OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 2, 2009

Project# 1004588
09DRB-70265 VACATION OF PUBLIC WATERLINE and STORM SEWER & FLOOD DRAINAGE EASEMENT(S)

09DRB-70266 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LARRY READ AND ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Lot(s) A, Block(s) 12, **CLAYTON HEIGHTS** zoned C-2, located on YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE containing approximately 3.4548 acre(s). (L-15)

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

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

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

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

CONDITIONS:

1. The vacated property shall be shown on the replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
2. Development Review Board comments from the vacation hearing shall be complied with for final plat.

The preliminary/final plat was approved with final sign off delegated to Transportation for written comments and to planning for acceptance letter, site plan with parking and to record.

If you wish to appeal this decision, you must do so by September 17, 2009 in the manner described below.

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

The date the determination in question is issued is not included in the 15-day period for filing an appeal.
If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.
You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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

Jack Cloud, AICP, DRB Chair

Cc: 110 Sunport LLC – 1520 Tramway Blvd NE Ste 200 – Albuquerque, NM 87112
Cc: Larry Reid & Assoc. Inc. – 2430 Midtown Place NE Ste C – Albuquerque, NM 87107
Marilyn Maldonado
Scott Howell
File

COMPLETED 10/28/09 SH

DRB CASE ACTION LOG – (Prel/Final)

REVISED 10/08/07

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.: 09DRB-70266 Project # 1004588
Project Name: CLAYTON HEIGHTS
Agent: LARRY REID AND ASSOC. Phone No.:

Your request was approved on 9-2-07 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: - see comments
OK

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): - letter of acceptance
OK - site plan w/ parking

☑ **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.**
- OK ☑ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Created On:

4588

DXF Electronic Approval Form

DRB Project Case #: 1004588

Subdivision Name: CLAYTON HEIGHTS TRACTS A1 & A2

Surveyor: MICHAEL T SHOOK

Contact Person: LARRY REED

Contact Information: 237-8421

DXF Received: 10/26/2009 Hard Copy Received: 10/26/2009

Coordinate System: NMSP Grid (NAD 83)

Approved

10-27-2009
Date

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

AGIS Use Only

Copied fc **4588** to agiscov on **10/27/2009** Contact person notified on **10/27/2009**

OFFICIAL NOTICE OF DECISION

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DEVELOPMENT REVIEW BOARD

September 2, 2009

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If you wish to appeal this decision, you must do so by September 17, 2009 in the manner described below.

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Jack Cloud, AICP, DRB Chair

Cc: 110 Sunport LLC – 1520 Tramway Blvd NE Ste 200 – Albuquerque, NM 87112
Cc: Larry Reid & Assoc. Inc. – 2430 Midtown Place NE Ste C – Albuquerque, NM 87107
Marilyn Maldonado
Scott Howell
File

DEVELOPMENT REVIEW BOARD
AGENDA

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

September 2, 2009 9:00 AM
MEMBERS:

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

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

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

1. **Project#1004588**
09DRB-70265 VACATION OF PUBLIC EASEMENT
09DRB-70266 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

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2. **Project# 1007800**
09DRB-70176 VACATION OF PUBLIC RIGHT-OF-WAY.

CARTESIAN SURVEYS INC agent(s) for UNIVERSITY OF NEW MEXICO request(s) the above action(s) for all or a portion of Lot(s) 1-11 & ALLEY, Block(s) 7, **COUNTRY CLUB ADDITION** zoned R-3, located on LAS LOMAS NE BETWEEN REDONDO WEST NE AND BUENA VISTA NE containing approximately 1.8869 acre(s). (K-15) *[Deferred from 6/10/09, 7/8/09, 8/5/09]***INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

DRB CASE ACTION LOG – (Prel/Final)

REVISED 10/08/07

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.: 09DRB-70266 Project # 1004588
Project Name: CLAYTON HEIGHTS
Agent: LARRY REID AND ASSOC. Phone No.:

Your request was approved on 7-2-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: - See comments

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): - Accepance letter
- site plan w/ parking

☑ **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.**

Created On:

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1004588 **AGENDA#** 1 **DATE:** 9/2/09

1. Name: _____ 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

September 2, 2009

Project# 1004588
09DRB-70265 VACATION OF PUBLIC WATERLINE and STORM SEWER & FLOOD DRAINAGE EASEMENT(S)

09DRB-70266 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LARRY READ AND ASSOCIATES INC. agent(s) for 110 SUNPORT LLC request(s) the referenced/ above action(s) for all or a portion of Tract A, Block 12, **CLAYTON HEIGHTS SUBDIVSION** zoned SU-2/ NMX, located on the west side of YALE BLVD SE between GIBSON BLVD SE and ROSS AVE SE containing approximately 3.4546 acres. (L-15)

AMAFCA
No comment.

COG
No comment.

TRANSIT
Adjacent and nearby routes
Routes #50, Airport Downtown route and #1618, Broadway-University-Gibson route, pass the site on Yale.

Adjacent bus stops
Bus stop for the above-mentioned routes is located adjacent to the property on Yale.

Site plan requirements
Please provide easement for the proposed ARRA bus shelter. The width of the easement from the face of the curb to the property should be 8' and the length along the sidewalk should be 20', at the current bus stop location on Yale. Please ignore if sufficient ROW is available.

Large site TDM suggestions
None.

Other information
None.

ZONING ENFORCEMENT
No comment.

NEIGHBORHOOD COORDINATION
Letters sent to: **Victory Hills NA (R)**
Kirtland Community Assoc. (R)
Clayton Heights/Lomas Del Cielo NA (R)

APS
This will have no adverse impacts to the APS district.

POLICE DEPARTMENT
See file for informational comments

FIRE DEPARTMENT
No comment.

PNM ELECTRIC & GAS
No comment.

COMCAST
No comment.

QWEST
No objection.

ENVIRONMENTAL HEALTH
No comment.

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 vacation request. Letter of acceptance must be provided for City Engineer signoff of plat

TRANSPORTATION DEVELOPMENT
No objection to vacation requests.
Define maintenance information for the cross lot access easement.
Provide an exhibit showing the location of sidewalk and defining the distance from face of curb to the property line. Right of way dedication may be required.
Provisions must be made for a bus stop along Yale. Right of way dedication may be required. Please contact Shabih Rizvi at 724-3134 for additional information.

PARKS AND RECREATION
Defer to the affected agencies regarding the vacation request.
No objection to the platting action.

ABCWUA
No objection to Vacation request.
No objection to Plat approval.

PLANNING DEPARTMENT
Refer to comments from affected agencies (ABCWUA and City Hydrology) plus any public hearing comments regarding proposed vacations.

The submitted Site Plan does not correspond to the stated scale or the proposed plat drawing (355 foot lot width for Tract A-2). An accurate site plan is needed to demonstrate adequate on-site parking and setbacks.

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

275-96667

DRB/EPC/LUCC APPLICATION CHECKLIST

A review of DRB Case 1004588 **indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicted that a thorough CPTED evaluation has been done, or that other criminal activities may not occur.**

- ☐ **Traffic volume/***Explain:*
- ☐ **Traffic control devices/***Explain:*
- ☐ **Burglaries/***Explain*:
- ☐ **Speeding violations/***Explain*:
- ☐ **Lighting issues/***Explain*:
- ☐ **Maintenance of landscaping/***Explain*:
- ☐ **Robbery/***Explain*:
- ☐ **Assault/***Explain*:
- ☐ **Shoplifting/***Explain*:
- ☐ **Accidents in the parking lot/***Explain*:
- ☐ **A higher probability of crimes during evening/weekend hours/***Explain*:
- ☐ **Commercial burglary/***Explain*:
- ☐ **Rape/***Explain*:
- ☐ **Adequate security/***Explain*:
- ☐ **Alarm security/***Explain*:
- ☐ **Alarm response i.e. false alarms, etc/***Explain*:
- ☐ **Transients/***Explain*:
- ☐ **Need for neighborhood association/***Explain*:
- ☒ **Other:** None

ROUTING SHEET FOR DRB & EPC REVIEWS

Date: 8/21/09

The following case or applications are being sent to your command and/or office for review:

DRB: 1004588

EPC: _____

Please return originals to Lupe Gallegos @ 768-2175, APD/Planning Division, by: 8/26/09 (to expedite fax comments forms to 768-2324 on/before date).

_____ **VALLEY AREA COMMAND**
Yvette Garcia

_____ **NORTHWEST AREA COMMAND (Cottonwood Sub)**
Pete Gelabert

✓ **SOUTHEAST AREA COMMAND**
Laura Kuehn

_____ **SOUTHWEST AREA COMMAND**
Bill Jackson

_____ **CRIME PREVENTION**
(FH and NE) Steve Sink

REVIEWED BY: R. Kuehn **PHONE:** 256-2969

DATE: 8/25/09

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: September 2, 2009
Zone Atlas Page: L-15
Notification Radius: 100 Ft.

Project# 1004588
App# 09DRB-70265
09DRB-70266

Cross Reference and Location: WEST SIDE OF YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE

Applicant: 110 SUNPORT LLC
1520 TRAMWAY BLVD NE STE 200
ALBUQUERQUE, NM 87112

Agent: LARRY READ & ASSOCIATES INC
2430 MIDTOWN PLACE NE STE C
ALBUQUERQUE, NM 87107

Special Instructions:

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

Date Mailed: AUGUST 14, 2009
Signature: ERIN TREMLIN

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP CODE	PROPERTY CLASS	TAX DISTRICT	LEGAL	ACRES
1	101505653307640507	110 SUNPORT LLC	1520 TRAM WAY BLVD N E SUITE 200	ALBUQUERQUE	NM	87112	V	A1A	TRACT A REPLAT OF LOTS 9 THRU 18 BLK 11 & LTS 1 & 20 & 21 &22 EXC S 25 FT LOT S 1 & 20 BLK 12 CLAYTON HEIGHTS	3.18426782
2	101505652905640525	BOLTON FAMILY LIMITED PARTNERSHIP	2005 YALE BLVD SE	ALBUQUERQUE	NM	87106	C	A1A	*019 012 CLAYTON HEIGHTS SUBD	0.1427585
3	101505651008140115	STEED H D TRUSTEE DON STEED RVT	33 SIEMPRE VERDE DR NE	ALBUQUERQUE	NM	87123	C	A1A	LT 1 BLK 13 CLAYTON HEIGHTS SUBDIVISION TOGETHER WITH THES'LY 1/2 OF EASTERN AVE CONT .2324 AC	0.3626289
4	101605602612730101	ALBUQUERQUE INNKEEPER 1 LLC	2511 N TELSHOR BLVD	LAS CRUCES	NM	88011	V	A1A	TR 1-A-1 PLAT OF TRACT 1-A-1 CAVAN SUNPORT CENTRECONT 2.9833 AC +/-	2.9953465 2
5	101505651009940402	CASAUS AGNEDA	1305 CALLE DEL RANCHERO NE	ALBUQUERQUE	NM	87106	C	A1A	LT 10 BLK 14 CLAYTON HEIGHTS SUBDIVISION & INCL VACATED R/WFOR EASTERN AVE CONT 1865 AC	0 4071877 3
6	101605603209632305	MW LODGING INC	2300 INTERNATIONAL AVE	ALBUQUERQUE	NM	87106	C	A1A	TR 4B REPL OF CAVAN SUNPORT CENTRE CONT 1.8994 AC +- / 82,738 SQ FT +-	2 0579339 8
7	101505648310040404	ECKSTEIN JEROME	1831 WILMOORE DR SE	ALBUQUERQUE	NM	87106	C	A1A	LOT 8-A BLK 14 CLAYTON HEIGHTS CONT 12,497 SQ FT M/L	0.2808544 4
8	101505651107040113	REED FREDERICK W III & PATRICIA B PAIZ	2238 DURAND RD SW	ALBUQUERQUE	NM	87105	V	A1A	* 003 013CLAYTON HTS	0 1402540 4
9	101505651106040111	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 9295	ALBUQUERQUE	NM	87119	V	A1A	* 005 013CLAYTON HEIGHTS SUBD	0.1387599
10	101505652906040524	BOLTON FAMILY LIMITED PARTNERSHIP	2005 YALE BLVD SE	ALBUQUERQUE	NM	87106	C	A1A	12 SOUTH 25 FT OF LOT 20 CLAYTON HEIGHTS SUBD	0.0765021 1
11	101505651012640407	ABEYTA MIKE	1824 BUENA VISTA SE	ALBUQUERQUE	NM	87106	C	A1A	* 005 014LOT 5 BLK 14 CLAYTON HEIGHTS SUBD	0.1591905 1
12	101505651011740405	ABEYTA MIKE	1824 BUENA VISTA SE	ALBUQUERQUE	NM	87106	C	A1A	* 007 014LOT 7 BLK 14 CLAYTON HEIGHTS SUBD	0.1442763 8
13	101505651006540112	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 9295	ALBUQUERQUE	NM	87119	V	A1A	* 004 013CLAYTON HEIGHTS SUBD	0.1395298 2
14	101505654211340508	CASE GEORGE W	737 JEFFERSON NE	ALBUQUERQUE	NM	87110	C	A1A	* 008 011CLAYTON HEIGHTS SUBD* 008 011 CLAYTON HEIGHTS SUBD CONT 8676 SF M/L	0.1861124 8
15	101505651104440108	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 9295	ALBUQUERQUE	NM	87119	V	A1A	* 008 013CLAYTON HEIGHTS SUBD	0 1375762 1
1	101505	SONRISA IV LIMIT	2920 STANF	ALBU	N	87	C	A1	* M 12 CLAYTON HEIGHTS (REPL OF S1/2	1 0

6	653604 240505	ED PARTNERSHIP	ORD NE	QUER QUE	M	10 7		A	OF LT 3 & ALL OF LTS 45 6 15 16 & 17 BLK 12) CONT 1 0851 AC	222 448 3
17	101505 651012 240406	ABEYTA MIKE	1824 BUENA VISTA SW	ALBU QUER QUE	N M	87 10 6	C	A1 A	* 006 014LOT 6 BLK 14 CLAYTON HEIGHTS SUBD	0.1 409 650 9
18	101505 651105 640110	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 929 5	ALBU QUER QUE	N M	87 11 9	V	A1 A	* 006 013CLAYTON HEIGHTS SUBD	0 1 411 156 3
19	101505 652711 340523	CASE GEORGE W	737 JEFFER SON NE	ALBU QUER QUE	N M	87 11 0	V	A1 A	* 019 011CLAYTON HTS	0 1 214 803
20	101505 652905 040526	BOLTON FAMILY L IMITED PARTNER SHIP	2005 YALE B LVD SE	ALBU QUER QUE	N M	87 10 6	C	A1 A	*018 012 CLAYTON HEIGHTS SUBD	0.1 480 457 2
21	101505 654405 540506	BOLTON FAMILY L IMITED PARTNER SHIP	2005 YALE B LVD SE	ALBU QUER QUE	N M	87 10 6	C	A1 A	TR B-1 BLK 12 PLAT OF TRS B-1 & B-2 BEING A REPL OF THE S 25 FT OF LT 1 A LL LT 2 & THE N/2 OF LT 3 BLK 12 CLAYTO N HEIGHTS SUBD CONT 0.4054 AC	0 3 432 124
22	101505 652711 740522	CASE GEORGE W	737 JEFFER SON NE	ALBU QUER QUE	N M	87 11 0	V	A1 A	* 020 011CLAYTON HEIGHTS SUBD	0.1 374 935
23	101605 603002 230110	TRIPLE D ALBUQU ERQUE LLC	1200 LOBITO S CREEK CU TOFF	HALF MOO N BA Y	C A	94 01 9	C	A1 A	TR 8-A-1 PLAT OF TRS 8A1 & 8A2 (BEING A REPL OF TR "8-A") CAVAN SUNPORT CENTRE CONT 1 344 3 AC M/L OR 58,558 SQ FT M/L	1 5 268 991 3
24	101505 654211 740509	CASE GEORGE W	737 JEFFER SON NE	ALBU QUER QUE	N M	87 11 0	C	A1 A	* 007 011 CLAYTON HEIGHTS SUBD CONT 8655 SF M/L	0.2 065 055 2
25	101505 653612 540511	Y2K LODGING LLC	1801 YALE B LVD SE	ALBU QUER QUE	N M	87 10 6	C	A1 A	LT 26-A BLK 11 PLAT OF LT 26A BLK 11 CLAYTO N HEIGHTS SUBD CONT 2.0600 AC M/L OR 89,734 SQ FT M/L	2.0 571 655
26	101505 651106 040111	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 929 5	ALBU QUER QUE	N M	87 11 9	V	A1 A	* 005 013CLAYTON HEIGHTS SUBD	0 1 387 599
27	101505 651104 940109	BOLTON STANLEY BRIAN & BOLTON RICHARD GLEN	PO BOX 929 5	ALBU QUER QUE	N M	87 11 9	V	A1 A	* 007 013CLAYTON HEIGHTS SUBD	0.1 406 552 8
28	101505 651107 540114	STEED H D TRUST EE DON STEED R VT	33 SIEMPRE VERDE DR N E	ALBU QUER QUE	N M	87 12 3	C	A1 A	* 002 013CLAYTON HTS	0.1 465 192

OR CURRENT RESIDENT
101505651012640407
ABEYTA MIKE
1824 BUENA VISTA SE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101505651009940402
CASAUS AGNEDA
1305 CALLE DEL RANCHERO NE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101605603209632305
MW LODGING INC
2300 INTERNATIONAL AVE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101505651008140115
STEED H D TRUSTEE DON STEED RVT
33 SIEMPRE VERDE DR NE
ALBUQUERQUE, NM 87123

OR CURRENT RESIDENT
101605602612730101
ALBUQUERQUE INNKEEPER 1 LLC
2511 N TELSHOR BLVD
LAS CRUCES, NM 88011

Project# 1004588
LARRY REED & ASSOC.
2430 MIDTOWN PL NE STE C
ALBUQUERQUE, NM 87107

Project# 1004588
VINCENT BATY
Kirtland Community Assoc.
1924 SUNSHINE TERRACE SE
ALBUQUERQUE, NM 87106

Project# 1004588
JUAN LARRANAGA
Victory Hills NA
1205 VASSAR SE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101505652905640525
BOLTON FAMILY LIMITED
PARTNERSHIP
2005 YALE BLVD SE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101505654211340508
CASE GEORGE W
737 JEFFERSON NE
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT
101505651107040113
REED FREDERICK W III & PATRICIA B
PAIZ
2238 DURAND RD SW
ALBUQUERQUE, NM 87105

OR CURRENT RESIDENT
101605603002230110
TRIPLE D ALBUQUERQUE LLC
1200 LOBITOS CREEK CUTOFF
HALF MOON BAY, CA 94019

OR CURRENT RESIDENT
101505653307640507
110 SUNPORT LLC
1520 TRAMWAY BLVD NE SUITE 200
ALBUQUERQUE, NM 87112

Project# 1004588
ISABEL F CABRERA
Clayton Heights/Lomas Del Cielo NA
1720 BUENA VISTA SE
ALBUQUERQUE, NM 87106

Project# 1004588
BARBARA WILLIAMS
Kirtland Community Assoc.
1401 ALAMO SE
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT
101505651106040111
BOLTON STANLEY BRIAN & BOLTON
RICHARD GLEN
PO BOX 9295
ALBUQUERQUE, NM 87119

OR CURRENT RESIDENT
101505648310040404
ECKSTEIN JEROME
1831 WILMOORE DR SE
ALBUQUERQUE, NM 87106

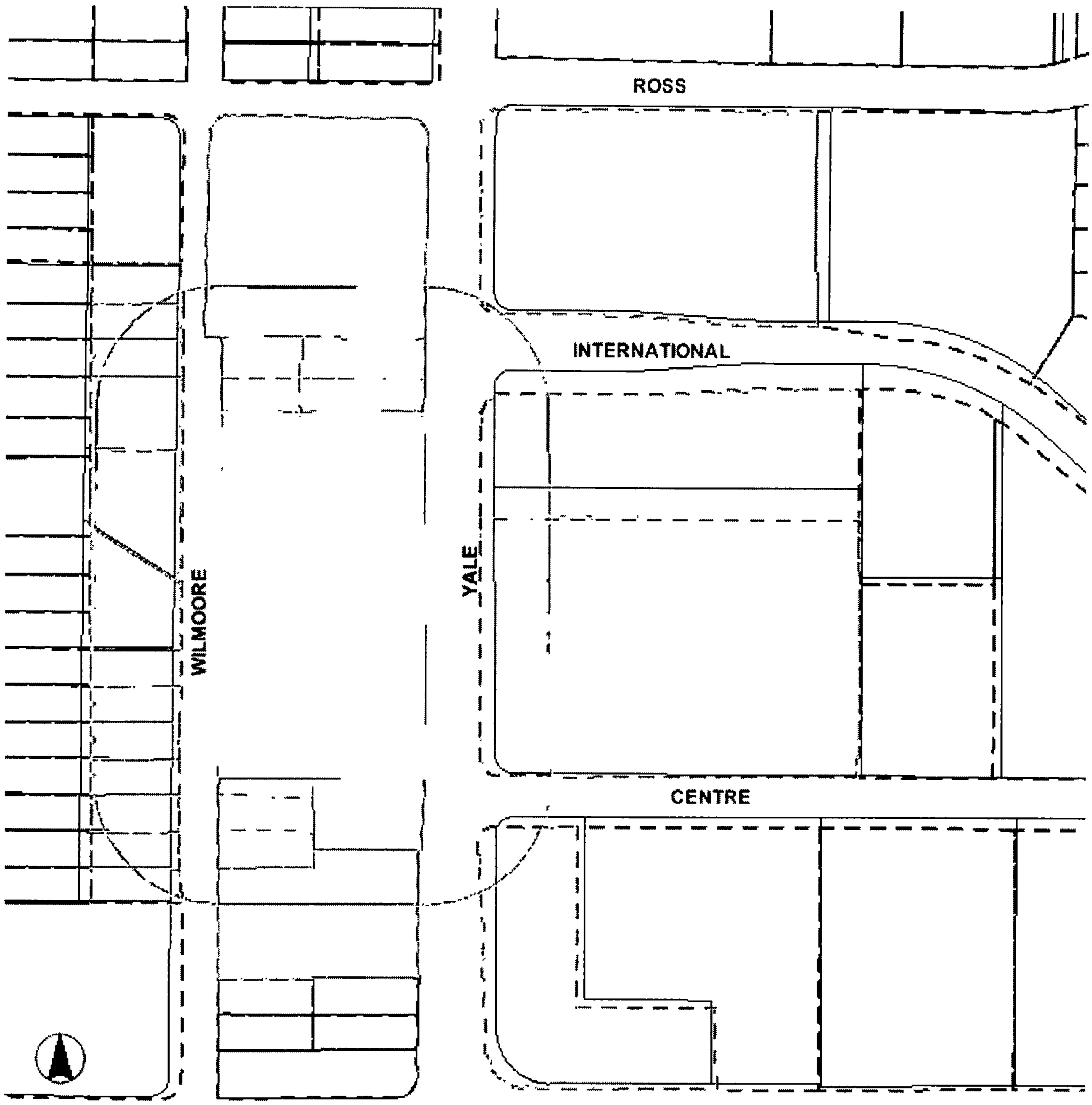
OR CURRENT RESIDENT
101505653604240505
SONRISA IV LIMITED PARTNERSHIP
2920 STANFORD NE
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101505653612540511
Y2K LODGING LLC
1801 YALE BLVD SE
ALBUQUERQUE, NM 87106

Project# 1004588
110 SUNPORT LLC
1520 TRAMWAY BLVD NE STE 200
ALBUQUERQUE, NM 87112

Project# 1004588
LEE GRAHAM
Clayton Heights/Lomas Del Cielo NA
PO BOX 28543
ALBUQUERQUE, NM 87125

Project# 1004588
JOHN C BARNES
Victory Hills NA
1805 PRINCETON DR SE
ALBUQUERQUE, NM 87106


ROSS
INTERNATIONAL
YALE
WILMOORE
CENTRE

3. **Project# 1007612**
08DRB-70528 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CARTESIAN SURVEYS INC agent(s) for JANE TABET request(s) the above action(s) for all or a portion of Lot(s) 7 & 8, Block(s) 8, **HUNNING CASTLE ADDITION,** zoned R-1, located on 16TH ST BETWEEN LOS ALAMOS AND SAN CRISTOBAL containing approximately .5467 acre(s). (J-13) *[Def. from 12-31-08]* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR UTILITIES SIGNATURE AND AGIS DXF.**

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

4. **Project# 1004588**
08DRB-70533 SKETCH PLAT REVIEW AND COMMENT

LARRY READ AND ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Lot(s) A, Block(s) 12, **CLAYTON HEIGHTS,** zoned C-2, located on YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE containing approximately 3.4548 acre(s). (L-15)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

5. **Project# 1007613**
08DRB-70530 SKETCH PLAT REVIEW AND COMMENT

TERRA LAND SERVICES, LLC agent(s) for MILLER BONDED request(s) the above action(s) for all or a portion of Lot(s) 9 & 10, **REINDEER ADDITION,** zoned M-1, located on MCCLEOD RD NE BETWEEN JEFFERSON NE AND PAN AMERICAN FREEWAY containing approximately 2.002 acre(s). (F-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

6. **Project# 1007614**
08DRB-70531 SKETCH PLAT REVIEW AND COMMENT

CHARLES MATSON request(s) the above action(s) for all or a portion of Lot(s) 13A & 14A, **EXECUTIVE HILLS,** zoned SU-1 PRD, located on FOUR HILLS RD SE BETWEEN WINTERWOOD SE AND CENTRAL SE containing approximately .5 acre(s). (M-23) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

7. **Project# 1006770**
08DRB-70508 SKETCH PLAT REVIEW AND COMMENT

DOUG CRANDAL LLC agent(s) for GENESIS WORLDWIDE RESORTS, request(s) the above action(s) for all or a portion of Lot(s) 145A & 145B, **WEST PARK ADDITION,** zoned C-2, located on CENTRAL SW BETWEEN RIO GRANDE BLVD SW AND SAN PASQUALE AV SW containing approximately 1.1 acre(s). (J-13) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

8. Other Matters: None.

ADJOURNED: 9:30

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
January 7, 2009
DRB Comments

ITEM # 4

PROJECT # 1004588 APPLICATION # 08-70533

RE: Tract A, Clayton Heights Subdivision

Please remove zoning note (#9) from Final Plat. The Solar Note (#13) should be revised to be specific to this type of request, i.e. use the words "THIS PLAT" (rather than the words "REQUESTED FINAL ACTION") at the beginning of the note.

Vacation of easements has expired and will require a new, specific application request and an advertised public hearing.

Parking calculations will be needed to show that there is adequate on-site parking for each proposed lot.

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

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

5. Project # 1004588
06DRB-01620 Major-Vacation of Public Easements

GARCIA/KRAEMER & ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Block(s) 11 & 12, Tract(s) A, **CLAYTON HEIGHTS,** zoned C-2, located on YALE BLVD SE, between ROSS AVE SE and GIBSON BLVD SE containing approximately 4 acre(s). (L-15)

At the December 6, 2006, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.

2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

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

2. Approval of alternate easements shall be provided for realigned storm drain.

If you wish to appeal this decision, you must do so by December 21, 2006, in the manner described below.

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

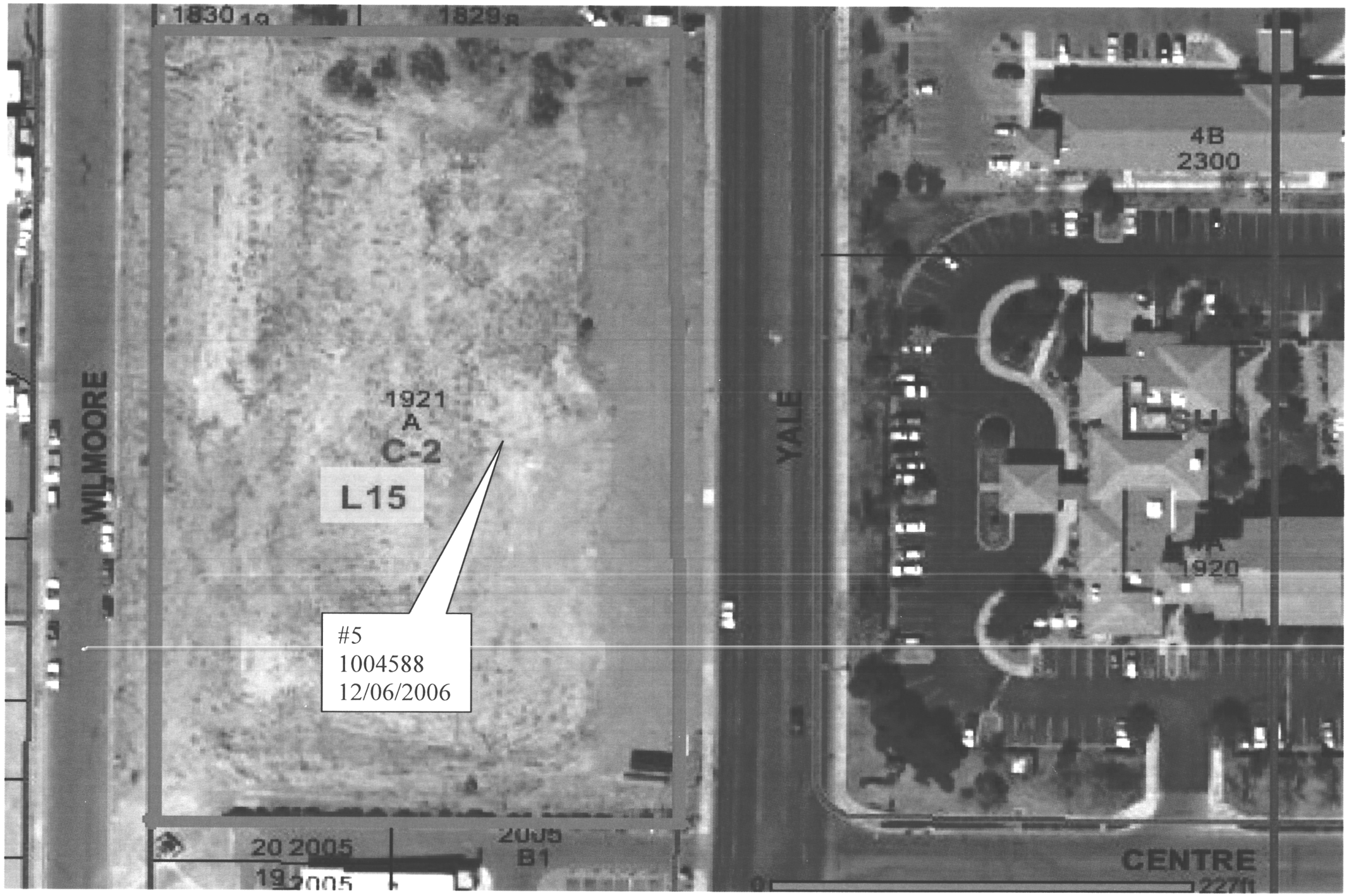
OFFICIAL NOTICE OF DECISION

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

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

Sheran Matson, AICP, DRB Chair

Cc: 110 Sunport LLC, 1520 Tramway Blvd NE, #200, 87112
Garcia/Kraemer & Associates, 200 Lomas Blvd NW, Suite 1111, 87102
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File


1830
1829
4B
2300
1921
A
C-2
L15
YALE
SU
1920
#5
1004588
12/06/2006
20 2005
2005
B1
CENTRE
2270

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004588 AGENDA#: 5 DATE: 12/6/06

1. Name: Bill Kraemer Address: _____ Zip: _____
2. Name: Applicant Mr Patel 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: _____

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1004588 **AGENDA ITEM NO: 5**

SUBJECT:

Vacation of Public Easements

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to vacation request with the condition that appropriate easements for the realigned storm drain are shown on the subsequent plat.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: DECEMBER 6, 2006

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 6, 2006

Project # 1004588
06DRB-01620 Major-Vacation of Public Easements

GARCIA/KRAEMER & ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Block(s) 11 & 12, Tract(s) A, **CLAYTON HEIGHTS,** zoned C-2, located on YALE BLVD SE, between ROSS AVE SE and GIBSON BLVD SE containing approximately 4 acre(s). (L-15)

AMAFCA	No adverse comments.
COG	No adverse comments.
Transit	No comments received.
Zoning Enforcement	No adverse comments.

Neighborhood Coordination

Letters sent to Clayton Heights/Lomas Del Cielo NA (R), Kirtland Community Assoc. (R) and Victory Hills NA (R).

APS The request to vacate various public easements for Tract A, Block 11 & 12, Clayton Heights, in order to develop a motel (Holiday Inn) will have no adverse impacts to the APS district.

Police Department	No crime prevention or CPTED comments at this time.
Fire Department	No adverse comments.
PNM Electric & Gas	Approved.
Comcast	No comments received.
QWEST	No comments received.
Environmental Health	No comments received.
M.R.G.C.D.	No comments received.
Open Space Division	No adverse comments.

City Engineer

Current City records show a 36" RCP Storm Drain crossing this site, which prevents us from approving a vacation in this area. The applicant's engineer must verify these easements are not required for drainage prior to Hydrology approval.

Transportation Development

An exhibit showing the easements to be vacated should be provided. Defer to the affected utilities.

Parks & Recreation — Defer to affected agencies.

Utilities Development — No objection to Vacation requests.

Planning Department

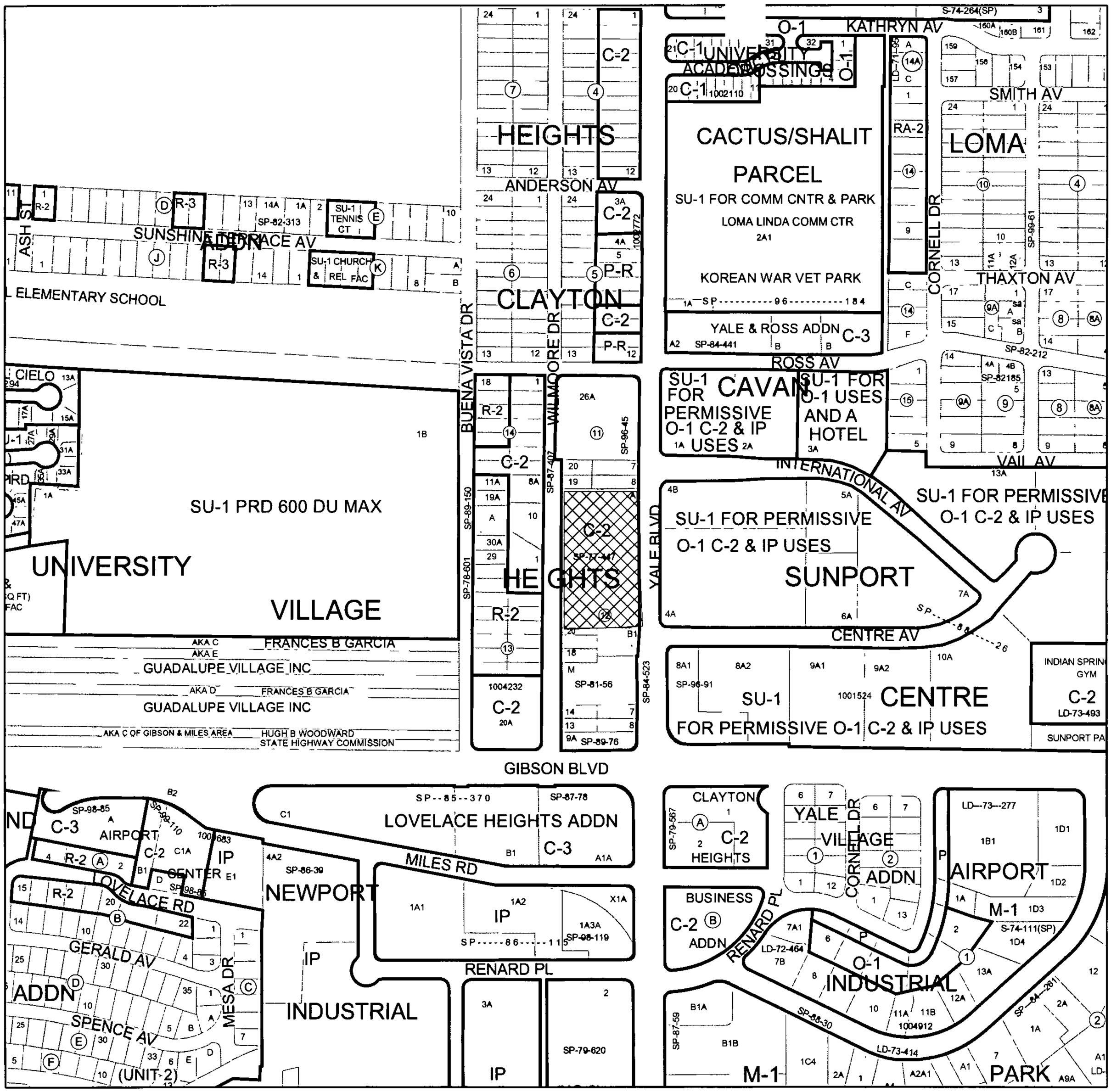
No objection to the requested vacations. Applicant must record a plat showing the vacation within one year of DRB approval of the request if so granted.

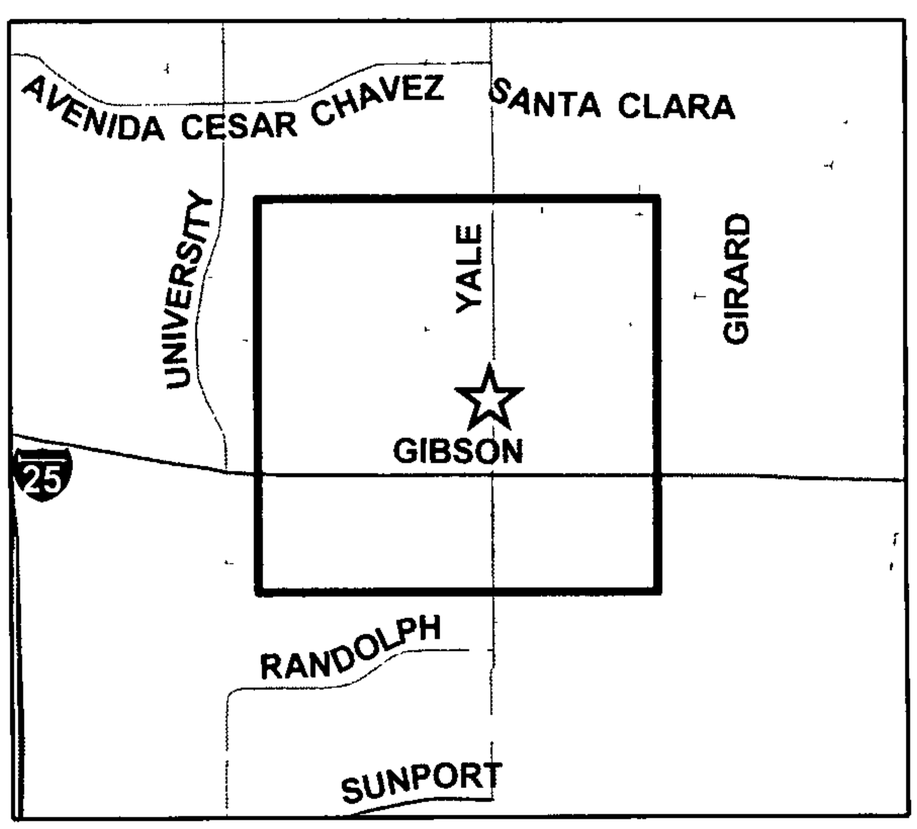
Impact Fee Administrator

No comment on the proposed vacation of public easement(s). Impact Fees will not be applicable at the time of platting. However, Impact Fees will be required at the time a building permit is issued, based on the square footage of each proposed building and the impervious acreage of the overall site plan. **Maps and Tables** for calculating "Impact Fees" are available on the City's website, www.cabq.gov.

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

Cc:110 Sunport LLC, 1520 Tramway Blvd NE, #200, 87112
Garcia/Kraemer & Associates, 200 Lomas Blvd NW, Suite 1111, 87102





ZONING MAP

Note: Grey shading indicates County.

1 inch equals 500 feet

Project Number:
1004588
Hearing Date:
12/6/2006
Zone Map Page:
L-15
Additional Case Numbers:
06DRB-01620

CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST

Meeting Date: December 6, 2006
Zone Atlas Page: L-15
Notification Radius: 100 Ft.

Project# 1004588
App#06DRB-01620

Cross Reference and Location: 1921 YALE BLVD SE BETWEEN ROSS AVE SE AND GIBSON BLVD SE

Applicant: 110 SUNPORT LLC
1520 TRAMWAY BLVD NE #200
ALBUQUERQUE, NM 87112

Agent: GARCIA/KRAEMER AND ASSOCIATES
200 LOMAS NW STE 1111
ALBUQUERQUE, NM 87102

Special Instructions:

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

Date Mailed: NOVEMBER 17, 2006
Signature: ERIN TREMLIN

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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

APPLICANT INFORMATION:

NAME: 110 SUNPORT LLC PHONE: ___

ADDRESS: 1520 TRAMWAY BLVD NE #200 FAX: ___

CITY: ALBUQUERQUE STATE NM ZIP 87112 E-MAIL: ___

Proprietary interest in site: OWNER **List all owners:** ___

AGENT (if any): GARCIA/ KRAEMER & ASSOCIATES PHONE: 242 5566

ADDRESS: 200 LOMAS NW SUITE 1111 FAX: 242 9028

CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: ___

DESCRIPTION OF REQUEST: VACATION OF ~~[illegible]~~ EASEMENTS: 20' WATERLINE 10' STORM SEWER, 20' STORM SEWER, 10' PUE

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

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

Lot or Tract No. TRACT A REPLAT Block: 11 + 12 Unit: ___

Subdiv. / Addn. ~~[illegible]~~ ~~[illegible]~~ CLAYTON HEIGHTS

Current Zoning: C-2 Proposed zoning: C-2

Zone Atlas page(s): L-15 No. of **existing** lots: 1 No. of **proposed** lots: 1

Total area of site (acres): 3.45 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: ___

Within city limits? X Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO

UPC No. 101 505 653 307 640 507 MRGCD Map No. ___

LOCATION OF PROPERTY BY STREETS: On or Near: 1921 YALE BLVD SE

Between: ROSS AVE SE and GIBSON BLVD SE

CASE HISTORY:

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

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

SIGNATURE [signature] DATE 11/09/06

(Print) WILLIAM L. KRAEMER ___ Applicant X Agent

FOR OFFICIAL USE ONLY Form revised 4/04

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
☑ All checklists are complete	06DRB 01620	VPE	V	$ 90.00
☑ All fees have been collected	___-___-___	ADV	___	$ 75.00
☑ All case #s are assigned	___-___-___	CMF	___	$ 20.00
☑ AGIS copy has been sent	___-___-___	___	___	$ ___
☑ Case history #s are listed	___-___-___	___	___	$ ___
☑ Site is within 1000ft of a landfill				Total
☑ F.H.D.P. density bonus				$ 185.00
☑ F.H.D.P. fee rebate	Hearing date 12/06/06			

Sandy Handley 11/09/06 **Project #** 1004588

Planner signature / date

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE** **(PUBLIC HEARING CASE)**

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

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

☐ **VACATION OF PUBLIC RIGHT-OF-WAY**

☒ **VACATION OF PUBLIC EASEMENT**

✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24** copies. (Not required for dedicated and City owned public right-of-way.)
✓ Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (not to exceed 8.5" by 14") **24** copies
✓ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
✓ Letter briefly describing, explaining, and justifying the request
✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

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

☐ **SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DPM**

☐ **SIDEWALK DESIGN VARIANCE**

☐ **SIDEWALK WAIVER**

__ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6** copies
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the variance or waiver
__ Any original and/or related file numbers are listed on the cover application

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

__ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **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 deferral or extension
__ Any original and/or related file numbers are listed on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT**

__ The complete document which created the private easement (not to exceed 8.5" by 14") **6** copies
__ Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **6** copies
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the vacation
__ Letter of authorization from the grantors and the beneficiaries
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

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

☐ **VACATION OF RECORDED PLAT**

__ **6** copies of the recorded plat to be vacated.
__ **6** copies of documents justifying the vacation.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter describing, explaining, and justifying the vacation
__ Any original and/or related file numbers are listed on the cover application
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

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

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

WILLIAM KRAMER
Applicant name (print)

William J Kramer 11/09/06
Applicant signature / date

Form revised 4/03, 10/03 and **APRIL 2006**

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

Application case numbers
06DRB-_____-01620
____-____-____
____-____-____

Sandy Handley 11/09/06
Planner signature / date

Project # 1004588

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIPCODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	1015056527117405 22	CASE GEORGE W	737 JEFFERSON NE	ALBUQUERQUE	NM	87110	VAC	A1A	* 020 011CLAYTON HEIGHTS SUBD
2	1015056529056405 25	BOLTON FAMILY LIMITED PARTNERS	2005 YALE BLV SE	ALBUQUERQUE	NM	87106	COMM	A1A	*019 012 CLAYTON HEIGHTS SUBD
3	1015056510081401 15	STEED H D	1905 WILMOORE SE	ALBUQUERQUE	NM	87106	COMM	A1A	* 001 013CLAYTON HEIGHTS
4	1015056511070401 13	PRESBYTERIAN HEALTHCARE FOUND	PO BOX 26666	ALBUQUERQUE	NM	87125 6666	VAC	A1A	* 003 013CLAYTON HTS
5	1015056533076405 07	DOLPHIN PARTNERS INC	18818 TELLER AVE 200	IRVINE	CA	92612	VAC	A1A	TRACT A REPLAT OF LOTS 9 THRU 18 BLK 11 & LT 22 EXC S 25 FT LOTS
6	1015056542117405 09	CASE GEORGE W	737 JEFFERSON NE	ALBUQUERQUE	NM	87110	COMM	A1A	* 007 011 CLAYTON HEIGHTS SUBD CONT 8655 SF
7	1015056511049401 09	BOLTON STANLEY BRIAN &	PO BOX 9295	ALBUQUERQUE	NM	87119 9295	VAC	A1A	* 007 013CLAYTON HEIGHTS SUBD
8	1015056511075401 14	STEED H D	1905 WILMOORE SE	ALBUQUERQUE	NM	87106	COMM	A1A	* 002 013CLAYTON HTS
9	1015056542113405 08	CASE GEORGE W	737 JEFFERSON NE	ALBUQUERQUE	NM	87110	COMM	A1A	* 008 011CLAYTON HEIGHTS SUBD * 008 011 CLAY D
10	1016056032067323 01	GREER PROPERTIES INC	10400 FERNWOOD RD	BETHESDA	MD	20058	COMM	A1A	TR 4A REPL OF CAVAN SUNPORT CE NTRE CONT 4.50
11	1015056510065401 12	BOLTON STANLEY BRIAN &	PO BOX 9295	ALBUQUERQUE	NM	87119 9295	VAC	A1A	* 004 013CLAYTON HEIGHTS SUBD
12	1015056483100404 04	ECKSTEIN JEROME & JULIE	1824 BUENA VISTA DR SE	ALBUQUERQUE	NM	87106	COMM	A1A	LOT 8- A BLK 14 CLAYTON HEIGHTS CONT 12,497 S
13	1016056030022301 10	APPLEBEES OF NEW MEXICO INC	PO BOX 816368	DALLAS	TX	75381 6368	COMM	A1A	TR 8-A- 1 PLAT OF TRS 8A1 & 8A2 (BEING A REPL A VAN SUNPORT CENTRE
14	1015056529050405 26	BOLTON FAMILY LIMITED PARTNERS	2005 YALE BLV SE	ALBUQUERQUE	NM	87106	COMM	A1A	*018 012 CLAYTON HEIGHTS SUBD
15	1015056527113405 23	CASE GEORGE W	737 JEFFERSON NE	ALBUQUERQUE	NM	87110	VAC	A1A	* 019 011CLAYTON HTS
16	1015056536042405 05	HOMES BY MARILYNN INC	2017 YALE BLV SE	ALBUQUERQUE	NM	87106	COMM	A1A	* M 12 CLAYTON HEIGHTS (REPL OF S1/2 OF LT 3 5 6 15 16 & 17 BLK
17	1015056544055405 06	BOLTON FAMILY LIMITED PARTNERS	2005 YALE BLV SE	ALBUQUERQUE	NM	87106	COMM	A1A	TR B-1 BLK 12 PLAT OF TRS B-1 & B- 2 BEING A 5 FT OF LT 1 ALL LT
18	1015056510099404 02	CASAUS AGNEDA	1305 CALLE DEL RANCHERO NE	ALBUQUERQUE	NM	87106 1106	COMM	A1A	* 010 014LOT 10 BLK 14 CLAYTON HEIGHTS SUBD
19	1015056536125405 11	DOSHI RASHMI & VIJAY P AGARWAL	1801 YALE BLV SE	ALBUQUERQUE	NM	87106 4137	COMM	A1A	LT 26- A BLK 11 PLAT OF LT 26A BLK 11 CLAYTON O NT 2.0600 AC M/L O
2	10150565	ECKSTEIN JEROM	1824 BUENA VI	ALBUQ	NM	8710	COM	A1A	* 007 014LOT 7 BLK 14 CLAYTON H

0	10117404 05	E & JULIE	STA DR SE	UERQU E		6	M		EIGHTS SUBD
2 1	10150565 29060405 24	BOLTON FAMILY L IMITED PARTNER S	2005 YALE BLV SE	ALBUQ UERQU E	NM	8710 6	COM M	A1A	12 SOUTH 25 FT OF LOT 20 CLAYT ON HEIGHTS SUB
2 2	10150565 11056401 10	BOLTON STANLE Y BRIAN &	PO BOX 9295	ALBUQ UERQU E	NM	8711 9 929 5	VAC	A1A	* 006 013CLAYTON HEIGHTS SUBD
2 3	10150565 11060401 11	BOLTON STANLE Y BRIAN &	PO BOX 9295	ALBUQ UERQU E	NM	8711 9 929 5	VAC	A1A	* 005 013CLAYTON HEIGHTS SUBD
2 4	10160560 32096323 05	CHA ALB LLC	6001 MONTRO SE RD 1040	ROCKV ILLE	MD	2085 2	COM M	A1A	TR 4B REPL OF CAVAN SUNPORT CE NTRE CONT 1.89 3 8 SQ FT +-

Or Current Resident
APPLEBEES OF NEW MEXICO INC
PO BOX 816368
DALLAS, TX 75381 6368

Or Current Resident
BOLTON FAMILY LIMITED PARTNERS
2005 YALE BLV SE
ALBUQUERQUE, NM 87106

Or Current Resident
BOLTON STANLEY BRIAN &
PO BOX 9295
ALBUQUERQUE, NM 87119 9295

Or Current Resident
CASAUS AGNEDA
1305 CALLE DEL RANCHERO NE
ALBUQUERQUE, NM 87106 1106

Or Current Resident
CASE GEORGE W
737 JEFFERSON NE
ALBUQUERQUE, NM 87110

Or Current Resident
CHA ALB LLC
6001 MONTROSE RD 1040
ROCKVILLE, MD 20852

Or Current Resident
DOLPHIN PARTNERS INC
18818 TELLER AVE 200
IRVINE, CA 92612

Or Current Resident
DOSHI RASHMI & VIJAY P AGARWAL
1801 YALE BLV SE
ALBUQUERQUE, NM 87106 4137

Or Current Resident
ECKSTEIN JEROME & JULIE
1824 BUENA VISTA DR SE
ALBUQUERQUE, NM 87106

Or Current Resident
ECKSTEIN JEROME & JULIE
1824 BUENA VISTA DR SE
ALBUQUERQUE, NM 87106

Or Current Resident
GREER PROPERTIES INC
10400 FERNWOOD RD
BETHESDA, MD 20058

Or Current Resident
HOMES BY MARILYNN INC
2017 YALE BLV SE
ALBUQUERQUE, NM 87106

Or Current Resident
PRESBYTERIAN HEALTHCARE FOUND
PO BOX 26666
ALBUQUERQUE, NM 87125 6666

Or Current Resident
STEED H D
1905 WILMOORE SE
ALBUQUERQUE, NM 87106

Project# 1004588
110 SUNPORT LLC
1520 TRAMWAY BLVD NE #200
ALBUQUERQUE, NM 87112

Project# 1004588
GARCIA, KRAEMER AND ASSOC.
200 LOMAS NW STE 1111
ALBUQUERQUE, NM 87102

Project# 1004588
ISABEL F. CABRERA
Clayton Heights/Lomas Del Cielo N.A.
1720 BUENA VISTA SE
ALBUQUERQUE, NM 87106

Project# 1004588
LINDA GORDON
Clayton Heights/Lomas Del Cielo N.A.
2509 SPRUCES SE
ALBUQUERQUE, NM 87106

Project# 1004588
MARCIA BOYER
Kirtland Community Assoc.
1624 ALAMO AVE SE
ALBUQUERQUE, NM 87106

Project# 1004588
JOYCELYN N. LEWIS
Kirtland Community Assoc.
P.O. BOX 9902
ALBUQUERQUE, NM 87119

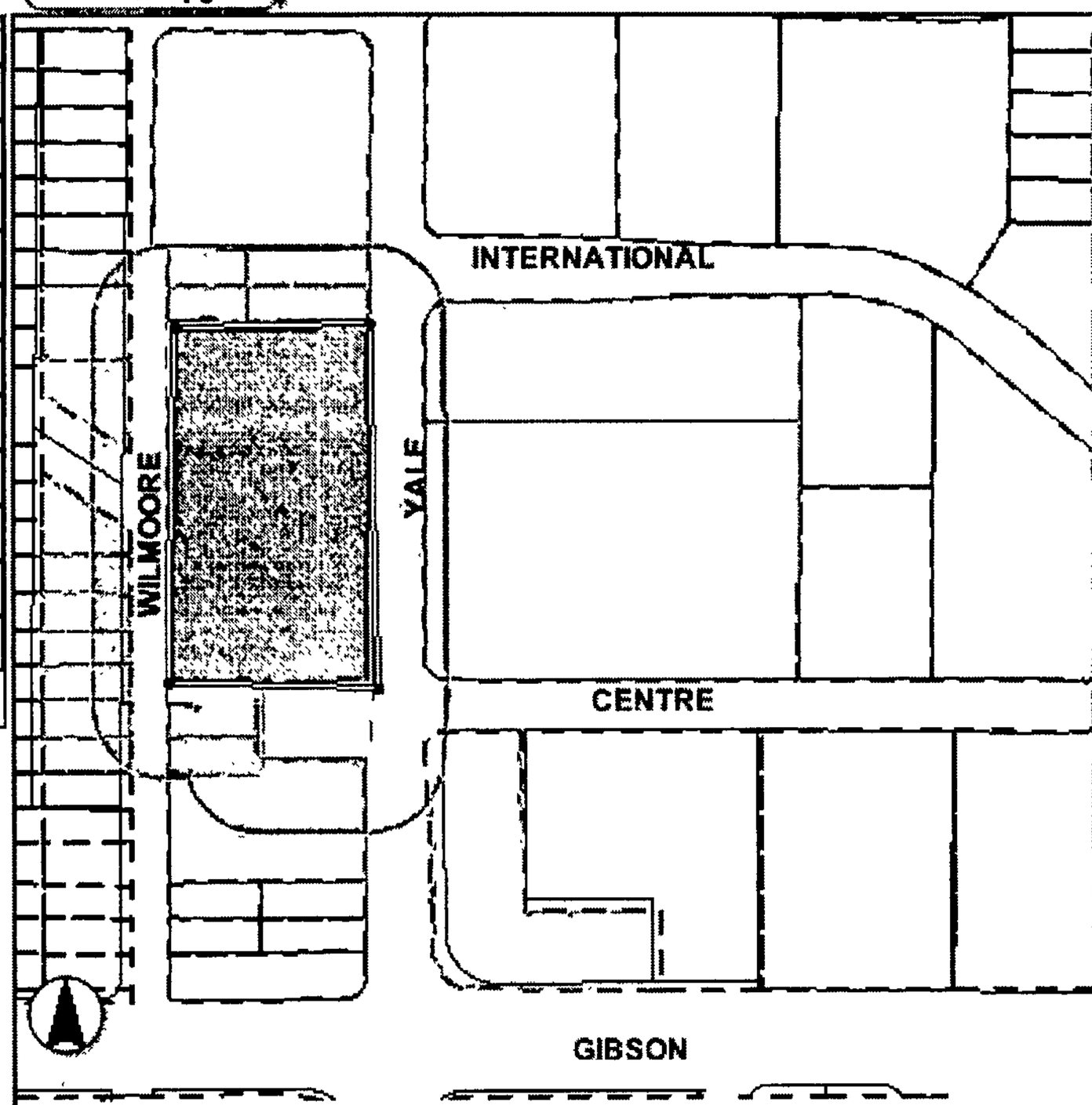
Or Current Resident

Project# 1004588
FEROZA JUSSAWALLA
Victory Hills N.A.
1109 RICMOND DR SE
ALBUQUERQUE 87106

Project# 1004588
SCOTT SANDOVAL
Victory Hills N.A.
1816 CORNELL SE
ALBUQUERQUE, NM 87106

CITY OF ALBUQUERQUE
www.cabq.gov

ALBUQUERQUE GIS DATA WEBSITE



LAYERS

- STREETS
- BASEMAP
  - PARCELS
  - LOT NUMBERS
  - METRO ADDRESS
  - ZONING
  - OWNERSHIP
  - 2FT CONTOUR
  - ADDRESS POINTS
  - LANDUSE
- INFRASTRUCTURE
- TRANSIT/SUNTRAN
- BOUNDARIES
- SITES
- ENVIRONMENT
- APS
- TRAFFIC ENG.
- AIR PHOTO
  - 2004 AIR PHOTO
  - 2002 AIR PHOTO
  - 1999 AIR PHOTO

Refresh Map

Auto Refresh

Help:

- Closed group, click to open.
- Open group, click to close.
- Map layer.
- Hidden group/layer, click for visible.
- Visible group/layer, click to hide.
- Layer not visible at this scale.
- Partially visible group, click for visible.
- Inactive layer, click for active.
- The active layer.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER AD
1	101505652711740522	CASE GEORGE W	737 JEFFERSON
2	101505652905640525	BOLTON FAMILY LIMITED PARTNERS	2005 YALE BLV SE
3	101505661008140115	STEED H D	1005 WILMOORE

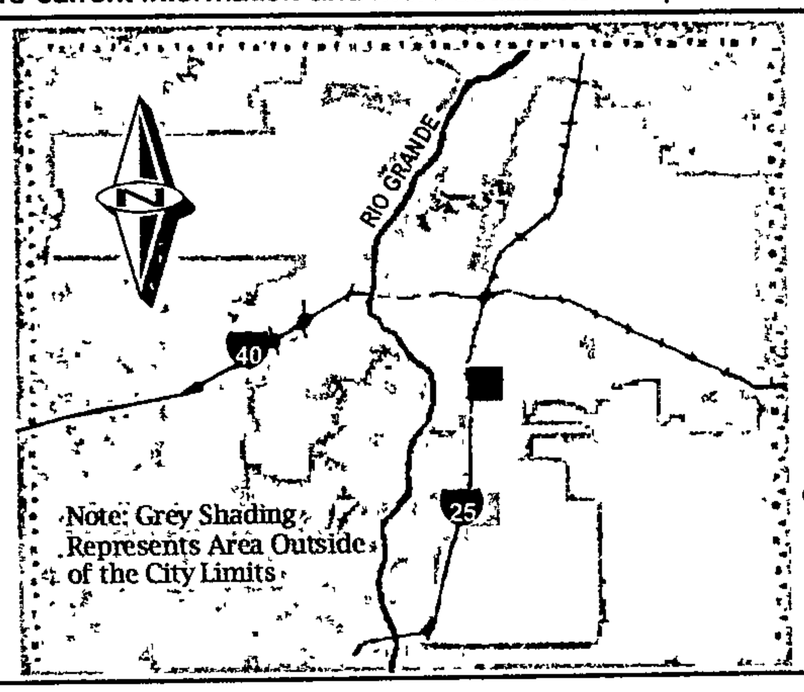
Pan

SEARCH REFRESH HELP INDEX PAGE
CONTACT

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

Map amended through: 10/25/2006

Albuquerque Geographic Information System



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

L-15-Z

SUBJECT

Selected Symbols

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

0 750 1,500 Feet

ALBUQUERQUE
Making History

City of Albuquerque

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

Date: November 9, 06

TO CONTACT NAME: William Kraemer
COMPANY/AGENCY: Garrett Kraemer + Assoc.
ADDRESS/ZIP: 200 Lomas NW Suite 1111
PHONE/FAX #: 242-5566 – Fax – 242-9028

Thank you for your inquiry of 11-9-06 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Tract A, Block 12 - Clayton Heights Located on Yale SE Between Ross and Cedar
zone map page(s) L-15.

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

Clayton Heights/Lomas Del Cielo
Neighborhood Association
Contacts: Isabel F. Cabrera
1720 Buena Vista SE/87106
242-4494 (h)
Linda Gordon
2509 Spruce SE/87106
766-5705 (h)

Kirtland Community Assoc.
Neighborhood Association
Contacts: Marcia Beyer
1624 Alamo Ave. SE/87106
246-0068 (h) 893-5683 (w)
Joycelyn N. Lewis
P.O. Box 9902 – 87119-1002
514-9743 (h)

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

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

Sincerely,

Dalaina L Carmona
OFFICE OF NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(10/14/04)

Additiona ighborhood Association Int nation

Victory Hills NA.

Neighborhood Association

Contacts: Feroza Jussawalla
1109 Richmond Dr SE-87106
255-0117 (h)
Scott Sandoval
1816 Cornell SE/87106
247-2651 (h)

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:

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

7099 3400 0015 6489 8324

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
FEROZA JUSSAWALLA
Street, Apt. No.; or PO Box No.
1109 RICHMOND SE
City, State, ZIP+4
ALBUQ 87106

PS Form 3800, February 2000 See Reverse for Instructions

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

7099 3400 0015 6489 8317

ALBUQUERQUE NM 87119

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
JOYCELYN LEWIS
Street, Apt. No.; or PO Box No.
P.O. BOX 9902
City, State, ZIP+4
ALBUQ NM 87119

PS Form 3800, February 2000 See Reverse for Instructions

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

7099 3400 0015 6489 8287

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
ISABEL CABRERA
Street, Apt. No.; or PO Box No.
1720 BUENA VISTA SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

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

7099 3400 0015 6489 8331

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
SCOTT SANDOVAL
Street, Apt. No.; or PO Box No.
1816 CORNELL SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

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

7099 3400 0015 6489 8294

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
LINDA GORDON
Street, Apt. No.; or PO Box No.
2509 SPRUCE SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

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

7099 3400 0015 6489 8300

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
MARCIA BEYER
Street, Apt. No.; or PO Box No.
1624 ALAMO SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

CITY OF ALBUQUERQUE

FYI

NOTIFICATION OF HEARING for the DEVELOPMENT REVIEW BOARD

November 17, 2006

TO: Juan Larranaga and Scott Sandoval, Victory Hills Neigh. Assoc.
Marcia Boyer and Joycelyn N. Lewis, Kirtland Community Assoc.
Isabel F. Cabrera and Linda Gordon, Clayton Heights/Lomas Del Cielo NA

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately four (4) acre(s) -*Major Vacation of Public Easements for a proposed motel.***

Proposed by: **Garcia/Kraemer and Associates at (505) 242-5566**
Agent for: **110 Sunport, LLC**

For property located: **On or near Yale Boulevard SE between Ross Avenue SE and Gibson Boulevard SE.**

The case number(s) assigned is: **06DRB-01620, Project # 1004588.**

City Planning accepted application for this request on **November 9, 2006**.

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

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at **9 a.m.** on **Wednesday, December 6, 2006** in the **Planning Hearing Room, Room 160, Plaza Del Sol Building, 600 Second St. NW. (Back in business – in the Planning Hearing Room!!!)**

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

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

Sincerely,

Stephani I. Winklepleck

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

cc: Claire Senova, DRB Administrative Assistant

P.O. Box 1293
Albuquerque
New Mexico 87103
www.cabq.gov

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW,** on **Wednesday, December 6, 2006,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1004564 06DRB-01617 Major-Preliminary Plat Approval	FORSTBAUER SURVEYING LLC agent(s) for CONTINENTAL RETIREMENT HOLDINGS INC request(s) the above action(s) for Lot(s) 19-22, Block(s) 21, TRACT A, UNIT A, **NORTH ALBUQUERQUE ACRES,** zoned SU-2/O-1, located on PALOMAS AVE NE, between WYOMING BLVD NE and BARSTOW ST NE containing approximately 4 acre(s). [REF: 06DRB-00433, 05EPC-01808] (D-19)
Project # 1005251 06DRB-01616 Major-Vacation of Pub Right-of-Way	SURVEYS SOUTHWEST LTD agent(s) for CHARLES OAKS request(s) the above action(s) for Lot(s) A, Block(s) 2O, **PARIS ADDITION** (lot adjacent to Rosemont Ave NW) located on ROSEMONT AVE NE, between 1ST ST NW and MOUNTAIN RD NW. (J-14)
Project # 1004228 06DRB-01618 Major-Vacation of Public Easements	TERRAMETRICS OF NEW MEXICO agent(s) for HEADSTART ENTERPRISES, JAMES P. GUTHRIE request(s) the above action(s) for all or a portion of Lot(s) 11-14, **SUNRISE HEIGHTS,** zoned M-1, located on MONTANO RD NE, between EDITH NE and I-25 NE containing approximately 1 acre(s). [REF: 06DRB-00937] (F-15)
Project # 1004588 06DRB-01620 Major-Vacation of Public Easements	GARCIA/KRAEMER & ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Block(s) 11 & 12, Tract(s) A, **CLAYTON HEIGHTS,** zoned C-2, located on YALE BLVD SE, between ROSS AVE SE and GIBSON BLVD SE containing approximately 4 acre(s). (L-15)
Project # 1002739 06DRB-01621 Major-Vacation of Public Easements 06DRB-01622 Major-Vacation of Pub Right-of-Way 06DRB-01623 Minor-Final Plat Approval	MARK GOODWIN & ASSOCIATES agent(s) for KB HOME NEW MEXICO INC request(s) the above action(s) for **ANDERSON HEIGHTS, UNIT 5A,** zoned RD/RLT, located on 118TH ST SW, between DENNIS CHAVES BLVD SW and COLOBEL AVE SW containing approximately 41 acre(s). [REF: 06DRB-01431] (P-8)

Details of the application(s) may be examined at the Planning Department Development Services Center One Stop Shop, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 8:00 a.m. and 4:30 p.m., Monday through Friday except holidays. INDIVIDUALS WITH DISABILITIES needing special assistance to participate in this hearing should contact Claire Senova, Planning Department, at 924-3946. TTY users may call the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 20, 2006.

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 6, 2006,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1004564 06DRB-01617 Major-Preliminary Plat Approval	FORSTBAUER SURVEYING LLC agent(s) for CONTINENTAL RETIREMENT HOLDINGS INC request(s) the above action(s) for Lot(s) 19-22, Block(s) 21, TRACT A, UNIT A, **NORTH ALBUQUERQUE ACRES,** zoned SU-2/O-1, located on PALOMAS AVE NE, between WYOMING BLVD NE and BARSTOW ST NE containing approximately 4 acre(s). [REF: 06DRB-00433, 05EPC-01808] (D-19)
Project # 1005251 06DRB-01616 Major-Vacation of Pub Right-of-Way	SURVEYS SOUTHWEST LTD agent(s) for CHARLES OAKS request(s) the above action(s) for Lot(s) A, Block(s) 2O, **PARIS ADDITION** (lot adjacent to Rosemont Ave NW) located on ROSEMONT AVE NE, between 1ST ST NW and MOUNTAIN RD NW. (J-14)
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S Matson

Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, NOVEMBER 20, 2006.

CITY OF ALBUQUERQUE

Planning Department

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁰
0004219022 NOV 17 2006
MAILED FROM ZIP CODE 87102

Or Current Resident
APPLEBEES OF NEW MEXICO INC
PO BOX 816368
DALLAS, TX 75381 6368

DRB

NIXIE 752 1 23 11/30/06
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 87103129393 *0369-07352-17-34

75381463683-0718974293

P O Box 1293 Albuquerque, New Mexico 87103

-8955671

EASEMENT

This Grant of Easement, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person," "husband and wife," "corporation of the State of X," "partnership": John Q. Hammons ~~[illegible]~~ ("Grantor"), whose address is 300 John Q. Hammons Parkway, Springfield, Missouri and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Grantor signs this Easement.

1. Recital. Grantor is the owner of certain real property located at [give general description, for instance, subdivision, lot and block or street address:] Tract A, Blocks 11 & 12, Replat of Clayton Heights Addition in Bernalillo County, New Mexico (the "Property").

2. Grant of Easement. The Grantor grants to the City a permanent easement with warranty covenants ("Easement") in, over, upon and across the Property for [state the kind of easement, for example, "public street and highway purposes (including all utilities)," "water line," "sewer line," etc.:] waterline, meter pit, & fire hydrants. The Easement is more particularly described in the attached Exhibit A. [State on the exhibit either the metes and bounds description of the Easement or state the exact dimensions and location in a manner which would enable a surveyor to locate the Easement on the ground.]

The grant of the Easement includes the right of the City to enter upon the Easement at any time for inspection, installation, maintenance, repair or modification and the right to remove trees, bushes, undergrowth and any other obstacles if the City determines they interfere with the appropriate use of the Easement. This grant includes the right of access to the easement across the Grantor's adjoining property.

Grantor agrees for itself and its successors in interest that it has been paid in valuable consideration and that the grant of this Easement is not a gift or donation.

This Easement is worded pursuant to the provisions of §§47-1-27 to 47-1-44, NMSA 1978 or successor statutes.

3. Warranty. Grantor covenants and warrants that it is the owner in fee simple of the Property and that is has a good lawful right to convey the Property or any part thereof, that the Property is free from all encumbrances

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
89 JUN 20 AM 9:35
LK 1157 A PG 696-700
GLADYS M DAVIS
CO CLERK & RECORDER

(Approved by Legal Dept. as to form only-5/1/86)

except encumbrances of record and taxes due and owing the Treasurer of Bernalillo County, and that the Grantor will forever warrant and defend the title to the Easement against all claims from all persons or entities.

4. Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns.

5. Indemnification. As a part of the consideration for this grant, subject to the provisions of the New Mexico Tort Claims Act and all other applicable New Mexico laws, the City agrees to save Grantor harmless from any and all liability arising from the City's negligent use of the Easement for the purposes set forth herein. The City does not agree to save Grantor harmless from any liability which may arise from Grantor's use of the Easement and the Property.

6. Form Not Changed. Grantor agrees that changes to the wording of this form are not binding upon the City unless initialed by the Grantor and approved and signed by the City Legal Department in writing on this form.

CITY OF ALBUQUERQUE

Approved:

By: _____
Title: CITY ENGINEER
Dated: 6/14/89

GRANTOR: John Q. Hammons

By: _____
Its: Individual
Dated: May 4, 1989

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

The foregoing instrument was acknowledged before me this 4th day of May, 1989, by [name of person signing:] John Q. Hammons Individual-Owner [title or capacity, for instance, "President" or "Owner":] _____ of [name of the entity which owns the Property if other than the individual signing, for instance, the name of the corporation, partnership, or joint venture:] _____

Notary Public Jan Robbins

My Commission Expires:
October 26, 1992.

JAN ROBBINS
NOTARY PUBLIC STATE OF MISSOURI
GREENE COUNTY
MY COMMISSION EXP OCT 26,1992

(EXHIBIT "A" ATTACHED)

(Approved by Legal Dept. as to form only-6/1/86)

ID:3

EXHIBIT 'A'
LEGAL DESCRIPTION OF PUBLIC UTILITY EASEMENT

Those certain parcels of land situate within Tract A, Blocks 11 & 12, as the same is shown and designated on the Replat of Clayton Heights, Albuquerque, New Mexico, filed in the office of the County Clerk of Bernalillo County, New Mexico in Book B 13, Page 120, and filed on September 23, 1977 and also being within Section 28, Township 10 North, Range 3 East, N.M.P.M., Albuquerque, New Mexico, the centerlines of which are described as follows:

EASEMENT W-1

Beginning at a point on the westerly right-of-way line of Yale Boulevard S.E., being common with a point on the easterly property line of said Tract A, from whence the north east property corner of said tract bears N 00°22'00" W, 64.00 feet distant, said point being the True Point of Beginning of the centerline of a 20 foot wide permanent easement; Thence, N 89°52'00" W, a distance of 9.23 feet; THENCE, N 44°52'00" W, a distance of 11.36 feet to Point A; Thence, continuing from Point A along the easement centerline N 44°52'00" W, a distance of 24.00 feet; THENCE, N 89°52'00" W, a distance of 198.88 feet to Point B; Thence, continuing from Point B along the easement centerline N 89°52'00" W, a distance of 75.00 feet to the east right-of-way of Wilmoore Drive S.E. together with:

Parcel A: A 20 foot easement, the centerline of which begins at the hereinabove described Point A; THENCE, S 45°08'00" W, a distance of 38.00 feet,

Parcel B: A 10 foot easement, the centerline of which begins at the hereinabove described Point B; Thence, S 00°08'00" E, a distance of 24.00 feet.

The side lines of said 20 foot easement to be extended or shortened to meet at angle points and to terminate at property lines.

EASEMENT W-2

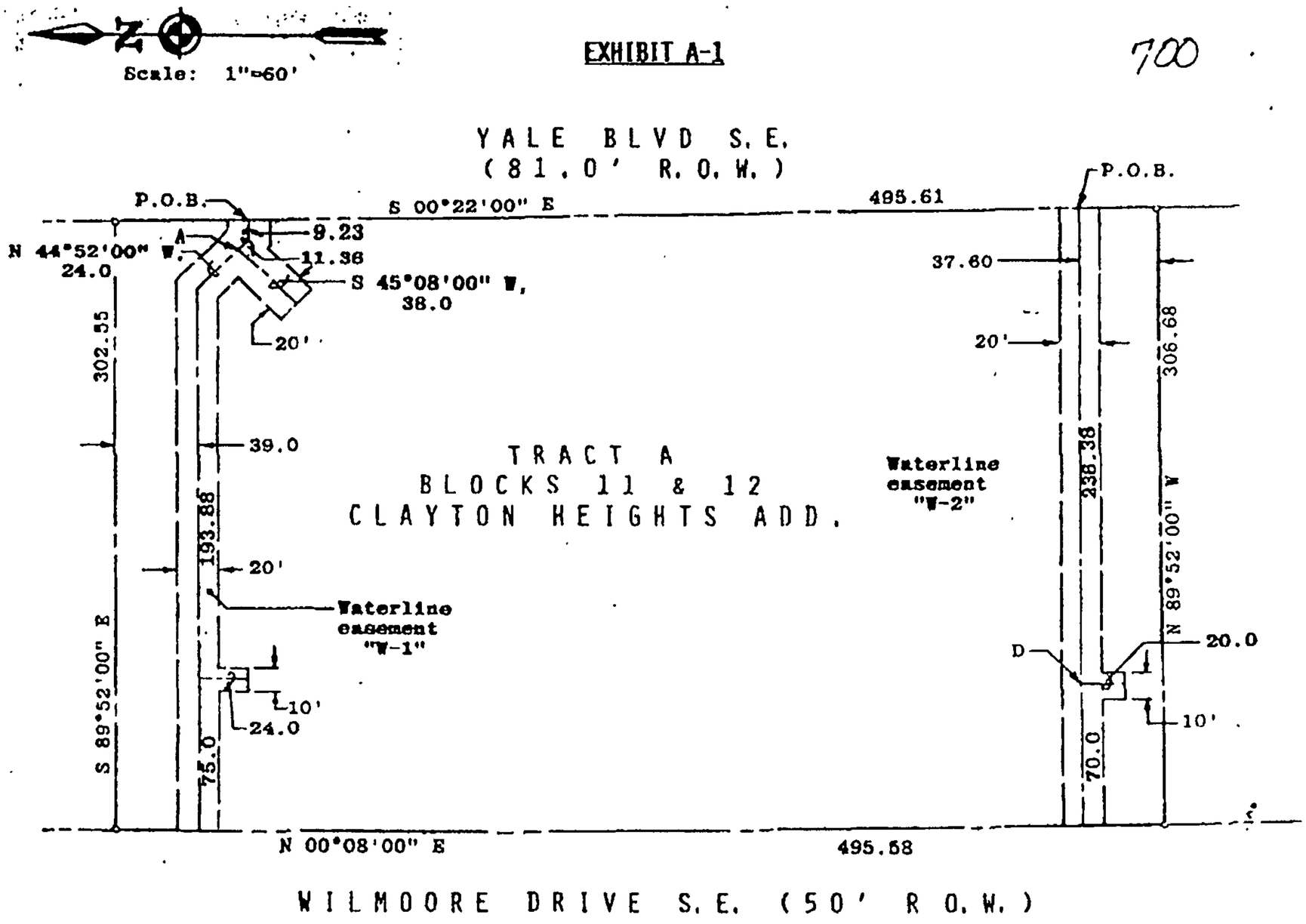
Beginning at a point on the westerly right-of-way line of Yale Boulevard S.E., being common with a point on the easterly property line of said Tract A, from whence the southeast property corner of said tract bears S 00°22'00" E, 35.70 feet distant, said point begin the True Point of Beginning of the centerline of a 20 foot wide permanent easement; Thence, N 89°52'00" W, a distance of 236.38 feet to Point D; Thence, continuing from Point D along the easement centerline N 89°52'00" W, a distant of 70.00 feet to the east right-of-way of Wilmoore Drive S.E., together with:

Parcel D: A 10 foot easement, the centerline of which begins at the hereinabove described Point D; Thence S 00°08'00" E, a distance of 20 feet.

The side lines of said 20 foot easement to be extended or shortened to meet at angle points and to terminate at property lines.

Bearing base: The same as shown on the Replat of Clayton Heights referenced above

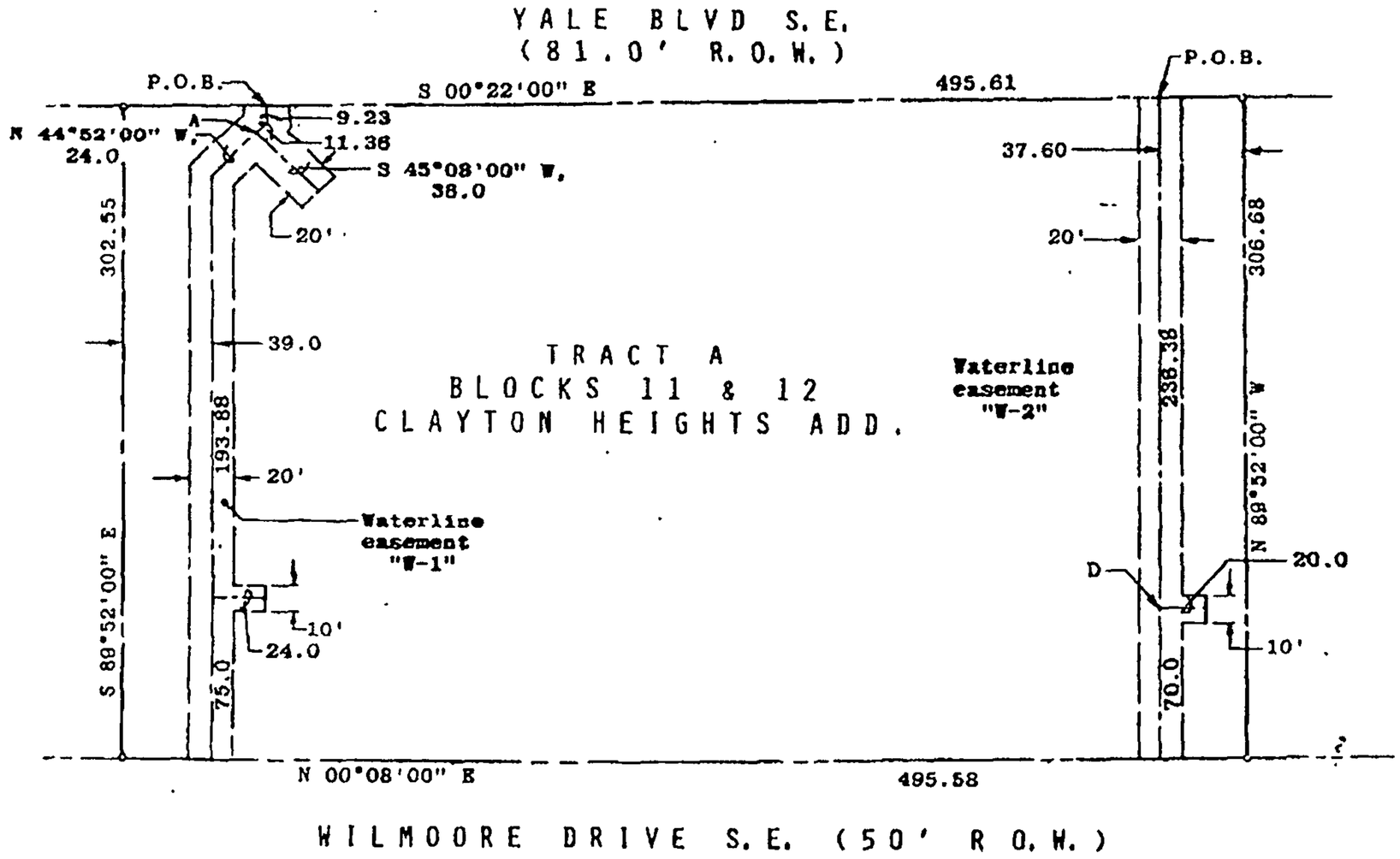
EXHIBIT A-1


Scale: 1"=60'
YALE BLVD S.E.
(81.0' R.O.W.)
P.O.B.
S 00°22'00" E
495.61
P.O.B.
9.23
A
N 44°52'00" W.
24.0
11.36
S 45°08'00" W.
38.0
20'
37.60
20'
302.55
306.68
39.0
TRACT A
BLOCKS 11 & 12
CLAYTON HEIGHTS ADD.
Waterline easement "W-2"
238.38
193.86
20'
Waterline easement "W-1"
N 89°52'00" W
S 89°52'00" E
D
20.0
10'
10'
24.0
75.0
70.0
N 00°08'00" E
495.58
WILMOORE DRIVE S.E. (50' R.O.W.)

Scale: 1"=60'

EXHIBIT A-1

700



B13-120

77 58532

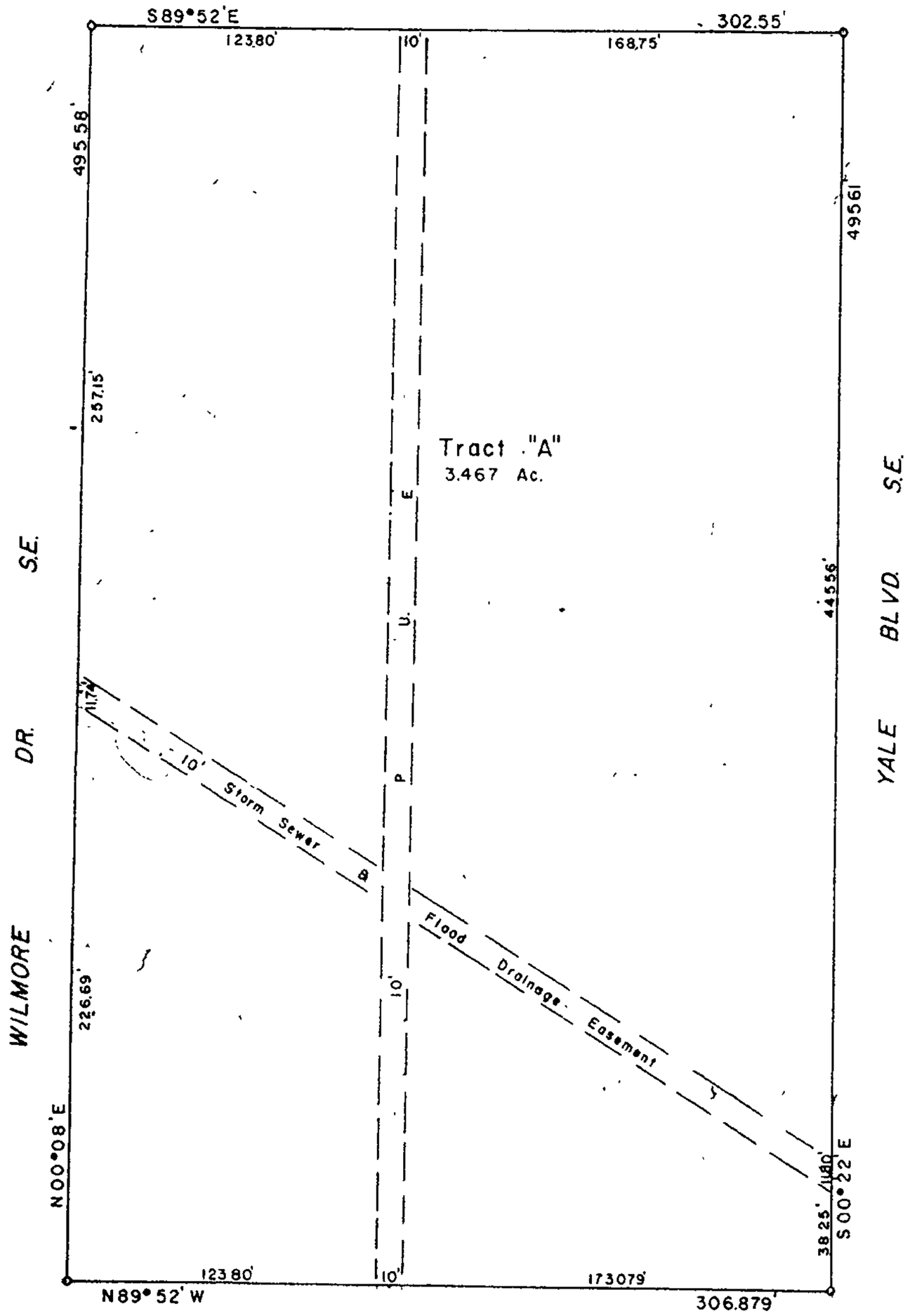
58532

REPLAT OF

Lots 9 thru 18, Block 11 & Lots 1, 20, 21 & 22, Except the S.25 Ft. of Lots 1 & 20, Block 12, Together with the vacated portion of Eastern Ave between Blocks 11 & 12, V.O. No. 517

CLAYTON HEIGHTS

Albuquerque, New Mexico
(Now being Tract "A")



N

State of New Mexico } SS
County of Bernalillo }
This instrument was filed for record on
SEP 23 1977
At 11:29 o'clock am. Recorded in Vol. B13
of records of said County Folio 120
Clerk & Recorder
Deputy Clerk

FREE CONSENT, DEDICATION

We, the owners of the property described hereon, do hereby consent to the replatting of said property as shown hereon and the same is in accordance with our desires.

NAMROF CORPORATION

Richard T. Forman, President

ACKNOWLEDGMENT
STATE OF NEW MEXICO } SS
COUNTY OF BERNALILLO }

[illegible] day of September 19 77, the foregoing instrument was acknowledged before me.

My commission expires June 24, 1978

Notary Public

SURVEYOR'S CERTIFICATE

I, Verlon E. Hall, licensed under the laws of the State of New Mexico, do hereby certify that this Plat was prepared by me or under my direction and is true and correct to the best of my knowledge and belief.

Verlon E. Hall
N.M.L.S. No. 3241

APPROVED AND ACCEPTED BY:

Planning Director, City of Albuquerque, N.M. — Date 9-23-77 — Number SP-77-447 CITY — Bernalillo County, New Mexico

NOTE: Approval of and filing with the County Clerk of Bernalillo County, of this Plat does not vacate or in anyway affect public or private easements.

BY: O. Val Valles
Property Management Division — Date 9-23-77

PREPARED BY:
HALL SURVEYING CO.
511 SAN MATEO, N.E.
ALBUQUERQUE, NEW MEXICO
PHONE: 266-0400
SEPTEMBER 20, 1977
L-15-Z

B13-120

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

08/07/2009 Issued By: E08375

Permit Number: **2009 070 265** **Category Code 910**

Application Number: **09DRB-70265**, Vacation Of Public Easement

Address:

Location Description: YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE

Project Number: 1004588

Applicant
110 Sunport Llc

1520 Tramway Blvd Ne Suite 200
Albuquerque NM 87112
275-8223

Agent / Contact
Larry Read And Associates
Larry Read
2430 Midtown Pl Ne Suite C
Albuquerque NM 87111

lread@readengineering.com

Application Fees

441018/4971000	Public Notification	$75.00
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$90.00
	TOTAL:	**$185.00**

City Of Albuquerque
Treasury Division

8/7/2009 10:35AM LOC: ANNX
WS# 006 TRANS# 0011
RECEIPT# 00108820-00108820
PERMIT# 2009070265 TRSDMG
Trans Amt $470.00
APN Fee $75.00
Conflict Manag. Fee $20.00
DRB Actions $90.00
Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

08/07/2009 Issued By: E08375

Permit Number: **2009 070 266** **Category Code 910**

Application Number: **09DRB-70266**, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE

Project Number: 1004588

Applicant
110 Sunport Llc

1520 Tramway Blvd Ne Suite 200
Albuquerque NM 87112
275-8223

Agent / Contact
Larry Read And Associates
Larry Read
2430 Midtown Pl Ne Suite C
Albuquerque NM 87111

lread@readengineering.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Actions	$285.00
	TOTAL:	**$285.00**

City Of Albuquerque
Treasury Division

8/7/2009 10:36AM LOC: ANNX
WS# 006 TRANS# 0011
RECEIPT# 00108820-00108821
PERMIT# 2009070266 TRSDMG
Trans Amt $470.00
DRB Actions $285.00
CK $470.00
CHANGE $0.00
Thank You

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW,** on **Wednesday, September 2, 2009,** beginning at **9:00 a.m.** for the purpose of considering the following:

Project# 1004588
09DRB-70265 VACATION OF PUBLIC WATERLINE and STORM SEWER & FLOOD DRAINAGE EASEMENT(S)

09DRB-70266 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LARRY READ AND ASSOCIATES INC. agent(s) for 110 SUNPORT LLC request(s) the referenced/ above action(s) for all or a portion of Tract A, Block 12, **CLAYTON HEIGHTS SUBDIVSION** zoned SU-2/ NMX, located on the west side of YALE BLVD SE between GIBSON BLVD SE and ROSS AVE SE containing approximately 3.4546 acres. (L-15)

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, AUGUST 17, 2009.

CITY OF ALBUQUERQUE

Planning Department

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.44⁰
0004261639 AUG 17 200
MAILED FROM ZIP CODE 87102

RETURN TO SENDER

ATTEMPTED NOT KNOWN

DRE

Project# 1004588
110 SUNPORT LLC
1520 TRAMWAY BLVD NE STE 200
ALBUQUERQUE, NM 87112

ANK

87112-0001

P O Box 1293 Albuquerque New Mexico 87103

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

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Jack Cloud, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, AUGUST 17, 2009.

CITY OF ALBUQUERQUE

Planning Department

Jack Cloud
Planning

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.44⁰
0004261639 AUG 17 2009
MAILED FROM ZIP CODE 87102

OR CURRENT RESIDENT
101505653307640507
110 SUNPORT LLC
1520 TRAMWAY BLVD NE SUITE 200
ALBUQUERQUE, NM 87112

DRB

NIXIE 871 4E 1 04 08/21/09
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 87103129595 *0768-21882-17-40

87112+0001
87103@1295

P O Box 1293 Albuquerque New Mexico 87103

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

The date the determination in question is issued is not included in the 15-day period for filing an appeal.
If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.
You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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

Jack Cloud, AICP, DRB Chair

Cc: 110 Sunport LLC – 1520 Tramway Blvd NE Ste 200 – Albuquerque, NM 87112
Cc: Larry Reid & Assoc. Inc. – 2430 Midtown Place NE Ste C – Albuquerque, NM 87107
Marilyn Maldonado
Scott Howell
File

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 2, 2009

Project# 1004588
09DRB-70265 VACATION OF PUBLIC WATERLINE and STORM SEWER & FLOOD DRAINAGE EASEMENT(S)

09DRB-70266 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LARRY READ AND ASSOCIATES agent(s) for 110 SUNPORT LLC request(s) the above action(s) for all or a portion of Lot(s) A, Block(s) 12, **CLAYTON HEIGHTS** zoned C-2, located on YALE BLVD NE BETWEEN GIBSON BLVD NE AND AVENIDA CESAR CHAVEZ NE containing approximately 3.4548 acre(s). (L-15)

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

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

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

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

CONDITIONS:

1. The vacated property shall be shown on the replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
2. Development Review Board comments from the vacation hearing shall be complied with for final plat.

The preliminary/final plat was approved with final sign off delegated to Transportation for written comments and to planning for acceptance letter, site plan with parking and to record.

If you wish to appeal this decision, you must do so by September 17, 2009 in the manner described below.

CITY OF ALBUQUERQUE

Planning Department

RETURN TO SENDER

ATTEMPTED NOT KNOWN

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.44⁰
0004261639 SEP 15 2009
MAILED FROM ZIP CODE 87102

110 Sunport LLC
1520 Tramway Blvd NE Ste 200
Albuquerque, NM 87112

ANK

87112$4655 C031

P O Box 1293 Albuquerque New Mexico 87103

EMPTED NOT KNOWN

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION **S**

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

SITE DEVELOPMENT PLAN **P**

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

Supplemental form

ZONING & PLANNING **Z**

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

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

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

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

APPLICANT INFORMATION:

NAME: _110 Sunport LLC. PHONE: _275-8223_
ADDRESS: _1520 Tramway Boulevard NE Suite 200 FAX: 275-9667
CITY:__Albuquerque STATE _NM_ ZIP___87112 E-MAIL:
Proprietary interest in site: Owner__Owner/Developer **List all owners**: _110 Sunport LLC
AGENT (if any):__Larry Read & Associates, Inc. PHONE:___237-8421
ADDRESS: ___2430 Midtown Place NE Suite C FAX:____237-8422
CITY:__Albuquerque STATE __NM_ ZIP___87107 E-MAIL: _lread@readengineering.com___

DESCRIPTION OF REQUEST:__Replat Lot A, Block 12 Clayton Heights Addition into Lot A-1 (1.5312 +/- Acres) and Lot A-2 (1.9236 +/- Acres), Block 12, Clayton Heights Addition AND Vacation of unused public water and stroem drain easements.

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

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

Lot or Tract No.__Lot A, Block:___12_____Unit: ____-_____
Subdiv. / Addn.__Clayton Heights
Current Zoning: ___C-2 Proposed zoning: __Same
Zone Atlas page(s):___L-15-Z No. of **existing** lots: ___1_____ No. of **proposed** lots: ____2____
Total area of site (acres): __3.4548_____ Density if applicable: dwellings per gross acre: _N/A_____ dwellings per net acre: ___N/a____
Within city limits? _X_Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? ___No_____
UPC No. 101505653307640507 MRGCD Map No. ___N/A_____
LOCATION OF PROPERTY BY STREETS: On or Near: __West side of Yale Blvd. NE
Between:___Gibson Blvd. NE and __Avenida Cesar Chavez NE

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): _06DRB-01620_____
_05ZHE-01863, DRB - 1004588
Check-off if project was previously reviewed by Sketch Plat/Plan ☐, or Pre-application Review Team ☐. Date of review: _____

SIGNATURE DATE__8/7/2009
(Print)____Larry D. Read, PE ___ Applicant _X_ Agent

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

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

Application case numbers			Action	S.F.	Fees
09DRB	-	70265	VPE		$ 90.00
09DRB	-	70266	[redacted]P$F		$ 285.00
	-		ADV		$ 75.00
	-		CMF		$ 20.00
	-				$
					Total $ 470.00

Hearing date September 2, 2009

8-7-09
Planner signature / date

Project # 1004588

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☑ **VACATION OF PUBLIC EASEMENT (DRB27)** 2

☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**

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

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

☐ **SIDEWALK VARIANCE (DRB20)**

☐ **SIDEWALK WAIVER (DRB21)**

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

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

☐ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

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

__ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the deferral or extension
__ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

☐ **VACATION OF RECORDED PLAT (DRB29)**

__ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
__ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
__ Letter of authorization from the grantors and the beneficiaries (private easement only)
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

LARRY D. READ AGENT
Applicant name (print)

8/7/09
Applicant signature / date

Form revised 4/07

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

Application case numbers
09DRB - ____ - 70265
____ - ____ - ____
____ - ____ - ____

8-7-09
Planner signature / date

Project # 1004588

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

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

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

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

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

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

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

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

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

N/A 5 Acres or more: Certificate of No Effect or Approval
✓ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
N/A Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
✓ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
✓ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Zone Atlas map with the entire property(ies) clearly outlined
✓ Letter briefly describing, explaining, and justifying the request
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
N/A Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
✓ Fee (see schedule)
✓ List any original and/or related file numbers on the cover application
N/A Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

☐ **AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**

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

__ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ List any original and/or related file numbers 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.

LARRY D. REED AGENT
Applicant name (print)

8/7/09
Applicant signature / date

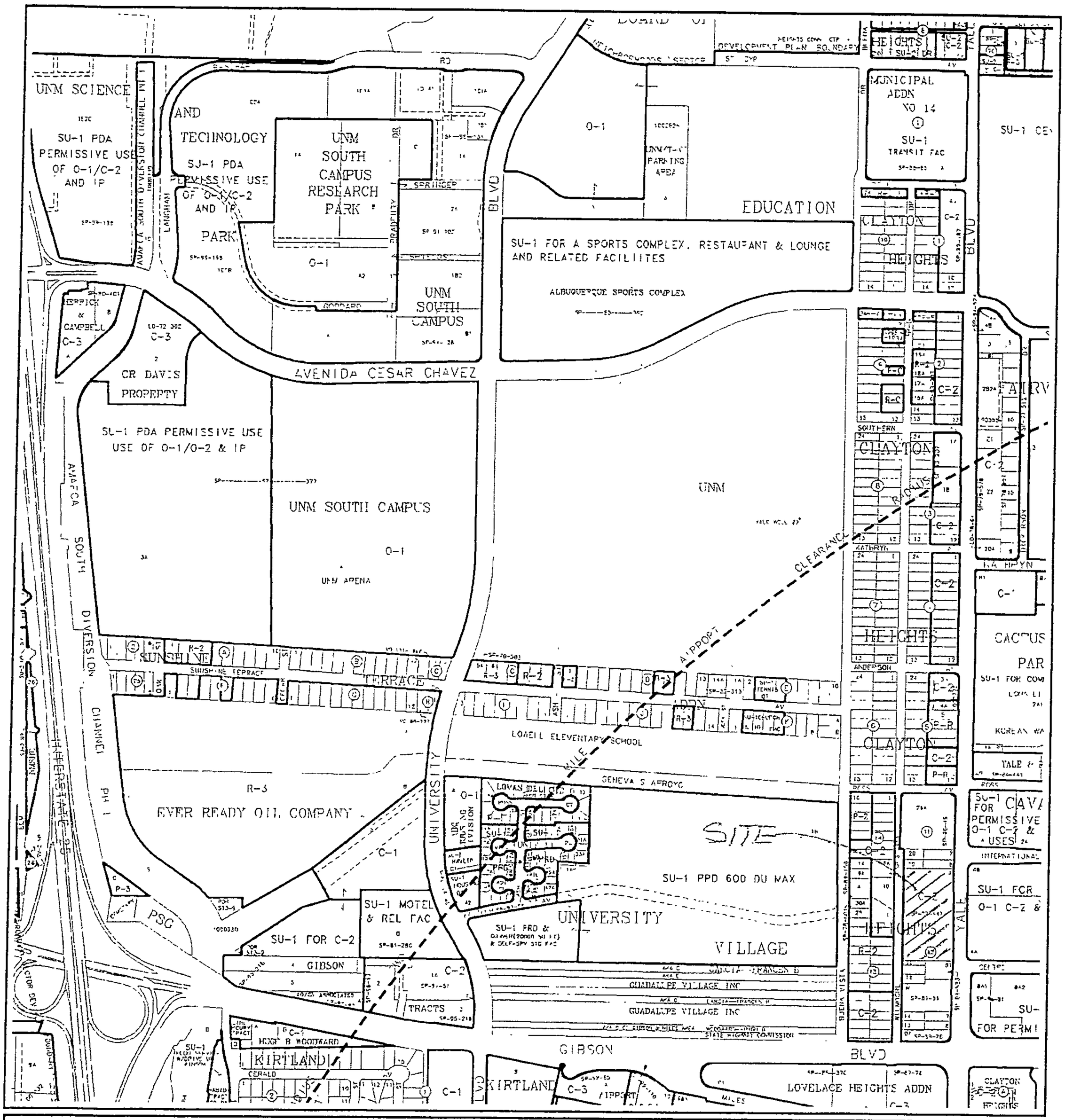
Form revised **October 2007**

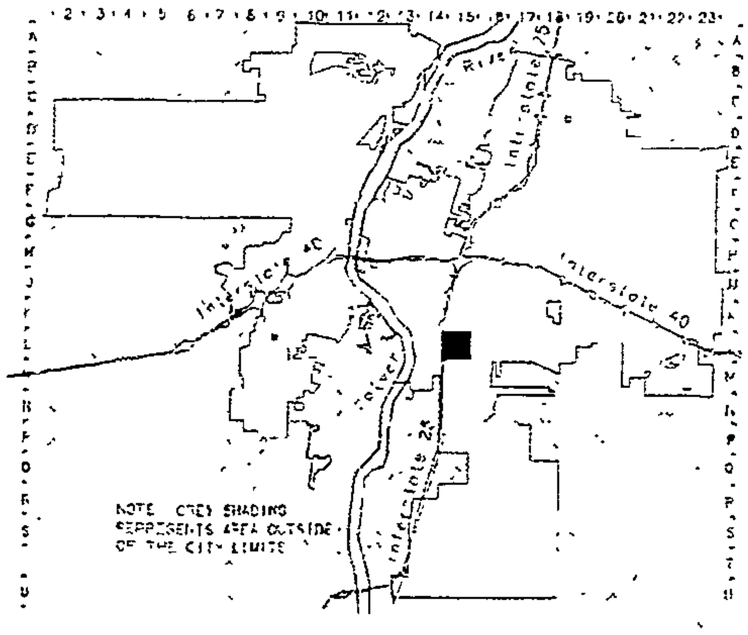
☒ Checklists complete
☒ Fees collected
☒ Case #s assigned
☒ Related #s listed

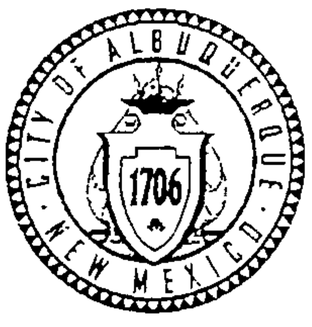
Application case numbers
09DRB - - 70266
- -
- -

8.7.09
Planner signature / date

Project # 1004588







Albuquerque Geographic Information System
PLANNING DEPARTMENT

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GRAPHIC SCALE IN FEET

250 0 750 1000

Zone Atlas Page

L-15-Z

Map Amended through March 08, 2005

RRY READ & ASSOCIATES, Inc.
Civil Engineers
Site • Drainage • Utility Design

August 7, 2009

Mr. Jack Cloud
Chairman of the Development Review Board
City of Albuquerque
P. O. Box 1293
Albuquerque, New Mexico 87103

RE: Proposed Land Division and Vacation of Public Easements
Trace A, Clayton Heights Addition
Holiday Inn at 1921 Yale Blvd. NE

Dear Mr. Cloud:

The attached package is submitted to you for a Preliminary and Final Plat Review of the proposed lot split and Vacation of Water and Storm Drain Easements. Attached are 6 sets of Plats, 6 Site Sketches, an Engineer's Certification of the completed grading, a Zone Atlas Page, and Submittal Letter for the Replat action. In addition please find 24 copies the legal documents that established the easement requested to be vacated, sketch showing the easement in question, and notification of the neighborhood associations.

The owner of Lot A, Block 12, Clayton Heights Addition has decided he desires to split the existing 3.45 acre lot into two separate lots. The proposed southern Lot A-2 will remain the site the approved hotel that is currently under construction. The proposed northern Lot A-1 will be sold to another developer for future development.

If you have any questions or comments, please call me at 237-8421.

Sincerely,
LARRY READ & ASSOCIATES, Inc.

Larry D. Read, P.E.
(Agent)

2430 Midtown Place, N.E. Suite C, Albuquerque, New Mexico 87107 (505) 237-8421 FAX (505) 237-8422

LARRY READ & ASSOCIATES, Inc.
Civil Engineers
Site • Drainage • Utility Design

July 28, 2009

Clayton Heights/Lomas Del Cielo Neighborhood Association
Attn: Isabel F. Cabrera 1720 Buena Vista SE Albuquerque, NM 87106
Attn: Lee Graham P. O. Box 27543 Albuquerque, NM 87125

Kirtland Community Association
Vincent Baty 1924 Sunshine Terrace SE Albuquerque, NM 87106
Barbara Williams 1401 Alamo SE Albuquerque, NM 87106

Victory Hills Neighborhood Association
John C. Barnes 1805 Princeton Drive SE Albuquerque, NM 87106
Juan Larranaga 1205 Vassar SE Albuquerque, NM 87106

To Whom It May Concern:

The owner of Tract A, Clayton Heights Subdivision is proposing to divide the existing parcel into two distinct parcels. The northern parcel is the area that is currently undeveloped. The southern parcel is the area the hotel is under construction on.

As a subset of this land division, the owner is proposing to vacate a 20' wide public waterline easement on the north parcel and a 10' wide storm drain easement on the south parcel. The waterline easement is no longer needed as the required water system loop was constructed south of the hotel. Likewise, the storm drain easement is no long needed since the storm drain has been relocated south of the hotel.

Attached is a Zone Atlas Page identifying the related parcel.

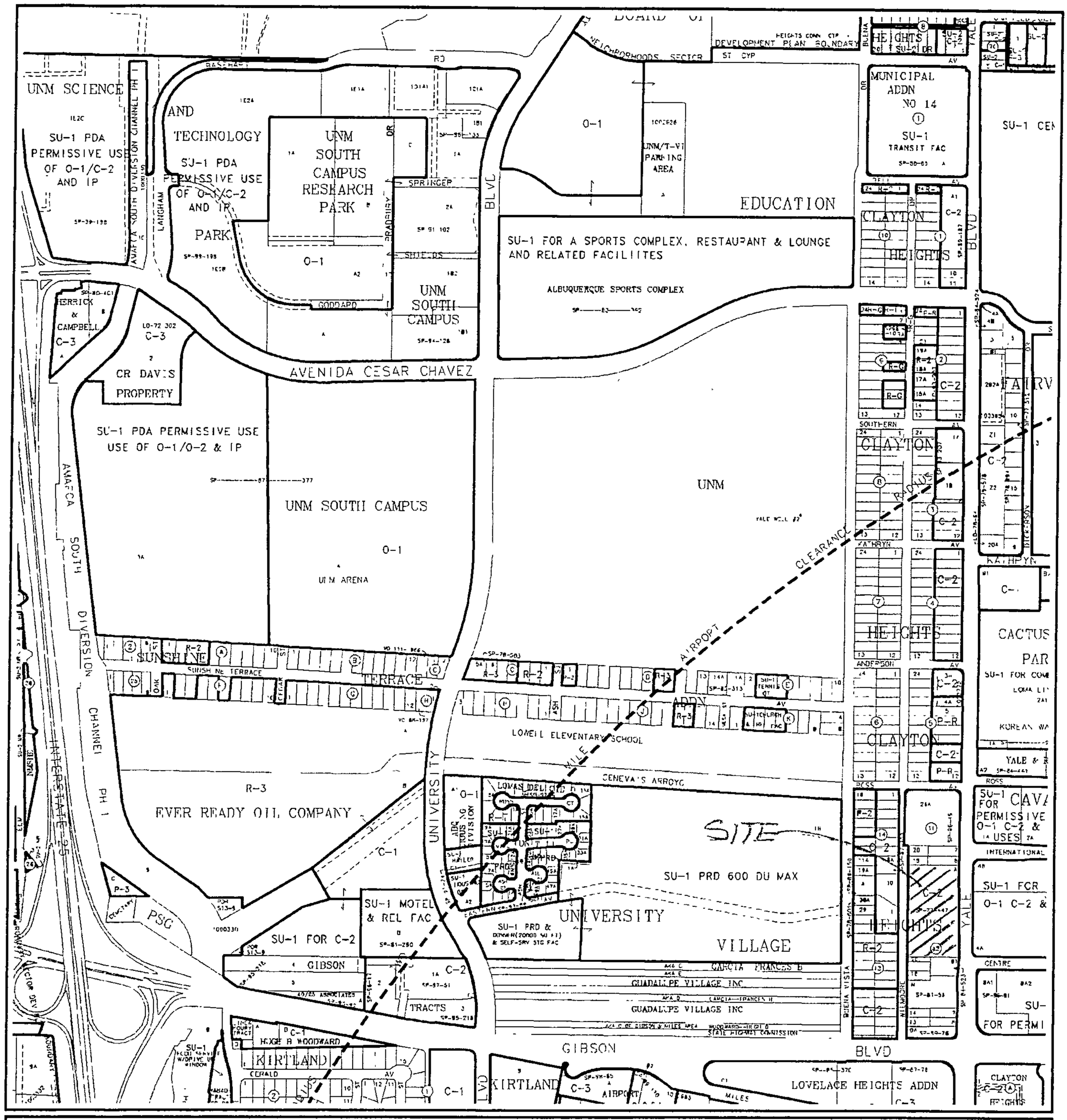
If you have any questions or comments, please call me at 237-8421.

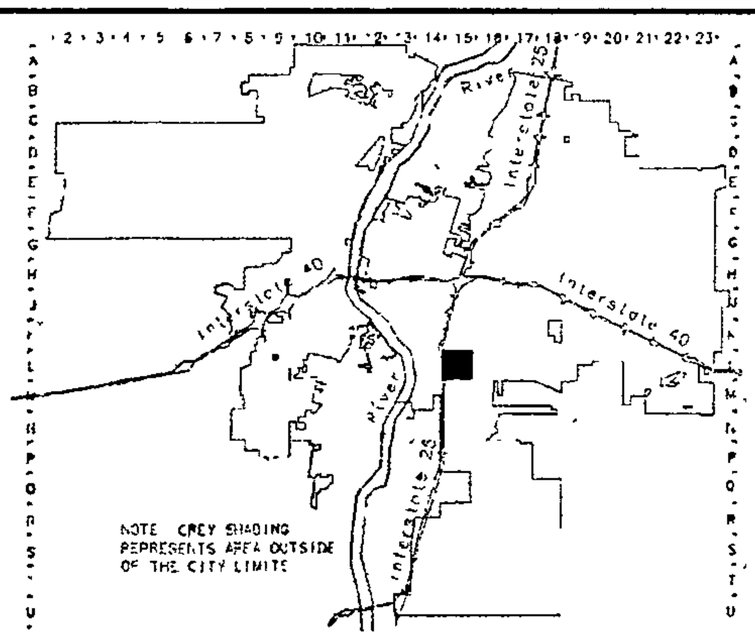
Sincerely,
LARRY READ & ASSOCIATES, Inc.

Larry D. Read, P.E.

CC: DRB Submittal Packet
Project file

2430 Midtown Place N.E.. Suite C, Albuquerque, New Mexico 87107 (505) 237-8421 FAX (505) 237-8422





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PLANNING DEPARTMENT
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GRAPHIC SCALE IN FEET
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Zone Atlas Page

L-15-Z

Map Amended through March 08, 2005

SENDER: COMPLETE

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1. Article Addressed to:

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P.O. BOX
ALBUQUER
8712

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2. Article Number
(Transfer from service la

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Total Postage & Fees	$	$5.54

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07/29/2009

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Street, Apt. No.; or PO Box No. PO BOX 27543
City, State, ZIP+4 ALBUQUERQUE, NM 87125-7543

PS Form 3800, August 2006 See Reverse for Instructions

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☐ Addressee
e of Delivery
☐ Yes
☐ No
Merchandise
☐ Yes

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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7006 2760 0002 6214 3479

2. Article Number
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Restricted Delivery Fee (Endorsement Required)		$0.00
Total Postage & Fees	$	$5.54

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07/29/2009

Sent To BARBARA WILLIAMS (KCA)
Street, Apt. No.; or PO Box No 1401 ALAMO SE
City, State, ZIP+4 ALBUQUERQUE, NM 87106

PS Form 3800, August 2006 See Reverse for Instructions

☑ Agent
☐ Addressee
Date of Delivery 7/31/9
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for Merchandise
☐ Yes

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1. Article Addressed to:

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1720 BUE
ALBUQUER

7006 2760 0002 6187 6682

2. Article Number
(Transfer from service

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Restricted Delivery Fee (Endorsement Required)		$0.00
Total Postage & Fees	$	$5.54

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ALBUQUERQUE NM JUL 29 2009
07/29/2009

Sent To ISABEL F. CABRERA (CHL)
Street, Apt. No.; or PO Box No. 1720 BUENA VISTA SE
City, State, ZIP+4 ALBUQUERQUE, NM 87106

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VICTORY
1205 VA
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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $5.54	07/29/2009

ALBUQUERQUE NM JUL 29 2009

Sent To JUAN LARRANAGA (VHL)
Street, Apt. No.; or PO Box No. 1205 VASSAR SE
City, State, ZIP+4 ALBUQUERQUE, NM 87106

PS Form 3800, August 2006 See Reverse for Instructions

RY

☐ Agent
☐ Addressee
Date of Delivery
☐ Yes
☐ No

for Merchandise
☐ Yes

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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Return Receipt Fee (Endorsement Required)	$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $5.54	07/29/2009

ALAMEDA STA ALBUQ NM JUL 29 2009 87114

Sent To VINCENT BATY (KCA)
Street, Apt. No.; or PO Box No. 1924 SUNSHINE TERR. SE
City, State, ZIP+4 ALBUQUERQUE, NM 87106

PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $5.54	07/29/2009

ALAMEDA STA ALBUQ NM JUL 29 2009

Sent To JOHN C. BARNES (VHL)
Street, Apt. No.; or PO Box No. 1805 PRINCETON DR. SE
City, State, ZIP+4 ALBUQUERQUE, NM 87106

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

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

July 28, 2009

Larry Read
Larry Read and Associates, Inc.
2430 Midtown Place NE, Suite C/87107
Phone: 505-237-8421/Fax: 505-237-8422

Dear Larry:

Thank you for your inquiry of July 28, 2009 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACT A, REPLAT OF CLAYTON HEIGHTS, LOCATED ON YALE BOULEVARD SE BETWEEN GIBSON BOULEVARD SE AND ROSS AVENUE SE** Zone Map: **L-15.**

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

Certified mailed 7/29/09

CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. (CHL) "R"
Isabel F. Cabrera, 1720 Buena Vista SE/87106 242-4494 (h)
Lee Graham, P.O. Box 27543/87125 (h)

KIRTLAND COMMUNITY ASSOC. (KCA) "R"
Vincent Baty, 1924 Sunshine Terrace SE/87106 842-1780 (h)
Barbara Williams, 1401 Alamo SE/87106 242-6476 (h)

VICTORY HILLS N.A. (VHL) "R"
John C. Barnes, 1805 Princeton Dr. SE/87106 281-0745 (h) 507-3914 (c) 846-2706 (w)
Juan Larranaga, 1205 Vassar SE/87106 262-0705 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

planningmaform(05/22/08)

CITY OF ALBUQUERQUE

July 30, 2009

Lawerance D. Read, P.E.
Larry Read & Associates, Inc.
2430 Midtown Place, NE Ste. C
Albuquerque, NM 87107

Re: Holiday Inn—Yale, 1920 Yale Blvd. SE,
Approval of 90-Day Certificate of Occupancy (C.O.)
(L-15/D029), Engineer's Stamp Date: 11-27-09
Certification dated 7-28-09

Dear Mr. Read,

Based upon the information provided in your submittal received 7-28-09, the above referenced certification is approved for release of Temporary Certificate of Occupancy by Hydrology.

Prior to Permanent Certificate of Occupancy, attach a copy of the acceptance letter for the work order that relocated the storm drain and an Engineer's Certification per the DPM is required.

If you have any questions, you can contact me at 924-3982.

Sincerely,

Timothy E. Sims
Plan Checker—Hydrology,
Development and Building Services

C: CO Clerk-Katrina Sigala
File

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

Group of Companies

September 10, 2008

To Whom It May Concern:

I Tushar Patel, Managing Member of 110 Sunport, LLC, do hereby authorize Larry Reed, P.E., of Larry Read & Associates, Inc., 2430 Midtown Place NE, Suite C, Albuquerque, NM 87107 to act as my Agent on behalf of the Property located at 1921 Yale Blvd., Albuquerque, NM.

Should you have any questions or require further information please feel free to call me.

Sincerely,

Tushar Patel

Tushar Patel
Manager,
110 Sunport, LLC

1520 Tramway NE #200 · Albuquerque, NM · 87112 · 505.275.8223 · Fax: 505.275.9667

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 August 18, 2009 To September 2, 2009

5. REMOVAL

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

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

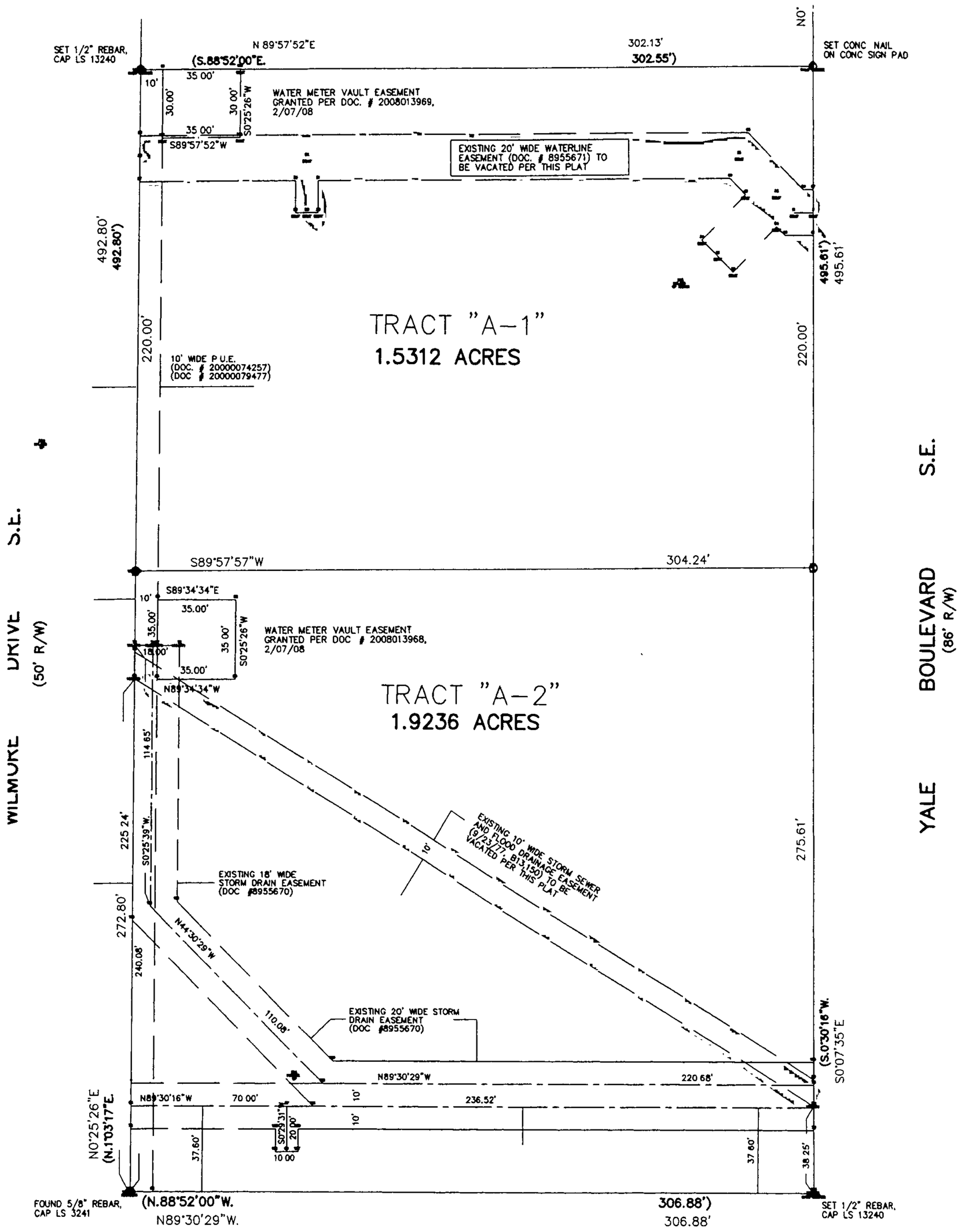
(Applicant or Agent) 8-7-2009 (Date)

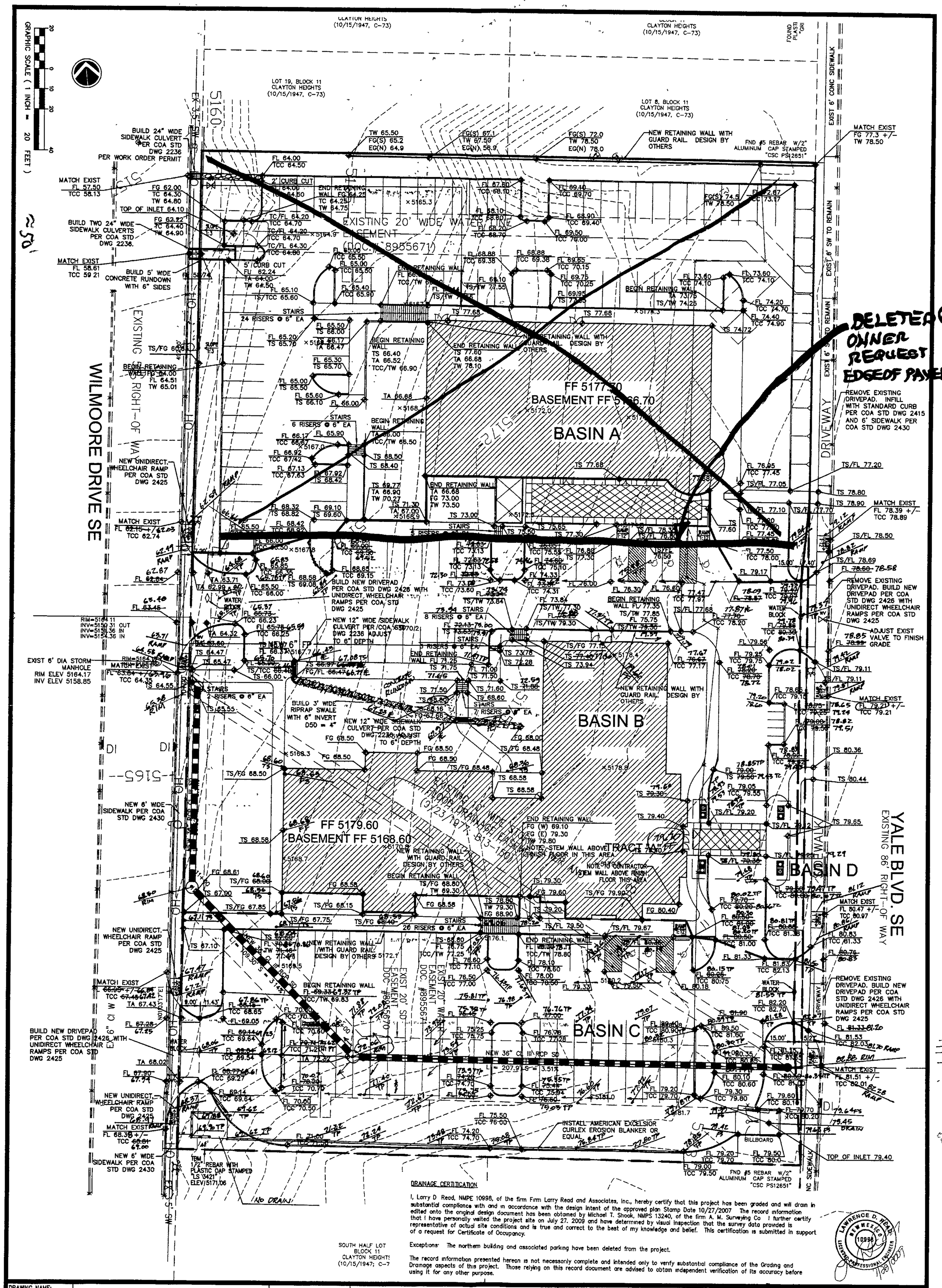
I issued 2 signs for this application, 8.7.09 (Date) (Staff Member)

DRB PROJECT NUMBER: 1004588

Rev. 1/11/05

PROPOSED VACATIONS





DRAINAGE CERTIFICATION

I, Larry D Read, NMPE 10998, of the firm Firm Larry Read and Associates, Inc., hereby certify that this project has been graded and will drain in substantial compliance with and in accordance with the design intent of the approved plan Stamp Date 10/27/2007 The record information edited onto the original design document has been obtained by Michael T. Shook, NMPS 13240, of the firm A. M. Surveying Co I further certify that I have personally visited the project site on July 27. 2009 and have determined by visual inspection that the survey data provided is representative of actual site conditions and is true and correct to the best of my knowledge and belief. This certification is submitted in support of a request for Certificate of Occupancy.

Exceptions: The northern building and associated parking have been deleted from the project.

The record information presented hereon is not necessarily complete and intended only to verify substantial compliance of the Grading and Drainage aspects of this project. Those relying on this record document are advised to obtain independent verification of its accuracy before using it for any other purpose.

LAWRENCE D. READ NEW MEXICO 10998 LICENSED PROFESSIONAL ENGINEER

DRAWING NAME: PROTEK_PH1.DWG

SHEET C2 OF 2

HOLIDAY INN EXPRESS
YALE BOULEVARD SE
ALBUQUERQUE, NM

GRADING PLAN

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			

LARRY READ & ASSOCIATES
Civil Engineers
2430 Midtown Place, NE Suite C
Albuquerque, New Mexico 87107
(505) 345-0620 Fax (505) 237-8422

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

	Supplemental form
SUBDIVISION	**S**
____ Major Subdivision action	
_X_ Minor Subdivision action	
____ Vacation	**V**
____ Variance (Non-Zoning)	
SITE DEVELOPMENT PLAN	**P**
____ ...for Subdivision Purposes	
____ ...for Building Permit	
____ IP Master Development Plan	
____ Cert. of Appropriateness (LUCC)	**L**

	Supplemental form
ZONING & PLANNING	**Z**
____ Annexation	
____ County Submittal	
____ EPC Submittal	
____ Zone Map Amendment (Establish or Change Zoning)	
____ Sector Plan (Phase I, II, III)	
____ Amendment to Sector, Area, Facility or Comprehensive Plan	
____ Text Amendment (Zoning Code/Sub Regs)	
APPEAL / PROTEST of...	**A**
____ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals	

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

APPLICANT INFORMATION:

NAME: _110 Sunport LLC. _____ PHONE: _275-8223_____

ADDRESS: _1520 Tramway Boulevard NE Suite 200_____ FAX: 275-9667 _____

CITY:___Albuquerque_____ STATE _NM__ ZIP____87112_____ E-MAIL:

Proprietary interest in site: Owner__Owner/Developer_____ **List all owners** _110 Sunport LLC ____

AGENT (if any):__Larry Read & Associates, Inc._____ PHONE:___237-8421_____

ADDRESS: ___2430 Midtown Place NE Suite C _____ FAX:_____237-8422_____

CITY:___Albuquerque_____ STATE __NM_ ZIP___87107_____ E-MAIL: _lread@readengineering.com___

DESCRIPTION OF REQUEST:__Replat Lot A, Block 12 Clayton Heights Addition into Lot A-1 (1.5312 +/- Acres) and Lot A-2 (1.9236 +/- Acres), Block 12, Clayton Heights Addtion.

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

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

Lot or Tract No.__Lot A, Block:___12_____Unit: ____-_____

Subdiv. / Addn.__Clayton Heights _____

Current Zoning: ___C-2_____ Proposed zoning: __Same_____

Zone Atlas page(s):___L-15-Z_____ No. of **existing** lots: ___1_____ No. of **proposed** lots: ____2_____

Total area of site (acres): __3.4548_____ Density if applicable: dwellings per gross acre: __N/A_____ dwellings per net acre: ___N/a____

Within city limits? _X_Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? ___No_____

UPC No. 101505653307640507_____ MRGCD Map No. ___N/A_____

LOCATION OF PROPERTY BY STREETS: On or Near. __West side of Yale Blvd. NE _____

Between:___Gibson Blvd. NE_____ and __Avenida Cesar Chavez NE_____

CASE HISTORY:

List **any** current or prior case number that may be relevant to your application (Proj , App., DRB-, AX_,Z_, V_, S_, etc.): _06DRB-01620_____

_05ZHE-01863, DRB - 1004588_____

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

SIGNATURE _____ DATE 12/30/2008

(Print) ____Larry D. Read, PE_____ ___ Applicant _X_ Agent

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

		Application case numbers	Action	S.F.	Fees
NA ☐	**INTERNAL ROUTING**				
☒	All checklists are complete	08DRB - - 70533	SK		$ 0
☒	All fees have been collected	- -			$
☒	All case #s are assigned	- -			$
NA ☐	AGIS copy has been sent	- -			$
☒	Case history #s are listed	- -			$
NA ☐	Site is within 1000ft of a landfill				Total
NA ☐	F.H.D.P. density bonus				
NA ☐	F.H.D.P. fee rebate	Hearing date 1·2·09			$ 0

12·30·08
Planner signature / date

Project # 1004588

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
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
__ Property owner's and City Surveyor's signatures on the Mylar drawing
__ SIA financial guaranty verification
__ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
__ Any original and/or related file numbers are listed on the cover application
__ **DXF FILE AND HARD COPY OF FINAL PLAT DATA FOR AGIS IS REQUIRED.**

☐ **MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**

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

☐ **AMENDMENT TO PRELIMINARY PLAT (with minor changes)** **Your attendance is required.**
☐ **AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)**
☐ **AMENDMENT TO GRADING PLAN (with minor changes)**

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

__ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6** copies for unadvertised meetings.
__ 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.

LARRY D. READ PE (AGOS)
Applicant name (print)

12/30/08
Applicant signature / date

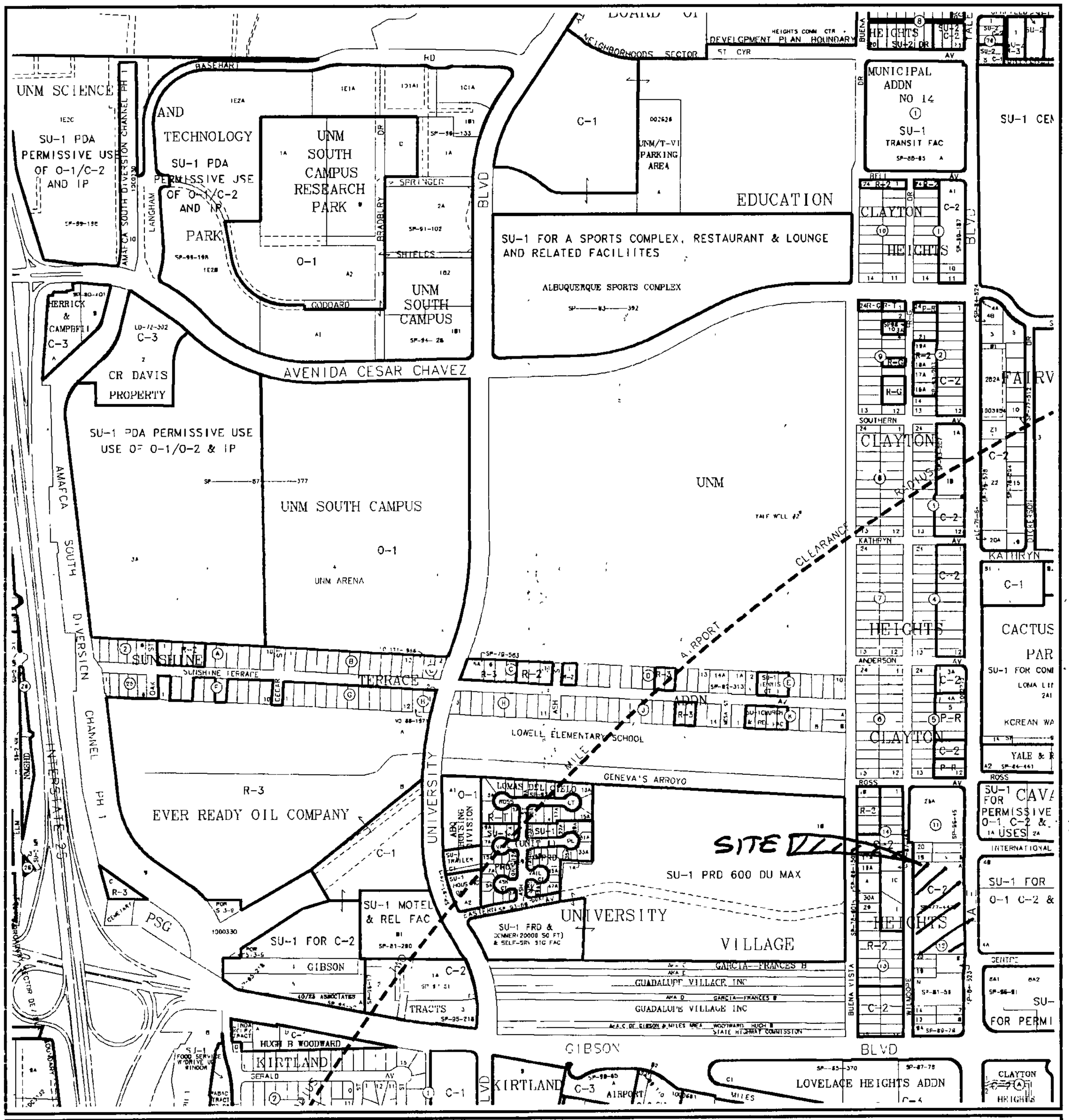
Form revised 3/03, 8/03 and **11/03**

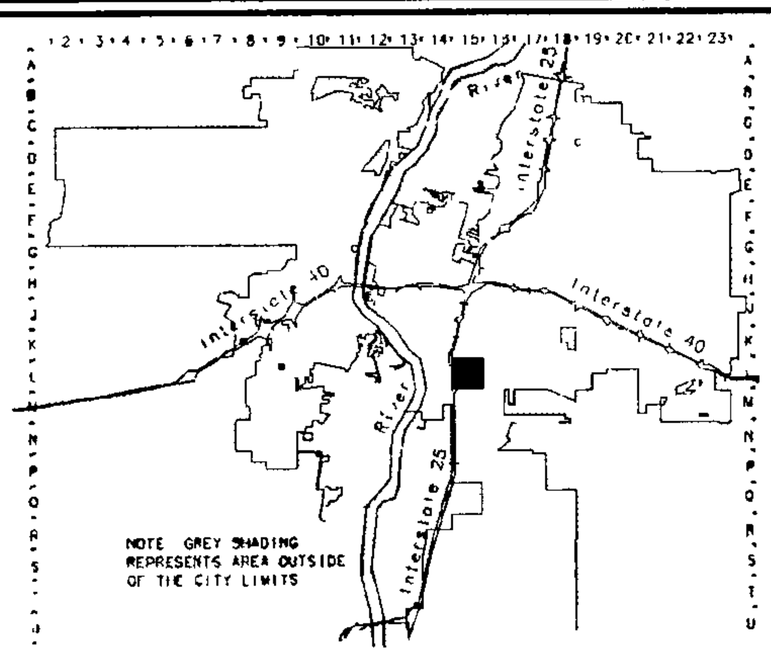
☒ Checklists complete
☒ Fees collected
☒ Case #s assigned
☐ Related #s listed

Application case numbers
08DRB - ____ - 70533
____ - ____ - ____
____ - ____ - ____

12.30.08
Planner signature / date

Project # 1004588





GRAPHIC SCALE IN FEET

250 0 750 1000

Albuquerque Geographic Information System

PLANNING DEPARTMENT

© Copyright 2004

Zone Atlas Page

L-15-Z

Map Amended through March 08, 2005

LARRY READ & ASSOCIATES, Inc.
Civil Engineers
Site ● Drainage ● Utility Design

December 30, 2008

Mr. Jack Cloud
Chairman of the Development Review Board
City of Albuquerque
P. O. Box 1293
Albuquerque, New Mexico 87103

RE: Proposed Lot Split
Holiday Inn at 1921 Yale Blvd. NE

Dear Mr. Cloud:

The attached package is submitted to you for a Sketch Plat Review of the proposed lot split. Attached are 6 sets of Preliminary Plats, 6 Site Sketches, a Zone Atlas Page, and Submittal Letter.

The owner of Lot A, Blcok 12, Clayton Heights Addition has decided he desires to split the existing 3.45 acre lot into two separate lots. The proposed southern Lot A-2 will remain the site the approved hotel that is currently under construction. The proposed northern Lot A-1 will be sold to another developer for future development.

If you have any questions or comments, please call me at 237-8421.

Sincerely,
LARRY READ & ASSOCIATES, Inc.

Larry D. Read, P.E.
(Agent)

2430 Midtown Place, N.E. Suite C, Albuquerque, New Mexico 87107 (505) 237-8421 FAX (505) 237-8422

Group of Companies

September 10, 2008

To Whom It May Concern:

I Tushar Patel, Managing Member of 110 Sunport, LLC, do hereby authorize Larry Reed, P.E., of Larry Read & Associates, Inc., 2430 Midtown Place NE, Suite C, Albuquerque, NM 87107 to act as my Agent on behalf of the Property located at 1921 Yale Blvd., Albuquerque, NM.

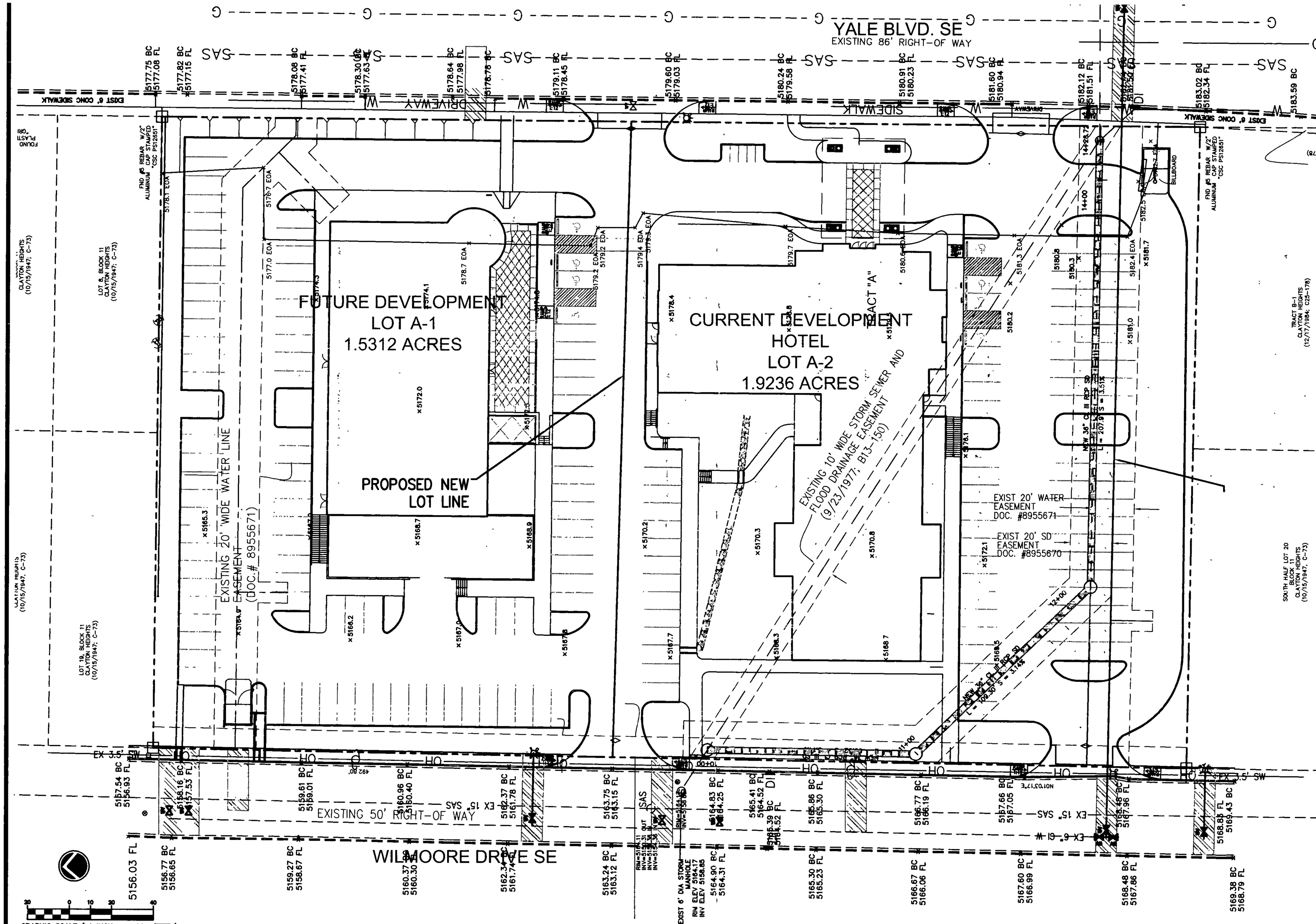
Should you have any questions or require further information please feel free to call me.

Sincerely,

Tushar Patel

Tushar Patel
Manager,
110 Sunport, LLC

1520 Tramway NE #200 · Albuquerque, NM · 87112 · 505.275.8223 · Fax: 505.275.9667



LARRY READ & ASSOCIATES
Civil Engineers
2430 Midtown Place, NE Suite C
Albuquerque, New Mexico 87107
(505) 345-0620 Fax (505) 237-8422

NO.	DATE	REVISIONS DESCRIPTION	BY
1			
2			
3			
4			

SKETCH DEVELOPMENT PLAN

HOLIDAY INN EXPRESS
YALE BOULEVARD SE
ALBUQUERQUE, NM

DRAWING NAME: PROTEK_PH1.DWG

SHEET C2 / 2

Rec'd
12/06/06

Clayton Heights/Lomas del Cielo Neighborhood Association

2509 Spruce Street, SE
Albuquerque, NM 87106

Board of Directors
Dan Abeyta
Phillip Cappelli
Gilbert Valdez
Elizabeth Valdez
Joan Welsh

Officers
Isabel Cabrera, President
Linda Gordon, Vice President
Corrine Melton, Treasurer
Elizabeth Valdez, Secretary

November 27, 2006

Mr. William L. Kraemer
Wells Fargo Bank Building
200 Lomas N. W., Suite 1111
Albuquerque, NM 87102

Dear Mr. Kraemer:

I am writing in response to your letter dated November 9, 2006. In your letter you wrote that you intend to develop a Holiday Inn on the property located at 1921 Yale Blvd SE. I am in full support of the development of this property. I wish you all the best and have no objections to your request to "Vacate various public easements" (as outlined in your letter) that encumber the development of the property.

We have a strong hotel industry in our community and we desire commercial infield along Gibson and Yale, SE. Clayton Heights/Lomas del Cielo Neighborhood Association is a gateway to New Mexico and I feel that your proposed development fits within my vision as well as our association's vision for this community.

Sincerely,

Linda Gordon

Linda Gordon, Vice President
Clayton Heights/Lomas del Cielo NA

8955670

EASEMENT 692

This Grant of Easement, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person," "husband and wife," "corporation of the State of X," "partnership": John Q. Hammons ("Grantor"), whose address is 300 John Q. Hammons Parkway, Springfield, Missouri and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Grantor signs this Easement.

1. Recital. Grantor is the owner of certain real property located at [give general description, for instance, subdivision, lot and block or street address:] Tract A, Clayton Heights Addition in Bernalillo County, New Mexico (the "Property").

2. Grant of Easement. The Grantor grants to the City a permanent easement with warranty covenants ("Easement") in, over, upon and across the Property for [state the kind of easement, for example, "public street and highway purposes (including all utilities)," "water line," "sewer line," etc.:] underground storm drainage system. The Easement is more particularly described in the attached Exhibit A. [State on the exhibit either the metes and bounds description of the Easement or state the exact dimensions and location in a manner which would enable a surveyor to locate the Easement on the ground.]

The grant of the Easement includes the right of the City to enter upon the Easement at any time for inspection, installation, maintenance, repair or modification and the right to remove trees, bushes, undergrowth and any other obstacles if the City determines they interfere with the appropriate use of the Easement. This grant includes the right of access to the easement across the Grantor's adjoining property.

Grantor agrees for itself and its successors in interest that it has been paid in valuable consideration and that the grant of this Easement is not a gift or donation.

This Easement is worded pursuant to the provisions of §§47-1-27 to 47-1-44, NMSA 1978 or successor statutes.

3. Warranty. Grantor covenants and warrants that it is the owner in fee simple of the Property and that is has a good lawful right to convey the Property or any part thereof, that the Property is free from all encumbrances

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
89 JUN 28 AM 9:25
BK 115762A PG 692-695
GLADYS M. DAVIS
CO. CLERK & RECORDER

(Approved by Legal Dept. as to form only-6/1/86)

except encumbrances of record and taxes due and owing the Treasurer of Bernalillo County, and that the Grantor will forever warrant and defend the title to the Easement against all claims from all persons or entities.

4. Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns.

5. Indemnification. As a part of the consideration for this grant, subject to the provisions of the New Mexico Tort Claims Act and all other applicable New Mexico laws, the City agrees to save Grantor harmless from any and all liability arising from the City's negligent use of the Easement for the purposes set forth herein. The City does not agree to save Grantor harmless from any liability which may arise from Grantor's use of the Easement and the Property.

6. Form Not Changed. Grantor agrees that changes to the wording of this form are not binding upon the City unless initialed by the Grantor and approved and signed by the City Legal Department in writing on this form.

CITY OF ALBUQUERQUE

Approved:

By: _____
Title: CITY ENGINEER
Dated: 6/14/89

GRANTOR: JOHN Q. HAMMONS

By: _____
Its: Individual
Dated: May 4, 1989

STATE OF MISSOURI)
)ss.
COUNTY OF GREENE)

The foregoing instrument was acknowledged before me this 4th day of May, 1989, by [name of person signing:] John Q. Hammons [title or capacity, for instance, "President" or "Owner":] Individual - Owner of [name of the entity which owns the Property if other than the individual signing, for instance, the name of the corporation, partnership, or joint venture:] John Q. Hammons Industries.

Notary Public Jan Robbins

JAN ROBBINS
NOTARY PUBLIC STATE OF MISSOURI
GREENE COUNTY
My Commission Expires: October 26, 1992.

My Commission Expires:
October 26, 1992.

(EXHIBIT "A" ATTACHED)

(Approved by Legal Dept. as to form only-8/1/86)

ID:3

EXHIBIT 'A'
LEGAL DESCRIPTION OF PUBLIC UTILITY EASEMENT

That certain parcel of land situate within Section 28, Township 10 North, Range 3 East, N.M.P.M., Albuquerque, New Mexico, the centerline of which is described as follows:

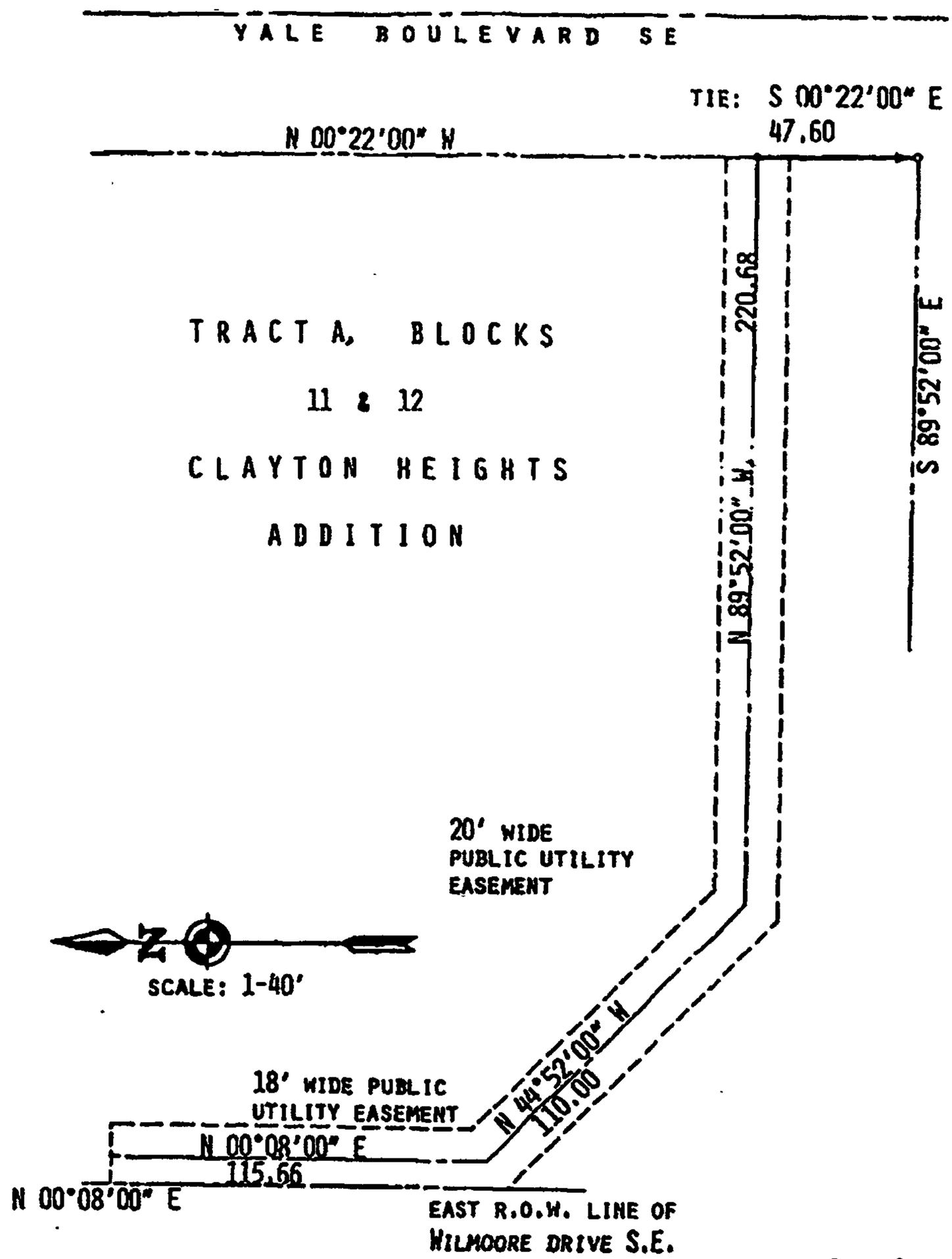
Beginning at a point on the westerly right-of-way line of Yale Boulevard S.E., being common with a point on the easterly property line of Tract A, Blocks 11 & 12, as the same is shown and designated on the Replat of Clayton Heights, Albuquerque, New Mexico, filed in the office of the County Clerk of Bernalillo County, New Mexico in Book B 13, Page 120, and filed on September 23, 1977, from whence the southeast property corner of said tract bears S 00°22'00" E, 47.60 feet distant, said point being the true POINT OF BEGINNING of the centerline of a 20 foot wide permanent easement; THENCE, N 89°52'00" W, a distance of 220.68 feet; THENCE, N 44°52'00" W, a distance of 110.00 feet; THENCE, N 00°08'00" E, a distance of 115.66 feet to the terminus of said easement, excluding the westerly 2 feet of said easement along the easterly right-of-way of Wilmoore Drive S.E.

The sidelines of said 20 foot easement to be extended or shortened to meet at angle points and to terminate at property lines.

Bearing base: The same as shown on the Replat of Clayton Heights referenced above.

EXHIBIT 'A'
LEGAL DESCRIPTION OF PUBLIC UTILITY EASEMENT

695



#3307

-8955671

696

EASEMENT

This Grant of Easement, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person," "husband and wife," "corporation of the State of X," "partnership": John Q. Hammons ~~[illegible]~~ ("Grantor"), whose address is 300 John Q. Hammons Parkway, Springfield, Missouri and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Grantor signs this Easement.

1. Recital. Grantor is the owner of certain real property located at [give general description, for instance, subdivision, lot and block or street address:] Tract A, Blocks 11 & 12, Replat of Clayton Heights Addition in Bernalillo County, New Mexico (the "Property").

2. Grant of Easement. The Grantor grants to the City a permanent easement with warranty covenants ("Easement") in, over, upon and across the Property for [state the kind of easement, for example, "public street and highway purposes (including all utilities)," "water line," "sewer line," etc.:] waterline, meter pit, & fire hydrants

The Easement is more particularly described in the attached Exhibit A. [State on the exhibit either the metes and bounds description of the Easement or state the exact dimensions and location in a manner which would enable a surveyor to locate the Easement on the ground.]

The grant of the Easement includes the right of the City to enter upon the Easement at any time for inspection, installation, maintenance, repair or modification and the right to remove trees, bushes, undergrowth and any other obstacles if the City determines they interfere with the appropriate use of the Easement. This grant includes the right of access to the easement across the Grantor's adjoining property.

Grantor agrees for itself and its successors in interest that it has been paid in valuable consideration and that the grant of this Easement is not a gift or donation.

This Easement is worded pursuant to the provisions of §§47-1-27 to 47-1-44, NMSA 1978 or successor statutes.

3. Warranty. Grantor covenants and warrants that it is the owner in fee simple of the Property and that is has a good lawful right to convey the Property or any part thereof, that the Property is free from all encumbrances

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
89 JUN 20 AM 9:25
LK 11562A PG 696-700
GLADYS M. DAVIS
CO. CLERK & RECORDER

(Approved by Legal Dept. as to form only-5/1/86)

except encumbrances of record and taxes due and owing the Treasurer of Bernalillo County, and that the Grantor will forever warrant and defend the title to the Easement against all claims from all persons or entities.

4. Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns.

5. Indemnification. As a part of the consideration for this grant, subject to the provisions of the New Mexico Tort Claims Act and all other applicable New Mexico laws, the City agrees to save Grantor harmless from any and all liability arising from the City's negligent use of the Easement for the purposes set forth herein. The City does not agree to save Grantor harmless from any liability which may arise from Grantor's use of the Easement and the Property.

6. Form Not Changed. Grantor agrees that changes to the wording of this form are not binding upon the City unless initialed by the Grantor and approved and signed by the City Legal Department in writing on this form.

CITY OF ALBUQUERQUE

Approved:

By: [signature]
Title: CITY ENGINEER
Dated: 6/14/89

GRANTOR: John Q. Hammons

By: [signature]
Its: Individual
Dated: May 4, 1989

STATE OF MISSOURI)
)ss.
COUNTY OF GREENE)

The foregoing instrument was acknowledged before me this 4th day of May, 1989, by [name of person signing:] John Q. Hammons Individual-Owner [title or capacity, for instance, "President" or "Owner":] of [name of the entity which owns the Property if other than the individual signing, For instance, the name of the corporation, partnership, or joint venture:]

[signature]
Notary Public Jan Robbins

My Commission Expires:
October 26, 1992.

JAN ROBBINS
NOTARY PUBLIC STATE OF MISSOURI
GREENE COUNTY
MY COMMISSION EXP OCT 26,1992

(EXHIBIT "A" ATTACHED)

(Approved by Legal Dept. as to form only-6/1/86)

ID:3

EXHIBIT 'A'
LEGAL DESCRIPTION OF PUBLIC UTILITY EASEMENT

Those certain parcels of land situate within Tract A, Blocks 11 & 12, as the same is shown and designated on the Replat of Clayton Heights, Albuquerque, New Mexico, filed in the office of the County Clerk of Bernalillo County, New Mexico in Book B 13, Page 120, and filed on September 23, 1977 and also being within Section 28, Township 10 North, Range 3 East, N.M.P.M., Albuquerque, New Mexico, the centerlines of which are described as follows:

EASEMENT W-1

Beginning at a point on the westerly right-of-way line of Yale Boulevard S.E., being common with a point on the easterly property line of said Tract A, from whence the north east property corner of said tract bears N 00°22'00" W, 64.00 feet distant, said point being the True Point of Beginning of the centerline of a 20 foot wide permanent easement; Thence, N 89°52'00" W, a distance of 9.23 feet; THENCE, N 44°52'00" W, a distance of 11.36 feet to Point A; Thence, continuing from Point A along the easement centerline N 44°52'00" W, a distance of 24.00 feet; THENCE, N 89°52'00" W, a distance of 198.88 feet to Point B; Thence, continuing from Point B along the easement centerline N 89°52'00" W, a distance of 75.00 feet to the east right-of-way of Wilmoore Drive S.E. together with:

Parcel A: A 20 foot easement, the centerline of which begins at the hereinabove described Point A; THENCE, S 45°08'00" W, a distance of 38.00 feet.

Parcel B: A 10 foot easement, the centerline of which begins at the hereinabove described Point B; Thence, S 00°08'00" E, a distance of 24.00 feet.

The side lines of said 20 foot easement to be extended or shortened to meet at angle points and to terminate at property lines.

EASEMENT W-2

Beginning at a point on the westerly right-of-way line of Yale Boulevard S.E., being common with a point on the easterly property line of said Tract A, from whence the southeast property corner of said tract bears S 00°22'00" E, 35.70 feet distant, said point begin the True Point of Beginning of the centerline of a 20 foot wide permanent easement; Thence, N 89°32'00" W, a distance of 236.38 feet to Point D; Thence, continuing from Point D along the easement centerline N 89°52'00" W, a distant of 70.00 feet to the east right-of-way of Wilmoore Drive S.E., together with:

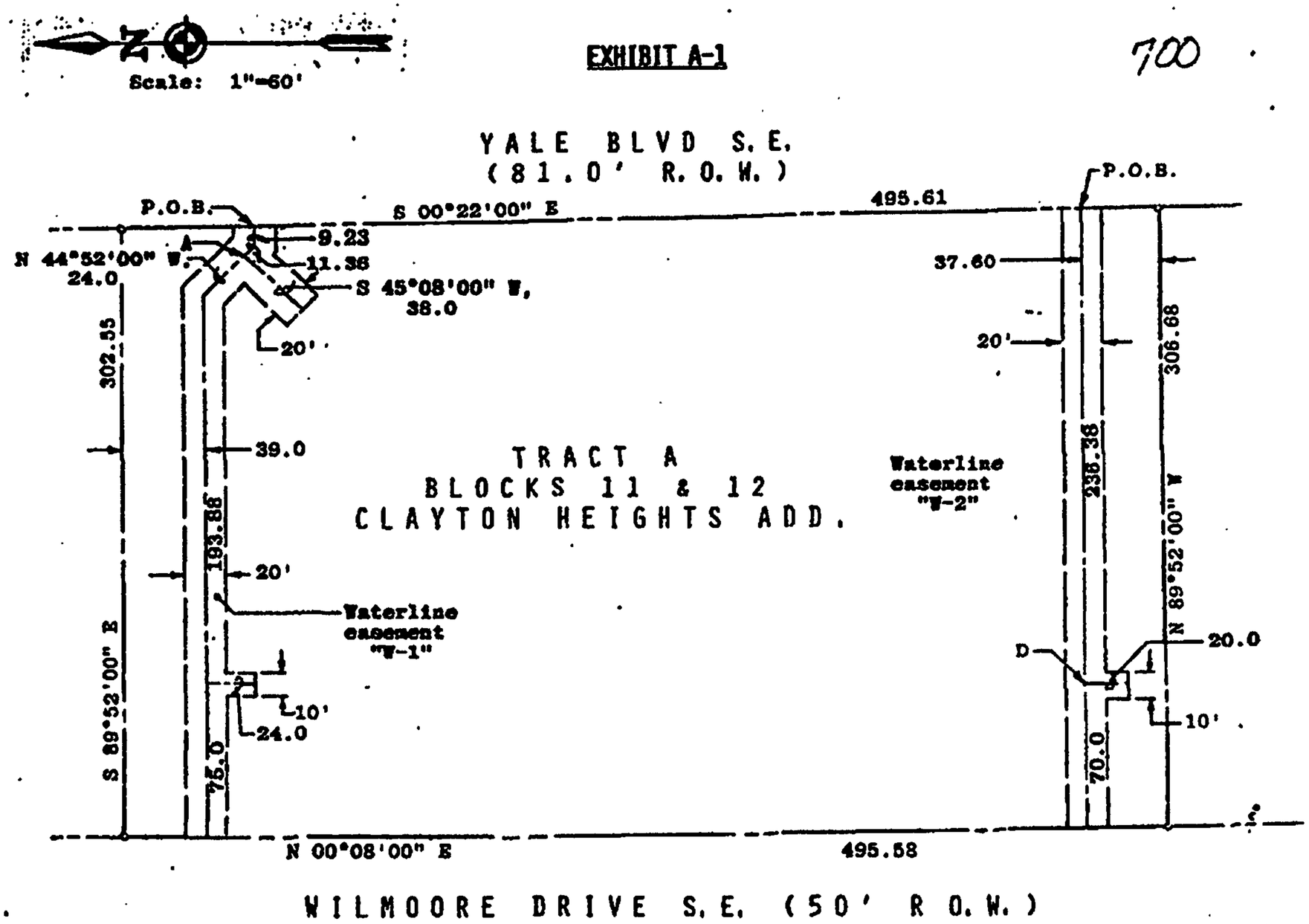
Parcel D: A 10 foot easement, the centerline of which begins at the hereinabove described Point D; Thence S 00°08'00" E, a distance of 20 feet.

The side lines of said 20 foot easement to be extended or shortened to meet at angle points and to terminate at property lines.

Bearing base: The same as shown on the Replat of Clayton Heights referenced above

EXHIBIT A-1

700



City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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

STORM DRAINAGE — D
- ___ Storm Drainage Cost Allocation Plan

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

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

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

APPLICANT INFORMATION:

NAME: 110 SUNPORT LLC PHONE: ___
ADDRESS: 1520 TRAMWAY BLVD NE #200 FAX: ___
CITY: ALBUQUERQUE STATE NM ZIP 87112 E-MAIL: ___
Proprietary interest in site: OWNER **List all owners:** ___
AGENT (if any): GARCIA/ KRAEMER & ASSOCIATES PHONE: 242 5566
ADDRESS: 200 LOMAS NW SUITE 1111 FAX: 242 9028
CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: ___

DESCRIPTION OF REQUEST: VACATION OF ~~[illegible]~~ EASEMENTS: 20' WATERLINE 10' STORM SEWER, 20' STORM SEWER, 10' PUE

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

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

Lot or Tract No. TRACT A REPLAT Block: 11 + 12 Unit: ___
Subdiv. / Addn. ~~[illegible]~~ ~~[illegible]~~ CLAYTON HEIGHTS
Current Zoning: C-2 Proposed zoning: C-2
Zone Atlas page(s): L-15 No. of **existing** lots: 1 No. of **proposed** lots: 1
Total area of site (acres): 3.45 Density if applicable: dwellings per gross acre: N/A dwellings per net acre: ___
Within city limits? X Yes. No___, but site is within 5 miles of the city limits.) Within 1000FT of a landfill? NO
UPC No. 101 505 653 307 640 507 MRGCD Map No. ___
LOCATION OF PROPERTY BY STREETS: On or Near: 1921 YALE BLVD SE
Between: ROSS AVE SE and GIBSON BLVD SE

CASE HISTORY:

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

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

SIGNATURE [signature] DATE 11/09/06
(Print) WILLIAM L. KRAEMER ___ Applicant X Agent

FOR OFFICIAL USE ONLY Form revised 4/04

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

Application case numbers	Action	S.F.	Fees
06DRB 01620	VPE	V	$ 90.00
- -	ADV		$ 75.00
- -	CMF		$ 20.00
- -			$
- -			$
			Total $ 185.00

Hearing date 12/06/06

Sandy Handley 11/09/06
Planner signature / date

Project # 1004588

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE** **(PUBLIC HEARING CASE)**

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

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

☐ **VACATION OF PUBLIC RIGHT-OF-WAY**

☒ **VACATION OF PUBLIC EASEMENT**

✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24** copies. (Not required for dedicated and City owned public right-of-way.)
✓ Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (not to exceed 8.5" by 14") **24** copies
✓ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
✓ Letter briefly describing, explaining, and justifying the request
✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
__ Sign Posting Agreement
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

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

☐ **SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DPM**

☐ **SIDEWALK DESIGN VARIANCE**

☐ **SIDEWALK WAIVER**

__ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6** copies
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the variance or waiver
__ Any original and/or related file numbers are listed on the cover application

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**

__ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **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 deferral or extension
__ Any original and/or related file numbers are listed on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT**

__ The complete document which created the private easement (not to exceed 8.5" by 14") **6** copies
__ Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **6** copies
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter briefly describing, explaining, and justifying the vacation
__ Letter of authorization from the grantors and the beneficiaries
__ Fee (see schedule)
__ Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

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

☐ **VACATION OF RECORDED PLAT**

__ **6** copies of the recorded plat to be vacated.
__ **6** copies of documents justifying the vacation.
__ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
__ Letter describing, explaining, and justifying the vacation
__ Any original and/or related file numbers are listed on the cover application
__ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

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

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

WILLIAM KRAKEMER
Applicant name (print)

William J Kraemer 11/09/06
Applicant signature / date

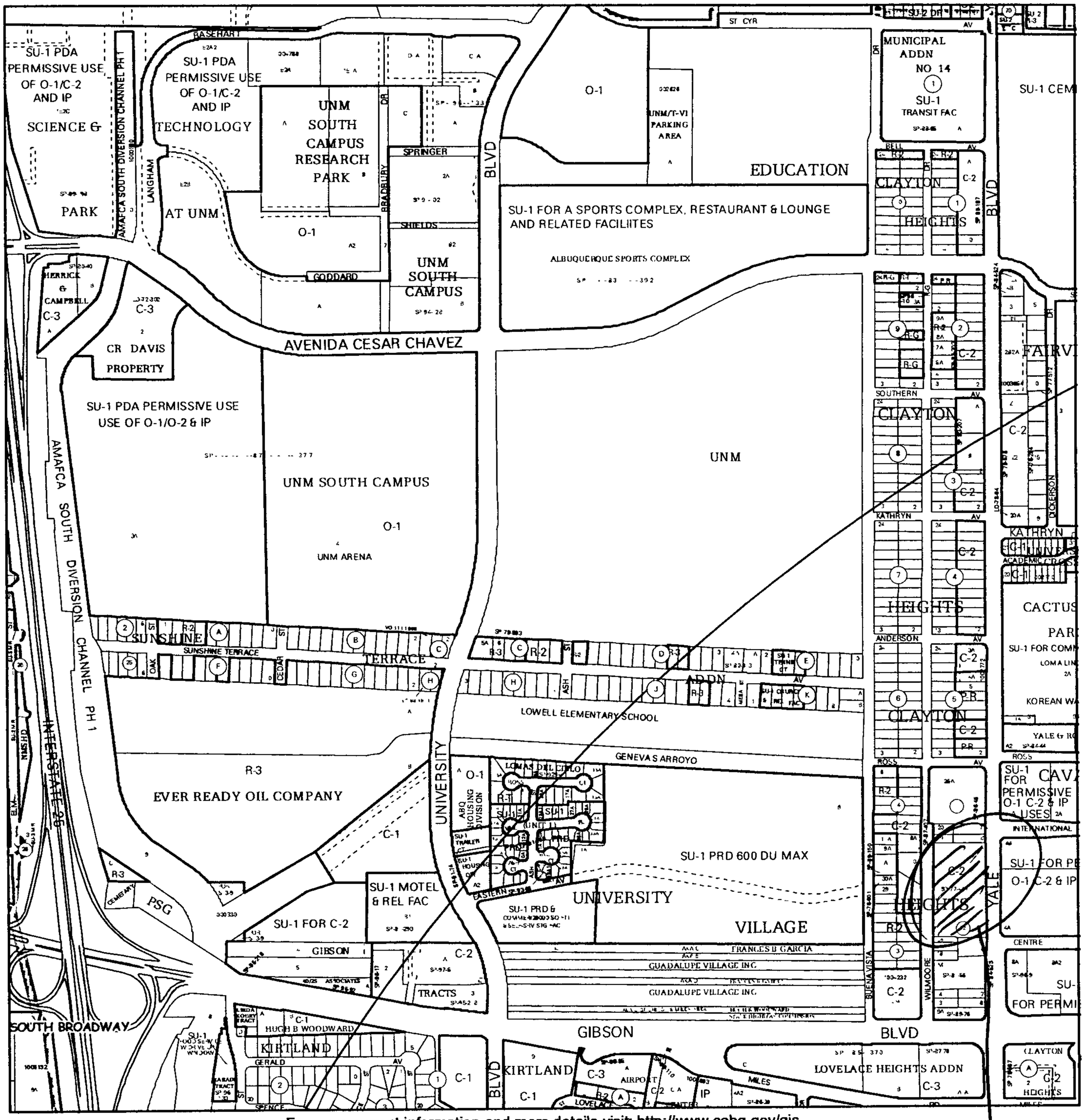
Form revised 4/03, 10/03 and **APRIL 2006**

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

Application case numbers
06DRB-_____-01620
_____-_____-_____
_____-_____-_____

Sandy Handley 11/09/06
Planner signature / date

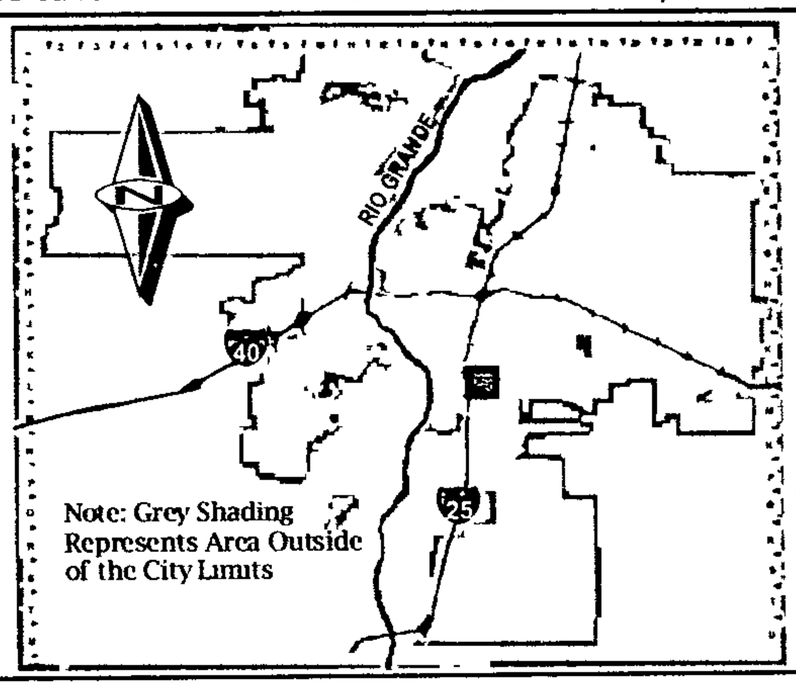
Project # 1004588



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

Albuquerque Geographic Information System

Map amended through: 10/25/2006



Zone Atlas Page:

L-15-Z

Selected Symbols

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

0 750 1,500 Feet

ALBUQUERQUE
Making History

City of Albuquerque

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

Date: November 9, 06

TO CONTACT NAME: William Kraemer
COMPANY/AGENCY: Garcia/Kraemer & Assoc.
ADDRESS/ZIP: 200 Lomas NW Suite 1111
PHONE/FAX #: 242-5566 – (Fax - 242-9028

Thank you for your inquiry of 11-9-06 (date) requesting the names of **Recognized Neighborhood Associations** who would be affected under the provisions of O-92 by your proposed project at Tract A, Block 12 - Clayton Heights Located on Yale SE Between Ross and Cobson
zone map page(s) L-15.

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

Clayton Heights/Lomas Del Cielo
Neighborhood Association
Contacts: Isabel F. Cabrera
1720 Buena Vista SE/87106
242-4494 (h)
Linda Gordon
2509 Spruce SE/87106
766-5705 (h)

Kirtland Community Assoc.
Neighborhood Association
Contacts: Marcia Beyer
1624 Alamo Ave. SE/87106
246-0068(h) 893-5683(w)
Joycelyn N. Lewis
P.O. Box 9902 – 87119-1002
514-9743(h)

See reverse side for additional Neighborhood Association Information: YES {X} 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,

Dalmira L Armona
OFFICE OF NEIGHBORHOOD COORDINATION

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

planning.recognized.na.form(10/14/04)

Addition **Neighborhood Association Information**

Victory Hills NA.

Neighborhood Association
Contacts: FEROZA JUSSAWALLA
1109 Richmond Dr SE-87106
255-0117 (h)
Scott Sandoval
1816 Cornell SE/87106
247-2651 (h)

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:

7099 3400 0015 6489 8324

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

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
FEROZA JUSSAWALLA
Street, Apt. No.; or PO Box No.
1109 RICHMOND SE
City, State, ZIP+4
ALBUQ 87106

PS Form 3800, February 2000 See Reverse for Instructions

7099 3400 0015 6489 8317

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

ALBUQUERQUE NM 87119

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
JOYCELYN LEWIS
Street, Apt. No., or PO Box No.
P.O. BOX 9902
City, State, ZIP+4
ALBUQ NM 87119

PS Form 3800, February 2000 See Reverse for Instructions

7099 3400 0015 6489 8287

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

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
ISABEL CABRERA
Street, Apt. No., or PO Box No.
1720 BUENA VISTA SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

7099 3400 0015 6489 8331

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

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
SCOTT SANDOVAL
Street, Apt. No.; or PO Box No.
1816 CORNELL SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

7099 3400 0015 6489 8294

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

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
LINDA GORDON
Street, Apt. No.; or PO Box No.
2509 SPRUCE SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

7099 3400 0015 6489 8300

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

ALBUQUERQUE NM 87106

Postage	$ $0.39	0101
Certified Fee	$2.40	15 Postmark Here
Return Receipt Fee (Endorsement Required)	$0.00	NOV 8 2006
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $2.79	11/09/2006

Recipient's Name (Please Print Clearly) (to be completed by mailer)
MARCIA BEYER
Street, Apt. No.; or PO Box No.
1624 ALAMO SE
City, State, ZIP+4
ALBUQ NM 87106

PS Form 3800, February 2000 See Reverse for Instructions

GARCIA/KRAEMER&ASSOCIATES

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

Isabel Cabrera
1720 Buena Vista SE
Albuquerque NM 87106

November 9, 2006

Linda Gordon
2509 Spruce SE
Albuquerque NM 87106

Marcia Beyer
1624 Alamo SE
Albuquerque NM 87106

Joycelyn Lewis
PO Box 9902
Albuquerque NM 87119

Feroza Jussawalla
1109 Richmond SE
Albuquerque NM 87106

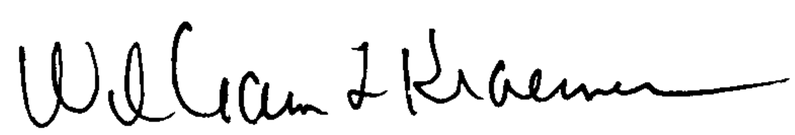
Scott Sandoval
1816 Cornell SE
Albuquerque NM 87106

Re: Vacation of Public Easements

Dear Neighbors,

Applicant 110 Sunport LLC intends to construct a Holiday Inn on the property they own at 1921 Yale Blvd SE, zoned C-2. There are a variety of unnecessary easements that encumber the property. We believe that these constraints can be solved by asking the City to vacate those easements this will not have any adverse impact since all of the utility and drainage needs of the property will be accommodated by the granting of new easements to serve the development. We are required to notify you of this request and would be happy to discuss it further if you have questions or concerns.

Sincerely,



William L. Kraemer

GARCIA/KRAEMER & ASSOCIATES

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

REASON FOR REQUEST

This is a request to VACATE various public easements (PUE, storm sewer and waterline) which encumber Tract A Block 11& 12 Clayton Heights (see Exhibit.) This request is filed pursuant to Section 14-14-7-1 et.seq. City of Albuquerque, Subdivision Regulations.

Applicant, 110 Sunport LLC is the owner of the subject property. They intend to develop this site with a motel which is permissive under the C-2 zoning. They will accommodate the utilities planned for each of the easements so that no one will be prejudiced by the vacation of these easements. They will also process and record a new plat for the subject property reflecting the elimination of vacated easements and any new easements which are necessary.

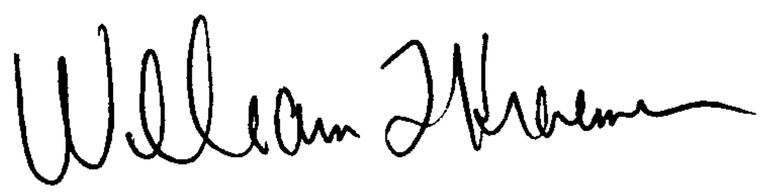
This request meets the statutory vacation criteria as follows:

1. The request is filed by the owners of all of the private property abutting the proposed vacation. Section 14-14-7-2 (A)(1.)

2. The public welfare is in no way served by the retention of easements sought to be vacated. Section 14-14-7-2 (B)(1.)

3. No substantial property rights will be abridged by the vacation of these easements.

Wherefore, applicant respectively requests VACATION of the easements shown on the attached exhibit and documented herein.



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

PAID RECEIPT

APPLICANT NAME 110 SUNPORT LLC

AGENT GARCIA/KRAME & ASSOC

ADDRESS 200 LOMAS NW STE #114

PROJECT & APP # 1004588/06DRB 01620

PROJECT NAME TRA" CLAYTON HEIGHTS SUBD

$ 20.00 441032/3424000 **Conflict Management Fee**

$ 90.00 441006/4983000 **DRB Actions**

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

$ 75.00 441018/4971000 **Public Notification**

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

$ 185.00 **TOTAL AMOUNT DUE**

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

DUPLICATE
City Of Albuquerque
Treasury Division

11/9/2006 2:57PM LOC: ANNX
RECEIPT# 00066934 WS# 008 TRANS# 0036
Account 441006 Fund 0110
Activity 4983000 TRSLJS
Trans Amt $205.00
J24 Misc 90.00
Thank You

Counterreceipt.doc 6/21/04

DUPLICATE
City Of Albuquerque
Treasury Division

11/9/2006 2:57PM LOC: ANNX
RECEIPT# 00066933 WS# 008 TRANS# 0036
Account 441032 Fund 0110
Activity 3424000 TRSLJS
Trans Amt $205.00
J24 Misc $20.00
Thank You

DUPLICATE
City Of Albuquerque
Treasury Division

11/9/2006 2:58PM LOC: ANNX
RECEIPT# 00066935 WS# 008 TRANS# 0036
Account 441018 Fund 0110
Activity 4971000 TRSLJS
Trans Amt $205.00
J24 Misc $75.00
Thank You

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from NOV. 21, 2006 To DEC. 06, 2006

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.

William Kraemer — (Applicant or Agent) 11/09/06 — (Date)

I issued 2 signs for this application, 11/09/06 (Date) Sandy Handley (Staff Member)

DRB PROJECT NUMBER: 1004588

Rev. 1/11/05

BOUNDARY SURVEY PLAT
TRACT "A"
CLAYTON HEIGHTS SUBDIVISION

SITUATE WITHIN
PROJECTED SECTION 28, T.10N., R.3E., N.M.P.M.,
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
DECEMBER, 2005

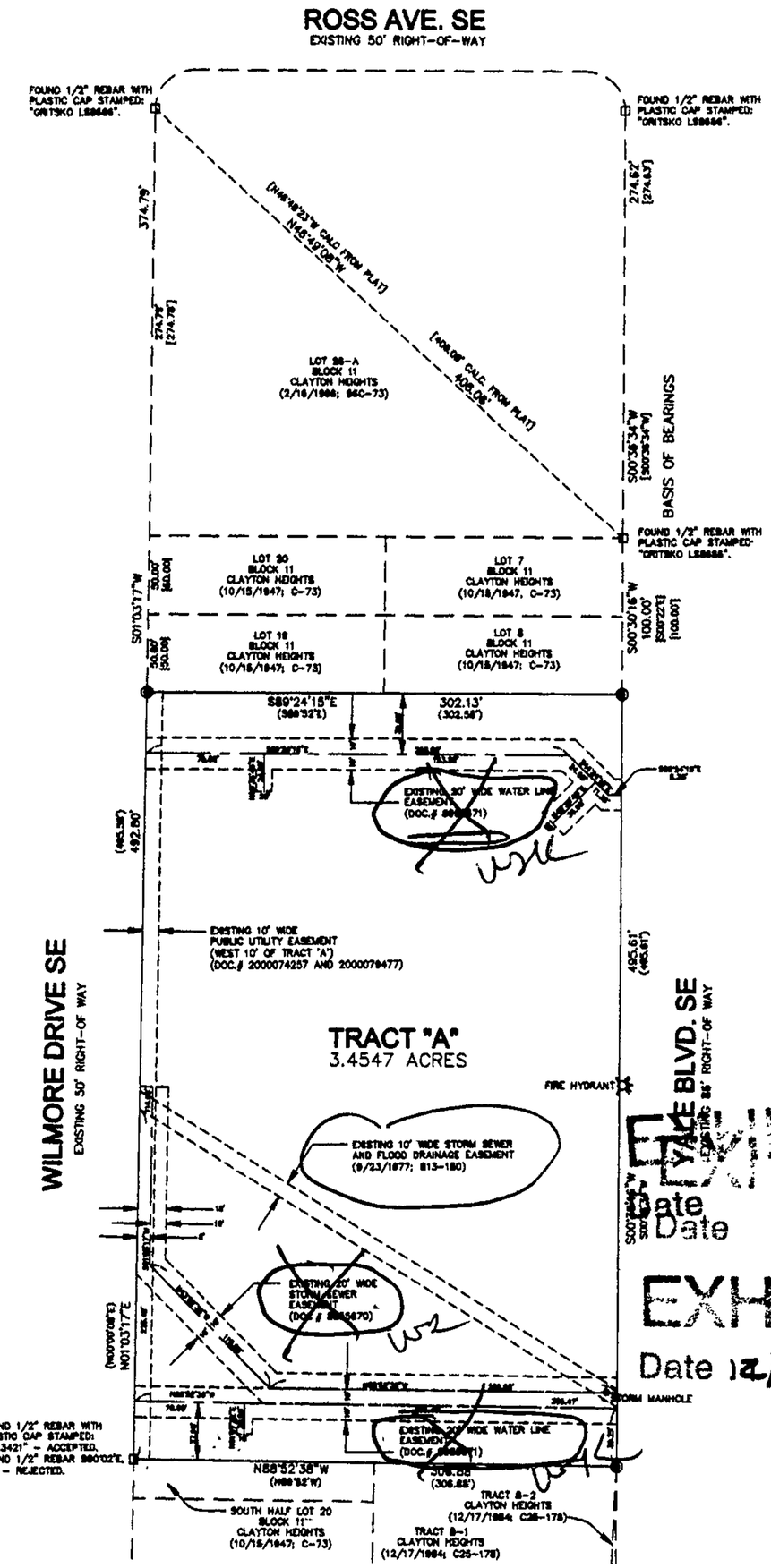
F:\N744-02M KITTS\600 TRACT A BOUNDARY\dwg\L15

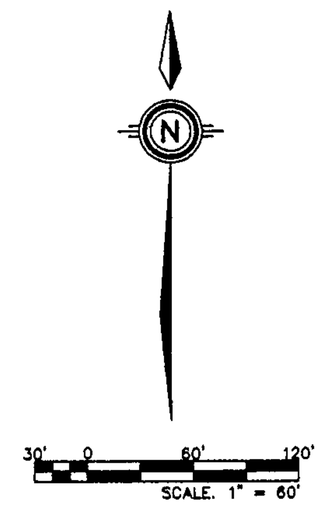
SITE

VICINITY MAP

NOT TO SCALE

ZONE ATLAS PAGE L15





MONUMENT LEGEND

- FOUND MONUMENT AS NOTED
- SET #5 REBAR W/2" ALUMINUM CAP STAMPED "CSC PS12651"

EXHIBIT
Date
Date

EXHIBIT B
Date 12/06/05

SHEET 1 OF 1

BOUNDARY SURVEY PLAT
TRACT "A"
CLAYTON HEIGHTS SUBDIVISION

DWG PATH: F:\N744-02M KITTS\600 TRACT A BOUNDARY\dwg\TRACT A B2P.DWG
CRS: TRAVAL.CRS
DATE: DEC 19, 2005
SCALE: 1" = 60'
CREW: TWP, GWF
DRAWN: TWP
JOB NO.: N744-02M KITTS

community sciences corporation
LAND PLANNING ENGINEERING SURVEYING
P.O.Box 1328 Corrales, N.M. 87048 (505)897-0000

LEGAL DESCRIPTION

TRACT LETTERED "A" OF THE REPLAT OF CLAYTON HEIGHTS, ALBUQUERQUE, 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, 1977 IN MAP BOOK B13, FOLIO 120.

SURVEY NOTES:

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE EASTERLY LINE OF LOT 28-A OF THE PLAT OF LOT 28-A, BLOCK 11, CLAYTON HEIGHTS SUBDIVISION, RECORDED FEBRUARY 16, 1996 IN VOL. 96C, FOLIO 73.

2. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ( ) ARE PER THE RECORD PLAT OF TRACT "A", CLAYTON HEIGHTS SUBDIVISION, RECORDED SEPTEMBER 23, 1977 IN VOL. B13, FOLIO 120.

3. BEARINGS AND DISTANCES IN BRACKETS [ ] ARE PER THE PLAT OF LOT 28-A NOTED IN 1. ABOVE. BEARINGS AND DISTANCES IN BRACKETS { } PER THE PLAT OF BLOCKS 11, 12 13 AND 14, CLAYTON HEIGHTS SUBDIVISION RECORDED 10/15/1947, C-73.

4. DOCUMENTS USED:

a. PLAT OF LOT 28-A NOTED ABOVE.
b. PLAT OF TRACT "A", CLAYTON HEIGHTS, NOTED ABOVE.
c. PLAT OF BLOCKS 11, 12, 13 AND 14 OF CLAYTON HEIGHTS SUBDIVISION RECORDED OCTOBER 15, 1947 IN VOL.C, FOLIO 73.
d. PLAT OF TRACTS B-1 AND B-2, CLAYTON HEIGHTS SUBDIVISION RECORDED DECEMBER 17, 1984 IN VOL. C25, FOLIO 178.
e. WARRANTY DEED RECORDED AUGUST 16, 2000 AS DOC. NO. 2000079476.
f. SPECIAL WARRANTY DEED RECORDED AUGUST 21, 2000 AS DOC.# 2000091769.
g. FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 05-7000734-B-VAL, EFFECTIVE DATE NOVEMBER 28, 2005.
h. PNM AND US WEST EASEMENT RECORDED JULY 31, 2000 AS DOC.# 2000074257.
i. COMCAST EASEMENT RECORDED AUGUST 16, 2000 AS DOC.# 2000079477.
j. STORM DRAIN EASEMENT RECORDED AS DOC.# 5000070.
k. WATERLINE EASEMENTS RECORDED AS DOC.# 5000071.

5. TRACT "A" UPC# = 1-016-089-089-079-4-05-07.

SURVEYOR'S CERTIFICATION :

I, Thomas W. Patrick, New Mexico Professional Surveyor, hereby certify that this survey plat was prepared from an actual ground survey performed by me, that I am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief, that this survey plat and the field survey upon which it is based meet the Minimum Standards for Surveying in New Mexico, and that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act. This is a survey plat of an existing tract or tracts.

Thomas W. Patrick
New Mexico Professional Surveyor No. 12651

Date

VACATION EXHIBIT

Circled easements to be vacated