



DRB CASE ACTION LOG

REVISED 9/28/05

(PREL & FINAL)

Completed
03-05-07
J

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.: 07DRB-00178 (P&F)
Project Name MARK 3S HOLLY DEVELOP.
Agent: Jeff Mortensen & Associates

Project # 1005237
Phone No.: 345-4250

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 2/21/07 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): AG BDLXF

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

Project Number

1005237

#17



Complete

3-2-07

DRB CASE ACTION LOG (SITE PLAN SUBD)

REVISED 9/28/05

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DRB Application No.: 07DRB-00176 (SPS)
Project Name: MARK 3S HOLLY DEVELOP.
Agent: Jeff Mortensen & Associates

Project # 1005237
Phone No.: 345-4250

Project Number

1005237

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 2/21/07 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): _____

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#7



COMPLETED 04/12/07 SH
DRB CASE ACTION LOG (SITE PLAN B.P.)

REVISED 9/28/05

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DRB Application No.: 07DRB-00177 (SBP)
Project Name: MARK 3S HOLLY DEVELOP.
Agent: Jeff Mortensen & Associates

Project # 1005237
Phone No.: 345-4250

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 2/21/07 by the DRB with delegation of signature(s) to the following departments.
OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

Handwritten initials

UTILITIES: recording of Sumbury Sewer Maintenance
Agree urgent.

CITY ENGINEER / AMAFCA: SIA BAB

PARKS / CIP: _____

PLANNING (Last to sign): _____

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- AGIS DXF File approval required.**
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Project Number 1005237



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OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): AG B L F

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Project Name: MARK 3S HOLLY DEVELOP.
Agent: Jeff Mortensen & Associates

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OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- TRANSPORTATION: _____
- _____
- _____
- _____
- _____
- UTILITIES: _____
- _____
- _____
- _____
- CITY ENGINEER / AMAFCA: _____
- _____
- _____
- _____
- PARKS / CIP: _____
- _____
- _____
- _____
- PLANNING (Last to sign): _____
- _____
- _____
- _____

Planning must record this plat. Please submit the following items:

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Project Number 1005237

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DRB CASE ACTION LOG (SITE PLAN B.P.)

REVISED 9/28/05

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

DRB Application No.: 07DRB-00177 (SBP)

Project #: 1005237

Project Name: MARK 3S HOLLY DEVELOP.

Agent: Jeff Mortensen & Associates

Phone No.: 345-4250

Your request for (SDP for SUB), (SDP for BP), (FINAL PLATS), (MASTER DEVELOP. PLAN), was approved on 2/21/07 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: recording of Sanitary Sewer Maintenance

Agree agent.

CITY ENGINEER / AMAFCA: SIA

PARKS / CIP: _____

PLANNING (Last to sign): _____

Planning must record this plat. Please submit the following items:

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-Tax certificate from the County Treasurer.

-Recording fee (checks payable to the County Clerk) RECORDED DATE: _____

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

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

AGIS DXF File approval required.

Copy of recorded plat for Planning.

Project Number 1005237



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36
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**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

February 21, 2007

9:00 a.m.

MEMBERS:

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

Wilfred Gallegos, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, Utility Development
Christina Sandoval, Parks & Recreation

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

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

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

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

Adjourned: 12:10 P.M.

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

- 1. **Project # 1005310**
07DRB-00083 Major-SiteDev Plan
BldPermit

GREGORY T HICKS & ASSOCIATES agent(s) for STEVE GRIEGO request(s) the above action(s) for all or a portion of Tract(s) 9-C, **RENAISSANCE CENTER**, zoned SU-1 FOR IP, located on CHAPPELL DR NE, between MISSION DR NE and RENAISSANCE BLVD NE containing approximately 1 acre(s). [REF: 06AA01769, DRB-96-495, V-96-110] (F-16) **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION DEVELOPMENT FOR PLAT SHOWING CROSS ACCESS EASEMENT LANGUAGE AND PLANNING FOR 15-DAY APPEAL PERIOD AND 3 COPIES.**

2. **Project # 1005346**
07DRB-00084 Major-Bulk Land Variance
07DRB-00085 Major-Vacation of Public
Easements
07DRB-00086 Minor-Prelim & Final Plat
Approval

CONSENSUS PLANNING INC agent(s) for ALBUQUERQUE 50 LLC request(s) the above action(s) for all or a portion of Tract(s) D-2, **AEROSPACE TECHNOLOGY PARK** and Tract(s) D & S, **DOUBLE EAGLE AIRPORT AND ADJACENT LANDS**, zoned SU-1 FOR AIRPORT & RELATED FACILITIES, located on PASEO DEL VOLCAN NW, between 1-40 and the CITY OF RIO RANCHO containing approximately 50 acre(s). [REF: 04DRB01505, 04DRB01506] [Deferred from 2/21/07] (F-6) **DEFERRED AT THE AGENT'S REQUEST TO 2/28/07.**

3. **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] [Deferred from 12/6/06,12/13/06 & 12/20/06] [Deferred from 1/3/07,1/10/07,1/17/07,1/24/07, 1/31/07 & 2/7/07 & 2/21/07] (P-8) **DEFERRED AT THE BOARD'S REQUEST TO 3/7/07.**

4. **Project # 1005273**
06DRB-01692 Major-Vacation of Pub
Right-of-Way

SURVEYS SOUTHWEST LTD agent(s) for MELLOY BROS ENTERPRISES INC request(s) the above action(s) for all or a portion of Block(s) 2, **PARIS ADDITION** & Block(s) 4, **ROMERO ADDITION**, zoned C-2, located on KINLEY AVE NW, between 5TH ST NW and 4TH ST NW containing approximately 1 acre(s). [Deferred from 1/3/07] (J-14) **WITHDRAWN AT THE AGENT'S REQUEST.**

5. **Project # 1000614**
06DRB-01670 Major-Vacation of Pub
Right-of-Way

TIERRA WEST LLC agent(s) for LA CUEVA OESTE HOMEOWNER'S ASSOCIATION request(s) the above action(s) for **LA CUEVA OESTE UNIT 4**, zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between SAN PEDRO DR NE and LOUISIANA BLVD NE containing approximately 1 acre(s). [REF: 05DRB-00982] [Deferred from 1/3/07 & 2/21/07] (C-18) **DEFERRED AT THE AGENT'S REQUEST TO 2/28/07.**

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

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

6. **Project # 1001278**
07DRB-00150 Minor-SiteDev Plan
Subd/EPC
07DRB-00151 Minor-Vacation of Private
Easements
07DRB-00152 Minor-Prelim&Final Plat
Approval

CONSENSUS PLANNING INC AND SURV-TEK INC., agent(s) for PAT AND LILLIE MILLIGAN request(s) the above action(s) for all or a portion OF Tract 94, Town of Atrisco Grant, Unit 6, Lots A, B and a portion of C & D, Gonzales Family Lands, Tract H, Coors Plaza (to be known as **COORS TOWN CENTER**) zoned SU-1 FOR C-2 PERMISSIVE USES, located on COORS BLVD SW, between CENTRAL AVE SW and BRIDGE BLVD SW containing approximately 18 acre(s). [REF: 01EPC00747, 00748, 00749, 00750] [Russell Brito, EPC Case Planner] (K-10) **APPLICATION #07DRB-00152 WAS WITHDRAWN AT THE AGENT'S REQUEST. THE SITE PLAN FOR SUBDIVISION AND THE VACATION OF PRIVATE EASEMENTS WAS INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

7. **Project # 1005237**
07DRB-00176 Minor-SiteDev Plan
Subd/EPC
07DRB-00177 Minor-SiteDev Plan Bldg
Permit/EPC
07DRB-00178 Minor-Prelim&Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES INC agent(s) for MARK 3S INC request(s) the above action(s) for all or a portion of east half of Lot(s) 9 and Lot(s) 10, Block(s) 20, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **TRACTS A & B, MARK 3S HOLLY DEVELOPMENT**) zoned SU-2 MIXED USE, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 2 acre(s).

#7

REF:06DRB01758, 01759, 01760] [Carmen Marrone/Petra Morris, EPC Case Planner] (C-20) THE SITE PLAN FOR SUDIVISION WAS APPROVED AND SIGNED OFF BY THE BOARD. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/21/07 THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR RECORDING OF SANITARY SEWER MAINTENANCE AGREEMENT AND CITY ENGINEER FOR THE SIA AND 3 COPIES. THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR THE AGIS DXF FILE.

8. **Project # 1003794**
07DRB-00181 Minor-SiteDev Plan
Subd/EPC
07DRB-00182 Minor-SiteDev Plan Bldg
Permit/EPC
07DRB-00183 Minor-Prelim&Final Plat
Approval

PETERSON - 98TH CENTRAL LLC request(s) the above action(s) for all or a portion of Tract(s) 1-A, ROW 1, UNIT A, WEST OF WESTLAND (to be known as **VOLCANO POINT SHOPPING CENTER**) zoned SU-2 PCA, located on 98th ST NW, between CENTRAL AVE NW and VOLCANO RD NW containing approximately 5 acre(s). [REF: 06EPC-01587] [Maggie Gould, EPC Case Planner] [Deferred from 2/21/07] (K-9) DEFERRED AT THE AGENT'S REQUEST TO 3/7/07.

9. **Project # 1005189**
07DRB-00089 Minor-SiteDev Plan
BldPermit/EPC

GARRETT SMITH LTD. agent(s) for LITTLE BROTHERS OF THE GOOD SHEPHERD request(s) the above action(s) for all or a portion of Lot(s) 1-A, Block(s) 45, **PEREA ADDITION**, zoned SU-2/SU-1 for found. house & rel. act., located on MOUNTAIN RD NW, between 14TH ST NW and BROTHER MATHIAS PLACE NW containing approximately 1 acre(s). [REF: Z-89-100] [Maggie Gould, EPC Case Planner] [Deferred from 2/7/07, 2/14/07 & Indef deferred on a no show 2/21/07] (J-13) INDEFINITELY DEFERRED ON A NO SHOW.

10. **Project # 1005126**
07DRB-00065 Minor-SiteDev Plan
BldPermit/EPC

PCM agent(s) for MR DON GIBSON, PASTOR request(s) the above action(s) for all or a portion of Lot(s) 313, TOWN OF ATRISCO GRANT, UNIT 8 (to be known as **CENTRAL SEVENTH DAY ADVENTIST CHURCH**) zoned SU-1 FOR CHURCH AND PRIVATE SCHOOL, located on ESTANCIA DR NW, between MIAMI NW and JUNIPER NW containing approximately 5 acre(s). [REF: 06EPC01299] [**Maggie Gould, EPC Case Planner**] [*Deferred from 1/31/07*] (H-11) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/21/07 THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND 3 COPIES AND TO UTILITIES DEVELOPMENT FOR SEWER TAPPING PERMIT AND OPENING OF NEW ACCOUNTS.**

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

11. **Project # 1002315**
07DRB-00168 Minor-Ext of SIA for Temp
Defer SDWK

BOHANNAN HOUSTON INC agent(s) for MESA VERDE DEVELOPMENT request(s) the above action(s) for all or a portion of Tract(s) 13B, **WILDERNESS VILLAGE AT HIGH DESERT**, zoned SU-2 HD/R-R, located on FOOTHILLS TRAIL NE, between WILDERNESS TRAIL NE and HIGH DESERT PLACE NE containing approximately 73 acre(s). [REF:03DRB01651] (F-23) **A TWO-YEAR EXTENSION TO THE FOUR-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEALKS WAS APPROVED.**

12. **Project # 1003762**
07DRB-00180 Minor-Subd Design (DPM)
Variance

ISAACSON & ARFMAN PA agent(s) for CHELWOOD HILLS LLC request(s) the above action(s) for all or a portion of Tract(s) PR, **CHELWOOD HILLS SUBDIVISION**, zoned R-LT residential zone, located on EASTDALE DR NE, between CHELWOOD PARK BLVD NE and INDIAN SCHOOL RD NE containing approximately 4 acre(s). (J-22) **A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

13. **Project # 1003684**
07DRB-00136 Minor-Final Plat Approval

MARK GOODWIN & ASSOCIATES agent(s) for CAPITAL ALLIANCE INVESTMENTS LLC request(s) the above action(s) for all or a portion of Lot 11, Block 9, Lots 10-17, Block 10, Lots 11-15, Block 11, Lots 17 & 18, Block 12, Lots 23-29, Block 13 and Lot 1, Block 14 and Tracts H, I, J and K, Paradise Heights, Unit 5 (to be known as **ANASAZI RIDGE, UNIT 2**) zoned R-1 and SU-1 / C-1, located on WESTSIDE BLVD NW, between UNIVERSE NW and KAYENTA NW containing approximately 11 acre(s). [REF: 06DBR00327, 06DRB00326] (A-10) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

14. **Project # 1005380**
07DRB-00174 Minor-Prelim&Final Plat Approval

MARK GOODWIN & ASSOCIATES, PA agent(s) for EAST ROAD CORPORATION request(s) the above action(s) for all or a portion of Lot(s) 1-A, **BROADWAY INDUSTRIAL CENTER**, zoned SU-2 HM, located on BROADWAY BLVD SE, between SAN JOSE SE and BETHEL SE containing approximately 2 acre(s). [REF: DRB-99-08, S-99-06, V-99-06, DRB-99-300, V-99-98, DRB-97-271, DRB-99-100] (M-14) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

15. **Project # 1002984**
07DRB-00161 Minor-Prelim&Final Plat Approval

ROBERT POWERS request(s) the above action(s) for all or a portion of Lot(s) 21, Block(s) 2, **VOLCANO CLIFFS, UNIT 2**, zoned R-1, located on KIMBERLITE DR NW, between CLIFF RD NW and POPO NW containing approximately 1 acre(s). [REF: 06DRB-01386] (E-10) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR REASSESSMENT OF SAD AND PLANNING FOR REAL PROPERTY SIGNATURE AND TO RECORD.**

16. **Project # 1005261**
07DRB-00175 Minor-Prelim&Final Plat
Approval

JEFF MORTENSEN & ASSOCIATES INC agent(s) for CITY OF ALBUQUERQUE C/O STUDIO SOUTHWEST request(s) the above action(s) for Lot(s) 1 & 2, Block(s) 2, Bratina Addition No. 2, Lot(s) 1-10, 19, 20 & 21 Franchini Addition and Lot(s) 1, Townes Addition (to be known as **TRACT 1, LANDS OF WESST CORPORATION**) zoned M-1 light manufacturing zone, located on BROADWAY BLVD and JOHN ST NE, between ROMA AVE NE and LOMAS BLVD NE containing approximately 2 acre(s). [REF: 06DRB01651, 06DRB01652] (J-14) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED AND SIGNED OFF BY THE BOARD.**

17. **Project # 1002372**
07DRB-00179 Major-Final Plat Approval

THOMPSON ENGINEERING agent(s) for DRAGONFLY DEVELOPMENT INC request(s) the above action(s) for all or a portion of Tract(s) 223 & 224, Airport Unit, Town of Atrisco Grant (to be known as **LAS PLAYAS SUBDIVISION**) zoned R-2, located on GLENRIO RD NW, between 68TH ST NW and 72ND ST NW containing approximately 9 acre(s). (J-10) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

18. **Project # 1000462**
07DRB-00167 Minor-Prelim&Final Plat
Approval

JACK'S HIGH COUNTRY agent(s) for ARTHUR MORALES request(s) the above action(s) for all or a portion of Tract(s) A, **SPIRITUAL RENEWAL CENTER**, zoned SU-1 special use zone, located on COORS BLVD NW, between LA ORILLA RD NW and EAGLE RANCH RD NW containing approximately 5 acre(s). [REF: 00DRB00585, 00DRB00523] (D-13) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE AND TO RECORD.**

19. **Project # 1004679**
07DRB-00071 Minor-Prelim&Final Plat
Approval

SHAKEEL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 15B, ALVARADO GARDENS UNIT 2 (to be known as **CAMPBELL ESTATES**) zoned RA-2, W7 residential and agricultural zone, located on CAMPBELL RD NW, between RIO GRANDE BLVD NW and the RIO GRANDE RIVER containing approximately 2 acre(s). [REF: 06DRB00149] [*Deferred from 1/31/07 & 2/7/07 & 2/14/07*] (G-12) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/21/07 AND APPROVAL OF THE GRADING PLAN ENGINEER STAMP DATED 2/19/07 THE PRELIMINARY PLAT WAS APPROVED WITH CONDITIONS: A SEPARATE PUE EASEMENT SHALL BE SHOWN ON THE FINAL PLAT. SHOW THE WATER METER EASEMENTS ON THE FINAL PLAT. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA.**

20. **Project # 1004254**
06DRB-01569 Minor-Prelim&Final Plat
Approval

WAYJOHN SURVEYING INC agent(s) for CHARLES JAEGER request(s) the above action(s) for all or a portion of Lot(s) A-1, **ALVARADO GARDENS, UNIT 3**, zoned R-2 residential zone, located on VERANDA RD NW, between RIO GRANDE BLVD NW and GLENWOOD DR NW containing approximately 1 acre(s). [REF: 05DRB-00964] [*Indef deferred 11/8/06*] [*Deferred from 2/21/07*] (G-12) **DEFERRED AT THE AGENT'S REQUEST TO 2/28/07.**

21. **Project # 1004901**
06DRB-00689 Minor- Final Plat Approval

WAYJOHN SURVEYING agent(s) for RIVERA INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) A-1, Block(s) 29, HUNING CASTLE ADDITION (to be known as **HUNING CASTLE TOWNHOMES**) zoned R-3, located on ALCALDE PLACE SW, between LEAD AVE SW and COAL AVE SW containing approximately 1 acre(s). [*Was Indefinitely deferred 5/24/06 for grading and drainage plan and infrastructure list*] [*Deferred from 9/20/06 & 9/27/06 Indef deferred for SIA on 10/4/06*] (K-13) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**

22. **Project # 1005254**
06DRB-01627 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for GILBERT SANCHEZ request(s) the above action(s) for all or a portion of Lot(s) 85, **LOS ALAMOS ADDITION**, zoned SU-1 FOR APT & OFFICE, located on 4TH ST NW, between PLACITAS RD NW and SANDIA RD NW containing approximately 1 acre(s). *[Indef deferred from 11/22/06]* (F-14) **THE PRELIMINARY AND FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO UTILITIES DEVELOPMENT FOR COMPLETION OF TAPPING PERMITS AND TRANSPORTATION DEVELOPMENT FOR PLACEMENT OF 4-FOOT SIDEWALKS ALONG PLACITAS.**

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

23. **Project # 1003857**
07DRB-00166 Minor-Sketch Plat or Plan

PRECISION SURVEYS INC agent(s) for MICHAEL A GONZALES request(s) the above action(s) for all or a portion of Block(s) E, Tract(s) A & B, **BARELAS COFFEE HOUSE**, zoned SU-2-NCR & SU-2/RT, located on SIMPIER LN SW, between 8TH ST SW and 4TH ST SW containing approximately 2 acre(s). (L-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

24. **Project # 1005389**
07DRB-00171 Minor-Sketch Plat or Plan

SCOTT SADLER request(s) the above action(s) for all or a portion of Tract(s) 7, Block(s) 0000, **LAS LOMITAS BUSINESS PARK**, zoned SU-1 for IP special use zone, located on CUESTA ABAJO CT NW, between EDITH BLVD NW and JEFFERSON BLVD NW containing approximately 2 acre(s). *[Was listed under Project #1002134 in error] [Indef deferred on a no show 2/21/07]* (D-16) **INDEFINITELY DEFERRED ON A NO SHOW.**

25. **Project # 1004617**
07DRB-00149 Minor-Sketch Plat or Plan

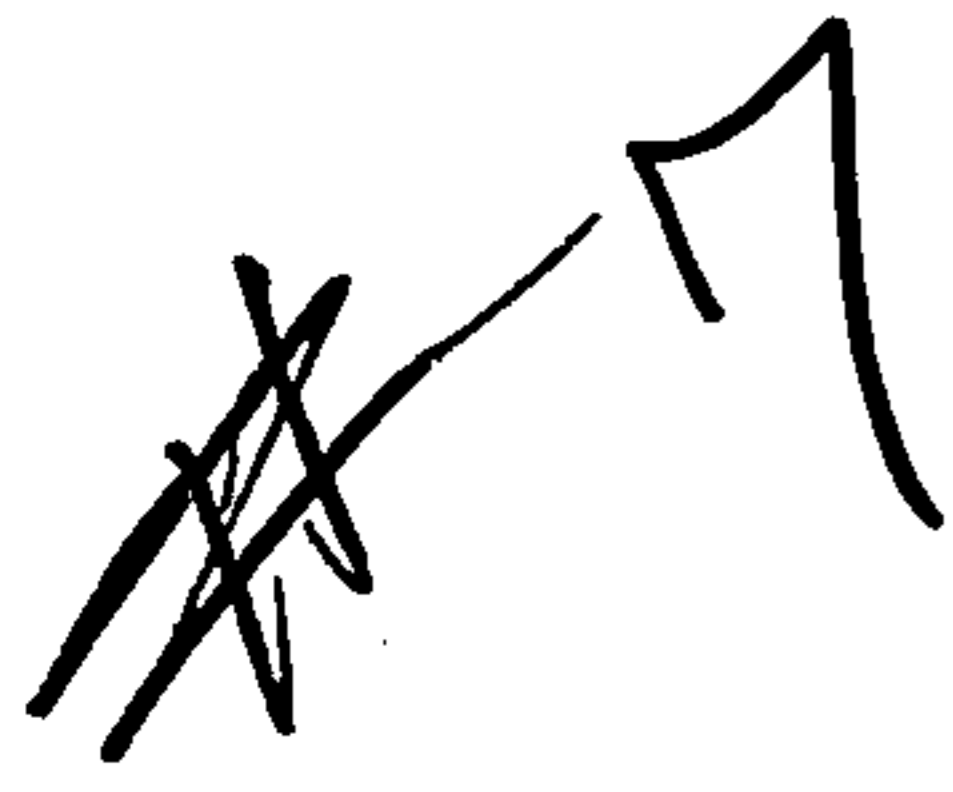
TONY GUTIERREZ request(s) the above action(s) for all or a portion of Lot(s) 100, Block(s) A, **LA VICTORIA**, zoned C-2, located on BLUEWATER NW, between YUCCA NW and 56TH ST NW containing approximately 2 acre(s). [REF: 06DRB-00721] (J-11) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

26. **Project # 1005349**
07DRB-00097 Minor-Sketch Plat or Plan

ROLANDO PEREZ request(s) the above action(s) for all or a portion of Lot(s) 9 & 10, Block(s) 8, **LOMA VERDE**, zoned R-2, located on SAN PABLO ST NE, between DOMINGO NE and CHICO NE containing approximately 1 acre(s). [Deferred from 2/14/07](K-19) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS WERE GIVEN.**

27. Approval of the Development Review Board Minutes for February 14, 2007. **THE DRB MINUTES FOR FEBRUARY 14, 2007 WERE APPROVED BY THE BOARD.**

ADJOURNED: 12:10 P.M.



5237

44
44
44

DXF Electronic Approval Form

DRB Project Case #: 1005237

Subdivision Name: MARKS3 HOLLY DEVELOPMENT TRACTS A & B

Surveyor: CHARLES G CALA JR

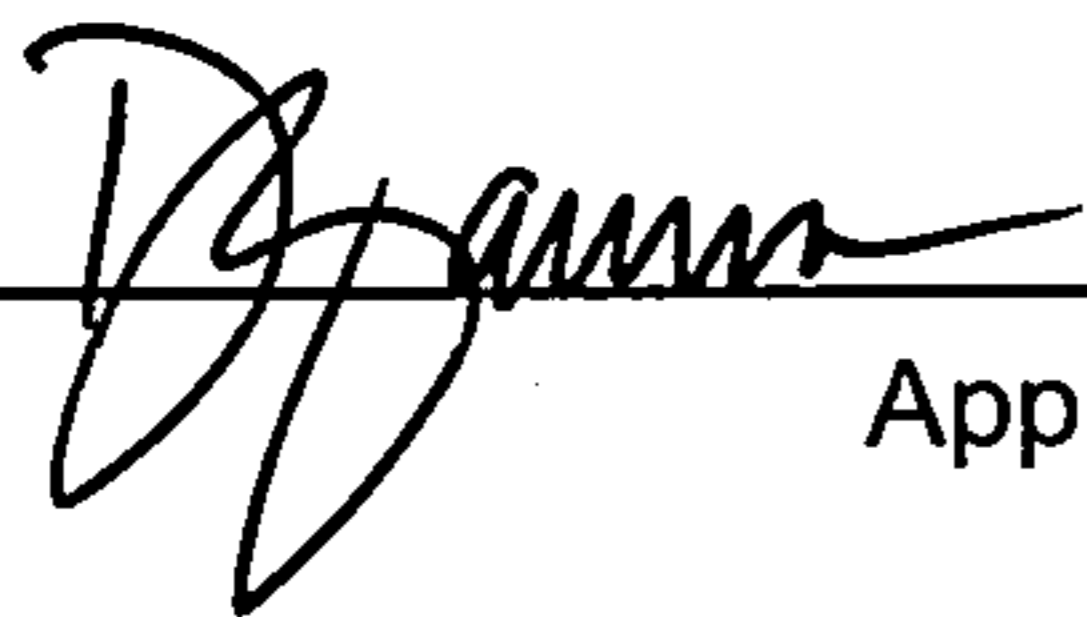
Contact Person: TIMOTHY TESSENDORF

Contact Information: 345-4250

DXF Received: 2/22/2007

Hard Copy Received: 2/22/2007

Coordinate System: NMSP Grid (NAD 27)


Approved

02-22-2007
Date

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

AGIS Use Only

Copied fc **5237** to agiscov on **2/22/2007** Contact person notified on **2/22/2007**

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

**February 21, 2007
DRB Comments**

ITEM # 7

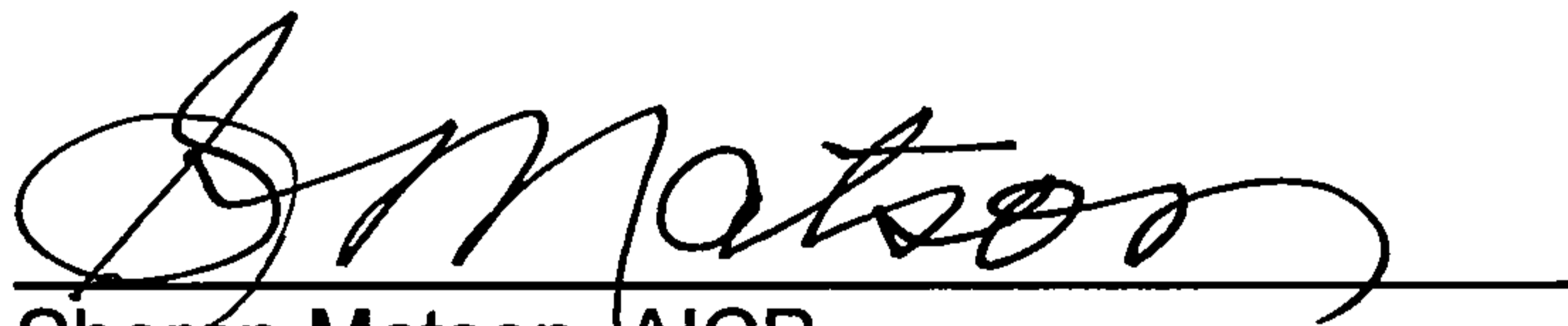
PROJECT # 1005237

**APPLICATION # 07DRB-00176,00177,
00178**

**RE: Tracts A & B, Mark 3S Holly Development/sps/spbp/minor
plat**

Planning has no objection to the requested platting action. The plat matches the site plan for subdivision.

Planning will take delegation for 3 copies of the site plans. If Carmen Marrone has comments on the site plans, we will also take delegation for her initials on the original site plans.



Sheran Matson, AICP

DRB Chair

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

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1005237

AGENDA ITEM NO: 7

SUBJECT:

Final Plat
Preliminary Plat
Site Plan for Building Permit
Site Plan for Subdivision

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

An approved SIA with Financial Guarantee(s) is required prior to Site Plan / ~~Final Plat~~ approval.

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: FEBRUARY 21, 2007



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, January 3, 2007**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1000572

06DRB-01714 Major – Bulk Land Variance Approval
06DRB-01715 Minor-Prelim&Final Plat Approval

ISAACSON & ARFMAN PA agent(s) for CENTEX HOMES request(s) the above action(s) for Lot(s) 1B, 2, 3, 5A, 6, 7 & 8, **THE LENKURT PROPERTIES** (to be known as **TRACTS A & B, THE PRESIDIO**), zoned SU-1 FOR PRD, located on CHICO RD NE, between EUBANK BLVD NE and MORRIS ST NE containing approximately 43 acre(s). [REF: 06DRB-01193, 06DRB-01038, 06DRB-01040, 06DRB-01041, 06DRB-01535, 06DRB-01538] (K-21)

Project # 1000614

06DRB-01670 Major-Vacation of Pub Right-of-Way

TIERRA WEST LLC agent(s) for LA CUEVA OESTE HOMEOWNER'S ASSOCIATION request(s) the above action(s) for **LA CUEVA OESTE UNIT 4**, zoned R-D residential and related uses zone, developing area, located on HOLLY AVE NE, between SAN PEDRO DR NE and LOUISIANA BLVD NE containing approximately 1 acre(s). [REF: 05DRB-00982] (C-18)

Project # 1003469

06DRB-01668 Major-Vacation of Public Easements

TERRAMETRICS OF NEW MEXICO agent(s) for JEFFREY A. & LORRI M. ZUMWALT request(s) the above action(s) for all or a portion of Lot(s) 7-A1 P1, **OAKLAND HEIGHTS**, zoned RD (3DU/AC) located on OAK RIDGE COURT NE, between BARSTOW ST NE and VENTURA ST NE containing approximately 1 acre(s). [REF: 04DRB-00891, 06DRB-00882] (C-20)

Project # 1005271

06DRB-01683 Major-Vacation of Public Easements

WALDO GRIEGO request(s) the above action(s) for all or a portion of Lot(s) 31, **WEAKS ADDITION**, zoned R-1, located on 47TH ST NW, between CENTRAL AVE NW and GLENDALE AVE NW. (K-12)

Project # 1005273

06DRB-01692 Major-Vacation of Pub Right-of-Way

SURVEYS SOUTHWEST LTD agent(s) for MELLOY BROS ENTERPRISES INC request(s) the above action(s) for all or a portion of Block(s) 2, **PARIS ADDITION** & Block(s) 4, **ROMERO ADDITION**, zoned C-2, located on KINLEY AVE NW, between 5TH ST NW and 4TH ST NW containing approximately 1 acre(s). (J-14)

SEE PAGE 2 . . .



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

PAGE 2

Project # 1005283
06DRB-01716 Major-Vacation of Public
Easements

PRECISION SURVEYS INC agent(s) for JOURNAL CENTER CORPORATION request(s) the above action(s) for all or a portion of Tract(s) 2A-2A-2B-1, **JOURNAL CENTER**, zoned IP industrial park zone, located on JEFFERSON ST NE, between HEADLINE BLVD NE and JOURNAL CENTER BLVD NE containing approximately 7 acre(s). (D-17)

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, DECEMBER 18, 2006.



Planning Department

CITY OF ALBUQUERQUE



UNITED STATES POSTAGE

 PITNEY BOWES
 02 1M \$ 00.39⁰
 0004219022 DEC 15 2006
 MAILED FROM ZIP CODE 87102

Or Current Resident
 MORAGA EUGENE & AGNES
 2209 MILTON CT NW
 ALBUQUERQUE, NM 87102

DRB

871 1 N C 10 12/21/06
 EXCEPTIONAL ADDRESS FORMAT:
 MAIL PIECE TO BE DELIVERED
 AS ADDRESSED UNLESS SPECIFIC
 REASON FOR NON-DELIVERY EXISTS.

CARRIER: REMOVE LABEL BEFORE DELIVERY

87104+2518-03 CD1A
 87104%9998





ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.2
April 12, 2007

Sheran Matson, AICP
Planning Manager DRB Chair
Planning Department
Development & Building Services Division
City of Albuquerque
600 2nd Street, NW
Albuquerque, NM 87103

Hand Delivery

Re: DRB Project # 1005237
Site Development Plan for Building Permit
Mark 3S Holly Development

Dear Sheran:

Transmitted herewith are the following items relating to the subject platting action:

- Three (3) copies of the approved Site Development Plan for Building Permit
- The "Blue Sheet"

This concludes our engineering efforts for this aspect of the project. If you have questions regarding this information, or if we can be of further assistance on this project, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

xc: Benjamin Gardner
Amit Patel

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.2
March 2, 2007

Sheran Matson, AICP
Planning Manager DRB Chair
Planning Department
Development & Building Services Division
City of Albuquerque
600 2nd Street, NW
Albuquerque, NM 87103

Hand Delivery

Re: DRB Project # 1005237
Site Development Plan for Building Subdivision
Mark 3S Holly Development

Dear Sheran:

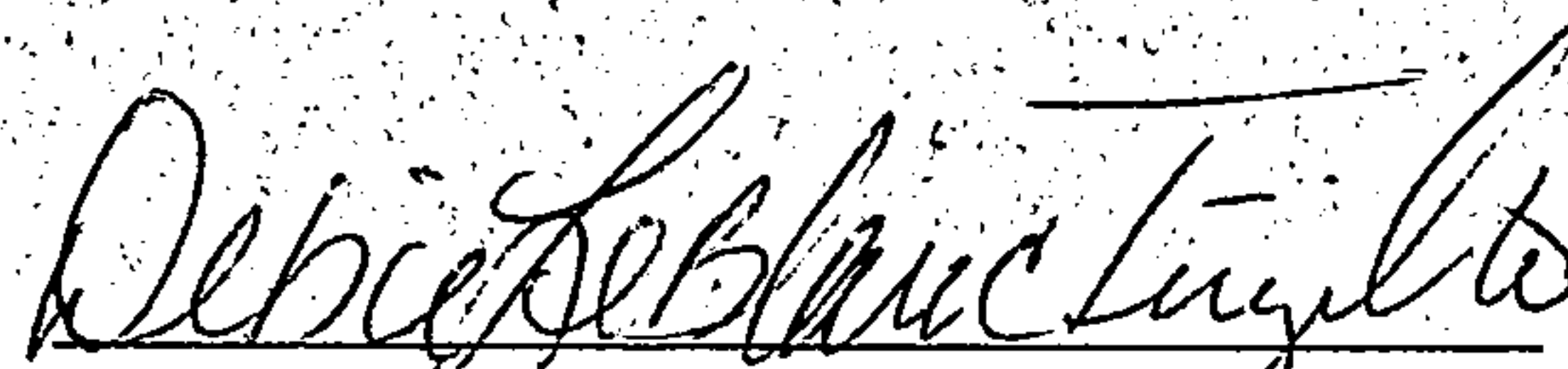
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Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

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GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

Current DRC
Project Number: _____
2006.070.5

FIGURE 12

Date Submitted: 2/21/07
Date Site Plan Approved: 2/21/07
Date Preliminary Plat Approved: -
Date Preliminary Plat Expires: -
DRB Project No.: 1005237
DRB Application No.: 97DRB-000178

ORIGINAL

INFRASTRUCTURE LIST
(Rev. 9-20-05)
EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

MARK 3S HOLLY DEVELOPMENT

PROPOSED NAME OF ~~THE~~ **SITE PLAN FOR B.P.**

Lot 10 and the East Half of Lot 9, Block 20, North Albuquerque Acres, Tract 3, Unit 3
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		18'	Arterial Commercial Pavement w/ STD C&G (South Half)	Holly Avenue NE	NW Corner	NE Corner	/	/	/
		6'	Sidewalk (Southside)	Holly Avenue NE	NW Corner	NE Corner	/	/	/
		Varies	Temp Pavement Taper w/curb	Holly Avenue NE	NW Corner	TBD at DRC	/	/	/
		18"	RCP Storm Drain and 2 inlets	Holly Avenue NE	Existing Manhole	As shown on G & D	/	/	/
		8"	Public Water Line w/hydrant	Holly Avenue NE	Grape View	Site	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>						/	/	/
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

NOTES

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

Street lights per City requirements.

- 1 Street Lights per DPM Standards
- 2 Engineers Certification of Grading and Drainage is Required for F.G. Release
- 3 _____

AGENT / OWNER

J. Graeme Means
NAME (print)

Jeff Mortensen & Assoc., Inc.
FIRM

J. Graeme Means 02/02/07
SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 2/21/07 DRB CHAIR - date
Christina Sandoval 2/21/07 PARKS & RECREATION - date

[Signature] 2-21-07
TRANSPORTATION DEVELOPMENT - date

[Signature] 2/21/07
UTILITY DEVELOPMENT - date

Bradley L. Bihm 2/21/07
CITY ENGINEER - date

AMAFCA - date
 _____ - date
 _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

2006.070.4
2006.070.2

A City of Albuquerque



DEVELOPMENT PLAN REVIEW APPLICATION

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

Supplemental form

S

V

P

L

Supplemental form

ZONING

- Annexation & Zone Establishment
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Zone Change
- Text Amendment

APPEAL / PROTEST of...

- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeal

Z

A

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: Mark 3S Inc. c/o Mr. Amit Patel
 ADDRESS: 1720 Louisiana Boulevard NE, Suite 212
 CITY: Albuquerque
 Proprietary interest in site: Owner
 AGENT (if any): Jeff Mortensen & Associates, Inc.
 ADDRESS: 6010-B Midway Park Blvd. NE
 CITY: Albuquerque

STATE NM ZIP 87110

STATE NM ZIP 87109

PHONE: 505-271-1288

FAX: _____

E-MAIL: _____

PHONE: 505-345-4250

FAX: 505-345-4254

E-MAIL: dtrujillo@imainc.org

DESCRIPTION OF REQUEST: Preliminary/Final Plat Approval along with Site Development Plan for Building Permit and Site Development Plan for Subdivision approvals **** TO BE KNOWN AS TRACTS A AND B, MARK 3S HOLLY DEVELOPMENT ****

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

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

Lot or Tract No. East Half of Lot 9 and all of Lot 10

Block: 20

Unit: 3

Subdiv. / Addn. North Albuquerque Acres, Tract 3, Unit 3

Current Zoning: SU-2 Mixed Use

Proposed zoning: n/a

Zone Atlas page(s): C-20

No. of existing lots: 2

No. of proposed lots: 2

Total area of site (acres): +/- 1.3304

Density if applicable: dwellings per gross acre: n/a

dwellings per net acre: n/a

Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.)

Within 1000FT of a landfill? No

UPC No. 102006441403740123

MRGCD Map No. n/a

LOCATION OF PROPERTY BY STREETS: On or Near: Holly Avenue NE

Between: Ventura Street NE

and Holbrook Street, 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.): Project No. 1005237, 06EPC-01580 and 06EPC-01581 -- 06DRB - 01758, 01759 and 01760

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 01-11-2007

SIGNATURE

Debie LeBlanc Trujillo

DATE February 9, 2007

(Print) Debie LeBlanc Trujillo fo Jeff Mortensen & Associates, Inc.

Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

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

07DRB - -00176
07DRB - -00177
07DRB - -00178

Action

SPS P(3)
CBP P(3)
P&F S(3)
CMF

S.F.

Fees

\$ 0.00
\$ 0.00
\$ 285.00
\$ 20.00

Total

\$ 305.00

Hearing date 02/21/07

Sandy Handley 02/13/07
Planner signature / date

Project # 1005237

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

SKETCH PLAN REVIEW AND COMMENT

- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR SUBDIVISION

- Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. 6 copies.
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) Copies as needed above
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for SUBDIVISION

D.R.B. FINAL SIGN-OFF FOR E.P.C. APPROVED S.D.P. for BUILDING PERMIT

- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Solid Waste Management Department signature on Site Plan (not required for SDP for Subdivision)
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - Any original and/or related file numbers are listed on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original Mylar to the meeting for sign-off. Your attendance is required.**

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

JEFF MORTENSEN & ASSOC., INC.
 DEBIE LEBLANC TRUJILLO
 Debie LeBlanc Trujillo 02-09-07
 Applicant name (print)
 Applicant signature / date



Form revised JUNE 2005

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 01DRB- -00176

Sandy Handley 02/13/07
 Planner signature / date
 Project # 1005237

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
 - ___ 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) precisely and clearly outlined and crosshatched (to be photocopied)
 - ___ Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
 - ___ Property owner's and City Surveyor's signatures on the Mylar drawing
 - ___ Copy of recorded SIA
 - ___ Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
 - ___ Any original and/or related file numbers are listed on the cover application

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

- MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL** **Your attendance is required.**
 - ___ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
 - ___ *N/A* Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Vacant* ___ 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
 - ___ *N/A* 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.

JEFF MORTENSEN ASSOC, INC
DEBIE LEBLANC TRUSTEE
 Applicant name (print)
Debie LeBlanc Trustee 02-09-07
 Applicant signature / date



Form revised 8/04, 1/05, 10/05 & NOV 06

<input checked="" type="checkbox"/> Checklists complete	Application case numbers	
<input checked="" type="checkbox"/> Fees collected	07DRB - - 00178	<u>Sandy Handberg 02/13/07</u> Planner signature / date
<input type="checkbox"/> Case #s assigned	_____	
<input checked="" type="checkbox"/> Related #s listed	_____	Project # 1005237



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE, NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.4
2006.070.2
December 15, 2006

Sheran Matson, AICP
Planning Manager, DRB Chair
Planning Department
Development & Building Services Division
City of Albuquerque
600 2nd Street, NW
Albuquerque, NM 87103

RE: Request for Preliminary / Final Plat Approval, Site Development Plan for Building Permit Approval and Site Development Plan for Subdivision Approval To Be Known as Tracts A and B, Mark 3S Holly Development DRB Project No. 1005237

Dear Ms. Matson,

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms S(3) and P(3), along with related fees
- Six (6) Copies of the Preliminary / Final Plat
- Six (6) Copies of the Site Development Plan for Building Permit
- Six (6) Copies of the Site Development Plan for Subdivision
- City of Albuquerque Zone Atlas C-20 (with site highlighted)
- Infrastructure List
- Letter explaining how EPC Conditions were met
- Copy of EPC Notice of Decision
- Copy of Warranty Deed executed on January 27, 1965 and recorded on September 11, 1978 for the East Half of Lot 9 (demonstrating compliance with 1973 Subdivision Ordinance)

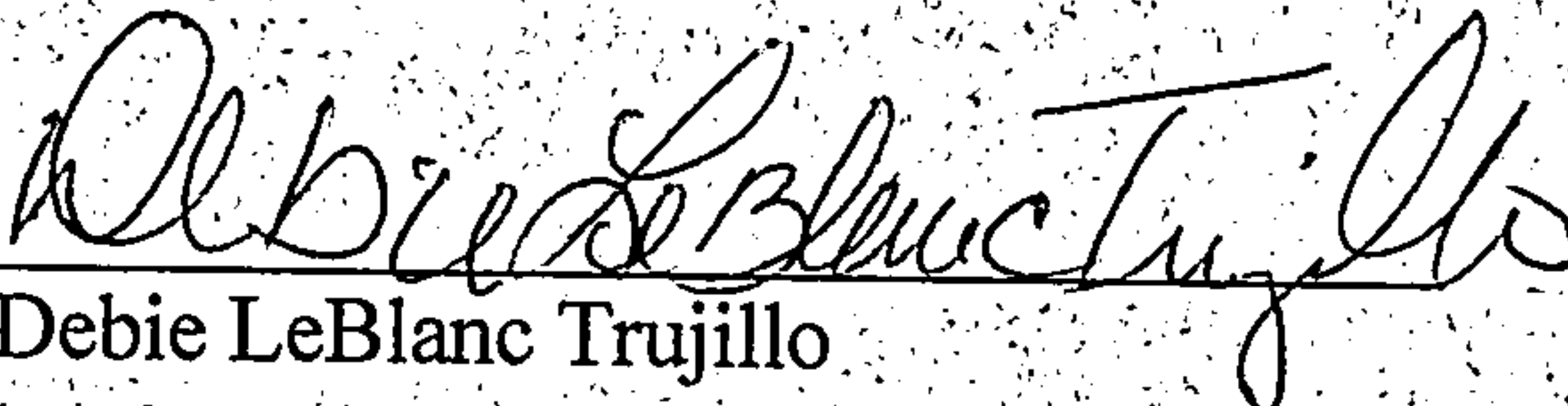
On behalf of our clients, Mark 3S, Inc., the owners of the East Half of Lot 9 and all of Lot 10, Block 20, North Albuquerque Acres, Tract 3, Unit 3, we are requesting Preliminary / Final Plat Approval for Tracts A and B, Mark 3S Holly Development. Tract A will be an Office building and Tract B, will be a Montessori School. Solid Waste has signed the Site Development Plan for Building Permit and the Site Development Plan for Subdivision. The Fire Marshall has approved the Site Development Plan for Building Permit.

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

2006.070.4
2006.070.2
Ms. Matson
Page 2

Please schedule this matter for the next appropriate DRB Hearing. If I can be of further assistance to you, please do not hesitate to call.

Sincerely,
JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

xc: Benjamin Gardner, w/enc.
Amit Patel, w/enc.



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.2
February 2, 2007

Sheran Matson, Chair
Design Review Board
City of Albuquerque Planning Department
600 Second Street N.W.
Albuquerque, NM 87102

Re: Mark 3S Holly Development, Project # 1005237, 06EPC-01580 & 06EPC-01581

Dear Ms. Matson,

The EPC voted on December 21st, 2006 to approve the above listed Site Plans for Subdivision and Building Permit subject to several Conditions. Transmitted herewith is a copy of the Official Notice of Decision along with our submittal of revised Plans that addresses Conditions 1-3 (Subdivision) and 1-13 (Building Permit) as follows:

A. Site Plan for Subdivision - 06EPC-01580

1. This is the required letter describing the modifications.
2. We met with Carmen Marrone on January 26th, 2007 to review the revised plans. Carmen agreed that we had satisfactorily addressed the Conditions gave us verbal approval to proceed with the DRB submittal.
3. The City Engineer requirements have been addressed and will be verified through DRB review.

B. Site Plan for Building Permit - 06EPC-01581

1. This is the required letter describing the modifications.
2. We met with Carmen Marrone on January 26th, 2007 to review the revised plans. Carmen agreed that we had satisfactorily addressed the Conditions gave us verbal approval to proceed with the DRB submittal.
3. The City Engineer requirements have been addressed and will be verified through DRB review.
4. The landscaping plan has been revised to show native seed in the excess right-of-way.
5. The shade trees and a note referencing irrigation for perennials has been added.
6. The calculations have been corrected.
7. The common color names have been added.
8. A colored concrete pedestrian connection has been added.
9. This note has been added.
10. The benches have been noted on all site plans.
11. This note has been added.
12. The wall elevation has been modified and also the maximum heights have been noted on the site plan.
13. A note has been added to reinforce the zoning code requirement.

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

2006.070.2

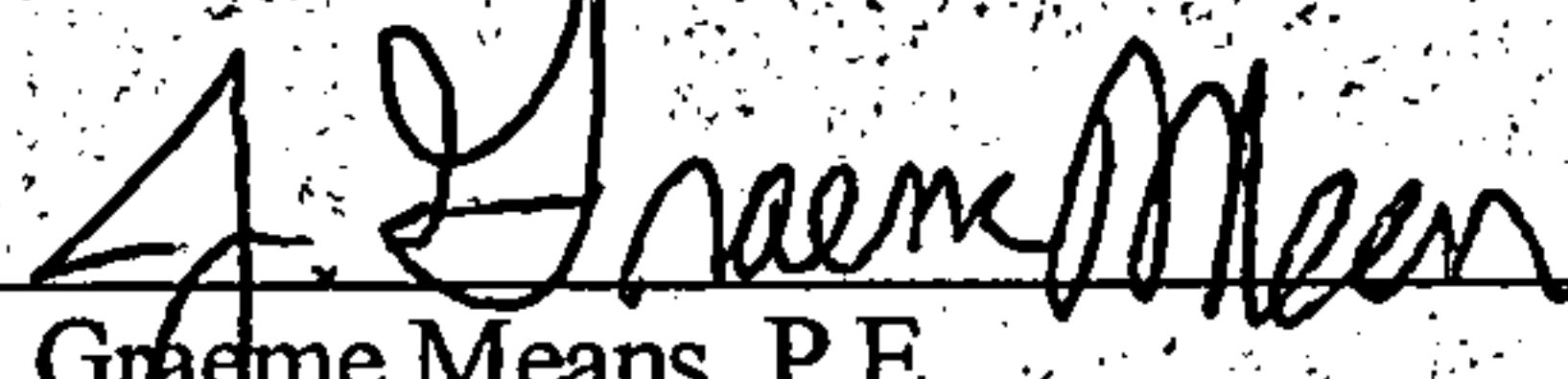
Friday, February 02, 2007

Page 2

Please evaluate this information at your earliest convenience. If you have any questions or comments concerning this information or any other aspect of the project, please do not hesitate to contact me.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

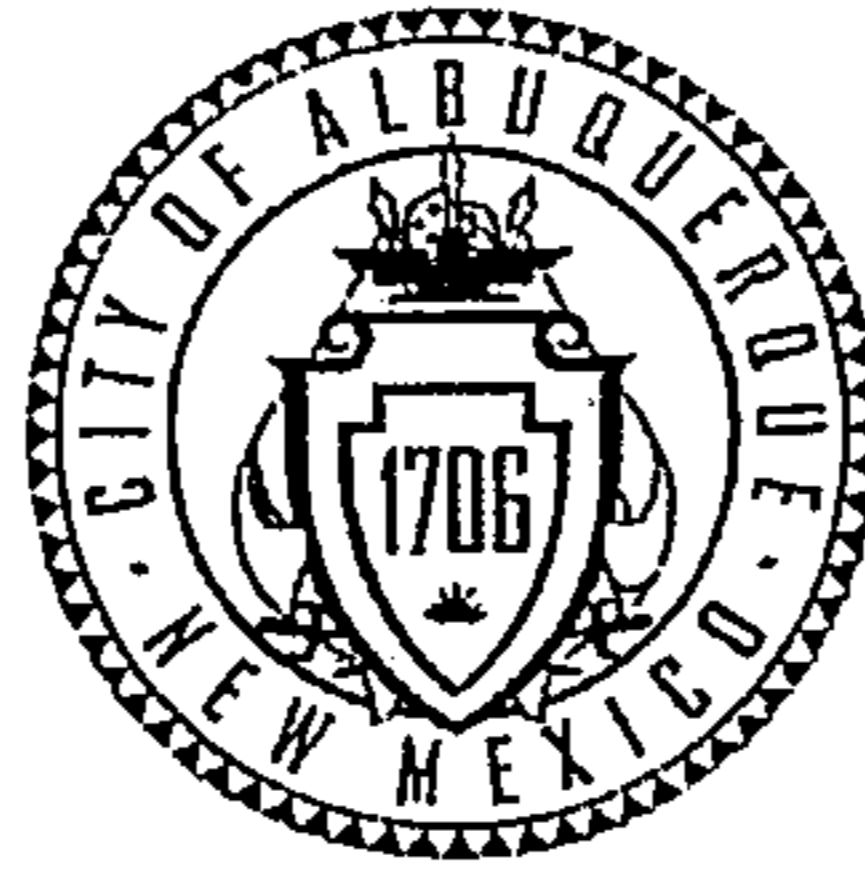


J. Graeme Means, P.E.,
Principal

GM:*
Enclosure

xc: Benjamin Gardner
Carmen Marrone

2006.010.2
JMA Copy



City of Albuquerque
Planning Department
Development Review Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: December 22, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1005237***
06EPC-01580 EPC Site Development Plan-
Subdivision
06EPC-01581 EPC Site Development Plan-
Building Permit

Mark 3S inc., c/o Amit Patel
1720 Louisiana Blvd. NE, Suite 212
Albuq. NM 87110

LEGAL DESCRIPTION: for all or a portion of eastern half of Lots 9 & 10, Block 20, Unit 3, Tract 3, **North Albuquerque Acres**, zoned SU-2 Mixed Use, located on HOLLY AVE. NE, between VENTURA ST. NE and HOLBROOK ST. NE, containing approximately 2 acres. (C-20)
Petra Morris, Staff Planner

On December 21, 2006 the Environmental Planning Commission voted to approve Project#1005237/ 06EPC 01580, a Site Development Plan for Subdivision, for the Eastern Half of Lot 9 and Lot 10, Block 20, Unit 3, Tract 3, North Albuquerque Acres, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision for the eastern half of Lot 9 and all of Lot 10, Block 20, Unit 3, Tract 3, North Albuquerque Acres, containing 1.3 acres.
2. The subject site is located on the south side of Holly Avenue NE, between Ventura Street and Holbrook Street. The subject site is currently undeveloped.
3. The subject site is zoned SU2 Mixed Use. The zoning was established under the La Cueva Sector Development Plan, when the subject site was annexed into the City in 2003 (O-02-73). The proposed uses are permissive under the current zoning.
4. The purpose of the Site Development Plan for Subdivision is to remove the lot line between the eastern half of Lot 9 and Lot 10 and to create two new tracts, A and B.

5. The subject site is located within the Developing Urban and Rural Areas of the Comprehensive Plan. The request is located within the La Cueva Sector Development Plan.
6. The request does not conflict with any goals or policies in the Comprehensive Plan. The request supports Policies II.B3a, II.B.5d, 5e, 5i and 5k because the request is in keeping with other development in the area, respects neighborhood values, provides a buffer between the residential development to the north and traffic on Paseo del Norte, would not be an intense use and would provide services that complement the residences, is an infill opportunity and will encourage pedestrian activity.
7. The request does not conflict with any policies or regulations in the La Cueva Sector Development Plan. The request supports La Cueva Sector Development Plan Design Guidelines 1R1, 3R3, 4R1, 5R1, 5R2, 5R3, 5R7, 5R8 and 8R2 because of the architectural elements, the provision of outdoor seating and the connection to the trail.
8. The applicant met with the Vineyard Estates Neighborhood Association in a facilitated meeting. There is general neighborhood support for the request. Staff has received no adverse comments from the neighborhood association and adjacent property owners.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Cross access to all tracts will be provided by note on Site Plan for Subdivision and Building Permit. ✓

- d. Site plan shall comply and be designed per DPM Standards.
- e. Platting must be a concurrent DRB action. ✓

On December 21, 2006 the Environmental Planning Commission voted to approve Project#1005237/06EPC 01580, a Site Development Plan for Building Permit, for the Eastern Half of Lot 9 and Lot 10, Block 20, Unit 3, Tract 3, North Albuquerque Acres, based on the preceding Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for building permit for the eastern half of Lot 9 and all of Lot 10, Block 20, Unit 3, Tract 3, North Albuquerque Acres, containing 1.3 acres.
2. The subject site is located on the south side of Holly Avenue NE, between Ventura Street and Holbrook Street. The subject site is currently undeveloped.
3. The subject site is zoned SU2 Mixed Use. The zoning was established under the La Cueva Sector Development Plan, when the subject site was annexed into the City in 2003 (O-02-73). The proposed uses are permissive under the current zoning.
4. The request is for approval of a single story office building (A) and a single story office building and daycare (B). There are no phases of development proposed.
5. The subject site is located within the Developing Urban and Rural Areas of the Comprehensive Plan. The request is located within the La Cueva Sector Development Plan.
6. The request does not conflict with any goals or policies in the Comprehensive Plan. The request supports Policies II.B3a, II.B.5d, 5e, 5i and 5k because the request is in keeping with other development in the area, respects neighborhood values, provides a buffer between the residential development to the north and traffic on Paseo del Norte, would not be an intense use and would provide services that complement the residences, is an infill opportunity and will encourage pedestrian activity.
7. The request does not conflict with any policies or regulations in the La Cueva Sector Development Plan. The request supports La Cueva Sector Development Plan Design Guidelines 1R1, 3R3, 4R1, 5R1, 5R2, 5R3, 5R7, 5R8 and 8R2 because of the architectural elements, the provision of outdoor seating and the connection to the trail.

8. The applicant met with the Vineyard Estates Neighborhood Association in a facilitated meeting. There is general neighborhood support for the request. Staff has received no adverse comments from the neighborhood association and adjacent property owners.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Cross access to all tracts will be provided by note on Site Plan for Subdivision and Building Permit.
 - d. Site plan shall comply and be designed per DPM Standards.
 - e. Platting must be a concurrent DRB action.
4. The applicant shall seed the excess right-of-way adjacent to their property with native seeds. ✓
- ✓ 5. The applicant shall provide 2 additional shade trees along the southern property line in front of the six parking spaces and 4 shade trees in the playground area. The landscaping plan shall show irrigation for perennials.
6. The applicant shall show accurate landscaping plan calculations that comply with Zone Code Section 14-16-3-10. The square footage of the landscaped areas shall be correctly added up and all landscaped areas shall have a minimum of 75% live ground cover, not including any tree canopies.

7. The applicant shall add common color names to the site plan elevations.
8. A pedestrian connection shall be provided between the parking along the western edge and the buildings. This connection and drive aisle crossing shall be textured, tinted or colored in a contrasting manner. This shall be shown on the site development plan for building permit.
see landscape plan.
9. A note shall be added to the site development plan elevations and site development plan for building permit that reads: Any roof equipment shall be shielded from view and shall comply with La Cueva Sector Development Plan Design Guideline 11R-3. *see general note on Elevation*
10. The outdoor seating provided in the landscaping plan shall also be shown on the site development plan for building permit. *see landscape plan.*
11. The applicant shall add a note to the site development plan for building permit stating that any sign lighting shall comply with the New Mexico Night Sky Protection Act.
- X 12. The wall that runs parallel to Paseo del Norte shall be no taller than 3 feet between the southeastern corner of the dumpster and the southwestern corner of the playground area.
see detail sheet and note on site plan for permit.
13. Any lighting that is within 100' of a residentially zoned property shall be a maximum of 16 feet in height, per the Zoning Code Section 14-16-3-9(F). *Note on site plan.*

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JANUARY 5, 2007 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

OFFICIAL NOTICE OF DECISION
DECEMBER 21, 2006
PROJECT #1005237
PAGE 6 OF 6

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

CMarone

for

Richard Dineen
Planning Director

RD/MG /ac

cc: Jeff Mortensen & Assoc., 6010 B Midway Park Blvd. NE, Albuquerque, NM 87109
Rebecca Thuma, Heritage East Assoc., 7815 Quintana Dr. NE, Albuquerque, NM 87109
Nancy Kettenaker, Heritage East Assoc., 7416 Don Diego St. NE, Albuquerque, NM 87109
Cynthia Reinhart, North Albuquerque Acres Comm. Assoc., 11300 Oakland Ne, Albuquerque, NM 87122
Jackie McDowell, North Albuquerque Acres Comm. Assoc., 7820 Beverly Hills Ave. NE, Albuquerque, NM 87122
Pat Verrelle, Vineyard Estates NA, 8415 Vintage Dr. NE, Albuquerque, NM 87122
Tony Huffman, Vineyard Estates NA, 8912 Corona Ave. NE, Albuquerque, NM 87122

2006.090.4

78 66893

WARRANTY DEED

ALBUQUERQUE RANCH ESTATES, INC., N. S. L.-----

732

to WALTER J. GARCIA, a single man, for consideration paid, grant.

the following described real estate in Bernalillo County, New Mexico:

All of Lot Numbered Ten (10) and the East-Half (E 1/2) of Lot Numbered Nine (9) of Block Numbered Twenty (20) of Tract Numbered Three (3), Unit Numbered Three (3) of NORTH ALBUQUERQUE ACRES, a Subdivision of a tract of land in School Districts Three (3) and Four (4), Bernalillo County, New Mexico, as the same are shown and designated on the Map of said Subdivision filed in the office of the County Clerk, Bernalillo County, New Mexico, on September 10th, 1931, subject to all reservations, restrictions, easements and conditions of record.

with warranty covenants.

WITNESS OUR hands and seal S this 27th day of January 1965.
ATTEST: Sue B. Alaly (Seal) Asst. Secretary
Albuquerque Ranch Estates, Inc. NSL (Seal) President

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this day of 19 by (Name or Names of Person or Persons Acknowledging)

My commission expires: (Seal)

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 27th day of January 1965 by John J. Craig (Name of Officer)

President of Albuquerque Ranch Estates, (Title of Officer) (Name of Corporation Albuquerque Ranch Estates, Inc.) NSL New Mexico corporation, on behalf of said corporation. (State of Incorporation)

My commission expires: 10/10/68 (Seal)

FOR RECORDER'S USE ONLY
STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SEP 11 10 09 AM 1978
D-11-A 732
DEPUTY

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

PAID RECEIPT

APPLICANT NAME MARK 35 INC c/o MR. AMIT PATEL
 AGENT JEFF MORTENSEN & ASSOC INC
 ADDRESS 0010-B MIDWAY PARK BLVD NE
 PROJECT & APP # 1005237/07DRB 00176-00178
 PROJECT NAME MARK 35 HOLLY DEVELOPMENT

\$ 70.00 441032/3424000 Conflict Management Fee
 \$ 285.00 441006/4983000 DRB Actions
 \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
 \$ _____ 441018/4971000 Public Notification
 \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 () Major/Minor Subdivision () Site Development Plan () Bldg Permit
 () Letter of Map Revision () Conditional Letter of Map Revision
 () Traffic Impact Study
 \$ 305.00 TOTAL AMOUNT DUE

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

2/13/2007
 RECEIPT# 0
 Account 441006
 Activity 4983000
 Trans Amt 305.00
 J24 Misc

MARK 35 INC
 1720 LOUISIANA BLVD NE
 SUITE # 212
 ALBUQUERQUE, N.M. 87102

DATE: 2/13/2007 11:41AM
 City of Albuquerque
 Treasury Division

PAY TO THE ORDER OF City of Albuquerque

Jeff Mortensen 2/13/2007 11:41AM 305.00

RECEIPT# 00076033 USA 007 TRANS# 0027
 Account 441006 Fund 0110
 Activity 4983000 TRSMSP
 Trans Amt \$305.00
 J24 Misc \$285.00 MF
 CHARGE \$305.00
 CHANGE \$0.00

FOR MARK 35 Holly Development

Western Commerce Bank
 ALBUQUERQUE, NEW MEXICO 87112

01122010851 410023

FIGURE 12

SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
(Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 9th day of April, 2007, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and Mark3S, Inc. ("Subdivider"), a New Mexico S corporation, whose address is 1720 Louisiana Blvd. NE, Suite 212, Albuquerque, NM, 87110 and whose telephone number is 505-271-1288, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as Tracts A and B, Holly Mark3S Development, recorded on March 1, 2007 in the records of the Bernalillo County Clerk at Book 2007C-49 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by Mark3S, Inc. ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Mark3S Holly Development describing Subdivider's Property.

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 1st day of August, 2007 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 718782.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless



The DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

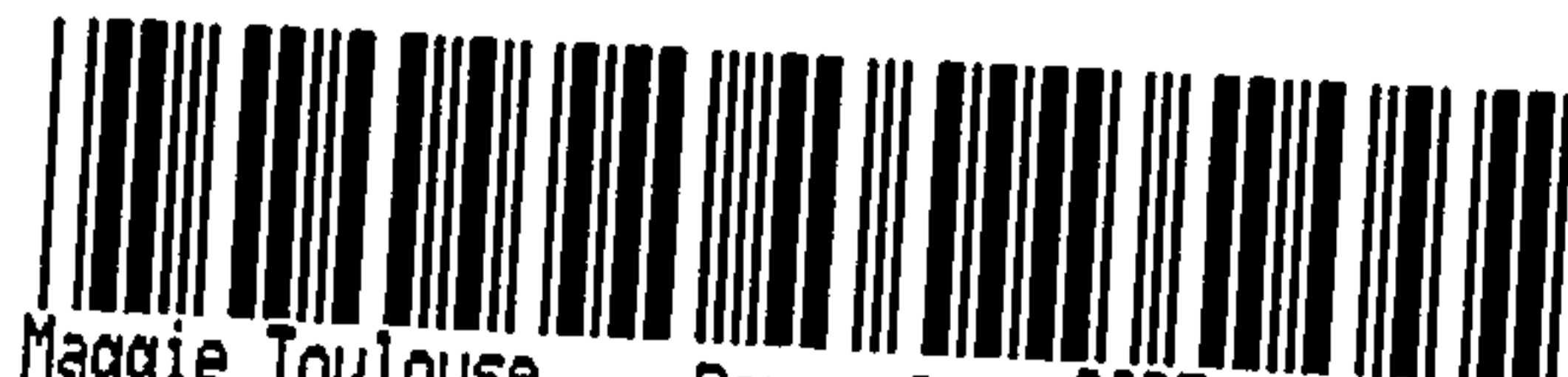
<u>Type of Fee</u>	<u>Amount</u>
<u>Engineering Fee</u>	<u>3.25% of Actual Construction Cost</u>
<u>Excavation and Sidewalk Ordinance, Street Restoration Fees</u>	<u>As required per City-approved estimate. (Figure 7)</u>

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Jeff Mortensen & Associates, Inc., and construction surveying of the private Improvements shall be performed by Jeff Mortensen & Associates, Inc. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Jeff Mortensen & Associates, Inc., and inspection of the private Improvements shall be performed by Jeff Mortensen & Associates, Inc., both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider



shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Earthworks Engineering, and field testing of the private Improvements shall be performed by Earthworks Engineering, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

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

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

Type of Financial Guaranty: Irrevocable Letter of Credit **718782**
Amount: \$ 118,796.41 Name of Financial Institution or Surety
providing Guaranty: Western Commerce Bank
Date City first able to call Guaranty: 08/01/2007
[Construction Completion Deadline]
If Guaranty other than a Bond, last day City able to call Guaranty is:
10/01/2007
Additional information: Letter of Credit Ref # 718782

6. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange or a preconstruction conference and all required inspections.

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.



8. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

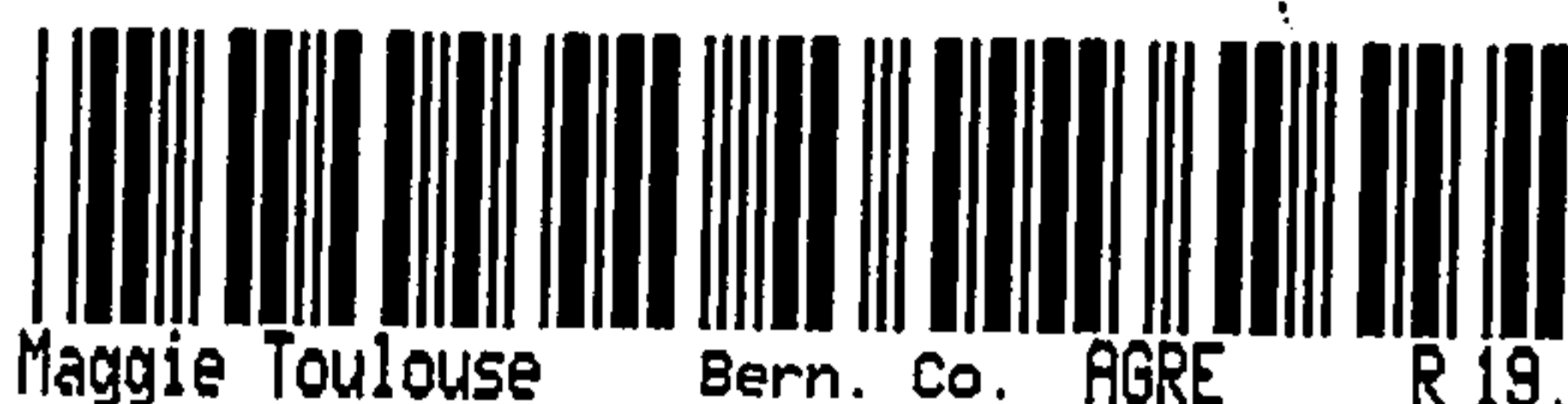
(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

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



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

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

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

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

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

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

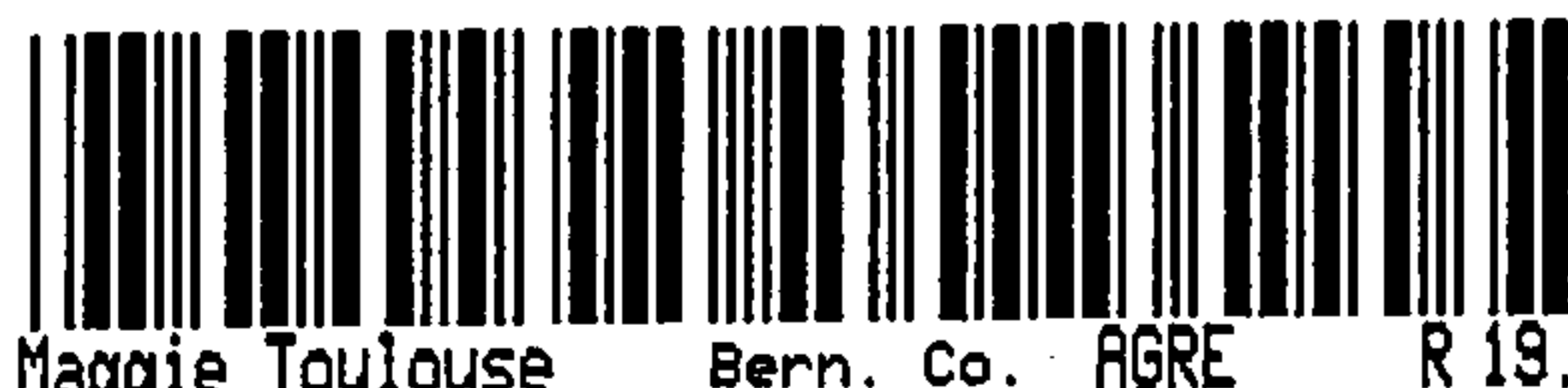
17. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

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

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

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

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the F



Maggie Toulouse

Bern. Co. AGRE

R 19.00

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6635428

Page: 5 of 6

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Bk-A135 Pg-2377

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

SUBDIVIDER:

By [Signature]: Amit Patel
Name: Amit Patel
Title: President
Dated: 3/29/07

CITY OF ALBUQUERQUE
Richard Duarte
City Engineer
Dated: 4-09-07
Wf 4/6/07

W
4-4-07

SUBDIVIDER'S NOTARY

STATE OF NM)
COUNTY OF Bernalillo) ss.

This instrument was acknowledged before me on 29th day of March, 2007 by Amit Patel, President of Mark3S, Inc.

My Commission Expires: 4-11-09



OFFICIAL SEAL
GWENDOLYN R. BERG
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 4-11-09

Notary Public

Gwendolyn R. Berg

CITY'S NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on 9th day of April, 2007 by Richard Duarte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

My Commission Expires: 7.30.2008

Claire Senova
Notary Public

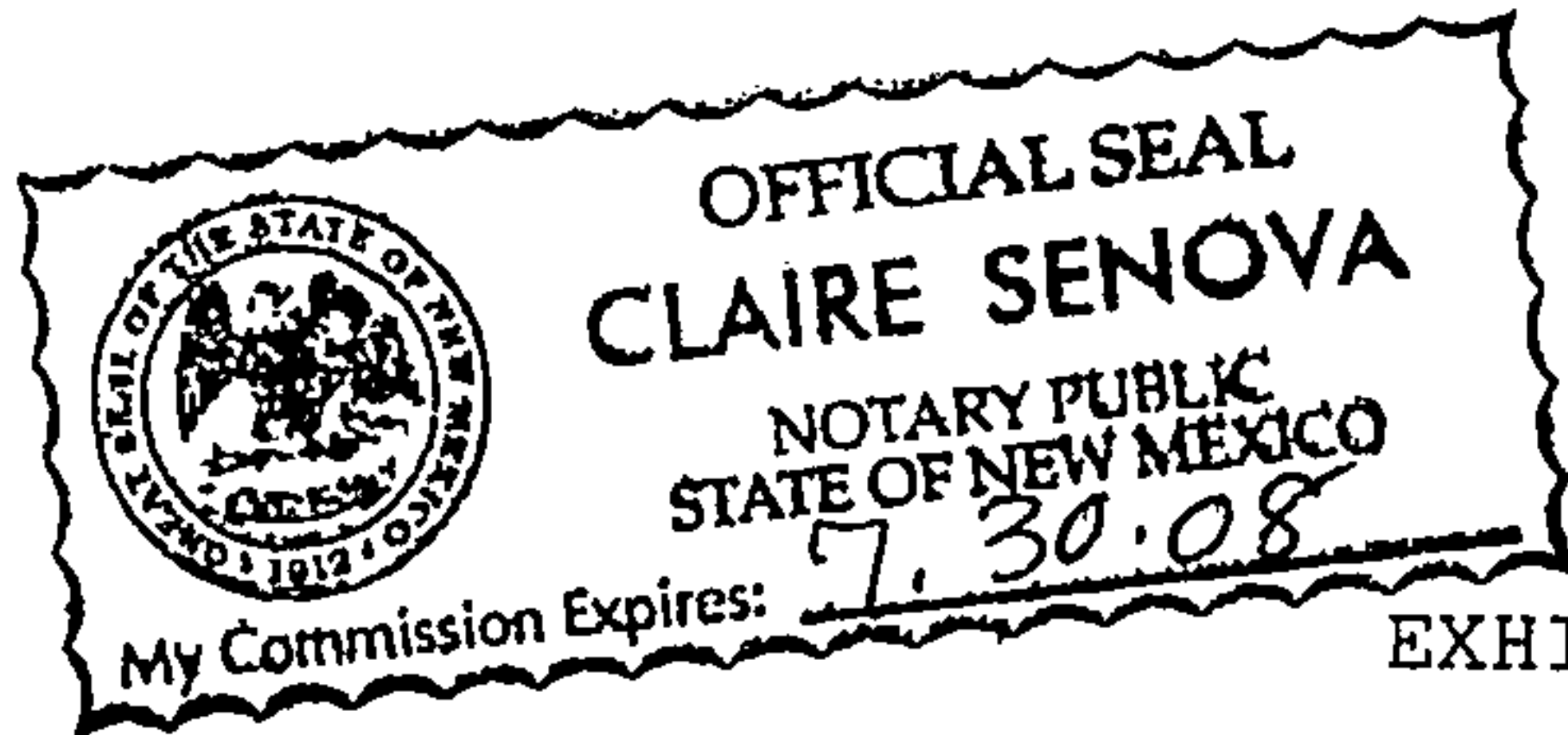


EXHIBIT A ATTACHED



Maggie Toulouse

Bern. Co. AGRE

R 19.00

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Page: 6 of 6
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Bk-A135 Pg-2377

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

MARK 3S HOLLY DEVELOPMENT

PROPOSED NAME OF ~~THE~~ **SITE PLAN FOR B.P.**

Lot 10 and the East Half of Lot 9, Block 20, North Albuquerque Acres, Tract 3, Unit 3
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: 2/21/07
Date Site Plan Approved: 2/21/07
Date Preliminary Plat Approved: —
Date Preliminary Plat Expires: —
DRB Project No.: 1005237
DRB Application No. 07DRB-000178

ORIGINAL

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		18'	Arterial Commercial Pavement w/ STD C&G (South Half)	Holly Avenue NE	NW Corner	NE Corner	/	/	/
		6'	Sidewalk (Southside)	Holly Avenue NE	NW Corner	NE Corner	/	/	/
		Varies	Temp Pavement Taper w/curb	Holly Avenue NE	NW Corner	TBD at DRC	/	/	/
		18"	RCP Storm Drain and 2 inlets	Holly Avenue NE	Existing Manhole	As shown on G & D	/	/	/
		8"	Public Water Line w/hydrant	Holly Avenue NE	Grape View	Site	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

FINANCIAL GUARANTY AMOUNT

03/01/2007

Type of Estimate: SIA Procedure - B - w/F.G.

Project Description:

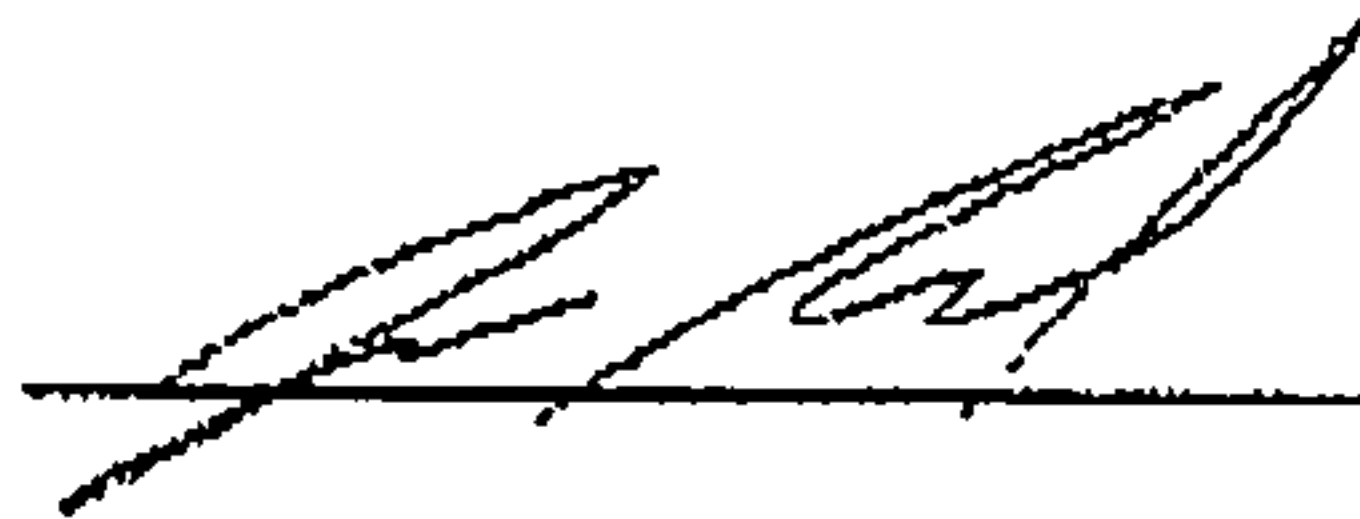
Project ID #: 718782, Mark3S Holly Development, Phase/Unit #: 1

Requested By: Greame Means, PE w/ JMA

Approved estimate amount:		\$74,438.00
Contingency Amount:	10.00%	\$7,443.80
Subtotal:		\$81,881.80
NMGRT	6.875%	\$5,629.37
Subtotal:		\$87,511.17
Engineering Fee	6.60%	\$5,775.74
Testing Fee	2.00%	\$1,750.22
Subtotal:		\$95,037.13
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		\$118,796.41

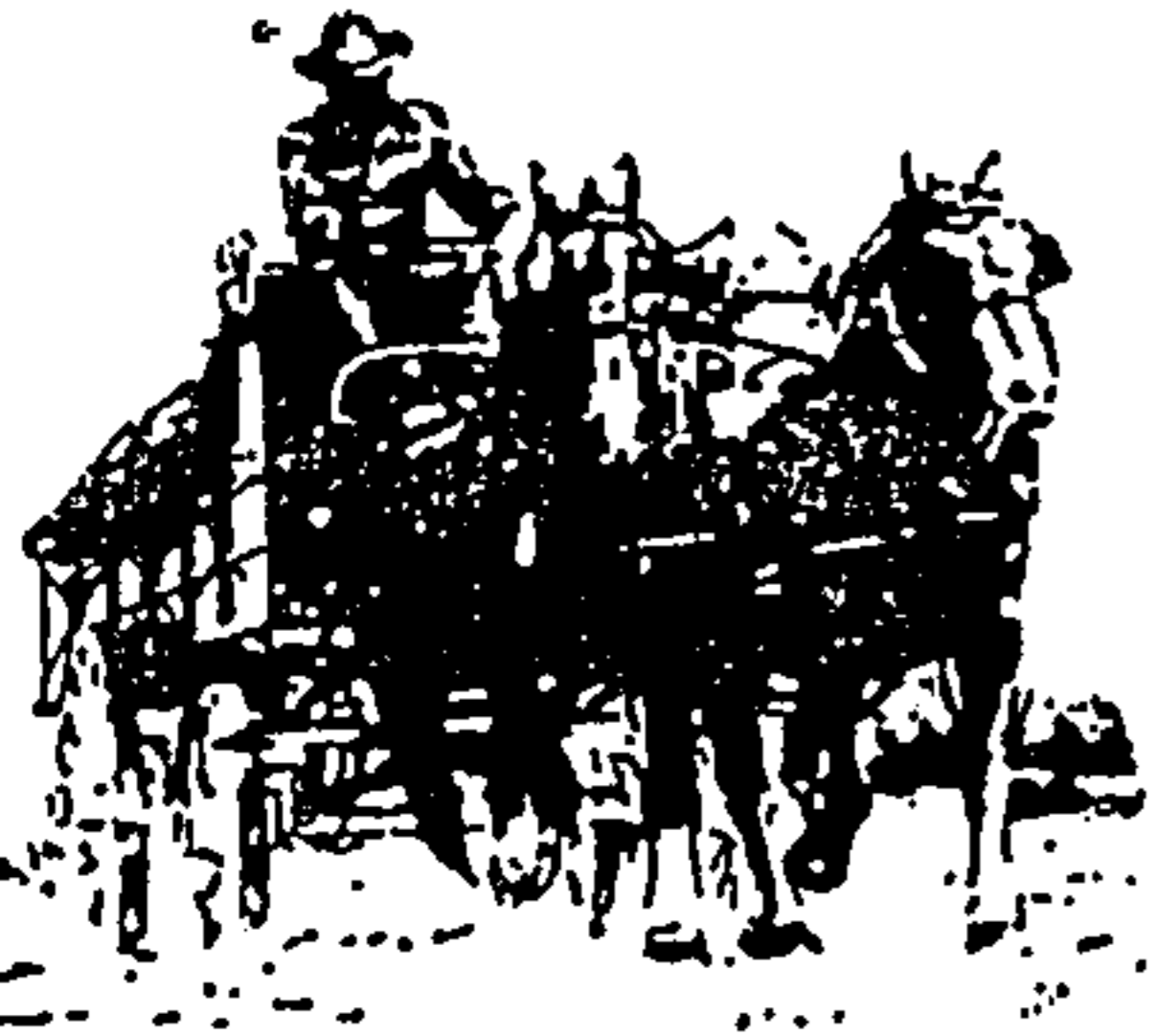
APPROVAL:

DATE:



3-1-2007

Notes: 10% contingency, plans not approved. Certification for grading & drainage required prior to release of Financial Guaranty.



Western Commerce Bank

Pulling together for you....

April 1, 2007

Chief Administrative Officer
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Letter of Credit
Ref #718782

RE: Letter of Credit for Mark3S, Inc.
City of Albuquerque Project No.: 718782
Project Name: Mark3S Holly Development, Phase/Unit#: 1

Dear C.A.O.:

This letter is to advise the City of Albuquerque ("City") that, at the request of Mark3S, Inc. ("Subdivider"), Western Commerce Bank in Albuquerque, New Mexico, has established an Irrevocable Letter of Credit in the sum of ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED NINETY-SIX DOLLARS & 41/100 (\$118,796.41 Letter of Credit) for the exclusive purpose of providing the financial guarantee which the City requires Mark3S, Inc. to provide for the installation of the improvements which must be constructed at the above mentioned subdivision. The amount of the Letter of Credit is 125% of the City's estimated cost of construction of improvements as required by the City's Subdivision Ordinance. The improvements are identified in the Agreement between the City of Albuquerque and Subdivider, which was recorded on 4-10, 2007 in the records of the Clerk of Bernalillo County, New Mexico in Book Misc. A135, at pages 2377 to 2377, as amended ("Agreement").

A Draft or Drafts for any amount up to, but not in excess of ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED NINETY-SIX DOLLARS & 41/100 (\$118,796.41) is/are available at sight at Western Commerce Bank, 1910 Wyoming Blvd., NE, Albuquerque, NM 87112 between August 1, 2007 and October 1, 2007.

When presented for negotiation, the Draft(s) is/are to be accompanied by the City's notarized certificate stating: "1) Mark3S, Inc. has failed to comply with the terms of the Agreement; 2) the undersigned is the Chief Administrative Officer of the City of Albuquerque and is authorized to sign this certification; and 3) the amount of the Draft does not exceed 125% of the City's estimated cost of completing the improvements specified in the Agreements."

We hereby agree with the drawer of Draft(s) drawn under and in compliance with the terms of this credit that such Drafts(s) will be duly honored upon presentation to the drawee if negotiated between August 1, 2007 and October 1, 2007.

The Drafts drawn under this credit must contain the clause: "Drawn under Letter of Credit and Agreement No.718782 of Western Commerce Bank, 1910 Wyoming Blvd., NE, Albuquerque, NM 87112, dated April 1, 2007 and the original Letter of Credit must be endorsed on the reverse side with the amount of each draft. This Letter of Credit must accompany each draft and be attached to the draft which exhausts this credit.

This Letter of Credit for the benefit of the City of Albuquerque shall be irrevocable until:

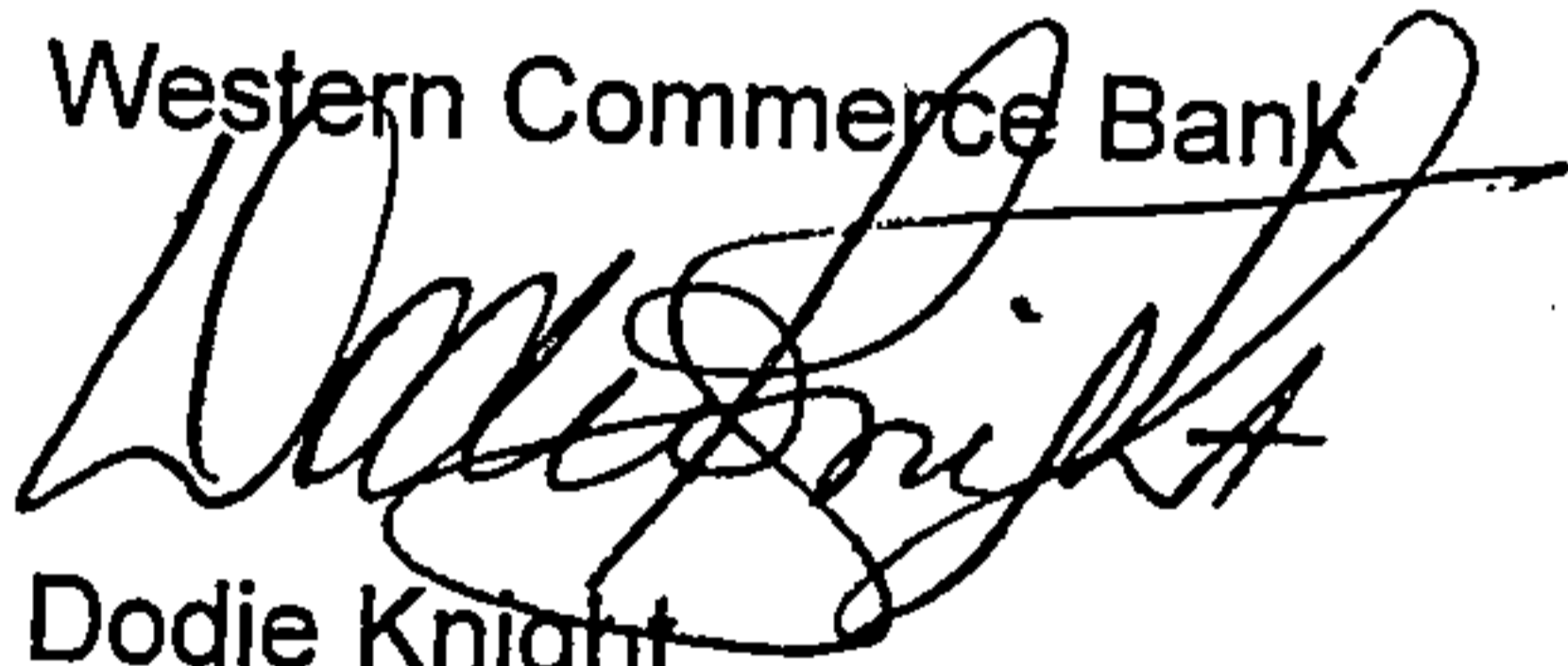
1. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
2. City Notification of Mark3S, Inc. failure to comply with the terms of the Agreement, and payment by Certified Check from Western Commerce Bank to the City of Albuquerque of 125% of the City's estimated costs of completing the improvements specified in the Agreement; or
3. Expiration of the date October 1, 2007 or 60 days after completion deadline.
4. Written termination of this Letter of Credit by the City of Albuquerque, signed by its Chief Administrative Officer.

This Letter of Credit will terminate at 5:00 o'clock p.m., New Mexico time, October 1, 2007.

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision). International Chamber of Commerce Publication No. 500.

Best regards,

Western Commerce Bank



Dodie Knight
Division President

ACCEPTED:

City of Albuquerque

By: 
Chief Administrative Officer

Dated: 4-09-07

4/9/07



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 10, 2007

- 1. Project # 1005237**
06DRB-01758 Major-Vacation of Pub Right-of-Way
06DRB-01759 Major-Vacation of Public Easements
06DRB-01760 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC agent(s) for MARK 3S INC request(s) the above action(s) for all or a portion of Lot(s) 9 & 10, Block(s) 20, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **TRACTS A & B, MARK 3S, HOLLY DEVELOPMENT**), zoned SU-2 FOR MIXED USE, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 1 acre(s). [REF: 06EPC-01580, 06EPC-01581] (C-20)

At the January 10, 2007, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

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

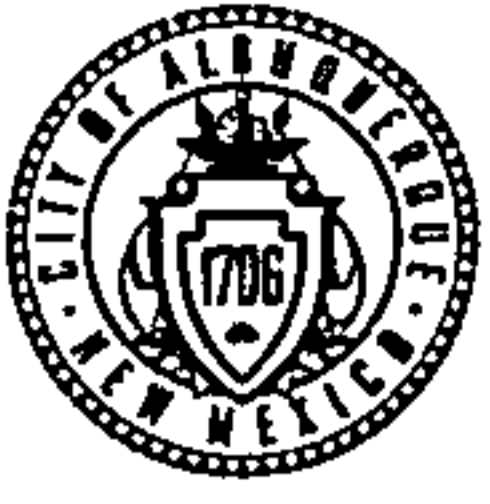
CONDITIONS:

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

The above request was reviewed and comments were given.

If you wish to appeal this decision, you must do so by January 25, 2007, 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

PAGE 2

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
for Sheran Matson, AICP, DRB Chair

Cc: Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109
Mr. Amit Patel, Mark 3S Inc., 1720 Louisiana Blvd NE, Suite 212, 87110
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1005237 AGENDA#: 1 DATE: 1-10-07

1. Name: Debra Inyell Address: JMA 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: _____

9-P1 38-P1
SU-2 37-P1 36-P1 35-P1 R-D 12 R-D
228 9232 9236 9240 9244 8201 8200

HOLLY

GRAPE VIE

1
1005237
01/10/2007

99999
10 SU-2
C20



CITY OF ALBUQUERQUE



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

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1005237

AGENDA ITEM NO: 1

SUBJECT:

Sketch Plat
Vacation of Public Easements
Vacation of Public Right-of-Way

ACTION REQUESTED:

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

ENGINEERING COMMENTS:

No objection to Vacation requests.
Provide a cross lot drainage easement on the plat.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

APPROVED ^{Jac} X; DENIED __; DEFERRED __; COMMENTS PROVIDED ^{discussed} X; WITHDRAWN __

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

DATE: JANUARY 10, 2007



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 10, 2007

Project # 1005237

06DRB-01758 Major-Vacation of Pub Right-of-Way
06DRB-01759 Major-Vacation of Public Easements
06DRB-01760 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC agent(s) for MARK 3S INC request(s) the above action(s) for all or a portion of Lot(s) 9 & 10, Block(s) 20, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **TRACTS A & B, MARK 3S, HOLLY DEVELOPMENT**), zoned SU-2 FOR MIXED USE, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 1 acre(s). [REF: 06EPC-01580, 06EPC-01581] (C-20)

AMAFCA

No adverse comments.

COG According to the Long Range Roadway System Map, Paseo del Norte is a limited access roadway owned by NMDOT, and governed by the Roadway Access Policy of the MTB. Any access to it must be approved by NMDOT and the MTB. According to the Long Range Bikeway System Map, Paseo del Norte has existing bicycle path / trail. Coordination with DMD is encouraged to insure project conformity with these adopted policies of the MTB.

Transit

No objection to the requests.

Zoning Enforcement

No adverse comments.

Neighborhood Coordination

Letters sent to Heritage East Assoc. of Residents (R), North Albuquerque Acres Comm. Assoc. (R) and Vineyard Estates NA (R).

APS The requested vacations for **Tracts A & B, Mark 3S, Holly Development**, in order to construct a Montessori School and an office building 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

Approves.

Comcast

No comments received.

QWEST

No comments received.

Environmental Health

No comments received.

M.R.G.C.D.

No comments received.

Open Space Division

Open Space has no adverse comments.

City Engineer

No objection to the vacation requests. Provide cross lot drainage easement on plat.

Transportation Development

Transportation is concerned with the 2' right-of-way vacation request. Are the previous plats to the east in conformance with this request? No objection to the vacation of the public utility easement. Standard infrastructure per the DPM is required. The parking lots will need to meet DPM criteria. Are there any access points on the north side? What is the width of the entrance? A cross access easement will need to be defined.

Parks & Recreation

Defer to Transportation regarding the vacation of ROW. Defer to affected agencies regarding vacation of easements. No comment regarding sketch plat.

Utilities Development

No objection to Vacation requests. Each Tract should have a separate sanitary sewer service line to the main line in Holly.

Planning Department

The property lies within the La Cueva Sector Plan and is subject to applicable provisions, i.e., lot size, setbacks, building heights, site plan, design regs, etc.

The proposed school & office uses are allowed in C-1 to which the Sector Plan refers. Be sure to follow the Code provisions of Sections 14-16-3-10 and 11 of the Zone Code.

Applicant has one year to file the plat completing the vacations. Otherwise, the vacation approval expires.

Impact Fee Administrator

Impact Fees are not applicable at this time of platting. However, Impact Fees will be required at the time a building permit is issued for the 4930sf Office building and the 9368sf Office/Day care Building.

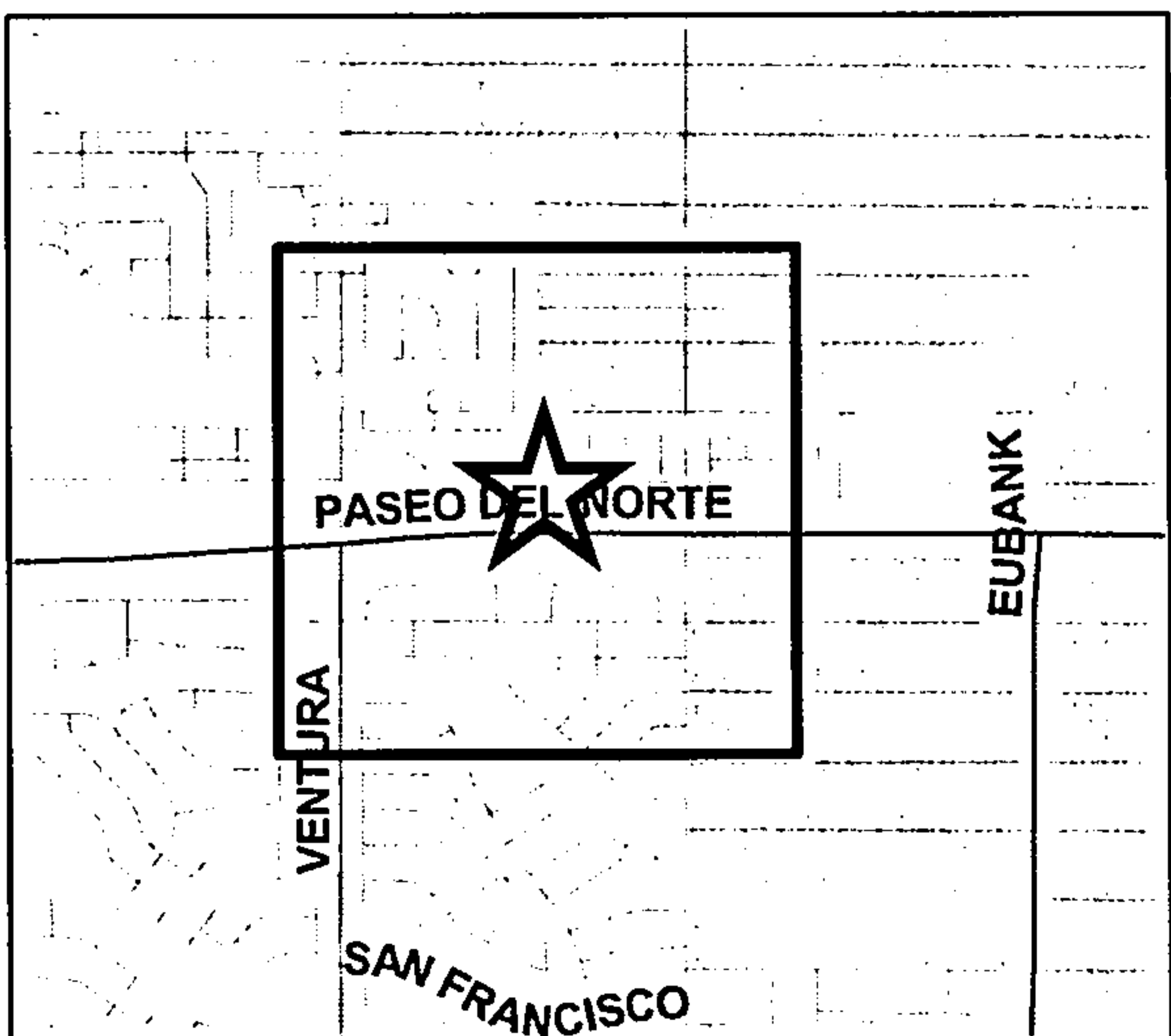
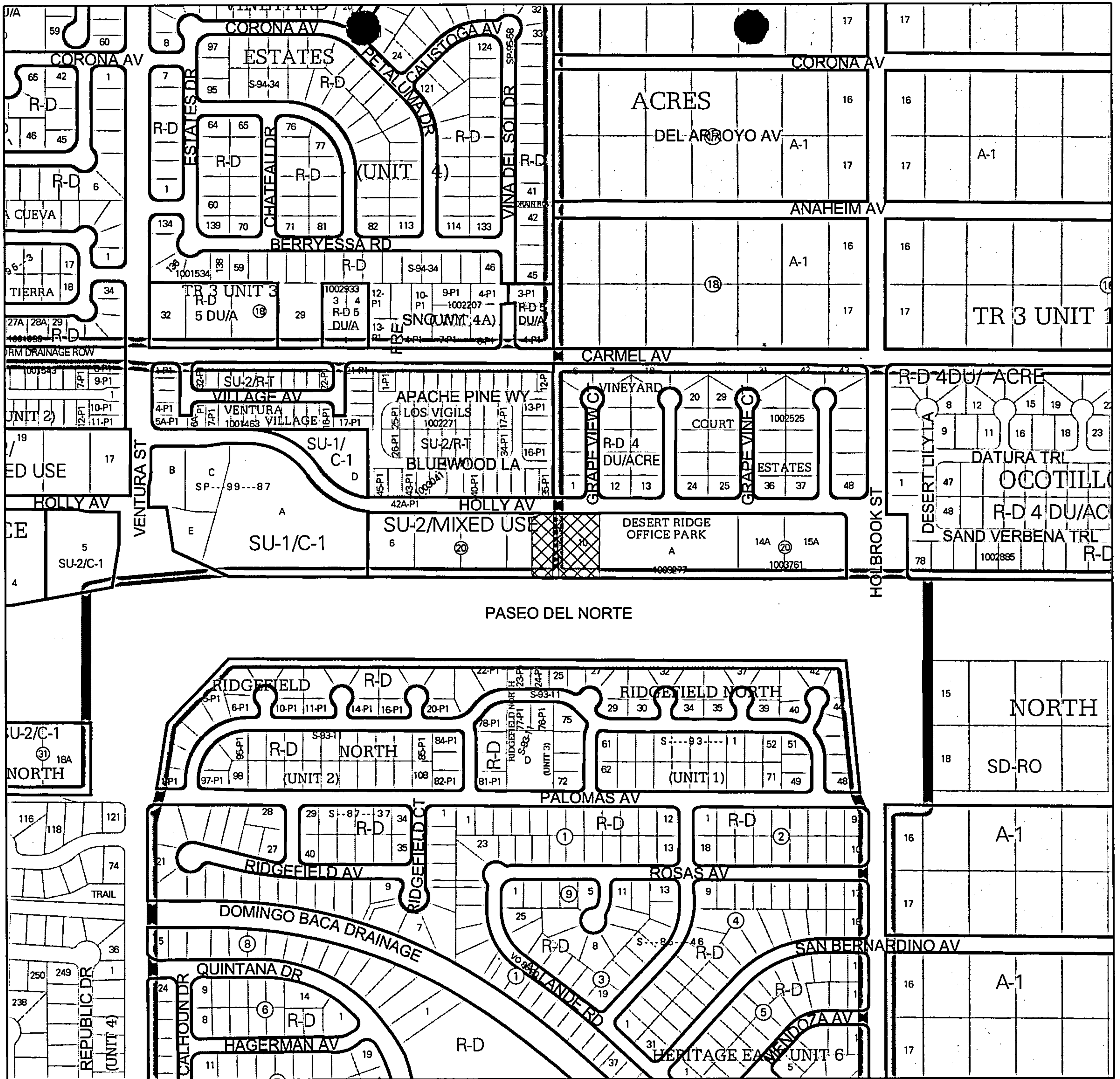
Using the square footage given and 1.13 for impervious acreage the estimated impact fees are as follows.

1. Public Safety Facilities for the Eastside: \$1429.80
2. Roadway Facilities for the Far NE Heights: \$29,686.80
3. Drainage Facilities for the Far NE: \$11,535.04

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

Cc: Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109

Mr. Amit Patel, Mark 3S Inc., 1720 Louisiana Blvd NE, Suite 212, 87110



ZONING MAP

Note: Grey shading indicates County.



1 inch equals 500 feet

Project Number:

1005237

Hearing Date:

1/10/2007

Zone Map Page:

C-20

Additional Case Numbers:

06DRB-01758 06DRB-01759

06DRB-01760



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

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, January 10, 2007, beginning at 9:00 a.m. for the purpose of considering the following:

~~Project # 1005237~~

06DRB-01758 Major-Vacation of Pub
Right-of-Way
06DRB-01759 Major-Vacation of Public
Easements
06DRB-01760 Minor-Sketch Plat or Plan

JEFF MORTENSEN & ASSOCIATES INC agent(s) for MARK 3S INC request(s) the above action(s) for all or a portion of Lot(s) 9 & 10, Block(s) 20, Tract(s) 3, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **TRACTS A & B, MARK 3S, HOLLY DEVELOPMENT**), zoned SU-2 FOR MIXED USE, located on HOLLY AVE NE, between VENTURA ST NE and HOLBROOK ST NE containing approximately 1 acre(s). [REF: 06EPC-01580, 06EPC-01581] (C-20)

Project # 1001178

06DRB-01757 Major-Vacation of Pub
Right-of-Way
06DRB-01756 Minor-Prelim&Final Plat
Approval

SURVEYS SOUTHWEST LTD agent(s) for RUSSELL WHITENER request(s) the above action(s) for all or a portion of Tract(s) A-1-B-3, **ACME ACRES AND A PORTION OF VACATED ALISO AVE NE**, zoned C-3 heavy commercial zone, located on CUTLER AVE NE, between ALISO AVE NE and I-40 containing approximately 1 acre(s). [REF: DRB-85-738, 01DRB-01573] (H-17)

Project # 1004526

06DRB-01761 Major-Vacation of Pub
Right-of-Way

INEZ AGUILAR request(s) the above action(s) for all or a portion of Tract(s) 400, **TOWN OF ATRISCO GRANT, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on 75TH ST SW, between SAN IGNACIO RD SW and AMOLE DEL NORTE SW containing approximately acre(s). [REF: 05DRB-01678] (L-10)

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, DECEMBER 25, 2006.

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

Meeting Date: January 10, 2007
Zone Atlas Page: C-20
Notification Radius: 100 Ft.

Project# 1005237
App#06DRB-01758
06DRB-01759
06DRB-01760

Cross Reference and Location: HOLLY AVE NE BETWEEN VENTURA ST NE
AND HOLBROOK NE

Applicant: MR. AMIT PATEL
MARK 3S INC
1720 LOUISIANA BLVD NE STE 212
ALBUQUERQUE, NM 87110

Agent: DEBIE LABLANC TRUJILLO
JEFF MORTENSEN AND ASSOCIATES, INC
6010-B MIDWAY PARK BLVD NE
ALBUQUERQUE, NM 87109

Special Instructions:

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

Date Mailed: DECEMBER 22, 2006
Signature: ERIN TREMLIN

City of Albuquerque



DEVELOPMENT PLAN REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

NAME: <u>Mark 3S Inc. c/o Mr. Amit Patel</u>	PHONE: <u>505-271-1288</u>
ADDRESS: <u>1720 Louisiana Boulevard NE, Suite 212</u>	FAX: _____
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87110</u>	E-MAIL: _____
Proprietary interest in site: <u>Owner</u>	
AGENT (if any): <u>Jeff Mortensen & Associates, Inc.</u>	PHONE: <u>505-345-4250</u>
ADDRESS: <u>6010-B Midway Park Blvd. NE</u>	FAX: <u>505-345-4254</u>
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87109</u>	E-MAIL: <u>dtrujillo@jmainc.org</u>

DESCRIPTION OF REQUEST: Vacation of Public Right-of-Way, Public Utility Easement and Sketch Plat Review and Comment
Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. East Half of Lot 9 and all of Lot 10 Block: 20 Unit: 3

Subdiv. / Addn. North Albuquerque Acres, Tract 3, Unit 3 **TBAs: TRACT A&B MARK 3S HOLLY DEVELOPMENT**

Current Zoning: SU-2 Mixed Use Proposed zoning: n/a

Zone Atlas page(s): C-20 No. of existing lots: 2 No. of proposed lots: 2

Total area of site (acres): +/- 1.3304 Density if applicable: dwellings per gross acre: n/a dwellings per net acre: n/a

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

UPC No. 102006441403740123 MRGCD Map No. n/a

LOCATION OF PROPERTY BY STREETS: On or Near: Holly Avenue NE
Between: Ventura Street NE and Holbrook Street, 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.): Project No. 1005237, 06EPC-01580 and 06EPC-01581

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

SIGNATURE Debie LeBlanc Trujillo DATE December 15, 2006

(Print) Debie LeBlanc Trujillo fo Jeff Mortensen & Associates, Inc. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

- 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
<u>06DRB - 01758</u>	<u>VRW</u>	<u>V</u>	<u>\$ 300.00</u>
<u>06DRB - 01759</u>	<u>VPW</u>	<u>V</u>	<u>\$ 45.00</u>
<u>06DRB - 01760</u>	<u>SK</u>	<u>S(3)</u>	<u>\$ 0.00</u>
_____	_____	_____	<u>\$ 75.00</u>
_____	_____	_____	<u>\$ 20.00</u>
Hearing date <u>01/10/07</u>			Total <u>\$ 440.00</u>

Sandy Handley 12/15/06
Planner signature / date

Project # 1005237

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.

*JEFF MORTENSEN & ASSOC., INC.
DEBIE LEBLANC TRUJILLO
Debie LeBlanc Trujillo 12-15-06*

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 briefly describing, explaining, and justifying the vacation
 - ___ 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.

Applicant name (print)
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
06DEB - 01758
06DEB - 01759

Sandy Handley 12/15/06
Planner signature / date
Project # 1005237

R e c	UPC CODE	OWNER	OWNER ADDRESS	OWNE R CITY	OW NE R ST AT E	OW NE R Z IP CO DE	PRO PER TY CLA SS	TAX DIS TR ICT	LEGAL	ACR ES
1	10200644 10054402 01	LEGACY CUSTOM HOMES INC	PO BOX 103 25	ALBUQ UERQU E	NM	871 84	VAC	A1A	LT 1 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.21 1859 94
2	10200644 44037401 20	HOECH REAL ES TATE CORPORAT ION	8300 CARM EL AVE NE 6 01	ALBUQ UERQU E	NM	871 22	VAC	A1A	TR A PLAT OF TRACT A DESERT RIDGE OFFICE PAR C +/-	2.64 5384 56
3	10200643 82058415 02	YANG BAO JUN & JIM HUAN LI	9228 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 22	RES	A1A	LT 39- P1 SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	0.11 6505 44
4	10200644 82054402 36	TIARA HOMES IN C	6703 ACAD EMY RD NE A	ALBUQ UERQU E	NM	871 09	VAC	A1A	LT 36 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.20 8086 8
5	10200643 92058415 04	HEINZ DONNA C	9236 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 22	RES	A1A	LT 37- P1 SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	0.11 6507 36
6	10200644 14037401 23	GARCIA WALTER	3004 8TH S T NW	ALBUQ UERQU E	NM	871 04	VAC	A1A	LT 10 & THE E1/2 OF LT 9 BLK 2 0 NORTH ALBUQU 3 UNIT 3 CONT 1.320	1.31 2694 92
7	10200644 38054402 13	LIN THOMAS T & CHENG FANG	8100 BARS TOW NE 31 02	ALBUQ UERQU E	NM	871 22	VAC	A1A	LT 13 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.21 1763 26
8	10200644 65054402 25	ANTERO LLC	8908 ADAM S ST NE	ALBUQ UERQU E	NM	871 13	VAC	A1A	LT 25 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.21 1769 01
9	10200643 41076417 01	HOECH REAL ES TATE CORPORAT ION	8300 CARM EL NE 601	ALBUQ UERQU E	NM	871 09	VAC	A1A	PARCEL A SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	1.71 9990 68
10	10200643 76058415 01	MARSHALL RAND ALL & CATHLEEN	9224 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 11	RES	A1A	LT 40- P1 SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	0.15 5124 05
11	10200643 97058415 05	CHIU YUN CHIEN & HSU FU MEI	9240 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 22	RES	A1A	LT 36- P1 SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	0.11 6495 75
12	10200643 62055414 05	COLLATZ INC	9212 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 09	RES	A1A	LT 41-A-P1 PLAT OF LOTS 41-A- P 1 & 42-A-P1 LO 1406 AC	0.14 0562 75
13	10200643 71037401 26	SELBY CHARLES F	10909 HAG EN NE	ALBUQ UERQU E	NM	871 11	VAC	A1A	* 007 020NORTH ALBUQ ACRES U N3 TR3	0.86 9494 34
14	10200644 02058415 06	CHAMPAGNE CH RISTOPHER DAVI D &	9244 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 22	RES	A1A	LT 35- P1 SUBDIVISION PLAT OF L OTS 1- P1 THROU EL A LOS VIGILS CON	0.11 6860 86
15	10200644 26054402 12	HOECH REAL ES TATE CORPORAT ION	8300 CARM EL NE 601	ALBUQ UERQU E	NM	871 09	VAC	A1A	LT 12 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.20 8090 65
16	10200644 86036401 19	VAUGHAN DOUG LAS F	6753 ACAD EMY RD NE	ALBUQ UERQU E	NM	871 09	VAC	A1A	LT 14 BLK 20 NORTH ALBUQUER QUE ACRES TR 3 UN AC +/-	0.84 1348 89
17	10200643 91037401 25	VIGIL SANDRA M &	9300 HOLLY WOOD NE	ALBUQ UERQU E	NM	871 22	COM M	A1A	LOT 8 & THE W1/2 OF LT 9 BLOCK 20 TR 3 UNIT C RES CONT 57,91 5 SQ	1.33 5056 75
18	10200643 87058415 03	SANDWEISS DANI EL & NAOMI J	9232 BLUE WOOD LN N E	ALBUQ UERQU E	NM	871 22	VAC	A1A	LT 38- P1 SUBDIVISION PLAT OF L OTS 1-	0.11 6507 39

									P1 THROU EL A LOS VIGILS CON	
1 9	10200644 54054402 24	ANTERO LLC	8908 ADAM S ST NE	ALBUQ UERQU E	NM	871 13	VAC	A1A	LT 24 SUBDIVISION PLAT OF VINE YARD COURT EST AC	0.20 8091 92

Or Current Resident
LEGACY CUSTOM HOMES INC
PO BOX 10325
ALBUQUERQUE, NM 87184

Or Current Resident
LIN THOMAS T & CHENG FANG
8100 BARSTOW NE 3102
ALBUQUERQUE, NM 87122

Or Current Resident
MARSHALL RANDALL & CATHLEEN
9224 BLUEWOOD LN NE
ALBUQUERQUE, NM 87111

Or Current Resident
SANDWEISS DANIEL & NAOMI J
9232 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

Or Current Resident
SELBY CHARLES F
10909 HAGEN NE
ALBUQUERQUE, NM 87111

Or Current Resident
TIARA HOMES INC
6703 ACADEMY RD NE A
ALBUQUERQUE, NM 87109

Or Current Resident
VAUGHAN DOUGLAS F
6753 ACADEMY RD NE
ALBUQUERQUE, NM 87109

Or Current Resident
VIGIL SANDRA M &
9300 HOLLYWOOD NE
ALBUQUERQUE, NM 87122

Or Current Resident
YANG BAO JUN & JIM HUAN LI
9228 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

Project# 1005237
MR. AMIT PATEL
Mark 3S Inc.
1720 LOUISIANA BLVD NE STE 212
ALBUQUERQUE, NM 87110

Project# 1005237
DEBIE LEBLANC TRUJILLO
Jeff Mortensen and Assoc. Inc
6010-B MIDWAY PARK BLVD NE
ALBUQUERQUE, NM87109

Project# 1005237
REBECCA THUMA
Heritage East Assoc of Residents
7815 QUINTANA DR NE
ALBUQUERQUE, NM 87109

Project# 1005237
DAN GEAR
Heritage East Assoc of Residents
9120 MABRY AVE NE
ALBUQUERQUE, NM 87109

Project# 1005237
CYNTHIA REINHART
North Albuquerque Acres Comm. Assoc.
11300 OAKLAND NE
ALBUQUERQUE, NM 87122

Project# 1005237
JO HUNTER
North Albuquerque Acres Comm. Assoc.
9805 SAN BERNADINO NE
ALBUQUERUQUE, NM 87122

Project# 1005237
PAT VERRELLE
Vineyard Estates N.A.
8415 VINTAGE DR NE
ALBUQUERQUE, NM 87122

Project# 1005237
TONY HUFFMAN
Vineyard Estates N.A.
8912 CORNOA AVE NE
ALBUQUERQUE, NM 87122

Or Current Resident
CHAMPAGNE CHRISTOPHER DAVID
9244 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

Or Current Resident
HOECH REAL ESTATE
CORPORATION
8300 CARMEL AVE NE 601
ALBUQUERQUE, NM 87122

Or Current Resident
ANTERO LLC
8908 ADAMS ST NE
ALBUQUERQUE, NM 87113

Or Current Resident
HEINZ DONNA C
9236 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

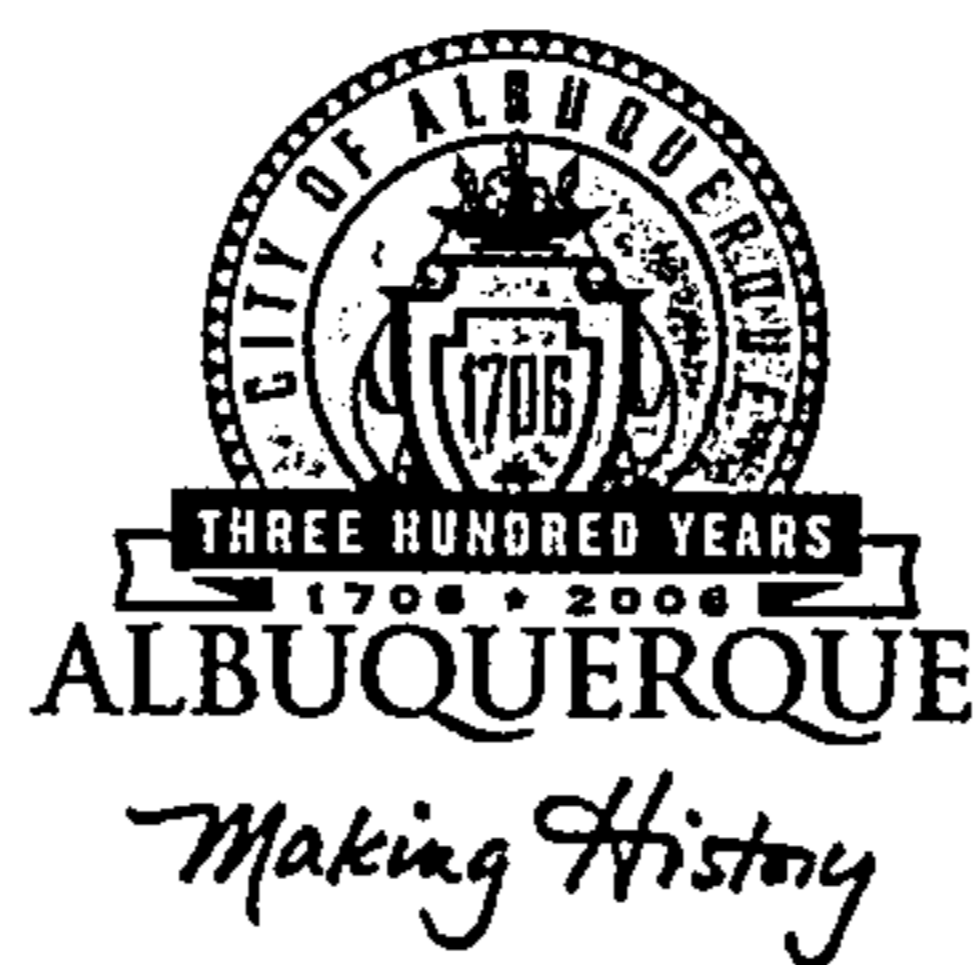
Or Current Resident
COLLATZ INC
9212 BLUEWOOD LN NE
ALBUQUERQUE, NM 87109

Or Current Resident
GARCIA WALTER
3004 8TH ST NW
ALBUQUERQUE, NM 87104

Or Current Resident
CHIU YUN CHIEN & HSU FU MEI
9240 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

Or Current Resident
CHIU YUN CHIEN & HSU FU MEI
9240 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122

Or Current Resident
HEINZ DONNA C
9236 BLUEWOOD LN NE
ALBUQUERQUE, NM 87122



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

December 14, 2006

Debie LeBlanc Trujillo
Jeff Mortensen and Associates, Inc.
6010-B Midway Park Blvd. NE/87109
Phone: 345-4250/Fax – 345-4254
E-mail: dtrujillo@jmainc.org

Dear Debie:

Thank you for your inquiry of December 14, 2006 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **EAST HALF OF LOT 9 AND ALL OF LOT 10, BLOCK 20, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3, LOCATED ON HOLLY AVENUE NE BETWEEN HOLBROOK STREET NE AND VENTURA STREET NE**, zone map C-20.

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

HERITAGE EAST ASSOC. OF RESIDENTS (HER) "R"

***Rebecca Thuma**

7815 Quintana Dr. NE/87109 822-1903 (h)

Dan Gear

9120 Mabry Ave. NE/87109 821-0516 (h)

NORTH ALBUQ. ACRES COMM. ASSOC. (NAA) "R"

***Cynthia Reinhart**

11300 Oakland NE/87122 856-6054 (h)

Jo Hunter

9805 San Bernadino NE/87122 897-2939 (h)

VINEYARD ESTATES N.A. (VYE) "R"

***Pat Verrelle**

8415 Vintage Dr. NE/87122 821-6993 (h)

Tony Huffman

8912 Corona Ave. NE/87122 823-2456 (h)

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.



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.3
December 15, 2006

Sheran Matson, AICP
Planning Manager, DRB Chair
Planning Department
Development & Building Services Division
City of Albuquerque
600 2nd Street, NW
Albuquerque, NM 87103

RE: Request for Vacations of Public Right of Way on the South side of Holly Avenue NE (2' width),
Vacation of a Public Utility Easement and Sketch Plat Review and Comment
DRB Project No. 1005237

Dear Ms. Matson,

Transmitted are the following items associated with the subject request:

- DRB Application, Supplemental Forms V and S(3), along with related fees
- Twenty Four (24) copies of the Document that created the Right of Way
- Twenty Four (24) copies of the Vacation Request and Sketch Plat
- One (1) color full size (24 x 36) copy of the Vacation Request and Sketch Plat
- One (1) color reduced (11 x 17) copy of the Vacation Request and Sketch Plat
- City of Albuquerque Zone Atlas C-20 (with site highlighted)
- Office of the Community & Neighborhood Coordination request, copies of letters sent to Neighborhood Associations along with the registered mail receipts

On behalf of our clients, Mark 3S, Inc., the owners of the East Half of Lot 9 and all of Lot 10, Block 20, North Albuquerque Acres, Tract 3, Unit 3, we are requesting vacation of 2' of Public Right of Way from the South side of Holly Avenue, NE and vacation (to facilitate "remove" and replace) of a public utility easement. The proposed development is a Montessori School and an office building.

Please schedule this matter for the next appropriate DRB Hearing. If I can be of further assistance to you, please do not hesitate to call.

Sincerely,


JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo
Debie LeBlanc Trujillo

DLT
Enclosures


xc: Benjamin Gardner, w/enc.
Amit Patel, w/enc.

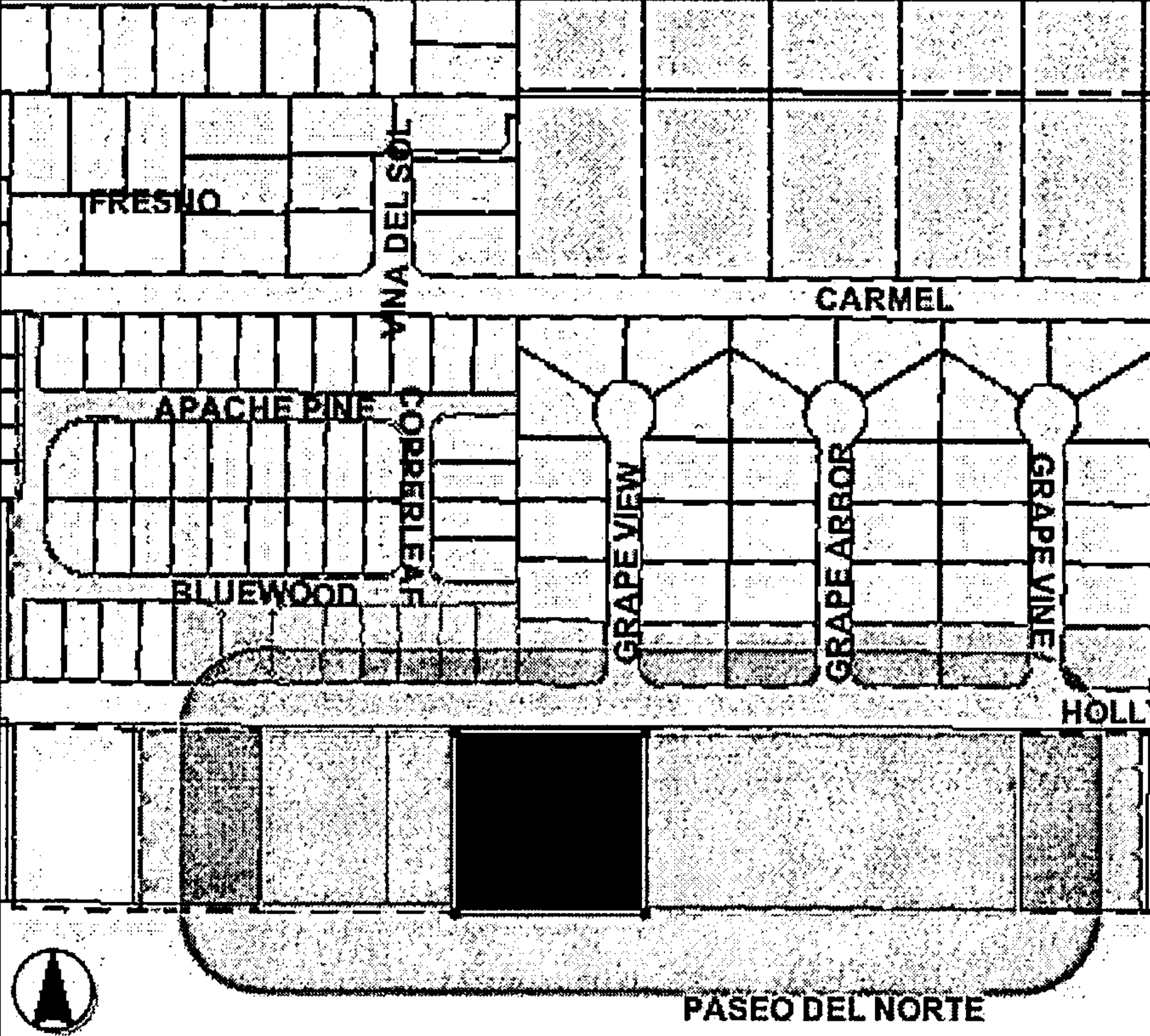
PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.



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 ADDR
1	102006441005440201	LEGACY CUSTOM HOMES INC	PO BOX 10325
2	102006444403740120	HOECH REAL ESTATE CORPORATION	8300 CARMEL AVE

Pan
[SEARCH](#)
[REFRESH](#)
[HELP](#)
[INDEX PAGE](#)

[CONTACT](#)

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

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

Your attendance is required.

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- 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.
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- 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
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 - 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.

JEFF MORTENSEN & ASSOC., IAC?
 DEBIE LEBLANC TRUJILLO
 Debie LeBlanc Trujillo 12-15-08
 Applicant name (print)
 Applicant signature / date



Form revised 8/04, 1/05, 10/05 & NOV 06

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

Application case numbers
 06 DRB - 01760

Sandy Handley 12/15/08
 Planner signature / date
 Project # 100537



NOTIFICATION OF HEARING for the DEVELOPMENT REVIEW BOARD

December 21, 2006

TO: Rebecca Thuma and Dan Gear, Heritage East Assoc. of Residents
Cynthia Reinhart and Jo Hunter, North Albuquerque Acres Comm. Assoc.
Pat Verrelle and Tony Huffman, Vineyard Estates Neigh. Assoc.

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: *Approximately one (1) acre(s) - Major Vacation of Public Right-of-Way; Major Vacation of Public Easements and Minor Sketch Plat or Plan for a proposed Montessori School and an office building.*

Proposed by: Jeff Mortensen and Associates, Inc. at 505-345-4250
Agent for: Mark 3S, Inc.

P.O. Box 1293

For property located: On or near Holly Avenue NE between Ventura Street NE and Holbrook Street NE.

Albuquerque

The case number(s) assigned is: 06DRB-01758, 01759, 01760, Project # 1005237.

City Planning accepted application for this request on December 15, 2006.

New Mexico 87103

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.*

www.cabq.gov

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at 9 a.m. on Wednesday, January 10, 2007 in the Planning Hearing Room, Room 160, Plaza Del Sol Building, 600 Second St. NW.

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

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

Sincerely,

Stephani J. Winklepleck

Stephani I. Winklepleck

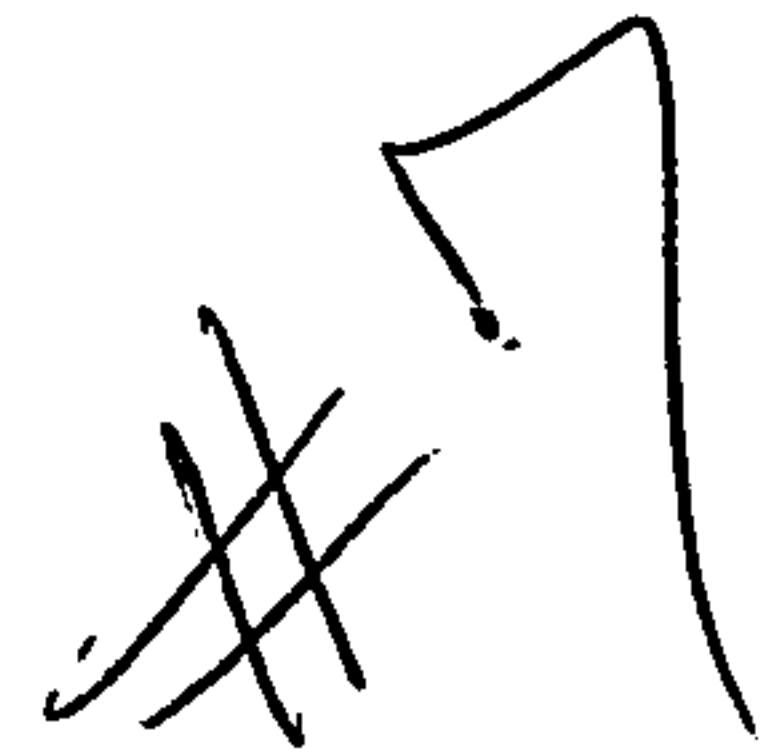
Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

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

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Development Review Division



INTER-OFFICE MEMO

February 16, 2007

TO: Sheran Matson, DRB Chair
FROM: Carmen Marrone, Senior Planner
RE: **Project #1005237, Holly Development**

On December 21, 2006, the EPC approved a Site Development Plan for Subdivision and Building Permit for the east half of lot 9 and all of 10, block 20, North Albuquerque Acres. **Staff finds that the DRB site development plans comply with the EPC Conditions of Approval.**

If you have any questions regarding this case, please call me at 924-3814.

2006.070.3

A City of Albuquerque



DEVELOPMENT PLAN REVIEW APPLICATION

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

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

APPLICANT INFORMATION:

NAME: <u>Mark 3S Inc. c/o Mr. Amit Patel</u>	PHONE: <u>505-271-1288</u>
ADDRESS: <u>1720 Louisiana Boulevard NE, Suite 212</u>	FAX: _____
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87110</u>	E-MAIL: _____
Proprietary interest in site: <u>Owner</u>	
AGENT (if any): <u>Jeff Mortensen & Associates, Inc.</u>	PHONE: <u>505-345-4250</u>
ADDRESS: <u>6010-B Midway Park Blvd. NE</u>	FAX: <u>505-345-4254</u>
CITY: <u>Albuquerque</u> STATE <u>NM</u> ZIP <u>87109</u>	E-MAIL: <u>dtrujillo@jmainc.org</u>

DESCRIPTION OF REQUEST: Vacation of Public Right-of-Way, Public Utility Easement and Sketch Plat Review and Comment
Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. East Half of Lot 9 and all of Lot 10 Block: 20 Unit: 3

Subdiv. / Addn. North Albuquerque Acres, Tract 3, Unit 3 **TBK: TRACT A&B MARK 3S HOLLY DEVELOPMENT**

Current Zoning: SU-2 Mixed Use Proposed zoning: n/a

Zone Atlas page(s): C-20 No. of existing lots: 2 No. of proposed lots: 2

Total area of site (acres): +/- 1.3304 Density if applicable: dwellings per gross acre: n/a dwellings per net acre: n/a

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

UPC No. 102006441403740123 MRGCD Map No. n/a

LOCATION OF PROPERTY BY STREETS: On or Near: Holly Avenue NE
Between: Ventura Street NE and Holbrook Street, 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.): Project No. 1005237, 06EPC-01580 and 06EPC-01581

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

SIGNATURE Debie LeBlanc Trujillo DATE December 15, 2006

(Print) Debie LeBlanc Trujillo fo Jeff Mortensen & Associates, Inc. Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>06DRB - 01758</u>	<u>VRW</u>	<u>Y</u>	<u>\$ 300.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>06DRB - 01759</u>	<u>VPE</u>	<u>Y</u>	<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	<u>06DRB - 01760</u>	<u>SK</u>	<u>5(3)</u>	<u>\$ 0.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	<u>\$ 75.00</u>
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	Total
<input checked="" type="checkbox"/> F.H.D.P. density bonus	Hearing date <u>01/10/07</u>	_____	_____	<u>\$ 440.00</u>
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	_____

Sandy Handley 12/15/06
Planner signature / date

Project # 1005237

FORM V: SUBDIVISION VARIANCES & VACATIONS

(PUBLIC HEARING CASE)

BULK LAND VARIANCE

- 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
- I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

JEFF MORTENSEN & ASSOC., INC.
DEBIE LEBLANC TRUJILLO
Debie LeBlanc Trujillo 12-15-06

Applicant name (print)
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
06DEB - 01758
06DRB - 01759

Sandy Handley 12/15/06
Platler signature / date
Project # 1005237

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.
 - Vacant* 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.
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- MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT** **Your attendance is required.**
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 - Copy of the LATEST Official D.R.B. Notice of approval for Preliminary Plat Extension request
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Extensions are not reviewed through internal routing.
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 - 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.
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JEFF MORTENSEN & ASSOC., I.A.C.
DEBIE LEBLANC TRUJILLO
 Applicant name (print)
Debie LeBlanc Trujillo 12/15/06
 Applicant signature / date



Form revised 8/04, 1/05, 10/05 & NOV 06

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
06 DRB - 01760

Sandy Handley 12/15/06
 Planner signature / date
Project # 1005237



ENGINEERS & SURVEYORS

JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.3
December 15, 2006

Sheran Matson, AICP
Planning Manager, DRB Chair
Planning Department
Development & Building Services Division
City of Albuquerque
600 2nd Street, NW
Albuquerque, NM 87103

RE: Request for Vacations of Public Right of Way on the South side of Holly Avenue NE (2' width),
Vacation of a Public Utility Easement and Sketch Plat Review and Comment
DRB Project No. 1005237

Dear Ms. Matson,

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Please schedule this matter for the next appropriate DRB Hearing. If I can be of further assistance to you, please do not hesitate to call.

Sincerely,

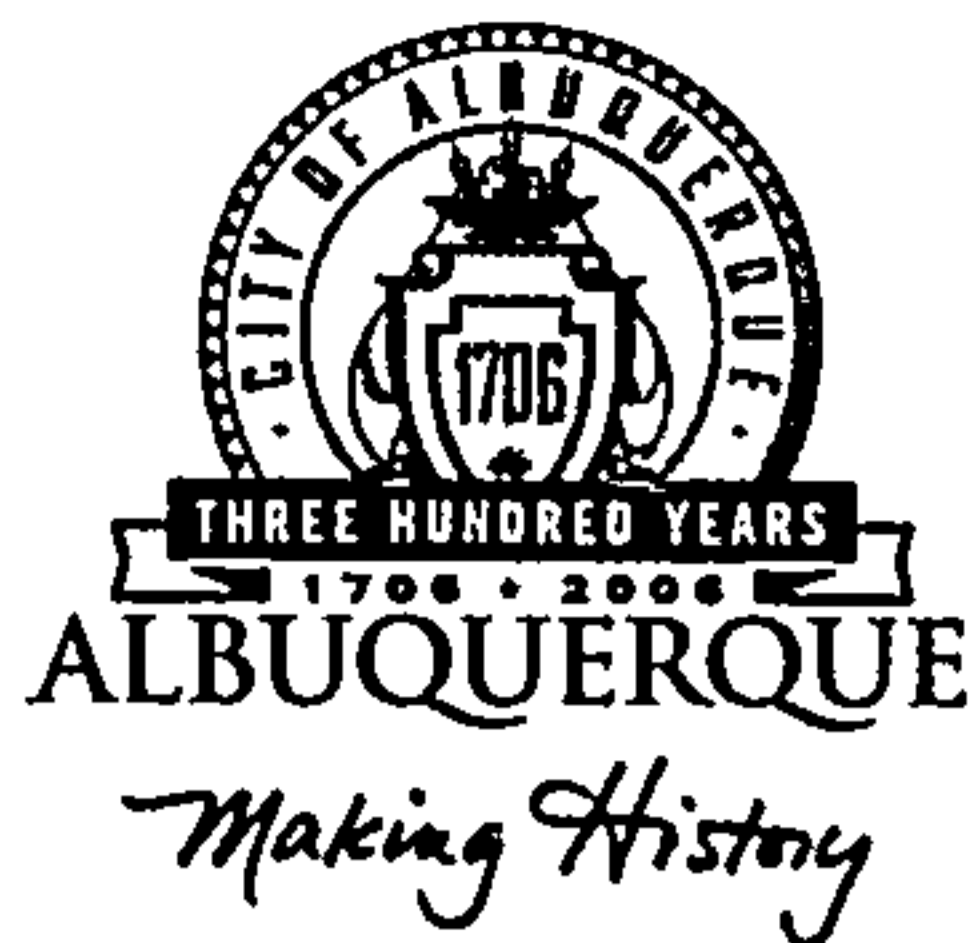
JEFF MORTENSEN & ASSOCIATES, INC.

Debie LeBlanc Trujillo
Debie LeBlanc Trujillo

DLT
Enclosures

xc: Benjamin Gardner, w/enc.
Amit Patel, w/enc.

PRINCIPALS	JEFFREY G. MORTENSEN, P.E.	JUAN M. CALA	CHARLES G. CALA, JR., P.S.
GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

December 14, 2006

Debie LeBlanc Trujillo
Jeff Mortensen and Associates, Inc.
6010-B Midway Park Blvd. NE/87109
Phone: 345-4250/Fax – 345-4254
E-mail: dtrujillo@jmainc.org

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.

Dear Debie:

Thank you for your inquiry of December 14, 2006 requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **EAST HALF OF LOT 9 AND ALL OF LOT 10, BLOCK 20, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3, LOCATED ON HOLLY AVENUE NE BETWEEN HOLBROOK STREET NE AND VENTURA STREET NE, zone map C-20.**

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

HERITAGE EAST ASSOC. OF RESIDENTS (HER) "R"

***Rebecca Thuma**

7815 Quintana Dr. NE/87109 822-1903 (h)

Dan Gear

9120 Mabry Ave. NE/87109 821-0516 (h)

NORTH ALBUQ. ACRES COMM. ASSOC. (NAA) "R"

***Cynthia Reinhart**

11300 Oakland NE/87122 856-6054 (h)

Jo Hunter

9805 San Bernadino NE/87122 897-2939 (h)

VINEYARD ESTATES N.A. (VYE) "R"

***Pat Verrelle**

8415 Vintage Dr. NE/87122 821-6993 (h)

Tony Huffman

8912 Corona Ave. NE/87122 823-2456 (h)

Jeff Mortensen and Associates

December 14, 2006

Page 2

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 I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

Planning Department

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

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

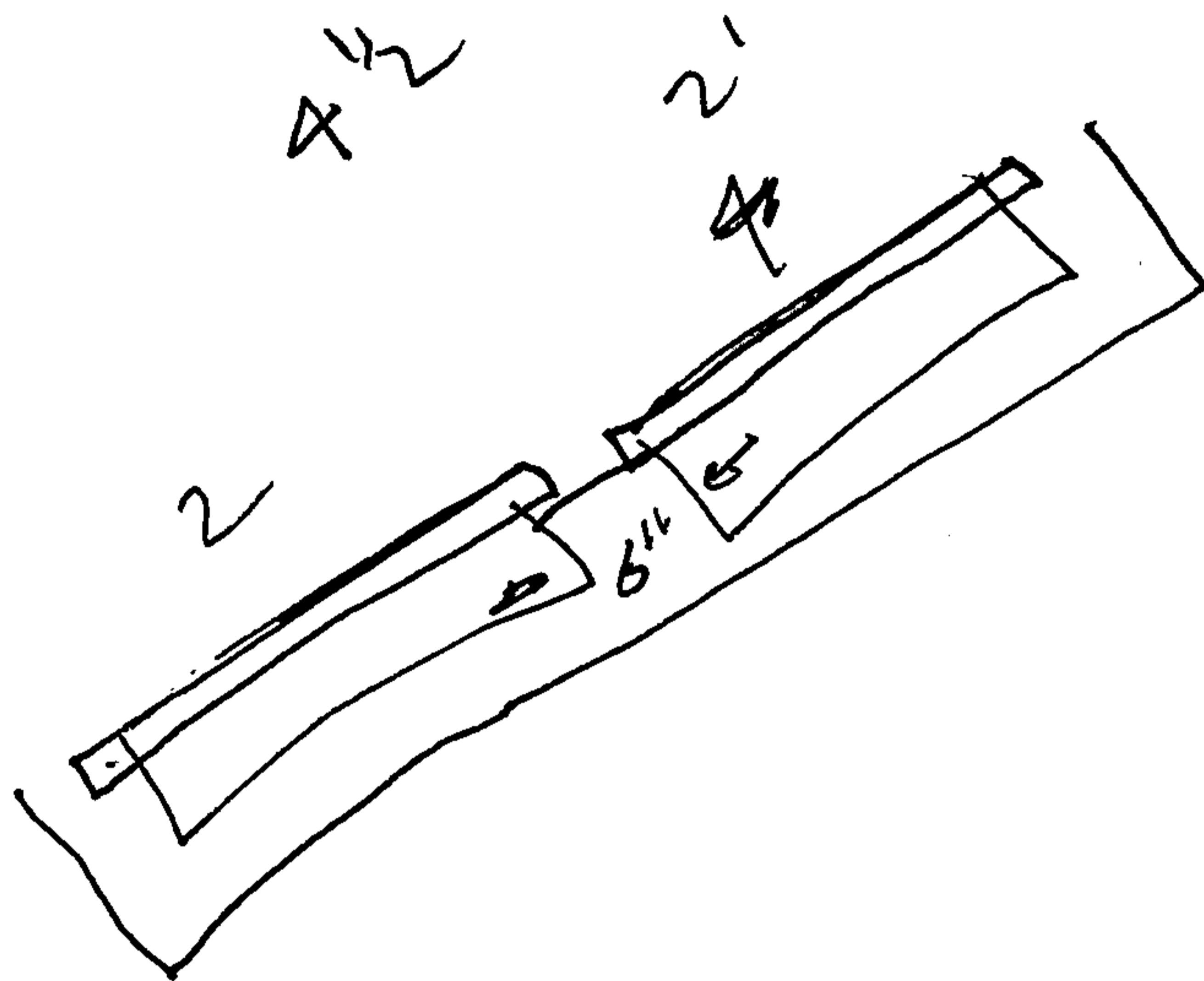
Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

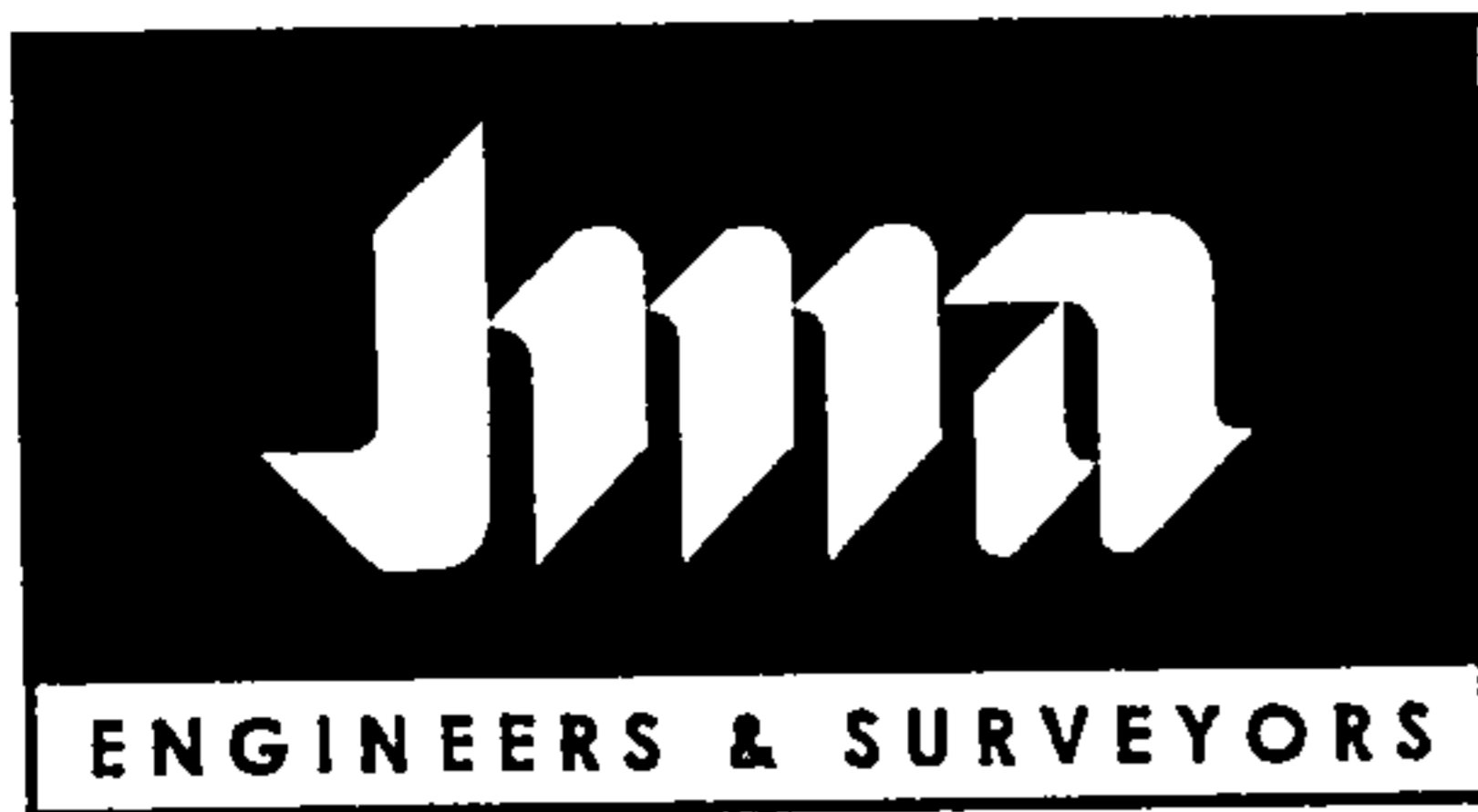
Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **12/14/06** Time Entered: **2:10 p.m.** ONC Rep. Initials: **SW**





JEFF MORTENSEN & ASSOCIATES, INC.
6010-B MIDWAY PARK BLVD. NE
ALBUQUERQUE NEW MEXICO 87109

P: 505.345.4250
F: 505.345.4254
ESTABLISHED 1977

2006.070.3
December 14, 2006

Pat Verrelle
Vineyard Estates Neighborhood Association
8415 Vintage Drive, NE
Albuquerque, NM 87122

Via Certified Mail – Return Receipt Requested

and

Mr. Tony Huffman
Vineyard Estates Neighborhood Association
8912 Corona Avenue, NE
Albuquerque, NM 87122

Via Certified Mail – Return Receipt Requested

Project Title: Mark 3S Holly Development

Type of Request: Vacation Request: Public Right of Way on the South side of Holly Avenue NE (2' width) and Public Utility Easement

Current Legal Description: East Half of Lot 9 and all of Lot 10, Block 20, North Albuquerque Acres, Tract 3, Unit 3

Developer: Mark3S Inc.

Agent/Engineer: Jeff Mortensen & Associates, Inc.

Contact: J. Graeme Means, PE, Principal
Debie LeBlanc Trujillo, Project Coordinator

Dear Neighborhood Association Contacts:

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GRADY E. BARRENS	J. GRAEME MEANS, P.E.	RICHARD C. WHITE	JOSEPH M. SOLOMON, JR., P.S.

Vineyard Estates Neighborhood Association

Page 2

December 14, 2006

If you have any questions regarding this information, please do not hesitate to contact our office.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.


Debie LeBlanc Trujillo

DLT
Enclosures

xc: Benjamin Gardner, w/enc.
Amit Patel, w/ enc



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Debie LeBlanc Trujillo

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Jo Hunter
North Albuquerque Acres Community Association
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North Albuquerque Acres Community Association
Page 2
December 14, 2006

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Sincerely,

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Debie LeBlanc Trujillo

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North Albuquerque Acres Community Association

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Debie LeBlanc Trujillo

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Ms. Rebecca Thuma
Heritage East Association of Residents
7815 Quincy Drive, NE
Albuquerque, NM 87109

Via Certified Mail – Return Receipt Requested

and

Mr. Dan Gear
Heritage East Association of Residents
9120 Mabry Avenue, NE
Albuquerque, NM 87109

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Heritage East Association of Residents
Page 2
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Debie LeBlanc Trujillo

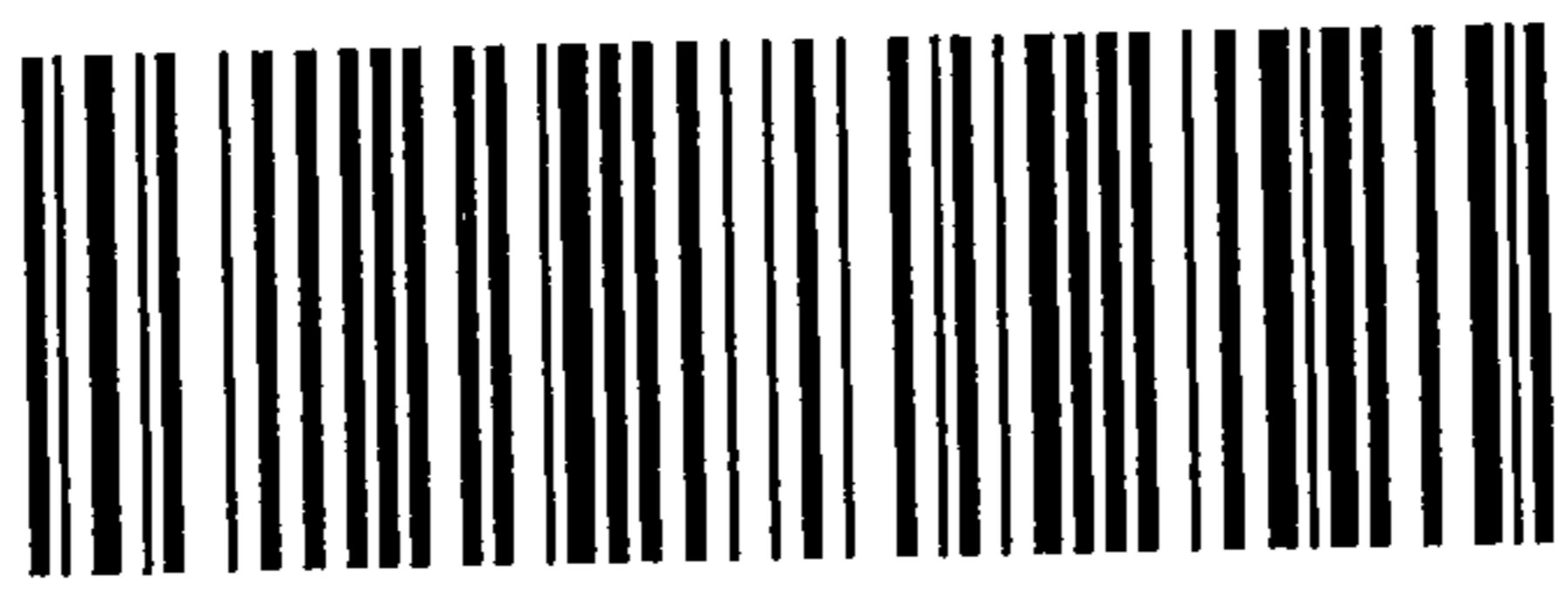
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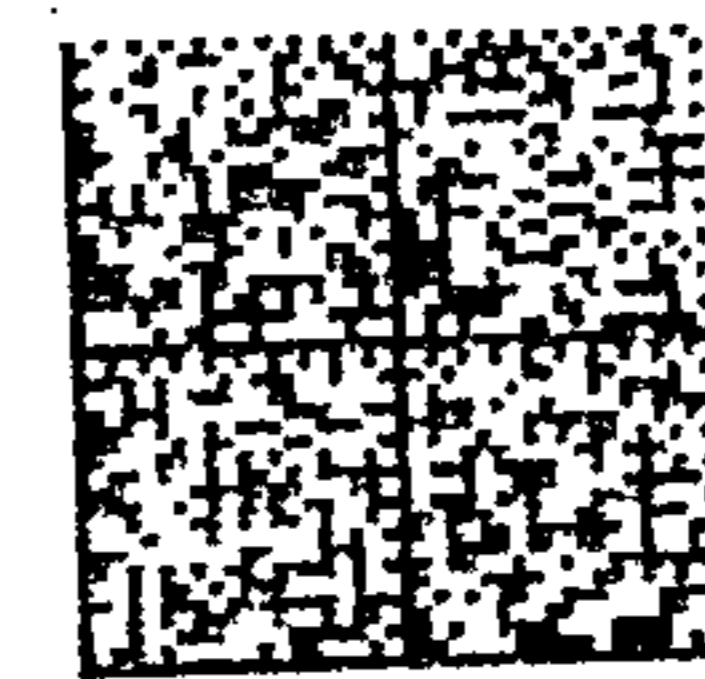
FIRST CLASS

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7002 3150 0005 7420 3014



UNITED STATES POSTAGE
PITNEY BOWES
\$ 005.120
02 1P
0002527985 DEC 14 2006
MAILED FROM ZIP CODE 87109

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First Class Mail

2006-070-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p>	
<p>1. Article Addressed to:</p> <p>Mr. Dan Gear Heritage East Assoc. of Residents (HER) "R" 9120 Mabry Avenue NE Albuquerque, NM 87109</p>		<p>B. Received by (<i>Printed Name</i>)</p> <p>C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7002 3150 0005 7420 3014</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>PS Form 3811, August 2001</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt 102595-02-M-1540</p>	

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UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 005.12⁰
0002527985 DEC 14 2006
MAILED FROM ZIP CODE 87109

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First Class Mail

2006-070-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Ms. Rebecca Thuma
Heritage East Assoc. of Residents
(HER) "R"
7815 Quintana Drive NE
Albuquerque, NM 87109

2. Article Number
(Transfer from service label)

7002 3150 0005 7420 3007

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

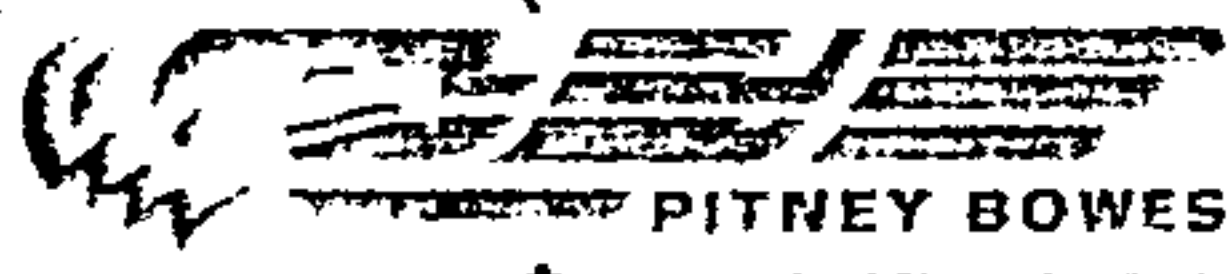
4. Restricted Delivery? (Extra Fee) Yes



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7002 3150 0005 7420 3038

UNITED STATES POSTAGE

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 02 1P \$ 005.120
 0002527985 DEC 14 2006
 MAILED FROM ZIP CODE 87109

First Class Mail

First Class Mail

2006-570-3

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Ms. Jo Hunter North Albuquerque Acres Comm. Assoc. (NAA) "R" 9805 San Bernadino NE Albuquerque, NM 87122	B. Received by (<i>Printed Name</i>) C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes	
<p style="text-align: center;">7002 3150 0005 7420 3038</p>	

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 FIRST CLASS
 FIRST CLASS
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7002 3150 0005 7420 3021



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 005.120
0002527985 DEC 14 2006
MAILED FROM ZIP CODE 87109

First Class Mail

First Class Mail

2006-070-3

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1. Article Addressed to: Ms. Cynthia Reinhart North Albuquerque Acres Comm. Assoc. (NAA) "R" 11300 Oakland NE Albuquerque, NM 87122	B. Received by (<i>Printed Name</i>)	C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
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4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes		
7002 3150 0005 7420 3021		

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540



FIRST CLASS

FIRST CLASS

CERTIFIED MAIL



7002 3150 0005 7420 3052



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 005.120
0002527985 DEC 14 2006
MAILED FROM ZIP CODE 87109

First Class Mail

First Class Mail

2006-070-3

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Tony Huffman Vineyard Estates N.A. (VYE)"R" 8912 Corona Avenue NE Albuquerque, NM 87122	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label)	7002 3150 0005 7420 3052	
PS Form 3811, August 2001	Domestic Return Receipt	102595-02-M-1540
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS



7002 3150 0005 7420 3045



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 005.120
0002527985 DEC 14 2006
MAILED FROM ZIP CODE 87109

First Class Mail

First Class Mail

2006-070-3

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Pat Verrelle Vineyard Estates N.A. (VYE)"R" 8415 Vintage Drive NE Albuquerque, NM 87122	B. Received by (<i>Printed Name</i>)	C. Date of Delivery
2. Article Number (<i>Transfer from service label</i>)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes	

7002 3150 0005 7420 3045



LOC: ANN 10:47AM 12/15/2006

APPLICANT NAME MARK 35 INC
 AGENT JEFF MORTENSEN & ASSOC
 ADDRESS 6010 - B MIDWAY PARK BLVD NE
 PROJECT & APP # 1005237/06DRB 01758, 01759, 01760
 PROJECT NAME TR. A&B MARK 35 HOLLYDEFL

- \$ 20.00 441032/3424000 Conflict Management Fee
- \$ 345.00 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
- \$ 440.00 TOTAL AMOUNT DUE

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

12/15/2006 X RECEIPT# 00073317 US# 007 TRANS# 0008
 ACCOUNT# 441006 Activity# 4983000
 TRS VRS J24 M 5

MARK 35 INC
 1720 LOUISIANA BLVD NE SUITE #212
 ALBUQUERQUE, NM 87110

DATE 12/13/06 .95-108/1122

CITY OF ALBUQUERQUE
 City of Albuquerque
 Treasury Division

PAY TO THE ORDER OF City of Albuquerque \$ 440.00
 Four hundred forty 00/100 DOLLARS

12/15/2006 10:48AM LOC: ANN
 RECEIPT# 00073317 US# 007 TRANS# 0008
 Account# 441006 Activity# 4971000
 Trans Amt J24 M 5 \$440.00

Western Commerce Bank
 ALBUQUERQUE, NEW MEXICO 87112

FOR DRB SUBMITTAL FEE FOR MARK 35 INC

15801022010851

CR CHANGE \$440.00 \$75.00 \$0.00

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 DECEMBER 26, 2006 to JANUARY 10, 2007

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.

Debie DeBlanc Tujillo
(Applicant or Agent) JMA

12-15-06
(Date)

I issued 1 signs for this application, 12/15/06 Sandy Handler
(Date) (Staff Member)

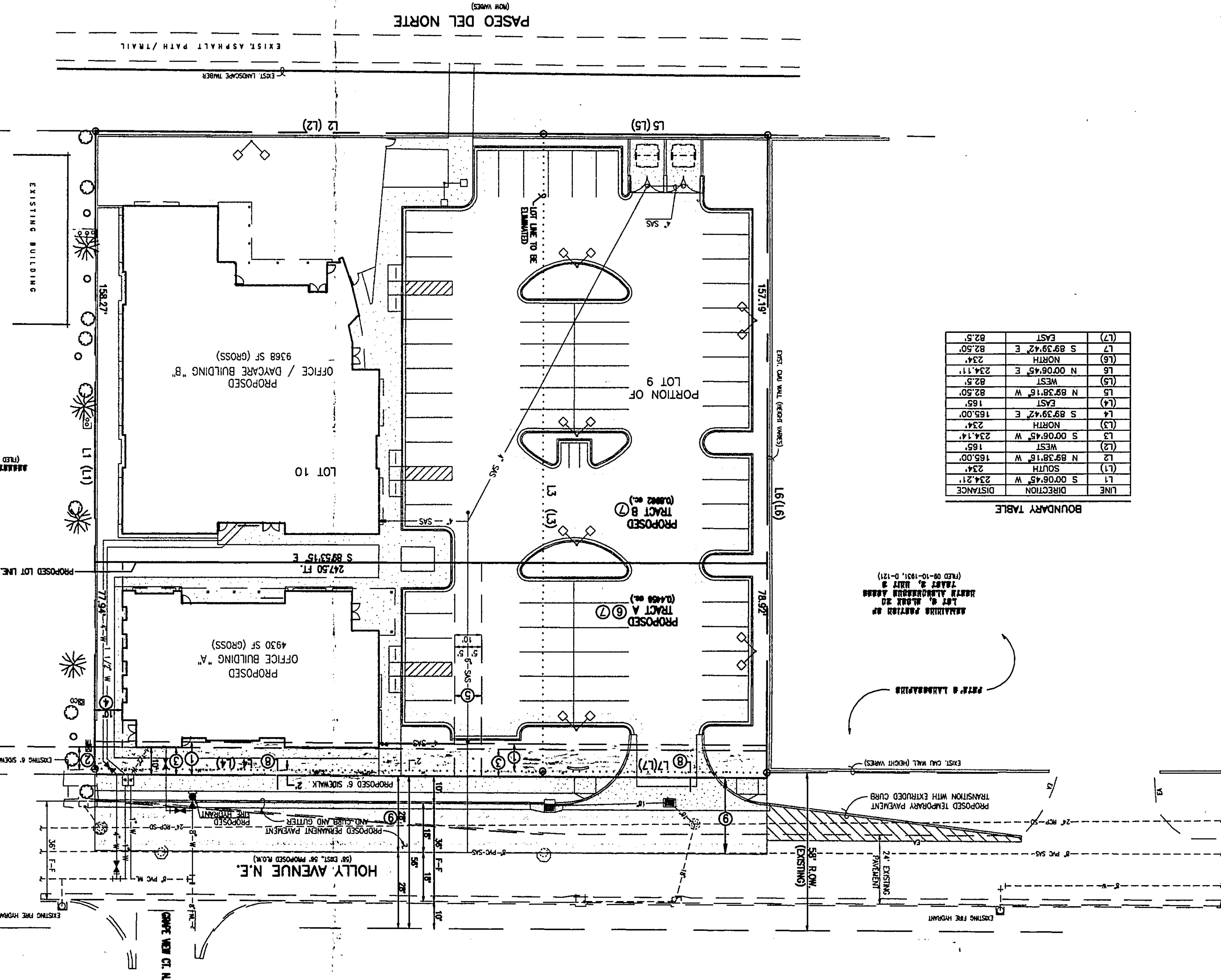
DRB PROJECT NUMBER: 1005237



JMA ENGINEERING & ASSOCIATES, INC.
 6010-B MIDWAY PARK AVENUE, NE
 ALBUQUERQUE, NM 87109
 ENGINEERS & SURVEYORS (005) 242-4250
 FIRM NO. 242-4254 ESTABLISHED 1977

SKETCH PLAN AND VACATION REQUEST
 TRACTS A AND B, MARK 3S HOLLY DEVELOPMENT

THE PURPOSE OF THIS REQUEST IS TO DEMONSTRATE: THE VACATION OF PUBLIC RIGHT-OF-WAY; THE VACATION OF A PUBLIC UTILITY EASEMENT; THE DEDICATION OF PUBLIC STREET RIGHT-OF-WAY; THE RECONFIGURATION OF TWO PARCELS TO CREATE TRACTS A AND B; AND THE GRANTING OF EASEMENTS, AS SHOWN OR NOTED ON THIS DRAWING



BOUNDARY TABLE

LINE	DIRECTION	DISTANCE
L1	S 00°06'45" W	234.21'
L1	SOUTH	234'
L2	N 89°38'16" W	165.00'
L2	N 89°38'16" W	165.00'
L3	S 00°06'45" W	234.14'
L3	NORTH	234'
L4	S 89°39'42" E	165.00'
L4	EAST	165'
L5	N 89°38'16" W	82.50'
L5	N 89°38'16" W	82.50'
L6	N 00°06'45" E	234.11'
L6	WEST	234'
L7	S 89°39'42" E	82.50'
L7	EAST	82.5'

VACATION EXHIBIT B
 Date 01/10/07

DESIGNED BY	DATE	REVISED BY	DATE
GM			
SGH			
AP			

DATE	REVISIONS
12-2006	
2006.07.03	

- EASEMENT TO BE VACATED**
- 1' PUBLIC UTILITY EASEMENT GRANTED BY DOCUMENT FILED 03-08-2003; BOOK A03, PAGE 2007. DOC #2005032212; TO BE VACATED BY THIS REQUEST.
 - EXISTING EASEMENT
 - 10' PUBLIC UTILITY EASEMENT GRANTED BY PLAT 2004C-199 (OFFSITE)
- NEW EASEMENTS**
- 10' PUBLIC UTILITY EASEMENT GRANTED TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
 - 10' PRIVATE WATER LINE EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
 - 10' PRIVATE SANITARY SEWER EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
 - 10' PRIVATE SANITARY SEWER EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT A.
 - 10' MAINTENANCE SHALL BE THE RESPONSIBILITY OF TRACT A.
 - 10' NON-SPECIFIC PRIVATE DRAINAGE EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B BY ACCEPTING DEVELOPED RUNOFF FROM TRACT B IN ACCORDANCE WITH THE FORTHCOMING GRADING AND DRAINAGE PLAN TO BE PREPARED BY THIS OFFICE. MAINTENANCE SHALL BE THE RESPONSIBILITY OF TRACT A.
 - 10' RECIPIENT PRIVATE ACCESS AND PARKING EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACTS A AND B TO ALLOW FREE CIRCULATION AND SHARED PARKING BETWEEN THE TWO TRACTS. THE LIMITS OF THIS EASEMENT SHALL BE DETERMINED BY THE PARKING AND ACCESS COMPONENTS DERIVED BY THE FORTHCOMING SITE PLAN FOR BUILDING PERMIT BY THIS OFFICE (PROJECT #1005277). MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE UNDERLYING PROPERTY OWNERS.
- VACATED RIGHT-OF-WAY**
- 2' FORMER HOLLY AVENUE N.E. STREET RIGHT-OF-WAY WANTED BY THIS REQUEST (0.0114 ACRES).
 - 20' PUBLIC STREET RIGHT-OF-WAY DEDICATED IN FEE SIMPLE TO THE CITY OF ALBUQUERQUE BY FORTHCOMING PLATTING ACTION.

KEYED NOTES

1' PUBLIC UTILITY EASEMENT GRANTED BY DOCUMENT FILED 03-08-2003; BOOK A03, PAGE 2007. DOC #2005032212; TO BE VACATED BY THIS REQUEST.

EXISTING EASEMENT

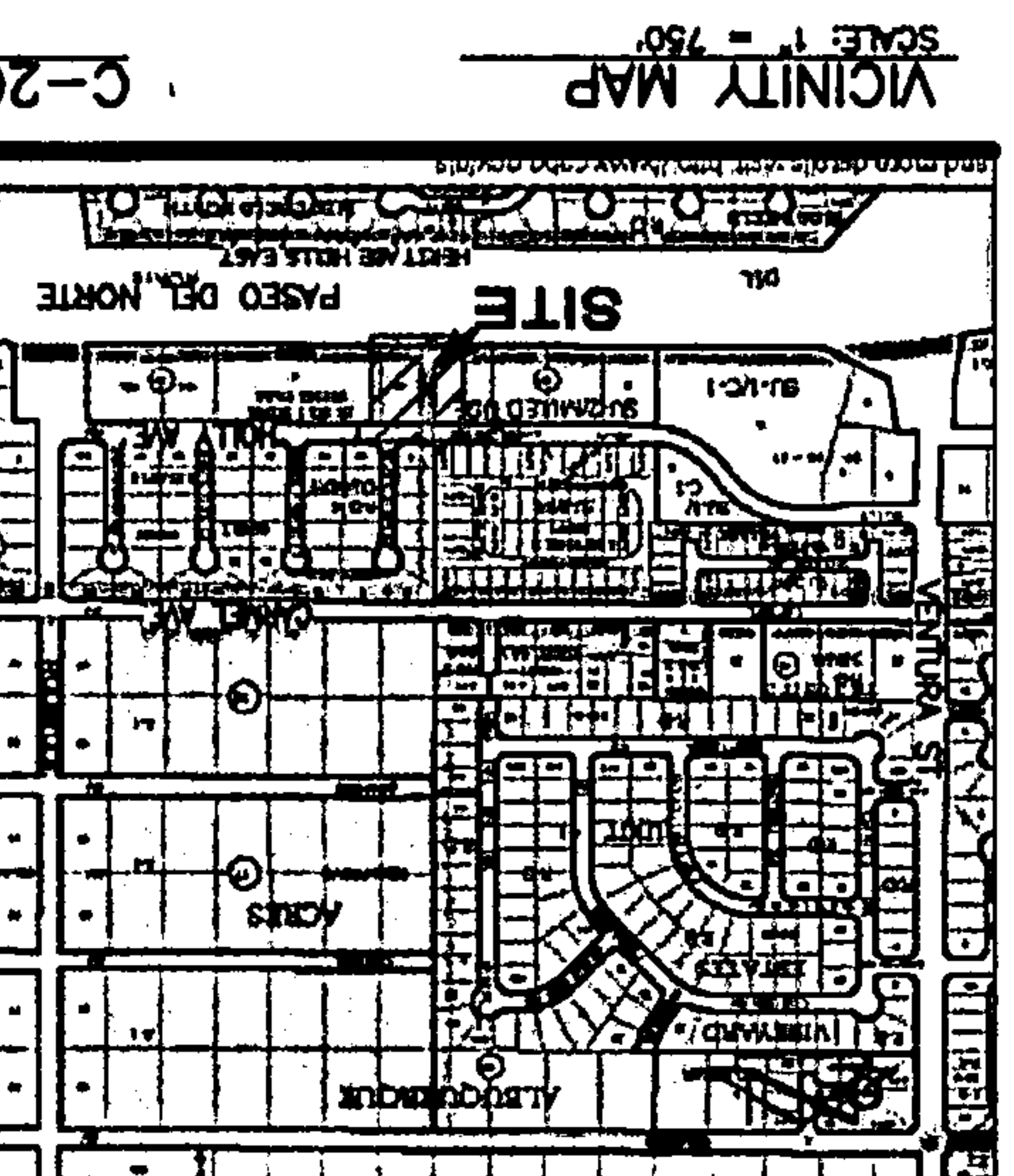
10' PUBLIC UTILITY EASEMENT GRANTED BY PLAT 2004C-199 (OFFSITE)

NEW EASEMENTS

- 10' PUBLIC UTILITY EASEMENT GRANTED TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
- 10' PRIVATE WATER LINE EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
- 10' PRIVATE SANITARY SEWER EASEMENT TO BE GRANTED BY FORTHCOMING PLATTING ACTION TO SERVE TRACT B.
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VACATED RIGHT-OF-WAY

- 2' FORMER HOLLY AVENUE N.E. STREET RIGHT-OF-WAY WANTED BY THIS REQUEST (0.0114 ACRES).
- 20' PUBLIC STREET RIGHT-OF-WAY DEDICATED IN FEE SIMPLE TO THE CITY OF ALBUQUERQUE BY FORTHCOMING PLATTING ACTION.



Reduced color exhibit of vacatures

LEGAL DESCRIPTION:
 Lot 10 and the east half of Lot 9, Block 20, North Albuquerque Area, Tract 3, Unit 3, Albuquerque, New Mexico, as the same is shown and described on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico, on September 10, 1931, Book D, Page 121.

DECLARATION OF PUBLIC UTILITY EASEMENT

THIS INSTRUMENT made this Dec day of 17, 2004 by and between

Walter J. Garcia

WITNESSETH:

Grantor does hereby create, dedicate and grant an easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for delivery of electric power, natural gas, communications, water, sewer and other public utilities, including the right to install equipment, fixtures and structures necessary to maintain such facilities on, over, beneath, through and across the easement herein after described, together with free access to, from and over said easement, with the right and privilege of going upon, over and across lands of Grantor for the purposes set forth herein, and with the right to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in BERNALILLO County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 10889

A Public Utility Easement Lot 10 and the East Half (E1/2) of Lot 9, Block 20, Tract 3, Unit 3 of NORTH ALBUQUERQUE ACRES situate in Section 17, T. 11N., R. 4E., N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said plat filed for record in the Office of the County Clerk of Bernalillo County on September 10, 1931, in Plat Book D, Page 121, and being more particularly described as follows:

A Public Utility Easement ten (10) feet wide, being the north ten (10) feet of said Lot Ten (10) and the East-Half (E1/2) of said Lot 9, said ten (10) foot Public Utility Easement is also adjoining the south right of way line of Holly Ave NE.

Grantor hereby covenants that Grantor is the title and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, assigns, tenants, successors and assigns of the Grantor and valid users of the easement described herein.

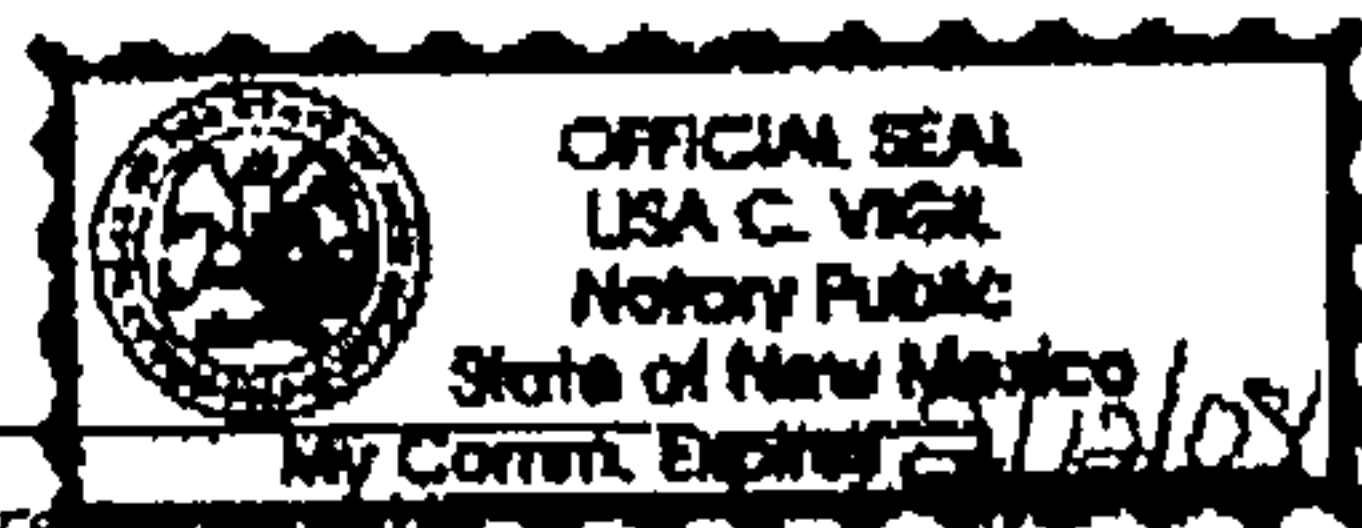
WITNESS my hand and seal this 17th day of December, 2004
X Walter J. Garcia (SEAL) X Walter J. Garcia (SEAL)

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on December 17, 2004

By Walter J. Garcia
My commission expires: 2-12-2008
(Seal)



X Lisa C. Vigil
Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____, 20____

By _____ (Name of Officer) _____ (Title of Officer)

of _____ (Corporation Acknowledgment)

a _____ corporation, on behalf of said corporation.
(State of Incorporation)

My Commission Expires: _____
(Seal)

Notary Public

PNM REFERENCE NUMBER []

24 copies of the PUE (to be vacated)



2005032213
Page 1 of 1
03/08/2005 10:10A
Bk-RS3 Pg-2007

State of New Mexico
County of Bernalillo

This Instrument was filed for record on the 10 day
of Sept. 1931 at 1:31
o'clock P.M. Recorded in Vol. _____
of Records of said County, Folio _____
S/ Mrs. Will Rogers Clerk & Recorder
Deputy Clerk

24 copies
of the R/W

NORTH ALBUQUERQUE ACRES

ALBUQUERQUE BERNALILLO COUNTY NEW MEXICO

TRACT 3 UNIT 3

SCALE 1 INCH = 400 FEET

NOTE
EACH LOT INCLUDING CENTER OF
ADJOINING STREET IS ONE ACRE

I, Ramona Manoya, County Clerk of Bernalillo County,
New Mexico, do hereby certify that the map on which
this certificate appears is a true copy, made and
my direction and under the provisions of Chapter
of New Mexico Statutes, Laws 1929, and map filed
part of the _____ of _____ 1931

