



February 21, 2014

CERTIFICATE OF COMPLETION AND ACCEPTANCE

Douglas H. Peterson, Managing Member
CVS Pharmacy, Inc.
2325 San Pedro NE Suite 2A
Albuquerque, New Mexico 87110

RE: **McMahon Market Place**
Project Number: **777283**

Dear: Mr. Peterson:

This is to certify that the City of Albuquerque accepts the construction of the infrastructure provided in the Work Order Construction Plans, City Project No. **777283**. The work was completed pursuant to the required infrastructure listed in the Subdivision Improvements Agreement (SIA) Procedure B, between **CVS Pharmacy, Inc.** and the City of Albuquerque executed on **September 21, 2010**.

Having satisfied the requirements referenced above, the SIA and any associated Financial Guaranty, held by the City, can now be released. Any performance/warranty bond and the indemnity and hold harmless provisions of the SIA in favor of the City shall remain in effect. The contractor's warranty period will begin **February 21, 2014** and is effective for a period of one (1) year.

Should you have any questions or issues regarding this project, please contact me at (505) 924-3996.

Sincerely,

Bryan Wolfe, P.E.
City Engineer
Development Review Services
Planning Department

spw 2/21/14

cc: **Bohannon Huston**, (e-mail)
Custom Grading, (e-mail)
Vincent Paul, DMD Maps & Records (e-mail)
David Zamora, DMD Street Maintenance (e-mail)
Phillip Romo, Street Maintenance (e-mail)
Jason T. Rodriguez, Street Maintenance (e-mail)
John Kolessar, DMD Traffic Engineering
David Rodriguez, ABCWUA Maps & Records (e-mail)
Martin Sanchez, ABCWUA Maps & Records (e-mail)
SIA File, City Project Number **777283**

RELEASE OF AGREEMENT

TITLE OF PROJECT: McMahon Market Place
SUBDIVIDER: CVS Pharmacy, Inc.
CITY PROJECT NO: 777283

THIS RELEASE IS EXECUTED THIS 4th DAY OF March 20 14.

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and CVS Pharmacy, Inc. ("Subdivider"), entered into a Subdivision Improvements Agreement, Procedure B ("Agreement"), dated September 21, 2010, recorded on September 24, 2010, in the records of the Clerk of Bernalillo County, State of New Mexico as Doc# 2010096125, pages 1 through 11 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and CVS Pharmacy, Inc. ("Subdivider"), entered into a 1st Amendment to Subdivision Improvements Agreement, Procedure B ("Agreement"), dated August 16, 2011, recorded on August 29, 2011, in the records of the Clerk of Bernalillo County, State of New Mexico as Doc# 2011077999, pages 1 through 5 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and CVS Pharmacy, Inc. ("Subdivider"), entered into a 1st Extension to Subdivision Improvements Agreement, Procedure B ("Agreement"), dated October 12, 2011, recorded on October 13, 2011, in the records of the Clerk of Bernalillo County, State of New Mexico as Doc# 2011092477, pages 1 through 3 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the Subdivider has completed the improvements to the satisfaction of the City and has otherwise fully performed all of its obligations under the above-mentioned Agreement.

NOW THEREFORE, in consideration of the above, the City does hereby release and discharge Subdivider from all obligations and covenants contained in the above-mentioned Agreement. The liability provisions of the Subdivision Improvements Agreement shall remain in effect. Any performance/warranty bond or labor and material payment bond provided by the Subdivider shall remain in effect according to the terms of those bonds.

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REL R \$25.00 M. Toulouse Oliver, Bernalillo County

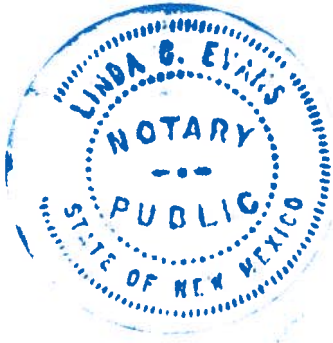


APPROVED BY: Bryan Wolfe 3/4/2014 5-3-11
Bryan Wolfe, P.E., City Engineer dated

sgw 2/21/14

Notary Public: Linda Evans

My Commission Expires: 10-17-16



RELEASE OF FINANCIAL GUARANTY

TITLE OF PROJECT: MCMAHON MARKET PLAZA

SUBDIVIDER: CVS PHARMACY, INC.

CITY PROJECT NUMBER: 777283

THIS RELEASE IS EXECUTED THIS 17th DAY OF August, 20 12

WHEREAS, Subdivision Improvements Bond # 6723682 (Financial Guaranty) dated August 26, 2010, in the amount of \$ 631,387.93 was issued by Safeco Insurance Company of America ("Financial Institution") to insure CVS Pharmacy, Inc. ("Subdivider's") performance under the terms of the Subdivision Improvements Agreement, Procedure B, ("Agreement"), dated September 21, 2010, as amended, which Agreement was recorded on September 24, 2010, in the records of the Clerk of Bernalillo County, New Mexico, in Doc#: 2010096125; and


WHEREAS, Subdivision Improvements Bond # 6723680 (Financial Guaranty) dated September 30, 2011, in the amount of \$ 631,387.93 was issued by Safeco Insurance Company of America ("Financial Institution") to insure CVS Pharmacy, Inc. ("Subdivider's") performance under the terms of the 1st Extension to Subdivision Improvements Agreement, Procedure B, ("Agreement"), dated October 12, 2011, as amended, which Agreement was recorded on October 13, 2011, in the records of the Clerk of Bernalillo County, New Mexico, in Doc#: 2011092447; and

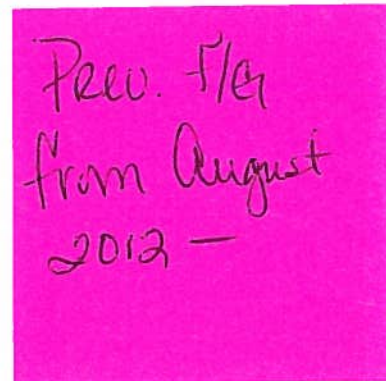
NOW THEREFORE, in consideration of the above, the City of Albuquerque hereby releases Subdivision Improvements Bond # 6723680 dated September 21, 2010, and October 12, 2011, as amended in the amounts of \$631,387.93 issued by Safeco Insurance Company of America.

APPROVED BY:


Richard Dourte, City Engineer

Dated: 8-17-12


8-17-12


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from August
2012 -