

## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

December 23, 2009

**Project# 1004546**

09DRB-70367 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS  
AGREEMENT (2YR SIA)

SOUTH COORS LP request(s) the referenced/ above action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-3B, **HUBBELL PLAZA**, zoned C-2, located on the northeast corner of CENTRAL AVE NW and AIRPORT DR NW containing approximately 3.694 acre(s). (K-10)

At the December 23, 2009, Development Review Board meeting, a **one year extension** of the Subdivision Improvements Agreement was approved. It is recommended that this infrastructure be commenced and coordinated with the adjacent Project # 1007551 to complete the improvements on this block for Central Avenue, a Principal Arterial.

If you wish to appeal this decision, you must do so by January 7, 2009, in the manner described below.

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

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

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

Jack Cloud, AICP, DRB Chair

Cc: South Coors L.P. Wes Butero, Project Manager – 6801 Jefferson NE, Ste 100 –  
Albuquerque, NM 87109  
Marilyn Maldonado



**DEVELOPMENT REVIEW BOARD**  
**Action Sheet**

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

December 23, 2009 9:00 AM  
MEMBERS:

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

**Kristal Metro, P.E., Transportation Development**      **Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA**  
**Brad Bingham, P.E., Hydrology/ Alternate City Engineer**      **Christina Sandoval, Parks/Municipal Development**

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

1. **Project# 1000934**  
09DRB-70368 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA)  
LONGFORD HOMES request(s) the referenced/ above  
action(s) for all or a portion of **SUNRISE RANCH  
WEST Unit(s) 2**, zoned R-D, located on the southeast  
corner of 106TH ST SW and SUNSET GARDENS SW  
containing approximately 9.0586 acre(s). (L-8) **A ONE  
YEAR EXTENSION OF THE SUBDIVISION  
IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**
2. **Project# 1003520**  
09DRB-70363 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA) 09DRB-70365 2YEAR  
EXTENSION OF SIA FOR  
TEMPORARY DEFERAL - SIDEWALK  
CONST  
MARK GOODWIN AND ASSOCIATES PA agent(s) for  
WASHINGTON STREET INVESTORS, LLC request(s)  
the referenced/ above action(s) for all or a portion of  
**BENJAMIN PLACE**, zoned R-D, located on the north  
side of GLENDALE AVE NE between BARSTOW ST NE  
and VENTURA ST NE containing approximately 1.9980  
acre(s). (B-20) **A TWO YEAR EXTENSION OF THE  
SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS  
APPROVED.**
3. **~~Project# 1004546~~**  
09DRB-70367 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA)  
SOUTH COORS LP request(s) the referenced/ above  
action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-  
3B, **HUBBELL PLAZA**, zoned C-2, located on the  
northeast corner of CENTRAL AVE NW and AIRPORT  
DR NW containing approximately 3.694 acre(s). (K-10) **A  
ONE YEAR EXTENSION OF THE SUBDIVISION  
IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

# DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1004546 AGENDA# 3 DATE: 12/23/09

1. Name: ~~AS~~ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
2. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
4. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
5. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
6. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
7. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
8. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
9. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
10. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
11. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
12. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
13. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
14. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
15. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
16. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
17. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

December 23, 2009

**Project# 1004546**  
09DRB-70367 MAJOR - 2YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS  
AGREEMENT (2YR SIA)

SOUTH COORS LP request(s) the referenced/ above action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-3B, **HUBBELL PLAZA**, zoned C-2, located on the northeast corner of CENTRAL AVE NW and AIRPORT DR NW containing approximately 3.694 acre(s). (K-10)

**AMAFCA**

No comment.

**COG**

Central Ave has been identified as an ITS Corridor. Please contact DMD at 291-6220 for ITS enhancement planning and programming information.

For informational purposes, Central Ave has a functional classification of urban principal Arterial.

**TRANSIT**

**Project # 1004546**  
**09DRB-70367**  
MAJOR--2 YEAR EXTENSION OF SUBDIVISION IMPROVEMENTS AGREEMENT (2YR SIA)

Adjacent and nearby routes  
Route #66, Central Route, and Route #766, Rapid Ride Red Line Route, pass the site on Central.

Adjacent bus stops  
Nearest bus stations are on Central 650' from the SE corner of the property serving the eastbound and westbound routes #66 and #766.

Site plan requirements  
None

Large site TDM suggestions  
None.

Other information  
None.

**ZONING ENFORCEMENT**

No comment.

**NEIGHBORHOOD COORDINATION**

Letters sent to: Los Volcanes NA (R), Skyview West NA (R),  
West Side Merchants Assoc. (R)

<b>APS</b>	This will have no adverse impacts to the APS district.
<b>POLICE DEPARTMENT</b>	No comment.
<b>FIRE DEPARTMENT</b>	No comment.
<b>PNM ELECTRIC &amp; GAS</b>	No comment.
<b>COMCAST</b>	No comment.
<b>QWEST</b>	Concerning the subject case number(s), Qwest has no adverse comments at this time provided all utility easement rights are maintained. Prior to any final plat approval, we will need a copy for review.
<b>ENVIRONMENTAL HEALTH</b>	No comment.
<b>M.R.G.C.D</b>	No Adverse Comments.
<b>OPEN SPACE DIVISION</b>	No comment.
<b>CITY ENGINEER</b>	The Hydrology section would recommend a 1 year extension and urges the applicant to construct the curb and gutter as soon as possible.
<b>TRANSPORTATION DEVELOPMENT</b>	No objection to extension request.
<b>PARKS AND RECREATION</b>	
<b>ABCWUA</b>	No objection to Extension request.
<b>PLANNING DEPARTMENT</b>	Refer to comments from affected agencies plus any public hearing comments regarding prop extension.

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



**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 23, 2009, beginning at 9:00 a.m. for the purpose of considering the following:

**Project# 1000934**

09DRB-70368 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA)

LONGFORD HOMES request(s) the referenced/ above action(s) for all or a portion of **SUNRISE RANCH WEST Unit(s) 2**, zoned R-D, located on the southeast corner of 106TH ST SW and SUNSET GARDENS SW containing approximately 9.0586 acre(s). (L-8)

**Project# 1003520**

09DRB-70363 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA) 09DRB-70365 2YEAR  
EXTENSION OF SIA FOR TEMPORARY  
DEFERAL - SIDEWALK CONST

MARK GOODWIN AND ASSOCIATES PA agent(s) for WASHINGTON STREET INVESTORS, LLC request(s) the referenced/ above action(s) for all or a portion of **BENJAMIN PLACE**, zoned R-D, located on the north side of GLENDALE AVE NE between BARSTOW ST NE and VENTURA ST NE containing approximately 1.9980 acre(s). (B-20)

**Project# 1004546**

09DRB-70367 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA)

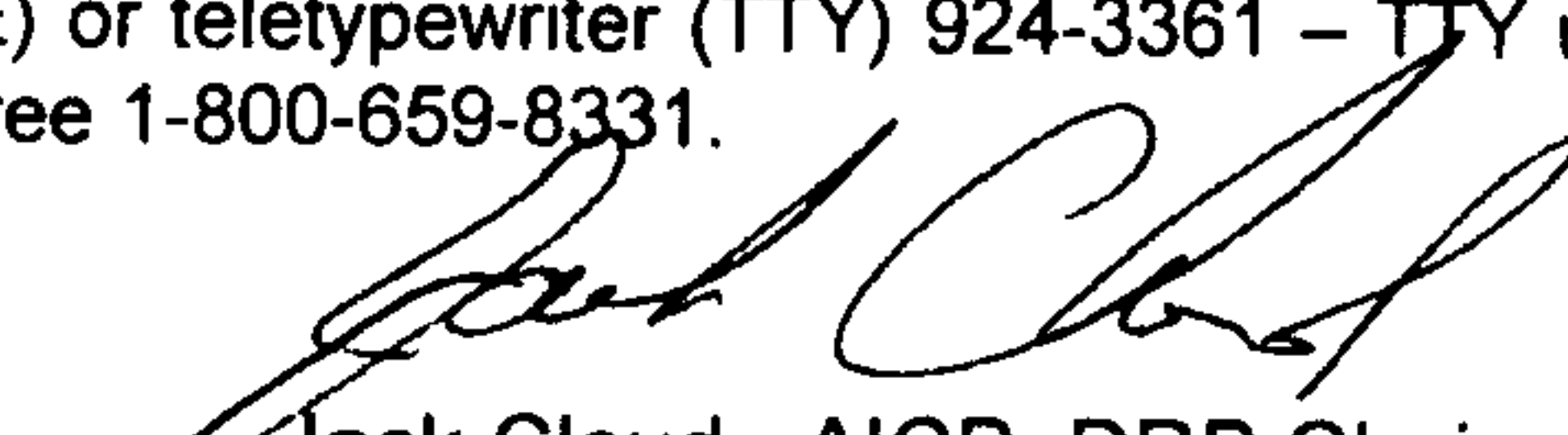
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**Project# 1007885**

09DRB-70283 VACATION OF PUBLIC  
RIGHT-OF-WAY

The NATIONAL PARK SERVICE request(s) the referenced/ above action(s) for all or a portion of LAVA SHADOWS LOOP NW, located on the west side of UNSER BLVD NW across from WESTERN TRAIL NW. (F-10)

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

  
Jack Cloud, AICP, DRB Chair  
Development Review Board

**TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, DECEMBER 7, 2009.**

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

**Meeting Date:** December 23, 2009  
**Zone Atlas Page:** K-10  
**Notification Radius:** 100 Ft.

**Project# 1004546**  
**App# 09DRB-70367**

Cross Reference and Location: NEC CENTRAL AVE AND AIRPORT RD

**Applicant:** WES BUTERO, PROJCT MANAGER  
SOUTH COORS LP  
6801J JEFERSON NE STE 100  
ALBUQUERQUE, NM 87109

**Agent:**

**Special Instructions:**

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

**Date Mailed:** DECEMBER 4, 2009  
**SIGNATURE:** *ERIN TREMLIN*

R e c	UPC CODE	OWNER	OWNER ADDRESS	OW NER CITY	OW NER ST ATE	OW NER ZI P CO DE	PR OP ER TY CL AS S	TA X DI ST RI CT	LEGAL	AC RE S
1	10100 57422 21740 704	BERNALILLO COUNTY	1 CIVIC PLA ZA NW	ALB UQU ERQ UE	N M	87 10 2	C	A1 A	TOWN ATRISCO N250 FT W105 FT TR60	0.6 138 954 7
2	10100 57430 28310 102	KINDERMANN WERNE R % NICKEL & CO LLC SMITH'S FOOD & DRU G	PO BOX 355 47	TUL SA	O K	74 15 3	C	A1 A	TR B-1A (PLAT OF TRS B-1A & B- 1B) HUBBELL PLAZA CONT 5.7028AC M/L	5.6 743 402 8
3	10100 57359 26430 719	ZANIOS J G & P J TRUS TEES OF THE JG & PJ ZANIOS RVT	PO BOX 277 30	ALB UQU ERQ UE	N M	87 12 5	C	A1 A	TRACT A-1-A-1-A PLAT OF TRACT A-1-A-1- A WEST 66 ADDITIONCONT 10.5714 AC	10. 569 485 42
4	10100 57432 22040 705	BERNALILLO COUNTY	1 CIVIC PLA ZA NW	ALB UQU ERQ UE	N M	87 10 2	C	A1 A	TOWN ATRISCO GRANT N250 FT E105 FT T R60	0.6 182 480 3
5	10100 57440 25610 108	KINDERMANN WERNE R % NICKEL & CO LLC SMITHS FOOD & DRUG	PO BOX 355 47	TUL SA	O K	74 15 3	C	A1 A	TR B-1B (PLAT OF TRS B-1A & B- 1B) HUBBELL PLAZA CONT 98,559SQ FT M/ L	2.2 825 154 5
6	10100 57373 20440 701	BERNALILLO COUNTY	1 CIVIC PLA ZA NW	ALB UQU ERQ UE	N M	87 10 2	C	A1 A	TRACT A-1 PLAT OF TRACTS A-1, C-1, D- 1 & F- 1 COORS PLAZABEING A REPLAT OF TRAC TS A THRU G COORS PLAZACONT 1.7534 A C	1.7 705 093 1
7	10100 57398 28510 113	YADAV KANAK & YADA V PRATAP	4614 CENTR AL AVE SW	ALB UQU ERQ UE	N M	87 10 5	V	A1 A	TR A-1A-3-B PLAT OF TRACTS A-1A-3- A & A-1A-3- B HUBBELL PLAZA(BEING A REPLAT OF TR ACT A-1A- 3 HUBBELL PLAZA)CONT 1.9031 AC	1.9 805 910 6
8	10100 57398 17440 706	BERNALILLO COUNTY	1 CIVIC PLA ZA NW	ALB UQU ERQ UE	N M	87 10 2	C	A1 A	TRACT D-1 PLAT OF TRACTS A-1, C-1, D- 1 & F- 1 COORS PLAZABEING A REPLAT OF TRAC TS A THRU G COORS PLAZACONT 14.8071 AC	14. 847 147 44
9	10100 57404 21840 703	BERNALILLO COUNTY	1 CIVIC PLA ZA NW	ALB UQU ERQ UE	N M	87 10 2	C	A1 A	TRACT C-1 PLAT OF TRACTS A-1, C-1, D- 1 & F- 1 COORS PLAZABEING A REPLAT OF TRAC TS A THRU G COORS PLAZACONT .9699 A C	0.9 862 586 5
10	10100 57410 26510 109	BANK OF BELEN	PO BOX 105	BEL EN	N M	87 00 2	V	A1 A	TR A-1A-3-A PLAT OF TRACTS A-1A-3- A & A-1A-3- B HUBBELL PLAZA(BEING A REPLAT OF TR ACT A-1A- 3 HUBBELL PLAZA)CONT 1.4663 AC	1.5 259 384 2
11	10100 57390 33110 110	STORAGE PORTFOLIO BRAVO II LLC PTA EX 8 17	PO BOX 320 099	ALE XAN DRI A	V A	22 32 0	C	A1 A	TRACT A-1A- 1 PLAT OF TRS A1A1 A1A2 & A1A3 HUBBEL L PLAZA (BEING A REPLAT OF TR A1A HUB BELL PLAZA) CONT 2.9160 AC M/L OR 127,0 21 SQ FT M/L	2.9 673 885
12	10100 57370 25030 717	J J & J PROPERTIES LL C	PO BOX 277 30	ALB UQU ERQ UE	N M	87 12 5	C	A1 A	TR B-1-B-1-A-1 PLAT OF TRACTS B-1-B-1-A- 1 & B-1-B-1-A- 2 WEST66 ADDITION & VICTORY LOVE FEL LOWSHIP CHURCHCONT 1.9950 AC	1.9 622 208 6
13	10100 57442	COORS CTR DSG LLC & COORS CTR SG LLC	6300 SOUT H SYRACUS	ENG LEW	C O	80 11	C	A1 A	TR A-1A-2A OF TRS A-1A-2A, A-1A-2B & A- 1A-	9.8 394



33210 101	& COORS CTR MB LLC & ET AL	E WAY SUIT E 485	OOD		1		2C HUBBELL PLAZA R 430,721 SF M/L	9.8880 AC M/L O 2	579 2
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OR CURRENT RESIDENT  
101005741026510109  
BANK OF BELEN  
PO BOX 105  
BELEN, NM 87002

OR CURRENT RESIDENT  
101005744025610108  
KINDERMANN WERNER % NICKEL &  
CO LLC SMITHS FOOD & DRUG  
PO BOX 35547  
TULSA, OK 74153

OR CURRENT RESIDENT  
101005735926430719  
ZANIOS J G & P J TRUSTEES OF THE  
JG & PJ ZANIOS RVT  
PO BOX 27730  
ALBUQUERQUE, NM 87125

Project# 1004546  
BEN SANDOVAL  
Los Volcanes NA  
6516 HONEYLOCUST AVE NW  
ALBUQUERQUE, NM 87121

Project# 1004546  
LARRY NELSON  
Westside Merchants Assoc.  
929 OLD COORS SW  
ALBUQUERQUE, NM 87105

OR CURRENT RESIDENT  
101005744233210101  
COORS CTR DSG LLC & COORS CTR SG  
LLC & COORS CTR MB LLC & ET AL  
6300 SOUTH SYRACUSE WAY SUITE 485  
ENGLEWOOD, CO 80111

OR CURRENT RESIDENT  
101005739033110110  
STORAGE PORTFOLIO BRAVO II LLC  
PTA EX 817  
PO BOX 320099  
ALEXANDRIA, VA 22320

Project# 1004546  
WES BUTERO  
SOUTH COORS LP.  
6801 JEFFERSON NE STE 100  
ALBUQUERQUE, NM 87109

Project# 1004546  
BEA PURCELLA  
Skyview West NA  
201 CLAIRE LN SW  
ALBUQUERQUE, NM 87121

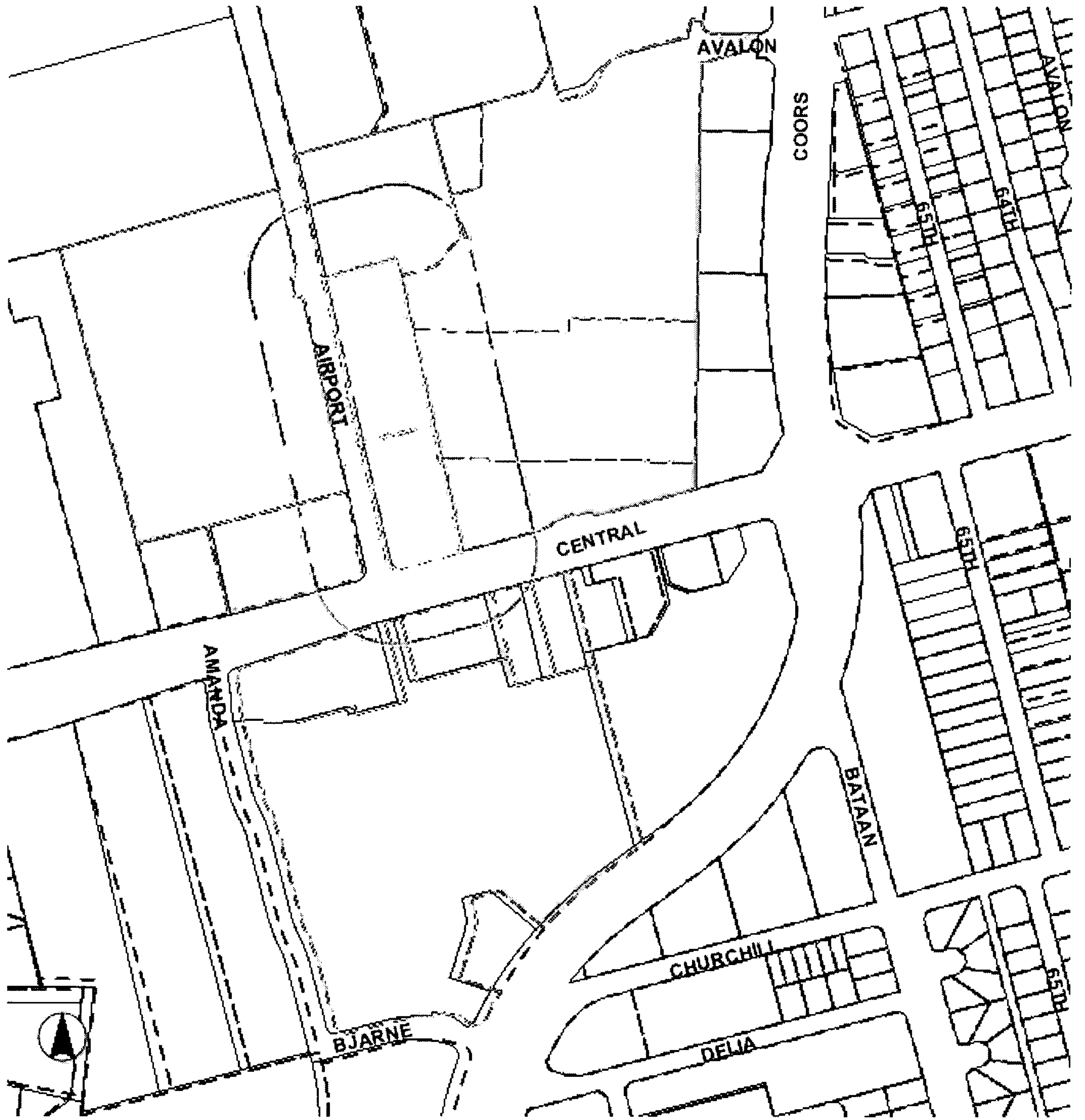
Project# 1004546  
HUMBERTO PEREZ  
Westside Merchants Assoc.  
701B OLD COORS SW  
ALBUQUERQUE, NM 87105

OR CURRENT RESIDENT  
101005737025030717  
J J & J PROPERTIES LLC  
PO BOX 27730  
ALBUQUERQUE, NM 87125

OR CURRENT RESIDENT  
101005739828510113  
YADAV KANAK & YADAV PRATAP  
4614 CENTRAL AVE SW  
ALBUQUERQUE, NM 87105

Project# 1004546  
M. MAX GARCIA  
Los Volcanes NA  
6619 HONEYLOCUST AVE NW  
ALBUQUERQUE, NM 87121

Project# 1004546  
SHARON BIRNER  
Skyview West NA  
200 GARY LN SW  
ALBUQUERQUE, NM 87121





## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 2, 2008

**Project# 1004546**

07DRB-70416 MAJOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

SOUTH COORS L.P. request(s) the above action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-3B, **HUBBELL PLAZA**, zoned C-2, located on the northeast corner of CENTRAL AVE NW AND AIRPORT RD NW containing approximately 3.37 acre(s). (K-10-Z)

At the January 2, 2008 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by January 17, 2008 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, Acting DRB Chair

Cc: South Coors L.P., - Wes Butero, Project Manager – 7600 Jefferson NE Ste 27 – Alb. NM 87109  
Marilyn Maldonado  
File

# DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1004546 AGENDA# 4 DATE: 1/2/08

1. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
2. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
4. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
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15. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
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17. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 2, 2008

**Project# 1004546**  
07DRB-70416 MAJOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

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<b><u>AMAFCA</u></b> No Comments
<b><u>COG</u></b> MPO staff have no comment on this development proposal.
<b><u>TRANSIT</u></b> No Comments
<b><u>ZONING ENFORCEMENT</u></b> No Comments
<b><u>NEIGHBORHOOD COORDINATION</u></b> No Comments
<b><u>APS</u></b> <p>Hubbell Plaza, Lots A-1A-3A and A-1A-3B is located on the northeast corner of Central Ave NW and Airport NW. The owner of the above property requests a 2YR SIA. Because the owners are still evaluating their development options for the property that is zoned C-2. At this time, this request will have no adverse impact on the APS district.</p>
<b><u>POLICE DEPARTMENT</u></b> No Comments
<b><u>FIRE DEPARTMENT</u></b> No Comments
<b><u>PNM ELECTRIC &amp; GAS</u></b> No Comments
<b><u>COMCAST</u></b> No Comments
<b><u>QWEST</u></b> No Comments

**ENVIRONMENTAL HEALTH**

No Comments

**M.R.G.C.D**

No Adverse Comments

**OPEN SPACE DIVISION**

Open Space has no adverse comments

**CITY ENGINEER**

The Hydrology section has no objection to the extension request.

**TRANSPORTATION DEVELOPMENT**

No adverse comments

**PARKS AND RECREATION**

No objection.

**ABCWUA**

No objection to Extension request.

**PLANNING DEPARTMENT**

No Comments received

**IMPACT FEE ADMINISTRATOR**

No comment on the proposed two-year SIA extension.

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

Cc: South Coors L.P. , Wes Butero, Project Manager – 7600 Jefferson NE Ste 27 – Alb NM 871109

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

**Meeting Date:** January 2, 2007  
**Zone Atlas Page:** K-10  
**Notification Radius:** 100 Ft.

**Project#:** ~~1004546~~  
**App#**07DRB-70416

**Cross Reference and Location:** CENTRAL AVE NW AIRPORT RD NW

**Applicant:** WES BUTERO PROJECT MANAGER  
SOUTH COORS LP  
7600 JEFFERSON NE STE 27  
ALBUQUERQUE, NM 87109

**Agent:** SAME

**Special Instructions:**

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

**Date Mailed:** DECEMBER 14, 2007  
**Signature:** ERIN TREMLIN



# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

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

### SITE DEVELOPMENT PLAN

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

### STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

### S Z ZONING & PLANNING

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> 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): \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: South Coors L.P., Wes Butero, Project Manager PHONE: 505-217-3722

ADDRESS: 7600 Jefferson NE, Suite 27 FAX: 505-858-3101

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: wes@scmpropertyco.com

Proprietary interest in site: Developer & Subdivider List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Two year extension of SIA

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

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

Lot or Tract No. A-1A-3A & A-1A-3B Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Hubbell Plaza

Existing Zoning: C-2 Proposed zoning: C-2 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): K-10-Z UPC Code: 101005741026510109 & 101005739828510113

#### 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 # 1004546, 05DRB-01735

#### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill?  No

No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 3.37

LOCATION OF PROPERTY BY STREETS: On or Near: NEC Central Avenue & Airport Road NW

Between: \_\_\_\_\_ and \_\_\_\_\_

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

SIGNATURE Wes Butero DATE 11/29/07

(Print) Wes Butero Applicant:  Agent:

#### FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
05DRB 70416	SIA	5(2)	\$ 50.00
	ADV		\$ 75.00
	CMF		\$ 20.00
			\$
			\$
			\$
			\$
			Total
			\$ 145.00

Hearing date 01/02/08  
Planner signature / date Sandy Handley 11/30/07 Project # 1004546

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

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

**MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

**Preliminary plat approval expires after one year.**

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

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

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

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

**Amended preliminary plat approval expires after one year.**

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

**MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

**(Temporary sidewalk deferral extension use FORM-V)**

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

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

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

Wes Butero

*Wes Butero*

Applicant name (print)  
11/29/07

Applicant signature / date



Form revised October 2007

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

Application case numbers  
07DRB - 70916

*Sandy Handberg* 11/30/07  
Planner signature / date  
Project # 1004546

R e c	UPC CODE	OWNER	OWNER ADDRESS	OW NER CITY	OW NER STA TE	OW NER ZIP CODE	PR OP ER TY CL AS S	TA X DI ST RI CT	LEGAL
1	10100 57432 22040 705	COORS/CENTRAL REALTY LLC C/O BOSTON REALTY INVESTMENTS	437 BOYLSTON ST	BOSTON	MA	02116	V	A1A	TOWN ATRISCO GRANT N250 FT E105 FT TR 60
2	10100 57390 33110 110	STORAGE PORTFOLIO BRAVO II LLC C/O STORAGE USA INC	175 TOYOTA PLAZA SUITE 700	MEMPHIS	TN	38103	C	A1A	TRACT A-1A-1 PLAT OF TRS A1A1 A1A2 & A1A3 HUBBELL PLAZA (BEING A REPLAT OF TR A1A HUBBELL PLAZA) CONT 2.9160 AC M/L OR 1 27,021 SQ FT M/L
3	10100 57359 26430 719	ZANIOS J G & P J TRUSTEES OF THE JG & PJ ZANIOS RVT	PO BOX 27730	ALBUQUERQUE	NM	871257730	C	A1A	TRACT A-1-A-1-A PLAT OF TRACT A-1-A-1-A WEST 66 ADDITION CONT 10.5714 AC
4	10100 57422 21740 704	COORS/CENTRAL REALTY LLC C/O BOSTON REALTY INVESTMENTS	437 BOYLSTON ST	BOSTON	MA	02116	V	A1A	TOWN ATRISCO N250 FT W105 FT TR60
5	10100 57440 25610 108	KINDERMANN WERNER	3336 E 32ND ST 217	TULSA	OK	74135	C	A1A	TR B-1B (PLAT OF TRS B-1A & B-1B) HUBBELL PLAZA CONT 98,559 SQ FT M/L
6	10100 57404 21840 703	COORS/CENTRAL REALTY LLC C/O BOSTON REALTY INVESTMENTS	437 BOYLSTON ST	BOSTON	MA	02116	V	A1A	TRACT C-1 PLAT OF TRACTS A-1, C-1, D-1 & F-1 COORS PLAZA BEING A REPLAT OF TRACTS A THRU G COORS PLAZA CONT .9699 AC
7	10100 57367 24330 718	J J & J PROPERTIES LLC	PO BOX 27730	ALBUQUERQUE	NM	87125	V	A1A	TR B1B1 PLAT OF TRS A1A1, B1A1 AND B1B1 WEST 66 ADDN CONT 2. 1559 AC M/L OR 93,911 SQ FT M/L
8	10100 57392 27610 109	SOUTH COORS LIMITED PARTNERSHIP C/O MR ROBERT W EATON	3100 LANMANCHA DR NW	ALBUQUERQUE	NM	87104	V	A1A	TRACT A-1A-3 PLAT OF TRS A1A1 A1A2 & A1A3 HUBBELL PLAZA (BEING A REPLAT OF TR A1A HUBBELL PLAZA) CONT 3.3694 AC M/L OR 1 46,771 SQ FT M/L
9	10100 57430 28310 102	KINDERMANN WERNER % BURKE & NICKEL SMITH'S FOOD & DRUG	3336 E 32ND ST SUITE 217	TULSA	OK	74135	C	A1A	TR B-1A (PLAT OF TRS B-1A & B-1B) HUBBELL PLAZA CONT 5.7028 AC M/L
10	10100 57442 33210 101	COORS CTR DSG LLC & COORS CTR SG LLC & COORS CTR MB LLC & ET AL	6300 SOUTH SYRACUSE WAY SUITE 485	ENGLEWOOD	CO	80111	C	A1A	TR A-1A-2A OF TRS A-1A-2A, A-1A-2B & A-1A-2C HUBBELL PLAZA CONT 9.8880 AC M/L OR 430,721 SF M/L
11	10100 57398 17440 706	COORS/CENTRAL REALTY LLC C/O BOSTON REALTY INVESTMENTS	437 BOYLSTON ST	BOSTON	MA	02116	C	A1A	TRACT D-1 PLAT OF TRACTS A-1, C-1, D-1 & F-1 COORS PLAZA BEING A REPLAT OF TRACTS A THRU G COORS PLAZA CONT 14.8071 AC
12	10100 57373 20440 701	COORS/CENTRAL REALTY LLC C/O BOSTON REALTY INVESTMENTS	437 BOYLSTON ST	BOSTON	MA	02116	V	A1A	TRACT A-1 PLAT OF TRACTS A-1, C-1, D-1 & F-1 COORS PLAZA BEING A REPLAT OF TRACTS A THRU G COORS PLAZA CONT 1.7534 AC

Or Current Resident  
COORS CTR DSG LLC & COORS CTR  
SG LLC  
6300 SOUTH SYRACUSE WAY STE 485  
ENGLEWOOD, CO 80111

Or Current Resident  
KINDERMANN WERNER  
3336 E 32ND ST 217  
TULSA, OK 74135

Or Current Resident  
ZANIOS J G & P J TRUSTEES OF THE  
JG & PJ ZANIOS RVT  
PO BOX 27730  
ALBUQUERQUE, NM 87125 7730

Project# 1004546  
BEATRICE PURCELLA  
Skyview West NA  
201 CLAIRE LN SW  
ALBUQUERQUE, NM 87121

Project# 1004546  
VAN BARBER  
]Westside Merchants Assoc  
5201 CENTRAL NW  
ALBUQUERQUE, NM 87105

Or Current Resident  
COORS/CENTRAL REALTY LLC C/O  
BOSTON REALTY INVESTMENTS  
437 BOYLSTON ST  
BOSTON, MA 02116

Or Current Resident  
SOUTH COORS LIMITED PTNRSHIP  
C/O MR ROBERT W EATON  
3100 LA MANCHA DR NW  
ALBUQUERQUE, NM 87104

Project# 1004546  
WES BUTERO  
SOUTH COORS LP  
7600 JEFFERSON NE STE 27  
ALBUQUERQUE, NM 87109

Project# 1004546  
MAX M GARCIA  
Los Volcanes NA  
6619 HONEY LOCUST AVE NW  
ALBUQUERQUE, NM 87121

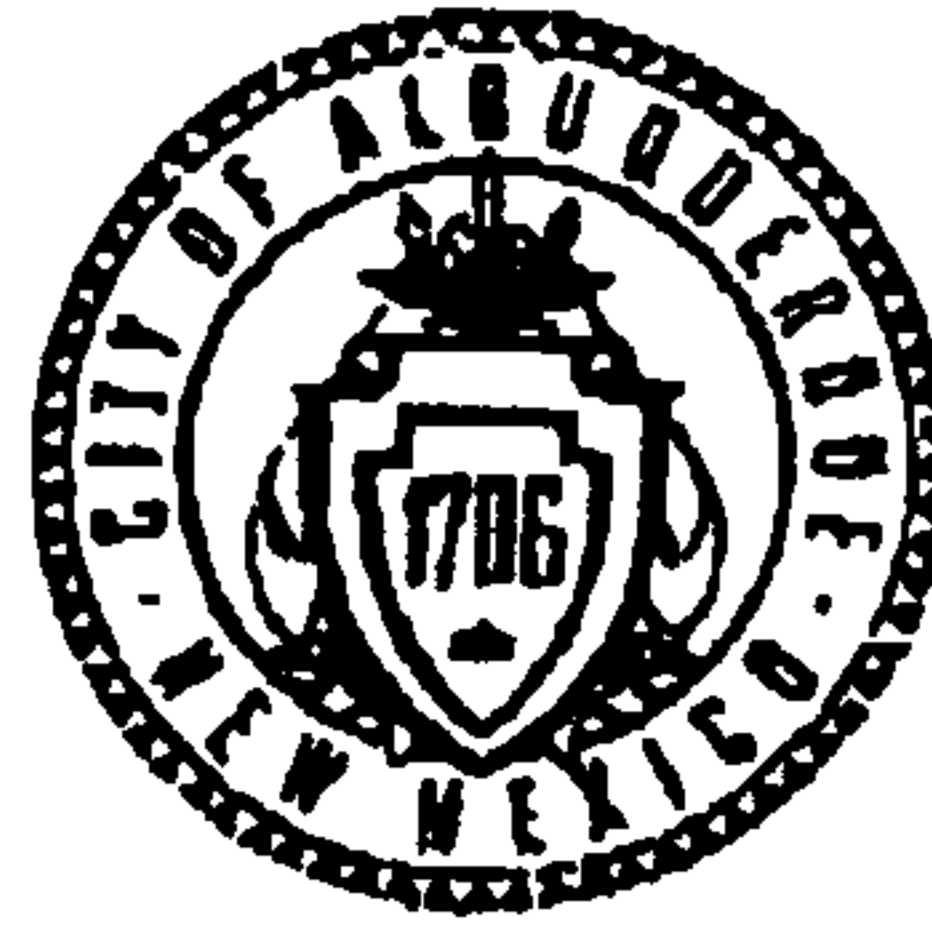
Project# 1004546  
MIGUEL MAESTAS  
6013 SUNSET GARDENS SW  
ALBUQUERQUE, NM 87121

Or Current Resident  
J J & J PROPERTIES LLC  
PO BOX 27730  
ALBUQUERQUE, NM 87125

Or Current Resident  
STORAGE PORTFOLIO BRAVO II LLC  
C/O STORAGE USA INC  
175 TOYOTA PLAZA SUITE 700  
MEMPHIS, TN 38103

Project# 1004546  
TONY CHAVEZ  
Skyview West NA  
305 CLAIRE LN SW  
ALBUQUERQUE, NM 87121

Project# 1004546  
BEN SANDOVAL  
Los Volcanes NA  
6516 HONEYLOCUST AVE NW  
ALBUQUERQUE, NM 87121



# 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: 21 November 2007

TO CONTACT NAME: Wes Butera  
 COMPANY/AGENCY: South Coors L.P  
 ADDRESS/ZIP: 7600 Jefferson NE, Suite 27, 87109  
 PHONE/FAX #: 217-3722 / 720-226-9402

Thank you for your inquiry of 21 November 2007 requesting the names of **Recognized**

**Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Tract A-1A-3A & A-1-3B, Hubbell Plaza located on the Northern corner of Central Ave & Airport Rd  
 zone map page(s) K-10

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

Skyview West NA  
 Neighborhood Association  
 Contact: Tony Chavez  
305 Claire Ln. SW 87121  
831-5824(h)  
Beatrice Purcella  
207 Claire Ln. SW 87121  
831-5556(h)

Los Volcanes NA  
 Neighborhood Association  
 Contact: Max M. Garcia  
6619 Honeylocust Ave. NW 87121  
833-0969(h)  
Ben Sandoval  
6516 Honeylocust Ave NW 87121

**See reverse side for additional Neighborhood Association Information: YES  NO { }**

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,  
  
 OFFICE OF NEIGHBORHOOD COORDINATION

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

**Additional Neighborhood Association Information**

Westside Merchants Assoc.  
 Neighborhood Association  
 Contact: Van Berber  
 5201 Central NW 87105  
 352-2515(K)  
 Miguel Maestas  
 6013 Sunset Gardens SW 87121  
 831-5406(W)

Neighborhood Association  
 Contact: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Neighborhood Association  
 Contact: \_\_\_\_\_  
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Neighborhood Association  
 Contact: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ALTHOUGH YOU ARE NOT "OFFICIALLY REQUIRED" BY O-92,**  
 you are most welcomed to notify the following "Unrecognized"  
 neighborhood associations of this project.

Neighborhood Association  
 Contact: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Neighborhood Association  
 Contact: \_\_\_\_\_  
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Neighborhood Association  
 Contact: \_\_\_\_\_  
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Neighborhood Association  
 Contact: \_\_\_\_\_  
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For more current information and more details visit: <http://www.cabq.gov/gis>

Map amended through: 9/6/2007

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**K-10-Z**

Selected Symbols

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

0 750 1,500 Feet



**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

HAND DELIVERY  
November 29, 2007

Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA

Our company is requesting a two year extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision. The property is located Zone Atlas Page K-10-Z.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager



COMPLETED 01/12/06 STH

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.: 05DRB-01735 (FP)

Project # 1004546

Project Name: HUBBELL PLAZA

Agent: Surv Tek Inc.

Phone No.: 897-3366

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

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- UTILITIES: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- CITY ENGINEER / AMAFCA: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- PARKS / CIP: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- PLANNING (Last to sign): Record Plat
- AGIS DXF
- \_\_\_\_\_
- \_\_\_\_\_

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.~~

X copy of record plat

Project Number

1004546



# DRB CASE ACTION LOG

REVISED 9/28/05

# FINAL PLAT

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-01735 (FP)

Project # 1004546

Project Name: HUBBELL PLAZA

Agent: Surv Tek Inc.

Phone No.: 897-3366

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

### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

UTILITIES: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CITY ENGINEER / AMAFCA: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PARKS / CIP: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PLANNING (Last to sign): *Record Plat*

*AGIS DXF*

### 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.~~

*Copy of record plat*

Project Number

*1004546*

#17

4546

### DXF Electronic Approval Form

DRB Project Case #: 1004546

Subdivision Name: HUBBELL PLAZA TRACTS A1A3A & A1A3B

Surveyor: RUSS P HUGG

Contact Person: RUSS P HUGG

Contact Information: 897-3366

DXF Received: 1/4/2006

Hard Copy Received: 1/5/2006

Coordinate System: NMSP Grid (NAD 27)

  
Approved

01-05-2006  
Date

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AGIS Use Only**

Copied fc 4546 to agiscov on 1/5/2006 Contact person notified on 1/5/2006



**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

\*\*\*\*\*

**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 PRELIMINARY 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 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 4<sup>TH</sup> 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 98<sup>TH</sup> 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 1<sup>ST</sup> 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 5<sup>TH</sup> 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.**

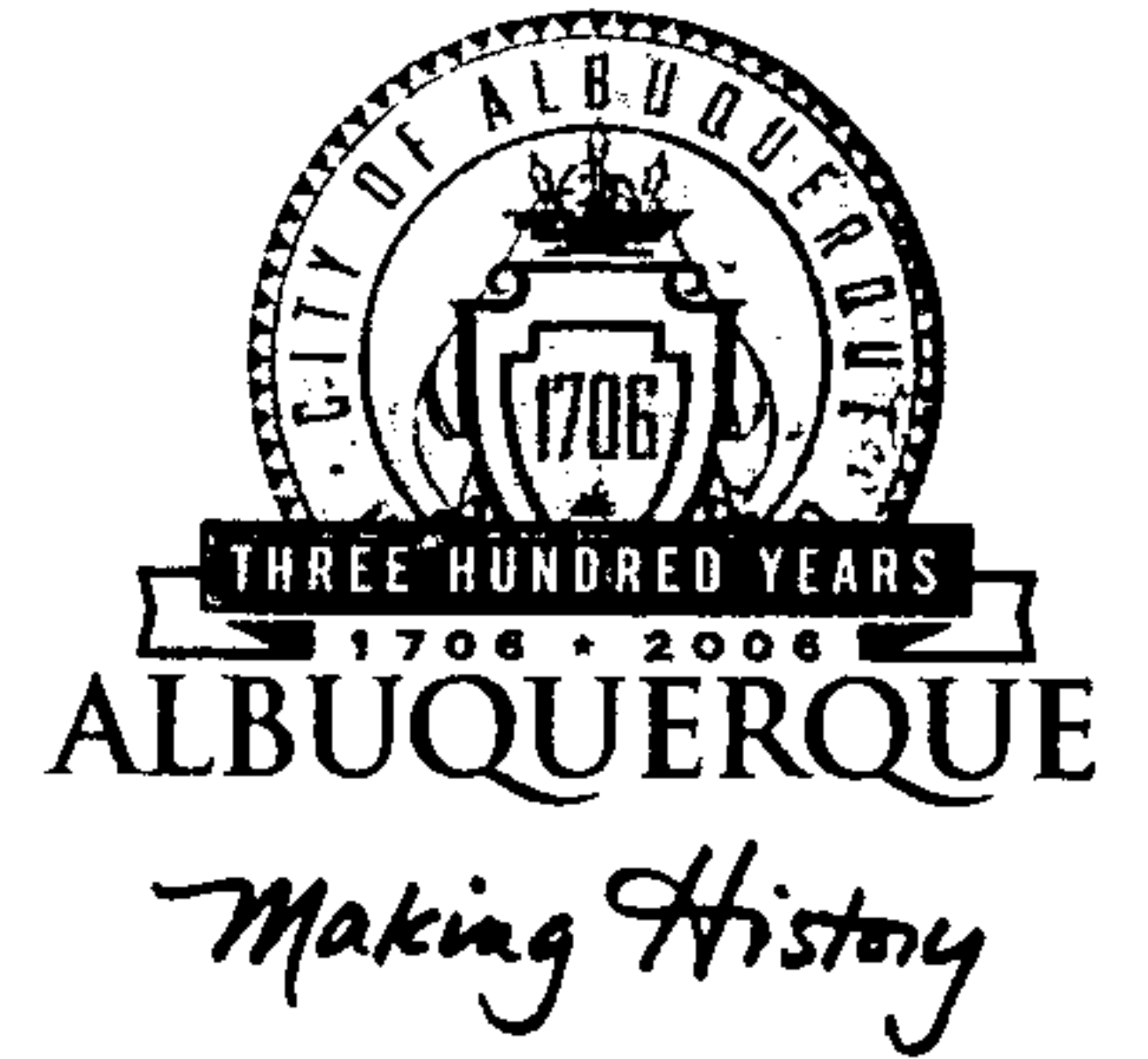
19. **Project # 1004612**  
05DRB-01918 Minor-Sketch Plat or Plan

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: 1004546**

**AGENDA ITEM NO: 17**

**SUBJECT:**

Final Plat

**ACTION REQUESTED:**

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

P.O. Box 1293

**ENGINEERING COMMENTS:**

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

Albuquerque

New Mexico 87103

**RESOLUTION:**

APPROVED \_\_\_\_; DENIED \_\_\_\_; DEFERRED \_\_\_\_; COMMENTS PROVIDED \_\_\_\_; WITHDRAWN

www.cabq.gov

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

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

FOR:

**SIGNED:** Bradley L. Bingham  
City Engineer/AMAFCA Designee

**DATE:** January 4, 2006



**DEVELOPMENT REVIEW BOARD  
ACTION SHEET**

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

November 23, 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: 11:30 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 # 1003885**

05DRB-01674 Major-Vacation of Pub  
Right-of-Way

05DRB-01676 Major-Preliminary Plat  
Approval

05DRB-01675 Minor-Subd Design (DPM)  
Variance

FAMILY HOUSING DEVELOPMENT agent(s) for CITY OF ALBUQUERQUE, METROPOLITAN REDEVELOPMENT, request(s) the above action(s) for all or a portion of Block(s) 13, Lot(s) 4-7, 9-12 and 21-24, PEREA ADDITION (to be known as **BELL TRADING POST HOMES**) zoned SU-2 TH, located on ROMA AVE NW, between 15<sup>TH</sup> ST NW and 16<sup>TH</sup> ST NW containing approximately 1 acre(s). [REF: 05ZHE-00271, 05ZHE-00273, 05ZHE-00274, 05DRB-00057][Deferred from 11/23/05. (J-13) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**

2. **Project # 1004522**  
05DRB-01667 Major-Vacation of Pub  
Right-of-Way

SURVEYS SOUTHWEST LTD agent(s) for VANGIE PAVLAKOS request(s) the above action(s) for all or a portion of Lot(s) A, Block(s) 2, **MESA VERDE ADDITION**, zoned C-2 community commercial zone, located on RHODE ISLAND ST NE, between CENTRAL AVE NE and TENNESSEE ST NE containing approximately 1 acre(s). [REF: ZA-94-315] (K-19) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE. A CONDITION OF FINAL PLAT IS A PUBLIC SANITARY SEWER EASEMENT SHALL BE RETAINED.**

3. **Project # 1004526**  
05DRB-01678 Major-Vacation of Pub  
Right-of-Way

INEZ AUGILAR request(s) the above action(s) for all or a portion of Tract(s) 400, **TOWN OF ATRISCO GRANT, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on SAGE RD SW, between SAN IGNACIO RD SW and the AMOLE DEL NORTE SW containing approximately 2 acre(s). (L-10) **VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE.**

4. **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] (D-12) **DEFERRED AT THE BOARD'S REQUEST TO 11/30/05.**

5. **Project # 1003523**  
05DRB-01369 Major-Preliminary Plat Approval  
05DRB-01368 Major-SiteDev Plan Subd  
05DRB-01370 Minor-Temp Defer SDWK
- RIO GRANDE ENGINEERING agent(s) for GHP, LLC request(s) the above action(s) for LOT 30, 31, 32 and 33, LANDS OF ATRISCO GRANT, UNIT 3, (to be known as **PRIMA ENTRADA SUBDIVISION**) zoned SU-2 FOR R-LT, located on 98<sup>TH</sup> ST NW, between ENDEE RD NW and I-25 NW containing approximately 17 acre(s). [REF: 04EPC-01003, 04EPC-01352, 04EPC-01489] *[Deferred from 9/28/05 & 11/2/05 & 11/9/05 & 11/23/05]* (J-8) **DEFERRED AT THE BOARD'S REQUEST TO 11/30/05.**
6. **Project # 1002254**  
05DRB-01643 Major-SiteDev Plan BldPermit
- JEFF MORTENSEN & ASSOCIATES INC agent(s) for PALMER INVESTMENTS & CORTLAND WALKER CONSTRUCTION INC., request(s) the above action(s) for all or a portion of Tract(s) 2A, BUENA VISTA ESTATES, UNIT 1 (to be known as **BEEHIVE VILLAGE**) zoned SU-2 IP, located on SAN PEDRO DR NE, between WILSHIRE AVE NE and CORONA AVE NE containing approximately 3 acre(s). [REF: 02DRB-01502, 02DRB-01503] *[Deferred from 11/16/05]* (C-18) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED AND SIGNED OFF BY THE BOARD.**
7. **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]* (F-11) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**



**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.

8. **Project # 1000316**  
05DRB-01652 Minor-SiteDev Plan  
Subd/EPC
- DEKKER PERICH SABATINI agent(s) for GSL PROPERTIES INC request(s) the above action(s) for all or a portion of Tract(s) A-C (formerly Tract(s) H, Parcel(s) A-C, (to be known as **COTTONWOOD APARTMENTS**) zoned SU-1 IP FOR C-2 & IP, located on SEVEN BAR LOOP NW, between OLD AIRPORT RD NW and COTTONWOOD DR NW containing approximately 17 acre(s). [REF: 00EPC00290, AX-85-28, Z-85-134, SD-78-3-2, Z-93-35] [**Carmen Marrone, EPC Case Planner**] [*Indef Deferred from 11/2/05 & 11/23/05*] (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**
- 05DRB-01742 Minor-Prelim&Final Plat  
Approval
- HUITT ZOLLARS INC. agent(s) for GSL PROPERTIES request(s) the above action(s) for all or a portion of Tract(s) A-C, **COTTONWOOD APARTMENTS**, zoned SU-1 IP FOR C-2 & IP, located on SEVEN BAR RANCH LOOP NW, between COTTONWOOD DR NW and COORS BLVD NW containing approximately 17 acre(s). [REF: 00DRB00737, 05DRB01652][*Deferred from 11/23/05*] (B-14) **DEFERRED AT THE AGENT'S REQUEST TO 11/30/05.**
9. **Project # 1004366**  
05DRB-01744 Minor-SiteDev Plan  
BldPermit/EPC
- CBL ARCHITECTS agent(s) for FAHIM ADI request(s) the above action(s) for all or a portion of Tract(s) C1A4 & C1A3, SEVEN BAR RANCH SUBDIVISION (to be known as **THE FALLS RESTAURANT**) zoned SU-1 IP, located on COTTONWOOD DR NW, between AMERICAN RD NW and NM 528 containing approximately 2 acre(s). REF: Z-79-146-5, V-97-106, 05EPC01262, DRB-97-248][**Stephanie Shumsky, EPC Case Planner**](A-14) **SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR VARIOUS COMMENTS AND PLANNING FOR 3 COPIES OF THE SITE PLAN.**

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

10. **Project # 1002459**  
05DRB-01738 Minor-Prelim&Final Plat  
Approval
- TIERRA WEST LLC agent(s) for QUAIL RIDGE LLC request(s) the above action(s) for all or a portion of Tract(s) 3, 4, 2A, 3-A-1 & 4-A-1, **QUAIL RIDGE**, zoned SU-1 FOR COMM & RELATED C-2 USE, located on COORS BLVD NW, between OURAY RD NW and QUAIL RD NW containing approximately 4 acre(s). [REF: 03EPC00159, 03EPC00160, 04AA00871, 05DRB00615, 05DRB00616, 05AA01258, 05AA01259] (H-11) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**
11. **Project # 1004022**  
05DRB-01740 Minor-Prelim&Final Plat  
Approval
- WILKS COMPANY agent(s) for EDWARD G LOPEZ request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, **VISTA DEL SOL SUBDIVISION**, zoned R-1, located on CRESTVIEW DR SW, between CRESTVIEW PL SW and CENTRAL AVE SW containing approximately 1 acre(s). [REF: 05DRB00428] (K-11) **PRELIMINARY AND FINAL PLAT WAS APPROVED WTH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PROPERTY MANAGEMENT'S SIGNATURE.**
12. **Project # 1004528**  
05DRB-01739 Minor-Prelim&Final Plat  
Approval
- JOHN C LORENZO agent(s) for NORA G CHAVEZ request(s) the above action(s) for Tract(s) 180B2, 176A5B & 176B1, **LANDS OF JOE B AND NORA G CHAVEZ**, zoned RA-2 residential and agricultural zone, located on CAMILO LN NW and LEONORA NW and containing approximately 1 acre(s). (H-12) **PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR CONSTRUCTION OF ESTATE CURB AND PLANNING FOR AGIS DXF FILE.**

13. **Project # 1001789**  
05DRB-01718 Minor-Prelim&Final Plat  
Approval

PRECISION SURVEYS INC agent(s) for DASKALOS NOB HILL request(s) the above action(s) for all or a portion of Block(s) 6, Tract(s) 17-28, **MONTE VISTA**, zoned CCR, located on CENTRAL AVE NE, between TULANE NE and WELLESLEY NE containing approximately 1 acre(s). [Deferred from 11/16/05 & 11/23/05](K-16) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

14. ~~**Project # 1004546**~~  
05DRB-01735 Minor-Prelim&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] (K-10) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/23/05 THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

15. **Project # 1003861**  
05DRB-00731 Minor- Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for GARY & MELODIE EYSTER request(s) the above action(s) for all or a portion of Tract(s) 60-A-2, 60-B & 86-A, M.R.G.C.D. MAP 35, (to be known as **THE BOULEVARD @ RIO GRANDE**) zoned R-1, located on RIO GRANDE BLVD NW, between ZICKERT NW and INDIAN SCHOOL RD NW containing approximately 2 acre(s). [REF: ZA-29-251] [Indef deferred 5/11/05 for SIA] (H-13) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR EASEMENT LANGUAGE.**

16. **Project # 1004076**  
05DRB-01403 Minor- Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for HILTON AVENUE LOFTS LLC, JOHN EDGE request(s) the above action(s) for all or a portion of Lot(s) 11-14, Block(s) 23,

THOMAS ADDITION (to be known as **HILTON AVENUE LOFTS**) zoned R-LT residential zone, located on HILTON AVE NE, between HENDRIX RD NE and PARSIFAL ST NE containing approximately 1 acre(s). *[Indef deferred 9/14/05 for SIA]* (G-20) **FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR P.U.E. LANGUAGE AND MAINTENANCE AND BENEFICIARIES OF PRIVATE DRAINAGE EASEMENT FOR LOTS 1 & 9.**

17. **Project # 1004178**  
05DRB-01013 Minor- Final Plat Approval

WAYJOHN SURVEYING INC., agent(s) for GREVEY INVESTMENTS, request(s) the above action(s) for all or a portion of Tract(s) D, E, F & G, Block(s) 27, (to be known as **MESA VILLAGE**) zoned C-1, C-2 and O-1, located on EUBANK BLVD NE between LOMAS BLVD NE and WALKER DR NE, containing approximately 5 acre(s). [REF: 05DRB00794] *[Indef deferred 6/22/05 for SIA]* (J-20) **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**

18. **Project # 1004547**  
05DRB-01743 Minor-Sketch Plat or Plan

MARTIN M GALLEGOS request(s) the above action(s) for all or a portion of Lot(s) 1, 2, Block(s) 4, **LOWER BROADWAY ADDITION**, zoned SU-2 special neighborhood zone, located on ALAMO AVE SE, between MECHEM ST SE and WHEELER AVE SE containing approximately 1 acre(s). (M-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

19. Approval of the Development Review Board Minutes for November 9, 2005. **THE DRB MINUTES FOR NOVEMBER 9, 2005 WERE APPROVED BY THE BOARD.**

ADJOURNED: 11:30 A.M.

**CITY OF ALBUQUERQUE**  
**Planning Department**  
**November 23, 2005**  
**DRB Comments**

**ITEM # 14**

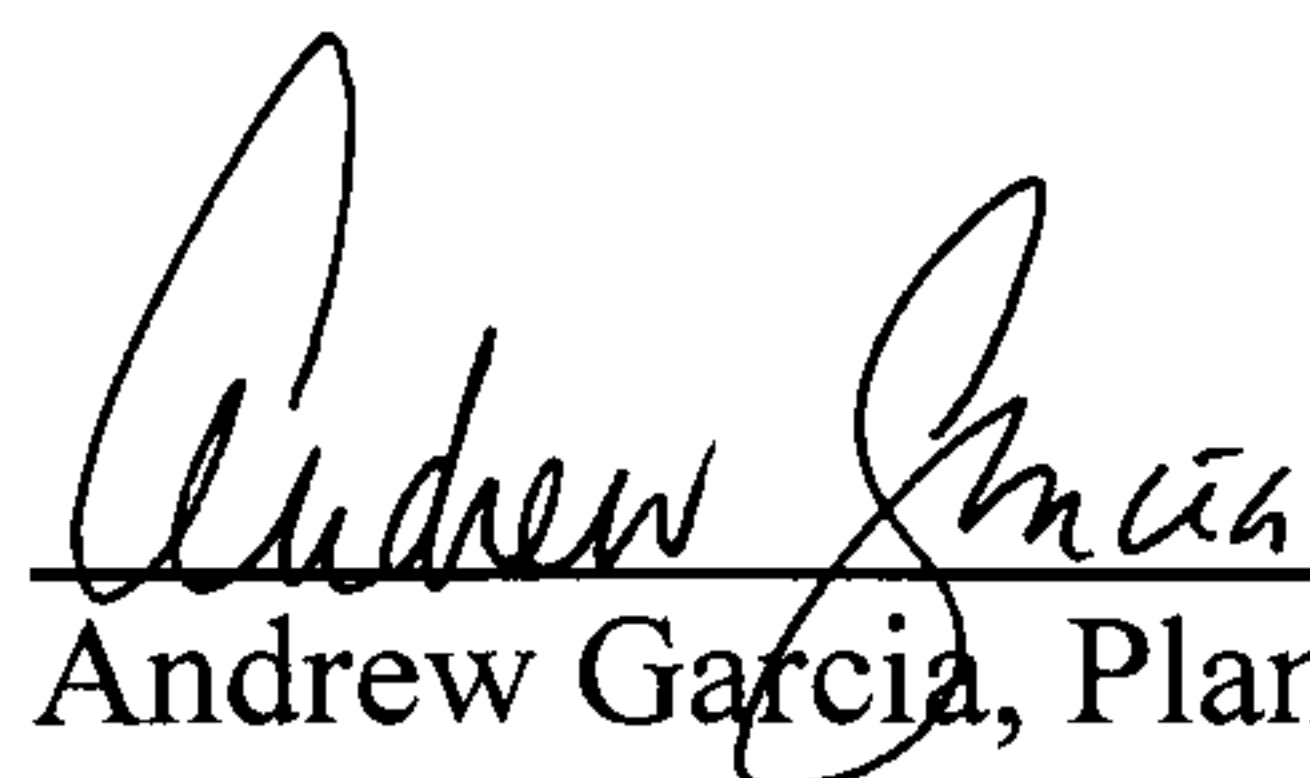
**PROJECT # 1004546 APPLICATION # 05-01735**

**RE: Hubbell Plaza/p&f plat**

There are no objections to the platting action.

Planning will take delegation for the AGIS dxg approval.

EPC



---

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

M

**CITY OF ALBUQUERQUE**  
**Planning Department**  
**November 23, 2005**  
**DRB Comments**

**ITEM # 14**

**PROJECT # 1004546 APPLICATION # 05-01735**

**RE: Hubbell Plaza/p&f plat**

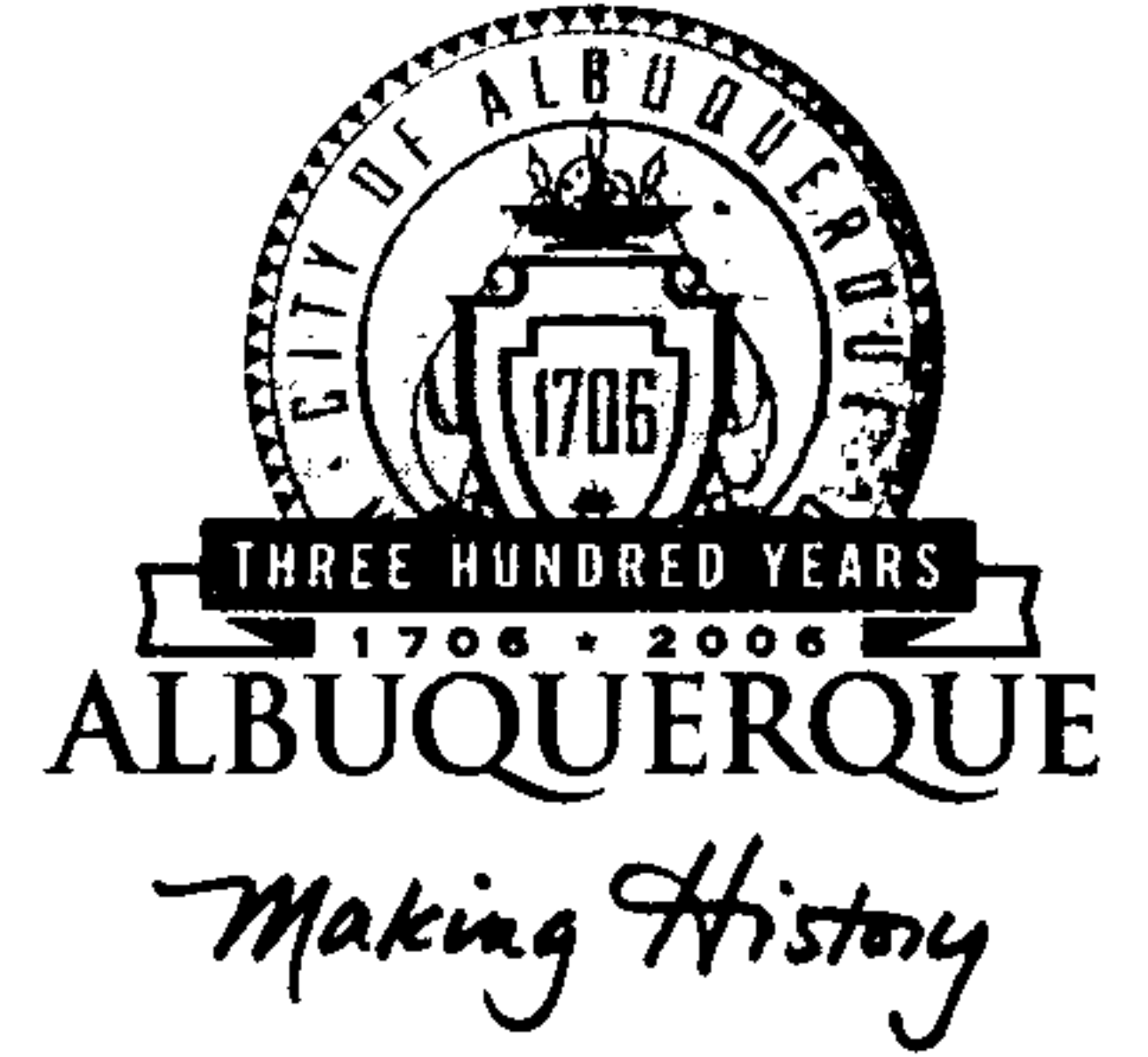
There are no objections to the platting action.

Planning will take delegation for the AGIS dxf approval.



---

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



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

DEVELOPMENT REVIEW BOARD--SPEED MEMO

**DRB CASE NO/PROJECT NO: 1004546**

**AGENDA ITEM NO: 14**

**SUBJECT:**

Final Plat  
Preliminary Plat

**ACTION REQUESTED:**

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

P.O. Box 1293

**ENGINEERING COMMENTS:**

No adverse comments.

Albuquerque

New Mexico 87103

**RESOLUTION:** *signed I.L.*

APPROVED *F.P. vdcF* X; DENIED \_\_\_\_; DEFERRED X; COMMENTS PROVIDED \_\_\_\_; WITHDRAWN

www.cabq.gov

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

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

FOR:

**SIGNED:** Bradley L. Bingham  
City Engineer/AMAFCA Designee

**DATE:** November 23, 2005



**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, January 2, 2008**, beginning at **9:00 a.m.** for the purpose of considering the following:

**Project# 1002176**

07DRB-70423 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)

MOUNTAIN WEST DEVELOPMENT CO. LLC request(s) the above action(s) for all or a portion of **COVERED WAGON**, zoned SU-1/RESIDENTIAL, located on the south side of **CENTRAL AVE SE BETWEEN FOUR HILLS RD SE AND WATERFALL SE** containing approximately 5.55 acre(s).

**Project# 1004546**

07DRB-70416 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)

SOUTH COORS L.P. request(s) the above action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-3B, **HUBBELL PLAZA**, zoned C-2, located on the northeast corner of **CENTRAL AVE NW AND AIRPORT RD NW** containing approximately 3.37 acre(s). (K-10-Z)

**Project# 1004353**

07DRB-70431 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)  
07DRB-70432 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)  
07DRB-70433 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)

BOHANNAN HUSTON INC. agent(s) for **LONGFORD AT THE TRAILS, LLC** request(s) the above action(s) for all or a portion of **SANTA FE 2 AT THE TRAILS UNIT 2**, zoned SU-2/RD, located on the northwest corner of **OAKRIDGE ST NW BETWEEN TREELINE AVENUE NW AND WOODMONT AVENUE NW** containing approximately 17 acre(s). (C-9)

**Project# 1004606**

07DRB-70430 MAJOR - 2YR SUBD IMP  
AGMT EXT (2YR SIA)

BOHANNAN HUSTON INC agent(s) for **THE TRAILS, LLC** request(s) the above action(s) for all or a portion of **VALLE VISTA AT THE TRAILS UNIT 2**, zoned SU-2/SRLL, located on the southwest corner of **WOODMONT AVE NW AND RAINBOW BLVD NW** containing approximately 11.73 acre(s). (C-9)

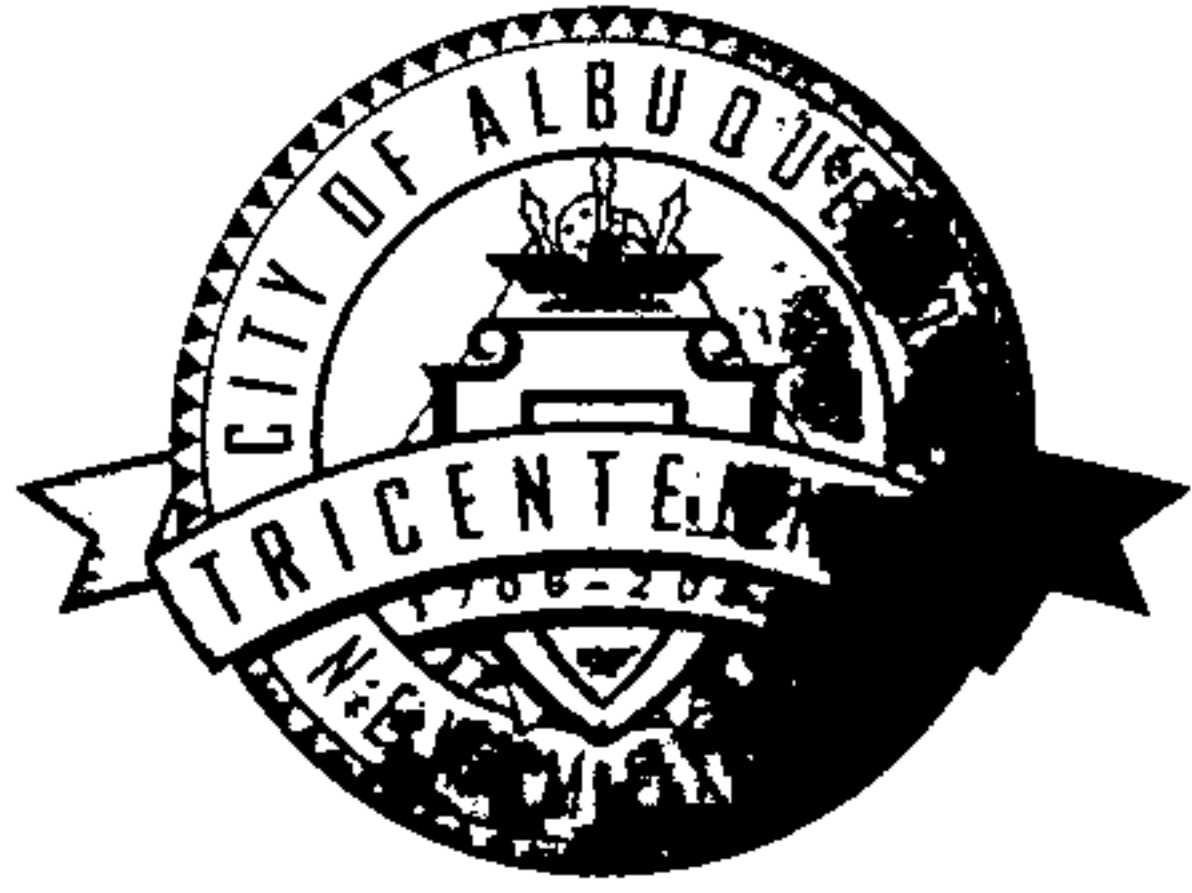
**Project# 1005029**

07DRB-70426 MAJOR - PRELIMINARY  
PLAT APPROVAL  
07DRB-70427 VACATION OF PUBLIC  
EASEMENT  
07DRB-70428 SUBDN DESIGN VARIANCE  
FROM MIN DPM STDS  
07DRB-70429 MINOR - TEMP DEFR SWDK  
CONST

ADVANCED ENGINEERING AND CONSULTING agent(s) for **SUNCAL NEW MEXICO INC.** request(s) the above action(s) for all or a portion of Tract(s) B & J **THE CROSSING**, and Tract R, **STORMCLOUD SUBDIVISION**, zoned SU-2 FOR R-LT, located on the south side of **TIERRA PINTADA BLVD NW BETWEEN CALLE AZUELO NW AND ARKANSAS RD NW** containing approximately 4.05 acre(s). (H-9-Z)



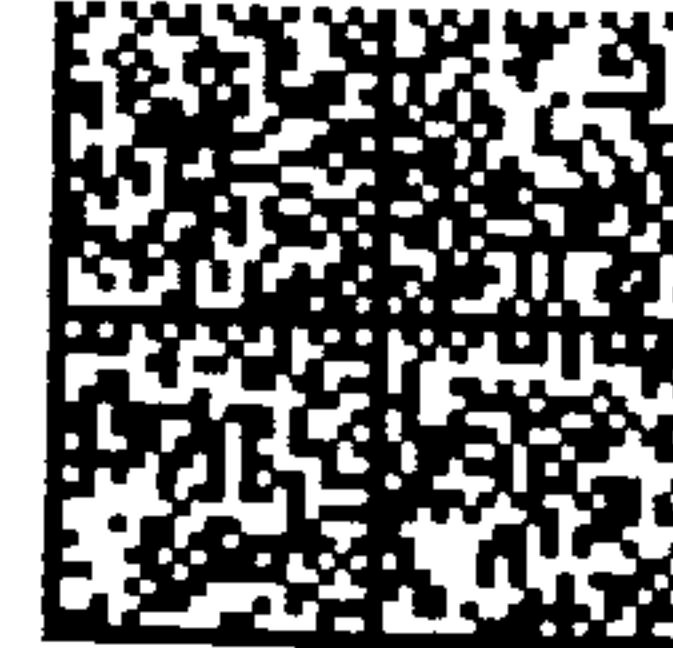
# CITY OF ALBUQUERQUE



Planning Department

**DRB**

Or Current Resident  
STORAGE PORTFOLIO BRAVO II LLC  
C/O STORAGE USA INC  
175 TOYOTA PLAZA SUITE 700  
MEMPHIS, TN 38103



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1M \$ 00.41<sup>0</sup>  
0004219022 DEC 17 2007  
MAILED FROM ZIP CODE 871

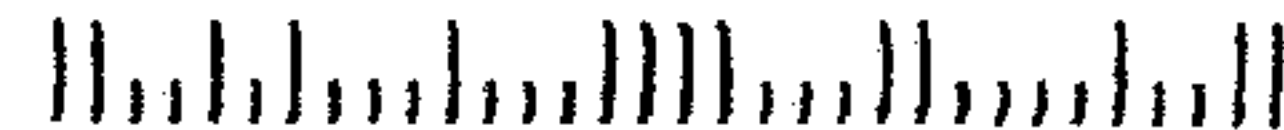
NIXIE 381 CC 1 72 12/31/07

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

3810382674 0015

BC: 87100

\*0268-03464-17-35



# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

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

### SITE DEVELOPMENT PLAN

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

### STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

### ZONING & PLANNING

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> 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): \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: South Coors L.P., Wes Butero, Project Manager PHONE: 505-217-3722

ADDRESS: 6801 Jefferson NE, Suite 100 FAX: 505-858-3101

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: wes@primenm.com

Proprietary interest in site: Developer & Subdivider List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Two year extension of SIA

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

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

Lot or Tract No. A-1A-3A & A-1A-3B Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Hubbell Plaza

Existing Zoning: C-2 Proposed zoning: C-2 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): K-10-Z UPC Code: 101005741026510109 & 101005739828510113

### 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 # 1004546, 05DRB-01735, 07DRB-70416

### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill?  No

No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 3.37

LOCATION OF PROPERTY BY STREETS: On or Near: NEC Central Avenue & Airport Road

Between: \_\_\_\_\_ and \_\_\_\_\_

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

SIGNATURE Wes Butero DATE 11/20/09

(Print) Wes Butero Applicant:  Agent:

### FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
09DRB 70367	SIA	52	\$ 50. <sup>00</sup>
	ADV		\$ 75. <sup>00</sup>
	CMF		\$ 20. <sup>00</sup>
			\$
			\$

Hearing date 12/23/09

Total \$ 145.<sup>00</sup>

Sandy Handley  
Planner signature / date

Project # 1004546

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

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

**MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

**Preliminary plat approval expires after one year.**

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

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

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

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

**Amended preliminary plat approval expires after one year.**

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


**MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

**(Temporary sidewalk deferral extension use FORM-V)**

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

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

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


Wes Butero  
  
 Applicant name (print)  
 11/20/09  
 Applicant signature / date

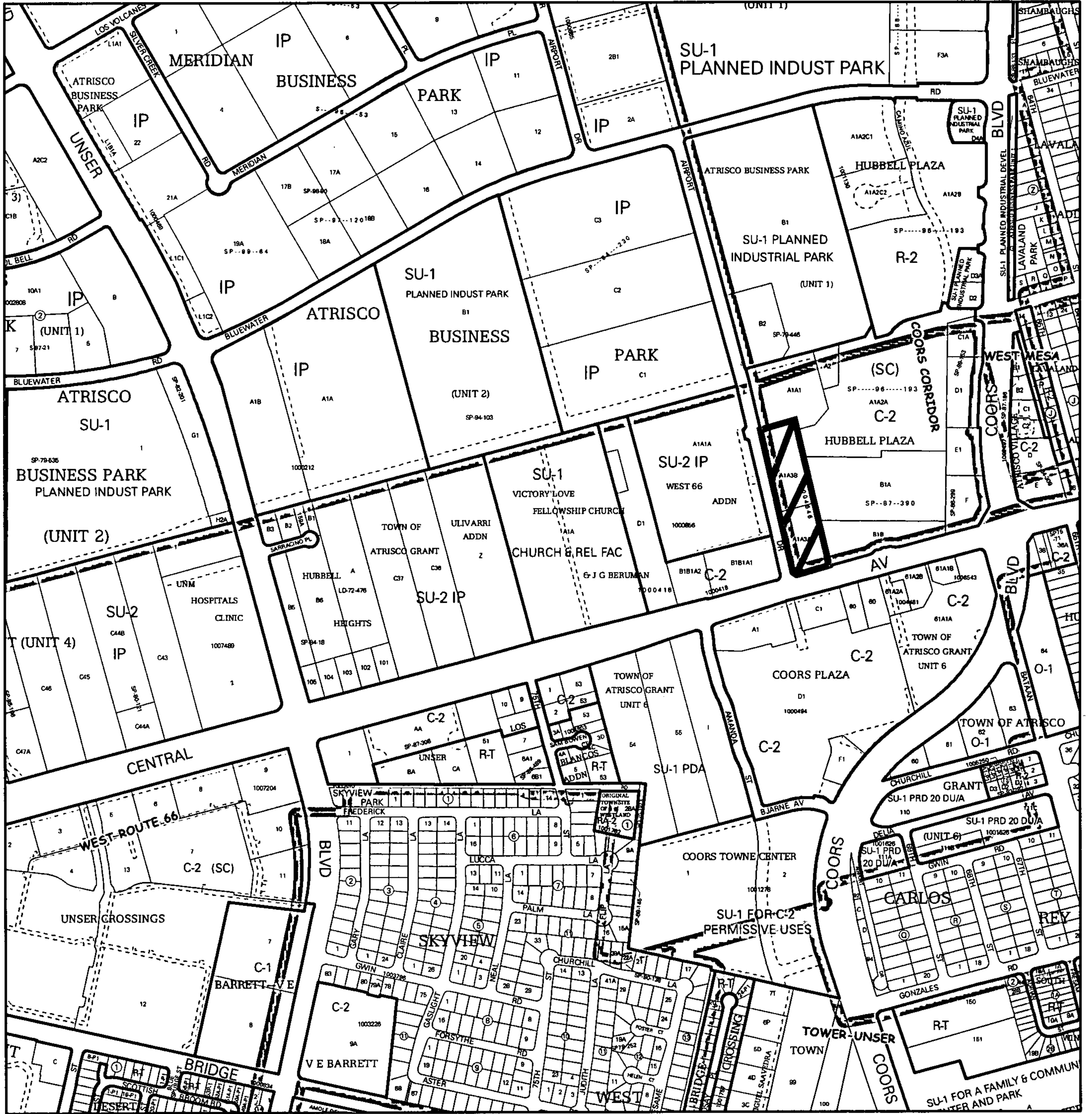


Form revised October 2007

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

Application case numbers  
 09DRB - 70367

  
 Planner signature / date  
 Project # 1004546



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

**AGIS**  
Albuquerque Geographic Information System

Map amended through: 3/10/2009

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**K-10-Z**

Selected Symbols

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

0 750 1,500 Feet

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

HAND DELIVERY  
November 20, 2009

Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA

Our company is requesting a two year extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision. The property is located Zone Atlas Page K-10-Z.

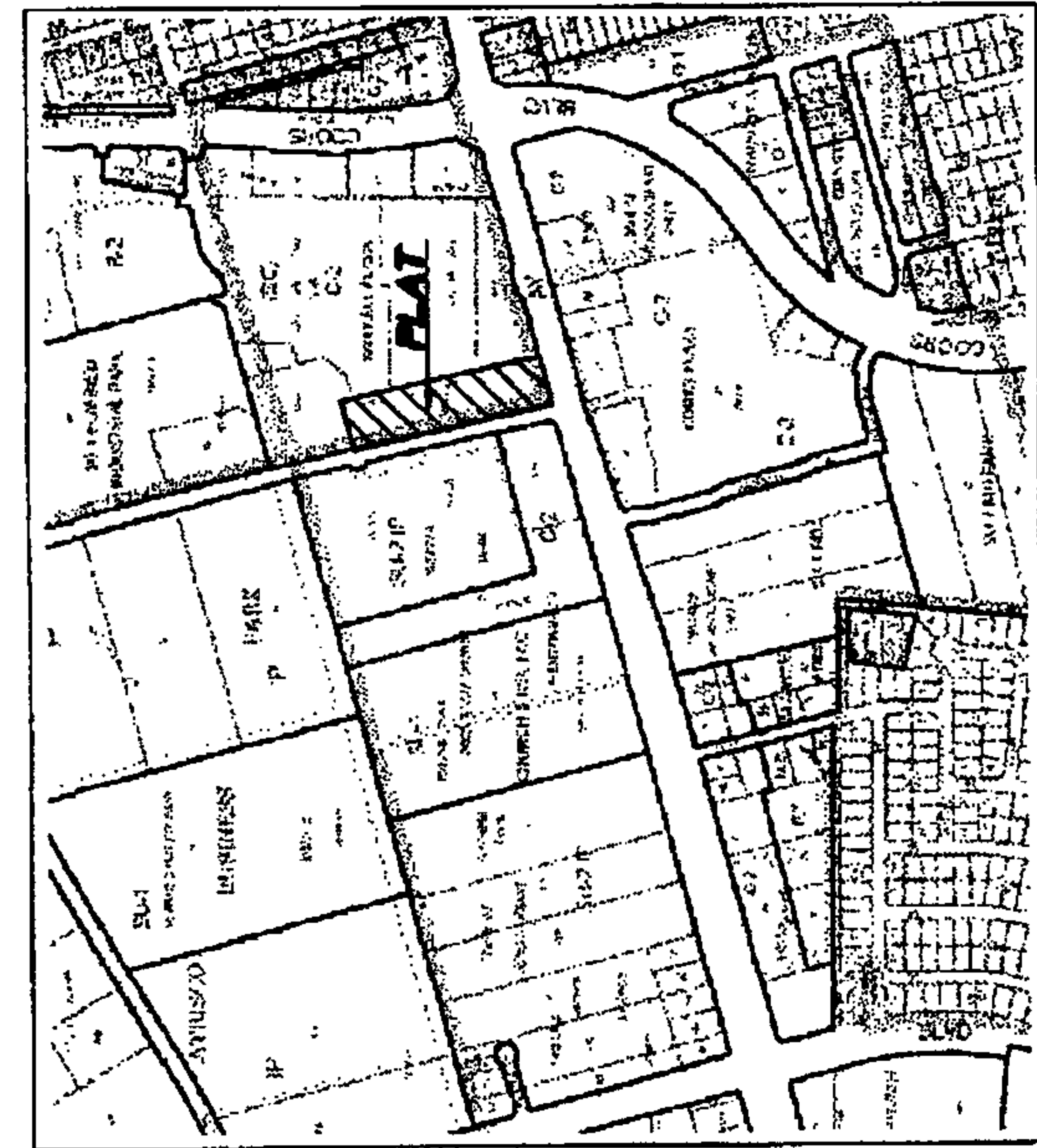
This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. A two year extension of the SIA was granted by the Development Review Board on January 2, 2008. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager



**Plat Map**  
N.T.S.

**GENERAL NOTES**

1. Bearings are grid based upon the New Mexico State Plane Coordinate System, Central Zone (NAD 27).
2. Distances are ground.
3. Record plat bearings and distances where they differ from those measured by field survey are shown in parentheses ( ).
4. All corners are a 5/8" rebar and cap stamped TRUSS L.S. 8750 unless otherwise indicated hereon.
5. Albuquerque City Zone Atlas page K-10.
6. U.C.L.S. Log Number

**SUBMISSION DATA**

1. Total number of existing Tracts: 1
2. Total number of Tracts created: 2
3. Gross Subdivision acreage: 3.3694 acres.
4. This property is currently zoned C-2 per the City of Albuquerque Zone Atlas Page K-10, Dated October 4, 2005.

**PURPOSE OF PLAT:**

The purpose of this Plat is to:  
Divide existing Tract A-1A-3 into two (2) tracts as shown hereon.  
No new additional utility easements are granted by this plat.

**NOTE:**

Said Tract A-1A-3 is subject to an existing reciprocal access, utility drainage and parking agreement for the entire Hubbell Plaza contained in the Declaration of Easements with Covenants and Restrictions, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 18, 1986 in Volume 5143, 373A, Pages 733-734. Said document subsequently amended and re-recorded August 28, 1985 in Book 1463, Page 306; October 21, 1991 in Book 804 91-18, Page 7825; October 21, 1994 in Book 8146, Page 26; Page 3337; February 4, 1994 in Book 824 84-4, Page 8146; in Book 824 84-23, Page 5132 and December 30, 1987 in Book 824 87-36, Page 3814.

**NOTE:**

Prior to development, City of Albuquerque Water and Sewerage Service to this property must be verified and coordinated with the Public Works Department, City of Albuquerque, via a request for water and sewer availability statement.

**TREASURERS CERTIFICATION**

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

Bernalillo County Treasurer	Date
-----------------------------	------

**LEGAL DESCRIPTION**

That certain parcel of land situated with the Town of Alhambra Grant in Projected Section 22, Township 10 North, Range 2 East, New Mexico Public Lands, City of Albuquerque, Bernalillo County, New Mexico being and comprising all of the plat entitled "TRACTS A-1A-3A AND A-1A-3B, HUBBELL PLAZA (BEING A REPLAT OF TRACT A-1A-3), HUBBELL PLAZA, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" filed in the office of the County Clerk of Bernalillo County, New Mexico on June 4, 1982 in Volume 522, Folio 107.

**FREE CONSENT**

SURVEYED and REPLATED and now comprising "TRACTS A-1A-3A AND A-1A-3B, HUBBELL PLAZA (BEING A REPLAT OF TRACT A-1A-3), HUBBELL PLAZA, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", with the free consent of and in accordance with the wishes and desire of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby warrant that they hold among them, complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby represent that they are so authorized to act.

**OWNER**  
South Oaks Limited Partnership,  
a New Mexico limited partnership

By: \_\_\_\_\_ Date \_\_\_\_\_  
My commission expires \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO SS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by \_\_\_\_\_

Notary Public \_\_\_\_\_ My commission expires \_\_\_\_\_

**PUBLIC UTILITY EASEMENTS**

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

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

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

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

**DISCLAIMER**

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

**TRACTS A-1A-3A AND A-1A-3B  
HUBBELL PLAZA  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO**  
OCTOBER, 2005

PROJECT NUMBER	_____	Date
Application Number:	_____	Date
<b>PLAT APPROVAL</b>	_____	Date
UTBY Approval:	_____	Date
PNM Electric Services	_____	Date
PNM Gas Services	_____	Date
OWest Corporation	_____	Date
Comcast	_____	Date

City Approver	_____	Date
City Surveyor	_____	Date
Real Property Division	_____	Date
Environmental Health Department	_____	Date
Traffic Engineering, Transportation Division	_____	Date
Utilities Development	_____	Date
Parks and Recreation Department	_____	Date
AMA/CA	_____	Date
City Engineer	_____	Date
DWR Chairperson, Planning Department	_____	Date

**SURVEYORS CERTIFICATION**

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

Russ P. Hugg  
N.M.P.S. No. 9750  
October 12, 2005

**SURVOTEK, INC.**

Consulting Surveyors  
4001 Third New Drive, N.E. Albuquerque, New Mexico 87114 Phone 505-897-3398 Fax 505-897-0377

**TRACTS A-1A-3A AND A-1A-3B  
HUBBELL PLAZA**

( BEING A REPLAT OF TRACT A-1A-3, HUBBELL PLAZA )  
**CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO**

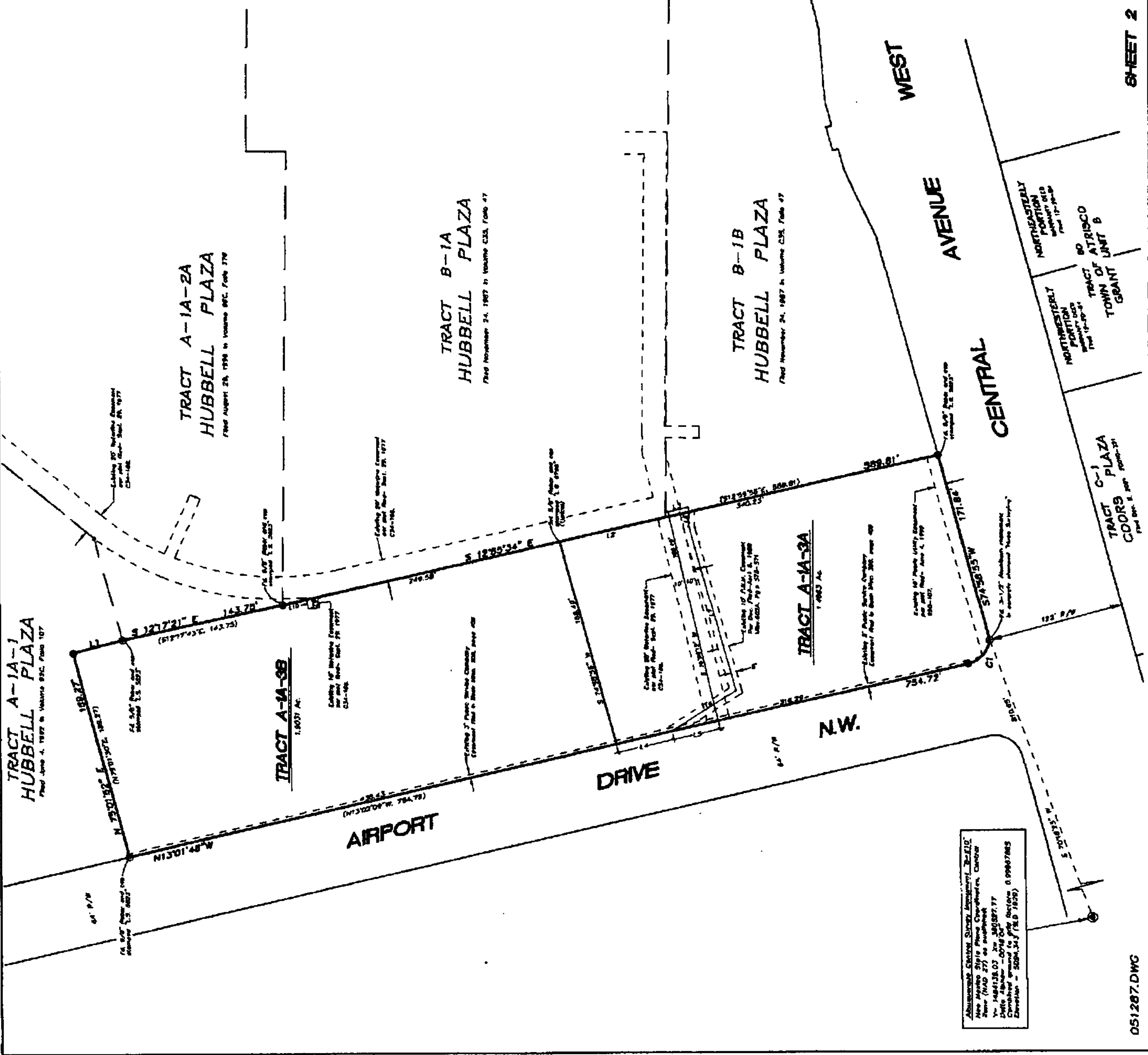
OCTOBER, 2005

**NOTE**

Said Tract A-1A-3 is subject to an existing reciprocal access, utility drainage and parking agreement for the entire Hubbell Plaza contained in the Declaration of Easements with Covenants and Restrictions, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 18, 1988 in Volume Misc. 373A, Pages 753-756. Said document subsequently amended and recorded August 28, 1988 in Book Misc. 309-A, Page 508; October 23, 1989 in Book Plat 81-18, Page 7805; October 25, 1983 in Book BCR 63-27, Page 8337; February 4, 1984 in Book BCR 94-4, Page 8140; August 27, 1986 in Book BCR 86-23, Page 5138 and December 30, 1997 in Book BCR 97-56, Page 5814.

LINE	LENGTH	BEARING
L1	45.06'	S74°58'08"E
L2	98.39'	S12°55'34"E
L3	17.92'	S12°55'35"E
L4	50.30'	S13°01'47"E
L5	41.48'	S13°01'47"E
L6	66.86'	S33°29'23"E
L7	192.33'	N74°17'38"E
L8	12.82'	S88°12'43"E
L9	8.51'	N83°12'52"E
L10	28.70'	S12°55'34"E

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	30.11'	25.04'	12.17'	28.83'	S47°27'48"E	68°53'24"



**SURVOTEK, INC.**  
Consulting Surveyors  
4848 Valley Park Drive, N.E. Albuquerque, New Mexico 87114 Phone: 505-897-5388 Fax: 505-897-5877



**JAN 08 2008**

## **OFFICIAL NOTICE OF DECISION**

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD**

**January 2, 2008**

**Project# 1004546**

**07DRB-70416 MAJOR - 2YR SUBD IMP AGMT EXT (2YR SIA)**

**SOUTH COORS L.P. request(s) the above action(s) for all or a portion of Lot(s) A-1A-3A & A-1A-3B, HUBBELL PLAZA, zoned C-2, located on the northeast corner of CENTRAL AVE NW AND AIRPORT RD NW containing approximately 3.37 acre(s). (K-10-Z)**

**At the January 2, 2008 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.**

**If you wish to appeal this decision, you must do so by January 17, 2008 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, Acting DRB Chair**

**Cc: South Coors L.P., - Wes Butero, Project Manager – 7600 Jefferson NE Ste 27 – Alb. NM 87109  
Marilyn Maldonado  
File**



Current DMC  
Project Number

**ORIGINAL**

FIELD #

PROJECT NAME

Location  
County

TO SUBMITTER'S REPRESENTATIVE AGREEMENT

INVESTMENT REVIEW BOARD (I.R.B.) REQUEST FOR INFORMATION (RFI)

Tracts A-1A-3A and A-1A-3B, Hubbell Plaza, being a copy of Tract A-1A-3, Hubbell Plaza  
PROPOSED NAME OF PROJECT AND DEVELOPMENT PLAN

Date Submitted: 11-14-05  
Date City Plan Approved: \_\_\_\_\_  
Date Preliminary Plat Approved: \_\_\_\_\_  
Date Preliminary Plat Rejected: \_\_\_\_\_  
CRS Project No.: 150 4346  
CRS Application No.: 05 088 - 0135

Tract A-1A-3, Hubbell Plaza

EXISTING LOT, IMPROVED WITH 15' WALKWAY

Following is a summary of PRELIMINARY INFORMATION required to be completed or furnished pursuant to the above description. This listing is not intended as a complete listing. Other information is necessary for the completion of the project. The I.R.B. Chairperson has the authority to request additional information from the submitter. The I.R.B. Chairperson may also request additional information from the submitter. All such information requested by the I.R.B. Chairperson shall be provided to the I.R.B. Chairperson within the time specified. In addition, any information requested by the I.R.B. Chairperson shall be provided to the I.R.B. Chairperson within the time specified. The I.R.B. Chairperson's decision is final and binding on the submitter.

Priority	Comments	Who	Type of Information	Location	From	To	Completion	Priority	Comments
1		DMC	SM, CMA, P, M, S, L, T, U, V, W, X, Y, Z	Central Ave	Alford Dr (N)	East Prop. Line		1	
2			<u>1. Additional</u>					1	
3			<u>AS PER'D</u>					1	
4								1	
5								1	
6								1	
7								1	
8								1	
9								1	
10								1	

PAGE 1 of 2

P. 2/3

100778802

908973377

NOV-23-09 14:54 From: SURJTEX

The items listed below are in the City and approved for Project Permits. Signatures from the Capital Permits Administrator and the City Clerk Department is required prior to final approval of this permit. The items listed below are subject to the standard 60-day review process.

Permitting Category	Under Consideration	Location	Permit	Yes	No	City Clerk (Employee)
Overhead	<input type="checkbox"/>					
Underground	<input type="checkbox"/>					
Other	<input type="checkbox"/>					

Approval of Capital Permits: \_\_\_\_\_  
 Approval of Construction Permits: \_\_\_\_\_  
 City Clerk Signature: \_\_\_\_\_ Date: \_\_\_\_\_

P. 3/3

101978882

If this site is located in a floodplain, then the floodplain perimeter will not be redefined if the LULU is approved by FEMA. Flood Rights per City requirements.

9298973577

APPROVED FOR THE CITY OF MARIETTA

City Clerk: [Signature] Date: 12/22/05

City Engineer: [Signature] Date: 12/22/05

City Manager: [Signature] Date: 12/22/05

City Attorney: [Signature] Date: 12/22/05

City Clerk: [Signature] Date: 12/22/05

Who Believes  
Name (print)  
SCM Property Company

[Signature]  
Date: 12/22/05

NOV-23-2005 14:54 From: BURJUTK

Item	Permit	Location	Permit	Yes	No	City Clerk (Employee)

FIGURE 18

EXTENSION AGREEMENT  
Procedure "B"  
PROJECT NO. 773281

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) South Coors Limited Partnership ("Developer"), whose address is 7620 Jefferson NE, Albuquerque, NM 87109 and whose telephone number is 505-217-3722 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 19th day of December 2005, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on 12/19/05, at Book Misc. A108, pages 4903 through 4906, ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 1st day of December 2007; and

~~WHEREAS, the Earlier Agreement was amended by an Extension Agreement dated \_\_\_\_\_ recorded \_\_\_\_\_, in Book Misc. \_\_\_\_\_, pages \_\_\_\_\_ through \_\_\_\_\_, records of Bernalillo County, New Mexico, extending the construction deadline to \_\_\_\_\_, and~~

WHEREAS, it appears that the Developer will be unable to complete construction of the improvements by the deadline specified in the Agreement; and

WHEREAS, the City is willing to grant Developer an extension of time in which to complete construction of all or part of the improvements, provided the Developer posts an acceptable financial guaranty, as required by the City's Subdivision Ordinance and the Development Process Manual; and

WHEREAS, the Developer is able to provide the required financial guaranty;

NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

1. The required completion date for construction of the improvements, as set forth in the attached Exhibit A, is extended (Complete either A or B:)

A. for all improvements, the 1st day of December, 2009.

B. on portions of the improvements as follows:  
IMPROVEMENTS COMPLETION DATE

_____	_____
_____	_____
_____	_____

2. With this Extension Agreement, Developer has provided the City with the following financial guaranty:

Type of Financial Guaranty: Cashier's Check  
Amount: \$11,976.09, Name of Financial Institution or Surety  
providing Guaranty: First State Bank  
Date City first able to call Guaranty (Construction Completion  
Deadline): December 1, 2009.  
If Guaranty other than a Bond, last day City able to call Guaranty  
is: January 30, 2010.

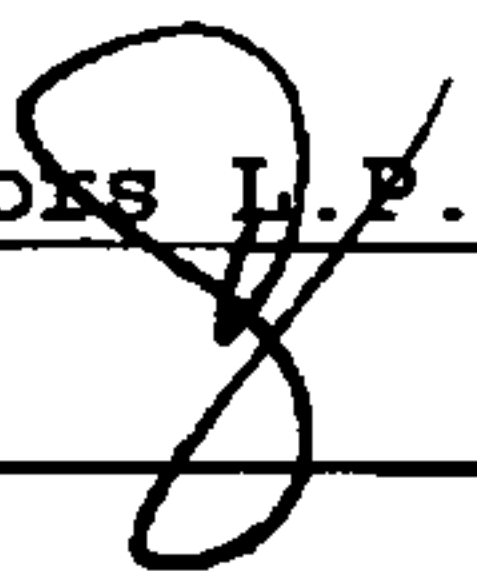
Additional information: Cashier's Check #261060554 (Previously Deposited  
by City on December 5, 2005 with Original SIA)

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Extension Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion deadline established in the Earlier Agreement and establish a revised financial guaranty for the benefit of the City.

Executed on the date stated in the first paragraph of this Agreement.

DEVELOPER: South Coors L.P.

CITY OF ALBUQUERQUE:

By (Signature):   
Name: Steve Maestas  
Title: Limited Partner  
Dated: 1/10/08

\_\_\_\_\_  
City Engineer  
Dated: \_\_\_\_\_

DEVELOPER'S NOTARY

STATE OF New Mexico )  
 ) ss.  
COUNTY OF Bernalillo )

This instrument was acknowledged before me on 10 day of January,  
2008 by (name of person:) Steve Maestas, (title or capacity, for instance,  
"President" or "Owner") Limited Partner  
of (Developer:) South Coors L.P.

Christina M. Rhoderick  
Notary Public

My Commission Expires:

9/29/08



CITY'S NOTARY

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_ by \_\_\_\_\_, City Engineer of the City of Albuquerque,  
a municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

FIGURE 12

SUBDIVISION IMPROVEMENTS  
AGREEMENT-PUBLIC AND/OR PRIVATE  
(Procedure B Modified Non-Work Order)  
Project No. 773281

AGREEMENT TO CONSTRUCT  
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 19<sup>th</sup> day of December, 2005, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and South Coors Limited Partnership ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] New Mexico Limited Partnership, whose address is 7620 Jefferson NE, Albuquerque New Mexico and whose telephone number is 505-885-1575, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] Tract A-1A-3, Hubbell Plaza

South Coors Limited Partnership, recorded on June 4, 1992 in the records of the Bernalillo County Clerk at Book 82C, pages 106 through 108 (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:] South Coors Limited Partnership

("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tract A-1A-3A and A-1A-3B, Hubbell Plaza describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 1st day of December, 2007 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



Nary Herrera

Bern. Co. ASRE

R 15.00

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Page: 1 of 4

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BK-R108 Pg-4993

07/02

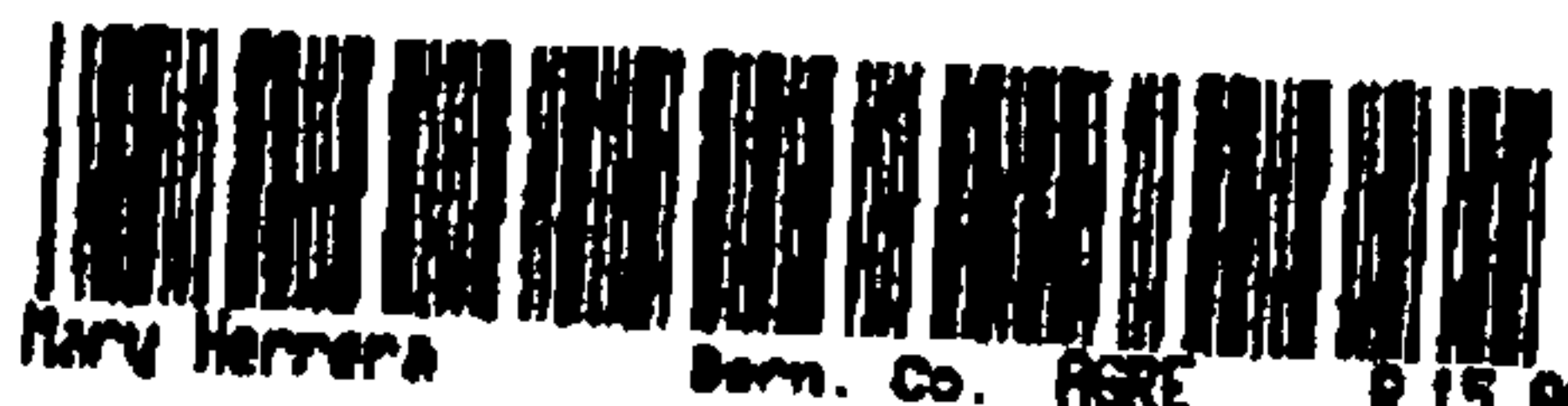
3. Financial Guaranty. The Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the Subdivision Ordinance requirements, the Subdivider has acquired or is able to acquire the following "Financial Guaranty:"

Type of Financial Guaranty: Cashiers Check  
 Amount: \$ 11,876.08 Name of Financial Institution or Surety providing Guaranty: First State Bank  
 Date City first able to call Guaranty: [Construction Completion Deadline]: December 1, 20 07  
 If Guarantee other than a Bond, last day City able to call on Guaranty is: January 30, 20 08  
 Additional information: Check # 261060554

4. Completion, Acceptance and Termination. Upon completion of the required infrastructure, the Subdivider shall notify the City Engineer and the Design Review Section of Planning Department. After the City Engineer approves the construction, the City will promptly release this Agreement and the Financial Guaranty.

5. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.



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 Page: 2 of 4  
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6. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.
7. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has posted a suitable financial guaranty and entered into a Subdivision Improvements Agreement with the City. Thereafter, when the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.
8. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to the Financial Guaranty.
9. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.
10. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.
11. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.
12. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.
13. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.
14. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.
15. Form not Changed. Subdivider agrees that changes to this form are not binding unless initialed by the Subdivider and signed by the City's Legal Department on this form.
16. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.



Mary Herrera

Bern. Co. AGRE

R 15.00

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6301458  
Page: 3 of 4  
12/18/2005 03:30P  
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07/C2



Executed on the date stated in the first paragraph of this Agreement.

SUBDIVIDER: South Coors L.P.  
By: Wade Investment Company, G.P.  
By (Signature): [Signature]  
Name: Robert W. Eaton  
Title: President  
Dated: 12-2-05

CITY OF ALBUQUERQUE  
[Signature]  
City Engineer  
Dated: 12/2/05

[Signature] 12/2/05

[Signature] 12-6-05

STATE OF New Mexico )  
COUNTY OF Bernalillo ) ss.

SUBDIVIDER'S NOTARY

This instrument was acknowledged before me on 2nd day of December, 2005 by [name(s) of person(s):] Robert W Eaton [title or capacity, for instance, "President" or "Owner":] of (Subdivider:) South Coors LP by: Wade Investment Company

[Signature]  
Notary Public

My Commission Expires: 3-28-07

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

CITY'S NOTARY

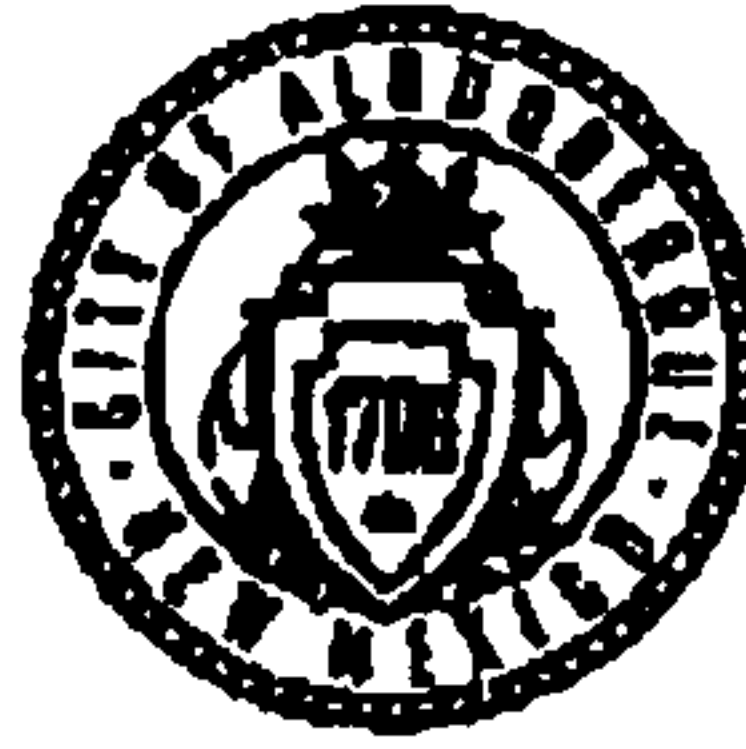
This instrument was acknowledged before me on 19th day of December, 2005 by [Signature] City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

[Signature]  
Notary Public

My Commission Expires: 11-25-2007



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Page: 4 of 4  
12/19/2005 03:30P  
Bk-R188 Pg-4983



# 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: 11-20-09

TO CONTACT NAME: Wes Butero  
 COMPANY/AGENCY: South Cross L.P.  
 ADDRESS/ZIP: 6801 Jefferson NE, Suite 100 87109  
 PHONE/FAX #: 217-3722 780-226-9402

Thank you for your inquiry of 11-20-09 (date) requesting the names of ALL Affected

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at the northeast corner of Central Avenue & Airport Road  
 zone map page(s) K-10

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

<u>Skyview West / Rosillos</u>	<u>Westside Merchants</u>
Neighborhood or Homeowner Association	Neighborhood or Homeowner Association
Contacts: _____	Contacts: _____
_____	_____
_____	_____
_____	_____

*Not attached*

**See reverse side for additional Neighborhood and/or Homeowner Associations Information:**

YES ( ) ~~NO~~

Please note that according to O-92 you are required to notify each of these contact persons by **RECEIPT REQUESTED. BEFORE** the Planning Department will accept **YOUR APPLICATION HEARING BEING DEFERRED** **FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN**

Sincerely,

OFFICE OF NEIGHBORHOOD COORDINATION

each Neighborhood and/or  
 to be notified.

### NOTICE TO APPLICANTS - SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

#### WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the subject request of the EPC.
  - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e. "from the D-7 Townhouse zone to the C-2 Community Commercial zone").
  - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through shopping center with a drive-through banking center").
  - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features (i.e., "employment centers, parks and other public facilities").
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood and/or homeowner associations may contact someone with questions or comments.

#### INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

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

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

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

\*\*\*\*\*

(Below this line for ONC use only)

Date of Inquiry: 11-20-09 Time Entered: 8:27 AM ONC Rep. Initials: PLM

**LOS VOLCANES N.A. (LVC) "R"**

\*M. Max Garcia *e-mail: Max Garcia@msn.com*  
6619 Honeylocust Ave. NW/87121 833-0969 (h)  
Ben Sandoval *e-mail: bsandoval@msn.com*  
6516 Honeylocust Ave. NW/87121 836-4419 (h)

**Council District: 1**  
**County District: 1**  
**Police Beat: 113/SW**  
**Zone Map #: H-K-9-11**

**SKYVIEW WEST N.A. (SVW) "R"**

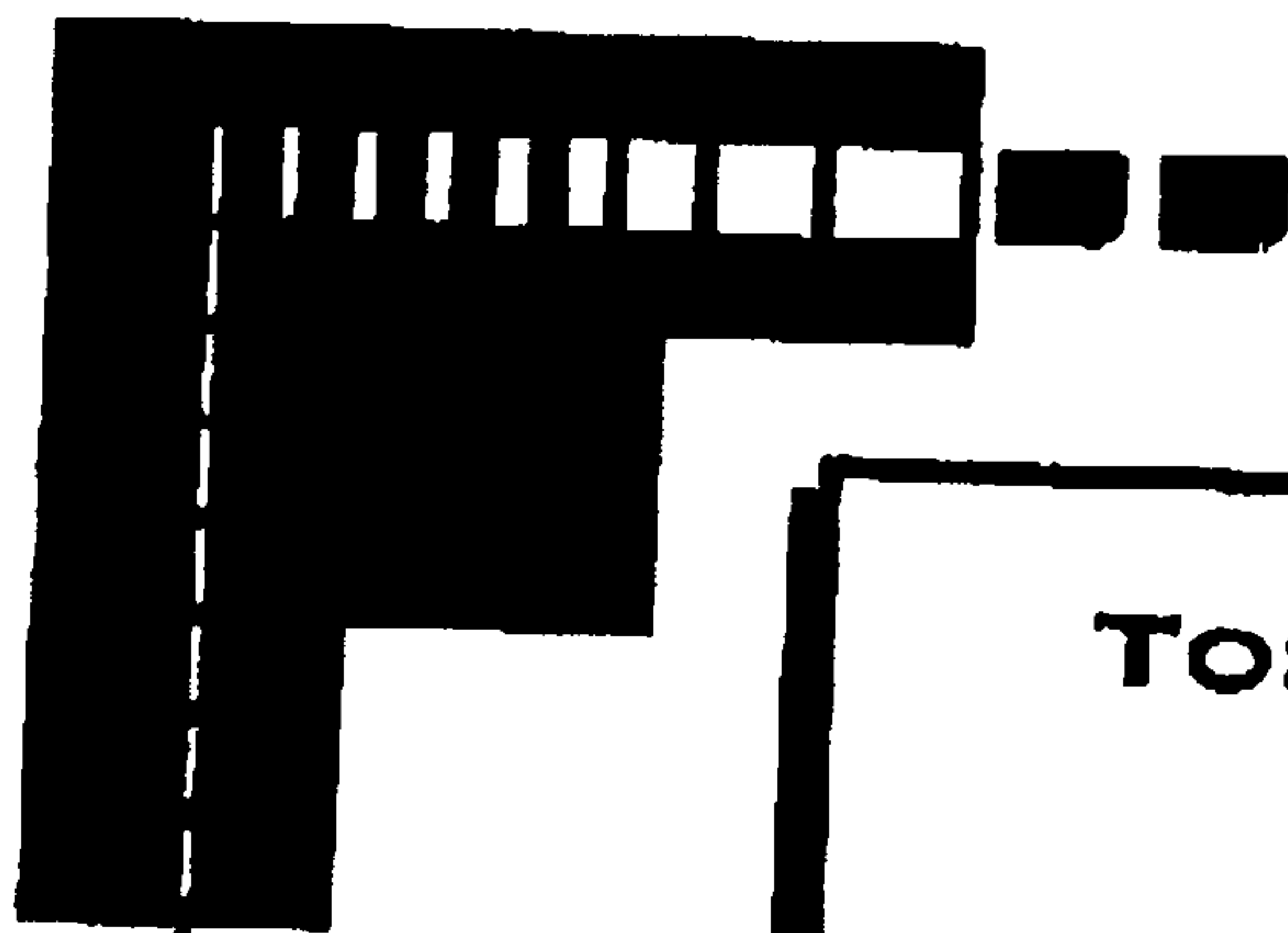
Bea Purcella  
201 Claire Ln. SW/87121 831-5556 (h)  
Sharon Birner  
200 Gary Ln. SW/87121 836-7096 (h)

**Council District: 183**  
**County District: 2**  
**Police Beat: 116/SW**  
**Zone Map: K-L-10**

**WEST SIDE MERCHANTS ASSOC. (WSM) "R"**

\*Larry Nelson  
929 Old Coors SW/87105 836-3330 (w)  
Humberto Perez  
701B Old Coors SW/87105 489-2104 (c)

**Council District: 183**  
**County District: 182**  
**Police Beat: 115/SW**  
**Zone Map: H-11, J-9-12, K-8-12, L-9-11**

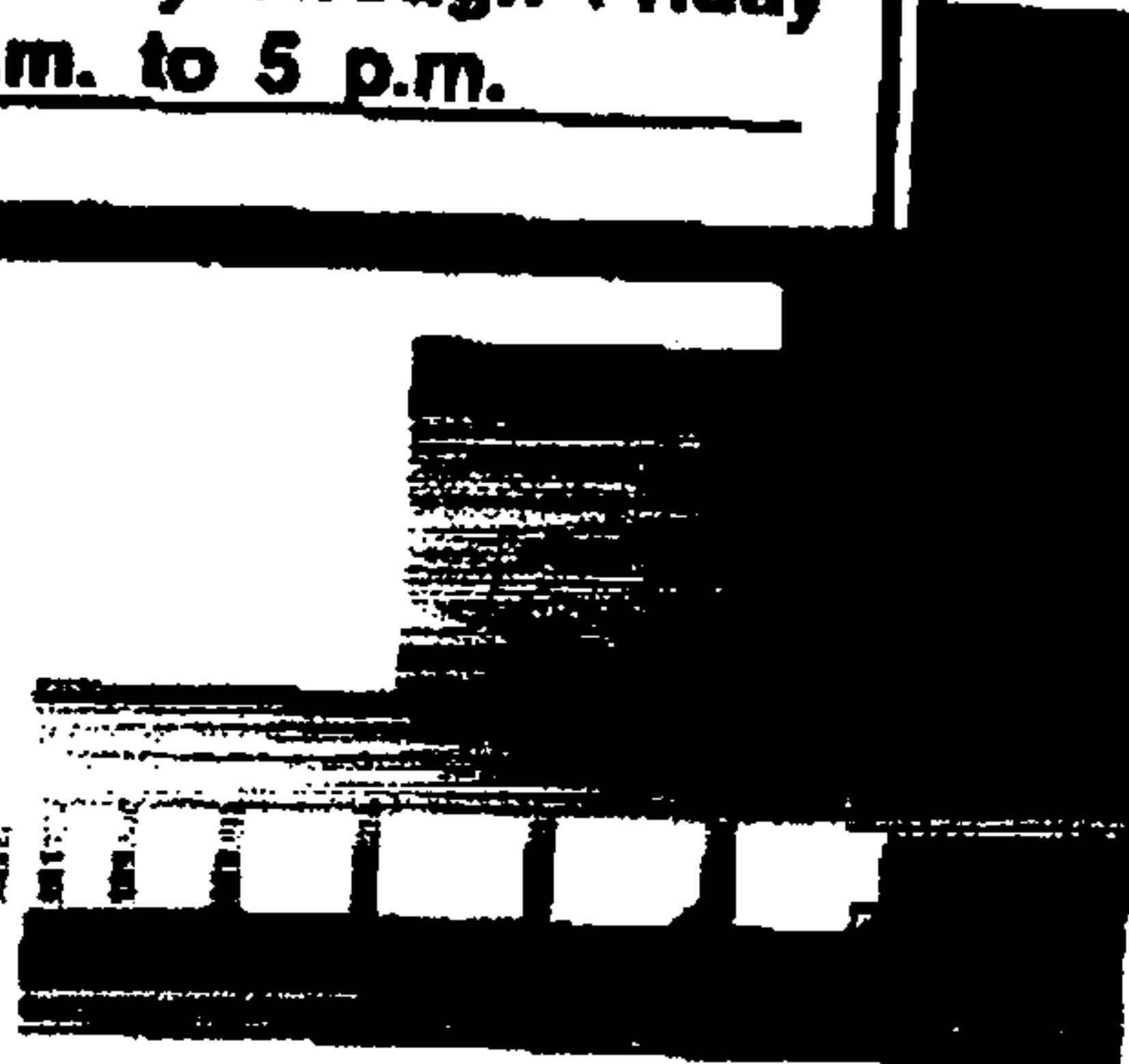


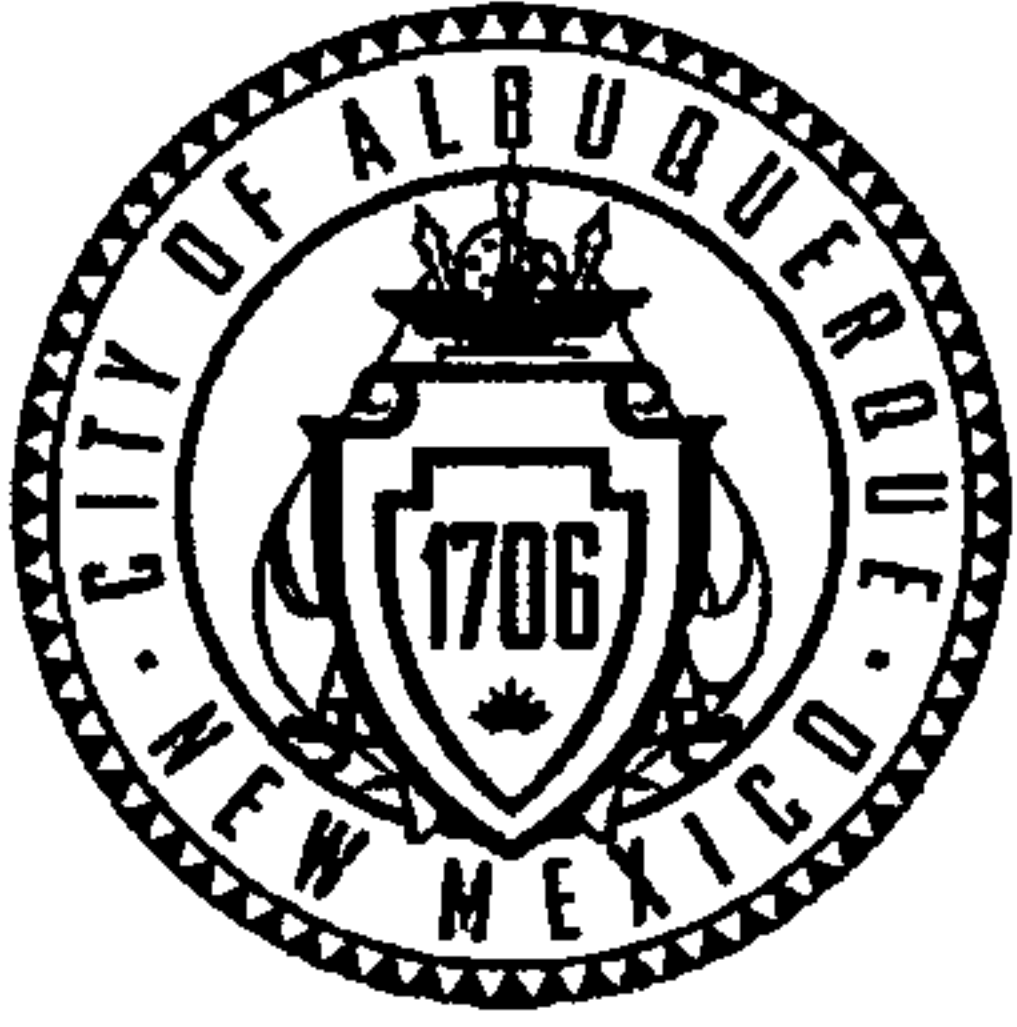
TO: WES BUTERO  
\_\_\_\_\_  
\_\_\_\_\_

FROM: PAT MONTROYA  
COA Planning  
Office of Neighborhood Coordination  
P.O. Box 1293, Albuquerque, NM 87103  
Street Address: 800 Second St. NW/87102  
Phone: 924-3914 Fax: 924-3913

DATE: 11/20/09 FAX NO.: 720-296-9402  
PAGE TOTAL: 4  
COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
CONTACT  
IN CASE OF PROBLEMS: 924-3914, Monday through Friday  
8 a.m. to 5 p.m.

FACSIMILE





# DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. **Your Developer Inquiry is for the following:**

Cell Tower & Type:  Free-Standing Tower -OR-  Concealed Tower

Private Development  EPC  DRB  LUCC  Liquor Submittal

Administrative Amendments (AA's)

City Project

Special Exception Application (ZHE)

CONTACT NAME: Wes Butero

COMPANY NAME: South Coors L.P.

ADDRESS/ZIP: 6801 Jefferson NE, Suite 100, Albuquerque, NM 87109

PHONE: 505-217-3722

FAX: 720-226-9402

## LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

Tract A-1A-3A & A-1A-3B, Hubbell Plaza

LEGAL DESCRIPTION

LOCATED ON

the Northeast Corner of Central Avenue and Airport Road

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN

STREET NAME OR OTHER IDENTIFYING LANDMARK.

AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (K-10-Z).

(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)

(Zone Map **MUST** be provided with request)

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Skyview West N.A.  
Attn: Bea Purcella  
201 Claire Lane SW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Ms. Purcella:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. A two year extension of the SIA was granted by the Development Review Board on January 2, 2008. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Los Volcanes N.A.  
Attn: M. Max Garcia  
6619 Honeylocust Avenue NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Garcia:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager



**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Los Volcanes N.A.  
Attn: Ben Sandoval  
6516 Honeylocust Avenue NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Sandoval:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Westside Merchants Association  
Attn: Larry Nelson  
929 Old Coors SW  
Albuquerque, New Mexico 87105

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Nelson:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Westside Merchants Association  
Attn: Humberto Perez  
701B Old Coors SW  
Albuquerque, New Mexico 87105

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Perez:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 20, 2009

Skyview West N.A.  
Attn: Sharon Birner  
200 Gary Lane SW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Ms. Birner:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@primenm.com](mailto:wes@primenm.com) with any questions or comments. Thank you!

Sincerely,



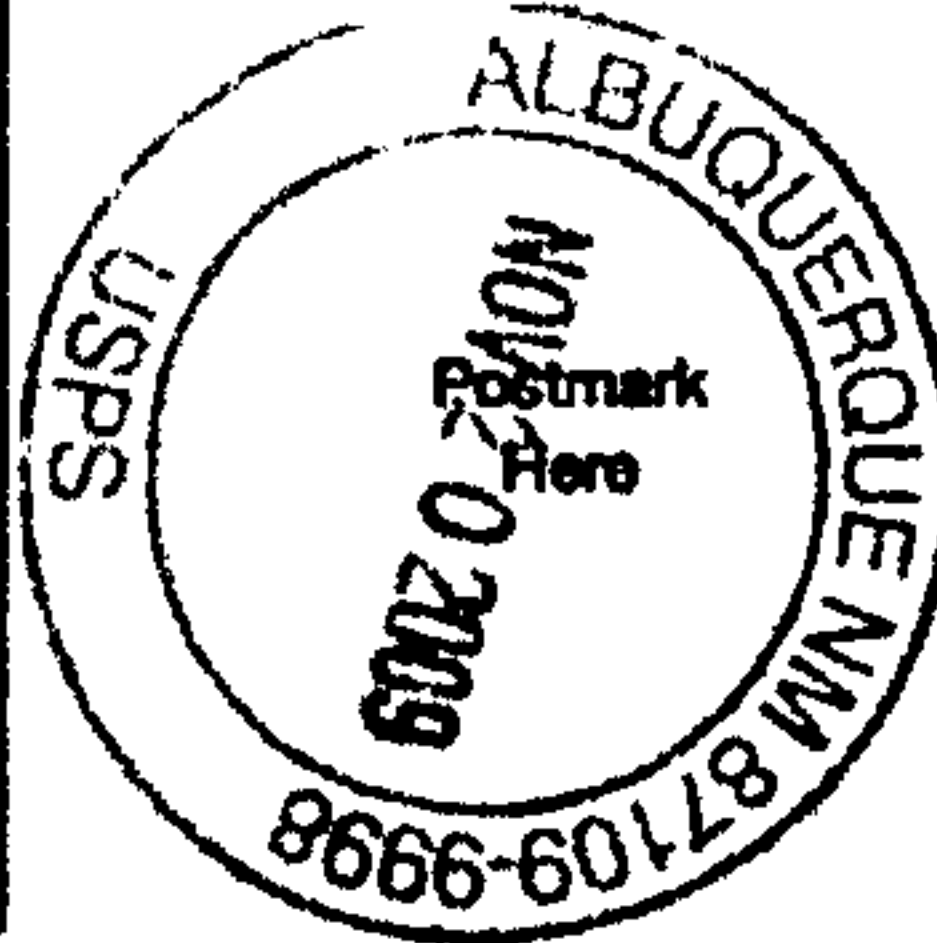
Wes Butero  
Project Manager

4234 3231 722E E000 0990 2002

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

**OFFICIAL USE**

Postage	\$ .44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.54</b>



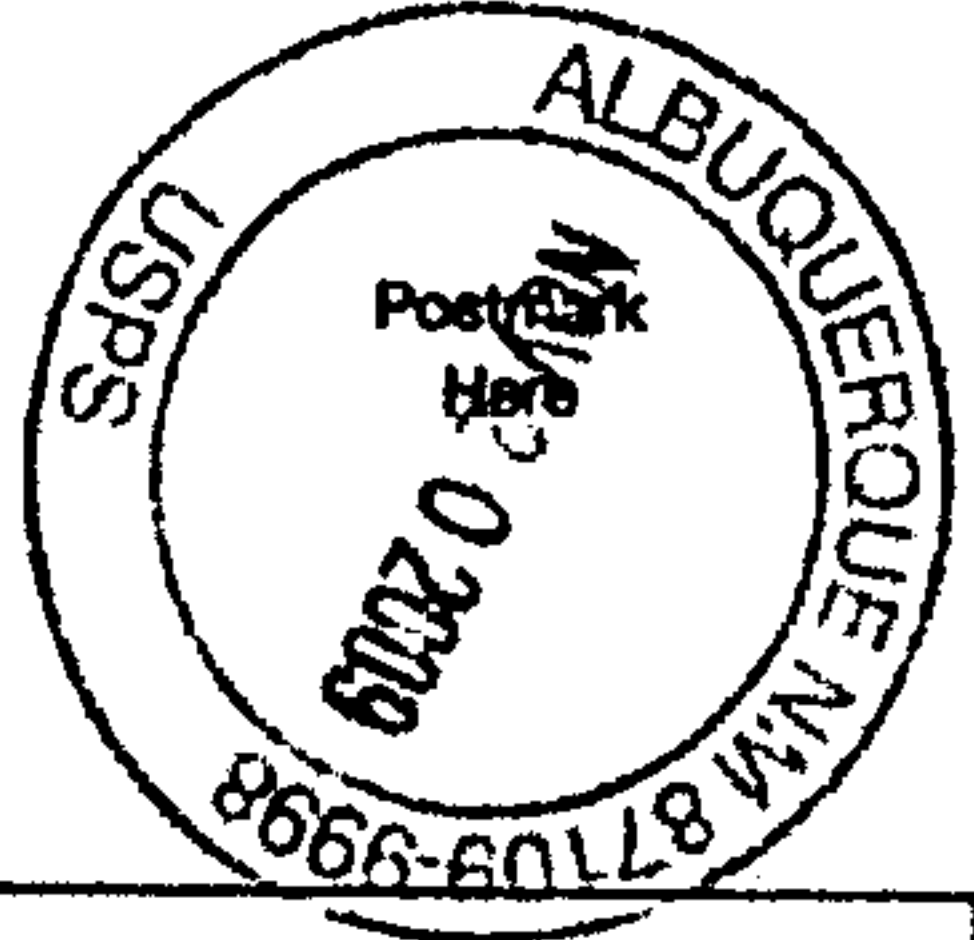
Sent To  
 SKYVIEW WEST, ATTN: SHARON BIRNER  
 Street, Apt. No.;  
 or PO Box No. 200 GARY LANE SW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87121  
 PS Form 3800, April 2002 See Reverse for Instructions

4234 3231 722E E000 0990 2002

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**CERTIFIED MAIL RECEIPT**  
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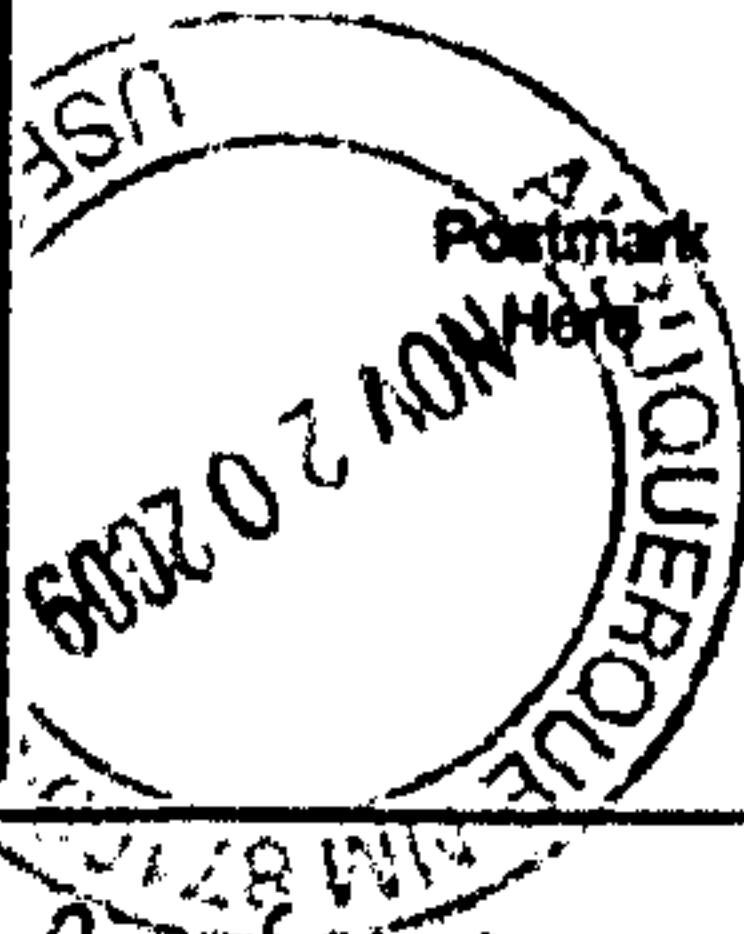
Sent To  
 SKYVIEW WEST NA, ATTN: BEA PURCELLA  
 Street, Apt. No.;  
 or PO Box No. 201 CLAIRE LANE SW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87121  
 PS Form 3800, April 2002 See Reverse for Instructions

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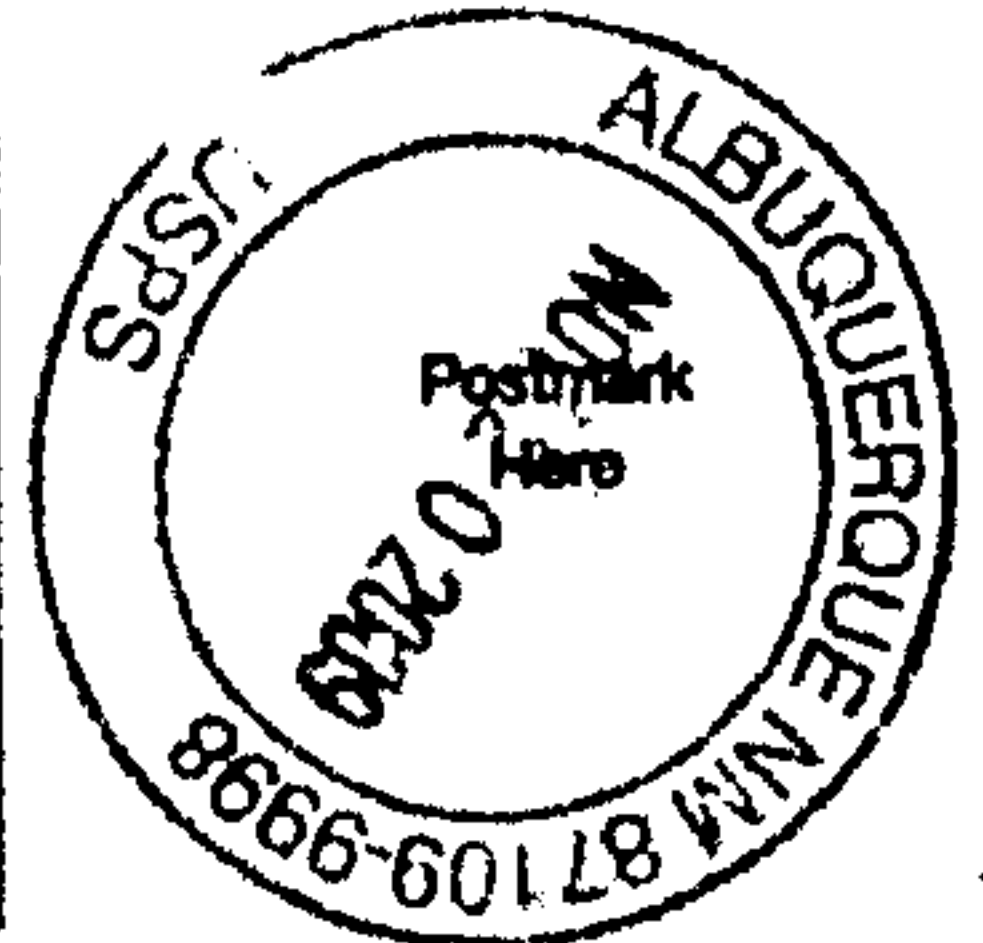
Sent To  
 LOS VOLCANES N.A. - ATTN: BEN SANDOVAL  
 Street, Apt. No.;  
 or PO Box No. 6510 HONEYLOCUST AVE NW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87121  
 PS Form 3800, April 2002 See Reverse for Instructions

4234 3231 722E E000 0990 2002

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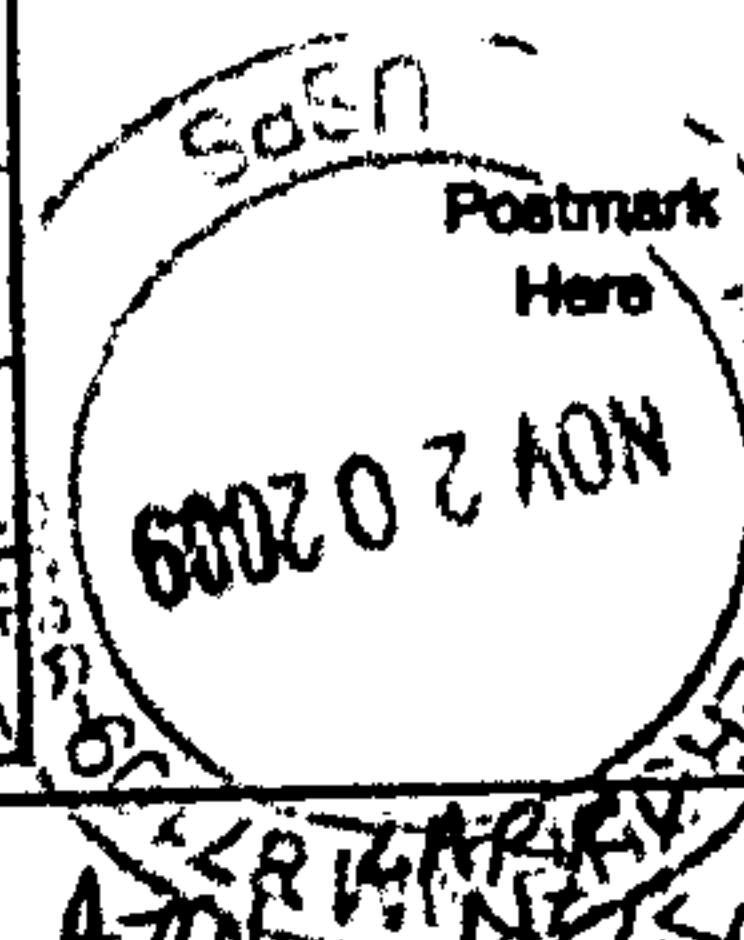
Sent To  
 LOS VOLCANES N.A. - ATTN: M. MAX GARCIA  
 Street, Apt. No.;  
 or PO Box No. 6619 HONEYLOCUST AVE NW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87121  
 PS Form 3800, April 2002 See Reverse for Instructions

4234 3231 722E E000 0990 2002

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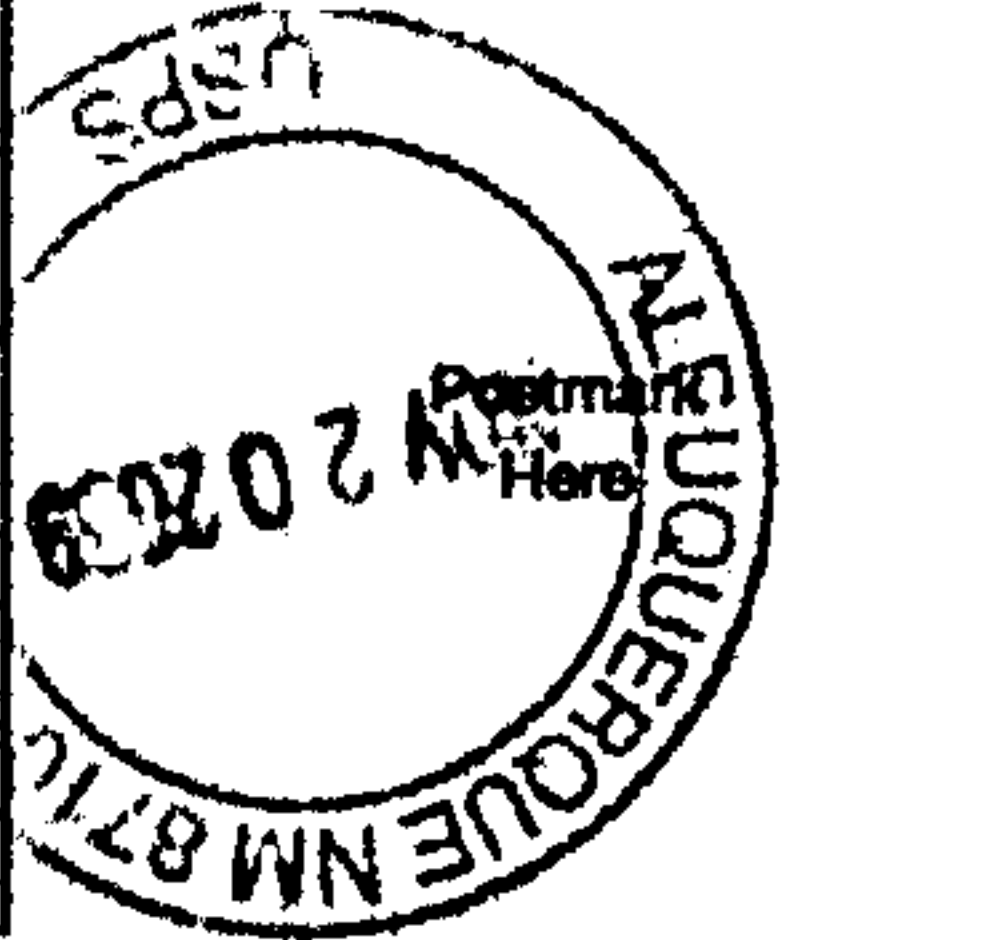
Sent To  
 WESTSIDE MERCHANTS ASSOC. ATTN: WILSON  
 Street, Apt. No.;  
 or PO Box No. 929 OLD COORS SW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87105  
 PS Form 3800, April 2002 See Reverse for Instructions

4234 3231 722E E000 0990 2002

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

**OFFICIAL USE**

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Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.54</b>



Sent To  
 WESTSIDE MERCHANTS ASSOC. ATTN: HUMBERTO PEREZ  
 Street, Apt. No.;  
 or PO Box No. 701-B OLD COORS SW  
 City, State, ZIP+4  
 ALBUQUERQUE, NM 87105  
 PS Form 3800, April 2002 See Reverse for Instructions

# FINANCIAL GUARANTY AMOUNT

11/29/2005

Type of Estimate: SIA Procedure - B - Modified Non-W.O.- w/F.G.

Project Description:

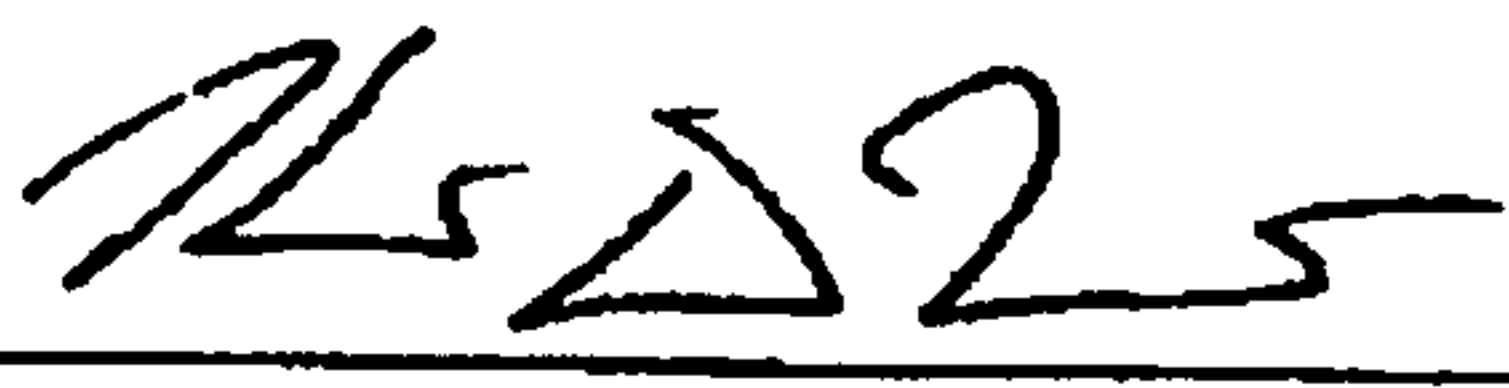
Project ID #: 773281, Hubbell Plaza/Central Av. Swk/C&G Installn, Phase/U

Requested By: Wes Butero - South Coors Limited Partnership

Approved estimate amount:		\$5,921.00
Contingency Amount:	30.00%	\$1,776.30
Subtotal:		\$7,697.30
NMGRT	6.75%	\$519.57
Subtotal:		\$8,216.87
Engineering Fee	6.60%	\$542.31
Testing Fee	10.00%	\$821.89
Subtotal:		\$9,580.87
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$ .00
<b>TOTAL FINANCIAL GUARANTY REQUIRED</b>		<b>\$11,976.09</b>

APPROVAL:

DATE:





Notes: Fax: 720-226-9402

### TREASURER'S REPORT OF DAILY DEPOSITS

#### DEPOSITOR

First State Bank  
Cashiers Check No. 261060554  
Remitter: South Coors LP

#### DESCRIPTION

CPN: 773281  
Project: Hubbell Plaza

#### COMMENTS

Financial Guaranty for SIA  
Procedure B-modified-non-work order

ACCOUNT: 233100

ACTIVITY: 7000110

AMOUNT: \$11,976.09

**TOTAL AMOUNT: \$11,976.09**

Verified By: Marilyn Maldonado  
Phone Number: 924-3997  
Deposit Date: December 5, 2005

NATURE SAVER™ FAX MEMO 01816		Date	For pages ▶
To <i>Criff</i>	From <i>Vittoria</i>		
Co./Dept.	Co. <i>UCA</i>		
Phone # <i>720-226-0390</i>	Phone # <i>924-3997</i>		
Fax # <i>720-226-9402</i>	Fax #		

**\*\*\*DUPLICATE\*\*\***  
City Of Albuquerque  
Treasury Division

12/5/2005 1:17PM LOC: AMIX  
RECEIPT# 00049259 USN 008 TRANS# 0072  
Account 233100 Fund 0110  
Activity 7000110 TRSCCS  
Trans Amt \$11,976.09  
J24 Misc

CK \$11,976.09  
CHANGE \$11,976.09  
\$0.00

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

11/25/2009 Issued By: PLNSDH 82163

**Permit Number: 2009 070 367**

**Category Code 910**

**Application Number: 09DRB-70367, Major - 2yr Subd Imp Agmt Ext (2yr Sia)**

**Address:**

**Location Description: NE CORNER OF CENTRAL AVE NW AND AIRPORT NW**

**Project Number: 1004548**

**Applicant**

South Coors  
Wes Butero  
6801 Jefferson Ne Ste 100  
Albuquerque NM 87109  
217-3722

**Agent / Contact**

South Coors  
Wes Butero  
6801 Jefferson Ne Ste 100  
Albuquerque NM 87109  
217-3722

**Application Fees**

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$50.00
<b>TOTAL:</b>		<b>\$145.00</b>

City Of Albuquerque  
Treasury Division

11/25/2009 9:13AM LOC: ANNX  
WS# 006 TRANS# 0006  
RECEIPT# 00112986-00112986  
PERMIT# 2009070367 TRSDMG  
Trans Amt \$145.00  
APN Fee \$75.00  
Conflict Manag. Fee \$20.00  
DRB Actions \$50.00  
CK \$125.00  
VI \$20.00  
CHANGE \$0.00



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

#### 1. LOCATION

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

#### 2. NUMBER

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

#### 3. PHYSICAL POSTING

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

#### 4. TIME

Signs must be posted from DEC. 8, 2009 To DEC. 23, 2009

#### 5. REMOVAL

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

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

Jim P. Dountas  
(Applicant or Agent)

11-25-09  
(Date)

I issued 2 signs for this application, 11/25/09 Sandy Handley  
(Date) (Staff Member)

DRB PROJECT NUMBER: 1004546

# CITY OF ALBUQUERQUE



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

**DEVELOPMENT REVIEW BOARD--SPEED MEMO**

**DRB CASE NO/PROJECT NO: 1004546**

**AGENDA ITEM NO: 4**

**SUBJECT:**

SIA Extension

**ACTION REQUESTED:**

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

P.O. Box 1293

**ENGINEERING COMMENTS:**

The Hydrology Section has no objection to the extension request.

Albuquerque

New Mexico 87103

**RESOLUTION:**

APPROVED X<sup>2-yr</sup>; DENIED \_\_\_\_; DEFERRED \_\_\_\_; COMMENTS PROVIDED \_\_\_\_; WITHDRAWN

www.cabq.gov

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

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

FOR:

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

**DATE:** January 2, 2008

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

11/30/2007 Issued By: PLNSDH

**Permit Number: 2007 070 416**

**Category Code 910**

**Application Number: 07DRB-70416, Major - 2yr Subd Imp Agmt Ext (2yr Sia)**

**Address:**

**Location Description: CENTRAL AVE NW AND AIRPORT RD NW**

**Project Number: 1004548**

**Applicant**

South Coors L.P.  
Wes Burtero  
7600 Jefferson Ne, Ste 27  
Albuquerque NM 87109  
217-3722

**Agent / Contact**

South Coors L.P.  
Wes Burtero  
7600 Jefferson Ne, Ste 27  
Albuquerque NM 87109  
217-3722

**Application Fees**

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$50.00
<b>TOTAL:</b>		<b>\$145.00</b>

City Of Albuquerque  
Treasury Division

11/30/2007 12:13PM LOC: ANNX  
WS# 007 TRANS# 0026  
RECEIPT# 00091189-00091189  
PERMIT# 2007070416 TRSMSP  
Trans Amt \$145.00  
APN Fee \$75.00  
Conflict. Manag. Fee \$20.00  
DRB Actions \$50.00  
CK \$145.00  
CHANGE \$0.00

Thank You



Supplemental form

<b>SUBDIVISION</b>	<b>S</b>	<b>Z</b>	<b>ZONING &amp; PLANNING</b>
<input checked="" type="checkbox"/> Major Subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor Subdivision action			<input type="checkbox"/> County Submittal
<input type="checkbox"/> Vacation	<b>V</b>		<input type="checkbox"/> EPC Submittal
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>		<input type="checkbox"/> Sector Plan (Phase I, II, III)
<input type="checkbox"/> for Subdivision			<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan
<input type="checkbox"/> for Building Permit			<input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)
<input type="checkbox"/> Administrative Amendment (AA)			<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> IP Master Development Plan	<b>D</b>		
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	<b>L</b>	<b>A</b>	<b>APPEAL / PROTEST of...</b>
<b>STORM DRAINAGE (Form D)</b>			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
<input type="checkbox"/> 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 2<sup>nd</sup> 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): \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: South Coors L.P., Wes Butero, Project Manager PHONE: 505-217-3722  
 ADDRESS: 7600 Jefferson NE, Suite 27 FAX: 505-858-3101  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: wes@scmpropertyco.com  
 Proprietary interest in site: Developer & Subdivider List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Two year extension of SIA

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

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

Lot or Tract No. A-1A-3A & A-1A-3B Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Hubbell Plaza  
 Existing Zoning: C-2 Proposed zoning: C-2 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): K-10-Z UPC Code: 101005741026510109 & 101005739828510113

**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 # 1004546, 05DRB-01735

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 3.37  
 LOCATION OF PROPERTY BY STREETS: On or Near: NEC Central Avenue & Airport Road NW  
 Between: \_\_\_\_\_ and \_\_\_\_\_

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

SIGNATURE Wes Butero DATE 11/29/07  
 (Print) Wes Butero Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
01DRB 70416	SIA	5(2)	\$ 50.00
	ADV		\$ 75.00
	CMF		\$ 20.00
			\$
			\$
			\$
			\$
			Total
			\$ 145.00

Hearing date 01/02/08  
Sandy Handley 11/30/07 Project # 1004546  
 Planner signature / date

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

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

**MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary Plat including the Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Proposed Infrastructure List
- Signed Preliminary Pre-Development Facilities Fee Agreement for **Residential** development only
- Design elevations & cross sections of perimeter walls **3 copies** (11" x 17" maximum)
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Property owner's and City Surveyor's signature on the proposed plat
- FORM DRWS Drainage Report, Water & Sewer availability statement filing information
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Signed** Pre-Annexation Agreement if Annexation required.
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

**Preliminary plat approval expires after one year.**

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

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

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

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

**Amended preliminary plat approval expires after one year.**

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

**MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

**(Temporary sidewalk deferral extension use FORM-V)**

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

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

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

Wes Butero

*Wes Butero*

Applicant name (print)  
11/29/07

Applicant signature / date

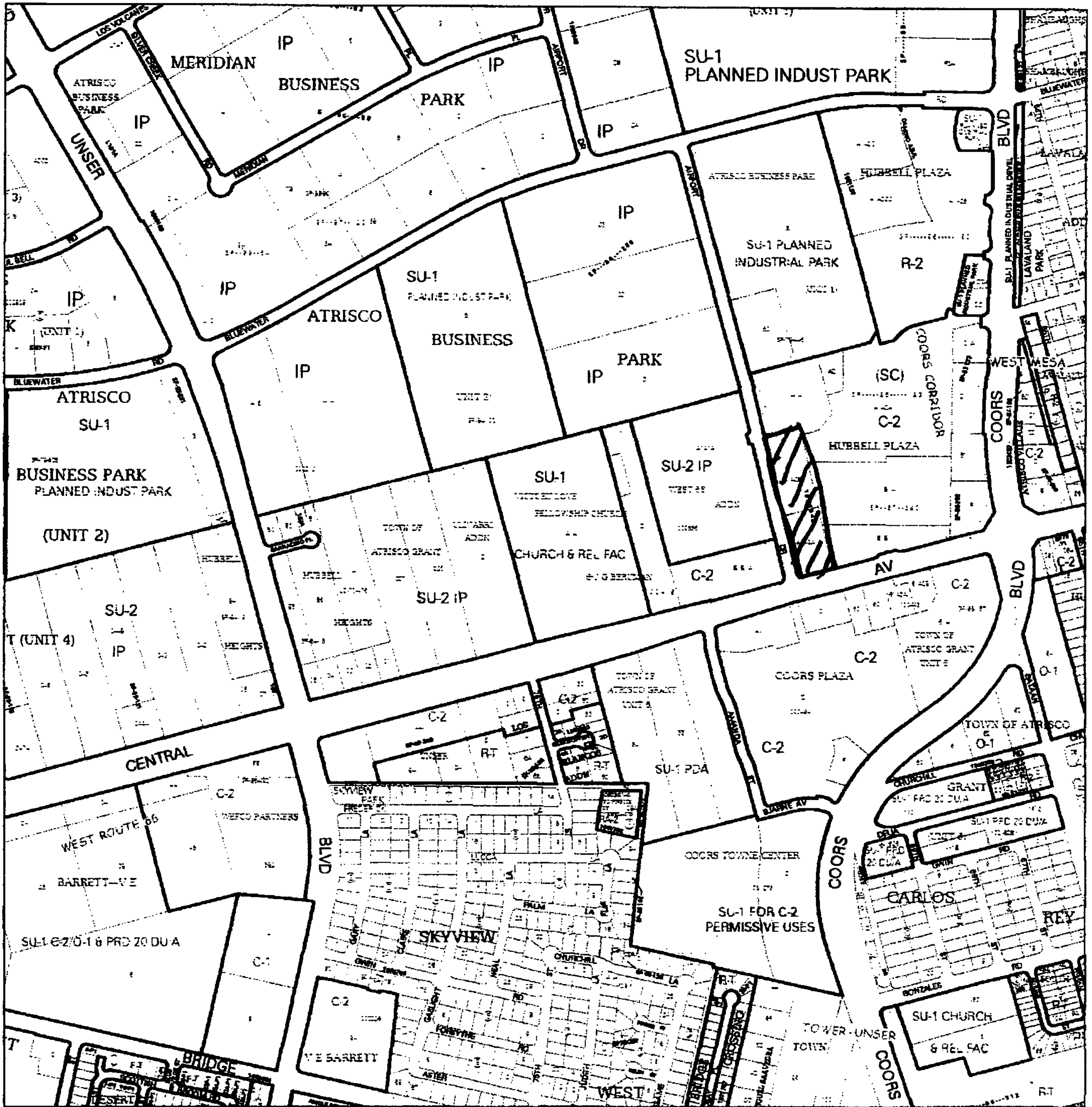


Form revised October 2007

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

Application case numbers  
07DRB - 70916

*Sandy Handley* 11/30/07  
Planner signature / date  
Project # 1004546



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

Map amended through: 9/6/2007

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**K-10-Z**

Selected Symbols

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

0 750 1,500 Feet

**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

HAND DELIVERY  
November 29, 2007

Planning Department  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA

Our company is requesting a two year extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision. The property is located Zone Atlas Page K-10-Z.

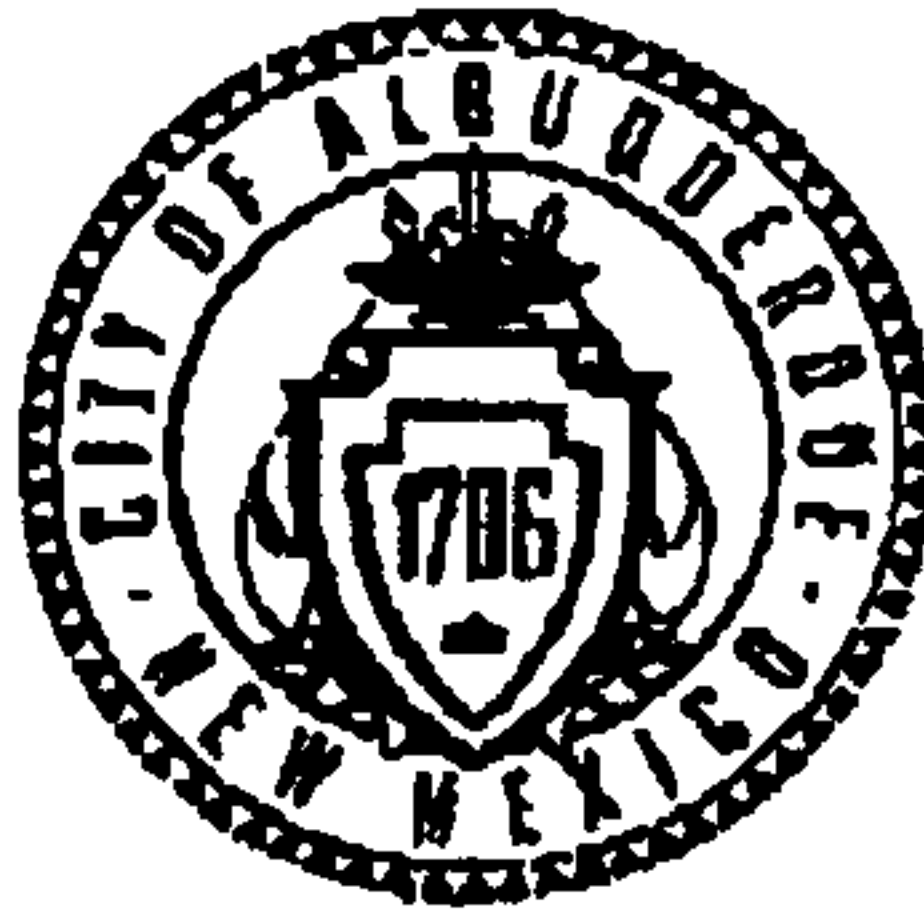
This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager



# 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: 21 November 2007

TO CONTACT NAME: Wes Butera  
 COMPANY/AGENCY: South Coors L.P  
 ADDRESS/ZIP: 7600 Jefferson NE, Suite 27, 87109  
 PHONE/FAX #: 217-3722 / 720-226-9402

Thank you for your inquiry of 21 November 2007 requesting the names of **Recognized**

(date)  
**Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Tract A-1A-3A & A-1A-3B, Hubbell Plaza Located on The North-Corner of Central Ave & Airport Rd  
 zone map page(s) K-10

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

Skyview West NA  
 Neighborhood Association  
 Contacts: Tony Chavez  
305 Claire Ln. SW 87121  
831-5824(h)  
Beatrice Purcella  
201 Claire Ln. SW 87121  
831-5556(h)

Los Volcanes NA  
 Neighborhood Association  
 Contacts: Max M. Garcia  
6619 Honeylocust Ave. NW 87121  
833-0969(h)  
Ben Sandoval  
6516 Honeylocust Ave NW 87121

**See reverse side for additional Neighborhood Association Information: YES  NO**

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL. RETURN RECEIPT REQUESTED. BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,  
  
 OFFICE OF NEIGHBORHOOD COORDINATION

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



**Additional Neighborhood Association Information**

*Westside Merchants Assoc.*

Neighborhood Association

Contacts: *Van Barber*

*5201 Central NW 87105*

*350.2515(c)*

*Miguel Maestas*

*6013 Sunset Gardens SW 87121*

*831.5406(iv)*

Neighborhood Association

Contacts: \_\_\_\_\_

Neighborhood Association

Contacts: \_\_\_\_\_

Neighborhood Association

Contacts: \_\_\_\_\_

**ALTHOUGH YOU ARE NOT "OFFICIALLY REQUIRED" BY O-92,**  
you are most welcomed to notify the following "*Unrecognized*"  
neighborhood associations of this project.

Neighborhood Association

Contacts: \_\_\_\_\_

Neighborhood Association

Contacts: \_\_\_\_\_

Neighborhood Association

Contacts: \_\_\_\_\_

Neighborhood Association

Contacts: \_\_\_\_\_

# !!!Notice to Applicants!!!

## SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

### WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

## Information from the Office of Neighborhood Coordination

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

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

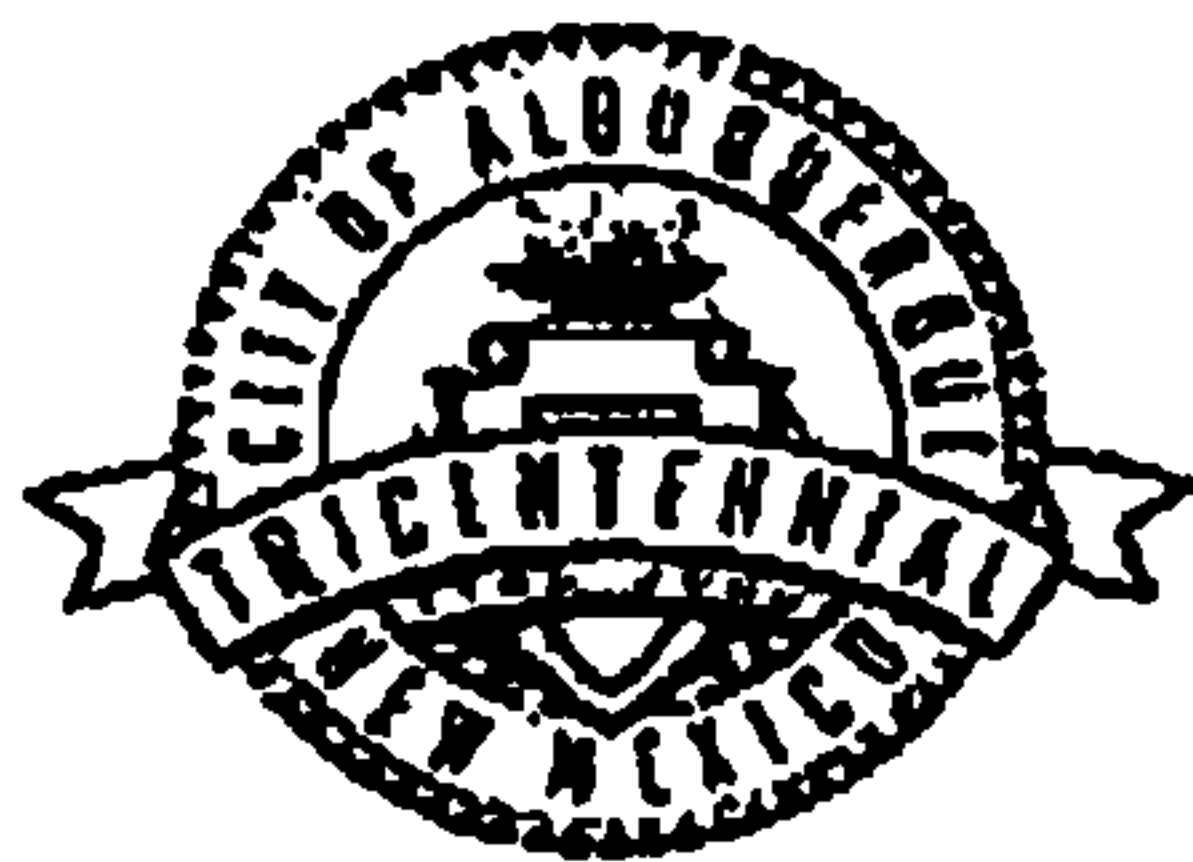
**Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.**

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at [swinklepleck@caba.gov](mailto:swinklepleck@caba.gov).

Thank you for your cooperation on this matter.

.....  
(below this line for ONC use only)

Date of Inquiry: 21 Nov 07 Time Entered: 8:03 AM ONC Rep. Initials: [Signature]



# DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. Your Developer Inquiry is for the following:

Cell Tower & Type: [ ] Free-Standing Tower -OR- [ ] Concealed Tower

Private Development [X] (i.e., EPC, DRB, LUCC, Liquor Submittal) SA Extension

City Project [ ]

CONTACT NAME: Wes Butero

COMPANY NAME: South Coors L.P.

ADDRESS/ZIP: 7600 Jefferson NE Suite 27, Albuquerque, NM 87109

PHONE: 505-217-3722 FAX: 720-226-9402

## LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

Tract A-1A-3A & A-1A-3B, Hubbell Plaza

LOCATED ON the Northeast Corner of Central Ave & Airport Road

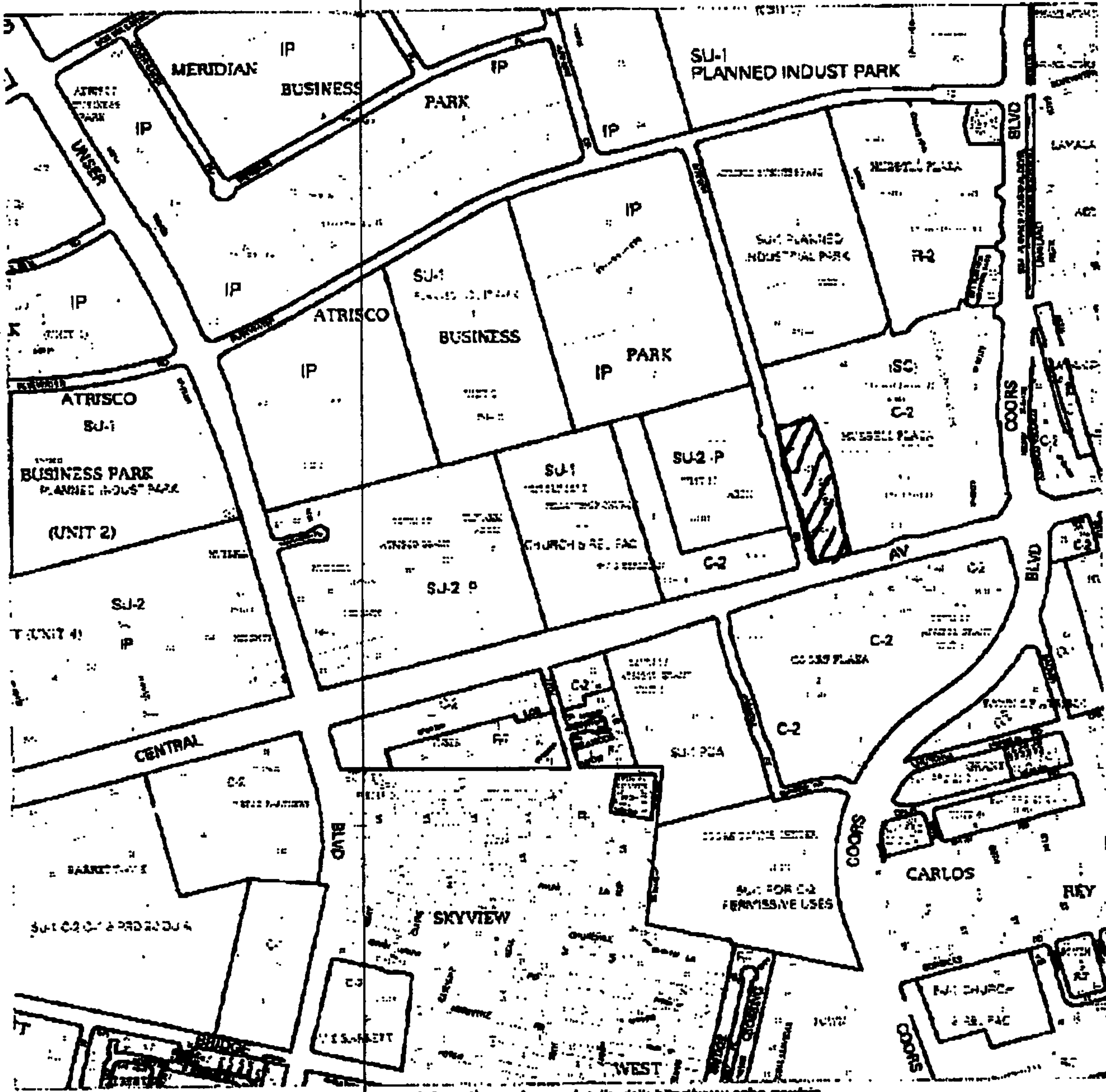
STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN \_\_\_\_\_ AND \_\_\_\_\_

STREET NAME OR OTHER IDENTIFYING LANDMARK

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (K-10-Z).  
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)  
(Zone Map **MUST** be provided with request)



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



Map amended through: 07/6/2007

Note: Grey Shading  
Represents Area Outside  
of the City Limits

Zone Atlas Page:

**K-10-Z**

Selected Symbols

- Airport
- Design Overlay Zone
- City Historic Zone
- H-1 Buffer Zone
- Protophly Map
- 2 Mile Airport Zone
- Airport Noise Contour
- Wall Overlay Zone



**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 29, 2007

Skyview West N.A.  
Attn: Beatrice Purcella  
201 Claire Lane SW  
Albuquerque, New Mexico 87121

**RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.**

Dear Ms. Purcella:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 29, 2007

Los Volcanes N.A.  
Attn: Max. M. Garcia  
6619 Honeylocust Avenue NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Garcia:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

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Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 29, 2007

Los Volcanes N.A.  
Attn: Ben Sandoval  
6516 Honeylocust Avenue NW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Sandoval:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 29, 2007

Westside Merchants Association  
Attn: Van Barber  
5201 Central Avenue NE  
Albuquerque, New Mexico 87105

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Barber:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager



**South Coors Limited Partnership**

7600 Jefferson NE, Suite 27  
Albuquerque, New Mexico 87109

VIA CERTIFIED U.S. MAIL, R.R.R.  
November 29, 2007

Westside Merchants Association  
Attn: Miguel Maestas  
6013 Sunset Gardens SW  
Albuquerque, New Mexico 87121

RE: REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT  
AGREEMENT FOR TRACTS A-1A-3A & A-1A-3B, HUBBELL PLAZA.

Dear Mr. Maestas:

Our company is requesting an extension of a Subdivision Improvement Agreement for property at 6921 Central Avenue NW. This request will be submitted to the City of Albuquerque to be heard before the Development Review Board in a public hearing. The property is located at the northeast corner of Central Avenue and Airport Road. The legal description of the property is Tract A-1A-3A & A-1A-3B, Hubbell Plaza Subdivision.

This Subdivision Improvement Agreement was originally recorded on December 19, 2005 in association with a minor subdivision action. The SIA is for the addition of curb, gutter & sidewalk on the north side of Central Avenue along the frontage of the property. It is the intent that at the time of development of this property, these improvements will be completed along with the improvements associated with development. The owners of the property are still evaluating their development options for the property, thus our request for a two year extension of the SIA.

Please feel free to contact me at 505-217-3722 or at [wes@scmpropertyco.com](mailto:wes@scmpropertyco.com) with any questions or comments. Thank you!

Sincerely,



Wes Butero  
Project Manager

7007 2560 0001 6347 4082

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Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Los Volcanos Athn: Ben Sandoval  
 Street, Apt. No.; or PO Box No. 6516 Honeylocust Ave NW  
 City, State, ZIP+4 Albuquerque NM 87121

PS Form 3800, August 2006 See Reverse for Instructions

7007 2560 0001 6347 4093

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**OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Westside Merchants Assoc Van Barba  
 Street, Apt. No.; or PO Box No. 5201 Central Ave. NE  
 City, State, ZIP+4 Albuquerque NM 87105

PS Form 3800, August 2006 See Reverse for Instructions

7007 2560 0001 6347 4062

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**OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Skyview West Athn: Beatrice Purcella  
 Street, Apt. No.; or PO Box No. 201 Claire Lane SW  
 City, State, ZIP+4 Albuquerque NM 87121

PS Form 3800, August 2006 See Reverse for Instructions

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**OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Los Volcanos Athn: Max Garcia  
 Street, Apt. No.; or PO Box No. 6619 Honeylocust Ave. NW  
 City, State, ZIP+4 Albuquerque NM 87121

PS Form 3800, August 2006 See Reverse for Instructions

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**OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Westside Merchants Assoc Miguel Mestas  
 Street, Apt. No.; or PO Box No. 6013 Sunset Garden SW  
 City, State, ZIP+4 Albuquerque NM 87121

PS Form 3800, August 2006 See Reverse for Instructions

7007 2560 0001 6347 4055

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

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

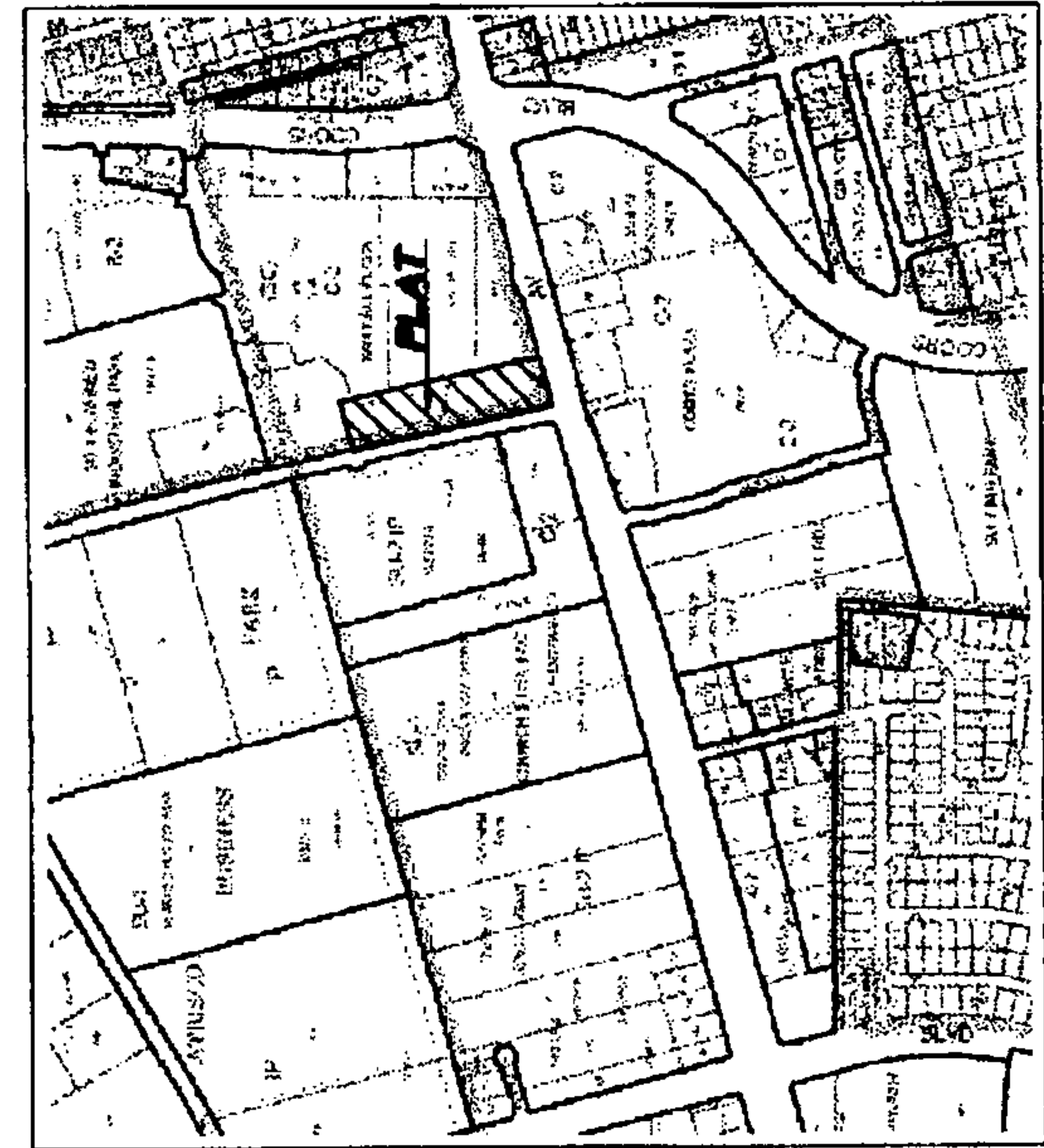
**OFFICIAL USE**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$5.21</b>

Postmark Here: ALBUQUERQUE NM 87101 NOV 30 2007

Sent To: Skyview West Athn: Tony Chavez  
 Street, Apt. No.; or PO Box No. 305 Sky Claire Ln SW  
 City, State, ZIP+4 Albuquerque NM 87121

PS Form 3800, August 2006 See Reverse for Instructions



**Plat Map**  
N.T.S.

**GENERAL NOTES**

1. Bearings are grid based upon the New Mexico State Plane Coordinate System, Central Zone (NAD 27).
2. Distances are ground.
3. Record plat bearings and distances where they differ from those measured by field survey are shown in parentheses ( ).
4. All corners are a 5/8" rebar and cap stamped "M160 L.S. 8750" unless otherwise indicated herein.
5. Albuquerque City Zone Atlas page K-10.
6. U.C.L.S. Log Number

**SUBDIVISION DATA**

1. Total number of existing Tracts: 1
2. Total number of Tracts created: 2
3. Gross Subdivision acreage: 3.3684 acres.
4. This property is currently zoned "C-2" per the City of Albuquerque Zone Atlas Page K-10, Dated October 4, 2005.

**PURPOSE OF PLAT:**

The purpose of this Plat is to:  
Divide existing Tract A-1A-3 into two (2) tracts as shown herein.  
No new additional utility easements are granted by this plat.

**NOTE:**

Said Tract A-1A-3 is subject to an existing reciprocal access utility easement and existing easement for the Hubbell Plaza, contained in the Declaration of Easements with Covenants and Restrictions, Read in the office of the County Clerk of Bernalillo County, New Mexico on July 12, 1986 in Volume Misc. 3734, Pages 732-735. Said document subsequently amended and recorded August 29, 1988 in Book Misc. 388-A, Page 506; October 23, 1991 in Book BCR 87-18, Page 7805; October 25, 1993 in Book BCR 93-26, Page 8337; February 4, 1994 in Book BCR 94-4, Page 8148; August 27, 1996 in Book BCR 96-23, Page 5132 and December 30, 1997 in Book BCR 97-36, Page 5914.

**NOTE:**

Prior to development, City of Albuquerque Water and Sanitary Sewer Service to this property must be authorized and coordinated with the Public Works Department, City of Albuquerque, via a request for water and sewer availability statement.

**TREASURERS CERTIFICATION**

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

Bernalillo County Treasurer	Date

**LEGAL DESCRIPTION**

That certain parcel of land abuts with the Town of Alamosa Grant in Projected Section 22, Township 10 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being and comprising all of the plat entitled "TRACTS A-1A-3A AND A-1A-3B HUBBELL PLAZA (BEING A REPLAT OF TRACT 1-1A-3A AND 1-1A-3B HUBBELL PLAZA, BERNALILLO COUNTY, NEW MEXICO)" Read in the office of the County Clerk of Bernalillo County, New Mexico on June 4, 1992 in Volume 820, Folio 107. Said parcel contains 3.3684 acres, more or less.

**FREE COMMENT**

SURVEYED AND REPLATED and now comprising, TRACTS A-1A-3A AND A-1A-3B, HUBBELL PLAZA (BEING A REPLAT OF TRACT 1-1A-3A AND 1-1A-3B, HUBBELL PLAZA, BERNALILLO COUNTY, NEW MEXICO), with the consent of and in accordance with the wishes and desire of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby warrant that they hold entire, complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby represent that they are so authorized to act.

**OWNER**  
South Chero Limited Partnership,  
a New Mexico limited partnership

By: \_\_\_\_\_ Date \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO SS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by \_\_\_\_\_

Notary Public \_\_\_\_\_ My commission expires \_\_\_\_\_

**PUBLIC UTILITY EASEMENTS**

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

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

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subterranean), spa, hot tub, concrete deck, or other structure shall be erected, constructed, placed on, or attached to, or be situated over, or be operated thereon, or be used in any way, which may be deemed to constitute a public use, or any structure adjacent to or near easements shown on this plat.

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

**DISCLAIMER**

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

**TRACTS A-1A-3A AND A-1A-3B  
HUBBELL PLAZA**

( BEING A REPLAT OF TRACT A-1A-3, HUBBELL PLAZA )  
**CITY OF ALBUQUERQUE**  
**BERNALILLO COUNTY, NEW MEXICO**

OCTOBER, 2005

PROJECT NUMBER \_\_\_\_\_  
Application Number: \_\_\_\_\_

**PLAT APPROVAL**

Utility Approvals

PNM Electric Services	Date
PNM Gas Services	Date
Qwest Corporation	Date
Comcast	Date

City Approvals

City Surveyor	Date
Real Property Division	Date
Environmental Health Department	Date
Traffic Engineering, Transportation Division	Date
Utilities Department	Date
Parks and Recreation Department	Date
AMATCA	Date
City Engineer	Date
DRB Chairperson, Planning Department	Date

**SURVEYORS CERTIFICATION**

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

Russ P. Hugg  
NMPS No. 9750  
October 12, 2005

**SURVOTEK, INC.**

CONSULTING SURVEYORS  
808 Wilby Way Drive, N.E. Albuquerque, New Mexico 87114 Phone 505-897-3388 Fax 505-897-0877

# TRACTS A-1A-3A AND A-1A-3B HUBBELL PLAZA

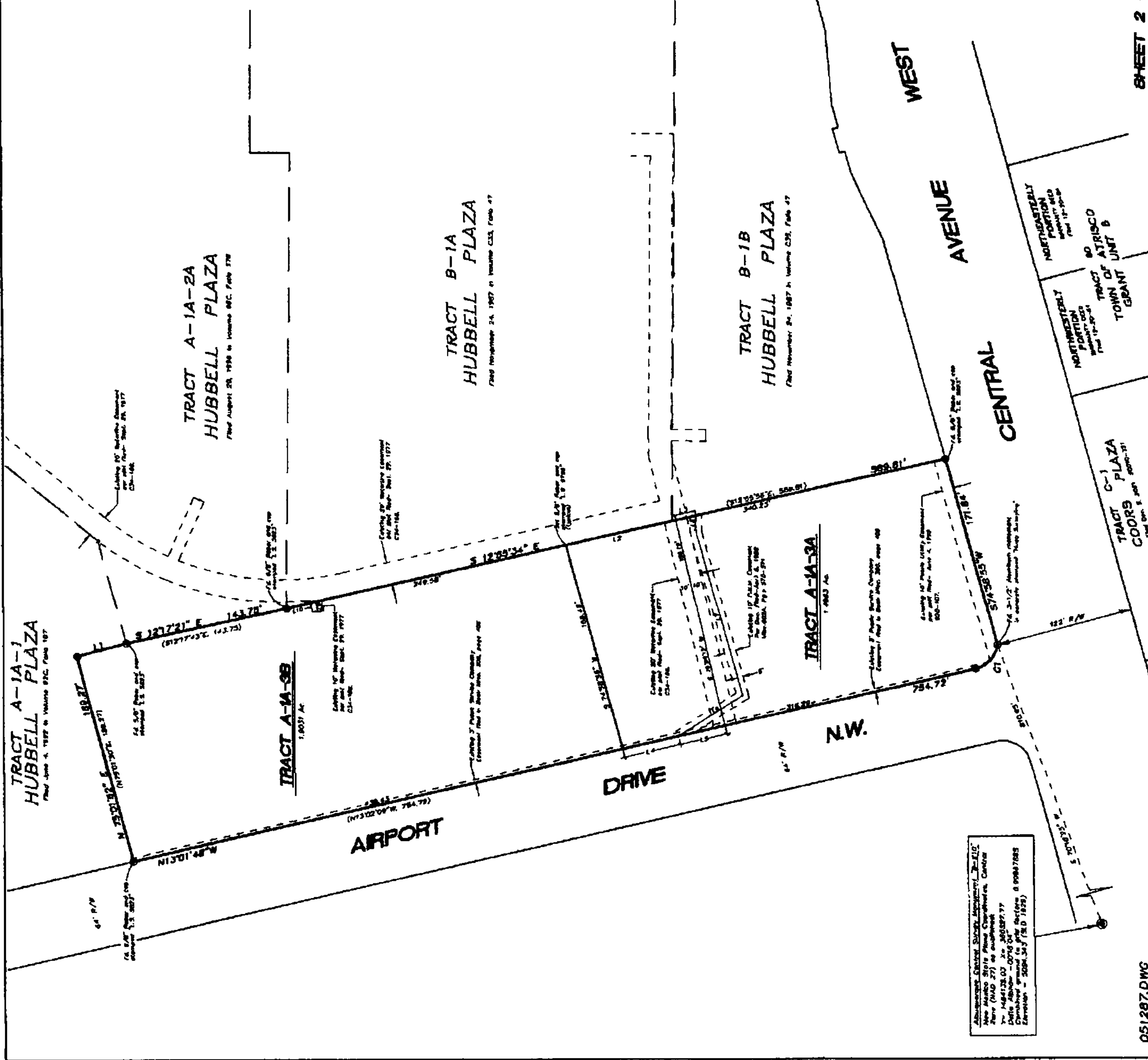
( BEING A REPLAT OF TRACT A-1A-3, HUBBELL PLAZA )  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
OCTOBER, 2005

**NOTE:**

Said Tract A-1A-3 is subject to an existing easement across UNDA drainage and parking agreement for the entire Hubbell Plaza contained in the Declaration of Condominium with Condominium Restrictions, read in the office of the County Clerk in Santa Fe, New Mexico on July 15, 1988 and amended by Book 3734, Page 215, 256 and Book 3734, Page 215, 256. Said easement was amended and re-platted in Book BCR 81-18, Page 78025, October 25, 1983 in Book BCR 81-107, Page 8337, February 4, 1984 in Book BCR 81-4, Page 8148, August 27, 1984 in Book BCR 80-23, Page 8132 and December 30, 1997 in Book BCR 87-36, Page 5014.

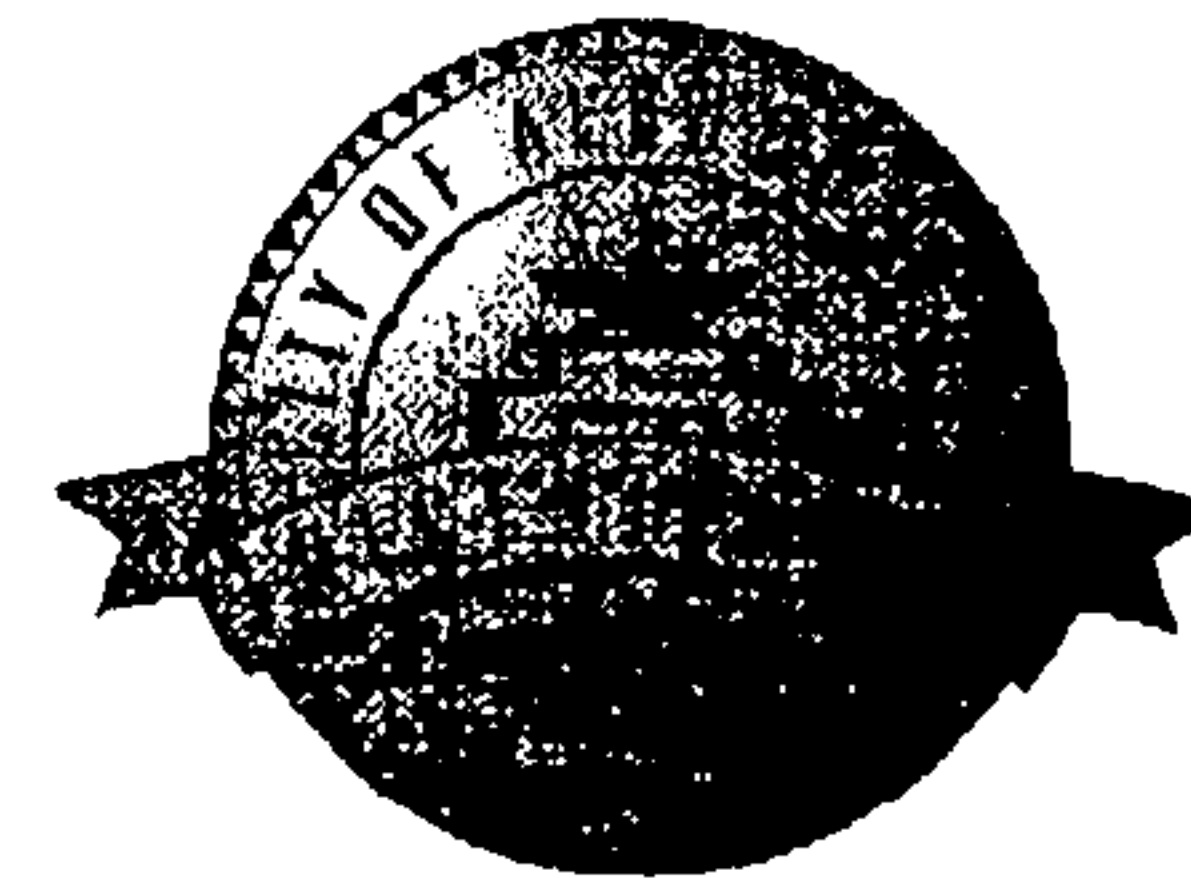
LINE	LENGTH	BEARING
L1	45.00'	S14°58'08"E
L2	88.31'	S12°55'34"E
L3	17.82'	S12°55'35"E
L4	50.30'	S13°01'42"E
L5	41.48'	S13°01'42"E
L6	65.85'	S33°29'23"E
L7	152.31'	N72°47'38"E
L8	12.82'	S89°37'33"E
L9	8.31'	N83°17'52"E
L10	26.70'	S12°55'34"E

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	30.11'	25.04'	17.17'	28.33'	S42°27'48"E	68°33'24"



**SURVOTEK, INC.**  
Consulting Surveyors  
2800 Valley View Drive, N.E. Albuquerque, New Mexico 87110 Phone 505-887-8888  
Fax 505-887-8877

# CITY OF ALBUQUERQUE



November 1, 2007

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Robert W. Eaton, President  
**SOUTH COORS LIMITED PARTNERSHIP**  
7620 Jefferson NE  
Albuquerque, NM 87107

RE: NOTICE OF UPCOMING DEADLINE FOR COMPLETION OF IMPROVEMENTS AND  
CITY'S INTENTION TO CALL FINANCIAL GUARANTY - **SUBDIVISION  
IMPROVEMENTS AGREEMENT, PROCEDURE B, MODIFIED NON WORK ORDER**

PROJECT: HUBBELL PLAZA

PROJECT NO. 773281

Dear Mr. Eaton:

I am the Assistant City Attorney who represents the City in matters relating to construction of infrastructure by subdividers. As you are aware **SOUTH COORS LIMITED PARTNERSHIP** ("Subdivider") signed a **SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B-MODIFIED NON WORK ORDER**, (the "Agreement") with the City committing the Subdivider to complete construction of required infrastructure by **December 1, 2007** ("Construction Deadline"). The Subdivider has utilized the maximum period allowed by the Subdivision Ordinance for completion of sidewalk construction.

If construction will not be completed by the construction completion deadline, the City may grant the Subdivider an extension of time to complete construction if the Subdivider obtains approval for an extension from the Development Review Board ("D.R.B.") before the construction completion deadline, in accordance with D.R.B. requirements and Section 14-14-5-3 of the Subdivision Ordinance as amended. If granted, the D.R.B. approval will specify the extended deadline for completion. The Subdivider then must immediately submit an acceptable extension agreement and financial guaranty to the Development and Building Services, Design Review Section. All the above steps must be successfully completed by the construction completion deadline.

THIS LETTER PROVIDES NOTICE TO THE SUBDIVIDER THAT IF: (1) THE CONSTRUCTION IS NOT COMPLETED BY THE CONSTRUCTION DEADLINE; OR (2) AN EXTENSION IS NOT OBTAINED AND THE RELATED EXTENSION AGREEMENT AND FINANCIAL GUARANTY ARE NOT SUBMITTED BY THE CONSTRUCTION DEADLINE, THEN THE CITY MAY DECLARE THE AGREEMENT TO BE IN DEFAULT AND WILL HOLD THE SUBDIVIDER AND THE SURETY JOINTLY AND SEVERALLY LIABLE FOR 125% OF THE COST OF COMPLETING THE IMPROVEMENTS.

November 1, 2007

Page 2 of 2

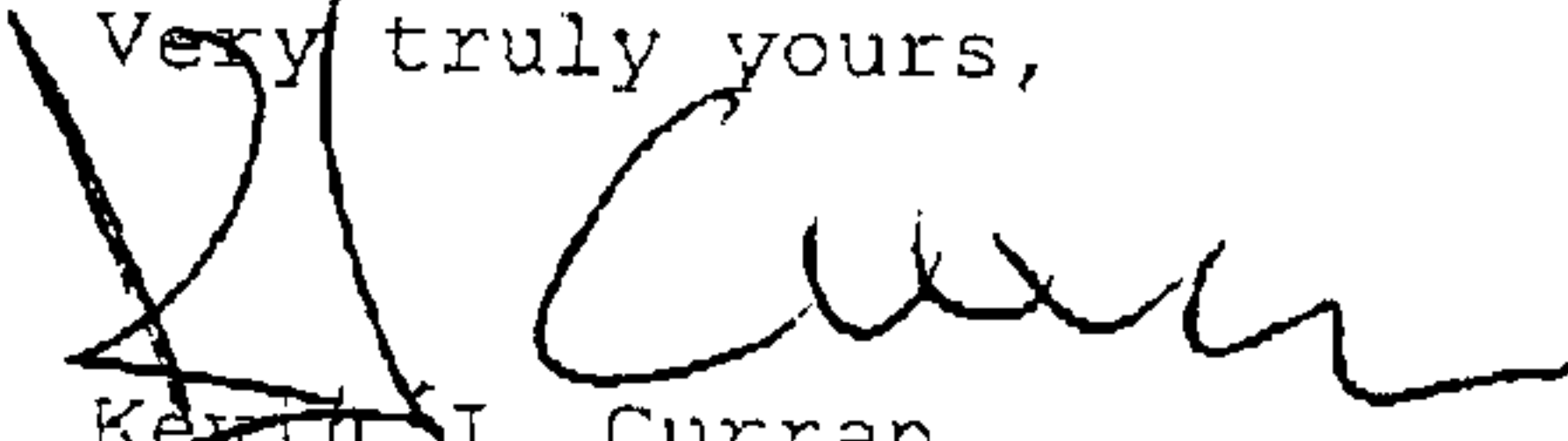
PROJECT: HUBBELL PLAZA

PROJECT NO. 773281

PLEASE NOTE THAT THE CITY REQUIRES THE FINANCIAL INSTITUTION ISSUING THE FINANCIAL GUARANTY TO BE A FEDERALLY INSURED INSTITUTION OR A SURETY LICENSED TO DO BUSINESS IN NEW MEXICO.

Please immediately contact the Project Administrator, Marilyn Maldonado, at (505) 924-3997 and let her know whether: (1) the construction will be completed by the construction completion deadline date and the necessary paperwork will be provided promptly to the Construction Management Division for acceptance of the required subdivision improvements; or (2) the Subdivider will be submitting a written request for extension to the D.R.B. and, if an extension is granted, will be submitting an extension agreement and related financial guaranty to the Development and Building Services, Design Review Section of the Public Works Department by the construction deadline date.

Very truly yours,



Kevin J. Curran  
Assistant City Attorney

KJC/pcl #3b  
cc: File

# 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 DEC. 18, 2007 To: JAN. 02, 2008

#### 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.

Christina Rhodice  
(Applicant or Agent)

11/30/07  
(Date)

I issued 2 signs for this application,

11/30/07  
(Date)

Sandy Handley  
(Staff Member)

DRB PROJECT NUMBER: 1004546

FIGURE 12

SUBDIVISION IMPROVEMENTS  
AGREEMENT-PUBLIC AND/OR PRIVATE  
(Procedure B Modified Non-Work Order)  
Project No. 773281

AGREEMENT TO CONSTRUCT  
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 19<sup>th</sup> day of December, 2005, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and South Coors Limited Partnership ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] New Mexico Limited Partnership, whose address is 7620 Jefferson NE, Albuquerque New Mexico, and whose telephone number is 505-998-1575, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] Tract A-1A-3, Hubbell Plaza

South Coors Limited Partnership, recorded on June 4, 1992 in the records of the Bernalillo County Clerk at Book 92C, pages 108 through 108 (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:] South Coors Limited Partnership ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tract A-1A-3A and A-1A-3B, Hubbell Plaza describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 1st day of December, 2007 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.



Mary Herrera

Bern. Co. ASRE

R 15.00

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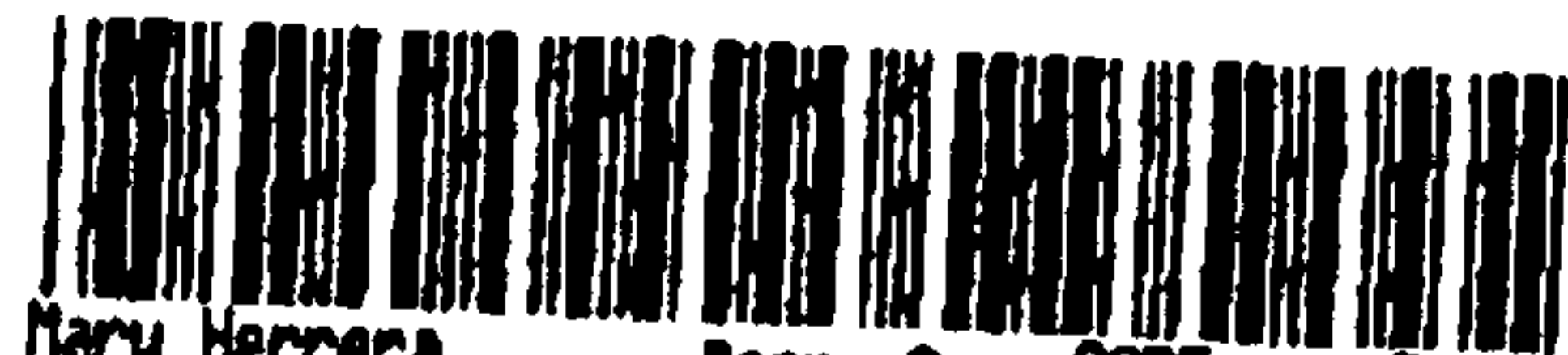
3. Financial Guaranty. The Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the Subdivision Ordinance requirements, the Subdivider has acquired or is able to acquire the following "Financial Guaranty:"

Type of Financial Guaranty: Cashier's Check  
 Amount: \$ 11,876.09 Name of Financial Institution or Surety providing Guaranty: First State Bank  
 Date City first able to call Guaranty: [Construction Completion Deadline]: December 1, 20 07  
 If Guarantee other than a Bond, last day City able to call on Guaranty is: January 30, 20 08  
 Additional information: Check # 261060554

4. Completion, Acceptance and Termination. Upon completion of the required infrastructure, the Subdivider shall notify the City Engineer and the Design Review Section of Planning Department. After the City Engineer approves the construction, the City will promptly release this Agreement and the Financial Guaranty.

5. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.



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 Page: 2 of 4  
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6. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.
7. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has posted a suitable financial guaranty and entered into a Subdivision Improvements Agreement with the City. Thereafter, when the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.
8. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to the Financial Guaranty.
9. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.
10. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.
11. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.
12. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.
13. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.
14. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.
15. Form not Changed. Subdivider agrees that changes to this form are not binding unless initialed by the Subdivider and signed by the City's Legal Department on this form.
16. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.



Mary Herrera

Bern. Co. AGRE

R 15.88

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Page: 3 of 4

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07/02

Executed on the date stated in the first paragraph of this Agreement.

SUBDIVIDER: South Coors L.P.  
By: Wade Investment Company, G.P.  
By (Signature): [Signature]  
Name: Robert W. Eaton  
Title: President  
Dated: 12-2-05

CITY OF ALBUQUERQUE  
[Signature]  
City Engineer  
Dated: 12/19/05

[Signature] 12/19/05  
12-6-05

STATE OF New Mexico  
COUNTY OF Bernalillo ss.

SUBDIVIDER'S NOTARY

This instrument was acknowledged before me on 2nd day of December, 2005 by [name(s) of person(s):] Robert W Eaton [title or capacity, for instance, "President" or "Owner":] of [Subdivider:] South Coors LP by: Wade Investment Company

[Signature]  
Notary Public

My Commission Expires: 3-28-07

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

CITY'S NOTARY

This instrument was acknowledged before me on 19th day of December, 2005 by [Signature] City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

[Signature]  
Notary Public

My Commission Expires: 11-25-2007



2885185402  
8381458  
Page: 4 of 4  
12/19/2005 03:36P  
Bk-A108 Pg-4903

Current DRC  
Project Number:

**ORIGINAL**

P.2/3

FIGURE 12

**RECOMMENDATION**

In Reply  
Consult "A"

**TO SUBMITTER: IMPROVEMENTS AGREEMENT**

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

Tracts A-1A-3A and A-1A-3B, Mubbel Plaza, being a replat of Tract A-1A-3, Mubbel Plaza

**PROPOSED NAME OF PLAT AREA: SITE DEVELOPMENT PLAN**

Tract A-1A-3, Mubbel Plaza

**EXISTING LOCAL REGULATIONS FROM JURISDICTION AGENCIES**

Following is a summary of FUNDAMENTAL REGULATIONS required to be complied with or modified in order to proceed with the above development. This listing is not necessarily a complete listing. Other rules and regulations may apply to the development. The applicant is advised to consult with the City Engineer, Planning Department, and other agencies as appropriate. The applicant is advised to consult with the City Engineer, Planning Department, and other agencies as appropriate. The applicant is advised to consult with the City Engineer, Planning Department, and other agencies as appropriate.

Priority	Compliance	City Code	City Code	City Code	City Code	City Code	City Code	City Code	City Code	City Code
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

NOV-23-2005 14:54 From: SURUTEX 5858973377 10:07:38002

This form shall be filled out by the GCP and approved by the City Engineer and the City Manager. It is required for all projects in the City of Denver. The items listed below are subject to the standard GMA requirements.

Priority	Description	Area	Type of Improvement	Location	From	To	Developer's Certification	
							Signature	Date
Overhead	Under							
DNC #	DNC #							

Approval of Creditable Items: \_\_\_\_\_  
 Approval of Creditable Items: \_\_\_\_\_  
 Approval of Creditable Items: \_\_\_\_\_

Approval of Creditable Items: \_\_\_\_\_  
 Approval of Creditable Items: \_\_\_\_\_  
 Approval of Creditable Items: \_\_\_\_\_

If the site is located in a floodplain, then the floodplain permit shall not be released until the LOMR is approved by FEMA.  
 Street Right per City requirements.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

AGENT / OWNER: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

DATE	DESCRIPTION	APPROVED

P.3/3

To: 0780022

5059973377

NOV-23-2005 14:54 From: SURVTEK

# FINANCIAL GUARANTY AMOUNT

11/29/2005

Type of Estimate: SIA Procedure - B - Modified Non-W.O.- w/F.G.

Project Description:

Project ID #: 773281, Hubbell Plaza/Central Av. Swk/C&G Installn, Phase/U

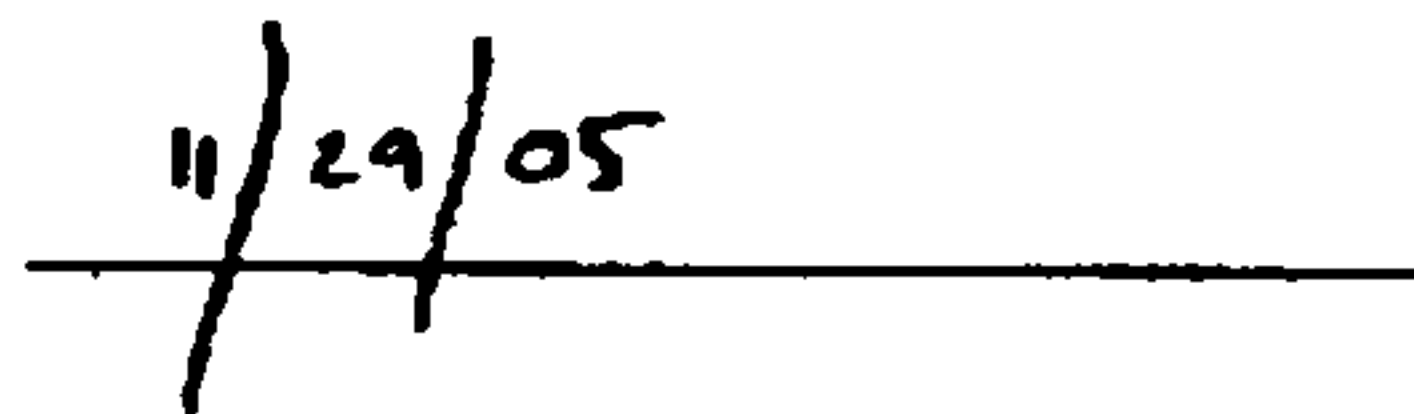
Requested By: Wes Butero - South Coors Limited Partnership

Approved estimate amount:		\$5,921.00
Contingency Amount:	30.00%	\$1,776.30
Subtotal:		\$7,697.30
NMGRT	6.75%	\$519.57
Subtotal:		\$8,216.87
Engineering Fee	8.60%	\$542.31
Testing Fee	10.00%	\$821.69
Subtotal:		\$9,580.87
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
<b>TOTAL FINANCIAL GUARANTY REQUIRED</b>		<b>\$11,976.09</b>

APPROVAL:

DATE:





Notes: Fax: 720-226-9402

# TREASURER'S REPORT OF DAILY DEPOSITS

## DEPOSITOR

First State Bank  
Cashiers Check No. 261060554  
Remitter: South Coors LP

## DESCRIPTION

CPN: 773281  
Project: Hubbell Plaza

## COMMENTS

Financial Guaranty for SIA  
Procedure B-modified-non-work order

ACCOUNT: 233100

ACTIVITY: 7000110

AMOUNT: \$11,976.09

**TOTAL AMOUNT: \$11,976.09**

Verified By: Marilyn Maldonado  
Phone Number: 924-3997  
Deposit Date: December 5, 2005

**\*\*\*DUPLICATE\*\*\***  
City Of Albuquerque  
Treasury Division

NATURE SAVER™ FAX MEMO 01816		Date	# of pages ▶
To <i>Oriff</i>	From <i>Vittorio</i>		
Co./Dept.	Co. <i>SIA</i>		
Phone # <i>720-226-0390</i>	Phone # <i>924-3997</i>		
Fax # <i>720-226-9402</i>	Fax #		

12/5/2005 1:17PM LDC: ARHX  
 RECEIPT# 00049259 US# 008 TRANSH 0072  
 Account 233100 Fund 0110  
 Activity 7000110 TRS005  
 Trans Amt \$11,976.09  
 J24 Misc  
 CK \$11,976.09  
 CHANGE \$11,976.09  
 \$0.00

# TREASURER'S REPORT OF DAILY DEPOSITS

## DEPOSITOR

First State Bank  
Cashiers Check No. 261060554  
Remitter: South Coors LP

## DESCRIPTION

CPN: 773281  
Project: Hubbell Plaza

## COMMENTS

Financial Guaranty for SIA  
Procedure B-modified-non-work order

ACCOUNT: 233100

ACTIVITY: 7000110

AMOUNT: \$11,976.09

TOTAL AMOUNT: \$11,976.09

Verified By: Marilyn Maldonado  
Phone Number: 924-3997  
Deposit Date: December 5, 2005

NATURE SAVER™ FAX MEMO 01616		Date	# of pages ▶
To <i>Oriff</i>	From <i>Y. Maldonado</i>		
Co./Dept.	Co. <i>COA</i>		
Phone # <i>202-226-0390</i>	Phone # <i>924-3997</i>		
Fax # <i>720-226-9402</i>	Fax #		

**\*\*\*DUPLICATE\*\*\***  
City Of Albuquerque  
Treasury Division

12/5/2005 1:17PM LUC: AMIX  
 RECEIPT# 00049259 WSH 008 TRANSH 0032  
 Account 233100 Fund 0110  
 Activity 7000110 TRBCCS  
 Trans Amt \$11,976.09  
 J24 Misc  
 CK \$11,976.09  
 CHANGE \$11,976.09  
 \$0.00



Page 1004546

FIGURE 12

SUBDIVISION IMPROVEMENTS  
AGREEMENT-PUBLIC AND/OR PRIVATE  
(Procedure B Modified Non-Work Order)  
Project No. 773281

AGREEMENT TO CONSTRUCT  
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 19th day of December, 2005, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and South Coors Limited Partnership ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] New Mexico Limited Partnership, whose address is 7620 Jefferson NE, Albuquerque New Mexico, and whose telephone number is 505-898-1575, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [describe:] Tract A-1A-3, Hubbell Plaza

South Coors Limited Partnership, recorded on June 4, 1992 in the records of the Bernalillo County Clerk at Book 92C, pages 108 through 108 (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:] South Coors Limited Partnership ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tract A-1A-3A and A-1A-3B, Hubbell Plaza describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 1st day of December, 2007 ("Construction Completion Deadline"), at no cost to the City.

Note: To compute the Construction Completion Deadline: the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

Mary Herrera      Bern. Co. AGRE      R 15.00      2005185482      07/02  
6381456  
Page: 1 of 4  
12/19/2005 03:38P  
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3. Financial Guaranty. The Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the Subdivision Ordinance requirements, the Subdivider has acquired or is able to acquire the following "Financial Guaranty:"

Type of Financial Guaranty: Cashier's Check  
Amount: \$ 11,976.09 Name of Financial Institution or Surety providing Guaranty: First State Bank  
Date City first able to call Guaranty: [Construction Completion Deadline]: December 1, 20 07  
If Guarantee other than a Bond, last day City able to call on Guaranty is: January 30, 20 08  
Additional information: Check # 261060554

4. Completion, Acceptance and Termination. Upon completion of the required infrastructure, the Subdivider shall notify the City Engineer and the Design Review Section of Planning Department. After the City Engineer approves the construction, the City will promptly release this Agreement and the Financial Guaranty.

5. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.



Mary Herrera

Bern. Co. AGRE

R 15.09

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Page: 2 of 4

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6. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

7. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has posted a suitable financial guaranty and entered into a Subdivision Improvements Agreement with the City. Thereafter, when the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

8. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to the Financial Guaranty.

9. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.

10. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six days after the notice is mailed if there is no actual evidence of receipt.

11. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

12. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

13. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

14. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

15. Form not Changed. Subdivider agrees that changes to this form are not binding unless initialed by the Subdivider and signed by the City's Legal Department on this form.

16. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.



Mary Herrera

Bern. Co. AGRE

R 15.00

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Page: 3 of 4

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07/02

Executed on the date stated in the first paragraph of this Agreement.

SUBDIVIDER: South Coors L.P.  
By: Wade Investment Company, G.P.  
By [Signature]: [Signature]  
Name: Robert W. Eaton  
Title: President  
Dated: 12-2-05

CITY OF ALBUQUERQUE  
[Signature]  
City Engineer  
Dated: 12/19/05

[Signature] 12/19/05

[Signature] 12-6-05

STATE OF New Mexico )  
COUNTY OF Bernalillo ) ss.

SUBDIVIDER'S NOTARY

This instrument was acknowledged before me on 2nd day of December, 2005 by (name(s) of person(s):) Robert W Eaton [title or capacity, for instance, "President" or "Owner":] of [Subdivider:] South Coors LP by: Wade Investment Company

[Signature]  
Notary Public

My Commission Expires: 3-28-07

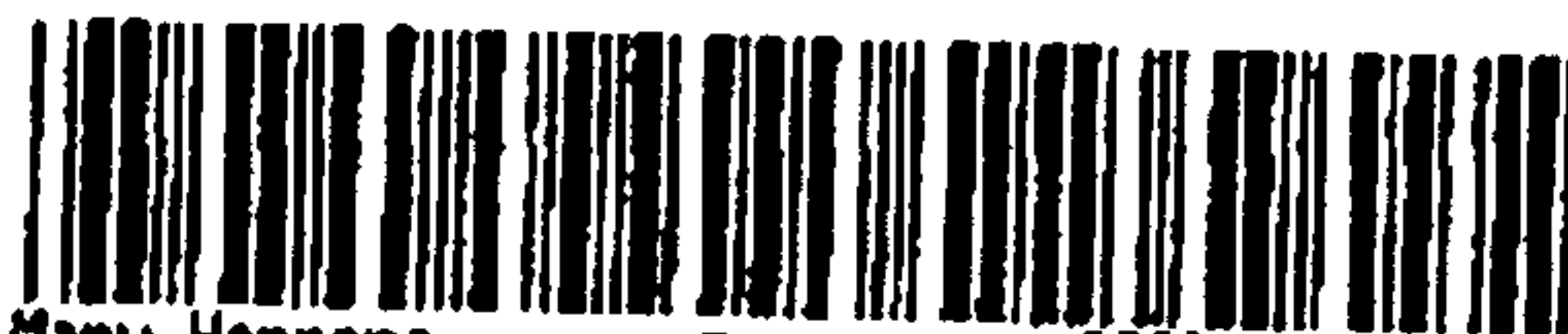
STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

CITY'S NOTARY

This instrument was acknowledged before me on 19th day of December, 2005 by [Signature] City Engineer, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

[Signature]  
Notary Public

My Commission Expires: 11-25-2007



Mary Herrera

Bern. Co. AGRE

R 15.00

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Page: 4 of 4

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The above listed indicators are the CDP and approved for project financing. Signatures from the Impact Fee Administrator and the City Manager Department is required prior to 2005 approval of site plan. The above listed indicators are subject to the standard IFA requirements.

Financially Guaranteed CDBG	Consolidated Under EDC #	Site	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Clerk/Engineer
<input type="checkbox"/>	<input type="checkbox"/>						1	1
<input type="checkbox"/>	<input type="checkbox"/>						1	1

Approval of Creditable Items: \_\_\_\_\_  
 Impact Fee Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 City Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE: If this site is located in a floodplain, then the Standard provisions will not be released until the LOMR is approved by FEMA. Street Rights per City requirements.

ADVERT / OWNER: \_\_\_\_\_  
 DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Was Buiero  
 NAME (print): \_\_\_\_\_  
 SCM Property Company  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: 11/23/05

Signature: \_\_\_\_\_  
 Title: AM/PCA - site  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Title: CITY MANAGER - site  
 Date: \_\_\_\_\_

DESIGN REVIEW CONSULTANT COMMENTS

SECTION	DATE	COMMENTS	DATE	COMMENTS

# FINANCIAL GUARANTY AMOUNT

11/29/2005

Type of Estimate: SIA Procedure - B - Modified Non-W.O.- w/F.G.

Project Description:

Project ID #: 773281, Hubbell Plaza/Central Av. Swk/C&G Installn, Phase/U

Requested By: Wes Butero - South Coors Limited Partnership

Approved estimate amount:		\$5,921.00
Contingency Amount:	30.00%	\$1,776.30
Subtotal:		\$7,697.30
NMGRT	6.75%	\$519.57
Subtotal:		\$8,216.87
Engineering Fee	6.60%	\$542.31
Testing Fee	10.00%	\$821.69
Subtotal:		\$9,580.87
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
<b>TOTAL FINANCIAL GUARANTY REQUIRED</b>		<b>\$11,976.09</b>

APPROVAL:

DATE:

  
\_\_\_\_\_

11/29/05  
\_\_\_\_\_

Notes: Fax: 720-226-9402

Current DRC  
Project Number:                     

FIGURE 12

**INFRASTRUCTURE LIST**

(Rev. 8-20-08)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT  
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  
Tracts A-1A-3A and A-1A-3B, Hubbell Plaza, being a replat of Tract A-1A-3, Hubbell Plaza

*Claire*

Date Submitted: 11.14.05

Date Site Plan Approved:                     

Date Preliminary Plat Approved:                     

Date Preliminary Plat Expires:                     

DRB Project No.: 1004546

DRB Application No.: 05 DRB-01735

#14  
**ORIGINAL**

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract A-1A-3, Hubbell Plaza

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
			Std. C&G, 6' Sidewalk (~200 L.F.) <i>7 ASSOCIATED PARKING IS REQUIRED</i>	Central Ave	Airport Dr NW	East Prop. Line	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/



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	P.E.	City Crst Engineer
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/

Approval of Creditable Items:  
 Impact Fee Administrator Signature \_\_\_\_\_ Date \_\_\_\_\_  
 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 requirements.

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_

**AGENT / OWNER**  
 Wes Butero  
 NAME (print)  
 SCM Property Company  
 FIRM  
 Signature: *Wes Butero* 11/24/05  
 SIGNATURE - date

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

*D. Matson* 11/23/05 DRB CHAIR - date  
*Christina Sandora* 11/23/05 PARKS & RECREATION - date  
*Walt Sy* 11-27-05 TRANSPORTATION DEVELOPMENT - date  
*Roger Green* 11/23/05 UTILITY DEVELOPMENT - date  
 AMAFCA - date \_\_\_\_\_  
 \_\_\_\_\_ - date \_\_\_\_\_  
 \_\_\_\_\_ - date \_\_\_\_\_

*Bradley L. Bingham* 11/23/05  
 CITY ENGINEER - date

**DESIGN REVIEW COMMITTEE REVISIONS**

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



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

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

**APPLICANT INFORMATION:**

NAME: SOUTH COORS LIMITED PARTNERSHIP PHONE: 998-1575  
 ADDRESS: 9620 JEFFERSON NE FAX: \_\_\_\_\_  
 CITY: ALBUQ STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_  
 Proprietary Interest in Site: OWNER List all owners: \_\_\_\_\_  
 AGENT (if any): Surv-Tek, Inc PHONE: 897-3366  
 ADDRESS: 9384 Valley View Drive NW FAX: 897-3377  
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: Hugg@survtek.com

DESCRIPTION OF REQUEST: TO DIVIDE EXISTING TRACT INTO TWO (2) TRACTS

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

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

Lot or Tract No. TRACT A-1A-3 Block: --- Unit: ---  
 Subdv. / Addn. HUBBELL PLAZA  
 Current Zoning: C-2 Proposed zoning: C-2  
 Zone Atlas pages(s) K-10 No. of existing lots: 1 No. of proposed lots: 2  
 Total area of site (acres): 3.37 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: N/A  
 Within city Limits?  Yes.  No, (but site is within 5 miles of the city limits.) Within 1000FT of a landfill? N/A  
 UPC No. 1-010-057-431420-10101 MRGCD Map No. \_\_\_\_\_  
 LOCATION OF PROPERTY BY STREETS: On or Near: CENTRAL AVENUE NW  
 Between: COORS BLVD NW and AIRPORT ROAD NW.

**CASE HISTORY:**

List any current or prior case numbers that may be relevant to your application (Proj., App., DRB-, AX\_Z\_V\_S\_, etc.):  
DRB 92-194 SP 92-69

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

SIGNATURE \_\_\_\_\_ DATE 11.14.05  
 (Print) ROSS HUGG Applicant  Agent

FOR OFFICIAL USE ONLY  
3/04

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

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>05DRB - - 01735</u>	<u>P.F</u>		<u>\$ 285.<sup>00</sup></u>
<input checked="" type="checkbox"/> All fees have been collected		<u>CMF</u>		<u>\$ 20.<sup>00</sup></u>
<input checked="" type="checkbox"/> All case #s are assigned				\$
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #s are listed				\$
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$
	Hearing date <u>11/23/05</u>			Total
				<u>\$ 305.<sup>00</sup></u>

Andrew Garcia 11/14/05  
 Planner signature / date

Project # 1004546

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

**SKETCH PLAT REVIEW AND COMMENT**

**YOUR ATTENDANCE IS REQUIRED.**

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

**MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT**

**Your attendance is required.**

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

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

**MAJOR SUBDIVISION FINAL PLAT APPROVAL**

**Your attendance is required.**

- \_\_\_ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- \_\_\_ Design elevations & cross sections of perimeter walls 3 copies
- \_\_\_ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- \_\_\_ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- \_\_\_ Property owner's and City Surveyor's signatures on the Mylar drawing
- \_\_\_ SIA financial guaranty verification
- \_\_\_ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- \_\_\_ Any original and/or related file numbers are listed on the cover application

**DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

**MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL**

**Your attendance is required.**

- \_\_\_ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- \_\_\_ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- \_\_\_ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- \_\_\_ Letter briefly describing, explaining, and justifying the request
- \_\_\_ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- \_\_\_ Property owner's and City Surveyor's signatures on the Mylar drawing
- \_\_\_ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- \_\_\_ **Signed** Pre-Annexation Agreement if Annexation required.
- \_\_\_ Fee (see schedule)
- \_\_\_ Any original and/or related file numbers are listed on the cover application
- \_\_\_ Infrastructure list if required (**verify with DRB Engineer**) **NO INTERNAL ROUTING**

**DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

**AMENDMENT TO PRELIMINARY PLAT (with minor changes)**

**Your attendance is required.**

**AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**

**AMENDMENT TO GRADING PLAN (with minor changes)**

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

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

Amended preliminary plat approval expires after one year

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

Russ Howe  
Applicant name (print)  
[Signature]  
Applicant signature / date  
11.14.05



Form revised 11/04

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

Application case numbers  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Planner signature / date  
11/14/05  
**Project #** 1004548



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

**AGIS**  
Albuquerque Geographic Information System

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**K-10-Z**

Selected Symbols

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

0 750 1,500 Feet

Map amended through: 10/4/2005

# SURV TEX, INC.

## Consulting Surveyors

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

November 8, 2005

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

Attention: Sheran Matson, Chair

RE: Preliminary/Final Plat of Tracts A-1A-3-A and A-1A-3-B,  
Hubbell Plaza ( Being a replat of Tract A-1A-3, Hubbell  
Plaza), City of Albuquerque, Bernalillo County, New Mexico.  
City Zone Atlas Page K-10-Z.

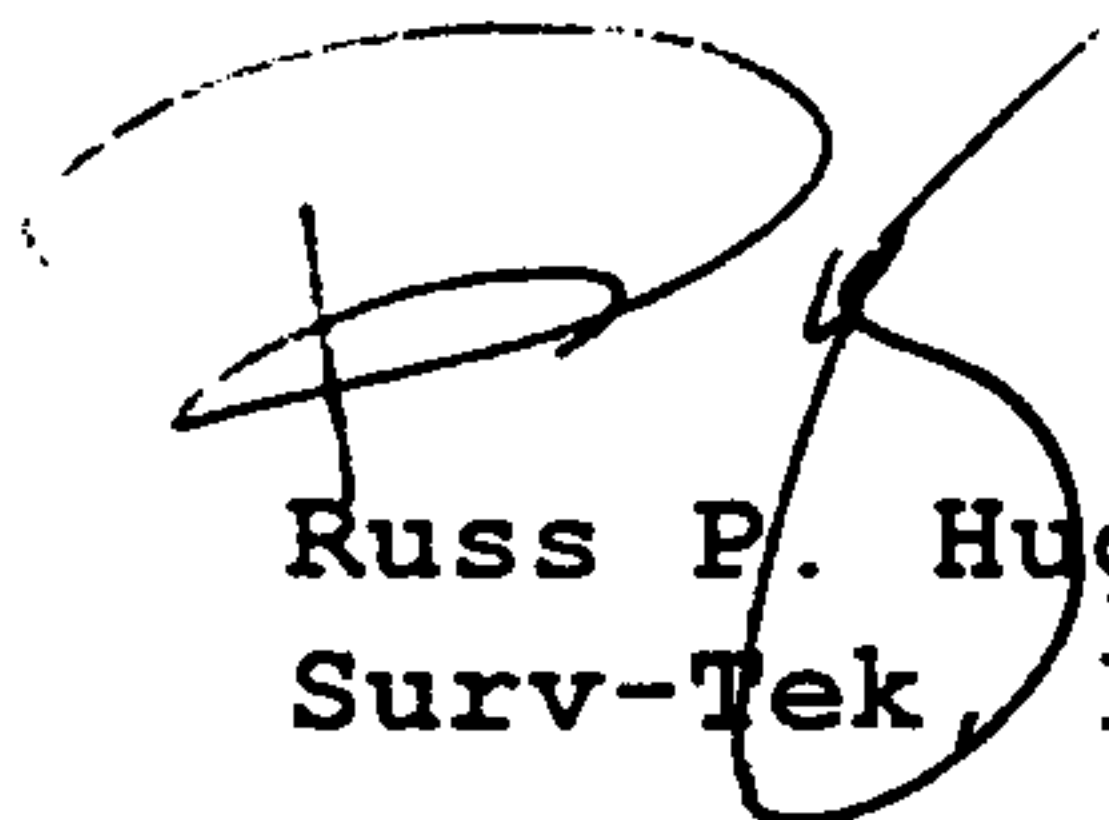
Dear Ms. Matson:

The owner of the above captioned property, South Coors Limited Partnership is hereby filing application with the City of Albuquerque Development Review Board for Preliminary and Final Plat approval for Tracts A-1A-3-A and A-1A-3-B, Hubbell Plaza.

This plat will divide the exiting tract into two new (2) tracts. No new public utility easements will be created.

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

Sincerely,



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

November 8, 2005

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

Dear Russ:

By this letter, I hereby authorize you to act as agent on behalf of South Coors Limited partnership, for the purpose of replatting Tract A-1A-3, Hubbell Plaza, City of Albuquerque, Bernalillo County, New Mexico.

Please call me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Eaton". The signature is written in a cursive, somewhat stylized font.

Robert Eaton, President

South Coors Limited Partnership  
Albuquerque, New Mexico

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

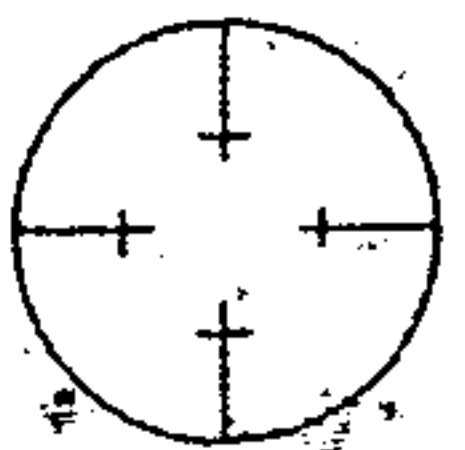
PAID RECEIPT

APPLICANT NAME South Coors Limited Partnership,  
AGENT Surv-Tek - Inc  
ADDRESS 9384 Valley View Dr N.W.  
PROJECT & APP # 1004546 / 05 DRB 01735  
PROJECT NAME Tract A-1A-3 ; Hubbell Plaza.

\$ 20.<sup>00</sup> 441032/3424000 Conflict Management Fee  
\$ 285.<sup>00</sup> 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  
\$ 305.<sup>00</sup> TOTAL AMOUNT DUE

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

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



**SURV-TEK, Inc.**  
Consulting Surveyors

9384 Valley View Drive Albuquerque, New Mexico 87114  
Phone: 505-897-3366 Fax: 505-897-3377

BANK OF AMERICA  
ACH R/T 107000327

2211 95-32 NM  
1070

052178

11.14.05

PAY TO THE ORDER OF

CITY OF ALBUQ.

\$ 305<sup>00</sup>

DOLLARS

THREE HUNDRED FIVE <sup>00</sup>/<sub>100</sub>

MEMO: 05/28/05 - A-1A-3A+B Hubbell Plaza

AUTHORIZED SIGNATURE

⑈052178⑈ ⑆107000327⑆ 004275593649⑈

City Of Albuquerque  
Treasury Division

11/14/2005 11:06AM LOC: ANW  
X  
RECEIPT# 00053125 WSH 007 TRANSH 0015  
Account 441006 Fund 0110  
Activity 4983000 TRSKAL  
Trans Amt \$305.00  
J24 Misc \$285.00  
CR \$305.00  
CHANGE \$0.00

City Of Albuquerque  
Treasury Division

11/14/2005 11:06AM LOC: ANW  
X  
RECEIPT# 00053124 WSH 007 TRANSH 0015  
Account 441032 Fund 0110  
Activity 3424000 TRSKAL  
Trans Amt \$305.00  
J24 Misc \$20.00  
Thank You





57137038

MM

FIFTH AMENDMENT TO DECLARATION  
OF EASEMENTS WITH COVENANTS  
AND RESTRICTIONS AFFECTING LAND (ECR)

5914

This Fifth Amendment to Declaration of Easements with Covenants and Restrictions Affecting Land ("ECR") is made effective as of the 1st day of May, 1997, by and among the City of Albuquerque, New Mexico, a municipal corporation, ("Owner"); Arby's Partnership; Susa Partnership, L.P.; South Coors Limited Partnership; Werner Kindermann, a resident of Weinheim, Federal Republic of Germany; Giant Industries, Inc.; and Westland Development Co., Inc., a New Mexico corporation, and amends that certain Declaration of Easements With Covenants and Restrictions Affecting Land (ECR), recorded in the Bernalillo County New Mexico real estate records on July 18, 1986, in Book Misc. 373A, pages 732-758 (hereinafter referred to as "Declarations"), which was amended and restated by that certain First Amendment to Declaration of Easements With Covenants and Restrictions Affecting Land (ECR) (hereinafter referred to as "First Amendment"), recorded in the Bernalillo County, New Mexico real estate records on August 29, 1986, in Book Misc. 389A, pages 506-535, and which was amended by that certain Second Amendment to Declaration of Easements With Covenants and Restrictions Affecting Land (hereinafter referred to as "Second Amendment"), recorded in the Bernalillo County, New Mexico real estate records on October 23, 1991, in Book BCR 91-18, pages 7805-7808, and which was amended by that certain Third Amendment to Declaration of Easements With Covenants and Restrictions Affecting Land (hereinafter referred to as "Third Amendment"), recorded in the Bernalillo County, New Mexico real estate records on October 25, 1993, in Book BCR 93-29, pages 9337-9347 and re-recorded on February 4, 1994, in Book BCR 94-4, pages 9146-9158 and which was amended by that certain Fourth Amendment to Declaration of Easements With Covenants and Restrictions Affecting Land (hereinafter referred to as "Fourth Amendment"), recorded in the Bernalillo County, New Mexico real estate records on August 27, 1996 in Book BCR 96-23,

00:5018 5915

pages 5132-5146. All documents referred to hereinabove will be referred collectively to in this Fifth Amendment as "ECR"; all references to ECR paragraphs contained herein refer to the paragraph numbers of the First Amendment.

RECITALS

- A. Owner is the owner of the property described in Exhibit "A" attached hereto and incorporated herein (hereafter referred to as "Tract D-1A") and Tract A-2 described on Exhibit "C" attached hereto and incorporated herein.
- B. Arby's Partnership is the owner of Tract D-2 described on Exhibit "B" attached hereto and incorporated herein.
- C. Susa Partnership, L.P. is the owner of Tract A-1A-1 described on Exhibit "C" attached hereto and incorporated herein.
- D. South Coors Limited Partnership is the owner of Tracts A-1A-2, A-1A-3 described on Exhibit "C" attached hereto and incorporated herein and Tracts D-1 and E-1 referenced in the ECR.
- E. Werner Kindermann is the owner of Tracts B-1A and B-1B described on Exhibit "C" attached hereto and incorporated herein.
- F. Giant Industries, Inc. is the owner of Tract C-1A described on Exhibit "C" attached hereto and incorporated herein.
- G. Westland Development Co., Inc. is the owner of Tract F described on Exhibit "C" attached hereto and incorporated herein.

NOW, THEREFORE, the parties agree to further amend the ECR as follows:

1. Paragraph 4 of the Fourth Amendment, set forth on page 3 of said Fourth Amendment, is hereby deleted in its entirety and is of no further force and effect.
2. The ECR and all of the amendments thereto, including, without limitation, the Fourth Amendment, this Fifth Amendment and any future amendments, shall not alter, amend,

5916

modify or in any manner whatsoever affect that certain Declaration of Covenants and Restrictions made by First Security Bank of New Mexico, N.A., encumbering Tract D-1A for the benefit of Tract B-1A and Tract B-1B, dated as of August 1, 1996, and recorded in the real estate records of Bernalillo County, New Mexico on August 27, 1996 in Book BCR 96-23, pages 5147-5152 (the "Declaration of Covenants and Restrictions"), it being confirmed by the parties that the Declaration of Covenants and Restrictions has at all times, is and shall hereafter continue to be in full force and effect as a declaration independent and separate from the ECR.

- 3. Except as modified herein the ECR shall remain in full force and effect.
- 4. This agreement may be executed simultaneously in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute one and the same instrument.

CITY OF ALBUQUERQUE, NEW MEXICO  
a municipal corporation.

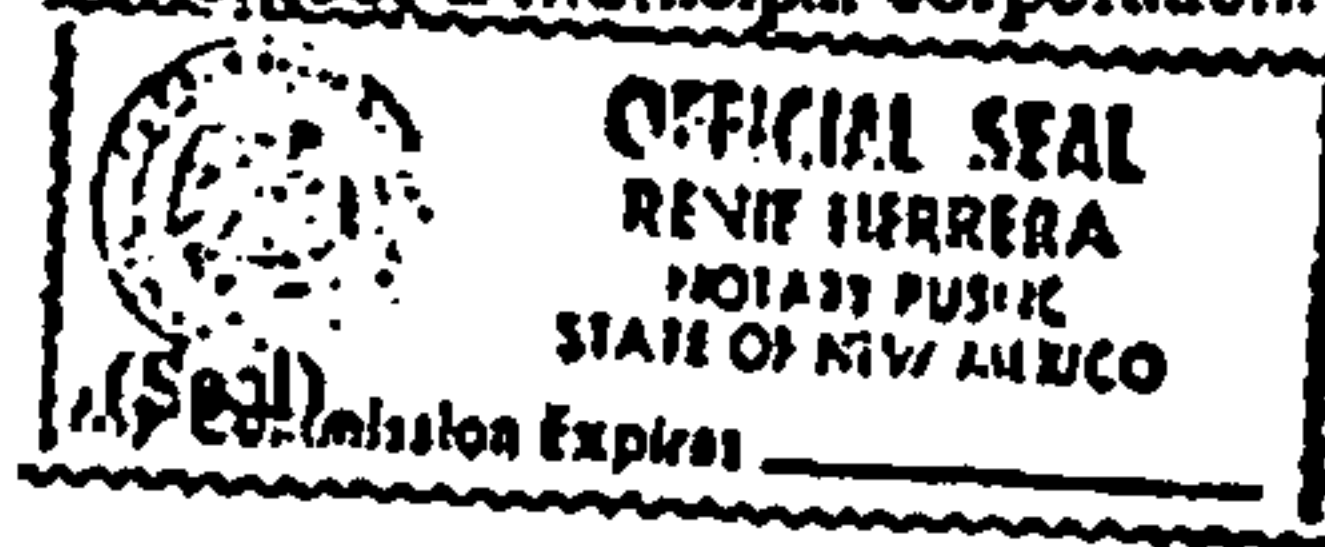
slp

By [Signature]  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF NEW MEXICO )  
COUNTY OF Bernalillo )

ss.

This instrument was acknowledged before me on December 19, 1997, by Lawrence Noel as Chief Administrative Officer of the City of Albuquerque, New Mexico, a municipal corporation.



[Signature]  
Notary Public

My commission expires:  
1/3/98

[Signatures continued on the next page]

D.: 5917

ARBY'S PARTNERSHIP,

a \_\_\_\_\_

By Allen R. Gelinas  
Name: Manager General Partner  
Title: Allen R. Gelinas

8/30/97

STATE OF New Mexico )

COUNTY OF Bernalillo )

ss.

This instrument was acknowledged before me on Aug 30, 1997, by Allen R. Gelinas as Manager General Partner of Arby's Partnership.



OFFICIAL SEAL  
STATE OF NEW MEXICO  
NOTARY PUBLIC - COMMISSION EXPIRES  
My commission expires April 1, 2000

Jackie Sierra  
Notary Public

(Seal)

My commission expires:

April 1, 2000

[Signatures continued on the next page]

5918

SUSA PARTNERSHIP, L.P.,  
a Tennessee limited partnership

BY: STORAGE USA, INC., its general partner

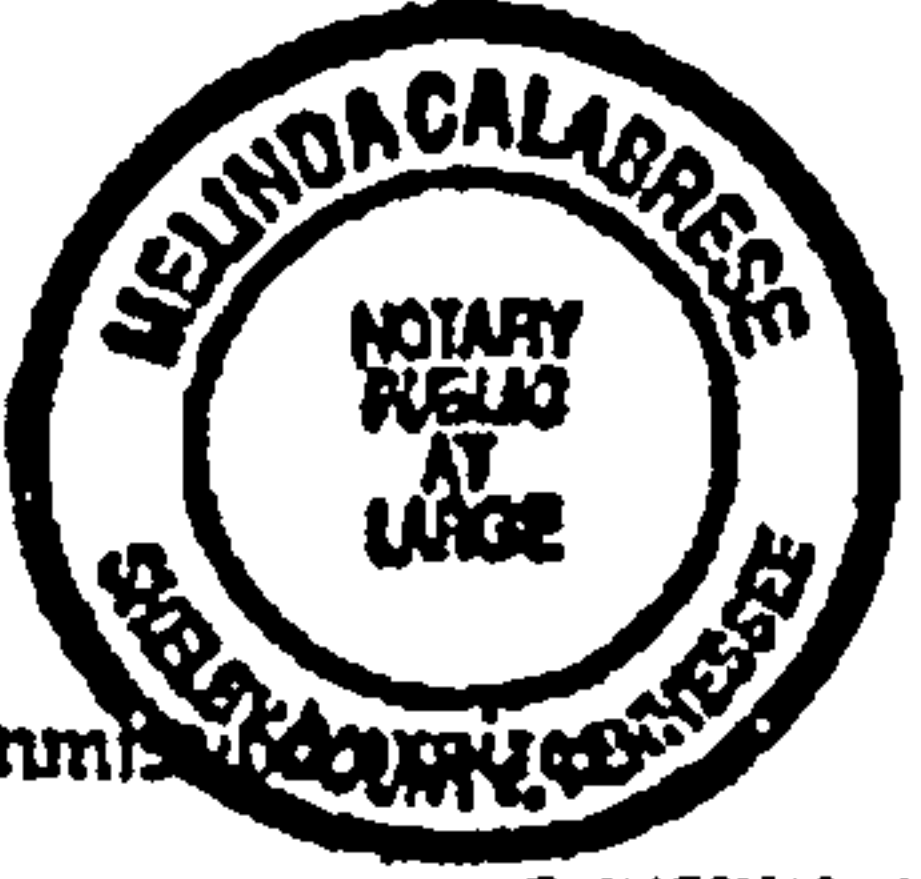
By Morris J. Krigel  
Name: Morris J. Krigel  
Title: Executive Vice President

STATE OF TENNESSEE )  
  ) )  
COUNTY OF SHELBY       ) )

ss.

This instrument was acknowledged before me on October 6, 1997, by  
Morris J. Krigel as Exec. Vice President of Storage USA, Inc., general partner of  
Susa Partnership, L.P.

(Seal)  
My commission expires MARCH 14, 1999



Melinda Calabrese  
Notary Public

[Signatures continued on the next page]

01:5919

SOUTH COORS LIMITED PARTNERSHIP,  
a New Mexico limited partnership

BY: WADE INVESTMENTS COMPANY,  
its General Partner

By Robert W. Eaton  
Name: Robert W. Eaton  
Title: President

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

This instrument was acknowledged before me on Sept 23<sup>rd</sup>, 1997, by  
ROBERT W. EATON as PRESIDENT of Wade Investment Company, general  
partner of South Coors Limited Partnership.

Anita Kozlowski  
Notary Public

(Sent)

My commission expires:

5/19/98



OFFICIAL SEAL  
ANITA KOZLOWSKI  
NOTARY PUBLIC - STATE OF NEW MEXICO  
Notary Public Filed with Secretary of State  
My Commission Expires \_\_\_\_\_

[Signatures continued on the next page]

01:5920

*Werner Kindermann by John M. Retting*  
WERNER KINDERMANN attorney-in-fact

STATE OF NEW YORK )  
                                  )  
                                  ss.  
COUNTY OF NEW YORK )

On the 13<sup>th</sup> day of May, 1997, before me personally came John M. Retting, to me known to be the attorney-in-fact of Werner Kindermann, the individual described in and who by his said attorney-in-fact executed the foregoing instrument, and duly acknowledged before me that he executed the same as the act and deed of Werner Kindermann, therein described, and for the purpose therein mentioned, by virtue of a power-of-attorney duly executed by Werner Kindermann, dated March 8, 1996, and recorded in the Office of the Clerk of the County of Bernalillo, New Mexico on April 15, 1996.

*John M. Longobardi*  
Notary Public

JOHN M. LONGOBARDI  
NOTARY PUBLIC, State of New York  
No. 31-5011418  
Qualified in New York County  
Commission Expires April 18, 1997

[Signatures continued on the next page]



01:5924 5921

ARIZONA  
GIANT INDUSTRIES, INC.  
an Arizona Corporation  
(the Giant Industries, Inc.)

By: [Signature]  
Name: John Thomas  
Title: Director, Retail Development

STATE OF Arizona )  
COUNTY OF Maricopa )

ss.

This instrument was acknowledged before me on Sept 8, 1997, by John Thomas as Director, Retail Development of Giant Industries, Inc.



[Signature]  
Notary Public

My commission expires:  
2-1-2000

{Signatures continued on the next page}

Doc 592R 5922

WESTLAND DEVELOPMENT CO., INC.,  
a New Mexico corporation

By Barbara Page  
Name: Westland Dev Co Inc  
Title: President & CEO

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

This instrument was acknowledged before me on October 17, 1997, by  
Barbara Page as President & C.E.O. of Westland Development Co., Inc., a New  
Mexico corporation.

Robert S. Simon  
Notary Public

OFFICIAL SEAL  
My commission expires  
ROBERT S. SIMON  
NOTARY PUBLIC-STATE OF NEW MEXICO  
Notary Bond Filed with Secretary of State  
My Commission Expires May 15, 1998

Doc 5924

Exhibit "B"

Tract D-4A, Coors Central North, as shown on the plat thereof recorded July 25, 1991, as Document No. 91-060937, Book 91C, Page 154, records of Bernalillo County, New Mexico.

0005925

Exhibit "C"

Tract A-1A-1, Hubbell Plaza, as shown on the replat thereof recorded on June 4, 1992, as Document No. 92-053187, Book 92C, Page 108, records of Bernalillo County, New Mexico.

Tract A-1A-2, Hubbell Plaza, as shown on the replat thereof recorded on June 4, 1992, as Document No. 92-053187, Book 92C, Page 108, records of Bernalillo County, New Mexico.

Tract A-1A-3, Hubbell Plaza, as shown on the replat thereof recorded on June 4, 1992, as Document No. 92-053187, Book 92C, Page 108, records of Bernalillo County, New Mexico.

Tract A-2, Hubbell Plaza, as shown on the replat thereof recorded on September 29, 1987, as Document No. 87-101431, Book C34, Page 166, records of Bernalillo County, New Mexico.

Tract B-1A, Hubbell Plaza, as shown on the replat thereof recorded on November 24, 1987, as Document No. 87-119915, Book C35, Page 47, records of Bernalillo County, New Mexico.

Tract B-1B, Hubbell Plaza, as shown on the replat thereof recorded on November 24, 1987, as Document No. 87-119915, Book C35, Page 47, records of Bernalillo County, New Mexico.

Tract C-1A, Hubbell Plaza, as shown on the replat thereof recorded on June 5, 1989, as Document No. 89-049216, Book C39, Page 66, records of Bernalillo County, New Mexico.

Tract F, Hubbell Plaza, as shown on the plat thereof recorded on August 15, 1986, as Document No. 86-076580, Book C31, Page 75, records of Bernalillo County, New Mexico.

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

1991 DEC 30 PM 2:17

92-36 pg 5914-  
5925  
COUNTY CLERK

*Drummond*

86 65812

66 732

DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS  
AFFECTING LAND (ECR)

BY

COORS CENTRAL, LTD. (DEVELOPER)  
and  
TASSO and ANNA CHRONIS (CHRONIS)

COORS CENTRAL SHOPPING CENTER

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

1986 JUL 18 PM 1:29

*Maria 3734 732-758*  
DOLORES C. WALLER  
CO. CLERK & RECORDER  
*Linda* DEPUTY

INDEX

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  - (b) "Common Areas".....
  - (c) Conversion to Common Areas.....
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  - (b) Remedy for Owner's Breach of Use Restrictions.....
  - (c) Location.....
  - (d) Design and Construction.....
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  - (f) Developer Construction on Parcel II.....
  - (g) Failure to Comply with Construction Deadlines.....
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(1)

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EXHIBITS

- A - Site Plan - Parcels I and II
- B - Legal Description - Parcel I
- C - Legal Description - Parcel II
- D - Site Plan - Additional Property
- E - Legal Description - Additional Property
- F - Legal Description - Chronis Property

DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS  
AFFECTING LAND (ECR)

COORS CENTRAL, LTD., a New Mexico limited partnership ("Developer") and TASSO and ANNA CHRONIS, husband and wife ("Chronis") declare and agree:

1. Recitals. Developer is the owner of Parcel I and II as shown on the plan attached hereto as Exhibit A, and which are more particularly described on Exhibit B and Exhibit C. Developer is also the owner, through a related entity, of the "Additional Property" lying adjacent to Parcel II on the north and described on Exhibits D and E attached hereto. Developer desires that Parcel I and Parcel II (excepting from Parcel II that land labeled "Future Development" on Exhibit A) be developed in conjunction with each other pursuant to a general plan of improvement to form a commercial shopping center (the "Shopping Center") and desire that Parcel I and Parcel II and the Additional Property be subject to the easements and the covenants, conditions and restrictions hereinafter set forth. Chronis desires to join in certain of the reciprocal easements granted hereby, to assure the orderly development of the Shopping Center and to enhance the value of the Chronis Property. Chronis owns the property labeled as the "Chronis Property" on Exhibit A and more particularly described on Exhibit F.

2. Consideration. Developer and Chronis mutually subject Parcel I, Parcel II, the Additional Property and the Chronis Property to the conditions of this ECR in consideration that the following conditions will be binding upon the parties hereto and will attach to and run with Parcels I, II, the Additional Property, and the Chronis Property and will be for the benefit of and will be limitations upon all future owners of Parcels I, II, the Additional Property and the Chronis Property and that all easements herein set forth will be appurtenant to the dominant estates, and in consideration of the mutual promises, covenants, conditions, restrictions, easements and encumbrances contained herein.

3. Building/Common Areas.

(a) "Building Areas" as used herein will mean that portion of Parcel I shown on Exhibit A as "Food Supermarket" and that portion of Parcel II adjacent to the Food Supermarket and labeled "Building Area," and that portion of the Chronis Property shown as "Existing Tasso's Restaurant" and will also mean any area upon which buildings may be constructed on the Shopping Center, subject to the restrictions contained herein.

(b) "Common Areas" will be all of the Shopping Center and the Chronis Property except the Building Areas.



(c) Conversion to Common Areas: Those portions of the Building Areas on each parcel which are not or cannot from time to time be used will become part of the Common Area for the uses permitted hereunder and will be improved, kept and maintained as provided in this ECR. An area converted to Common Area may be converted back to Building Area by the development as Building Area, if at the time of conversion back to Building Area it meets the requirements of this ECR.

4. Buildings.

(a) Use: Buildings in the Shopping Center will be for commercial purposes of the type usually found in a retail shopping center. The tenants occupying the buildings will be primarily retail and service tenants of the type normally associated with a retail shopping center. During the term of this ECR, the building on Parcel I (the "Supermarket") will be continuously operated (except for reasonable periods for repair and restoration) during customary supermarket operating periods, as a food supermarket or related uses. If Parcel I is conveyed by Developer and Developer retains ownership of Parcel II, the owner of Parcel I will be in default under this paragraph after notice from Developer of such owner's failure to comply with this paragraph, and after the expiration of thirty (30) days from such owner's receipt of such notice, if such owner has not cured the failure to comply within such thirty (30) day period. Chronis will have no rights or obligations under this paragraph.

(b) Developer's Remedy for Breach of Use Restrictions: Developer's sole remedy for an owner's breach of the use restrictions set forth in the preceding paragraph will be to be relieved of the use restriction regarding no other supermarket, as set forth in paragraph 4(i)(4) of this ECR. In the event of such owner's default and failure to timely cure, Developer may, at any time thereafter, record with the Clerk of Bernalillo County, New Mexico, a notice of such owner's failure to comply with such use restriction, and the restriction regarding no other supermarket use will automatically be deemed removed from all properties subject to this ECR.

(c) Location: No building will be constructed on the Shopping Center, except within the Building Areas. Chronis will have no rights or obligations under this Paragraph.

(d) Design and Construction of the Shopping Center: The Supermarket and the remaining buildings in the Shopping Center will be designed so that the exterior elevations will be architecturally and aesthetically compatible with each other. The design and construction will be in conformity with sound architectural and engineering standards and the construction will be first quality. Owners of Parcels I and II will

coordinate with each other as to the exterior design and landscaping of improvements in the Shopping Center, and each will have the right to reasonably approve the exterior architectural design and landscaping for their respective improvements within the Shopping Center and any modifications thereof. Chronis will have no rights or obligations under this paragraph.

(e) Construction on Parcel I: The owner of Parcel I will commence construction of the Supermarket as soon as reasonably practical, will diligently pursue construction of the Supermarket to completion, and will complete construction and open the Supermarket for business no later than August 1, 1987. The owner of Parcel I will be in default under this paragraph after notice from Developer of failure to comply with this paragraph, and after the expiration of ten (10) days from receipt of such notice, if such owner has not cured the failure to comply within such ten (10) day period. Chronis will have no rights or obligations under this paragraph.

(f) Developer Construction on Shopping Center Portion of Parcel II: Developer will commence construction of the buildings on Shopping Center portion of Parcel II ("Developer's Buildings") as soon as reasonably practical, and Developer will diligently pursue construction of Developer's Buildings to completion. Developer will, by August 1, 1987, complete construction of at least 15,000 square feet of tenant space in Developer's Buildings adjacent to Parcel I on the north. Developer will be in default under this paragraph after notice from the owner of Parcel I (if conveyed by Developer) of Developer's failure to comply with this paragraph, and after expiration of ten (10) days from Developer's receipt of such notice, if Developer has not cured the failure to comply within such ten (10) day period. Chronis will have no rights or obligations under this paragraph.

(g) Failure to Comply with Construction Deadlines: If the owner of Parcel I or of Parcel II fails to comply with the deadlines set forth in subparagraphs (e) and (f) above, after notice and opportunity to cure as required above, then the other party will be entitled to collect from the defaulting party a penalty in the amount of \$1,000 per day. Such penalty will commence on the day after expiration of the applicable cure period after notice of default, and will continue until the defaulting party complies with the construction provisions set forth above. However, a party is not entitled to assert a right to the \$1,000 per day penalty until the party seeking to assert such right is itself in compliance with the construction deadline set forth above. In addition, upon failure of the owner of Parcel I to comply with the construction deadline and after applicable notice of opportunity to cure, Developer will be released from the use restriction regarding

no other supermarket. Developer will be entitled to record a notice of such failure to comply with construction deadline with the Clerk of Bernalillo County, New Mexico and the use restriction set forth in paragraph 4(i)(4) hereof will automatically be deemed released from all properties subject to this ECR. Chronis will have no rights or obligations under this paragraph.

(h) Construction on Chronis Property: Any substantial exterior modifications to the existing building on the Chronis Property, and any new building on the Chronis Property, will be architecturally and aesthetically compatible with the Shopping Center. The design and construction will be in conformity with sound architectural and engineering standards and the construction will be first quality. Chronis will submit any plans for such improvements to Developer and any owner of Parcel I for prior approval of exterior design and landscaping. Failure of Developer or any owner of Parcel I to respond in writing within thirty (30) days after receipt of such plans will be deemed approval thereof by such party. In no event will the building in the Chronis Property ever exceed the height of the building existing on the date of this ECR, without the consent of the owners of Parcels I and II.

(i) Other Use Restrictions: The following additional restrictions apply to the properties subject to this ECR, except that Chronis will have no rights or obligations under this paragraph:

(1) Restaurants. In that portion of the Shopping Center adjacent to Parcel I, Developer will not place a restaurant on Parcel II within 150 feet of Parcel I, without the prior written consent of the owner of Parcel I. The owner of Parcel I will not place a restaurant in Parcel I, without the prior written consent of Developer. Any consent under this subparagraph may be withheld pending receipt of such information and satisfaction of such requirements as is appropriate in planning for the operation of a supermarket and shopping center, and will not be unreasonably withheld.

(2) Developer's Pad. The Pad on Parcel II labeled on Exhibit A with a building labeled "F-Future" and located adjacent to Tasso's Restaurant on Coors Road will be limited to one story in height.

(3) All Pads. All portions of the Shopping Center subdivided into "Pads" for outlying buildings will contain at least 3 feet of property area per square foot of building area.

(4) Supermarkets. So long as Parcel I contains an operating Supermarket, no other grocery supermarket may be operated on Parcel II or on the Additional Property; however,

Developer may operate a convenience grocery store, such as a "7-11" or "Circle K."

5. Common Areas Use.

(a) Grant of Easements: The following easements are granted:

(1) Common Areas. Each party, as grantor, hereby grants to the other party for the benefit of the other party, and Developer declares, for the mutual benefit of the Property subject hereto, its customers, invitees and employees, a nonexclusive easement for roadways, walkways, ingress and egress to and from the public rights-of-way adjacent to the Properties subject to this ZCR, drainage of storm waters, irrigation, landscaping, the parking of motor vehicles and use of facilities installed for the comfort and convenience of customers, invitees, employees, agents and contractors on the Common Areas of the grantor's parcel. In no event, however, will Parcels I or II have the right to drain storm waters onto or to pond waters upon, the Chronis Property, nor will Chronis have the reciprocal right upon Parcels I and II. Further, Chronis will at all times maintain sufficient parking on the Chronis Property to meet appropriate zoning code standards.

(2) Easement Property: Developer also declares and grants an easement for the benefit of Parcel I and Parcel II, upon a portion of the Additional Property, for the use by the owners, their customers, invitees and employees, a non-exclusive easement for ingress and egress and for parking. The portion of the Additional Property subject to the ingress, egress and parking easement is depicted generally as the "Easement Property" on Exhibit A. Developer may at any time determine the exact location of the Easement Property by legal description and record a definitive description thereof in the real property records of Bernalillo County, New Mexico.

(3) Access to Airport Drive: Developer reserves an easement upon generally those portions of Parcel II labeled on Exhibit A as "Future Access" across the "Future Development" Property for the benefit of Parcels I and II and for the benefit of the Additional Property, for the use by the owners, their customers, invitees and employees, non-exclusive easements for ingress and egress. Developer may at any time determine the exact location of the "Future Access" easements by legal description and record definitive descriptions thereof in the real property records of Bernalillo County, New Mexico.

(4) Access to Bluewater Road N.W.: Developer reserves an easement upon generally those portions of the Additional Property labeled on Exhibit D as "Access Drives" across the Additional Property for the benefit of Parcels I

and II, for use by the owners, their customers, invitees and employees, non-exclusive easements for ingress and egress. Developer may at any time determine the exact location of the "Access Drives" by legal description and record definitive descriptions thereof in the records of Bernalillo County, New Mexico. Regardless of the exact location, the Access Drives will provide at least two (2) access lanes and one service drive from Parcel II to Bluewater Road N.W. within each drive, to be at least thirty feet (30') wide.

(b) Use: Subject to existing easements of record, the Common Areas will be used for roadways, walkways, storm water drainage, irrigation, landscaping, ingress and egress, parking of motor vehicles, loading and unloading of commercial and other vehicles, for driveway purposes, and for the comfort and convenience of customers, invitees and employees of all businesses and occupants of the buildings constructed on the Building Areas.

(c) No Barriers: No party will construct or maintain any walls, fences, or barriers of any kind on the Common Areas, or any portion thereof, which will prevent or impair the use or exercise of any of the easements granted herein, or the free access and movement, including without limitation, pedestrians and vehicular traffic between the various parcels, provided, however, reasonable traffic controls as may be necessary to guide and control the orderly flow of traffic may be installed so long as access driveways to the parking areas in the Common Areas are not closed or blocked. The only exceptions to this provision will be (1) for changes to the Building Areas and Common Areas permitted by this ECR, and (2) for incidental encroachments upon the Common Areas which may occur as a result of the use of ladders, scaffolding, store-front barricades and similar facilities resulting in temporary obstruction of the Common Areas, all of which are permitted so long as their use is kept within reasonable requirements of construction work being expeditiously pursued.

(d) Limitations on use:

(1) Customers: Customers and invitees will not be permitted to park on the Common Areas except while shopping or transacting business on the properties subject to this ECR.

(2) Employees: Employees will not be permitted to park on the Common Areas, except in areas designated as "employee parking areas," if such areas are so designated by Owner or Developer on their own parcels. The parties may individually require that the employees of the other parcels park on such parcels.

(3) General: All of the uses permitted within the Common Areas will be used with reason and judgment so as not

to interfere with the primary purpose of the Common Areas which is to provide for parking for the customers, invitees and employees of those businesses conducted within the Building Areas and for the servicing and supplying of such businesses. Persons using the Common Areas in accordance with this ECR will not be charged any fee for such use.

(e) Utility and service easements: The parties and future owners of the Properties subject hereto will cooperate in the granting of appropriate and proper easements for the installation, repair and replacement of storm drains, sewers, utilities, ponding areas, bus bays and shelters, and other proper services necessary for the orderly development and operation of the Common Areas and buildings to be erected upon the Building Areas. All such parties will use their best efforts to cause the installation of such utility and service lines prior to paving of the Common Areas.

(f) Additional Property: Developer or Developer's successors and assigns may develop the Additional Property as a shopping center. If the Additional Property is developed as a shopping center, the owner of the Additional Property and the owners of Parcels I and II will mutually subject the Additional Property and Parcels I and II to non-exclusive easements for roadways, walkways, ingress and egress, parking and other uses similar to the easements for common areas granted by this ECR. Chronis will have no rights or obligations under this paragraph.

6. Common Areas: Development, Maintenance and Taxes.

(a) Development.

(1) Landscaping: The respective portions of the Shopping Center will at all times have landscaping in accordance with applicable City of Albuquerque ordinances, regulations, rules and requirements. The owners of Parcels I and II may require additional landscaping upon the Chronis Property for aesthetic purposes. Chronis will cooperate in the placement of such additional landscaping, provided that the cost of installation and maintenance of such landscaping will be borne by the owners of Parcels I and II.

(2) Development Timing: When any building is constructed within the Building Areas on a parcel, the Common Areas on that parcel will be developed in accordance with Exhibit A at the expense of the owner of such parcel. The owners of Parcels I and II may elect to share site improvement costs as to the Shopping Center and the Easement Property on a pro rata basis according to the floor area of the improvements then planned in the Shopping Center. If either party constructs improvements on its parcel prior to the development of the other parcel, the developing party may grade, pave and

use any portion of the Common Areas of the other party's parcel. The developing party will cause all of such work to be separately bid on a competitive basis, and the costs and proposed work will be approved in advance by the other party in writing, provided that such approval will not be unreasonably withheld, and the other party agrees to reimburse the developing party for such costs when any portion of its parcel is so developed. Reimbursement will be within thirty (30) days after receipt of an itemized billing. If not paid within such thirty (30) day period, such billing will bear interest from the date of completion of such work to the date of payment at the rate of 12% per annum. Chronis will have no rights or obligations under this paragraph.

(3) Grading and Drainage Plan: The owners of Parcels I and II will perform all site work on their respective parcels in compliance with the grading and drainage plan approved by the City of Albuquerque. Chronis will have no rights or obligations under this paragraph.

(b) Maintenance.

(1) Standards: Following completion of the improvement of the Common Areas, the owners thereof will maintain the Common Areas in good condition and repair. The maintenance is to include, without limiting the generality of the foregoing, the following:

A. Maintaining the surfaces in a level, smooth and evenly covered condition with the type of surfacing material originally installed or such substitute as will in all respects be equal in quality, use and durability.

B. Removing all papers, debris, filth and refuse and thoroughly sweeping the area to the extent reasonably necessary to keep the area in a clean and orderly condition, and free of snow and ice.

C. Placing, keeping in repair and replacing any necessary appropriate directional signs, markers and lines.

D. Operating and keeping in repair and replacing, where necessary, such artificial lighting facilities as will be reasonably required.

E. Maintaining all perimeter walls in good condition and state of repair; and

F. Maintaining all landscaped areas and making such replacements of shrubs and other landscaping as is necessary; however Chronis' responsibility for maintenance of landscaping is limited in paragraph 6(a)(1) hereof.

(2) Responsibility: The owners of Parcels I and II may mutually agree that Developer or Developer's representative will assume responsibility for maintenance of the parking, driveways and landscaping portions of the Common Areas located in the Shopping Center. At any time, upon at least sixty (60) days' prior written notice, Developer may discontinue the practice of maintaining such portions of the Common Areas located on Parcel I, at which time owner will continue responsibility for maintenance of such owner's Common Areas. Chronis will have no rights or obligations under this paragraph.

(3) Expenses:

(a) The respective owners will pay the maintenance expense of their parcels, except that, during the period that Developer is maintaining Parcel I parking, driveways and landscaping, the owner of Parcel I will pay Developer, monthly in advance, that portion of the Shopping Center Common Area Costs (hereinafter defined) that the number of square feet of Parcel I bears to the total number of square feet in the Shopping Center. Parcel I's share of Shopping Center Operating Costs will be estimated in advance by Developer and will be computed on the basis of periods of twelve (12) consecutive calendar months except that the first such period may be of greater or less duration, commencing and ending on such dates as may be designated by Developer. Such estimate will be paid in advance by the owner of Parcel I promptly upon receipt of monthly bills therefor from Developer without any deduction or set-off whatsoever. The owner of Parcel I will pay to Developer on demand the amount, if any, equal to the difference between such owner's proportionate share of the actual Shopping Center Common Area Cost and the estimated Shopping Center Common Area Cost. The balance, if any, of such estimate remaining after the payment of the actual Shopping Center Common Area Cost will be held by Developer and applied to the next monthly payment provided to be paid in this section. Such owner will not be entitled to receive interest on any additional payments paid hereunder. Developer may, at its option, adjust the twelve (12) month estimate of payments provided to be paid in this section quarter-annually in order to reduce discrepancies between the estimated payments and the payments actually required to pay the actual Shopping Center Common Area Cost.

(b) For the purpose of this section, the term "Shopping Center Common Area Cost" is hereby defined to mean the total cost and expense incurred in operating, managing, equipping, lighting, repairing, insuring, replacing and maintaining the Common Areas, excluding only items of expense commonly known and designated as carrying charges, but specifically including, without limitation, repair and maintenance of clocks and fountains, gardening and landscaping, storm



drainage systems and other utility systems, sprinkler systems, security personnel, traffic control equipment, the cost of public liability and property damage insurance, repairs, line painting, lighting, sanitary control, removal of snow, trash, rubbish, garbage and other refuse, removal and/or repair of graffiti or damage caused by vandals, depreciation on or rentals of machinery and equipment used in such maintenance, the cost of personnel to implement such services, to direct parking, and to police the Common Areas and fifteen percent (15%) of all the foregoing costs to cover Developer's administrative and overhead costs.

(c) Taxes: Each owner of the properties subject hereto will agree to pay or cause to be paid, prior to delinquency, directly to the appropriate taxing authorities all real property taxes and assessments which are levied against that part of the Common Areas owned by it.

7. Signs. Developer may impose reasonable sign standards upon the properties subject hereto.

8. Indemnification/Insurance.

(a) Indemnification: The owner of each parcel subject hereto will indemnify and save the other owners harmless from any and all liability, damage, expense, causes of action, suits, claims or judgments arising from injury to person or property and occurring on its own parcel, except if caused by the act or neglect of the other owners.

(b) Insurance: Each owner will provide comprehensive general liability insurance affording protection to itself and the other party, naming the other owners as an "additional insured" under the policy or policies, for a combined bodily injury and property damage limit of liability of not less than \$1,000,000 each occurrence.

9. Eminent Domain.

(a) Right to award: Nothing herein will be construed to give any owner any interest in any award or payment made to any other owner in connection with any exercise of eminent domain or transfer in lieu thereof affecting the other owner's parcel or give the public or any government any rights in the properties subject to this ECR. In the event of any exercise of eminent domain or transfer in lieu thereof of any part of the Common Areas, the award attributable to the land and improvements of such portion of the Common Areas will be payable only to the owner in fee thereof and no claim thereon will be made by the owners of any other portion of the Common Areas.

(b) Collateral claims: All other owners of the Common Areas may file collateral claims with the condemning authority for their losses which are separate and apart from the value of the land area and improvements taken from another owner.

(c) Tenant's Claim: Nothing in this paragraph will prevent a tenant from making a claim against an owner pursuant to the provisions of any lease between tenant and owner for all or a portion of any such award or payment.

(d) Restoration of Common Areas: Provided that the condemnation has not rendered the business conducted on a parcel economically infeasible to operate, the owner of the fee of each portion of the Common Areas so condemned will promptly repair and restore the remaining portion of the Common Areas so owned as near as practicable to its condition immediately prior to such condemnation or transfer to the extent that the proceeds of such award are sufficient to pay the cost of such restoration and repair and without contribution from any other owner.

#### 10. Modifications:

(a) Modification - cancellation: This ECR may be modified or cancelled only by written consent of all record owners of the parcels affected by such action, which consents will not be unreasonably withheld. Chronis will execute such modifications hereof as may be reasonably required by the lenders or tenants of Parcels I and II.

(b) Delegation of authority. At least as long as Developer is the initial user and/or operator of Parcels I and II or both the parcels, whether as owner or lessee, the authority for modifying this ECR will rest with Developer alone as to the parcels Developer owns, uses or operates.

(c) Attorney in Fact. Any purchaser, lender, lessee, assignee, grantee, sublessee or other party having any interest in the portions of Parcels I or II or the Additional Property that Developer has an interest in, will be deemed to have appointed Developer as their attorney-in-fact for their respective parcels for the purpose of negotiating and entering into any modifications of this ECR, except for extending the duration hereof. Cancellation of this ECR will not be considered a modification.

#### 11. Remedies.

(a) Parties Entitled to Relief. In the event of breach of this ECR, only all record owners of Parcel I as a group, or all the record owners of Parcel II as a group, or all record owners of the Additional Property as a group, or Developer so long as it has an interest in any part of Parcel I or Parcel

II, or all the record owners of the Chronis Property as a group, will be entitled to institute proceedings at law or in equity for full and adequate relief from the consequences of said breach (except as set forth in sections 4(b) and (g) hereof). The unsuccessful party in any action will pay to the prevailing party a reasonable sum for attorney's fees, costs and expenses of such action, which will be deemed to have accrued on the commencement of such action and will be enforceable whether or not such action is prosecuted to judgment.

(b) Remedies for default: If the owner of any parcel will, during the term of this ECR, default in the full, faithful and punctual performance of any obligation required hereunder, and if at the end of thirty (30) days after written notice from any owner of a parcel or the party to whom its authority has been delegated, stating with particularity the nature and extent of such default, the defaulting owner has failed to cure such default, or, if such default is not susceptible of cure within thirty (30) days, if a diligent effort is not then being made to cure such default, then any other owner of a parcel of land subject to this ECR or the party to whom its authority has been delegated will, in addition to all other remedies it may have at law or in equity, have the right to perform such obligation of this ECR on behalf of such defaulting owner and be reimbursed by such defaulting owner of the cost thereof with interest at the rate of twelve percent (12%) per annum. Any such claim for reimbursement, together with interest, will be a secured right and a lien will attach and take effect upon recordation of a proper claim of lien by the claimant in the office of the Bernalillo County Clerk, New Mexico. The claim of lien will include the following: (1) the name of the claimant; (2) a statement concerning the basis of the claim of the lien, (3) the last known name and address of the owner or reputed owner of the parcel against which the lien is claimed; (4) a description of the property against which the lien is claimed; (5) a description of the work performed or payment made which has given rise to the claim of lien hereunder and a statement itemizing the amount thereof; and (6) a statement that the lien is claimed pursuant to the provisions of this ECR reciting the date, book and page of the recordation hereof. The notice will be duly verified, acknowledged and contain a certificate that a copy thereof has been delivered to the party against whom the lien is claimed, in accordance with the notice provisions of this ECR, and otherwise to the address for mailing of tax statements with respect to the property against which the lien is claimed. The lien so claimed will attach from the date of recordation solely in the amount claimed thereby and it may be enforced in any manner allowed by law for the foreclosure of liens. Notwithstanding the foregoing, such liens will be subordinate to any mortgage or deed of trust given in good faith and for value now or

hereafter encumbering the property subjected to the lien, and any purchaser at any foreclosure or (as well as any grantee by deed in lieu of foreclosure) under any first mortgage or deed of trust will take free and clear from any such then existing lien, but otherwise subject to the provisions of this ECR. The failure of the owner or owners of any of the parcels subject to this ECR to insist in any one or more cases upon the strict performance of any of the promises, covenants, conditions, restrictions or agreements herein, will not be construed as a waiver or relinquishment for the future breach of the provisions hereof.

(c) Duration: Unless otherwise cancelled and terminated, this ECR and all the easements, rights and obligations hereof will automatically terminate and be of no further force or effect after fifty-seven (57) years after the date hereof, except that the access and/or utility easements described herein, if any, will continue in full force and effect until terminated in writing by the parties entitled to modify this ECR in accordance with the provisions of 10(a) hereof.

12. Rights and Obligations of Lenders. The charges and burdens of this ECR are, and will at all times be, prior and therefore superior to the lien or charge of any mortgage or deed of trust made in good faith and for value affecting the properties subject to this ECR or any improvements now or hereafter placed thereon. However, a breach of any of the easements, covenants, or restrictions hereof will not defeat or render invalid the lien or charge of any mortgage or deed of trust. The superiority of this ECR will be limited to the extent that title to any property acquired through sale under foreclosure of any mortgage or deed of trust effected by powers of sale, judicial proceedings, or otherwise, will be subject to all the charges and burdens affecting the properties subject to this ECR.

13. Release From Liability. Any persons acquiring fee or leasehold title to the properties subject to this ECR or any portion thereof will be bound by this ECR only as to the parcel or portion of the parcel acquired by such person. Such person will be bound by this ECR only during the period such person is the fee or leasehold owner of such parcel or portion of the parcel, except as to obligations, liabilities or responsibilities that accrue during such period. Although persons may be released under this paragraph, the easements, covenants and restrictions in this ECR will continue to be benefits and servitudes upon the properties subject to this ECR, running with the land.

14. Rights of Successors. The easements, restrictions, benefits, and obligations hereunder will create mutual benefits and servitudes upon the properties subject to this ECR running with the land. This ECR will bind and inure to the

benefit of the parties hereto, their respective heirs, personal representatives, tenants, successors, and/or assigns. The singular number includes the plural and any gender includes all other genders.

15. Paragraph Headings. The paragraph headings herein contained are inserted only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of this document nor in any way affect the terms and provision hereof.

16. Not a Public Dedication. Nothing herein contained will be deemed to be a gift or dedication of any portion of the Common Areas to the general public or for the general public or for any public purposes whatsoever, it being the intention of the parties hereto that this ECR will be strictly limited to and for the purposes herein expressed. The right of the public or any person to make any use whatsoever of the Common Areas of the parcels herein affected, or any portion thereof (other than any use expressly allowed by a written or recorded map, this ECR, a deed or a dedication) is by permission, and subject to the control of the owner of such parcel. Notwithstanding any other provisions herein to the contrary, the owners of the parcels affected hereby may periodically restrict ingress and egress from the Common Areas in order to prevent a prescriptive easement from arising by reason of continued public use. Any restriction on ingress and egress will be limited to the minimum period necessary to prevent the creation of a prescriptive easement and will occur at such a time as to have a minimum effect on the parties hereto.

17. Document Execution and Change. Until this document is fully executed and delivered by Chronis and Developer, there is not and will not be an ECR of any kind between the parties hereto upon which any commitment, undertaking or obligation can be founded. Once this document is fully executed and delivered it contains the entire ECR between the parties hereto, in executing it, the parties do not rely upon any statement, promise or representation not herein expressed. This ECR once executed and delivered will not be modified, changed, or altered in any respect except by a writing executed and delivered in the same manner as required for this ECR.

18. Notices. Any notice, demand, approval or disapproval, consent or submission for approval or consent permitted or required hereunder (any "Notice") will be in writing, and any such Notice will be sent to the parties hereto by registered or certified mail, return receipt requested, postage prepaid, addressed to the parties at the address(es) set forth following their signatures.

DATED: \_\_\_\_\_, 1986

DEVELOPER:

COORS CENTRAL, LTD., a New Mexico limited partnership

By: *[Signature]*  
Its: General partner

By: *[Signature]*  
Its: General Partner

Address:

c/o Wiggins & Price, Lawyers  
P.O. Box 25424  
Albuquerque, New Mexico 87125  
CHRONIS:

*[Signature]*  
TASCO CHRONIS

*[Signature]*  
ANNA CHRONIS

Address:

5925 Central Avenue N.W.  
Albuquerque, New Mexico 87105

CONSENTED AND AGREED TO:

COORS ROAD SOUTH PARTNERSHIP,  
a New Mexico general partnership

By: *[Signature]*  
Its: General Partner

P.O. Box 25424  
Albuquerque, New Mexico 87125

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me this 2nd day of July, 1986, by John F. Black and Mary A. Black, General Partners of Coors Central, Ltd., a New Mexico limited partnership, on behalf of said partnership.

W. M. Roach  
Notary Public

My commission expires:  
10-14-86

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me this 1st day of July, 1986, by Tasso Chronis and Anna Chronis, his wife.

W. M. Roach  
Notary Public

My Commission Expires:  
10-14-86

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me this 2nd day of July, 1986, by John F. Black, general partner of Coors Road South Partnership, a New Mexico general partnership, on behalf of said partnership.

W. M. Roach  
Notary Public

My Commission Expires:  
10-14-86

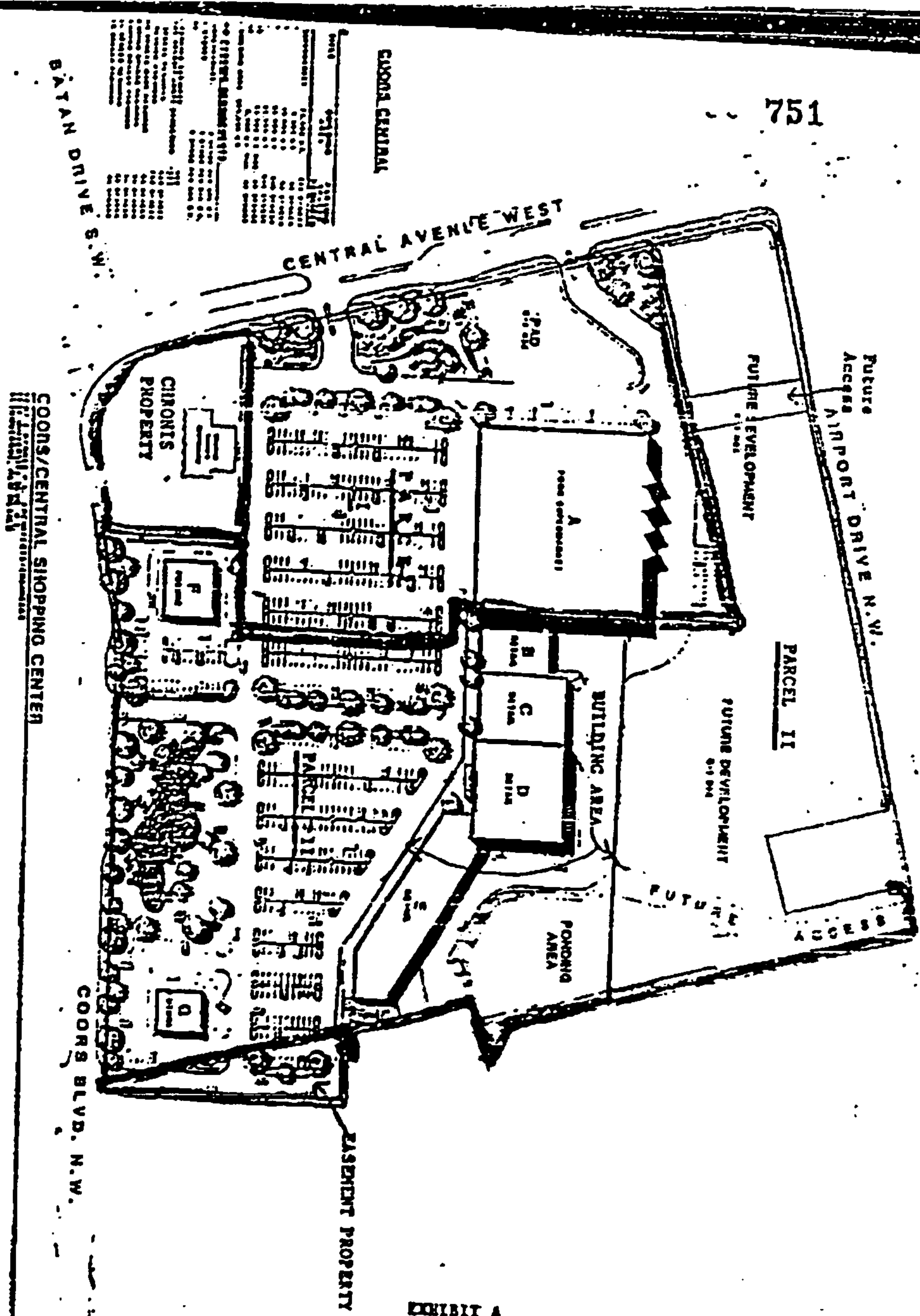


EXHIBIT A  
SITE PLAN-PARCELS I & II

ORIGINAL COPY TOO LIGHT  
IN DENSITY TO PHOTOGRAPH  
BY MICROFILM PROPERLY.



EXHIBIT B  
PARCEL I  
LEGAL DESCRIPTION

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Alameda Grant in projected Section 22, Township 10 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising a portion of Lot 2, as the same is shown and designated on the plat entitled "LOT 2 & 3 OF TRACT C-27, AIRPORT UNIT OF THE TOWN OF ATRISCO GRANT" filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 15, 1983, in Volume C70, folio 170, and a portion of Tracts C-25 and C-26, as the same are shown and designated on the plat entitled "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 5, 1964, in Volume D, folio 117, and a portion of Tract C-24A, as the same is shown and designated on the plat entitled "LOT 1, CHRONIS BUSINESS PARK, REPLAT OF PART OF TRACTS C-22, C-23, & C-24, TOWN OF ATRISCO GRANT, AIRPORT UNIT 4 INTO TRACT C-24A", filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 23, 1976, in Volume C11, folio 112, more particularly described as follows:

BEGINNING at the Southeast corner of the parcel herein described, said corner being the Southeast corner of said Tract C-24A, a point on the Northerly right of way line of Central Avenue West, whence the New Mexico State Highway Commission Monument "RM-448-N1A" bears N 74° 51' 10" E. 337.25 feet distant; Thence,

S 74° 58' 33" W, 631.15 feet along the Southerly line of said Tracts C-24A, C-25, C-26 and Lot 2, and said Northerly right of way line of Central Avenue West to the Southwest corner of the parcel herein described; Thence,

N 12° 53' 56" W, 591.81 feet to the Northwest corner of the parcel herein described; Thence,

S 89° 22' 10" E, 406.52 feet to a point; Thence,

N 00° 37' 30" E, 21.40 feet to a point; Thence,

S 89° 22' 10" E, 340.00 feet to the Northeast corner of the parcel herein described, a point on the Easterly line of said Tract C-24A; Thence,

S 00° 37' 30" W, 436.40 feet along said Easterly line of Tract C-24A to the Southeast corner and point of beginning of the parcel herein described.

Said parcel contains 8.0000 acres, more or less.

## EXHIBIT C

PARCEL II  
LEGAL DESCRIPTION

Lot numbered Two (2) of Lots 1 and 2 of Tract C-27, AIRPORT UNIT OF THE TOWN OF ATRISCO GRANT, Bernalillo County, New Mexico, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 15, 1983.

Tract C-24-A, CHRONIS BUSINESS PARK, Replat of part of Tracts C-22, C-23 and C-24, Town of Atrisco Grant Airport Unit 4, into Tract C-24-A, Bernalillo County, New Mexico, as the same is shown and designated on the Replat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 23, 1976.

Parcel C-25, a certain tract of land, lying and being within the boundaries of said Atrisco Land Grant, in the County of Bernalillo, State of New Mexico. Bounded on the North by land of the Atrisco Grant, on the East by land of the Atrisco Grant, on the South by U.S. Highway 66, and on the West by land now or formerly owned by George Lovato, being one of the several tracts allotted from the Atrisco Land Grant, along one of the several tracts allotted from the Atrisco Land Grant, along the North line of U.S. Highway 66, and more particularly described as follows:

Beginning at the NW corner No. 1 whence the NE corner of Section 3, T. 10 N., R. 2 E., N.M.P.M. bears N. 2°26' E., 17,083.01 ft. distant and running thence N. 74°54' E., 210.00 ft. to the NE corner No. 2; thence S. 15°06' E., 1037.00 ft. to the SE corner No. 3; thence S. 74°54' W., 210.00 ft. along the North line of U.S. Highway 66 to the SW corner No. 4; thence N. 15°06' W., 1037.00 ft. to point of beginning.

Parcel C-26, a certain tract of land situate in School District No. 28, Bernalillo County, N.M., bounded on the North by land of the Atrisco Grant; on the South by U.S. Highway 66; and on the East by land of the Atrisco Grant; and on the West by land now or formerly owned by Trinidad Lovato, being one of the several tracts of land allotted from the Atrisco Land Grant along the north line of Highway 66, and more particularly described as follows:

Beginning at the NE corner No. 1 whence the NE corner of Section 3, T. 10 N., R. 2 E., N.M.P.M., bears N. 2°26' E., 17,083.01 ft. distant and running thence S. 15°06' E., 1037.00 ft. to the SE corner No. 2; thence S. 74°54' W., 210.00 ft. along the north line of U.S. Highway 66 to the SW corner No. 3; thence N. 15°06' W., 1037.00 ft. to the NW corner No. 4; thence N. 74°54' E., 210.00 ft. to point of beginning.

PLUS,

That certain parcel of land situate within the Town of Atrisco Grant in project of Albuquerque, Bernalillo County, New Mexico, comprising Lot 1-A, as the same is shown and designated on the plat entitled "REPLAT OF LOT 1, CHRONIS BUSINESS PARK, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on November 25, 1980, in Volume B18, folio 85, and the Northerly portion of Lot 1-B1, as the same is shown and designated on the plat entitled "SUMMARY PLAT, LOTS 1-B1 & 1-B2, BEING A REPLAT OF LOT 1-B, CHRONIS BUSINESS PARK, ALBUQUERQUE, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on March 22, 1984, in Volume B20, folio 145, more particularly described as follows:

BEGINNING at the the Northeast corner of said Lot 1-A and the Northeast corner of the parcel herein described, a point on the Westerly right of way line of Coors Road North, whence the New Mexico State Highway Commission Monument "M-448-N1a" bears S 00° 37' 21" E, 1046.43 feet distant; Thence,

S 00° 37' 50" W, 523.54 feet along said Westerly right of way line of Coors Road North to a point of curvature; Thence,

Southeasterly . 184.65 feet along said Westerly right of way line of Coors Road North on the arc of a curve to the left (said curve having a radius of 1972.00 feet and a chord which bears S 02° 03' 17" E, 184.58 feet) to a point on curve; Thence,

S 85° 15' 37" W, 10.00 feet along said Westerly right of way line of Coors Road North to a point on curve; Thence,

Southeasterly . 108.12 feet along said Westerly right of way line of Coors Road North on the arc of a curve to the left (said curve having a radius of 1982.00 feet and a chord which bears S 06° 18' 09" E, 108.11 feet) to a point on curve and the Southeast corner of the parcel herein described; Thence,

N 89° 22' 10" W, 203.56 feet to the Southwest corner of the parcel herein described, a point on the West line of said Lot 1-B1; Thence,

N 00° 37' 50" E, 752.58 feet to the Northwest corner of said Lot 1-A and the Northwest corner of the parcel herein described; Thence,

N 75° 01' 28" E, 199.16 feet to the Northeast corner and point of beginning of the parcel herein described.

plus,

Tract C of Unit No. 1 of Atrisco Business Park as shown and designated on plat filed on October 3, 1972, in Volume D5, page 62 records of Bernalillo County, New Mexico.

Less:

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Alameda Grant in projected Section 22, Township 10 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising a portion of Lot 2, as the same is shown and designated on the plat entitled "LOTS 1 & 2 OF TRACT C-27, AIRPORT UNIT OF THE TOWN OF ATRISCO GRANT", filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 15, 1983, in Volume C20, folio 170, and a portion of Tracts C-25 and C-26, as the same are shown and designated on the plat entitled "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 20, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 5, 1944, in Volume D, folio 117, and a portion of Tract C-24A, as the same is shown and designated on the plat entitled "LOT 1, CHRONIS BUSINESS PARK, REPLAT OF PART OF TRACTS C-22, C-23, & C-24, TOWN OF ATRISCO GRANT, AIRPORT UNIT & INTO TRACT C-24A", filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 23, 1976, in Volume C11, folio 112, more particularly described as follows:

**BEGINNING** at the Southeast corner of the parcel herein described, said corner being the Southeast corner of said Tract C-24A, a point on the Northerly right of way line of Central Avenue West, whence the New Mexico State Highway Commission Monument "NM-448-N1A" bears N 74° 51' 10" E, 337.25 feet distant; Thence,

S 74° 58' 33" W, 931.13 feet along the Southerly line of said Tracts C-24A, C-25, C-26 and Lot 2, and said Northerly right of way line of Central Avenue West to the Southwest corner of the parcel herein described; Thence,

N 12° 55' 56" W, 591.81 feet to the Northwest corner of the parcel herein described; Thence,

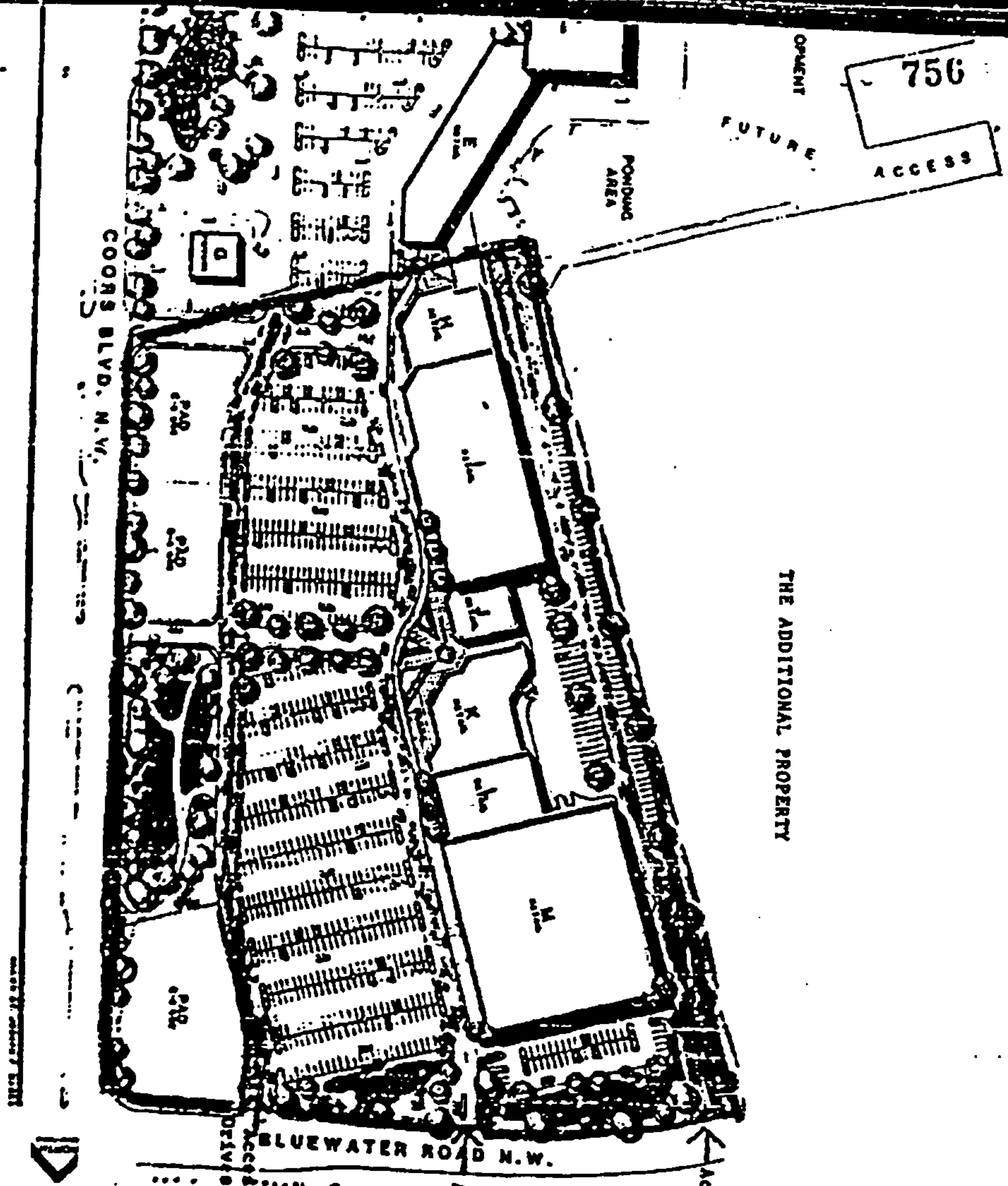
S 89° 22' 10" E, 466.52 feet to a point; Thence,

N 00° 37' 50" E, 31.40 feet to a point; Thence,

S 89° 22' 10" E, 340.00 feet to the Northeast corner of the parcel herein described, a point on the Easterly line of said Tract C-24A; Thence,

S 00° 37' 50" W, 436.40 feet along said Easterly line of Tract C-24A to the Southeast corner and point of beginning of the parcel herein described.

Said parcel contains 8.0000 acres, more or less.



THE ADDITIONAL PROPERTY

NO.	DESCRIPTION	AREA	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...

EXHIBIT D  
SITE PLAN - ADDITIONAL PROPERTY

ORIGINAL COPY TOO LIGHT  
BE DENSITY TO PHOTOGRAPH  
BY MICROFILM PROPERLY.

## EXHIBIT E

## ADDITIONAL PROPERTY

A certain tract or parcel of land being situate within Unit No. 1 of Atrisco Business Park, being designated as Tract D, filed October 3, 1972, in Vol. D-5, page 62, County of Bernalillo, State of New Mexico.

## EXHIBIT F

## CHRONIS PROPERTY

Lot 1-B2 and Lot 1-B1, as the same is shown and designated on the plat entitled "Summary Plat, Lots 1-B1 & 1-B2, Being a replat of Lot 1-B, Chronis Business Park, Albuquerque, New Mexico", filed in the office of the County Clerk of Bernalillo County, New Mexico, on March 22, 1984, in Volume B290, folio 145, less the Northerly portion of Lot 1-B1 more particularly described as follows:

BEGINNING at the the Northeast corner of said Lot 1-A and the Northeast corner of the parcel herein described, a point on the Westerly right of way line of Coors Road North, whence the New Mexico State Highway Commission Monument "NM-448-N1A" bears S 06° 39' 21" E, 1046.43 feet distant; Thence,

S 00° 37' 50" W, 523.54 feet along said Westerly right of way line of Coors Road North to a point of curvature; Thence,

Southeasterly . 184.65 feet along said Westerly right of way line of Coors Road North on the arc of a curve to the left (said curve having a radius of 1972.00 feet and a chord which bears S 02° 03' 17" E, 184.58 feet) to a point on curve; Thence,

S 85° 15' 37" W, 10.00 feet along said Westerly right of way line of Coors Road North to a point on curve; Thence,

Southeasterly . 108.12 feet along said Westerly right of way line of Coors Road North on the arc of a curve to the left (said curve having a radius of 1982.00 feet and a chord which bears S 06° 18' 09" E, 108.11 feet) to a point on curve and the Southeast corner of the parcel herein described; Thence,

N 89° 22' 10" W, 203.56 feet to the Southwest corner of the parcel herein described, a point on the West line of said Lot 1-B1; Thence,

N 00° 37' 50" E, 742.58 feet to the Northwest corner of said Lot 1-A and the Northwest corner of the parcel herein described; Thence,

N 75° 01' 28" E, 159.16 feet to the Northeast corner and point of beginning of the parcel herein described.