any Owner, and upon payment therewith to the Association of a reasonable fee to cover costs from time to time to be fixed by the Association, the Committee shall provide Owner with an estoppel certificate executed by an officer of the Association and acknowledged, certifying with respect to any Lot owned by said Owner, that as of the date thereof either (1) all Improvements and other work made or done upon or within said House by the Owner, or otherwise, comply with this Declaration, or (2) such Improvements or work do not so comply, in which event the certificate shall also (a) identify the non-complying Improvements and work and (b) set forth with particularity the cause or causes for such

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noncompliance. Any purchaser from the Owner, or mortgagee or other encumbrancer shall be entitled to rely on said certificate with respect to the matters therein set forth, such matters being conclusive as between Grantor, the Association, and all Owners and such purchaser, and mortgagee.

Section 8.04: Liability.

Neither the, Committee, the Board nor any member thereof shall be liable to the Association or to any Owner for any damage, loss, or prejudice suffered or claimed on account of:

a. The approval of any plans, drawings, and specifications, whether or not defective,

b. The construction or performance of any work, whether or not pursuant to approved plans, drawings, and specifications,

c. The development or manner of development of any property within the Subdivision, or

d. The execution and recording of an estoppel certificate whether or not the facts therein are correct; provided, however, that the officer executing the certificate, with the actual knowledge possessed by him, has acted in good faith.

Without in any way limiting the generality of the foregoing, the Committee, Board, or any member thereof, may, but is not required to, consult with or hear any Owner with respect to any plans, drawings, or specifications, or any other proposal submitted to it.

ARTICLE 9
Protection of Security Interests

Section 9.01: Application of Assessments to Mortgagees.

The liens created under the Subdivision Restrictions upon any Lot shall be subject and subordinate to, and shall not affect the rights of a mortgagee under any recorded first mortgage upon a Lot made in good faith and for value, provided that after the foreclosure of any such mortgage the amount of all maintenance and special assessments, and all delinquent assessments to the extent such delinquent assessments relate to expenses incurred after such foreclosure, assessed hereunder to the purchaser at foreclosure sale, shall become a lien upon such lot upon recordation of a notice thereof with the County Recorder.

Section 9.02: Right to Notice.

The Association shall provide all Eligible Mortgagees with timely written notice of any delinquency in the payment of monthly assessments, special assessments or other charges due the Association by the Owner of a Lot which is subject to a first mortgage held, by any Eligible Mortgagee and which delinquency remains uncured for a period of sixty (60) days or more.

Section 9.03: Limitation of Enforcement Against Mortgagee.

No violation by an Owner of the Subdivision Restrictions or enforcement of the Subdivision Restriction against an Owner shall defeat or render invalid the lien of any mortgagee made in good faith and for value against the property of such Owner, but, the Subdivision Restrictions shall be effective against any

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Owner whose title is acquired by foreclosure, trustee's sale, voluntary conveyance, or otherwise.

Section 9.04: Rights of Mortgagee to Information.

A Mortgagee shall, upon written request, be entitled to inspect the Declaration, By-Laws, books and records of the Association on the same basis as a Member. If a Mortgagee furnishes the Association, in writing, with its address, it shall be entitled to receive within a reasonable time financial statement for the immediately preceding fiscal year, free of charge and shall receive notice of meetings on the same basis as Members.

Section 9.05: Application of Subdivision Restrictions.

Except as provided in this Article or specifically provided elsewhere in the Subdivision Restrictions, all Mortgages and Mortgagees are bound by the provisions of the Subdivision Restrictions.

Section 9.06: Collection of Assessments.

The Mortgagees shall be under no obligation to collect assessments.

Section 9.07: Mortgage Approval.

So long as the Grantor has more than a majority of the voting power of the Association, HUD or VA approval is required prior to (a) amendment of the Association's Articles of Incorporation, Bylaws or this Declaration; (b) annexation of property to the Association; (c) encumbering, conveying or dedicating Common Areas; or (d) dissolution of the Association.

ARTICLE 10
Limitation of Subdivision Restrictions on Grantor

Section 10.01: Limitation of Subdivision Restrictions on Grantor.

Grantor is undertaking the work of constructing the Subdivision. The completion of that work and the sale, rental and other disposition of the Lots is essential to the establishment of the Subdivision. In order that said work may be completed and said property be established and fully occupied as rapidly as possible, nothing in this Declaration shall be understood or construed to:

a. Prevent Grantor or its agents, employees, and contractors from doing on the properties whatever is reasonably necessary or advisable in connection with the completion of the work; or

b. Prevent Grantor or its agents, employees, and contractors or homebuilders with Grantor's approval, from erecting, constructing and maintaining on any part or parts of the Subdivision, such structures as may be reasonably necessary for the conduct of its business of completing the work and establishing the Subdivision, including, without limitation, sales offices, model units, general business offices for its staff, employees and contractor, and storage and parking facilities for materials and equipment, and disposing of the Subdivision in parcels by sale, lease or otherwise; or

c. Prevent Grantor from conducting on any part of the properties its business of completing the work, and of establishing and disposing of the Subdivision;

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d. Prevent Grantor or homebuilders with Grantor's approval, from maintaining such sign or signs on the Subdivision as may be necessary for its sale, lease, or disposition, or the sale, lease or disposition of any Lot.

Section 10.02: Use of Subdivision Name.

Grantor may use the name of the Subdivision and the Subdivision Restrictions in other subdivisions or projects, whether located adjacent to the Subdivision or not, provided such names have a distinctive number or other designation so that they are not identical with the names of the Subdivision and Association. Consent is hereby given to Grantor and Grantor's assigns to use such names of a Corporation and upon request of Grantor, the Association agrees to execute a written consent authorizing Grantor to use the same or similar name which Consent will be filed with the State Corporation Commission.

Section 10.03: Architectural Control.

Improvements by Grantor and declarants to the Subdivision do not require approval of the Committee.

Section 10.04: No Amendment or Repeal.

The provisions of this Article may not be amended or repealed without the consent of Grantor, so long as Grantor owns any Lot within the Subdivision.

ARTICLE 11
Miscellaneous Provisions

Section 11.01: Amendment or Repeal; Duration.

a. These Restrictions and any provisions thereof which are in effect with respect to all or part of the Subdivision, may be amended or repealed in the following manner:

1. The approval by seventy-five percent (75%) vote or written consent of the voting power of the membership in the Association; and

2. The recordation of a certificate of the Secretary or an Assistant Secretary of the Association setting forth, in full, the amendment or amendments so approved, including any portion or portions of this Declaration repealed, and certifying that such amendment or amendments have been approved by the required vote or consent of the Owners, and if necessary, by the required percentage of Owners of a particular class of property or Lots.

At any time during which Grantor is the only owner of property within the Subdivision, Grantor may amend or correct these Restrictions by a recorded instrument of amendment or correction.

b. All of the provisions of these Restrictions shall continue and remain in full force and effect at all times with respect to all property, and each part thereof, included within the Subdivision, to the Owner and to the Association subject, however, to the right to amend and terminate as provided for in this Article, through December 31, 2052; provided that these Restrictions shall terminate if, within one (1) year prior to December 31, 2052, there shall be recorded an instrument directing the termination of these Restrictions signed by two-thirds (2/3) of the Owners of record title. These Restrictions in effect immediately prior to the expiration date shall, subject to the provisions of

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Section 11.01a., be continued automatically without any further notice, for an additional period of ten (10) years unless within one (1) year prior to expiration of such period these Restrictions are terminated as set forth in this Section. The right of access to the Lots over the Private Street shall be in perpetuity.

c. No amendment may be made to these Subdivision Restrictions without the written consent of the City which would impair the rights of the City or would limit the obligation of the Association or the individual Lot Owners to meet the maintenance obligations of the PCD Regulations.

d. The right of access to the Lots may not be amended or terminated without the unanimous consent of the Lot Owners.

Section 11.02: Enforcement; Non-Waiver; No Forfeiture.

a. Except to the extent otherwise expressly provided herein, the Association or any Owner or Owners shall have the right to enforce any and all of the provisions now or hereafter imposed by the Subdivision Restrictions upon other Owners, or upon any property within the Subdivision.

b. The City shall have the right to enforce these Restrictions to the extent that the Private Common Area is restricted pursuant to the terms of the PCD Regulations.

c. Except to the extent otherwise expressly provided herein, any Owner or Owners shall have the right to enforce any and all of the provisions now or hereafter imposed by the Subdivision Restrictions upon the Association.

d. Every act or omission whereby any restriction, condition, or covenant of the Subdivision Restrictions is violated, in whole or in part, is hereby declared to be and to constitute a nuisance and may be enjoined or abated, whether or not the relief sought is for negative or affirmative action, by the Association or by an Owner or Owners, as provided for in this Section. Any provisions to the contrary notwithstanding, only the Association or its duly authorized agents may enforce by self-help any limitation, restriction, covenant, condition, or obligation herein set forth.

e. Each remedy provided for in the Subdivision Restrictions is cumulative and not exclusive.

f. The failure to enforce the provisions of any limitation, restriction, covenant, condition, obligation, lien, or charge of the Subdivision Restrictions shall not constitute a waiver of any right to enforce any such provision or any other provision of the Subdivision Restrictions.

g. No breach of any of the provisions of the Subdivision Restrictions shall cause any forfeiture of title or reversion or bestow any rights of re-entry whatsoever.

h. Reasonable attorney's fees and costs may be awarded in any action brought to enforce the provisions of the Subdivision Restrictions.

Section 11.03: Construction; Compliance with Laws; Severability; Singular and Plural; Titles.

a. All of the limitations, restrictions, covenants, and conditions of the Subdivision Restrictions shall be liberally construed, together, to promote and effectuate the beneficial operation of the Subdivision.

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b. No provision of the Subdivision Restrictions shall be construed to excuse any person from observing any law or regulation of any governmental body having jurisdiction over such person or the Subdivision.

c. Notwithstanding other provisions in this Section, the limitations, restrictions, covenants, and conditions of the Subdivision Restrictions shall be deemed independent and severable, and the invalidity or partial invalidity of any provision, or portion thereof, of any of such limitations, restrictions, covenants, or conditions shall not affect the validity or enforceability of any other provision.

d. The singular shall include the plural and the plural, the singular, unless the context requires the contrary, and the masculine, feminine and neuter, as the context requires.

e. The table of contents and all titles used in the Subdivision Restrictions, including those of Articles and Sections, are intended solely for convenience of reference and the same shall not, nor shall any of them affect that which is set forth in such Articles, Sections, nor any of the terms or provisions of the Subdivision Restrictions. Any numbered or lettered subdivision of a Section is referred to as "subsection" or "subsections" and any indented portion of this Declaration which is unnumbered and unlettered shall be referred to as "Paragraph."

Section 11.04: Lot Splitting; Consolidation.

a. No Lot within the Subdivision shall be split unless the Board shall have given its written consent.

b. No two or more lots within the Subdivision shall be consolidated into one Lot unless the Board shall have given its written consent.

c. Nothing contained in this Section shall apply to the splitting of any Lots by Grantor or the consolidation of two or more Lots into one Lot by Grantor.

d. The Association can require a change in the voting rights and assessment obligation in any Lot split or consolidation to keep the assessment and voting rights the same after the split or consolidation as they were before.

Section 11.05: Obligations of Owners; Avoidance; Termination.

a. No Owner, through the abandonment of his Lot, may avoid the burdens or obligations imposed on him by the Subdivision Restrictions by virtue of his being an Owner.

b. Upon the conveyance, sale, assignment or other transfer of a Lot to a new Owner, the transferring Owner shall not be liable for any assessments levied with respect to such Lot after the date such transfer is recorded, provided such transferring Owner notifies the Association of the transfer as provided by the Subdivision Restrictions, and no person, after the termination of his status as an Owner and prior to his again becoming an Owner, shall incur any of the obligations or enjoy any of the benefits of an Owner under the Subdivision Restrictions following the date of such termination.

Section 11.06: No Partition or Severance of Interests.

There shall be no partition or severance of any Lot, from the Subdivision and the Grantor, Board, Association and Owners shall not seek to partition or

Mary Herrera Bern. Co. COV R 63.00
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sever any part of a Lot from the Subdivision, nor shall they have any right to maintain an action for judicial partition in connection with the Subdivision unless such right is expressly given by the Subdivision Restrictions. This provision shall not prevent the partition of any Lot or Lots held in joint ownership as long as no physical partition takes place and there is no severance from any incident of the Subdivision Restrictions. No owner shall sever his Lot from its interest in the Association.

Section 11.07: Notices; Documents; Delivery.

Any notice or other document permitted or required by the Subdivision Restrictions to be delivered may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after a copy of the same has been deposited in the United States mail, postage prepaid, addressed as follows:

If to an Owner: At any Lot within the Subdivision owned by the Owner or at such other address given by Owner to the Association, in writing.

If to Grantor or to the Association:
100 Gold Street, NW Suite 209
Albuquerque, New Mexico 87102

Any such address may be changed from time to time by any Owner, or by Grantor by notice in writing, delivered to the Association, or by the Association, by notice in writing, delivered to all Owners.

Section 11.08: Ownership of Property.

All funds and facilities provided for by the Subdivision Restrictions and all property of any kind held by the Association and derived from assessments of Members, proceeds of insurance carried or obtained by the Association, proceeds of bonds payable to the Association or payment received for damages to the Subdivision, and any right or interest in any such property shall belong to the Owners in proportion to each Owner's share of the maintenance assessment, and no assessment or the proceeds of any assessment shall be considered income to the Association. No person has any right to appropriate or make use of such property, except as provided by the Subdivision Restrictions until and unless there has been a partition or distribution of such property. All such property shall be appurtenant to each Lot in proportion to each Lot's share of the maintenance assessment and may not be severed or separated from any Lot, and any sale, transfer, or conveyance of the beneficial interest of the fee of any Lot shall operate to transfer the Owner's rights in such property without the requirement of any express reference thereto.

Section 11.09: Transfer of Common Area.

Grantor shall transfer and convey to the Association, and the Association shall accept, the Common Areas. The Common Areas may be subject to any or all of the following exceptions, liens, and encumbrances: (a) the lien of real property taxes and assessments not delinquent; (b) such easements and rights of way as may have been offered for dedication to a political subdivision or public organization, or public utility corporation; (c) such easements and rights of way, licenses or rights of use on, over, or under all or any part of any such property or structures or Improvements thereon as may be reserved to Grantor or granted to any Owner for the use thereof in accordance with the provisions of these Restrictions; obligations imposed, directly or indirectly, by virtue of any statute, law, ordinance, resolution, or regulation of the United States of America, the State of New Mexico, or any other political subdivision or public

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Page: 27 of 28
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Mary Herrera Bern. Co. COV R 63.00

organization having jurisdiction over such property, or by virtue of any organization or body politic created pursuant to any such statute, law, ordinance or regulation; (e) the Option, and (f) any other lien, encumbrance, or defect of title of any kind whatsoever (other than of the type which would, at any time, or from time to time, create a lien upon such property to secure an obligation to pay money) which would not materially and actually prejudice Owners in their use and enjoyment of such property.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written.

WASHINGTON INVESTORS, L.L.C., a New Mexico limited liability company

By: _____
Justin Tiabbi
Managing Member

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

This instrument was acknowledged before me on May 5 2006, by Justin Tiabbi, Managing Member of Washington Investors, L.L.C., a New Mexico limited liability company.

WITNESS my hand and official seal.

_____
Notary Public

My Commission Expires:
10-10-2007

Mary Herrera Bern. Co. COV R 63.00
2006075823
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Page: 28 of 28
05/24/2006 03:25P
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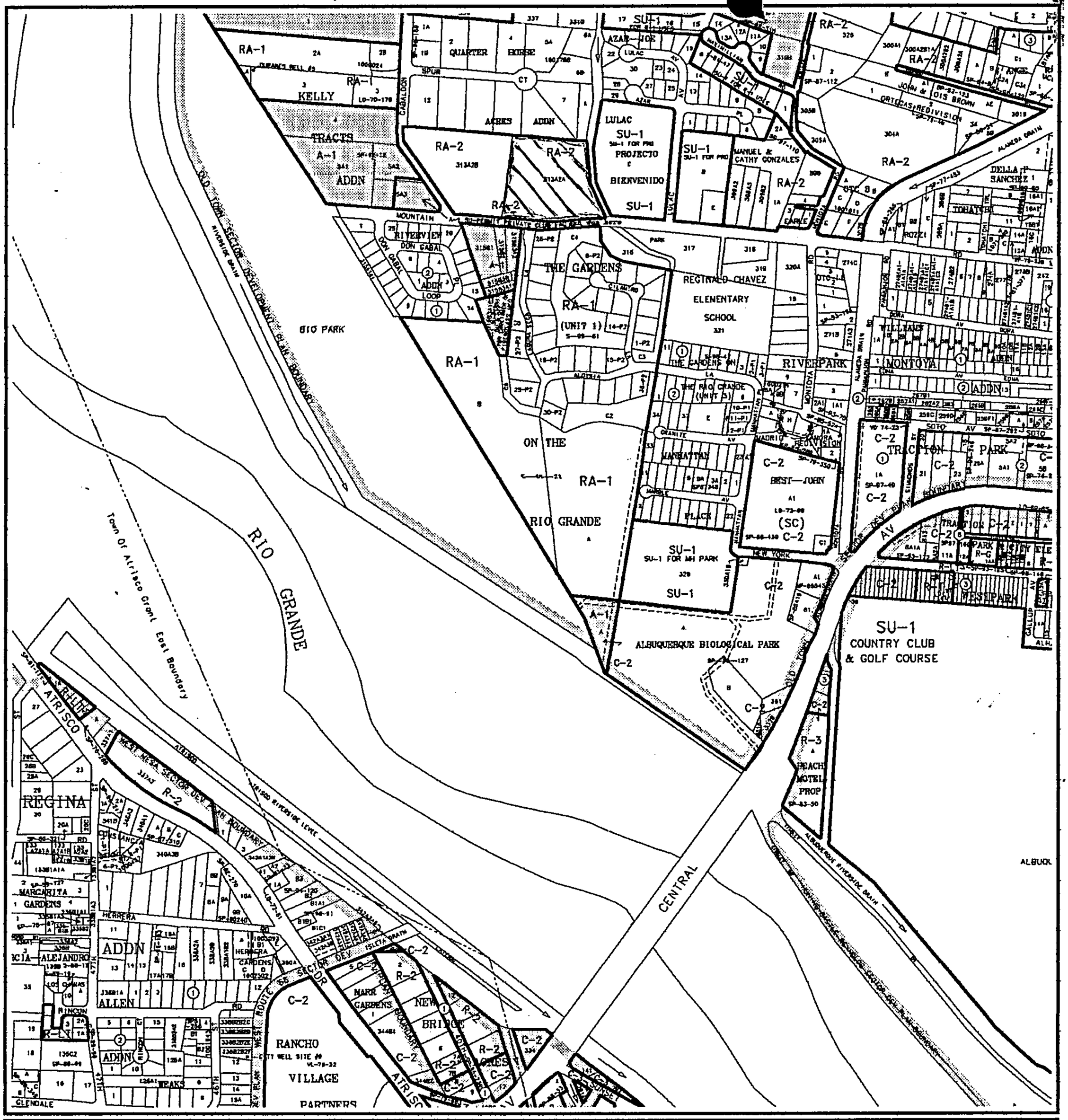

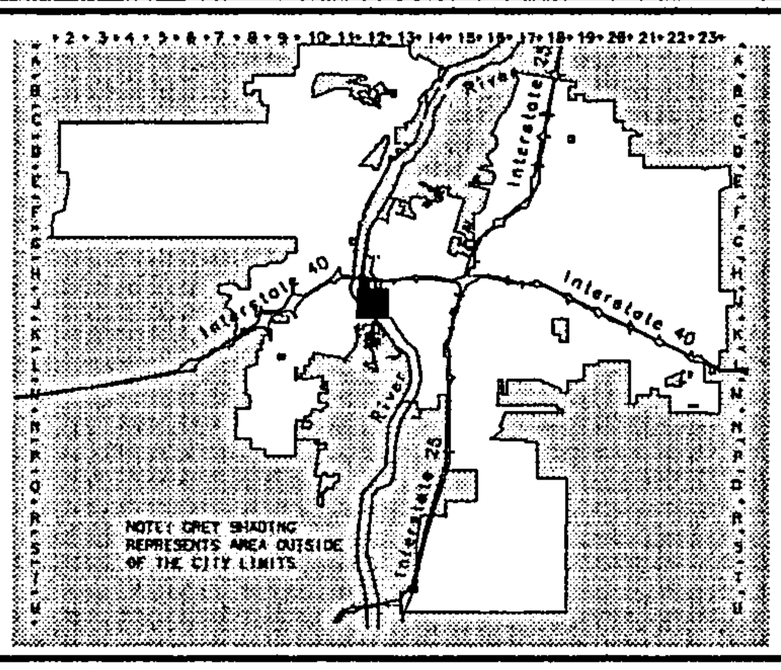

CITY OF ALBUQUERQUE · NEW MEXICO · 1706

Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

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Zone Atlas Page

J-12-Z

Map Amended through February 03, 2004

Rio Grande
Engineering
Land Development and Civil Engineering Services

December 22, 2005

Ms. Sheran Matson
Chair-Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

RE: Temporary deferral of internal sidewalks
For Entrada del Bosque
Lot 313-A-2-A, Acres Subdivision
Albuquerque, New Mexico

Dear Ms. Matson:

Rio Grande Engineering, on behalf of Washington Investors, requests approval by the Development Review Board for the temporary deferral of internal sidewalks. The preliminary plat was approved on December 21, 2005. The approved infrastructure list reflects this deferral. This action is a condition of Final Plat.

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

Sincerely,

David Soule, PE

Enclosures

cc: file

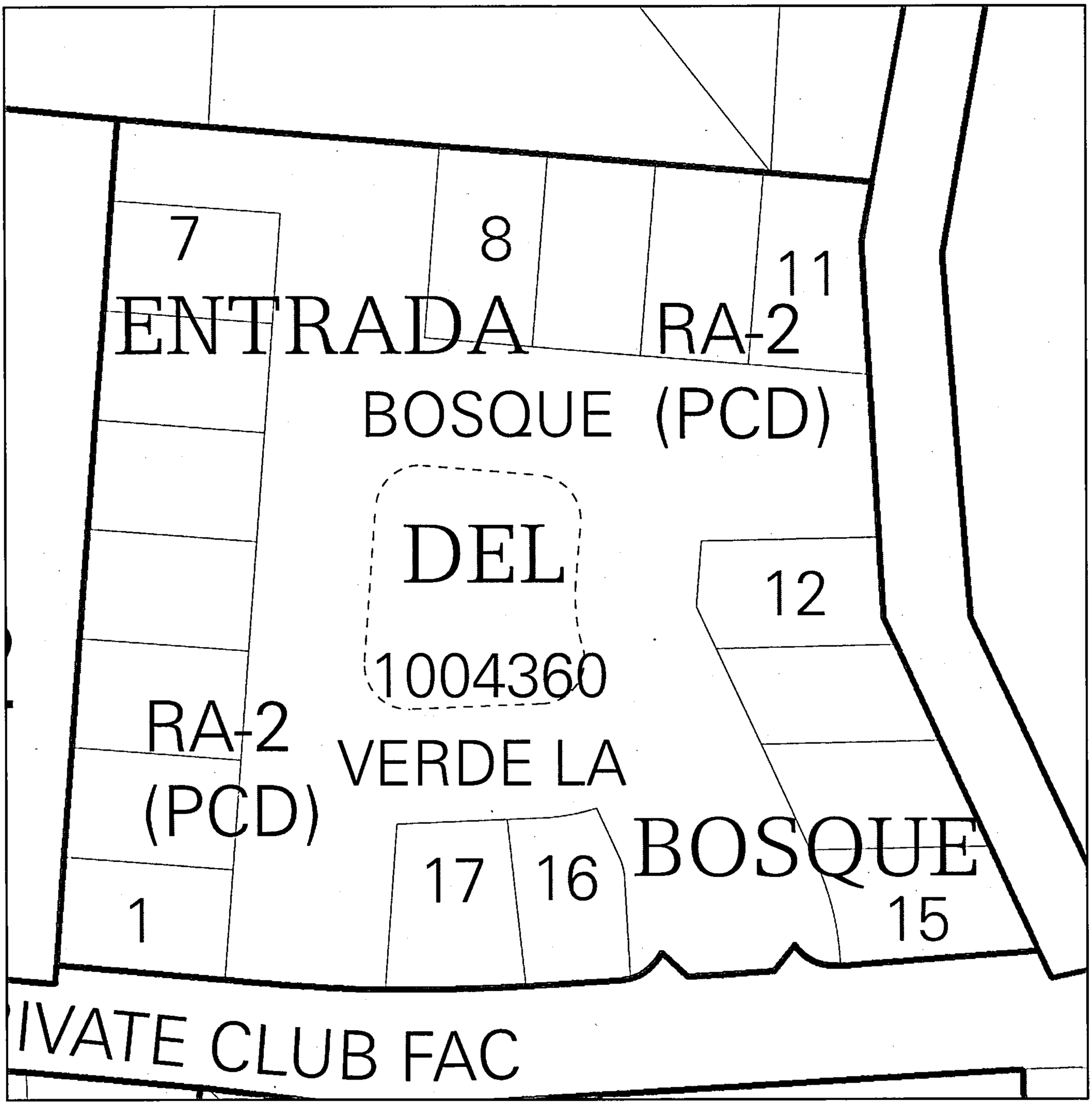
JN: 2518
ds

swdefltr122205

Zone Map Change Verification

File No.: 2006C-163

Approved _____ Date _____



Albuquerque Geographic Information System

6/20/2006

0 100 Feet

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

___ Major Subdivision action
____ Minor Subdivision action
____ Vacation **V**
__X__ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

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

Supplemental form

ZONING & PLANNING **Z**

____ Annexation
____ County Submittal
____ EPC Submittal
____ Zone Map Amendment (Establish or Change Zoning)
____ Sector Plan (Phase I, II, III)
____ Amendment to Sector, Area, Facility or Comprehensive Plan
____ Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: Washington Investors PHONE: 856-3419
ADDRESS: PO Box 93024 FAX: 856-3520
CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:
Proprietary interest in site: OWNER **List all owners:** SOLE OWNER
AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999
ADDRESS: 1606 CENTRAL SE, SUITE 201 FAX: 872-2205
CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST TEMPORARY DEFFEREAL OF INTERNAL SIDEWALKS

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

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

Lot or Tract No. lots 313-A-2-A Block: Unit:
Subdiv. / Addn. ~~Acres Addition~~ ENTRADA DEL BOSQUE
Current Zoning: RA-2 Proposed zoning: RA-2
Zone Atlas page(s): J-12-Z No. of **existing** lots: 1 No. of **proposed** lots: 16
Total area of site (acres): 4.3 Density if applicable: dwellings per gross acre: 4.22 dwellings per net acre: 4
Within city limits? x Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? no
UPC No. 101205827946520306, MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road NW
Between: Gabaldon NW and Lulac Avenue NW

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004360

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

SIGNATURE DATE 12/22/05

(Print) DAVID SOULE, PE ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 9/01, 3/03, 7/03, 10/03, 3/04

N/A ☐ **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
N/A ☐ Site is within 1000ft of a landfill
N/A ☐ F.H.D.P. density bonus
N/A ☐ F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
05DRB - - 1922	TDS	✓	$ [illegible]
- -			$
- -			$
- -			$
- -			$
			Total

Hearing date 1/04/06 $ 0

KI SIS 12/22/05 Project # 1004360

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE** **(Public Hearing Case)**

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

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

☐ **VACATION OF PUBLIC RIGHT-OF-WAY**

☐ **VACATION OF PUBLIC EASEMENT**

- ☐ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24** copies. (Not required for dedicated and City owned public right-of-way.)
- ☐ Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **24** copies
- ☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☐ Sign Posting Agreement
- ☐ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

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

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

☐ **SIDEWALK DESIGN VARIANCE**

☐ **SIDEWALK WAIVER**

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

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

☒ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

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

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

☐ **VACATION OF PRIVATE EASEMENT**

- ☐ The complete document which created the private easement (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings. These actions are not approved through internal routing.
- ☐ Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **6** copies
- ☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the vacation
- ☐ Letter of authorization from the grantors and the beneficiaries
- ☐ Fee (see schedule)
- ☐ Any original and/or related file numbers are listed on the cover application

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

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

David Soule
Applicant name (print)

12/22/05
Applicant signature / date

Form revised April 2003

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

Application case numbers
05DRB - _____ - 01922
_____ - _____ - _____
_____ - _____ - _____

VL Sis 12/22/05
Planner signature / date

Project # 1004360

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

__x__ Major Subdivision action
____ Minor Subdivision action
____ Vacation **V**
____ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

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

Supplemental form

ZONING & PLANNING **Z**

____ Annexation
____ County Submittal
____ EPC Submittal
____ Zone Map Amendment (Establish or Change Zoning)
____ Sector Plan (Phase I, II, III)
____ Amendment to Sector, Area, Facility or Comprehensive Plan
____ Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: Washington Investors PHONE: 856-3419

ADDRESS: PO Box 93024 FAX: 856-3520

CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:

Proprietary interest in site: OWNER **List all owners:** SOLE OWNER

AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999

ADDRESS: 1606 CENTRAL SE, SUITE 201 FAX: 872-2205

CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST FINAL PLAT APPROVAL

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

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

Lot or Tract No. lots 313-A-2-A Block: Unit:

Subdiv. / Addn. Acres Addition TBK ENTRADA DEL BOSQUE

Current Zoning: RA-2 Proposed zoning: RA-2

Zone Atlas page(s): J-12-Z No. of **existing** lots: 1 No. of **proposed** lots: 16

Total area of site (acres): 4.3 Density if applicable: dwellings per gross acre: 4.22 dwellings per net acre: 4

Within city limits? _x_ Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? no

UPC No. **101205827946520306,** MRGCD Map No.

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road NW

Between: Gabaldon NW and Lulac Avenue NW

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1004360

05DRB-01737 - 06DRB00025 - 06DRB00024

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

SIGNATURE DATE 3/24/06

(Print) DAVID SOULE, PE ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 9/01, 3/03, 7/03, 10/03, **3/04**

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

Application case numbers	Action	S.F.	Fees
06DRB - - 00395	FP		$ 20.00
- -			$
- -			$
- -			$
- -			$
		Total	$ 20.00

Hearing date 4.5.06

Project # 1004360

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

☐ **SKETCH PLAT REVIEW AND COMMENT** **YOUR ATTENDANCE IS REQUIRED.**

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

☐ **MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Copy of previous D.R.B. approved infrastructure list
__ Copy of the Official D.R.B. Notice of approval
__ Any original and/or related file numbers are listed on the cover application
Extensions are not reviewed through internal routing.
Extension of preliminary plat approval expires after one year.

☑ **MAJOR SUBDIVISION FINAL PLAT APPROVAL** **Your attendance is required.**

X Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
On file Design elevations & cross sections of perimeter walls
N Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
Brin Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
X Property owner's and City Surveyor's signatures on the Mylar drawing
X SIA financial guaranty verification
N/A Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
X Any original and/or related file numbers are listed on the cover application
Submitted to AGIS **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**

__ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
__ Property owner's and City Surveyor's signatures on the Mylar drawing
__ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)** **NO INTERNAL ROUTING**
__ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **AMENDMENT TO PRELIMINARY PLAT (with minor changes)** **Your attendance is required.**
☐ **AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**
☐ **AMENDMENT TO GRADING PLAN (with minor changes)**

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

__ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
__ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
__ Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
__ Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

David Soltz
Applicant name (print)

3/24/10
Applicant signature / date

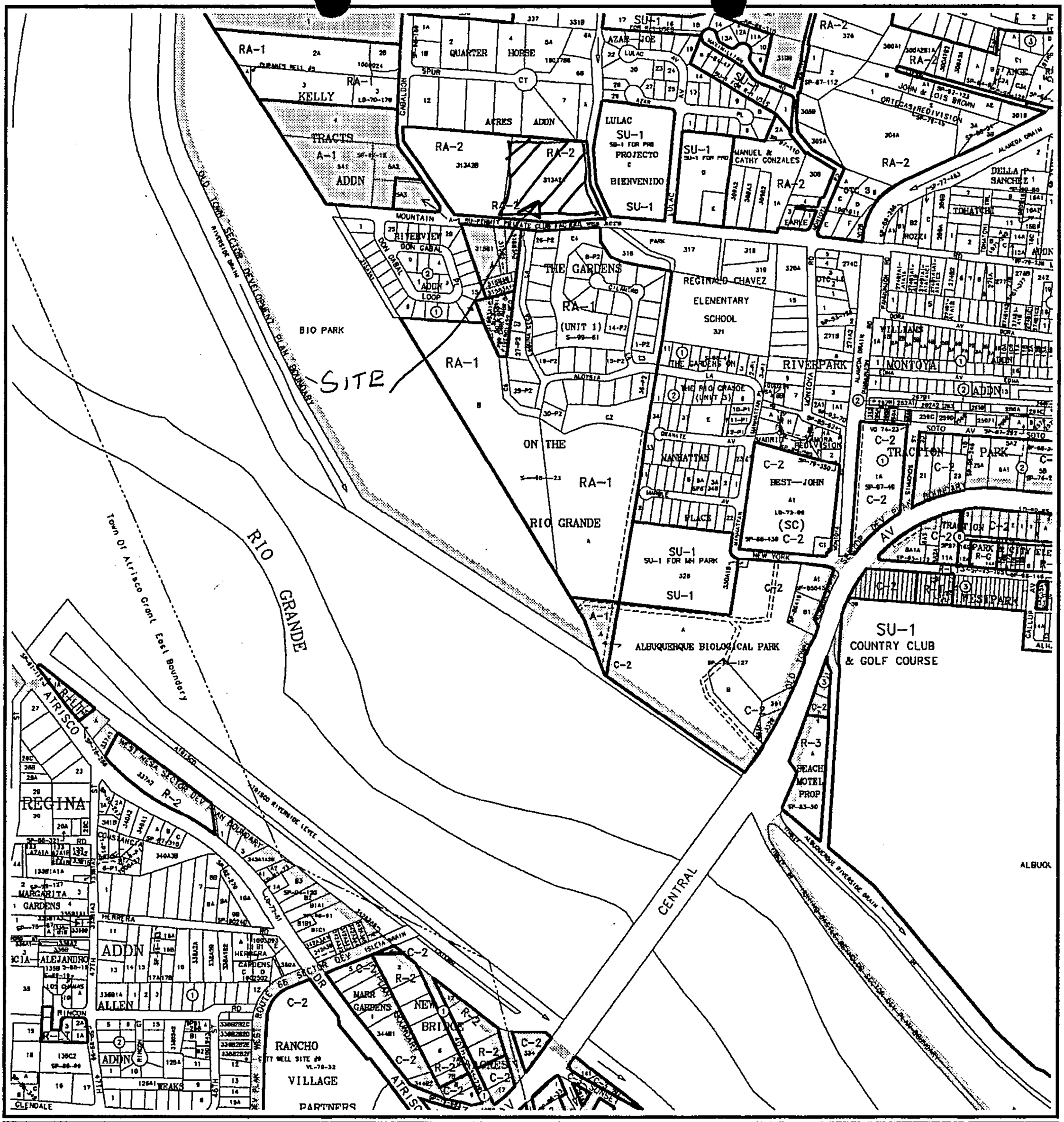
Form revised 10/03

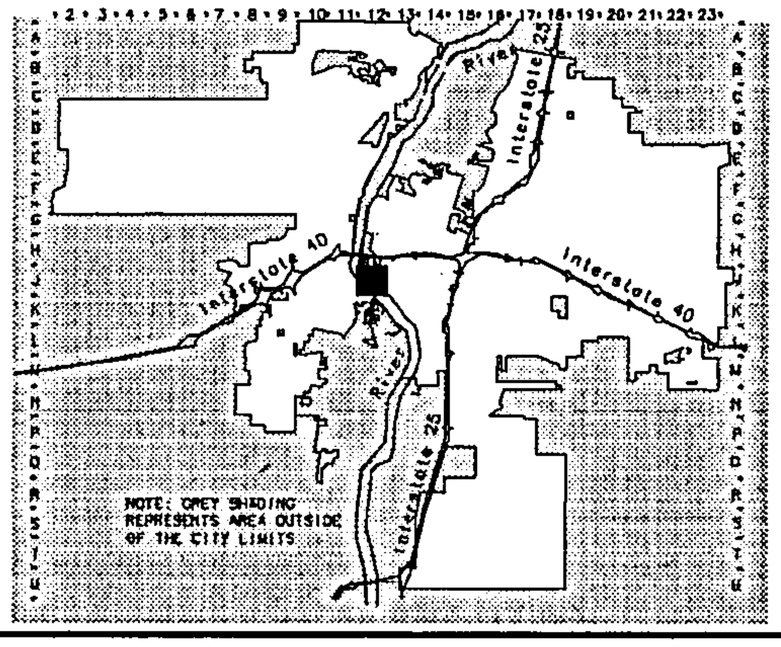
☐ Checklists complete
☐ Fees collected
☐ Case #s assigned
☐ Related #s listed

Application case numbers
06DRB - _____ - 00395
_____ - _____ - _____
_____ - _____ - _____

Claudia Sanora 3/24/06
Planner signature / date

Project # 1004360





Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

Zone Atlas Page

J-12-Z

Map Amended through February 03, 2004

David Smile 3-7-06
321-9099
872-0999

No. of Lots: 17
Nearest Major Streets
Mountain & Gabaldon NW

FIGURE 12

SUBDIVISION IMPROVEMENTS AGREEMENT-PUBLIC AND/OR PRIVATE (Procedure B)

AGREEMENT TO CONSTRUCT PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 2ND day of March 2006, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and Washington Street Investments, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] Limited Liability Company, whose address is 100 Gold SW Suite 209 87102 and whose telephone number is 922.9411, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Lot 313 A-2-A ~~Tract A, Subdivision~~ Map 38 MRGCD, recorded on 9-14-05 in the records of the Bernalillo County Clerk at Book 1A103, pages 4400 through _____ (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] Washington Street Investments, LLC ("Owner").

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

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 15th day of January Dec, 2007 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 7752.01.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

2006031427
6418988
Page: 1 of 6
03/03/2006 02:47P
Bk-A113 Pg-1319
Mary Herrera Bern. Co. AGRE R 19.00

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

PAID RECEIPT

APPLICANT NAME WASHINGTON INVESTORS

AGENT RIO GRANDE ENGINEERING

ADDRESS 1606 CENTRAL SE STE 201

PROJECT & APP # ENTRADA DEL BOSQUE

PROJECT NAME 1004360/06DRB00395

$ 20.00 **441032/3424000 Conflict Management Fee**

$ _____ **441006/4983000 DRB Actions**

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

$ _____ **441018/4971000 Public Notification**

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

$ 20.00 **TOTAL AMOUNT DUE**

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

Counterreceipt.doc 6/21/04

City Of Albuquerque
Treasury Division

3/24/2006 3:03PM LOC: ANNX
RECEIPT# 00052602 WS# 007 TRANS# 0033
Account 441032 Fund 0110
Activity 3424000 TRK#
Trans Amt $20.00
JE4 Mtd

$20.00

CK $20.00
CHANGE $0.00

Thank Yo

Current DRC
Project Number:_____

ORIGINAL

FIGURE 12

Claire

Date Submitted: 11/11/05
Date Site Plan Approved:_____
Date Preliminary Plat Approved:_____
Date Preliminary Plat Expires:_____
DRB Project No.: 1004360
DRB Application No.: 05 DRB 01737

INFRASTRUCTURE LIST

(Rev. 9-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

Entrada Del Bosque Subdivision
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract 313A-2-A, MRGCD MAP 38
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification: Private Inspector	Private P.E.	City Cnst Engineer
		6"	Water line (looped)	Verde lane Bosque ~~Plaza Loop~~ ⚠	Mountain Road	Mountain road	/	/	/
		8"	Sanitary Sewer Line	Verde lane Bosque ~~Plaza Loop~~ ⚠	Mountian Road	Lots 1-17	/	/	/
		.989 ac feet	Pond Improvement with agreement and covenant	Tract A			/	/	/
		26' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk-one side* and ADA ramps	verde lane Bosque ~~Plaza Loop~~ ⚠ Lots 1-17	Mountain Road	Mountain road	/	/	/
		17' F-CL	Arterial Road with Curb and Gutter including 6' wide Sidewalk and 6' bike lane	Mountain Road	West PL	East PL	/	/	/
		40' F-F	Residential Road with Curb and Gutter including 4' wide Sidewalk* and ADA ramps	verde lane Bosque ~~Plaza Loop~~ ⚠	Mountain Road	Gate-48' from FL of mountain RD	/	/	/
							/	/	/
							/	/	/

ORIGINAL

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification: Private Inspector	Private P.E.	City Cnst Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:

Impact Fee Admistrator Signature Date

Approval of Creditable Items:

City User Dept. Signature Date

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.

Street lights per City rquirements.

1 Engineers certification of gradeing plan required for release of SIA and Financial Guarantees.

2 * Internal sidewalks to be deffered.

3

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
DAVID SOULE NAME (print)	12/21/05 DRB CHAIR - date	Christina Sandoval 12/21/05 PARKS & GENERAL RECREATION - date
RIO GRANDE ENGINEERING FIRM	12-21-05 TRANSPORTATION DEVELOPMENT - date	 AMAFCA - date
12/16/05 SIGNATURE - date	12/21/05 UTILITY DEVELOPMENT - date	 _____ - date
	12/21/05 CITY ENGINEER - date	 _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER
1	2-1-06			

(rev. 9-05)

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — **S**

- ___ Major Subdivision action
- X Minor Subdivision action AMENDMENT
- ___ Vacation — **V**
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — **P**

- X for Subdivision Purposes AMENDMENT
- ___ for Building Permit
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC) — **L**

STORM DRAINAGE — **D**

- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — **Z** **A**

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

APPEAL / PROTEST of...

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

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

APPLICANT INFORMATION:

NAME: WASHINGTON INVESTORS PHONE: 856-3419

ADDRESS: P.O. Box 93024 FAX: 856 3520

CITY: ALBUQ STATE NM ZIP 87119 E-MAIL:

Proprietary interest in site: OWNER List all owners: SOLE OWNER Bill

AGENT (if any): GARCIA | KRAEMER & ASSOCIATES PHONE: 2425566

ADDRESS: 200 LOMAS NW SUITE 1111 FAX: 2429028

CITY: ALBUQ STATE NM ZIP 87102 E-MAIL:

DESCRIPTION OF REQUEST: MINOR AMENDMENTS TO SITE PLAN FOR SUBDIVISION 05DRB01736 and Preliminary Plat 05DRB01737 PRIVATE COMMONS DEVELOPMENT

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

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

Lot or Tract No. lots 313-A-2-A Block: Unit:

Subdiv. / Addn. ~~ACRES ADDITION~~ MRGCD MAP# 28 TRK ENTRADA DEL Bosque

Current Zoning: RA-2 Proposed zoning: RA-2

Zone Atlas page(s): J-12 No. of **existing** lots: 1 No. of **proposed** lots: 17

Total area of site (acres): 4.2941 Density if applicable: dwellings per gross acre: 4.22 dwellings per net acre:

Within city limits? X Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? ___

UPC No. 101205827946520306 MRGCD Map No. 28

LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Rd NW

Between: Gabaldon NW and LUEAC NW

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 # 1004360 05DRB 01736, 05DRB 01737

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

SIGNATURE William 2 Kraemer DATE 01/05/06

(Print) WILLIAM KRAEMER ___ Applicant X Agent

FOR OFFICIAL USE ONLY Form revised 4/04

	Application case numbers	Action	S.F.	Fees
N/A ☐ INTERNAL ROUTING				
☑ All checklists are complete	06DRB - 00026	ASPS	P(3)	$ 50.00
☑ All fees have been collected	06 DRB - 00024	APP	S(3)	$ 50.00
☑ All case #s are assigned	- -	EMF		$ 20.00
☑ AGIS copy has been sent	- -			$
☑ Case history #s are listed	- -			$
N/A ☐ Site is within 1000ft of a landfill	- -		1	$
NO ☐ F.H.D.P. density bonus				Total
NR ☐ F.H.D.P. fee rebate	Hearing date 1/18/06			$ 120.00

Project # 1004360

1/5/06

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

☐ **SKETCH PLAN REVIEW AND COMMENT**

__ Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

☐ **SITE DEVELOPMENT PLAN FOR SUBDIVISION**

__ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Copy of the document delegating approval authority to the DRB
__ Completed Site Plan for Subdivision Checklist
__ Infrastructure List, if relevant to the site plan
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

__ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6** copies.
__ Solid Waste Management Department signature on Site Plan
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Copy of the document delegating approval authority to the DRB
__ Infrastructure List, if relevant to the site plan
__ Completed Site Plan for Building Permit Checklist
__ Copy of Site Plan with Fire Marshal's stamp
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

☒ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION**
☐ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

__ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) Copies as needed above
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Letter of authorization from the property owner if application is submitted by an agent
__ Infrastructure List, if relevant to the site plan
N/A __ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

☐ **D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for SUBDIVISION**
☐ **D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for BUILDING PERMIT**

__ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Solid Waste Management Department signature on Site Plan (not required for SDP for Subdivision)
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
__ Infrastructure List, if relevant to the site plan
__ Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
__ Any original and/or related file numbers are listed on the cover application

Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar** to the meeting for sign-off. **Your attendance is required.**

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

WILLIAM KRAEMER
Applicant name (print)

William J Kraemer 01/05/06
Applicant signature / date

Form revised **JUNE 2005**

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

Application case numbers
06DRB - _____ - 00025
_____ - _____ - _____
_____ - _____ - _____

[signature] 1/5/06
Planner signature / date

Project # 1004360

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

☐ **SKETCH PLAT REVIEW AND COMMENT** **YOUR ATTENDANCE IS REQUIRED.**

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

☐ **MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT** **Your attendance is required.**

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

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

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

__ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings
__ Design elevations & cross sections of perimeter walls **3 copies**
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
__ Property owner's and City Surveyor's signatures on the Mylar drawing
__ Copy of recorded SIA
__ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
__ Any original and/or related file numbers are listed on the cover application
__ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**

__ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6** copies.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the request
__ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
__ Property owner's and City Surveyor's signatures on the Mylar drawing
__ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)** **NO INTERNAL ROUTING**
__ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☒ **AMENDMENT TO PRELIMINARY PLAT (with minor changes)** **Your attendance is required.**
☐ **AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**
☐ **AMENDMENT TO GRADING PLAN (with minor changes)**

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

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

Amended preliminary plat approval expires after one year

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

WILLIAM KRAEMER
Applicant name (print)

William J Kraemer 01/05/06
Applicant signature / date

Form revised 8/04, 1/05 & 10/05

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

Application case numbers
01DRB- - 00024
- -
- -

Planner signature / date 1/5/05

Project # 1004360

GARCIA/KRAEMER&ASSOCIATES

Wells Fargo Bank Building
200 Lomas N.W., Suite 1111
Albuquerque, NM 87102
(505) 242 5566
Fax (505) 242 9028

January 5, 2005

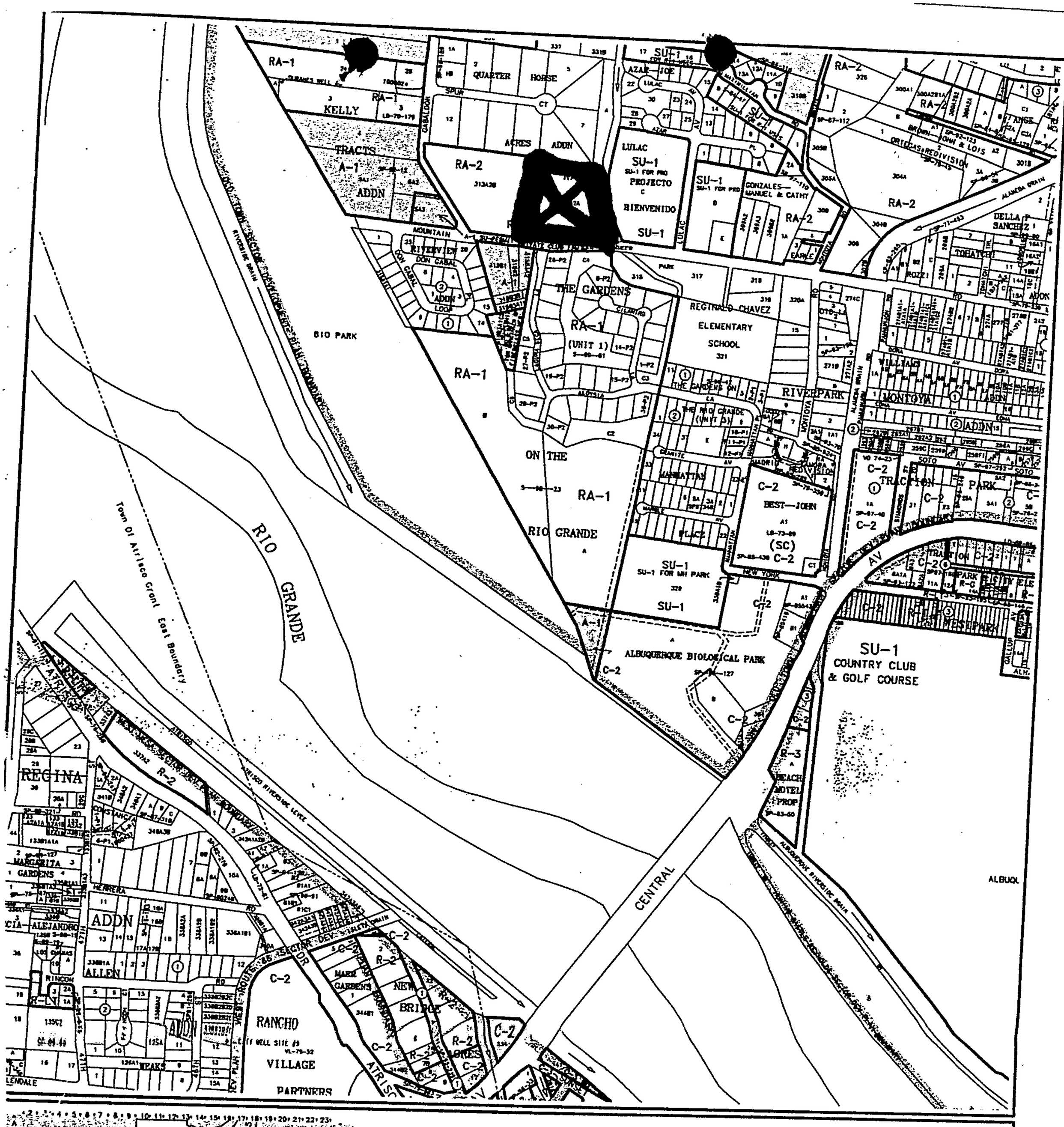
Entrada del Bosque
Project # 1004360
Explanation of requested amendments to site plan for subdivision and preliminary plat.

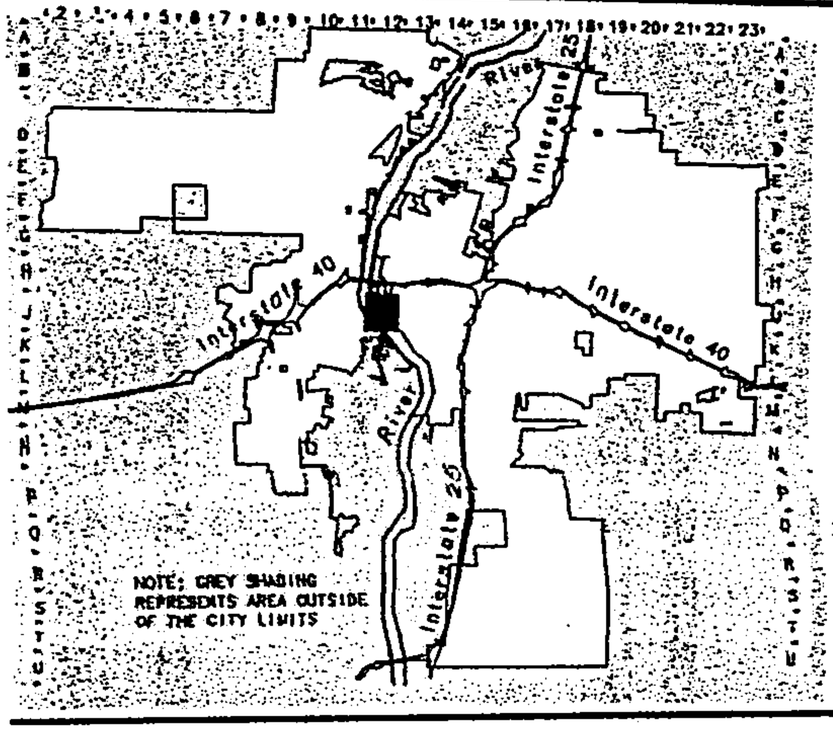
We received DRB approval of 05DRB-01736 Major-SiteDev Plan Subd, and 05DRB-01737 Major-Preliminary Plat Approval, on December 21, 2005.

Immediately after those approvals we restarted a dialogue with Paul Kuenstler to determine how we could satisfy neighborhood concerns. On December 29 we met with three impacted neighbors, Paul Kuenstler, Joe Romero and Jimmie Hartley, owners of lots 8, 9 &10, Quarter Horse Acres Addition to listen to and address their concerns.

Applicant agreed to shift three lots from the north side of the subdivision to the west side in order open up the PCA to the rear of the site and connect it with a future PCA on the property to the west. The new PCA area at the NW corner of the site will be landscaped in a similar manner as shown on the landscaping plan for the corresponding area on the approved plan. Applicants also agreed to increase plantings on both sides of the north boundary wall, which will be 6'8" in height. We hope these changes satisfy the concerns of these immediate neighbors and they agree not to appeal the original approvals or amendments necessary to accomplish these changes.

The attached summary shows the new PCA calculations which still meet all of the required restrictions and regulations.





CITY OF Albuquerque

A Albuquerque G Geographic I Information S System

PLANNING DEPARTMENT

© Copyright 2002

GRAPHIC SCALE IN FEET

250 0 750 1000

Zone Atlas Page

J-12-Z

Map Amended through April 03, 2002

GARCIA/KRAEMER&ASSOCIATES

Wells Fargo Bank Building
200 Lomas N.W., Suite 1111
Albuquerque, NM 87102
(505) 242 5566
Fax (505) 242 9028

January 3, 2005

Entrada del Bosque
Project # 1004360
Private Commons Regulations SUMMARY amended

Parcel consists of 4.2941 acres (187,051 square feet) zoned RA-2

Number of lots allowed (187,051/10,890= 17.1764) rounded to **seventeen (17)**

Tract A gross private commons area (PCA)		2.0914 acres	91,103 square feet
	less sidewalk area	.1025	4,464
	roadway area	.5409	23,564
	drivepad area	.1561	6,800
PCA NET AREA		**1.3022**	**56,275**

This PCD includes a single parcel designated as a PCA (see exhibit). That parcel meets the minimum length and width requirements and is visible from Mountain Rd and the ditch r-o-w to the east. Section 14-16-3-16 (F) requires that certain uses not be included in PCA net calculation but does not require that PCA be divided into separate parcels.

30% of total parcel size	**1.2882**	**56,115**

Total parcel	4.2941 acres or	187,051 s.f.
Less right of way	1.0930	47,614
RA-2 lot area	3.2010	139,437
PCD lot area	1.9960	86,945
Area gained through lot size reductions	**1.2051**	**52,492**

therefore, the **net PCA (56,275 sf) is larger than 30% of the gross parcel size (56,115) and/or 100% of the area gained through lot size reductions (52,275)**
Section 14-16-3-16 (E) zone code

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 21, 2005

4. Project # 1004360
05DRB-01736 Major-SiteDev Plan Subd
05DRB-01737 Major-Preliminary Plat Approval

RIO GRANDE ENGINEERING agent(s) for WASHINGTON INVESTORS request(s) the above action(s) for all or a portion of Lot(s) 313-A-2-A, ACRES ADDITION (to be known as **ENTRADA DEL BOSQUE SUBDIVISION**) zoned RA-2 residential and agricultural zone, located on MOUNTAIN RD NW, between GABALDON NW and LULAC AVE NW containing approximately 3 acre(s). [REF: 05DRB01245] [Deferred from 12/14/05] (J-12)

At the December 21, 2005, Development Review Board meeting, the site plan for subdivision was approved with final sign off delegated to Planning for 15-day appeal period and 3 copies of the site plan.

With the signing of the infrastructure list dated 12/21/05 and approval of the grading plan engineer stamp dated 10/24/05 the preliminary plat was approved with the following conditions of final plat:

A sidewalk deferral application is required.

Place ADA ramps within the public right-of-way.

Access Maintenance note is required.

If you wish to appeal this decision, you must do so by January 6, 2006, 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 a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc:Washington Investors, P.O. Box 93024, 87199
Rio Grande Engineering, 1606 Central SE, Suite 201, 87106
Bill Kraemer, Garcia Kraemer Association, 200 Lomas Blvd NW, #1111, 87102
Paul Kuenstler, 3114 Spur Ct NW, 87104
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

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

PAID RECEIPT

APPLICANT NAME WASHINGTON INVESTMENTS

AGENT GARCIA / KRAEMER & ASSOC.

ADDRESS 200 LOMAS

PROJECT & APP # 1004360 / 05025, 05024

PROJECT NAME ENTRADA DEL BOSQUE

$ 20.00 **441032/3424000 Conflict Management Fee**

$ 100.00 **441006/4983000 DRB Actions**

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

$ _____ **441018/4971000 Public Notification**

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

$ 120.00 **TOTAL AMOUNT DUE**

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

1/5/2006 12:12PM LOC: ANNX
RECEIPT# 00050401 WS# 008 TRANS# 0010
Account 441006 Fund 0110
Activity 4983000 TRSCCS
Trans Amt $120.00
J24 Misc $100.00
VI $120.00
CHANGE $0.00

Thank You

*****DUPLICATE*****
City Of Albuquerque
Treasury Division

1/5/2006 12:12PM LOC: ANNX
RECEIPT# 00050400 WS# 008 TRANS# 0010
Account 441032 Fund 0110
Activity 3424000 TRSCCS
Trans Amt $120.00
J24 Misc $20.00

Thank You

*****DUPLICATE*****
City Of Albuquerque
Treasury Division

RESTRICTIONS

OF

ENTRADA DEL BOSQUE SUBDIVISION

A Declaration of Restrictions, Covenants and Conditions for the Creation and Maintenance Of a Private Commons Development

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ENTRADA DEL BOSQUE SUBDIVISION RESTRICTIONS

A Declaration of Restrictions, Covenants and Conditions for the Creation and Maintenance of a Private Commons Development

THIS DECLARATION is made as of November ____, 2005, by WASHINGTON INVESTORS, L.L.C., a New Mexico limited liability company, with respect to that certain real property situate in Bernalillo County, New Mexico and more particularly described as follows:

> All of the ENTRADA DEL BOSQUE SUBDIVISION, as the same is shown on the Plat for ENTRADA DEL BOSQUE recorded in the Bernalillo County, New Mexico Real Estate Records on _____, 2005, in Vol. _____, Folio ____, as Document No._____

It is hereby declared that all of the described real property is subject to this Declaration which is for the purpose of creating and maintaining a private commons development on the described real property and for the improvement and protection of the value, desirability and attractiveness of the described real property, and to meet the requirements of the Private Commons Development Regulations, as they exist from time to time (the "PCD Regulations"), as contained within the City of Albuquerque (the "City") Comprehensive Zoning Ordinance (the "Ordinance").

It is the purpose of this Declaration to create a private commons development consisting of seventeen (17) single family lots on a private street with private common area for the benefit of the Lot owners.

This Declaration shall run with the described real property and shall be binding upon and inure to the benefit of Grantor, the Association, each Owner of the described real property or any part of it, and each successor in interest of Grantor, the Association, and any such Owner.

ARTICLE 1
Definitions

Unless the context otherwise specifies or requires, the terms defined in this Article 1 shall have the meanings as defined in this Article for the purposes of these Restrictions.

Section 1.01: Architectural Control Committee.

The terms "Architectural Control Committee" or "Committee" shall mean the architectural control committee created pursuant to Article 8.

Section 1.02: Association.

The term "Association" shall mean the ENTRADA DEL BOSQUE HOMEOWNERS ASSOCIATION, INC., a New Mexico non-profit corporation described in the Article entitled, "Organization, Powers and Duties of the Association," and any predecessor or successor unincorporated association.

Section 1.03: Board.

The term "Board" shall mean the Board of Directors of the Association and the governing body of any predecessor or successor unincorporated association.

Section 1.04: City.

The term "City" means the City of Albuquerque, a municipal corporation.

Section 1.05: Common Area.

The term "Common Area" shall mean the portions of the Subdivision which will be conveyed to the Association for the benefit of the Lot Owners and/or to meet the requirements of the PCD Regulations and/or are portions of the Subdivision which the Association has the beneficial interest in an easement for purposes of maintaining such area for the benefit of the Owners. The Common Area consists of the Common Area, the Private Street and the Front Yard Landscape Area.

Section 1.06: Eligible Mortgagee.

The term "Eligible Mortgagee" means any holder of a first mortgage lien against any Lot provided that such mortgagee has given the Association written notice of its mortgage setting forth its name and address and identifying the Lot, by legal description and address, which is subject to such first mortgage.

Section 1.07: Fiscal Year.

The term "Fiscal Year" shall be the calendar year; but, a different Fiscal Year may be adopted by the Association by By-Law or Board Resolution.

Section 1.08: Front Yard Landscape Area.

The term "Front Yard Landscape Area" shall mean the portions of the front yards of the Lots which have been landscaped by the Grantor, or by the homebuilder, and which shall be maintained by the Association.

Section 1.09: Grantor.

The term "Grantor" shall mean Alpha Equities, L.L.C., a New Mexico limited liability company, its successors and assigns, who are assigned, in writing, all or part of Grantor's powers and responsibilities for all or a specific area or portion of the Subdivision and who accept such powers and responsibilities in writing. All such assignments and agreements to accept the obligations of Grantor shall be recorded, filed with the Board and placed with the records of the Association.

Section 1.10: Improvements.

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

Section 1.11: Landscape Plan.

The term "Landscape Plan" shall mean the landscape plan for the Private Common Area pursuant to the PCD Regulations as approved by the City, and as amended from time to time.

Section 1.12: Lot.

The term "Lot" shall mean each of the seventeen (17) lots designated 1 through 17 on the Plat together with the Improvements located on each such Lot.

Section 1.13: Mortgage.

The term Mortgage shall mean a deed of trust, as well as a mortgage, and the term "Mortgagee" shall mean a beneficiary under or a holder of a deed of trust, as well as a Mortgagee.

Section 1.14: Owner.

The term "Owner" shall mean the persons or entities, including Grantor, holding the beneficial ownership of the Lots, including the purchaser under a real estate contract, and shall not include persons holding only a security interest or a seller under a real estate contract. For the purposes of the Article entitled, "Permitted and Prohibited Uses of Property," unless the context otherwise requires, "Owner" shall include the family, invitees, licensees and tenants of any Owner. The term "Owner" is used interchangeably with "Member" unless otherwise specified herein.

Section 1.15: Option.

The term "Option" shall mean the Option granted by Grantor, as more fully set out in Section 3.03, hereof.

Section 1.16: Plat.

The term "Plat" shall mean all of the real property shown on the Plat and comprising the Subdivision Plat of Entrada del Bosque Subdivision, as recorded in the Bernalillo County, New Mexico real estate records on _____, 2005, in Vol. _____, Folio ___.

Section 1.17: Private Common Area.

The term "Private Common Area" shall mean the portions of the Subdivision to be owned by the Association for the common benefit of the Owners to be used for agriculture, landscaping, recreation or any combination thereof as determined from time to time by the Association. These restrictions and the Plat create for the benefit of the City negative easements which restrict and limit how the Private Common Area can be put to use which restrictions and limitations the City is given the right to enforce. The Private Common Areas are shown and designated on the Plat as Tract A.

Section 1.18: Private Street.

The term "Private Street" shall mean the private street providing access to the Lots identified on the Plat as private access easement and "Entrada del Bosque".

Section 1.19: Site Plan.

The term "Site Plan" or "Site Development Plan" shall mean the site development plan for the Subdivision approved by the City, as amended from time to time, pursuant to the terms of the PCD Regulations.

Section 1.20: Subdivision.

The term "Subdivision" shall mean the Private Commons Development created by and subject to this Declaration.

Section 1.21: Subdivision Restrictions.

The term "Subdivision Restrictions" shall mean, with respect to all property within the Subdivision, the limitations, easements, restrictions, covenants, and conditions set forth in this Declaration, as this Declaration may from time to time be amended. The term "This Declaration" and the title to this Declaration shall have the same meaning as "Subdivision Restrictions."

ARTICLE 2
Property Subject to Subdivision Restrictions

All of the property shown on the Plat.

ARTICLE 3
Permitted and Prohibited Uses of Property

Section 3.01: Permitted Uses of Property Within the Subdivision.

a. Improvements and development within the Subdivision shall be limited to residential single family dwellings, having a minimum of 1500 square feet of heated living area, associated parking, garages, roads and access ways, landscaped areas, and all public or private service and utility facilities related to such uses, including, but not limited to, drainage, sewer, gas, water, electric and communication facilities. No dwelling shall be used as a boarding house or divided into apartments or rooms for rental purposes. This subsection does not prevent the rental or lease of the whole dwelling by the Owner thereof, but any such rental or lease must be by a written agreement which requires the tenant to observe these Restrictions. No dwelling may be leased or rented for a period of less than thirty (30) days.

b. Grantor shall, so long as Grantor is the owner of any Lot, have all of the rights of use set out in the Article entitled, "Limitation of Subdivision Restrictions on Grantor."

Section 3.02: Prohibited Uses of Subdivision.

a. In no event shall any Lot be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas or other hydrocarbons, minerals, rocks, stones, gravel or earth, or be used in any other way inconsistent with the Subdivision Restrictions.

b. No illegal, noxious or offensive activity shall be carried on within the Subdivision. No light shall be emitted from any Lot which is unreasonably bright to cause unreasonable glare to any residences. No sound shall be emitted on or from any Lot which is unreasonably loud or annoying. No odor shall be emitted from any Lot which is noxious or offensive to others. Nothing shall be done or placed which may be or become a nuisance, or cause unreasonable

embarrassment, disturbance, or annoyance to Owners in the enjoyment of their dwellings.

c. No signs whatsoever, including, but without limitation, commercial or similar signs, visible from other Lots, shall be erected or maintained upon any Lot, except(1) such signs as may be required by legal proceedings or are useful for such proceedings; (2) during the time of construction of any structure or other Improvement, job identification signs having a maximum face area of twelve (12) square feet per sign and of the type usually employed by contractors, subcontractors, and tradesmen; (3) appropriate safety, directional, and identification and safety signs installed by Grantor, the Association, or required by law; (4) customary "for sale" or "for rent" signs; (5) political signs as regulated by the Board, and (6) such residential or commercial identification signs as Grantor has the right to maintain, or as are specifically approved by the Board in accordance with the rules adopted by the Board.

d. Except as provided otherwise by this Section, no mobile home, motor home, recreational vehicle, motorcycles, campers, trailers, boat, or similar facility, structure or recreational equipment shall be kept, placed, or maintained within the Subdivision at any time, unless enclosed within a standard size garage or within the side or rear yard so as not to be visible from any street. The provisions of this subsection shall not apply to (i) temporary construction shelters or facilities maintained during, and used exclusively in connection with, the construction of any work or improvement permitted by this Declaration, (ii) a recreational vehicle parked in the driveway or the street for a period not to exceed 24 hours, and (iii) a guest's use of a recreational vehicle for a period not to exceed one week per year.

e. Any outside clothes lines or other outside clothes drying or airing facilities shall be maintained exclusively within a fenced yard in such a way as not to be visible from streets and the ground floor of neighboring dwellings.

f. No garbage, clippings from trees, shrubs or lawns, trash, ashes or other refuse may be thrown, dumped or allowed to accumulate on any land within the Subdivision visible from the street or the ground floor of neighboring homes. There shall be no burning of refuse out of doors, except for the burning of natural materials in connection with land clearance or fire control. No incinerators or other device for the burning of refuse indoors shall be constructed, installed or used by any person except in conformity with law and approved by the Board.

g. No animals, livestock, horses, insects or poultry of any kind shall be kept, raised, or bred in the Subdivision. A total of three household pets per Lot, with no more than two of the household pets being dogs, may be kept, provided they are not kept, raised or bred for commercial or hobby breeding purposes. Such household pets, except cats, must be restrained on a leash or otherwise under the direct control of an individual when in the Subdivision.

h. All exterior spot or directional lighting of any sort, the light source of which is visible from neighboring Lots, shall be approved, in writing, by the Board prior to installation.

i. No exterior antenna, or satellite dishes, of any sort shall be installed or maintained on any Lot or within the Subdivision, except those devices which are erected, installed, placed or maintained and used entirely under the eaves or enclosed within a building or structure or are screened so as not to be visible from the ground level of other Lots. This provision shall remain enforceable even if enforcement action is not commenced within the time limitations otherwise provided by the Subdivision Restrictions.

j. No mechanical device shall be installed or maintained on the roof or exterior surface of any dwelling if such device is visible from the street which the dwelling faces unless screened or enclosed to the satisfaction of the Committee.

k. No vehicles of any type shall be permanently or semi-permanently parked in any portion of the Subdivision visible from other Lots for purposes of repairs or reconstruction, or storage. A vehicle shall be deemed parked for storage if it is not driven out of the Subdivision for thirty (30) consecutive days.

l. No trucks other than pick-up trucks or other commercial vehicles shall be kept or maintained in the Subdivision, except within standard size garages, and except where customary or required for the limited purposes of building, repairing, refinishing, or maintaining the Subdivision or a dwelling, or for the purpose of moving household goods or other necessary or customary furnishings, equipment or supplies in or out of the Subdivision.

m. Except temporarily during a construction period, all utility lines, including, but not limited to, electrical, gas, telephone, cable television, and other communications systems shall be underground, except for access ports and aboveground transformers.

n. No portion of the Subdivision shall be used for any purpose or in any manner which would increase the rate at which insurance against loss or damage by fire and the perils covered by extended coverage, bodily injury, property damage liability insurance, covering any other dwelling may be obtained, or cause any other dwelling to be uninsurable or have such insurance canceled or suspended.

Section 3.03: Common Area.

The Common Area shall be reserved by the Association for the benefit of all Owners pursuant to this Declaration and the PCD Regulations, to enhance the value, desirability and safety of the Subdivision for watering, planting, cutting, removing and otherwise caring for the landscaping and for installing, maintaining and repairing of signs identifying the Subdivision and utility lines necessary for the maintenance of the Landscaping. No improvements or structures may be constructed upon the Common Area except those which are: (a) approved from time to time by the City pursuant to the approved Site Development Plan, and (b) those which are necessary for the operation and maintenance of the Common Area or are otherwise permitted by the PCD Regulations. The use of the Common Area shall be limited to the agriculture, landscaping, recreation or any combination thereof, or any other uses permitted, from time to time, by the PCD Regulations and approved by the Association.

The Private Streets shall be reserved for the benefit of the Owners, their guests and invitees. The Association shall maintain the Private Streets (including any landscaped medians) and streetlights within the Private Streets, in accordance with rules relating to the streets that may be adopted by the Board of the Association pursuant to this Declaration, as amended or modified from time to time (the "Street Rules"). A copy of the current Street Rules, if any, shall be available at the office of the Association. The Street Rules may contain parking and traffic regulations, including but not limited to regulations as to the number of vehicles that may be parked in the streets within the Subdivision. The Association shall also maintain the private sidewalks within the Subdivision. The Association shall maintain the entrance to the Subdivision including the Entrance Gates. The Association may adopt rules relating to the Entrance Gates

and the signage pursuant to this Declaration, which rules may be amended and modified from time to time.

Section 3.04: Encroachment Easements.

Should minor variations between lot lines as shown on the Plat and actual physical lot boundaries (such as walls, including interior party walls, and fences) occur, either due to original construction, reconstruction, repair or due to the settling, shifting or movement of structures, a valid easement shall exist for the encroaching Improvements for so long as the encroachment exists.

ARTICLE 4
Membership in the Association Voting Rights

Section 4.01: Membership.

a. Each Owner, by virtue of being an Owner and during such time as such Owner remains an Owner, shall be a member of the Association, or, a member of the unincorporated association preceding the Association or succeeding to the Association (herein "Member" or "Members").

b. The rights, duties, privileges, and obligations of an Owner as a member of the Association or its proceeding or succeeding unincorporated association shall be those set forth in, and shall be exercised and imposed in accordance with the provisions of this Declaration and the Association's Articles of Incorporation and By-Laws.

Section 4.02: Voting Rights.

Each Owner shall be entitled to vote as provided in this Article on all matters properly submitted for vote to the membership of the Association. Every Owner entitled to vote at any election of members of the Board may cumulate his votes and give any one or more candidates a number of votes equal to the number of votes to which the Owner is entitled, multiplied by the number of Directors to be elected. The right to vote may not be severed or separated from any Lot, and any sale, transfer or conveyance of the beneficial interest of the fee of any Lot to a new Owner shall operate to transfer the appurtenant voting rights without the requirement of any express reference thereto. Voting may be by written proxy.

The rights of membership, including the right to vote and the right to participate in Association affairs, are subject to suspension by the Board for: (1) failure or refusal to pay any assessment levied by the Association for a period of thirty (30) days after the due date of such assessment; or (2) an infraction of, default in or breach of any provision of the Restrictions, the Articles, the By-Laws or the Rules and Regulations of the Association.

Section 4.03: Voting Rules.

When any provision of the Subdivision Restrictions calls for the vote or the consent of the Members in any stated percentage, the following rules apply, unless the specific language of the provision provides to the contrary (a) whenever a vote of the members is required, it is sufficient to obtain the written consent of the same percentage of Members; (b) the percentage requirement shall be a percentage of the total voting power of the Association and not a percentage of the number of Members of the Association, and (c) in any election held pursuant to the requirements of this Declaration, ballots may be transmitted to Owners in the manner provided for the giving of notice.

ARTICLE 5
Organization, Powers and Duties of the Association

Section 5.01: Organization.

a. The Association shall be organized as a non-profit corporation charged with the duties and empowered with the rights set forth herein. The Association's affairs shall be governed by this Declaration, the Articles of Incorporation and the By-Laws.

b. In the event that the Association, as a corporate entity, is not formed or after formation loses its corporate powers or is dissolved, a non-profit, unincorporated association shall forthwith and without further action or notice, be formed and shall succeed to all the rights and obligations of the Association hereunder until a qualified non-profit corporation is formed. Said unincorporated association's affairs shall be governed by the laws of the State of New Mexico, and to the extent not inconsistent therewith, by this Declaration, the Articles of Incorporation and the By-Laws, respectively, as if they were created for the purpose of governing the affairs of an unincorporated association.

c. The President and Secretary of the Association, or any three (3) members of the Board of Directors, may execute, seal, acknowledge and record a certificate of identity stating the names of all of the members of the then current Board and the then current Architectural Control Committee, if any. The most recently recorded affidavit shall be conclusive evidence of the identity of the persons then composing the Board and Architectural Control Committee in favor of any person relying thereon in good faith.

d. The Board shall be appointed by the Grantor, and shall serve at the Grantor's pleasure until December 31, 2008. Thereafter, the Board shall be elected by the members at annual meetings of the Association.

e. The affairs of the Association shall be managed by the Board of Directors, which shall exercise all of the rights and powers and perform all of the duties and responsibilities set out in this Declaration for the Association.

Section 5.02: Powers and Authority of the Association.

The Association shall have all of the powers set forth in its Articles of Incorporation, together with its general powers as a non-profit corporation, subject only to the limitations upon the exercise of such powers as are expressly set forth in its Articles of Incorporation, its By-Laws and in this Declaration, to do any and all lawful things which may be authorized, required, or permitted to be done by the Association under and by virtue of the Subdivision Restrictions and to do and perform any and all acts which may be necessary or proper for or incidental to the exercise of any of the express powers of the Association or for the peace, health, comfort, safety, and general welfare of Owners.

a. Any of the following actions by the Board shall require a majority vote or written assent of the members:

1. Entering into a contract for the furnishings of goods or services for Easement Area or the Association for a term longer than three (3) years with the exception of prepaid casualty or liability policies of not to exceed three (3) years duration provided that the policy permits short rate cancellation by the insured; and

2. Paying compensation to members of the Board or officers for services performed in the conduct of the Association's business provided that the Board may cause a member or officer to be reimbursed for expenses incurred in carrying on the business of the Association.

b. In fulfilling any of its obligations or duties under the Subdivision Restrictions, including, without limitation, its obligations or duties for the maintenance, repair, operation, or administration of the Common Areas, the Association shall have the power and authority:

1. To contract and pay for, or otherwise provide for, the improvement, maintenance, restoration, and repair of the Common Area and all Improvements located thereon;

2. To obtain, maintain, and pay for such insurance policies or bonds, whether or not required by this Declaration, as the Association shall deem to be appropriate for the protection or benefit of the Subdivision, the Association, the members of the Board, and the Owners;

3. To incur indebtedness; but any indebtedness in excess of the Association's estimate of its estimated gross revenue for the year incurred or any indebtedness to be repaid over a period longer than one (1) year must be approved by a two-thirds (2/3) vote of the Members;

4. To contract and pay for, or otherwise provide for, such utility services, including, but without limitation, water and electrical services, as may from time to time be required;

5. To contract and pay for, or otherwise provide for, the services of architects, engineers, attorneys, bookkeepers and certified public accountants, and such other professional and non-professional services as the Association deems necessary;

6. To contract and pay for, or otherwise provide for, such materials, supplies, furniture, equipment, and labor as and to the extent the Association deems necessary;

7. To pay and to discharge any and all liens from time to time placed or imposed upon any Common Area, or on account of any work done or performed by the Association in the fulfillment of any of its obligations and duties of maintenance, repair, operation, or administration;

8. To lease or contract for the use of land and Improvements for recreation or other purposes to the extent the Association deems necessary; and

9. To place and maintain upon the Common Area such signs as the Association may deem necessary for the identification of the Subdivision and/or roads, the regulation of traffic, including parking, for the health, welfare and safety of owners and other persons.

c. In fulfilling any of its obligations or in exercising any of its rights with respect to the development, construction, installation or acquisition of a capital improvement, the Association shall have the power and authority:

1. To contract and pay for such Improvements upon such terms and conditions as the Association shall deem appropriate;

2. To obtain, maintain, and pay for such insurance policies or bonds as the Association may deem appropriate for the protection and benefit of the Association, the members of the Board, and Owners, including, but without limitation, builder's risk insurance, additional comprehensive liability insurance, workman's compensation insurance, and performance and fidelity bonds;

3. To incur indebtedness under terms and conditions as provided by this Article; and

4. To contract and pay for the services of architects, engineers, attorneys, and certified public accountants, and other professional and non-professional services.

d. With respect to the Common Area, the Association shall exercise control over the Common Area, but only for the purpose of carrying out the purposes of these Restrictions. The Association shall have no authority to mortgage, sell or convey the Common Area or any part thereof, unless approved by unanimous vote of the Members except that the Association shall have the power and authority from time to time without a vote of the Members to: (i) grant and convey easements or rights of way, in, on, over, or under any Common Area, for the purpose of constructing, erecting, operating and maintaining thereon, therein, and thereunder wires, conduits and other equipment for the transmission of electricity and signals for lighting, heating, power, communication, cable television and other purposes, and for the necessary attachments in connection therewith; and public and private sewers, storm water ponding areas, storm water drains, storm water ponding areas, land drains and pipes, water systems, sprinkling systems, water, heating and gas lines or pipes and any and all equipment in connection with the foregoing, and (ii) to convey the Option Property pursuant to the terms of the Option. Any sale of the Private Common Area, except the Option Property, shall be subject to the PCD Regulations unless released by the City.

e. The Association may, from time to time and upon such terms and conditions as it may deem appropriate, agree with the governing body of any other subdivision to jointly manage the affairs of the Subdivision, to jointly hire a manager, or jointly to engage in other activities not inconsistent with the Subdivision Restrictions.

f. The Association shall have the right from time to time to pay, compromise, or contest any and all taxes and assessments levied against all or any part of the Common Area any income of or assessed to the Association, and upon any personal property belonging to or assessed to the Association.

g. The Association shall have the power and authority from time to time, in its own name, on its own behalf, and on behalf of any Owner or Owners who consent thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of the Subdivision Restrictions and to enforce, by mandatory injunction or otherwise, all of the provisions of this Declaration.

h. The Association shall have the power, but not the duty, to enter upon and maintain, or provide for the maintenance of, any Lot or Improvements which is not maintained by the Owner thereof in accordance with the requirements of these Restrictions, at the expense of any such Owner.

Section 5.03: Liability of Members of Board.

No member of the Board shall be personally liable to any Owner, or to any other person, including Grantor, for any error or omission of the Association, its representatives and employees, or the manager; provided, however, that such member has, with the actual knowledge possessed by him, acted in good faith.

Section 5.04: Duties and Obligations of the Association.

a. The Association shall have the obligation and duty, subject to the Subdivision Restrictions, to do and perform each and everything set out in this Section, for the benefit of the Owners and for the maintenance and improvement of the Subdivision.

b. The Association shall accept all Owners as Members of the Association.

c. The Association shall accept from Grantor the Common Areas and maintenance responsibilities in all Common Areas subject to the reservations of all easements, licenses and rights to use and the rights of Grantor.

d. The Association shall maintain, or provide for the maintenance of, the Common Areas and all Improvements thereon.

e. The Association shall fulfill all obligations of the Drainage Covenant.

f. The Association shall maintain or provide for the maintenance of all landscaping and vegetation (including without limitation, grass, mass plantings, shrubs and trees) on Common Areas and shall keep such vegetation properly trimmed, mowed, cut, watered, fertilized, planted and replaced so that it provides an attractive appearance.

g. The Association may employ the services of a corporate or individual manager to manage the affairs of the Association and, upon such conditions as are otherwise advisable by the Association, the Association may delegate to the manager any of its powers under the Subdivision Restrictions. No management agreement entered into between the Association and any professional management company (whether or not such professional management company is owned or controlled by the Grantor) shall provide for a term in excess of two (2) years and all such agreements shall permit the Association to terminate for cause upon not more than thirty (30) days' prior written notice and all such agreements shall provide for termination by either party without cause and without payment of a termination fee on ninety (90) days or less written notice.

h. The Association shall obtain and maintain in force the following policies of insurance:

1. Fidelity Bond: The Association shall procure and maintain a fidelity bond naming the Association as obligee in an amount equal to the estimated maximum amount of funds to be in the custody or control of the Association or its professional management company, including reserves for replacement and working capital, at any given time during the term of such bond, but in any event in an amount at least equal to three (3) months' aggregate monthly assessments on all Lots plus the sum of all reserve funds. Such fidelity bond shall cover all officers, directors, trustees and employees of the Association and all other persons handling or responsible for funds of or administered by the Association, including the officers, directors, employees and agents of the professional management

company employed by the Association pursuant to these Restrictions. Provided, however, that the fidelity bond to be procured by the Association need not cover the professional management company and its officers, directors, employees and agents, if such professional management company provides a sufficient fidelity bond naming the Association as an additional obligee or loss payee. Such bond shall contain a waiver of any defense or exclusion based upon the exclusion of persons serving without compensation from the definition of "employees" or other similar terms or expressions. Such bond shall require at least ten (10) days' prior written notice to the Association of cancellation or substantial modification (including cancellation for non-payment of premiums). The cost of such fidelity bond (except for premiums on any fidelity bond provided by the professional management company which the Board determines to be satisfactory and in compliance with the provisions of this Section) shall constitute a common expense of the Subdivision.

2. Liability Insurance: The Association shall procure and maintain comprehensive public liability insurance in the amount of at least one million dollars ($1,000,000) per single occurrence for bodily injury, death and property damage suffered by the public or any Owner and his family, guests, agents, employees or invitees occurring in, on or about the Common Areas. Such policy shall insure the Owners and the Association and its officers, directors, employees and agents, including expressly the professional management company and its officers, directors, employees, agents, and shall further expressly cover legal liability arising from lawsuits related to employment contracts of every nature to which the Association is a party. Such policy shall be issued by insurers of recognized responsibility authorized to do business within the State of New Mexico and shall require at least ten (10) days' prior written notice of cancellation or substantial modification (including cancellation for nonpayment of premiums) to the Association and to any Mortgagee having a first lien against any Lot which is listed as a scheduled holder of such a first mortgage in the policy and to the City. The cost of such policy shall constitute a common expense of the Subdivision. Such insurance must not provide for contribution with regard to any policies of liability insurance carried individually by any Owner.

3. Additional Insurance: The Board shall have the authority to obtain such other insurance, including the authority to increase the scope or amount of any insurance required by this Article 5, as the Board shall determine to be necessary or advisable. The cost of any such additional insurance shall constitute a common expense of the Subdivision.

i. The Association shall prepare an annual operating statement reflecting the money received by the Association and the expenditures of the Association for each fiscal year and distribute such statement to each member and each Eligible Mortgagee upon request.

j. The Association shall take such action, whether or not expressly authorized by the Subdivision Restrictions, as may reasonably be necessary to enforce or carry out the purposes of the Subdivision Restrictions.

ARTICLE 6
Funds, Assessments and Delinquency

Section 6.01: Creation of Lien and Personal Obligation for Assessments.

Grantor for each Lot owned by it hereby agrees to pay, and each Owner of any Lot by the acceptance of a deed or contract of sale therefor, whether or not

so expressed in any such deed or contract or other conveyance, is deemed to agree to pay to the Association (a) maintenance assessments, (b) delinquency assessments, and (c) all other fees or other moneys due to the Association from such Owner.

The maintenance assessment and delinquency assessment, plus interest, late charges, costs and attorney's fees, shall be a charge against the Lot and shall be a continuing lien upon the Lot against which each such assessment is made, and shall also be the personal obligation of the Owner or Owners of such property on the assessment date. The personal obligation to pay assessments shall not pass to successors in title unless expressly assumed by them.

Section 6.02: Operating Fund.

There shall be an operating fund, into which the Association shall deposit all monies paid to it, and from which the Association shall make disbursements in performing the functions for which the foregoing assessments are levied.

Section 6.03: Maintenance Assessment.

a. Within thirty (30) days prior to the commencement of each fiscal year the Association shall estimate the costs and expenses to be incurred by the Association during such year, including a reasonable provision for contingencies, and reserves for major repair and replacement, and shall subtract from such estimate an amount equal to the anticipated balance, exclusive of any reserves for contingencies and reserves for major repair and replacement, in the operating fund at the start of such year. The sum or net estimate so determined shall be assessed to all Owners in shares: one (1) share for each Lot owned.

b. If, at any time and from time to time, during any fiscal year, the maintenance assessment proves or appears likely to prove inadequate for any reason, including non-payment of any Owner's share thereof, the Association may levy a further maintenance assessment in the amount of such actual or estimated inadequacy, which shall be assessed to all Owners apportioned as provided in subsection a, if approved by a two-thirds (2/3) vote of the Members.

c. Maintenance assessments shall be due and payable to the Association when levied or in such installments during the year, and on such due dates as the Board shall designate.

d. The Board shall not levy assessments to defray the costs of any action or undertaking on behalf of the Association which in the aggregate exceed five percent (5%) of the budgeted gross expenses of the Association for that fiscal year and which are not part of such budgeted gross expenses without the vote or written consent of the Members.

e. From and after the December 31st immediately following the conveyance of the first Lot by Grantor, the maximum maintenance assessment may be increased each year not more than ten percent (10%) from the previous year without a vote of two-thirds (2/3) of the Members. The percent of increase shall be cumulative from year to year so that an increase not used in one year may be used in a subsequent year without a vote of the members.

Section 6.04: Delinquency Assessment.

The Association shall levy a delinquency assessment against any Owner or Owners as a result of whose acts, or failure or refusal to act, or otherwise comply with the Subdivision Restrictions, monies were expended from the operating fund by the Association. Such assessment shall be in the amount so expended, and

shall be due and payable to the Association when levied, or in such installments as the Association shall designate. Prior to the levy of a delinquency assessment the Board shall hold a hearing to determine the validity and amount of the assessment upon at least thirty (30) days notice to the Owner to be assessed at which hearing such Owner shall be given an opportunity to be heard.

Section 6.05: Reserves as Trust Funds.

Reserves for major repairs and replacements and for capital improvements to be built or acquired shall be kept segregated from the other monies held by the Association as trust funds in an account or accounts labeled "Reserve Trust Fund" and shall be withdrawn and used only for the purposes of major repairs and replacements or for capital improvements respectively, unless a different or other use is authorized by the vote of the members.

Section 6.06: Delinquency.

Each assessment under this Article shall be the separate, distinct and personal debt and obligation of the Owner against whom it is assessed. Any assessment provided for in this Article, which is not paid when due, shall be delinquent. With respect to each assessment not paid within ten (10) days after its due date, the Association may, at its election, require the Owner to pay a sum (late charge) to be determined by the Association, to pay the costs of handling the delinquent sum. Such a charge shall be considered an additional assessment and collectible with the assessment for which it was charged. If any such assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at a rate set from time to time by the Association, however not greater than twenty percent (20%), and the Association may, at its option, bring an action at law against the Owner or Owners personally obligated to pay the same, and upon compliance with the provisions of this Article to foreclose the lien against the Lot, and there shall be added to the amount of such assessment the late charge, the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest at the rate provided herein and a reasonable attorney's fee, together with the costs of action. Each Owner vests in the Association, or its assigns, the right and power to bring all actions at law or lien foreclosure against such Owner or other Owners for the collection of such delinquent assessments.

Section 6.07: Notice of Lien.

No action shall be brought to foreclose an assessment lien less than thirty (30) days after the date a notice of claim of lien is deposited in the United States mail, certified or registered, postage prepaid, to the Owner of said Lot, and a copy thereof is recorded by the Association in the office of the Bernalillo County Clerk; said notice of claim must recite a good and sufficient legal description of any such Lot, the record owner or reputed owner thereof, the amount claimed (which shall include the interest charges, costs and attorney's fees recoverable by an action at law) and the name and address of the Association.

Section 6.08: Foreclosure Sale.

Any such sale provided for above is to be conducted in accordance with the customary practice of the court of the State of New Mexico, applicable to the foreclosure of Mortgages, or in any other manner permitted or provided by law. The Association, through its duly authorized agents, shall have the power to bid on the Lot at a foreclosure sale, and to acquire and hold, lease, mortgage and convey the same.

Section 6.09: Curing a Default.

Upon the timely curing of any default for which a notice of claim of lien was filed by the Association, the officers of the Association are hereby authorized to file or record, as the case may be, an appropriate release of such notice, upon payment by the defaulting owner of a fee, to be determined by the Association, to cover the costs of preparing and filing or recording such release, together with the payment of such other costs, interest or fees as shall have been incurred.

Section 6.10: Cumulative Remedies.

The assessment lien and the rights to foreclosure and sale thereunder shall be in addition to and not in substitution for all other rights and remedies which the Association and its assigns may have hereunder and by law, including a suit to recover a money judgment for unpaid assessments, as above provided.

Section 6.11: Certificate of Payment.

The Association shall, upon demand, furnish to any Owner liable for assessments, a certificate in writing signed by an officer of the Association, setting forth whether the assessments on a specified Lot have been paid, and the amount of the delinquency, if any. A reasonable charge may be made by the Board for the issuance of these certificates. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 6.12: Commencement of Annual Assessments.

Upon the conveyance of each Lot by the Grantor, the purchaser shall pay an initial assessment of $600.00. The regular maintenance assessments provided for in this Article shall commence as to each Lot upon the first anniversary date of the closing of the conveyance of each Lot by the Grantor. The Grantor shall make up the shortfall necessary to meet the Association=s obligations, either in cash or services, until such time as all of the Lots are paying assessments, but the Grantor shall not be obligated to pay more than the amount which would be assessed to Lots owned by the Grantor, nor shall the Grantor be obligated to contribute to reserve accounts.

ARTICLE 7
Duties and Responsibilities of Owners

Section 7.01: Owner's Responsibility to Repair.

Each Owner shall be responsible for the maintenance and repair of his dwelling, his Lot, his landscaping, except the Front Yard Landscape which shall be maintained by the Association.

Section 7.02: Joint Maintenance by Owners.

a. Each wall which is built as part of the original construction of the Subdivision and placed on the dividing line between Lots shall constitute a party wall. Each part of the structure of a building which is shared by more than one dwelling is a common structure. To the extent not inconsistent with the provisions of this Section, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omission shall apply.

b. The cost of reasonable repair, maintenance and replacement of a party wall, common structure or joint utility shall be shared by the Owners who make use of the wall in proportion to such use.

c. Notwithstanding any other provision of this Section, an Owner who, by his negligent or willful act, causes a party wall or common structure to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

d. The right of any Owner to contribution from any other Owner under this Section shall be appurtenant to the Lot and shall pass to such Owner's successors in title.

e. In the event of any dispute arising under the provisions of this Section, the Board shall arbitrate the dispute and its decision shall be final.

Section 7.03: Parking Areas, Vehicles.

For overnight parking, each Owner shall park his vehicle in his garage, except that when there are more vehicles used by the Owner than his garage will accommodate.

Section 7.04: Maintenance of Landscaping.

Each Owner shall maintain the landscaping on his lot in a neat and attractive manner. All grass, mass plantings and other plantings shall be mowed, trimmed and cut as necessary at regular intervals. Notwithstanding this provision, the Association shall be responsible for maintenance of each Lot's Front Yard Landscape Area.

Section 7.05: Observance of Subdivision Restrictions.

Each Owner shall comply with the Subdivision Restrictions and will cause and be responsible for Owner's family, agents, guests, contractors, employees and any person renting or leasing Owner's dwelling to do likewise.

Section 7.06: Rights of Action.

Each Owner and the Association shall have a right of action against any Owner for failure to comply with the provisions of this Article 7 of the Subdivision Restrictions.

ARTICLE 8
Construction and Architectural Control

Section 8.01: Architectural Control Committee:

An Architectural Control Committee for the Subdivision is hereby established consisting of the following three persons:

JUSTIN TAIBBI
SCOTT ASHCRAFT
NICK CALLAS

At least one Board member shall serve on the Committee at all times. The Committee shall serve at the pleasure of the Grantor who shall have the right to appoint, reappoint and discharge members of the Committee at will so long as the Grantor owns any lots within the Subdivision. Thereafter, the Committee shall

serve at the pleasure of the Board. A majority of the members of the Committee may appoint one member of the Committee to act on and for the Committee.

Section 8.02: Construction of Improvements.

(a) Before anyone shall commence on any Lot within the Subdivision the installation or construction of, remodeling of, addition to, or alteration of any Improvement of whatsoever nature; and before anyone shall paint, texture, repaint or retexture the exterior surfaces of any Improvement, there shall be submitted to the Committee plans and specifications as follows:

(i) Preliminary or tentative plans and specifications which shall clearly show the nature of the work or installation proposed and the location thereof, on the Lot, which such preliminary or tentative plans shall include sufficient description of materials, colors, textures, etc. together with a landscaping plan (including all planting materials and landscape areas) as shall enable the Committee to evaluate whether the proposed construction, alteration, installation, etc., complies with the Site Plan, the Restrictions, and will harmonize with the motif and style of the Subdivision; and be compatible with surrounding homes; and

(ii) After approval of the preliminary or tentative plans, including therein any requirements made by the Committee in the due and proper exercise of its discretion and powers, two complete sets of the final plans and specifications. If deemed necessary by the Committee, the following may be required as part of the application: (A) details of exterior furnishings including exterior colors, and exterior material finish texture; (B) a drainage report prepared by a registered engineer; and (C) an architect's rendering showing the proposed construction. These renderings shall be ink drawings.

(iii) Upon completion of the stem wall for the home, the Committee shall be provided a stem wall survey to enable the Committee to ascertain if the home is located upon the Lot in conformance with the approved plans and with these Restrictions. No further construction can take place on the Lot until the Committee has given written approval of the survey. The Committee shall have 72 hours to approve the survey, otherwise it shall be deemed approved.

(b) No Improvement of any kind, installations, painting or texturing, shall ever be, or permitted to be, erected, constructed, installed, placed or maintained on any Lot within the Subdivision, unless and until the final plans, specifications and elevations therefor shall have received written approval of the Committee, and approved by the City as required pursuant to the zoning for the Subdivision. All such final plans shall include plot plans showing the location on the Lot of all Improvements proposed to be constructed and/or installed, planted, placed or maintained on the Lot and shall further include elevations, together with the proposed color scheme and textures for roofs and exteriors thereof, indicating the materials for same.

The Committee is authorized to charge not more than $100.00 for review of plans and specifications. Payment of the required charge shall be a part of, and condition to, the submittal of plans and specifications for committee approval.

(c) The Committee shall approve or disapprove within thirty days after receipt thereof plans and specifications which have been submitted to it. One set of plans and specifications, with the Committee's approval or disapproval and requirements endorsed thereon, shall be returned to the applicant and the other

copy thereof, with a duplicate endorsement thereon corresponding to the first set, shall be retained in the Committee's files.

In the event that the Committee shall fail to approve or disapprove the plans, specifications and other information within thirty days after receipt thereof by the Committee, then such approval shall not be required, provided that no structure, building or other improvement shall be installed, erected, painted, textured, altered or modified which violates any of the Restrictions.

The Committee shall have the right and power to disapprove any plans, specification or details submitted to it, if the Committee shall find that the plans and specifications are not in accord with all provisions of this Declaration, or if a design or color scheme submitted is not in harmony and accord with the Subdivision, or surrounding homes, or if the plans and specifications are incomplete. The Committee shall have the right to consider the impact of proposed Improvements upon the views from other Lots, but the Committee shall be under no obligation to preserve views, or to deny approval of plans for Improvements which will, or may, impair views.

(d) If any Improvement or work is completed or done without compliance with this Article, such Improvement or work shall be deemed to have been done in compliance with this Article if no action has been commenced to enforce the provisions of this Article against such Improvement or work within one (1) year of its completion.

(e) Approval of building plans and/or specifications by the Committee will not constitute a waiver of the Restrictions if they violate the Restrictions upon the completion of construction.

(f) Approval by the Committee is independent for requirements created pursuant to the Site Plan approved by the City.

Section 8.03: Estoppel Certificate.

Within thirty (30) days after written demand is delivered to the Committee by any Owner, and upon payment therewith to the Association of a reasonable fee to cover costs from time to time to be fixed by the Association, the Committee shall provide Owner with an estoppel certificate executed by an officer of the Association and acknowledged, certifying with respect to any Lot owned by said Owner, that as of the date thereof either (1) all Improvements and other work made or done upon or within said House by the Owner, or otherwise, comply with this Declaration, or (2) such Improvements or work do not so comply, in which event the certificate shall also (a) identify the non-complying Improvements and work and (b) set forth with particularity the cause or causes for such noncompliance. Any purchaser from the Owner, or mortgagee or other encumbrancer shall be entitled to rely on said certificate with respect to the matters therein set forth, such matters being conclusive as between Grantor, the Association, and all Owners and such purchaser, and mortgagee.

Section 8.04: Liability.

Neither the, Committee, the Board nor any member thereof shall be liable to the Association or to any Owner for any damage, loss, or prejudice suffered or claimed on account of:

a. The approval of any plans, drawings, and specifications, whether or not defective,

b. The construction or performance of any work, whether or not pursuant to approved plans, drawings, and specifications,

c. The development or manner of development of any property within the Subdivision, or

d. The execution and recording of an estoppel certificate whether or not the facts therein are correct; provided, however, that the officer executing the certificate, with the actual knowledge possessed by him, has acted in good faith.

Without in any way limiting the generality of the foregoing, the Committee, Board, or any member thereof, may, but is not required to, consult with or hear any Owner with respect to any plans, drawings, or specifications, or any other proposal submitted to it.

ARTICLE 9
Protection of Security Interests

Section 9.01: Application of Assessments to Mortgagees.

The liens created under the Subdivision Restrictions upon any Lot shall be subject and subordinate to, and shall not affect the rights of a mortgagee under any recorded first mortgage upon a Lot made in good faith and for value, provided that after the foreclosure of any such mortgage the amount of all maintenance and special assessments, and all delinquent assessments to the extent such delinquent assessments relate to expenses incurred after such foreclosure, assessed hereunder to the purchaser at foreclosure sale, shall become a lien upon such lot upon recordation of a notice thereof with the County Recorder.

Section 9.02: Right to Notice.

The Association shall provide all Eligible Mortgagees with timely written notice of any delinquency in the payment of monthly assessments, special assessments or other charges due the Association by the Owner of a Lot which is subject to a first mortgage held, by any Eligible Mortgagee and which delinquency remains uncured for a period of sixty (60) days or more.

Section 9.03: Limitation of Enforcement Against Mortgagee.

No violation by an Owner of the Subdivision Restrictions or enforcement of the Subdivision Restriction against an Owner shall defeat or render invalid the lien of any mortgagee made in good faith and for value against the property of such Owner, but, the Subdivision Restrictions shall be effective against any Owner whose title is acquired by foreclosure, trustee's sale, voluntary conveyance, or otherwise.

Section 9.04: Rights of Mortgagee to Information.

A Mortgagee shall, upon written request, be entitled to inspect the Declaration, By-Laws, books and records of the Association on the same basis as a Member. If a Mortgagee furnishes the Association, in writing, with its address, it shall be entitled to receive within a reasonable time financial statement for the immediately preceding fiscal year, free of charge and shall receive notice of meetings on the same basis as Members.

Section 9.05: Application of Subdivision Restrictions.

Except as provided in this Article or specifically provided elsewhere in the Subdivision Restrictions, all Mortgages and Mortgagees are bound by the provisions of the Subdivision Restrictions.

Section 9.06: Collection of Assessments.

The Mortgagees shall be under no obligation to collect assessments.

Section 9.07: Mortgage Approval.

So long as the Grantor has more than a majority of the voting power of the Association, HUD or VA approval is required prior to (a) amendment of the Association's Articles of Incorporation, Bylaws or this Declaration; (b) annexation of property to the Association; (c) encumbering, conveying or dedicating Common Areas; or (d) dissolution of the Association.

ARTICLE 10
Limitation of Subdivision Restrictions on Grantor

Section 10.01: Limitation of Subdivision Restrictions on Grantor.

Grantor is undertaking the work of constructing the Subdivision. The completion of that work and the sale, rental and other disposition of the Lots is essential to the establishment of the Subdivision. In order that said work may be completed and said property be established and fully occupied as rapidly as possible, nothing in this Declaration shall be understood or construed to:

a. Prevent Grantor or its agents, employees, and contractors from doing on the properties whatever is reasonably necessary or advisable in connection with the completion of the work; or

b. Prevent Grantor or its agents, employees, and contractors or homebuilders with Grantor's approval, from erecting, constructing and maintaining on any part or parts of the Subdivision, such structures as may be reasonably necessary for the conduct of its business of completing the work and establishing the Subdivision, including, without limitation, sales offices, model units, general business offices for its staff, employees and contractor, and storage and parking facilities for materials and equipment, and disposing of the Subdivision in parcels by sale, lease or otherwise; or

c. Prevent Grantor from conducting on any part of the properties its business of completing the work, and of establishing and disposing of the Subdivision;

d. Prevent Grantor or homebuilders with Grantor's approval, from maintaining such sign or signs on the Subdivision as may be necessary for its sale, lease, or disposition, or the sale, lease or disposition of any Lot.

Section 10.02: Use of Subdivision Name.

Grantor may use the name of the Subdivision and the Subdivision Restrictions in other subdivisions or projects, whether located adjacent to the Subdivision or not, provided such names have a distinctive number or other designation so that they are not identical with the names of the Subdivision and Association. Consent is hereby given to Grantor and Grantor's assigns to use such names of a Corporation and upon request of Grantor, the Association agrees

to execute a written consent authorizing Grantor to use the same or similar name which Consent will be filed with the State Corporation Commission.

Section 10.03: Architectural Control.

Improvements by Grantor and declarants to the Subdivision do not require approval of the Committee.

Section 10.04: No Amendment or Repeal.

The provisions of this Article may not be amended or repealed without the consent of Grantor, so long as Grantor owns any Lot within the Subdivision.

ARTICLE 11
Miscellaneous Provisions

Section 11.01: Amendment or Repeal; Duration.

a. These Restrictions and any provisions thereof which are in effect with respect to all or part of the Subdivision, may be amended or repealed in the following manner:

1. The approval by seventy-five percent (75%) vote or written consent of the voting power of the membership in the Association; and

2. The recordation of a certificate of the Secretary or an Assistant Secretary of the Association setting forth, in full, the amendment or amendments so approved, including any portion or portions of this Declaration repealed, and certifying that such amendment or amendments have been approved by the required vote or consent of the Owners, and if necessary, by the required percentage of Owners of a particular class of property or Lots.

At any time during which Grantor is the only owner of property within the Subdivision, Grantor may amend or correct these Restrictions by a recorded instrument of amendment or correction.

b. All of the provisions of these Restrictions shall continue and remain in full force and effect at all times with respect to all property, and each part thereof, included within the Subdivision, to the Owner and to the Association subject, however, to the right to amend and terminate as provided for in this Article, through December 31, 2052; provided that these Restrictions shall terminate if, within one (1) year prior to December 31, 2052, there shall be recorded an instrument directing the termination of these Restrictions signed by two-thirds (2/3) of the Owners of record title. These Restrictions in effect immediately prior to the expiration date shall, subject to the provisions of Section 11.01a., be continued automatically without any further notice, for an additional period of ten (10) years unless within one (1) year prior to expiration of such period these Restrictions are terminated as set forth in this Section. The right of access to the Lots over the Private Street shall be in perpetuity.

c. No amendment may be made to these Subdivision Restrictions without the written consent of the City which would impair the rights of the City or would limit the obligation of the Association or the individual Lot Owners to meet the maintenance obligations of the PCD Regulations.

d. The right of access to the Lots may not be amended or terminated without the unanimous consent of the Lot Owners.

Section 11.02: Enforcement; Non-Waiver; No Forfeiture.

a. Except to the extent otherwise expressly provided herein, the Association or any Owner or Owners shall have the right to enforce any and all of the provisions now or hereafter imposed by the Subdivision Restrictions upon other Owners, or upon any property within the Subdivision.

b. The City shall have the right to enforce these Restrictions to the extent that the Private Common Area is restricted pursuant to the terms of the PCD Regulations.

c. Except to the extent otherwise expressly provided herein, any Owner or Owners shall have the right to enforce any and all of the provisions now or hereafter imposed by the Subdivision Restrictions upon the Association.

d. Every act or omission whereby any restriction, condition, or covenant of the Subdivision Restrictions is violated, in whole or in part, is hereby declared to be and to constitute a nuisance and may be enjoined or abated, whether or not the relief sought is for negative or affirmative action, by the Association or by an Owner or Owners, as provided for in this Section. Any provisions to the contrary notwithstanding, only the Association or its duly authorized agents may enforce by self-help any limitation, restriction, covenant, condition, or obligation herein set forth.

e. Each remedy provided for in the Subdivision Restrictions is cumulative and not exclusive.

f. The failure to enforce the provisions of any limitation, restriction, covenant, condition, obligation, lien, or charge of the Subdivision Restrictions shall not constitute a waiver of any right to enforce any such provision or any other provision of the Subdivision Restrictions.

g. No breach of any of the provisions of the Subdivision Restrictions shall cause any forfeiture of title or reversion or bestow any rights of re-entry whatsoever.

h. Reasonable attorney's fees and costs may be awarded in any action brought to enforce the provisions of the Subdivision Restrictions.

Section 11.03: Construction; Compliance with Laws; Severability; Singular and Plural; Titles.

a. All of the limitations, restrictions, covenants, and conditions of the Subdivision Restrictions shall be liberally construed, together, to promote and effectuate the beneficial operation of the Subdivision.

b. No provision of the Subdivision Restrictions shall be construed to excuse any person from observing any law or regulation of any governmental body having jurisdiction over such person or the Subdivision.

c. Notwithstanding other provisions in this Section, the limitations, restrictions, covenants, and conditions of the Subdivision Restrictions shall be deemed independent and severable, and the invalidity or partial invalidity of any provision, or portion thereof, of any of such limitations, restrictions, covenants, or conditions shall not affect the validity or enforceability of any other provision.

d. The singular shall include the plural and the plural, the singular, unless the context requires the contrary, and the masculine, feminine and neuter, as the context requires.

e. The table of contents and all titles used in the Subdivision Restrictions, including those of Articles and Sections, are intended solely for convenience of reference and the same shall not, nor shall any of them affect that which is set forth in such Articles, Sections, nor any of the terms or provisions of the Subdivision Restrictions. Any numbered or lettered subdivision of a Section is referred to as "subsection" or "subsections" and any indented portion of this Declaration which is unnumbered and unlettered shall be referred to as "Paragraph."

Section 11.04: Lot Splitting; Consolidation.

a. No Lot within the Subdivision shall be split unless the Board shall have given its written consent.

b. No two or more lots within the Subdivision shall be consolidated into one Lot unless the Board shall have given its written consent.

c. Nothing contained in this Section shall apply to the splitting of any Lots by Grantor or the consolidation of two or more Lots into one Lot by Grantor.

d. The Association can require a change in the voting rights and assessment obligation in any Lot split or consolidation to keep the assessment and voting rights the same after the split or consolidation as they were before.

Section 11.05: Obligations of Owners; Avoidance; Termination.

a. No Owner, through the abandonment of his Lot, may avoid the burdens or obligations imposed on him by the Subdivision Restrictions by virtue of his being an Owner.

b. Upon the conveyance, sale, assignment or other transfer of a Lot to a new Owner, the transferring Owner shall not be liable for any assessments levied with respect to such Lot after the date such transfer is recorded, provided such transferring Owner notifies the Association of the transfer as provided by the Subdivision Restrictions, and no person, after the termination of his status as an Owner and prior to his again becoming an Owner, shall incur any of the obligations or enjoy any of the benefits of an Owner under the Subdivision Restrictions following the date of such termination.

Section 11.06: No Partition or Severance of Interests.

There shall be no partition or severance of any Lot, from the Subdivision and the Grantor, Board, Association and Owners shall not seek to partition or sever any part of a Lot from the Subdivision, nor shall they have any right to maintain an action for judicial partition in connection with the Subdivision unless such right is expressly given by the Subdivision Restrictions. This provision shall not prevent the partition of any Lot or Lots held in joint ownership as long as no physical partition takes place and there is no severance from any incident of the Subdivision Restrictions. No owner shall sever his Lot from its interest in the Association.

Section 11.07: Notices; Documents; Delivery.

Any notice or other document permitted or required by the Subdivision Restrictions to be delivered may be delivered either personally or by mail. If

delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after a copy of the same has been deposited in the United States mail, postage prepaid, addressed as follows:

If to an Owner: At any Lot within the Subdivision owned by the Owner or at such other address given by Owner to the Association, in writing.

If to Grantor or to the Association:
100 Gold Street, NW Suite 209
Albuquerque, New Mexico 87102

Any such address may be changed from time to time by any Owner, or by Grantor by notice in writing, delivered to the Association, or by the Association, by notice in writing, delivered to all Owners.

Section 11.08: Ownership of Property.

All funds and facilities provided for by the Subdivision Restrictions and all property of any kind held by the Association and derived from assessments of Members, proceeds of insurance carried or obtained by the Association, proceeds of bonds payable to the Association or payment received for damages to the Subdivision, and any right or interest in any such property shall belong to the Owners in proportion to each Owner's share of the maintenance assessment, and no assessment or the proceeds of any assessment shall be considered income to the Association. No person has any right to appropriate or make use of such property, except as provided by the Subdivision Restrictions until and unless there has been a partition or distribution of such property. All such property shall be appurtenant to each Lot in proportion to each Lot's share of the maintenance assessment and may not be severed or separated from any Lot, and any sale, transfer, or conveyance of the beneficial interest of the fee of any Lot shall operate to transfer the Owner's rights in such property without the requirement of any express reference thereto.

Section 11.09: Transfer of Common Area.

Grantor shall transfer and convey to the Association, and the Association shall accept, the Common Areas. The Common Areas may be subject to any or all of the following exceptions, liens, and encumbrances: (a) the lien of real property taxes and assessments not delinquent; (b) such easements and rights of way as may have been offered for dedication to a political subdivision or public organization, or public utility corporation; (c) such easements and rights of way, licenses or rights of use on, over, or under all or any part of any such property or structures or Improvements thereon as may be reserved to Grantor or granted to any Owner for the use thereof in accordance with the provisions of these Restrictions; obligations imposed, directly or indirectly, by virtue of any statute, law, ordinance, resolution, or regulation of the United States of America, the State of New Mexico, or any other political subdivision or public organization having jurisdiction over such property, or by virtue of any organization or body politic created pursuant to any such statute, law, ordinance or regulation; (e) the Option, and (f) any other lien, encumbrance, or defect of title of any kind whatsoever (other than of the type which would, at any time, or from time to time, create a lien upon such property to secure an obligation to pay money) which would not materially and actually prejudice Owners in their use and enjoyment of such property.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written.

WASHINGTON INVESTORS, L.L.C., a New Mexico limited liability company

By: _____
Justin Tiabbi
Managing Member

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

This instrument was acknowledged before me on November 30 2005, by Justin Tiabbi, Managing Member of Washington Investors, L.L.C., a New Mexico limited liability company.

WITNESS my hand and official seal.

_____
Notary Public

My Commission Expires:
10-10-2007

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

__X__ Major Subdivision action
____ Minor Subdivision action
____ Vacation **V**
____ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN **P**

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

Supplemental form

ZONING & PLANNING **Z**

____ Annexation
____ County Submittal
____ EPC Submittal
____ Zone Map Amendment (Establish or Change Zoning)
____ Sector Plan (Phase I, II, III)
____ Amendment to Sector, Area, Facility or Comprehensive Plan
____ Text Amendment (Zoning Code/Sub Regs)

APPEAL / PROTEST of... **A**

____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

NAME: Washington Investors PHONE: 856-3419
ADDRESS: PO Box 93024 FAX: 856-3520
CITY: ALBUQUERQUE STATE NM ZIP 87199 E-MAIL:
Proprietary interest in site: OWNER BY CONTRACT **List all owners:** SOLE OWNER
AGENT (if any): RIO GRANDE ENGINEERING PHONE: 872-0999
ADDRESS: 3500 COMANCHE NE, SUITE E-5 FAX: 872-2205
CITY: ALBUQUERQUE STATE NM ZIP 87107 E-MAIL: david@riograndeengineering.com

DESCRIPTION OF REQUEST SKETCH PLAT COMMENTS-MAJOR SUBDIVISION

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

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

Lot or Tract No. lots 313-A-2-A Block: Unit:
Subdiv. / Addn. Acres Addition TBK Entrada Del Bosque
Current Zoning: RA-2 Proposed zoning: RA-2
Zone Atlas page(s): J-12-Z No. of **existing** lots: 1 No. of **proposed** lots: 16
Total area of site (acres): 3.0 Density if applicable: dwellings per gross acre: 4.22 dwellings per net acre: 4
Within city limits? x Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? no
UPC No. 101205827946520306, MRGCD Map No.
LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Road NW
Between: Gabaldon NW and Lulac Avenue NW

CASE HISTORY:

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

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

SIGNATURE DATE

(Print) DAVID SOULE, PE ___ Applicant _X_ Agent

FOR OFFICIAL USE ONLY Form revised 9/01, 3/03, 7/03, 10/03, 3/04

☐ **INTERNAL ROUTING**

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

Application case numbers	Action	S.F.	Fees
05DRB - - 01245	SK	S(3)	$ 0.00
			$
			$
			$
			$
			Total $ 0.00

Hearing date 08/10/05

Sandy Landley 08/02/05

Project# 1004360

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

☑ **SKETCH PLAT REVIEW AND COMMENT** **YOUR ATTENDANCE IS REQUIRED.**

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

☐ **MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT** **Your attendance is required.**

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

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

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

- ___ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
- ___ Design elevations & cross sections of perimeter walls
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- ___ Property owner's and City Surveyor's signatures on the Mylar drawing
- ___ SIA financial guaranty verification
- ___ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- ___ Any original and/or related file numbers are listed on the cover application
- ___ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**

- ___ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
- ___ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6** copies.
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- ___ Property owner's and City Surveyor's signatures on the Mylar drawing
- ___ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- ___ Fee (see schedule)
- ___ Any original and/or related file numbers are listed on the cover application
- ___ Infrastructure list if required **(verify with DRB Engineer)** **NO INTERNAL ROUTING**
- ___ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **AMENDMENT TO PRELIMINARY PLAT (with minor changes)** **Your attendance is required.**
☐ **AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**
☐ **AMENDMENT TO GRADING PLAN (with minor changes)**

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

- ___ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
- ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings, **4** copies for internal routing.
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
- ___ Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
- ___ Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

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

David Soule
Applicant name (print)

Applicant signature / date 8/1/05

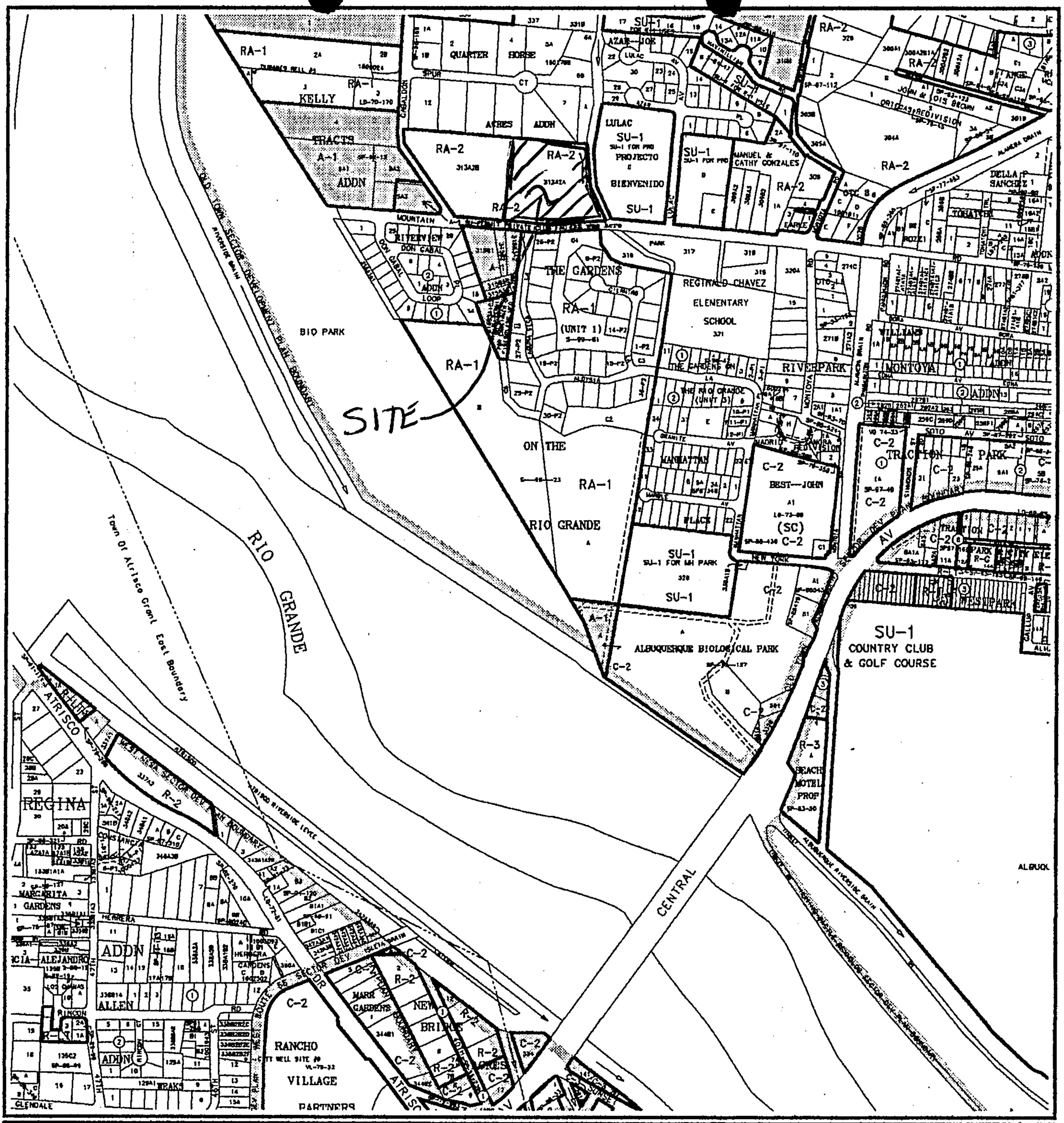
Form revised 10/03

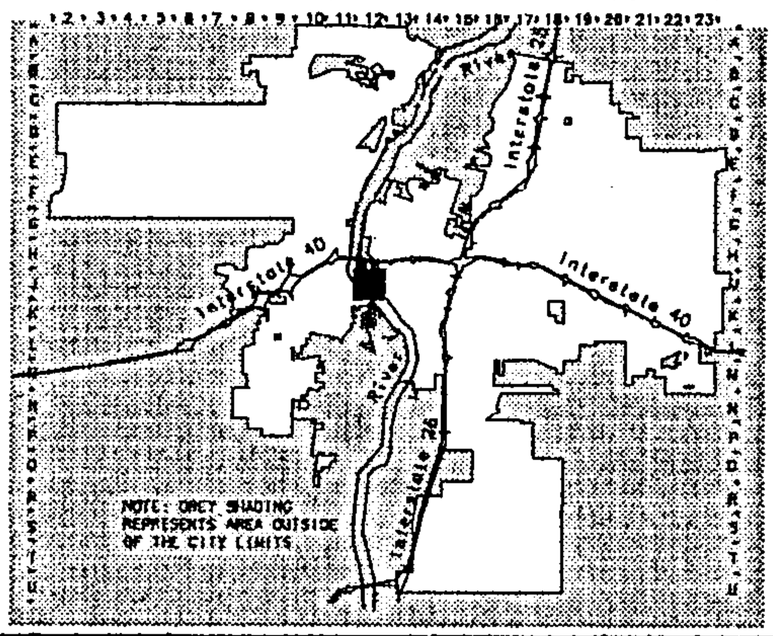
☐ Checklists complete
☑ Fees collected
☑ Case #s assigned
☑ Related #s listed

Application case numbers
05DRB - ____ - 01245
____ - ____ - ____
____ - ____ - ____

Sandy Handley 08/02/05
Planner signature / date

Project # 1004360





CITY OF ALBUQUERQUE · NEW MEXICO · 1706

A lbuquerque G eographic I nformation S ystem

PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

Zone Atlas Page

J-12-Z

Map Amended through February 03, 2004

Rio Grande Engineering

August 1, 2005

Ms. Sheran Matson
Chair-Development Review Board
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

RE: Sketch Plat Comments for
Entrada del Bosque
Lot 313-A-2-A, Acres Subdivision
Albuquerque, New Mexico

Dear Ms. Matson:

Rio Grande Engineering, on behalf of Washington Investors, requests comment by the Development Review Board for the proposed subdivision of Lot 313-A-2-A Acres Subdivision. The subject property is located on the north side of Mountain Road NW between Gabaldon Road NW and Lulac Avenue NW. The property is currently zoned RA-2. The proposed development be a gated subdivision with Private roads and open space. The subdivision will take access from Mountain Road.

The property is located within the Established Urban Area of Albuquerque as identified within the Comprehensive Plan. The site is near to public water and sewer lines, these lines will be extended with this project. This site will be graded at valley grading scheme to drain to the common open space.

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

Sincerely,

David Soule, PE

Enclosures

cc: file

JN: 2518
ds

skecthplatltr080105