



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 12, 2014

Project# 1006000

13DRB-70677 MAJOR - 2YEAR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (2YR SIA)

MYERS, OLIVER & PRICE, PC agents for MESA DEL SOL, LLC request the refernced/ above action for Tract 12-B, MESA DEL SOL INNOVATION PARK zoned PC, located on the northeast corner of TURNING DR SE and SAGAN AVE SE containing approximately 2.922 acres. (R-16) [*Deferred from 10/9/13, 12/11/14*]

At the February 12, 2014 Development Review Board meeting, a two year extension of the Subdivision Improvements Agreement was approved subject to the City Attorney and Design Review Committee coming to a resolution to provide a satisfactory financial guarantee for the agreement.

If you wish to appeal this decision, you must do so by February 27, 2014, in the manner described below.

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

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

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



Jack Cloud, DRB Chair

Cc: MYERS, OLIVER & PRICE, PC
file

Project# 1006000
13DRB-70677 MAJOR - 2YEAR
SUBDIVISION IMPROVEMENTS
AGREEMENT EXTENSION (2YR SIA)

[DEFERRED TO 2/12/14]

MYERS, OLIVER & PRICE, PC agents for MESA DEL SOL, LLC request the refernced/ above action for Tract 12-B, **MESA DEL SOL INNOVATION PARK** zoned PC, located on the northeast corner of TURNING DR SE and SAGAN AVE SE containing approximately 2.922 acres. (R-16) *[Deferred from 10/9/13]* **DEFERRED TO 2/12/14.**


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

6. **Project# 1005403**
13DRB-70702 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

INTRIGATED DESIGN & ARCHITECTURE agent(s) for J & J REAL ESTATE LLC request(s) the above action(s) for all or a portion of Tract(s) 12-A1-A & 12-A-1B, **HACIENDAS DON VILLEGAS** zoned RLT, located on RIO GRANDE BLVD NW BETWEEN INDIAN SCHOOL NW AND CONTEREAS PL NW containing approximately 1.2084 acre(s). (H-13) *)[Deferred from 10/16/13]* **DEFERRED TO 12/18/13.**

7. **Project# 1009839**
13DRB-70689 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for DORRIS PROPERTIES LLC request(s) the above action(s) for all or a portion of Lot(s) 9, **LAS LOMITAS BUSINESS PARK SUBDIVISION** zoned SU-1 FOR I-P, located on CUESTA ABAJO CT BETWEEN LAS LOMITAS DR NW AND NW DIVERSON CHANNEL containing approximately 4.0425 acre(s). (D-16) *[deferred from 10/2/13]* **THE PRELIMINARY/FINAL PLAT WAS APPROVED.**

8. **Project# 1006543**
13DRB-70771 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

THE SURVEY OFFICE, LLC agent(s) for ABS SW INVESTOR, LLC request(s) the above action(s) for all or a portion of Lot(s) 61-A-1-A-1 AND 61-A-1-B-1, **TOWN OF ATRISCO GRANT Unit(s) 6**, zoned C-2, located on 6600 CENTRAL AVE SW containing approximately 6.1955 acre(s). (K-10) **INDEFINITELY DEFERRED FOR AMENDMENT OF SITE PLAN.**

9. **Project# 1008630**
13DRB-70682 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

HUITT-ZOLLARS, INC., agents for CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Tract(s) C, **MANZANO MESA** zoned C-2, located on ON JUAN TABO SE BETWEEN SOUTHERN BLVD AND HORSESHOE TRL SE containing approximately 3 acre(s). (L-21) *[deferred from 9/25/13, 10/23/13, 11/6/13, 11/13/13, 11/21/13, 12/4/13]* **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 12/11/13, THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 9, 2013

Project# 1006000

13DRB-70677 MAJOR - 2YEAR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION
(2YR SIA)

MYERS, OLIVER & PRICE, PC agents for MESA DEL SOL, LLC request the refernced/ above action for Tract 12-B, **MESA DEL SOL INNOVATION PARK** zoned PC, located on the northeast corner of TURNING DR SE and SAGAN AVE SE containing approximately 2.9223 acres. (R-16)

AMAFCA No Comments
COG No comments provided
TRANSIT No comments provided
ZONING ENFORCEMENT No comments provided
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT This project is in the Southeast Area Command. - No Crime Prevention or CPTED comments concerning the proposed Major Subdivision Improvements Agreement Extension request at this time.
FIRE DEPARTMENT No Comments
PNM ELECTRIC & NMGCO No comments provided
COMCAST No comments provided
CENTURYLINK No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION No comments provided
CITY ENGINEER What is the status of the SIA?

TRANSPORTATION DEVELOPMENT No objection to extension request.
PARKS AND RECREATION No Comments
ABCWUA No objection
PLANNING DEPARTMENT Refer to comments from affected agencies plus any public hearing comments regarding proposed extension.

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



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 9, 2013

Project# 1006000

13DRB-70677 MAJOR - 2YEAR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION
(2YR SIA)

MYERS, OLIVER & PRICE, PC agents for MESA DEL SOL, LLC request the refernced/ above action for Tract 12-B, **MESA DEL SOL INNOVATION PARK** zoned PC, located on the northeast corner of TURNING DR SE and SAGAN AVE SE containing approximately 2.9223 acres. (R-16)

AMAFCA No Comments
COG No comments provided
TRANSIT No comments provided
ZONING ENFORCEMENT No comments provided
NEIGHBORHOOD COORDINATION
APS This will have no adverse impacts to the APS district.
POLICE DEPARTMENT This project is in the Southeast Area Command. - No Crime Prevention or CPTED comments concerning the proposed Major Subdivision Improvements Agreement Extension request at this time.
FIRE DEPARTMENT No Comments
PNM ELECTRIC & NMGCO No comments provided
COMCAST No comments provided
CENTURYLINK No comments provided
ENVIRONMENTAL HEALTH No comments provided
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION No comments provided
CITY ENGINEER What is the status of the SIA?

TRANSPORTATION DEVELOPMENT No objection to extension request.
PARKS AND RECREATION No Comments
ABCWUA No objection
PLANNING DEPARTMENT Refer to comments from affected agencies plus any public hearing comments regarding proposed extension.

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 23, 2011

Project# 1006000

11DRB-70028 MINOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

MYERS, OLIVER & PRICE, P,C. agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 12-B, **MESA DEL SOL INNOVATION PARK I** zoned PC, located on TURNING DR BETWEEN SAGAN AVE AND SOLAR MESA AVE containing approximately 2.9223 acre(s). (R-16)

At the February 23, 2011 Development Review Board meeting, a two year extension of the Subdivision Improvements Agreement was approved.

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

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

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


Jack Cloud, DRB Chair

Cc: Myers, Oliver & Price, P.C. – 1401 Central Avenue, NW – Albuquerque, NM 87104

Cc: Mesa Del Sol, LLC – 5700 University West, SE Ste 310 – Albuquerque, NM 87106

Marilyn Maldonado

File

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

7. **Project# 1000936**
11DRB-70016 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
11DRB-70017 EPC APPROVED SDP
FOR BUILD PERMIT
11DRB-70018 EPC APPROVED SDP
FOR SUBDIVISION
- TIERRA WEST LLC agent(s) for DIAMOND SHAMROCK STATIONS, INC. request(s) the above action(s) for all or a portion of Lot(s) H-1, **ZOLIN, KUNATH, TRES EQUINAS, LLC & CURB, INC.**, zoned SU-1/ C-1, located on UNSER BLVD NW BETWEEN MCMAHON BLVD NW AND CALLE PERRO NW containing approximately 2.92 acre(s). (A-11) *[Deferred from 2/2/11]* **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR SIA AND TO PLANNING TO COMPLY WITH TRANSPORTATION DEVELOPMENT COMMENTS. THE SITE PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING. THE PRELIMINARY FINAL PLAT WAS DEFERRED TO 3/9/11 AT THE AGENT'S REQUEST.**

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

8. **Project# 1006000**
11DRB-70028 MAJOR - 2YR SUBD IMP
AGMT EXT (2YR SIA)
- MYERS, OLIVER & PRICE, P,C. agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 12-B, **MESA DEL SOL INNOVATION PARK I** zoned PC, located on TURNING DR BETWEEN SAGAN AVE AND SOLAR MESA AVE containing approximately 2.9223 acre(s). (R-16) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**
9. **Project# 1007746**
11DRB-70039 AMENDMENT TO
PRELIMINARY PLAT
- LOVELACE RESPIRATORY RESEARCH INST. agent(s) for LOVELACE RESPIRATORY RESEARCH INST. request(s) the above action(s) for all or a portion of Lot(s) C, Block(s) , Tract(s) , **CAGUA ADDITION Unit(s)** , zoned O, located on RIDGECREST SE BETWEEN SAN PEDRO BLVD AND SAN MATEO BLVD containing approximately 1.5633 acre(s). [REF:] (M-18) **THE AMENDED PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA SIGNATURE. THIS AMENDMENT DOES NOT EXTEND THE EXPIRATION DATE OF THE ALREADY APPROVED PRELIMINARY PLAT.**
10. **Project# 1008688**
11DRB-70037 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- THE SURVEY OFFICE, LLC agent(s) for AIDA AND ENRIQUE MARQUEZ request(s) the above action(s) for all or a portion of Lot(s) 25 & 26, Block(s) J, Tract(s) , **LAVALAND ADDITION Unit(s)** , zoned C-2, located on 65TH BETWEEN CENTRAL AVE AND AVALON containing approximately .3893 acre(s). [REF:] (K-11) **DEFERRED TO 3/2/11 AT THE AGENT'S REQUEST.**

HEARING DATE 2-23-11 (Minor's IA)

Change to Feb 23

Per Jack

(Minor)



DRB CASE ACTION LOG

REVISED 10/08/07

Complete G Jones

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.: 08 DRB-70026 Project # 1006000
 Project Name: Mesa Del Sol Innovation Park Tracts 12-A, 12-B
 Agent: Bohanan Huston Phone No.: 823-1000

Your request was approved on 3/27/08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): record
AGIS dxg

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:** 2/29/08
- 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.** *OK*
- Copy of recorded plat for Planning.**

Created On:

Michael Balaskovits

From: Mary Cole
Sent: Thursday, February 14, 2008 11:18 AM
To: Michael Balaskovits; Robert Gromatzky
Subject: FW: Project No. 1006000

Mary K. Cole
CADD Technician
CDP Survey
direct line: 505.798.7826

Bohannon Huston, Inc.

Courtyard I, 7500 Jefferson St. NE
Albuquerque, NM 87109-4335
www.bhinc.com
voice: 505.823.1000 **facsimile:** 505.823.1234 **toll free:** 800.877.5332

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From: Zamora, David M. [mailto:dmzamora@cabq.gov]
Sent: Thursday, February 14, 2008 11:18 AM
To: Mary Cole
Subject: Project No. 1006000

The .dxf file for Project No. 1006000 (Mesa Del Sol Innovation Park Tracts 12A & 12B) has been approved.

David M. Zamora
GIS Coordinator - AGIS
City of Albuquerque
Planning Department
924-3929 phone
924-3812 fax
www.cabq.gov/gis
dmzamora@cabq.gov



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

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

February 27, 2008 9:00 AM

MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department

Angela Gomez, Administrative Assistant

**Kristal Metro, P.E. , Transportation Development
Brad Bingham, P.E., Hydrology/ Alternate City Engineer**

**Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development**

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

- 1. Project# 1000788**
08DRB-70056 2 YR YEAR EXTENSION
OF SUBDIVISION IMPROVEMENTS

BOHANNAN HUSTON INC agent(s) for LONGFORD AT PARADISE SKIES, LP request(s) the above/ referenced action(s) for all or a portion of **Unit(s) 8 & 9, PARADISE SKIES**, zoned SU-1/ RT, located on the south side of MCMAHON BLVD NW BETWEEN ROCKCLIFF DR NW AND MILKY WAY ST NW containing approximately 29.8 acre(s). (A-11) **AN EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED WHICH WAS GRANTED THROUGH FEBRUARY 13, 2009.**
- 2. Project# 1006200**
08DRB-70060 VACATION OF PUBLIC
EASEMENTS
08DRB-70061 VACATION OF PUBLIC
RIGHT-OF-WAY
08DRB-70070 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above/ referenced action(s) for CANYON MESA AVENUE SE, plus adjacent Public Utility Easements and Existing Public Drainage and Public Access Easements on Tract(s) 1 & 2, **MESA DEL SOL INNOVATION PARK**, zoned PC, located on the north side of CRICK AVE SE BETWEEN UNIVERSITY BLVD SE AND WATSON DR SE containing approximately 39.4 acre(s). (Q-16) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE PRELIMINARY WAS APPROVED. FINAL PLAT WAS DEFERRED FOR THE SIA.**

3. **Project# 1006602**
 08DRB-70053 VACATION OF PUBLIC EASEMENTS
 08DRB-70054 VACATION OF PUBLIC RIGHTS-OF-WAY
 08DRB-70028 MINOR - PRELIMINARY/FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for ALM, LLC request(s) the above/ referenced action(s) for a portion of PALOMAS AVENUE NE, plus the DRAINAGE RIGHT-OF-WAY known as Tract B and a Temporary Ponding Easement on Tract B and Lot 20A, plus a Public Waterline Easement on Lot 20A, **HERITAGE HILLS NORTH UNIT 1** (to be known as **VENTURA PLAZA**) zoned SU-2/C-1, located on the southwest corner of PASEO DEL NORTE NE AND VENTURA ST NE containing approximately 5.5 acre(s). (D-20) **THE VACATIONS WERE APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO ABCWUA FOR THE CONDITION THAT THE EXISTING WATERLINE BE ABANDONED, AND TO PLANNING TO RECORD.**

- 8DRB-70036 EPC APPROVED SDP FOR BUILD PERMIT
 08DRB-70037 EPC APPROVED SDP FOR SUBDIVISION

GEORGE RAINHART ARCHITECTS agent(s) for ALM LLC request(s) the above action(s) for all or a portion of Lot(s) 13-17, 18A-20A, Block(s) 31, Tract(s) A, **NORTH ALBUQUERQUE ACRES Unit A**, zoned SU-2/C-1, located on PASEO DEL NORTE NE BETWEEN BARSTOW NW AND VENTURA NE containing approximately 5.44 acre(s). (D-20) *(Deferred from 1/30/08)*. **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE SITE PLANS FOR SUBDIVISION AND BUILDING PERMIT WERE APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR COMMENTS, AND TO CITY ENGINEER FOR THE SIA.**

4. **Project# 1006833**
 07DRB-70254 MAJOR - SDP FOR SUBDIVISION
 07DRB-70255 MAJOR - SDP FOR BUILDING PERMIT

GEORGE RAINHART ARCHITECTS agent(s) for WEBER AND COMPANY request(s) the above action(s) for all or a portion of Tract(s) S2A2, S2A1 & S1A, **ATRISCO BUSINESS ADDITION (to be known as UNSER TOWNE CROSSING)**, zoned IP, located on LOS VOLCANES NW BETWEEN UNSER BLVD NW AND GALATIN NW containing approximately 53 acre(s). (J-9 & J-10) *(Deferred from 10/10/07, 11/14/08, 12/12/0 & 12/30/07)* **DEFERRED TO 3/26/08 AT THE AGENT'S REQUEST.**

5. **Project# 1006973**
08DRB-70057 VACATION OF PUBLIC
EASEMENT

SURVEYS SOUTHWEST LTD agent(s) for THE PHILLIPS EDISON GROUP, LLC request(s) the above/ referenced action(s) for the Temporary Drainage Easement on Tract(s) 19A1, **PARADISE NORTH**, zoned SU-1/ C-1 USES, located on the northeast corner of UNSER BLVD NW AND MCMAHON BLVD NW containing approximately 3.6 acre(s). (A-11) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

6. **Project# 1005108**
08DRB-70059 MAJOR - PRELIMINARY
PLAT APPROVAL

THE DESIGN GROUP agent(s) for RALPH CORRIZ request(s) the above/ referenced action(s) for all or a portion of Tract(s) 67-A-1 AND 67-A-2, **MRGCD MAP #29**, zoned R-1 and C-1, located on the east side of 4TH ST NW BETWEEN VINEYARD RD NW AND WILLOW RD NW containing approximately 2.4 acre(s). (E-15) **DEFERRED TO 3/12/08 AT THE AGENT'S REQUEST.**

7. **Project# 1007083**
08DRB-70050 VACATION OF PUBLIC
RIGHT-OF-WAY

JACKS HIGH COUNTRY INC agent(s) for JULIA SAMORA ESTATE request(s) the above action(s) for all or a portion of the NORTH-SOUTH ALLEY Lot, between the **JM MOORE REALTY COMPANY'S ADDITION # 1, and BLOCK B, BRANSON ADDITION**, located east of 8TH ST NW BETWEEN MOUNTAIN RD NW AND SUMMER NW. (J-14) *(Deferred from 2/20/08)*. **THE ABOVE ITEM WAS WITHDRAWN AT THE AGENT'S REQUEST.**

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

8. **Project# 1006925**
08DRB-70072 EPC APPROVED SDP
FOR BUILD PERMIT

CONSENSUS PLANNING INC agent(s) for Werner Gilchrist LLC request(s) the above action(s) for all or a portion of Lot(s) 3&4, Block 10, **UNIVERSITY HEIGHTS ADDITION**, zoned SU-2/DR, located on CORNELL DRIVE SE BETWEEN SILVER AVE SE AND LEAD AVE SE containing approximately 0.3 acre(s). (K-16) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING TO SHOW CART STORAGE.**

9. **Project# 1006989**
08DRB-70082 MINOR - SDP FOR BUILDING PERMIT
08DRB-70083 MINOR - PRELIMINARY/FINAL PLAT APPROVAL
- LARRY READ AND ASSOCIATES agent(s) for HELMICK REALTY request(s) the above action(s) for all or a portion of Lot 16, Block 16, Tract A, **NORTH ALBUQUERQUE ACRES Unit B**, zoned SU-2/IP, located on SAN PEDRO NE BETWEEN PASEO DEL NORTE NE AND ALAMEDA NE containing approximately 0.63 acre(s). (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE PRELIMINARY PLAT. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR COMMENTS, AND TO PLANNING TO CHECK FOR THE PLAT AND FOR ADDITIONAL COMMENTS.**

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

10. **Project# 1002885**
08DRB-70080 EXT OF SIA FOR TEMP DEFER SDWK CONST
- HIGH MESA CONSULTING GROUP agent(s) for HOECH REAL ESTATE CORP request(s) the above action(s) for all or a portion of Lot(s) 1-78, **OCOTILLO SUBDIVISION**, zoned R-D 4DU/A, located on HOLBROOK ST NE BETWEEN ANEHEIM AVE NE AND PASEO DEL NORTE NE containing approximately 24.15 acre(s). (C-21) **THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**
11. **Project# 1004254**
08DRB-70079 EXT OF MAJOR PRELIMINARY PLAT
- 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, located on VERANDA RD NW BETWEEN RIO GRANDE BLVD NW AND GLENWOOD DR NW containing approximately 0.6061 acre(s). (G-12) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**
12. **Project# 1006939**
08DRB-70078 MINOR - PRELIMINARY/FINAL PLAT APPROVAL
- WAYJOHN SURVEYING INC agent(s) for E&J INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) 1, **BRUNACINI INDUSTRIAL PARK Unit 3**, zoned M-1, located on PHOENIX AVE NE BETWEEN VASSAR DR NE AND GIRARD BLVD NE containing approximately 1.9085 acre(s). (H-16) **DEFERRED TO 3/5/08 AT THE AGENT'S REQUEST.**

13. **Project# 1003554**
08DRB-70081 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- SURV-TEK INC agent(s) for CENTRAL PARK PARTNERS LLC request(s) the above action(s) for all or a portion of Lot(s) 5-A, **CENTRAL PARK PLACE**, zoned C-2, located on CENTRAL AVE SE BETWEEN CONCHAS ST SE AND EUBANK BLVD SE containing approximately 1.926 acre(s). (L-20)
THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION TO ADDRESS COMMENTS REGARDING RIGHT-OF-WAY DEDICATION, AND TO PLANNING.
14. **Project# 1004073**
08DRB-70073 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- HOMES BY KIM BROOKS INC agent(s) for RIO GRANDE ENGINEERING request(s) the above action(s) for all or a portion of Lot(s) 4-7, Block(s) 7, **JUAN TABO HILLS Unit 1**, zoned RD, located on SMARTY JONES ST SE BETWEEN BALLANT FOX RD SE AND SR BARTON RD SE containing approximately .56 acre(s). (M-22) **WITH THE GRADING AND DRAINAGE PLAN DATED 2/13/08, THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR OPEN SPACE NOTE.**
15. ~~Project# 1006000~~
08DRB-70026 MINOR - FINAL PLAT
APPROVAL
- BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract 12, **BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK**, zoned PC, located on SOLAR MESA SE BETWEEN TURNING SE AND SAGAN SE containing approximately 5.44 acre(s). (R-16)
THE FINAL PLAT WAS APPROVED.
16. **Project# 1007133**
08DRB-70087 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- WILSON & CO. agent(s) for CITY OF ALBUQUERQUE ET. AL, request(s) the above action(s) for all or a portion of **VOLCANO CLIFFS Unit 2**, zoned SU-2/R-1, located on SHIPROCK PL NW BETWEEN 81ST ST NW AND KIBO PLACE NW containing approximately 3.3677 acre(s). (E-12) **THE PRELIMINARY/FINAL PLAT WAS APPROVED.**

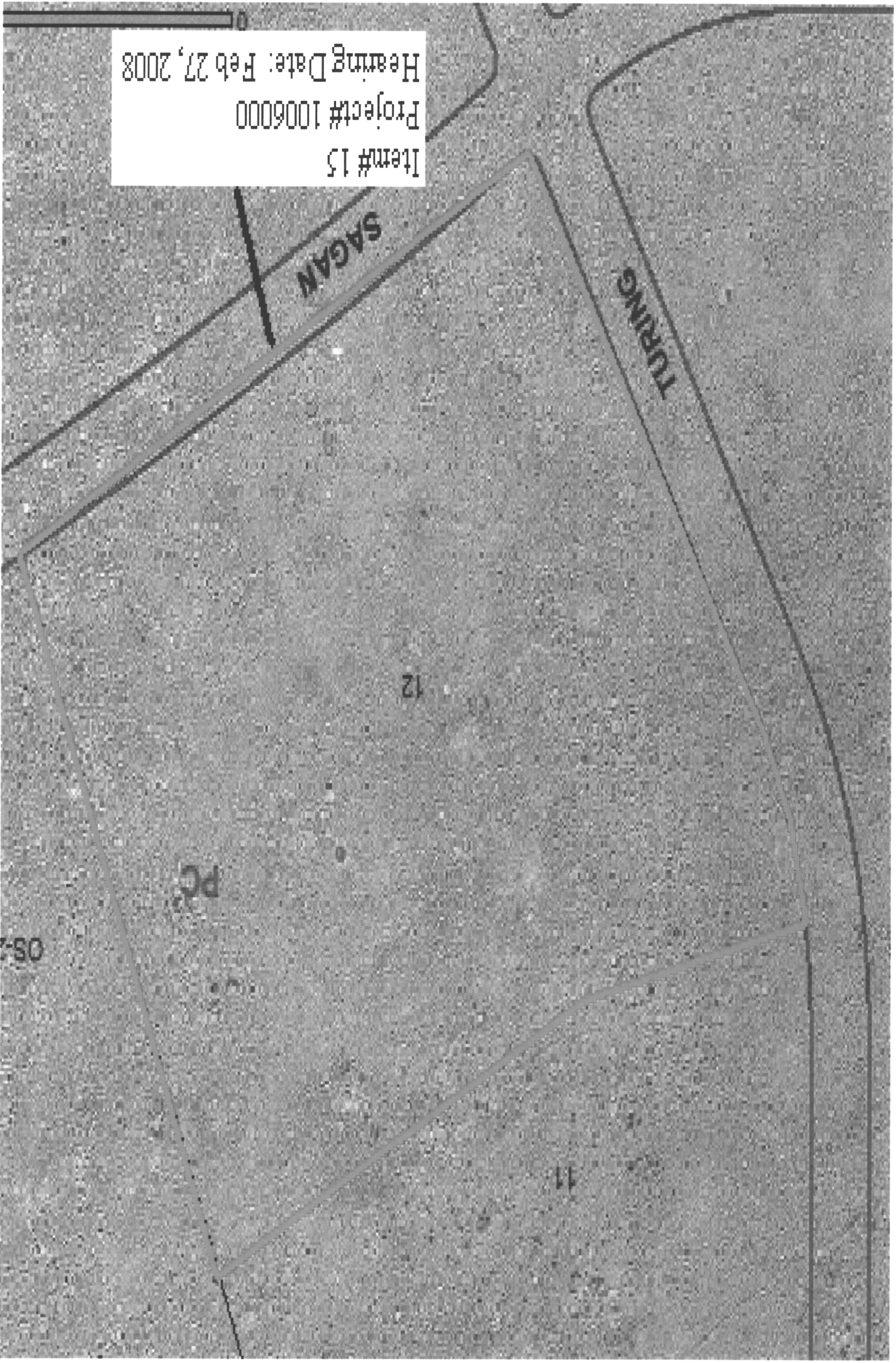
NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

17. **Project# 1006825**
08DRB-70088 SKETCH PLAT REVIEW
AND COMMENT
- EDWARD FITZGERALD ARCHITECTS agent(s) for URBAN ASSETS LLC request(s) the above action(s) for all or a portion of Lot(s) B-1, Block(s) 3, **NEW YEAR ADDITION**, zoned C-2, located on JEFFERSON NE BETWEEN LOMAS BLVD NE AND MARBLE NE containing approximately 0.6 acre(s). (K-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
18. **Project# 1007131**
08DRB-70084 SKETCH PLAT REVIEW
AND COMMENT
- DOUG SMITH agent(s) for TERRIE HERTWECK request(s) the above action(s) for all or a portion of Lot(s) 24-28, Block 9, **HOMESTEAD GARDENSPOT ATTITION**, zoned C, located on SLATE AVE NW BETWEEN 3RD ST NW AND 2ND ST NW containing approximately 0.5866 acre(s). (J-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
19. **Project# 1007132**
08DRB-70086 SKETCH PLAT REVIEW
AND COMMENT
- JEFF HENRY request(s) the above action(s) for all or a portion of Lot(s) 15-16, Block 24, **MESA GRANDE**, zoned C-1, located on VALVERDE SE BETWEEN ZUNI SE AND CENTRAL SE containing approximately 0.3 acre(s). (K-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
20. Approval of the Development Review Board Minutes for January 30, 2008.

Other Matters: None

ADJOURNED: 10:50

Item# 15
Project# 1006000
Hearing Date: Feb 27, 2008



11
11
11
11



#15



DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

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

DRB Application No.: 08DRB-70026

Project # 1006000

Project Name: BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK

Agent: BOHANNAN HUSTON INC.

Phone No.: 823-1000

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): _____

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

- The original plat and a mylar copy for the County Clerk.
- Tax certificate from the County Treasurer.
- Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
- Tax printout from the County Assessor.

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

Created On:



**DEVELOPMENT REVIEW BOARD
AGENDA**

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

January 23, 2008 9:00 AM

MEMBERS:

Andrew Garcia, Acting DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, ABCWUA
Christina Sandoval, Parks & Recreation

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

- 1. Project# 1006953**
07DRB-70406 VACATION OF PUBLIC
EASEMENT
LOGAN HALL request(s) the above action(s) for all or a portion of Lot(s) 1-A, Block(s) 4, **TERRACE ADDITION**, zoned SU-2/NCR, located on LEAD AVE SE BETWEEN LOCUST AVE SE AND ELM ST SE containing approximately 0.4539 acre(s). (K-15) *(Deferred from 12/19/08)*. **DEFERRED TO 2/6/08 AT THE AGENT'S REQUEST.**

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

- 2. Project# 1002404**
08DRB-70023 EPC APPROVED SDP
FOR BUILD PERMIT
08DRB-70024 EPC APPROVED SDP
FOR SUBDIVISION
GEORGE RAINHART ARCHITECT & ASSOCIATES agent(s) for PETERSON PROPERTIES request(s) the above action(s) for all or a portion of Lot(s) 1-B & 1-D, **LADERA INDUSTRIAL CENTER**, located on UNSER BLVD NW BETWEEN VISTA ORIENTE NW AND LADERA CHANNEL containing approximately 7.08 acre(s). (H-9) **DEFERRED TO 1/30/08 AT THE AGENT'S REQUEST.**
- 3. Project# 1004075**
07DRB-70453 LEVEL B PLAN PHSE 2
DRB FINAL SIGNOFF
DENISH & KLINE ASSOCIATES agent(s) for FOREST CITY COVINGTON NM LLC request(s) the above action(s) for all or a portion of **MESA DEL SOL LEVEL B MASTER PLAN**, zoned PC/PLANNED COMMUNITY, located on EAST OF BROADWAY SE SOUTH OF LOS PICARDOS SE, containing approximately 3,082 acre(s). *(Deferred from 1/9/08 & 1/16/08)*. **DEFERRED TO 1/30/08 AT THE AGENT'S REQUEST.**

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

4. **Project# 1004071**
08DRB-70017 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

HIGH MESA CONSULTING GROUP agent(s) for ALBUQUERQUE PUBLIC SCHOOLS & NEW MEXICO STATE LAND OFFICE request(s) the above action(s) for all or a portion of Tract C, **ANCIENT MESA**, zoned C-9, located on RAINBOW BLVD NW BETWEEN WOODMONT AVE NW AND ROSA PARKS RD NW containing approximately 143.32 acre(s). (C-9) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 3 COPIES.**
5. **Project# 1002776**
08DRB-70018 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for KLD ENTERPRISES, LLC request(s) the above action(s) for all or a portion of Tract(s) Y-2A-1 to be known as Y-2A-1- A, Y-2A-1-B, Y-2A-1C, Y-2A-1D, **TAYLOR RANCH**, zoned C-2(SC), located on TAYLOR RANCH DR NW BETWEEN HOMESTEAD CIR NW AND SOONER TRAIL NW containing approximately 10.1154 acre(s). (D-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR THE SIA, PUBLIC UTILITY SIGNATURES, AGIS DXF AND COPY OF RECORDED PLAT, AND TO ABCWUA: NEED TEMPORARY WATERLINE EASEMENT REVIEWED AND READY FOR RECORDING.**
6. **Project# 1004526**
08DRB-70022 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for LORETTA CHAVEZ/CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Lot(s) 400 & 399, **TOWN OF ATRISCO GRANT UNIT 3**, zoned R-D, located on SAGE RD SW BETWEEN COORS SW AND SAN YGNACIO RD SW containing approximately 6.3718 acre(s). (L-10) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**
7. **Project# 1007063**
08DRB-70019 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for LARDNER FAMILY REVOCABLE LIVING TRUST request(s) the above action(s) for all or a portion of Tract(s) A, **LLD** zoned M-1 & SU-1 PERMISSIVE USES, located on PAN AMERICAN FREEWAY NE BETWEEN COMMERCE DR NE AND OFFICE BLVD NE containing approximately 3.463 acre(s). (F-16/17) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA AND SITE PLAN WITH PARKING, AND TO ABCWUA: GRANT PRIVATE WATER/SEWER SERVICE LINE EASEMENTS FOR TRACT A-2 AND TRACT 'A' TO THE NORTH. ALSO NEED BENEFICIARY AND MAINTENANCE NOTES.**

8. ~~Project# 1006000~~
08DRB-70026 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract 12, **BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK**, zoned PC, located on SOLAR MESA SE BETWEEN TURNING SE AND SAGAN SE containing approximately 5.44 acre(s). (R-16) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 1/23/08 THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT IS DEFERRED PENDING THE SIA. CONDITION OF FINAL PLAT: DEDICATION OF 20 FT RADIUS PER TRANSPORTATION.**
9. **Project# 1007060**
08DRB-70015 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- SURVEYS SOUTHWEST, LTD agent(s) for DUNCAN MILLOY request(s) the above action(s) for all or a portion of Lot 1, **HURLEY REPLAT W/ A PORTION OF VACATED HARWOOD LATERAL**, zoned R-1, located on 8TH ST NW BETWEEN ALTA MONTE PL NW AND ALTA MONTE AVE NW containing approximately 0.4996 acre(s). (G-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR 5 FOOT SETBACK WITH RECORDED AGREEMENT.**

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

10. **Project# 1007033**
08DRB-70013 SKETCH PLAT REVIEW
AND COMMENT
- GILFERD J PACHECO agent(s) for GILFERD J PACHECO request(s) the above action(s) for all or a portion of Lot(s) 5-8, **MESA PARK ADDITION**, zoned C-1, located on ZUNI RD SE BETWEEN INDIANA SE AND KENTUCKY SE containing approximately 0.3652 acre(s). (L-18) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
11. **Project# 1007062**
08DRB-70016 SKETCH PLAT REVIEW
AND COMMENT
- WAYJOHN SURVEYING INC agent(s) for ARCHDIOCESE OF SANTA FE request(s) the above action(s) for all or a portion of Tract(s) 50 - 52, **TO BE KNOW AS TRACT A, SOUTH SAN JOSE PARISH**, zoned SU-2/MR, located on BROADWAY BLVD SE BETWEEN ETHLYN AVE SE AND SAN JOSE AVE SE containing approximately 6.8196 acre(s). (M-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
12. **Project# 1007067**
08DRB-70025 SKETCH PLAT REVIEW
AND COMMENT
- ROSS HOWARD agent(s) for BLUE MOUNTAIN ENTERPRISE LLC request(s) the above action(s) for all or a portion of Tract(s) A, **LANDS OF LANDS OF BRUCE D. JOHNSON**, zoned M-1, located on VASSAR DR NE BETWEEN COMANCHE RD NE JOHNVILLE DR NE containing approximately 3.0532 acre(s). (G-16) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

13. Other Matters: None

ADJOURNED: 10:05



DRB CASE ACTION LOG (PREL/FINAL)

REVISED 10/08/07

ONLY - 1/23/08

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.: 08DRB-70026

Project # 1006000

Project Name: BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK

Agent: BOHANNAN HUSTON

Phone No.: 823-1000

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): _____

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

Created On: *1/23/08*

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
January 23, 2008
DRB Comments**

ITEM # 8

PROJECT # 1006000

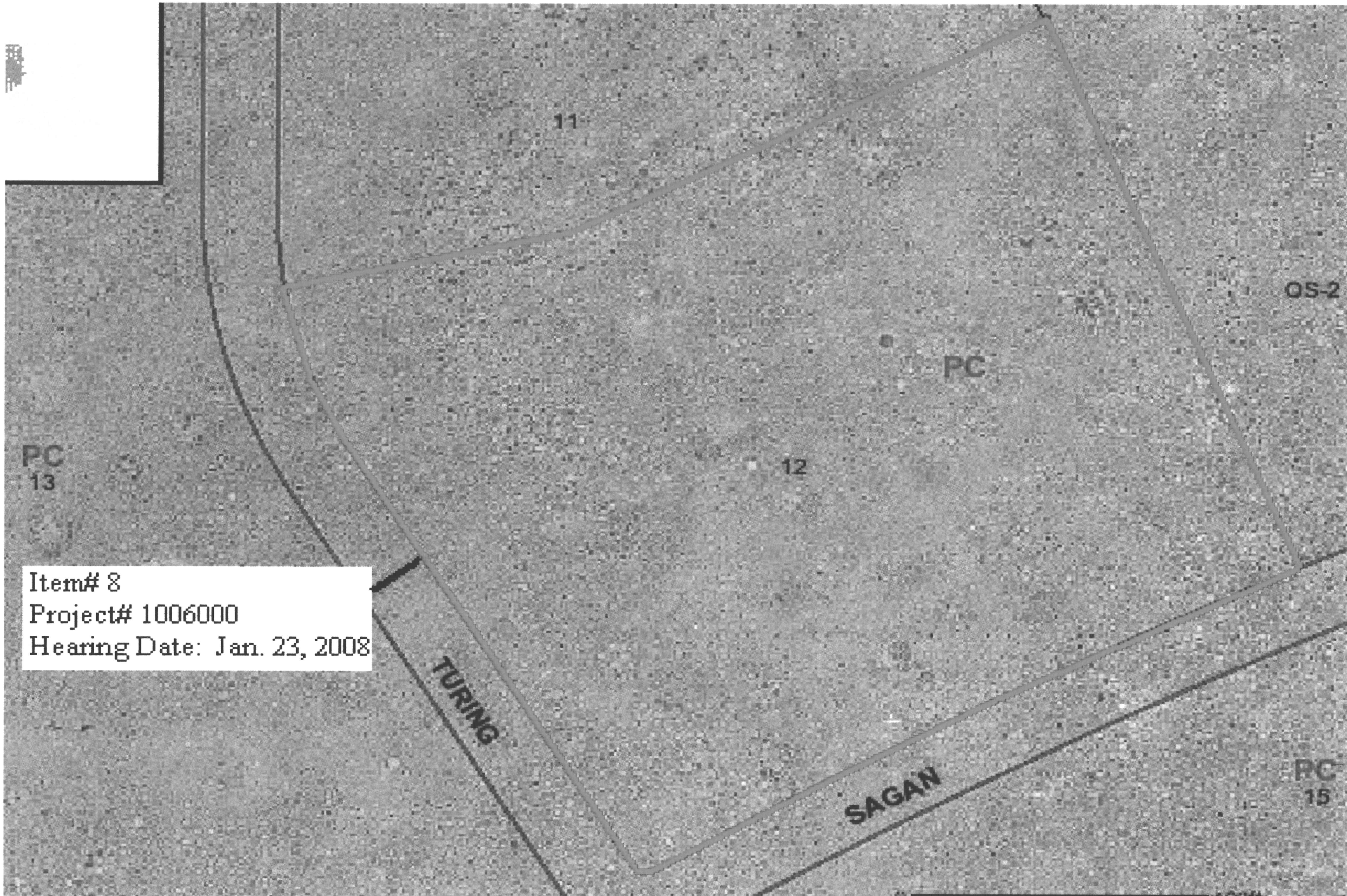
APPLICATION # 08-70026

RE: Tract 12, Mesa del Sol Innovation Park

For future reference, please revise solar note (No. 7) to be specific to this type of request, i.e. replace the words "REQUESTED FINAL ACTION" with the word "THIS PLAT" at the beginning of the note, and delete the words "OR SITE DEVELOPMENT PLAN FOR SUBDIVISION" at the end of the note.



Jack Cloud AICP, DRB Chairman
924-3934/ jcloud@cabq.gov



Item# 8
Project# 1006000
Hearing Date: Jan. 23, 2008

MESA DEL SOL, LLC
5700 University West Blvd., SE, Suite 310
Albuquerque, NM 87106
Tel. (505)452-5600

September 10, 2013

Hand Delivered
City of Albuquerque
Planning Department
600 Second Street, NW
Suite 200
Albuquerque, New Mexico 87103

Re: Bulk Lands Tracts 1-15, Mesa del Sol
Mesa del Sol Innovation Park I and Mesa del Sol Innovation Park II

Ladies and Gentlemen:

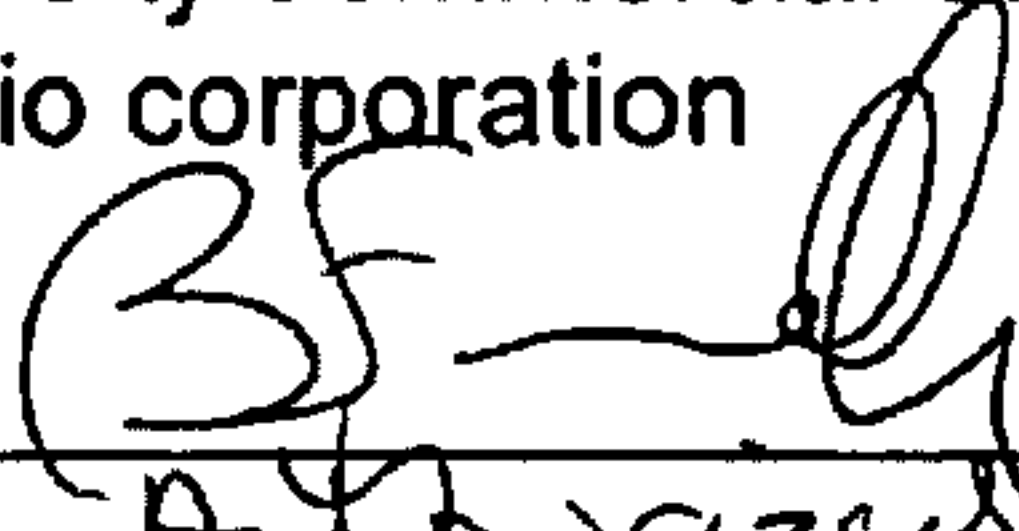
Mesa del Sol, LLC, hereby authorizes Myers, Oliver & Price, P.C., to act as its agent in connection with any applications to the Development Review Board and is further authorized to remain as its agent through any appeals processes, if any.

MESA DEL SOL, LLC, a
New Mexico limited liability company

By: FC Covington Manager, LLC, a New Mexico
limited liability company, Member

By: Forest City NM, LLC, a New Mexico
limited liability company, Member

By: Forest City Commercial Group, Inc.,
an Ohio corporation

By: 
Its: Authorized Signature

MYERS, OLIVER & PRICE, P.C.

LAWYERS
1401 CENTRAL AVENUE, N.W.
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
SCOTT OLIVER
KEVIN J. McCREADY
HOPE MEAD WYNN
J. MATT MYERS

TELEPHONE
(505)247-9080

FACSIMILE
(505)247-9109

CHARLES P. PRICE III, *Of Counsel*
FLOYD D. WILSON, *Of Counsel*

e-mail: jmyers@moplaw.com

October 8, 2013

Hand Delivered
Jack Cloud, DRB Chair
Development Review Board
City of Albuquerque

Re: Project No. 1006000
13DRB-70677 Major
Tract 12-B, Mesa del Sol

Dear Jack:

The office represents Mesa del Sol, LLC, in connection with the above referenced project. Mesa del Sol is requesting a deferral of its application for extension of the SIA scheduled to be heard by the DRB on October 9, 2013 to the December 11 2013 DRB hearing. This firm's check number 17005 in the amount of \$50.00 is enclosed representing the deferral fee.

Thank you.

Very truly yours,

MYERS, OLIVER & PRICE, P.C.

By: _____


J. Matt Myers

JMM/kla
Enclosure
cc: Mr. Manny Barrera (email)



**DEVELOPMENT REVIEW BOARD
AGENDA**

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

October 9, 2013

MEMBERS:

Jack Cloud, DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Curtis Cherne, City Engineer

Allan Porter, ABCWUA
Carol Dumont, 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 ANGELA GOMEZ, 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

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

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1002202**
13DRB-70670 – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT
13DRB-70671 - AMENDED SITE PLAN FOR SUBDIVISION

DEKKER PERICH SABATINI agent(s) for WINROCK PARTNERS LLC request(s) the above action(s) for all or a portion of Lot(s) C-2A, **WINROCK CENTER ADDITION** zoned SU-3, located on INDIAN SCHOOL BETWEEN LOUISIANA AND PENNSYLVANIA containing approximately 3.8468 acre(s). (J-19)
[Deferred from 9/18/13, 10/2/13]

13DRB-70696 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

TIERRA WEST LLC agent(s) for WINROCK PARTNERS LLC C/O GOODMAN REALTY GROUP request(s) the above action(s) for all or a portion of Lot(s) A-1-A-1 & E-1, **WINROCK CENTER ADDN** zoned SU-3 MU-UPT, located on INDIAN SCHOOL RD NE BETWEEN LOUISIANA BLVD AND PENNSYLVANIA ST NE containing approximately 61.09 acre(s). (J-19)

2. **Project# 1004472**
13DRB-70679 VACATION OF PUBLIC
RIGHT-OF-WAY

ISAACSON AND ARFMAN PA agents for DOUBLE EAGLE REAL ESTATE & INVESTMENTS request the referenced/ above action for MODESTO AVENUE NE adjacent to Lots 23-25, Block 25, **NORTH ALBUQUERQUE ACRES Tract A Unit B**, located on MODESTO AVE NE between SAN PEDRO BLVD NE and LOUISIANA BLVD NE. (B-18/ C-18)

3. **Project# 1006000**
13DRB-70677 MAJOR - 2YEAR
SUBDIVISION IMPROVEMENTS
AGREEMENT EXTENSION (2YR SIA)

MYERS, OLIVER & PRICE, PC agents for MESA DEL SOL, LLC request the refernced/ above action for Tract 12-B, **MESA DEL SOL INNOVATION PARK** zoned PC, located on the northeast corner of TURNING DR SE and SAGAN AVE SE containing approximately 2.9223 acres. (R-16)

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

4. **Project# 1009542**
13DRB-70694 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WILSON AND COMPANY INC agent(s) for CITY OF ALBUQUERQUE/DMD request(s) the above action(s) for all or a portion of Lot(s) BA-1A, 8A-2A & 8A-1, PORTION OF LOTS 24-39, Block(s) 6, **TRACTION PARK & CITY ELECTIRC ADDITION & WESTPARK ADDITION** zoned C-2, located on INTERSECTION OF NEW YORK AND CENTRAL SE containing approximately 2.7094 acre(s). (J-12)

5. **Project# 1009692**
13DRB-70697 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

CARTESIAN SURVEYS INC agent(s) for PAVILION CONSTRUCTION LLC request(s) the above action(s) for all or a portion of Lot(s) 224 AND 223, **AIRPORT UNIT OF THE TOWN OF ATRISCO GRANT** zoned R-2, located on GLENRIO BETWEEN 72ND ST AND 68TH ST containing approximately 8.93 acre(s). (J-10)

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

6. **Project# 1009414**
13DRB-70695 SKETCH PLAT REVIEW AND
COMMENT

VECTOR ENGINEERING, LLC agent(s) for RIO METRO REGIONAL TRANSIT DISTRICT request(s) the above action(s) for all or a portion of Lot(s) 2A, **PARADISE HILLS** zoned R-D, located on PASEO DEL NORTE BLVD BETWEEN UNSER BLVD AND CALLE PLATA containing approximately 60.6 acre(s). (C-10 & 11)

7. **Project# 1009840**
13DRB-70692 SKETCH PLAT REVIEW AND
COMMENT

THE GROUP agent(s) for NAVISH LLC request(s) the
above action(s) for all or a portion of Lot(s) 31, Block(s)
3, **NORTH ALBUQUERQUE ACRES Unit(s) 3**
TRACT 2, zoned RD, located on CARMEL BETWEEN
VENTURA AND VILLAGE containing approximately
.88 acre(s). (C-20)

8. **Project# 1009843**
13DRB-70698 SKETCH PLAT REVIEW AND
COMMENT

THE GROUP agent(s) for NAVISH LLC request(s) the
above action(s) for all or a portion of Lot(s) 20, Block(s)
2, **NORTH ALBUQUERQUE ACRES Unit(s) 3**
TRACT 2, zoned RD, located on OAKLAND
BETWEEN SHAHEEN AND ABIS containing
approximately .88 acre(s). (C-19)

9. Other Matters:

ADJOURNED:

Karen Arfman

From: Karen Arfman [karfman@moplaw.com]
Sent: Tuesday, October 08, 2013 10:11 AM
To: 'Cloud, Jack W.'
Cc: 'Gomez, Anjela J.'; 'Barrera, Manny'; 'John Myers'; 'Matt Myers'; 'bwhitcomb@cabq.gov'
Subject: RE: Deferral of Item No. 3 DRB October 9, 2013

I apologize – I used the wrong date below. We would like to defer to the December 11, 2013 DRB hearing.

Karen Lee Arfman, Legal Assistant
Myers, Oliver & Price, P.C.
1401 Central Avenue, NW
Albuquerque, New Mexico 87104
Telephone: 505-247-9080

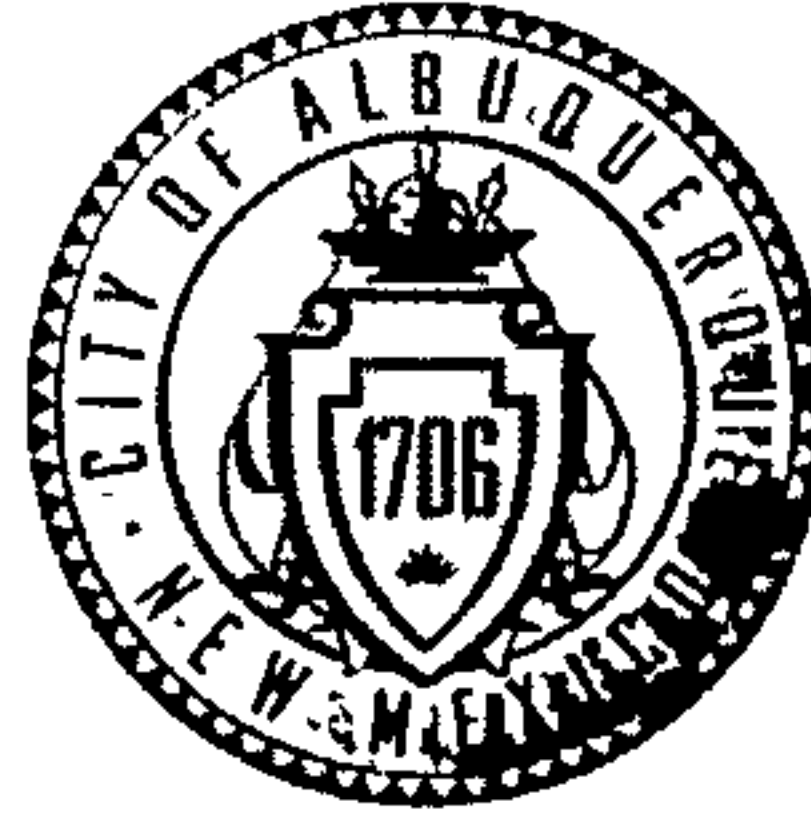
From: Karen Arfman [mailto:karfman@moplaw.com]
Sent: Monday, October 07, 2013 2:42 PM
To: 'Cloud, Jack W.'
Cc: 'Gomez, Anjela J.'; 'Barrera, Manny'; 'John Myers'; 'Matt Myers'; 'bwhitcomb@cabq.gov'
Subject: Deferral of Item No. 3 DRB October 9, 2013

Jack,

Please be advised that Myers, Oliver & Price, as agents for Mesa del Sol, would like to defer the the SIA extension for Tract 12-B, Mesa del Sol Innovation Park, currently listed as Item No. 3 on the October 9, 2013 DRB Agenda. Mesa del Sol would like to defer its request until December 6, 2013 DRB hearing. This office will submit a check for \$50.00 to the City of Albuquerque tomorrow, October 8, 2013. Please let us know if you have any questions.

Thank you.

Karen Lee Arfman, Legal Assistant
Myers, Oliver & Price, P.C.
1401 Central Avenue, NW
Albuquerque, New Mexico 87104
Telephone: 505-247-9080



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

DEBBIE BAUMAN -	Transportation Development
SHABIH RIZVI -	Transit & Parking Department
KENDRA WATKINS/ ANDREW GINGERICH -	Council of Governments
LYNN MAZUR -	AMAFCA
STEVE SINK -	APD Crime Prevention
SUSANNAH ABBEY -	Open Space Division
ANTONIO CHINCHILLA -	Fire Department
DAVID KILPATRICK -	Zoning Enforcement Inspector
STEPHANI WINKLEPLECK -	Neighborhood Coordination
DANIEL ARAGON -	Public Service Company of New Mexico
PATRICK SANCHEZ -	New Mexico Gas Company
APRIL WINTERS -	Albuquerque Public Schools
MICHELE RAMIREZ -	CenturyLink
MIKE MORTUS -	Comcast Cable
RAY GOMEZ -	Middle Rio Grande Conservancy District (MRGCD)
SUZANNE BUSCH -	Environmental Health

Your comments on the following case(s) are requested. Board hearing date:

PROJECT # 1006000

Wednesday, October 9, 2013

Comments must be received by:

Wednesday, October 2, 2013

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests. **If you have any questions, please contact me at 924-3946 or agomez@cabq.gov**

Supplemental Form (SF)

- | | |
|---|--|
| SUBDIVISION | S Z ZONING & PLANNING |
| <input type="checkbox"/> Major subdivision action | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Minor subdivision action | |
| <input type="checkbox"/> Vacation | V <input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans) |
| <input checked="" type="checkbox"/> Variance (Non-Zoning) | P <input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar |
| XX SIA Extension | <input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations |
| SITE DEVELOPMENT PLAN | |
| <input type="checkbox"/> for Subdivision | D <input type="checkbox"/> Street Name Change (Local & Collector) |
| <input type="checkbox"/> for Building Permit | |
| <input type="checkbox"/> Administrative Amendment/Approval (AA) | L A APPEAL / PROTEST of... |
| <input type="checkbox"/> IP Master Development Plan | <input type="checkbox"/> Decision by DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other |
| <input type="checkbox"/> Cert of Appropriateness (LUCC) | |
| STORM DRAINAGE (Form D) | |
| <input type="checkbox"/> Storm Drainage Cost Allocation Plan | |

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

APPLICATION INFORMATION:

Professional/Agent (if any) Myers, Oliver & Price, P.C. PHONE 247-9080
 ADDRESS: 1401 Central Avenue, NW FAX 247-9109
 CITY: Albuquerque STATE NM ZIP 87104 E-MAIL jmyers@moplaw.com

APPLICANT: Mesa del Sol, LLC PHONE 452-2600
 ADDRESS: 5700 University West, SE. Suite 310 FAX _____
 CITY: Albuquerque STATE NM ZIP 87104 E-MAIL: mbarrera@forestcity.net

Proprietary interest in site. Owner List all Owners: _____
SIA Extension for Infrastructure Improvements pursuant to

DESCRIPTION OF REQUEST: SIA recorded June 30, 2009, as extended by 2nd Extension Agreement dated March 29, 2011 - Project 7754.77
 Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

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

Lot or Tract No. Tract 12-B Block: _____ Unit: _____
 Subdiv/Addn/TBKA. Mesa del Sol Innovation Park I
 Existing Zoning. PC Proposed zoning: N/A MRGCD Map No. _____
 Zone Atlas page(s). R-16 UPC Code. 101605112333720801

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. 775477;

Project No. 1006000/11DRB-70028/Project No. 1005000/0870026; Project No. 10040751/01228/06DRB-00716

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: N/A Total site area (acres): 2.9223

LOCATION OF PROPERTY BY STREETS. On or Near. On Turing Drive
 Between: Sagan Avenue and Solar Mesa Avenue

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date. 11

SIGNATURE _____ DATE Sept. 8, 2013
 (Print Name) John A. Myers Applicant. Agent

FOR OFFICIAL USE ONLY

- 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>13DRB - 70677</u>	<u>SIA</u>	_____	\$ <u>50.00</u>
_____	<u>ADY</u>	_____	\$ <u>75.00</u>
_____	<u>CMF</u>	_____	\$ <u>20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>October 9, 2013</u>			Total \$ <u>145.00</u>

[Signature] 9-11-13 Project # 1006000
 Staff signature & Date

Revised: 4/2012

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

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

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Plat or plan reduced to 8 5" x 11"
- Official D.R.B. Notice of the original approval
- Approved Infrastructure List. If not applicable, please initial. _____
- Previous SIA extension notice, if one has been issued. If not applicable, please initial. _____
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- List any original and/or related file numbers on the cover application
- Fee (see schedule)

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

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

 John A. [Signature]
 Applicant name (print)

 Applicant signature / date

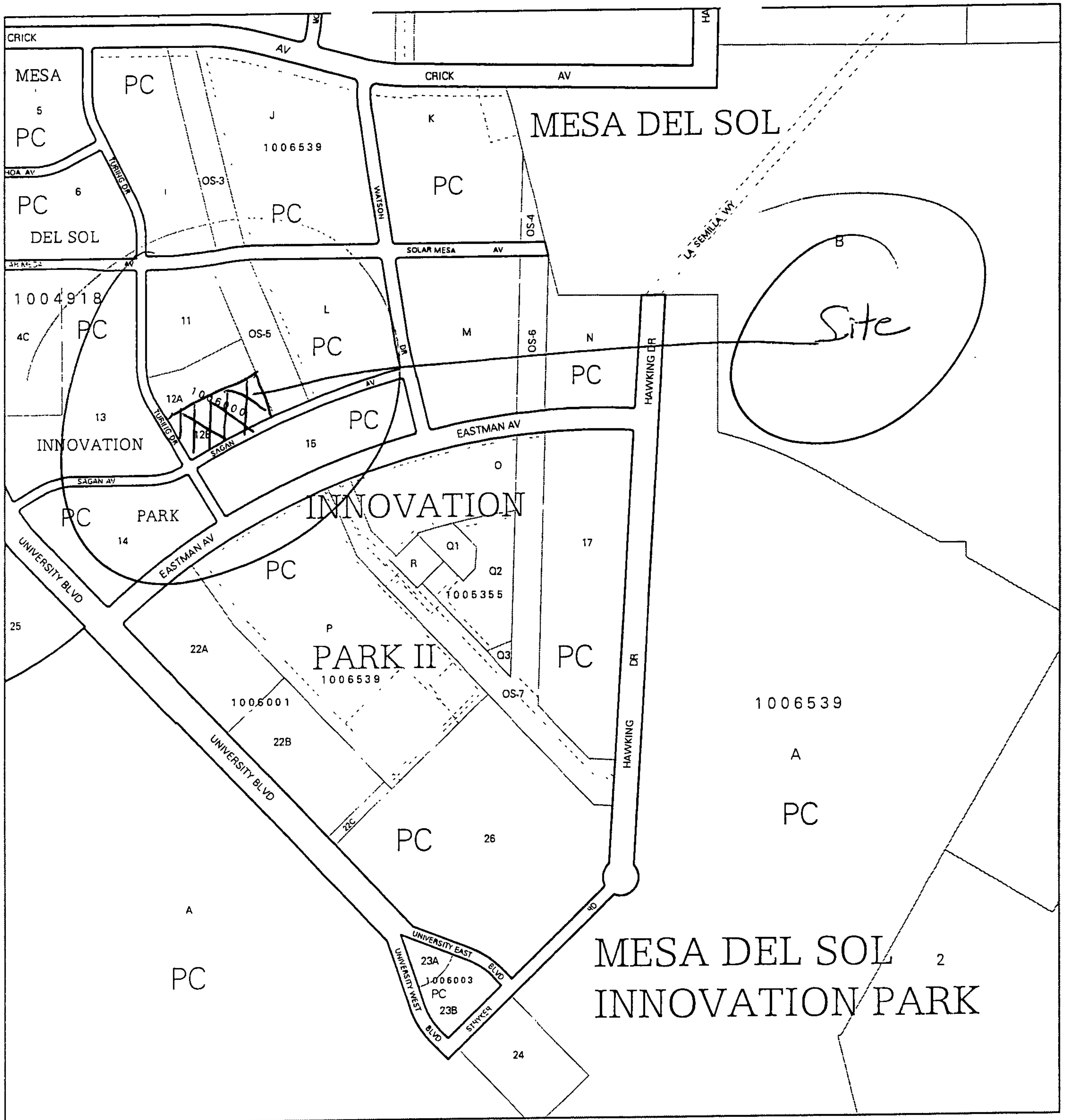


Form revised October 2007

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

Application case numbers
 13DRB-70677

 [Signature] 9-11-13
 Planner signature / date
 Project # 1006000



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

Map amended through: 2/4/2010

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
R-16-Z

Selected Symbols

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

0 750 1,500 Feet

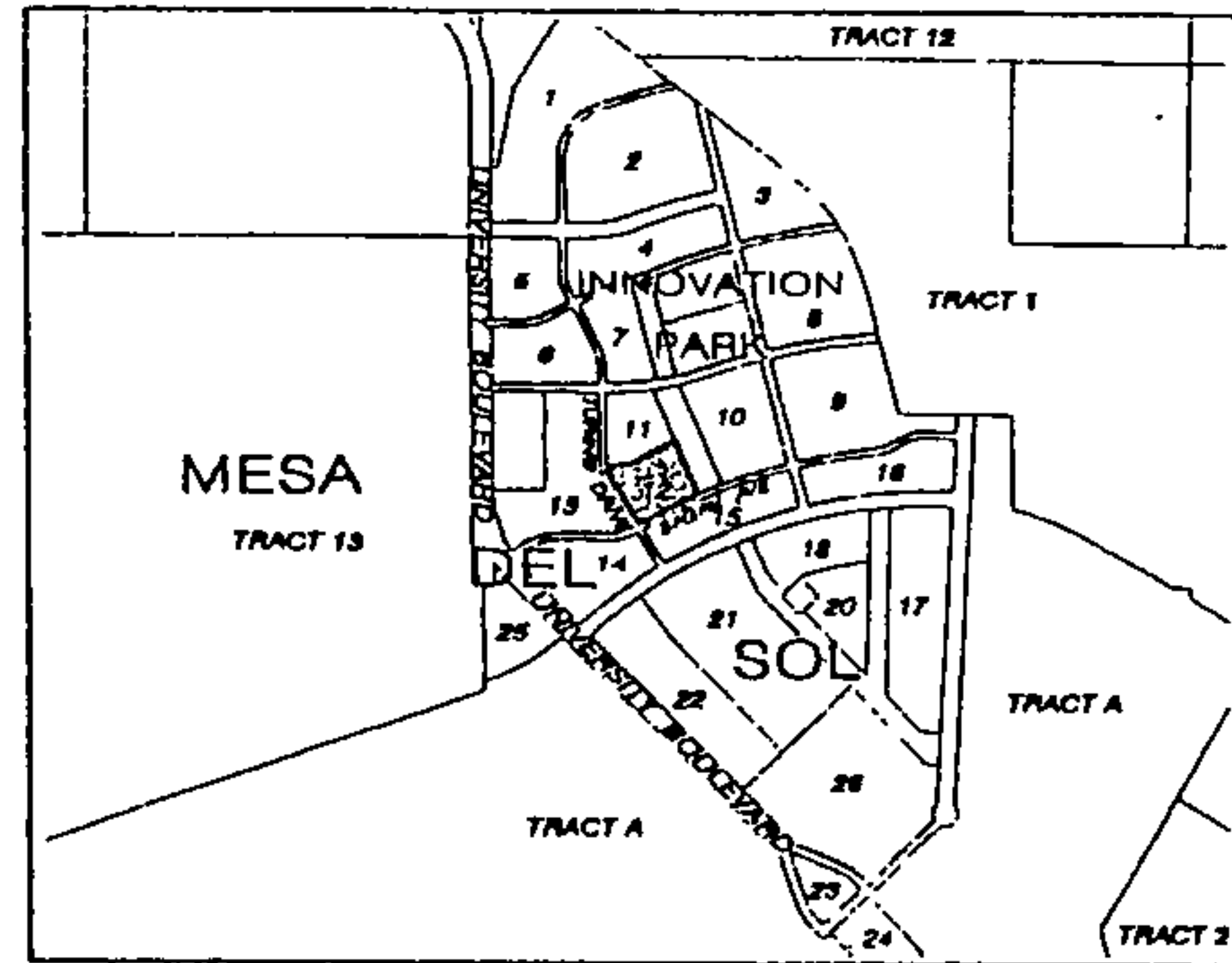
REASONS FOR REQUEST

Applicant is the developer of Mesa del Sol, LLC, and is the developer/subdivider of Tract 12-B, Mesa del Sol Innovation Park I (the "Property") pursuant to the Subdivision Improvements Agreement dated June 30, 2009, as extended by First Extension Agreement dated February 18, 2010.

The applicant requests that the construction deadline be extended for an additional two year period for the following reasons:

1. Molina Healthcare, Inc. ("Molina"), currently has an option to purchase Tract 12-B, a memorandum of which has been recorded in the Bernalillo County, New Mexico real estate records. Since the option has not been exercised, there is no need for the infrastructure to be built at this time;
2. The required infrastructure would not be used initially and existing interim improvements are adequate until further development of the Property; and
3. No other development will be adversely affected by the continued deferral of these public improvements; and
4. Allowing the applicant additional time to complete the required infrastructure will not be injurious to the public safety, health or welfare, or to adjacent property, to the neighborhood or to community.

SP-2007520357



LOCATION MAP
ZONE ATLAS INDEX MAP No. R-16
NOT TO SCALE

SUBDIVISION DATA

1. DRS No.
2. Zone Atlas Index No. R-16.
3. Zoning: FC.
4. Gross Subdivision Acreage: 6.4417 Acres.
5. Total number of tracts created: Two (2) Tracts
6. No streets were created.
7. Date of Survey: November, 2007.
8. Plat is located within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico.

DISCLOSURE STATEMENT

The purpose of this Plat is to subdivide Tract 12 of the Plat of Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 0288 as Document No. 2007131551 into 2 new tracts.

PUBLIC UTILITY EASEMENTS

- PUBLIC UTILITY EASEMENTS shown on this plat are for the common joint use of Utility Service Providers (city utilities only), including but not limited to:**
- A. PNM Electric Services for the installation, maintenance and service of underground electrical lines, transformers, and other equipment, fixtures, structures, and related facilities reasonably necessary to provide electrical service.
 - B. PNM Gas services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
 - C. QWEST for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.
 - D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.
 - E. Time Warner for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities and cable and other related equipment and facilities reasonably necessary to provide communication services and cable TV service including but not limited to above ground pedestals and closures.

Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with line access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool, (above ground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformers/switchgear, as installed shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

DESCRIPTION

A certain tract of land within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 259 as Document No. 2007131551.

Tract contains 6.4417 acres, more or less

NOTES

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone) NAD 1983 and the basis of bearings is the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 259 as Document No. 2007131551.
2. Record Bearings and distances are the same as shown on this plat and the same as shown on the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 259 as Document No. 2007131551.
3. Scale of Bearings is between City of Albuquerque Control Stations "1-R16 and "19-Q18". Bearing = N12°15'00"E.
4. Distances are ground distances.
5. All easements of record are as shown on the plat of record or made known to me by the owner, utility companies, or other interested parties.
6. All interior tract corners to be monumented by a #6 rebar and yellow plastic survey cap stamped "GROMATZKY PS 16468".
7. Pursuant to section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "No property within the area of requested final action shall at anytime be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirements shall be a condition to approval of this plat or site development plan for subdivision."

FREE CONSENT AND DEDICATION

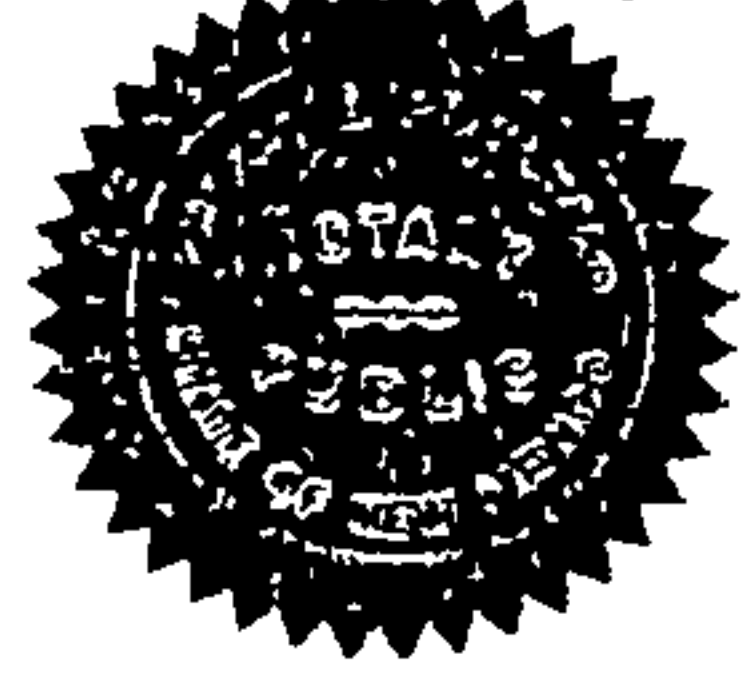
The foregoing plat of the certain tract of land situate within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Summary Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 259 as document No. 2007131551 now comprising Tracts 12-A and 12-B Mesa Del Sol Innovation Park, Albuquerque, New Mexico is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) hereof, said owner(s) and/or proprietor(s) do hereby grant: All Access, Easement and Drainage Easements shown herein including the right to construct, operate, inspect, and maintain facilities therein; and all Public Utility Easements shown herein for the common and joint use of Gas, Electrical Power, and Communication Services for buried distribution lines, conduits, and pipes for underground utilities where shown or indicated, including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The City has the right to enter upon the Grantee's Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the Work effects any Improvements or Encroachments made by the Grantee, the City will not be financially or otherwise responsible for rebuilding or repairing of Improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements or encroachments, the Grantee shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or encroachments. Said owner warrants that he holds complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is their free act and deed.

MESA DEL SOL, LLC, a New Mexico Limited Liability Company
By: FC Covington Manager, LLC, a New Mexico Limited Liability Company, Member By: FC Mesa, Inc., a New Mexico Corporation, Member

By: Michael D. Daly
Chief Operating Officer
State of New Mexico)
County of Bernalillo) SS

This instrument was acknowledged before me on the 4th day of JANUARY 2008 by Michael D. Daly, Chief Operating Officer of FC Mesa, Inc., a New Mexico Corporation, as Member of FC Covington Manager, LLC, a New Mexico Limited Liability Company, as Member of Mesa Del Sol, LLC, a New Mexico Limited Liability Company,

My Commission Expires: 12/20/09
Notary Public



PLAT OF
**TRACTS 12-A & 12-B
MESA DEL SOL
INNOVATION PARK**
(A REPLAT OF TRACT 12, MESA DEL SOL
INNOVATION PARK)
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JANUARY, 2008

PROJECT NUMBER 1006000

APPLICATION NUMBER 08-70026

PLAT APPROVAL

UTILITY APPROVALS:	
QWEST TELECOMMUNICATIONS	DATE
COMCAST CABLE	DATE
PNM ELECTRIC SERVICES	DATE
PNM GAS SERVICES	DATE
TIME WARNER	DATE

CITY APPROVALS:	
CITY SURVEYOR	1-7-08 DATE
PLANNING ENGINEERING, TRANSPORTATION DIVISION	2/27/08 DATE
ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY	2/27/08 DATE
PARKS & RECREATION DEPARTMENT	2/27/08 DATE
CITY ENGINEER	2-27-08 DATE
DISTRICT MANAGER, PLANNING DEPARTMENT	2-27-08 DATE

TAX CERTIFICATION

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #

1016050178360820101

PROPERTY OWNER OF RECORD Mesa Del Sol LLC

BERNALILLO COUNTY TREASURER'S OFFICE 2/29/08 DATE

JURISDICTIONAL AFFIDAVIT

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, hereby affirm that the property described does lie within the platting and subdivision jurisdiction of the City of Albuquerque

Robert Gromatzky
New Mexico Professional Surveyor 16468

Date: January 3, 2008

DOC# 2888023129
02/27/2008 11:02 AM Page: 1 of 2
PLAT # 2012 00 00 2008C P: 0030 R: Teutouse, Bernalillo County

SURVEYOR'S CERTIFICATION

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all easements as shown on the plat of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and meets the minimum requirements for monuments and surveys contained in the Albuquerque Subdivision Ordinance, and is true and accurate to the best of my knowledge and belief.

Robert Gromatzky
New Mexico Professional Surveyor 16468

Date: January 3, 2008



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

Bohannon & Huston
Court yard 1 7800 Jefferson St. NE Albuquerque, NM 87109-4338
ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

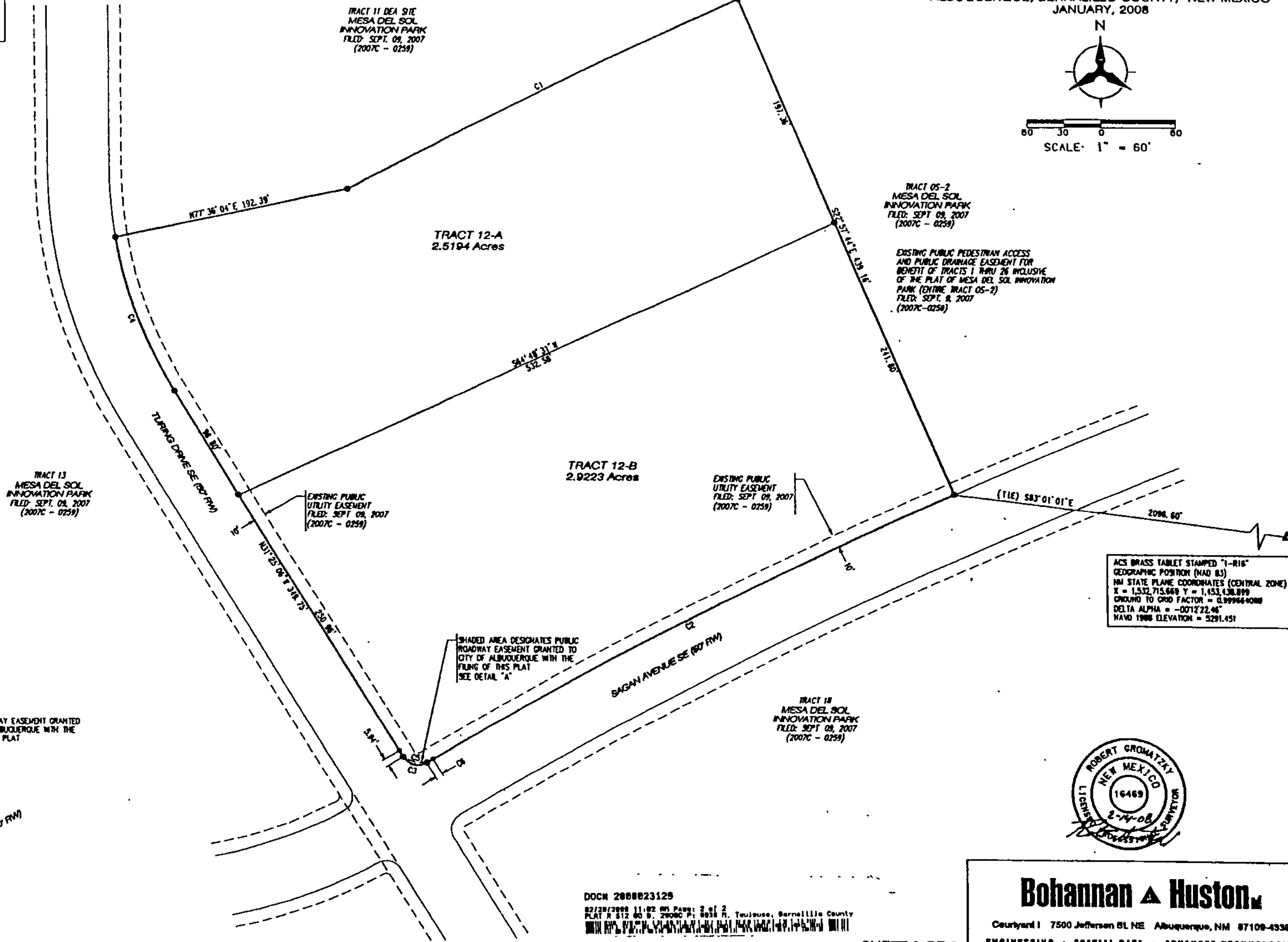
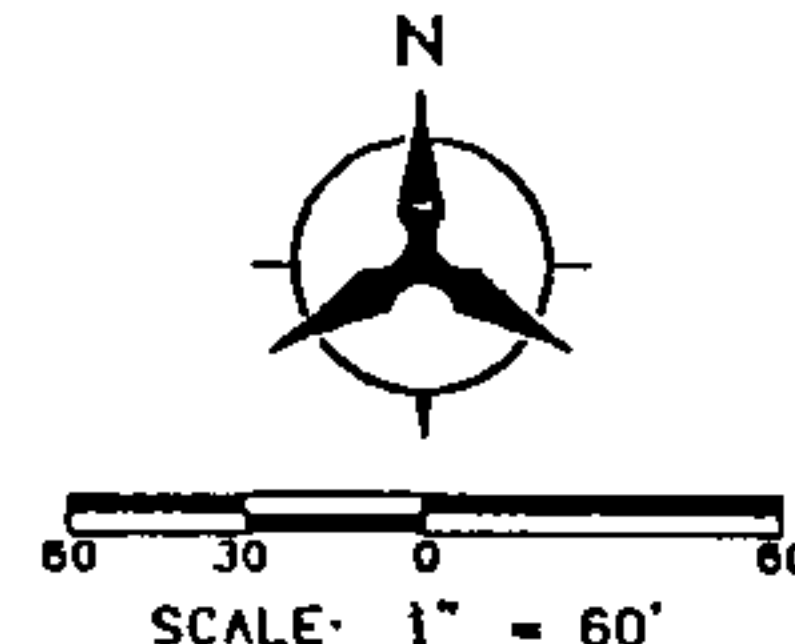
LEGEND

- SUBDIVISION BOUNDARY LINE
- NEW LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- ADJOINING PROPERTY LINE
- ▲ CITY OF ALBUQUERQUE CONTROL MONUMENT
- #5 REBAR WITH YELLOW PLASTIC SURVEY CAP STAMPED "GROMATZKY PS 16488"

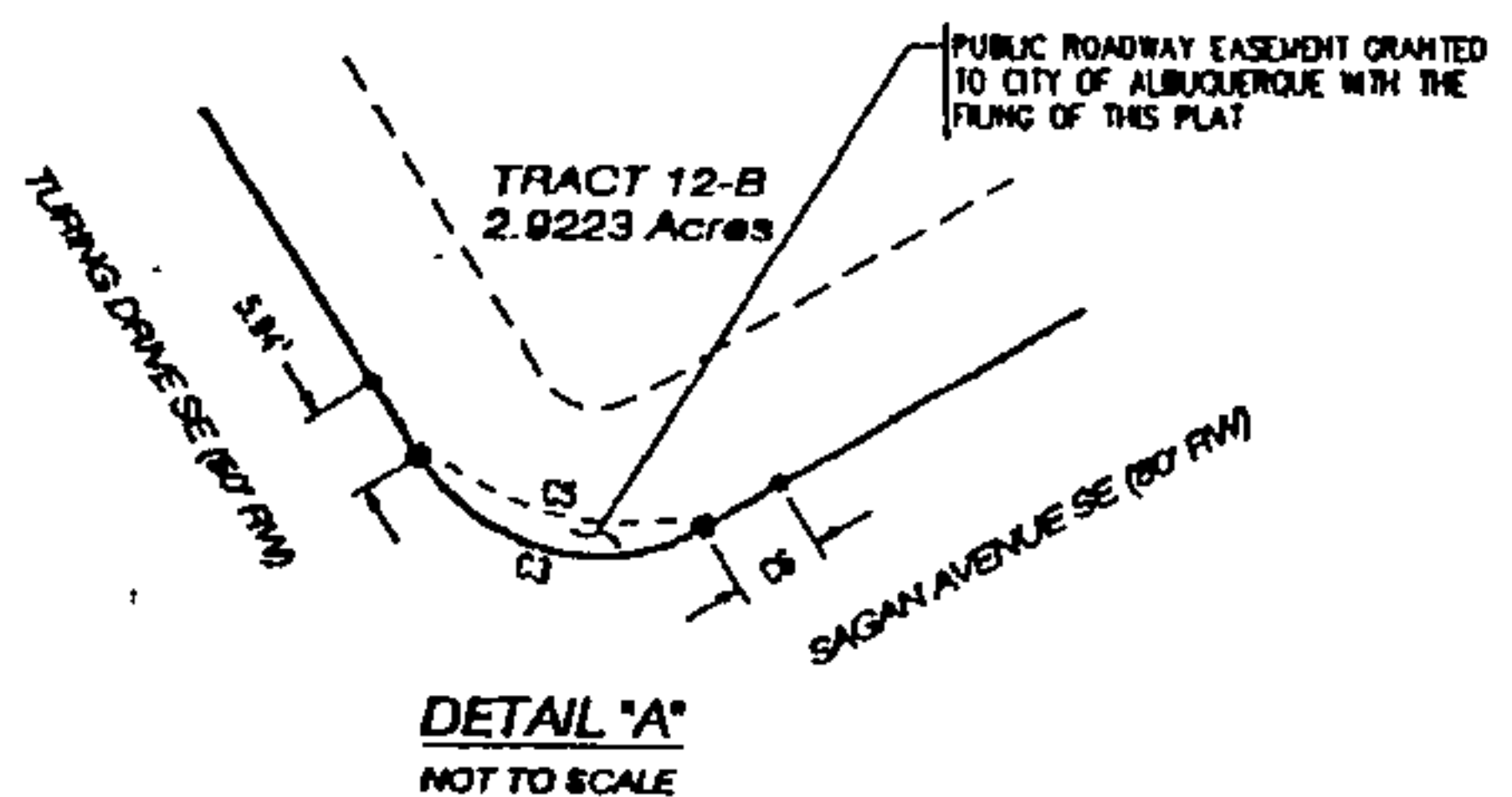
ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	04° 21' 02"	176.30'	352.44'	4641.37'	352.35'	N63° 37' 41" E
C2	06° 33' 46"	240.93'	481.34'	4202.32'	481.06'	S62° 23' 34" W
C3	89° 28' 12"	13.87'	21.86'	14.00'	19.71'	N76° 09' 12" W
C4	21° 53' 19"	68.65'	135.62'	355.00'	134.80'	N20° 28' 27" W
C5	89° 23' 22"	19.79'	31.20'	20.00'	28.13'	S78° 06' 47" E
C6	00° 04' 50"	2.96'	5.92'	4202.12'	5.92'	S59° 09' 07" W

ACS BRASS TABLET STAMPED "3-016"
 GEOGRAPHIC POSITION (NAD 83)
 NM STATE PLANE COORDINATES (CENTRAL ZONE)
 X = 1,533,498.782 Y = 1,457,045.094
 GROUND TO GRID FACTOR = 0.999863002
 DELTA ALPHA = -001217.33"
 NAVD 1988 ELEVATION = 5310.390

PLAT OF
TRACTS 12-A & 12-B
MESA DEL SOL
INNOVATION PARK
 (A REPLAT OF TRACT 12, MESA DEL SOL
 INNOVATION PARK)
 ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 2008



ACS BRASS TABLET STAMPED "1-R16"
 GEOGRAPHIC POSITION (NAD 83)
 NM STATE PLANE COORDINATES (CENTRAL ZONE)
 X = 1,532,715.669 Y = 1,453,438.899
 GROUND TO GRID FACTOR = 0.999864088
 DELTA ALPHA = -001222.46"
 NAVD 1988 ELEVATION = 5291.451



DOCH 288823129
 02/29/2008 11:02 AM Page: 2 of 2
 PLAT # 512 80 9, 2908C; 8034 N, Toulouse, Bernalillo County

SHEET 2 OF 2

Bohannon & Huston
 Courtyard I 7500 Jefferson BL NE Albuquerque, NM 87109-4338
 ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

© 1985-2008 SURVEY, Tract 12, Replat/Tract 12, 10-2008
 10-2008
 10-2008



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 23, 2011

Project# 1006000

11DRB-70028 MINOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

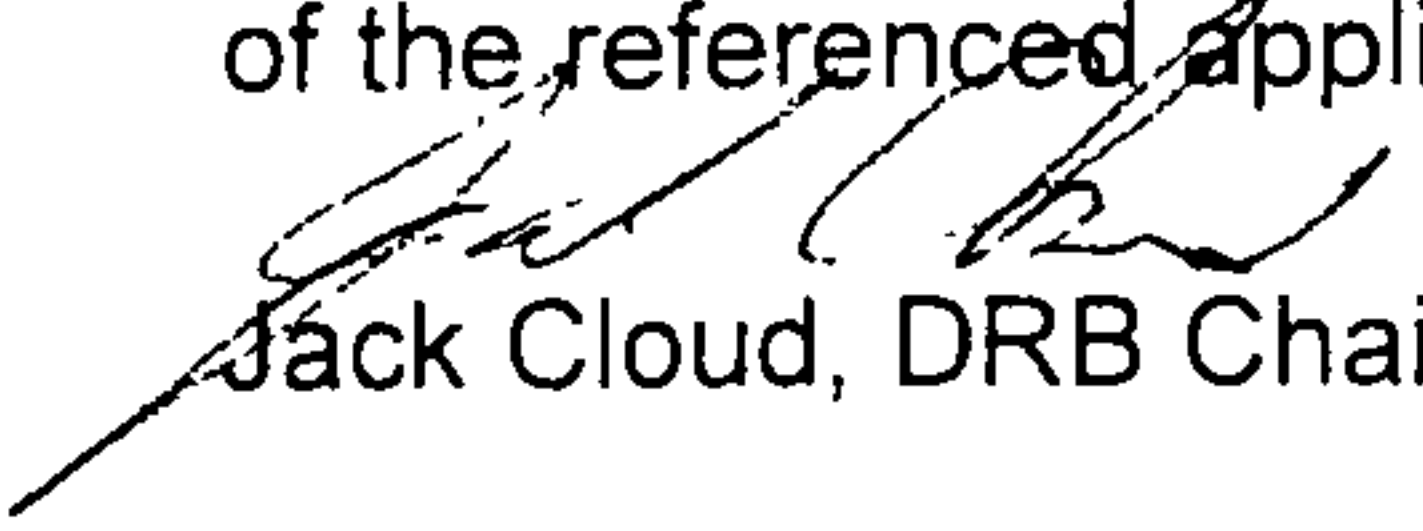
MYERS, OLIVER & PRICE, P.C. agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 12-B, **MESA DEL SOL INNOVATION PARK I** zoned PC, located on TURNING DR BETWEEN SAGAN AVE AND SOLAR MESA AVE containing approximately 2.9223 acre(s). (R-16)

At the February 23, 2011 Development Review Board meeting, a two year extension of the Subdivision Improvements Agreement was approved.

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

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

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


Jack Cloud, DRB Chair

Cc: Myers, Oliver & Price, P.C. – 1401 Central Avenue, NW – Albuquerque, NM 87104

Cc: Mesa Del Sol, LLC – 5700 University West, SE Ste 310 – Albuquerque, NM 87106

Marilyn Maldonado

File

Date Submitted: January 18, 2009
 Date Site Plan for BSA Final App. Approved: 1-23-09
 Date Preliminary Plat Approved: 1-23-09
 Date Preliminary Plat Expires: 1-23-09

Figure 12
 INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
 Tract 12A and 12B
 (Areas del Sol, Innovation Park)

DRB Project No. 1006500

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 SEA process and/or in the review of the construction drawings, if the DRB Chair determines that additional items and/or unforeseen items have not been included in the infrastructure listing, the DRB Chair may include those items in the listing and related financial guarantee. Likewise, if the DRB Chair determines that approvals or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantee. As such, revisions require approval by the DRB Chair, the Use/Department and organization. If such approvals are obtained, these revisions to the listing will be incorporated accordingly. In addition, any unforeseen items which arise during construction which are necessary to complete this project and which normally are the Subdivisor's responsibility will be required as a condition of project acceptance and close out by the City.

Sequence #	COA DRB Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cret Engineer
PUBLIC ROADWAY IMPROVEMENTS									
775489		24" FC-EOP	PAVED ROADWAY, STRIPING CURB AND GUTTER, STREET LIGHTS (1/2 STREET IMPROVEMENT - 300 LF APPROX.; 40' F TO F 4.5' FULL BUILD OUT)	SOLAR MESA AVE (SOUTH SIDE OF ROW)	EAST TERMINUS OF CITY PROJECT #775481	TURING DR	/	/	/
775490		24" FC-EOP	PAVED ROADWAY, STRIPING CURB AND GUTTER, STREET LIGHTS (APPROX 1200 LF)	TURING DR.	SOLAR MESA AVE	SAGAN AVE	/	/	/
775491		24" FC-EOP	PAVED ROADWAY, STRIPING CURB AND GUTTER, STREET LIGHTS (APPROX 550 LF)	SAGAN AVE	TURING DR	WESTERN BOUNDARY OF TRACT OS-2	/	/	/
PUBLIC SANITARY SEWER IMPROVEMENTS									
775492		12" DIA	SANITARY SEWER LINE AS REQ'D (APPROX 370 LF)	SOLAR MESA AVE	EAST TERMINUS OF CITY PROJECT #775481	TURING DR	/	/	/
775493		8" DIA	SANITARY SEWER LINE AS REQ'D (APPROX 650 LF)	TURING DR	SOLAR MESA AVE	APPROX 120 LF SOUTH PROPERTY LINE OF PROPOSED TRACT 12A	/	/	/
PUBLIC WATERLINE IMPROVEMENTS									
775494		12" DIA	WATERLINE W/NEC VALVES FMS MTS & R/S (APPROX 330 LF)	SOLAR MESA AVE	EAST TERMINUS OF CITY PROJECT #775481	TURING DR	/	/	/
775495		8" DIA	WATERLINE W/NEC VALVES FMS MTS & R/S, STUB OUTS TO PROJECTUAL SITE (APPROX 1700)	TURING DR	SOLAR MESA AVE	SAGAN AVE	/	/	/
775496		8" DIA	WATERLINE W/NEC VALVES FMS MTS & R/S STUB OUTS TO DEVELOPER'S SITE (APPROX 500 LF)	SAGAN AVE	TURING DR.	WESTERN BOUNDARY OF TRACT OS-2	/	/	/

FINANCIAL GUARANTY AMOUNT

04/24/2009

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

Project Description:

Project ID #: 775477, Tract 12-A & 12-B Mesa Del Sol, Phase/Unit #: 1

Requested By: Mike Balaskovits, PE with B H I

Approved estimate amount:		\$185,257.57
Contingency Amount:	10.00%	\$18,525.76
Subtotal:		\$203,783.33
NMGRT	6.75%	\$13,755.37
Subtotal:		\$217,538.70
Engineering Fee	6.60%	\$14,357.55
Testing Fee	2.00%	\$4,350.77
Subtotal:		\$236,247.02
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$295,308.77</u>

APPROVAL:

DATE:

Stephen Woodall 5-14-09

Notes: 10% contingency, plans and final eng est have not been approved,
 Improvements on Sagan from Turning to west boundry of Lot OS-2 (
 Replated as OS-5)

FIGURE 18

2nd EXTENSION AGREEMENT

Procedure "B"

PROJECT NO. 7754.77

This Agreement made this 29th day of March, 2011, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) **MESA DEL SOL, LLC, a New Mexico limited liability company** ("Subdivider"), whose address is 801 University Blvd. West, Suite 200, Albuquerque, New Mexico, 87106, and whose telephone number is (505)452-2600, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Subdivider entered into an Agreement on the 30th day of June, 2009, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on July 2, 2009, as Document No. 2009074577 ("Earlier Agreement"), by which the Subdivider agreed to complete the construction of certain infrastructure improvements on or before the 11th day of February, 2010; and

WHEREAS, the Earlier Agreement was amended by an Amendment to Agreement dated February 18, 2010, recorded February 19, 2010, as Document No. 2010014367, records of Bernalillo County, New Mexico, amending the construction deadline to February 11, 2011; and

WHEREAS, the Earlier Agreement was amended by a N/A Extension Agreement dated _____ recorded _____, in Book Misc. _____, pages _____ through _____, records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

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

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

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

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

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

A. For all improvements, the 30th day of June, 2013.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: Subdivision Bond No. K08309176.

Amount: \$295,308.77

Name of Financial Institution or Surety providing Guaranty: Westchester Fire Insurance Company of America

Date City first able to call Guaranty (Construction Completion Deadline): June 30, 2013

If Guaranty other than a Bond, last day City able to call Guaranty:

Additional information: _____

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

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

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

SUBDIVIDER

MESA DEL SOL, LLC, a New Mexico limited liability company

By: FC Covington Manager, LLC, a New Mexico limited liability company Member

By: Forest City NM, LLC, a New Mexico limited liability company, Member

By: Forest City Commercial Group, Inc., an Ohio corporation, Sole Member

By: [Signature]
Brent Dupes
Vice President

Dated: 3/24/11

CITY OF ALBUQUERQUE:

[Signature]

City Engineer

Dated; 3-29-11

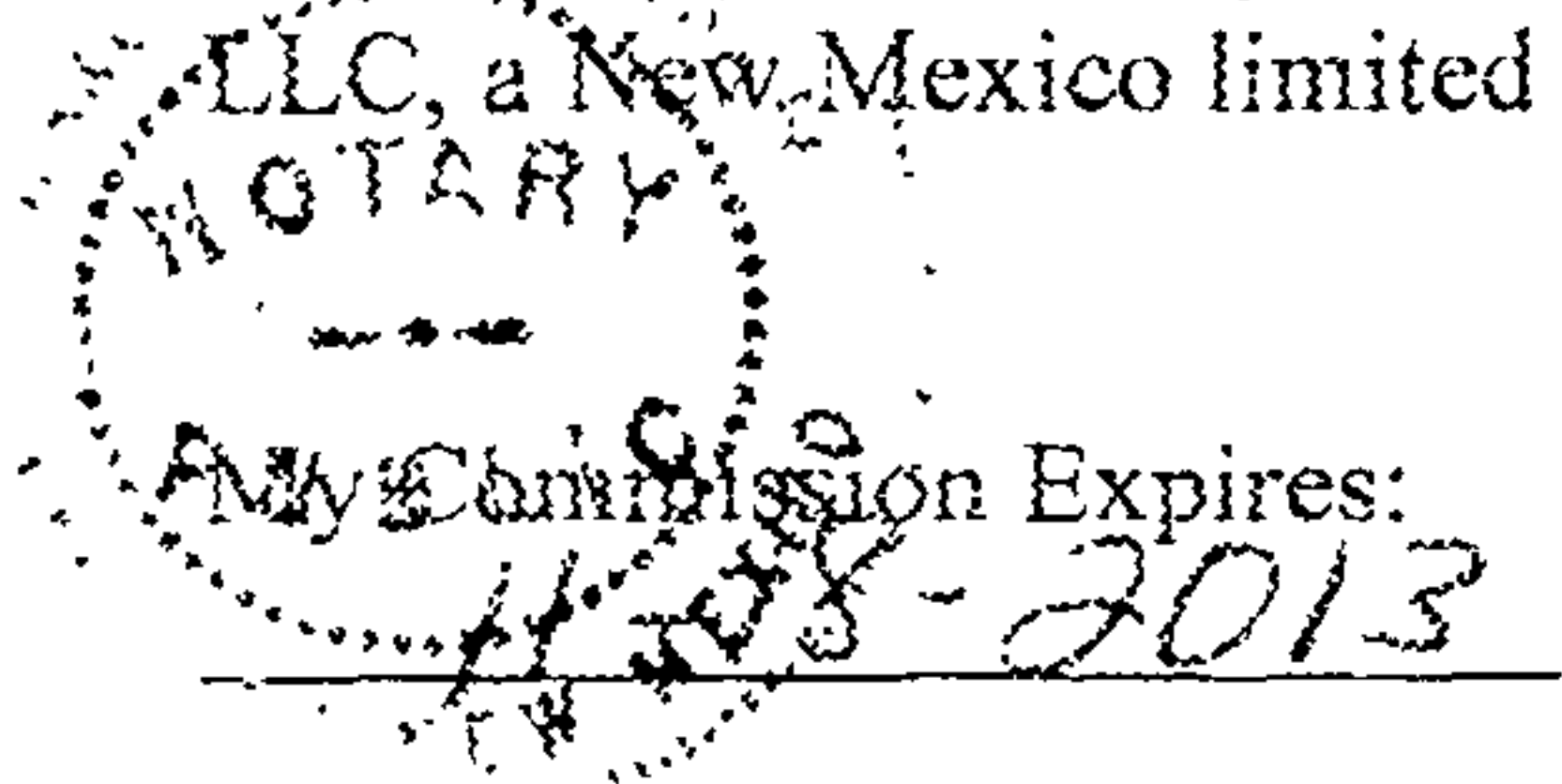
[Handwritten] 3/29/11

[Handwritten] 3-25-11

SUBDIVIDER'S NOTARY

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 24th day of March, 2011, by Brent Dupes, Vice President of Forest City Commercial Group, Inc., an Ohio corporation, as Sole Member of Forest City NM, LLC, a New Mexico limited liability company, as member of Forest City Covington Manager, LLC, a New Mexico limited liability company, Member of Mesa del Sol, LLC, a New Mexico limited liability company.



[Signature]
Notary Public



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 23, 2011

Project# 1006000
HDRB-70028 MINOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

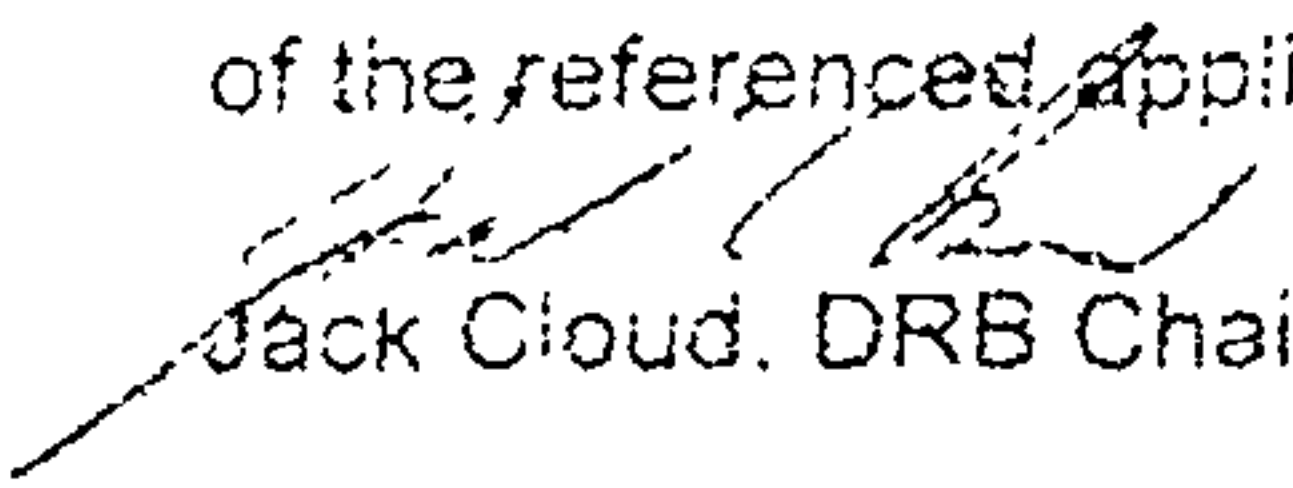
MYERS, OLIVER & PRICE, P.C. agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 12-B, MESA DEL SOL INNOVATION PARK I zoned PC, located on TURNING DR BETWEEN SAGAN AVE AND SOLAR MESA AVE containing approximately 2.9223 acre(s). (R-16)

At the February 23, 2011 Development Review Board meeting, a two year extension of the Subdivision Improvements Agreement was approved.

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

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

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


Jack Cloud, DRB Chair

Cc: Myers, Oliver & Price, P.C. - 1401 Central Avenue, NW - Albuquerque, NM 87104
Cc: Mesa Del Sol, LLC - 5700 University West, SE Ste 310 - Albuquerque, NM 87106
Marilyn Maldonado
File

RECEIVED MAR - 5 2011

BOND NO. K08309176

RIDER

To be attached to and form a part of Bond No. K08309176

executed by MESA DEL SOL, LLC
5700 University West Blvd. SE, Albuquerque, NM, 87106 as Principal

and by WESTCHESTER FIRE INSURANCE COMPANY as Surety,

in favor of CITY OF ALBUQUERQUE

and effective as of June 18, 2009

In consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing The Construction Completion Deadline Shall be amended

FROM: February 11, 2011

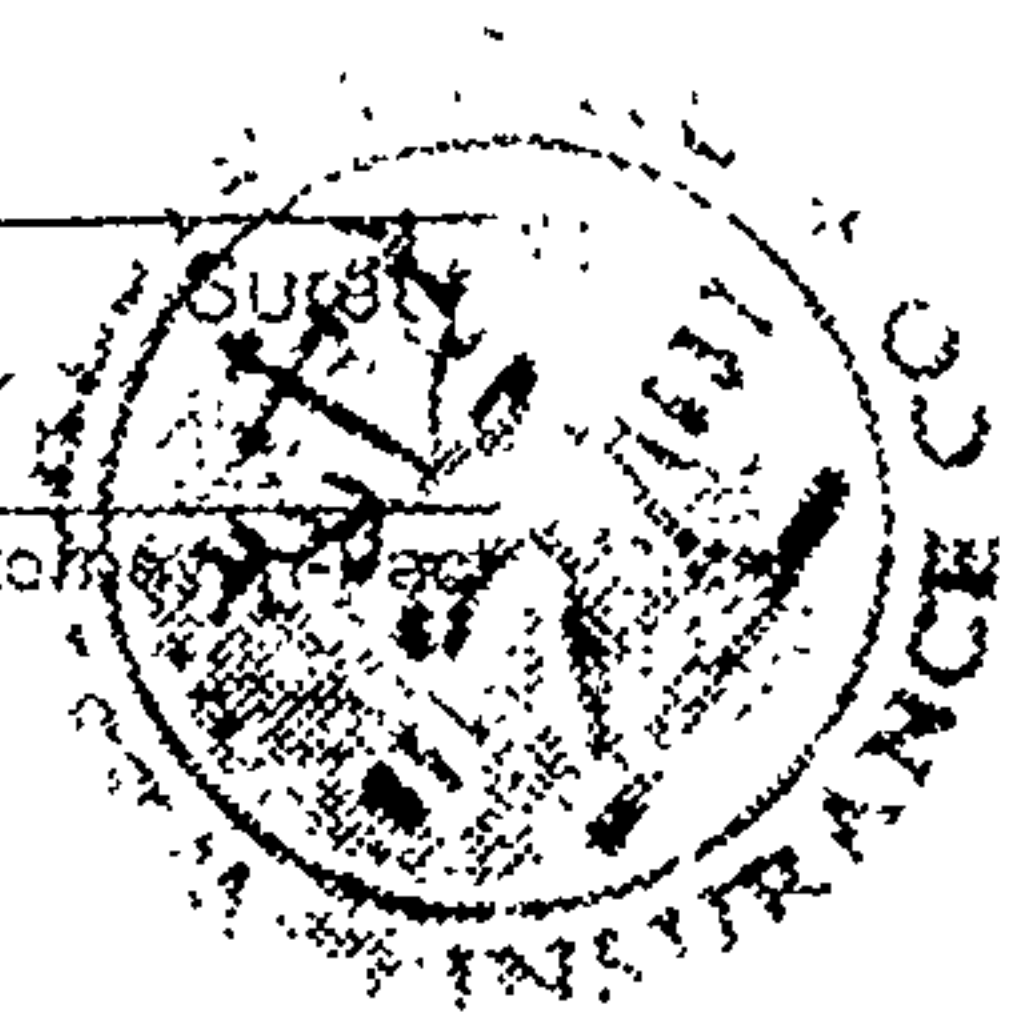
TO: June 30, 2013

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated. This rider is effective on the 11 day of February, 2011.

Signed and sealed this 15 day of March, 2011

MESA DEL SOL, LLC
Principal
BY: [Signature]

WESTCHESTER FIRE INSURANCE COMPANY
BY: [Signature]
Linda M. Iser
Attorney in Fact



Accepted:

CITY OF ALBUQUERQUE
Obligee
BY: [Signature]

[Handwritten initials]

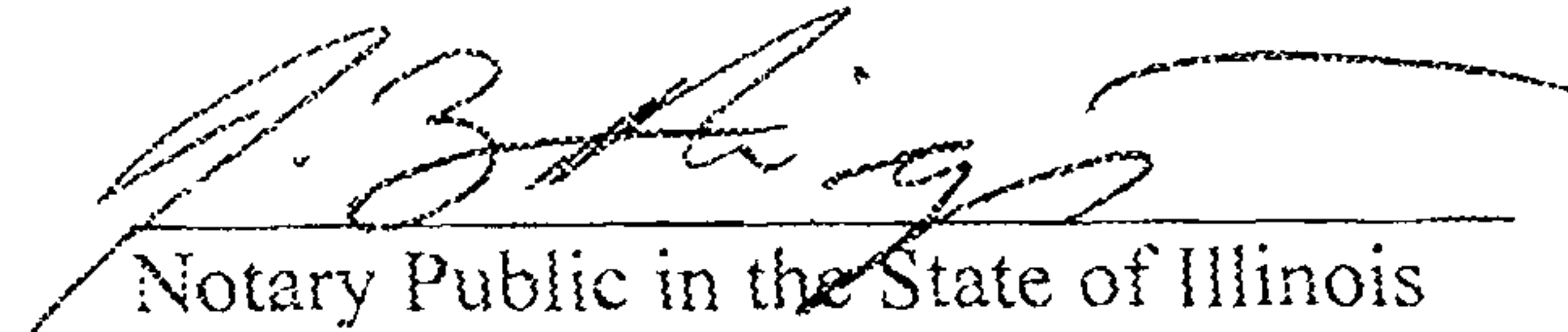
[Handwritten initials]
3-25-11

ACKNOWLEDGEMENT BY SURETY

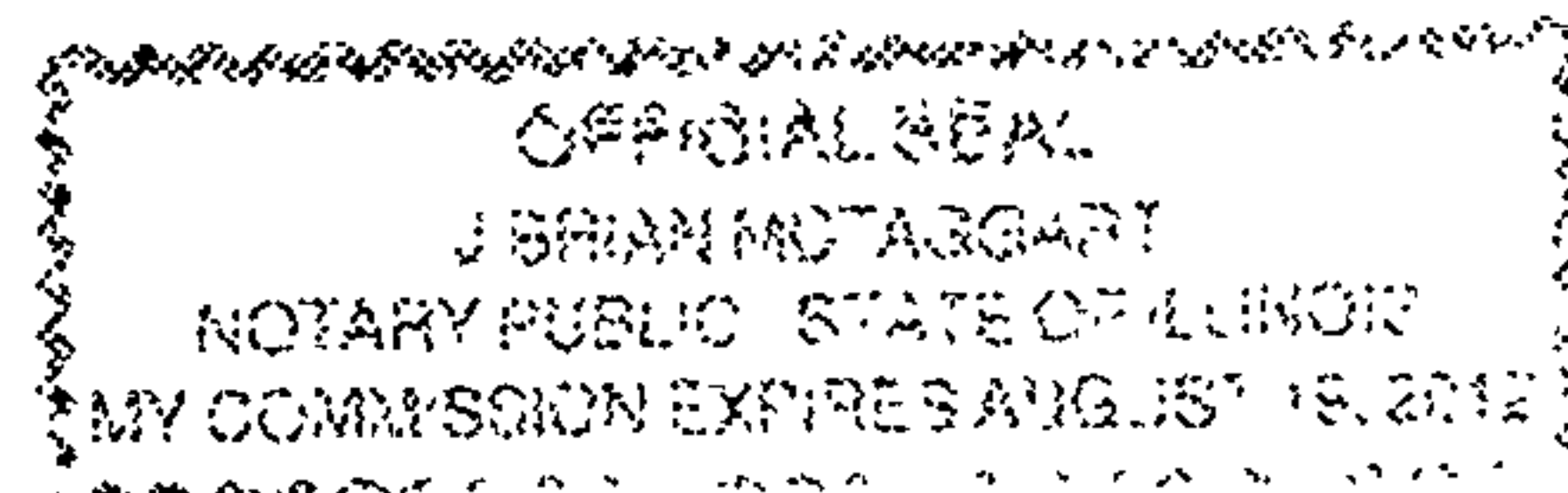
STATE OF ILLINOIS
COUNTY OF COOK

On this 15th day of March, 2011, before me, J. Brian McTaggart, a Notary Public, within and for said County and State, personally appeared Linda M. Iser to me personally known to be the Attorney-in-Fact of and for Westchester Fire Insurance Company and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.



Notary Public in the State of Illinois
County of Cook



Power of Attorney

Westchester Fire Insurance Company

Know all men by these presents: That WESTCHESTER FIRE INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

Does hereby nominate, constitute and appoint Debra J Doyle, Diane M O'Leary, Douglas M Schmude, Jennifer L Jakaitis, Jessica B Yates, Judith A Lucky, Karen L Daniel, Linda M Iser, Richard A Moore, Jr., Robert E Duncan, Sandra M Martinez, Sandra M Nowak, Susan A Welsh, Christina L. Sandoval, David J. Roth, Kathleen J. Mailles all of the City of CHICAGO, Illinois, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Twenty Five Million Dollars & Zero Cents (\$25,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office,

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said WESTCHESTER FIRE INSURANCE COMPANY this 2nd day of March, 2011.

WESTCHESTER FIRE INSURANCE COMPANY



Stephen M. Haney
Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 3rd day of March, AD. 2011 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney Vice-President of the WESTCHESTER FIRE INSURANCE COMPANY to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City of Philadelphia the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
KAREN E. BRANDT, Notary Public
City of Philadelphia, Phila. County
My Commission Expires September 28, 2014

Karen E. Brandt
Notary Public

I, the undersigned Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this 15 day of March 2011



William L. Kelly
William L. Kelly, Assistant Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER MARCH 2ND, 2013.

**ACTION BY SOLE MEMBER
OF
MESA DEL SOL, LLC
a New Mexico limited liability company**

The undersigned, on behalf of FC Covington Manager, LLC, a New Mexico limited liability company ("Covington"), as the sole member of Mesa Del Sol, LLC, a New Mexico limited liability company (the "Company"), does hereby adopt, consent, agree and ratify the following action:

WHEREAS, the Member's Written Declaration of the Company, dated as of April 7, 2008 specifies that Covington, as the sole member, has the authority to bind the Company and to do all things necessary to carry out the business of the Company; and

WHEREAS, Brent Dupes, as Vice President of the Company is hereby charged with the authority to enter into documents relating to the Rider to a Bond No. K083909176 with the Westchester Fire Insurance Company ("Bond Rider"), a copy attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Company and Covington will each benefit from the transactions described in the Bond Rider; and

NOW THEREFORE, BE IT RESOLVED, that the following actions are hereby approved by the Company.

RESOLVED, Brent Dupes shall be authorized to execute and deliver the Bond Rider for the benefit of the Company.

FURTHER RESOLVED, that all prior actions taken by Brent Dupes relating to the Bond Rider are hereby ratified and confirmed.

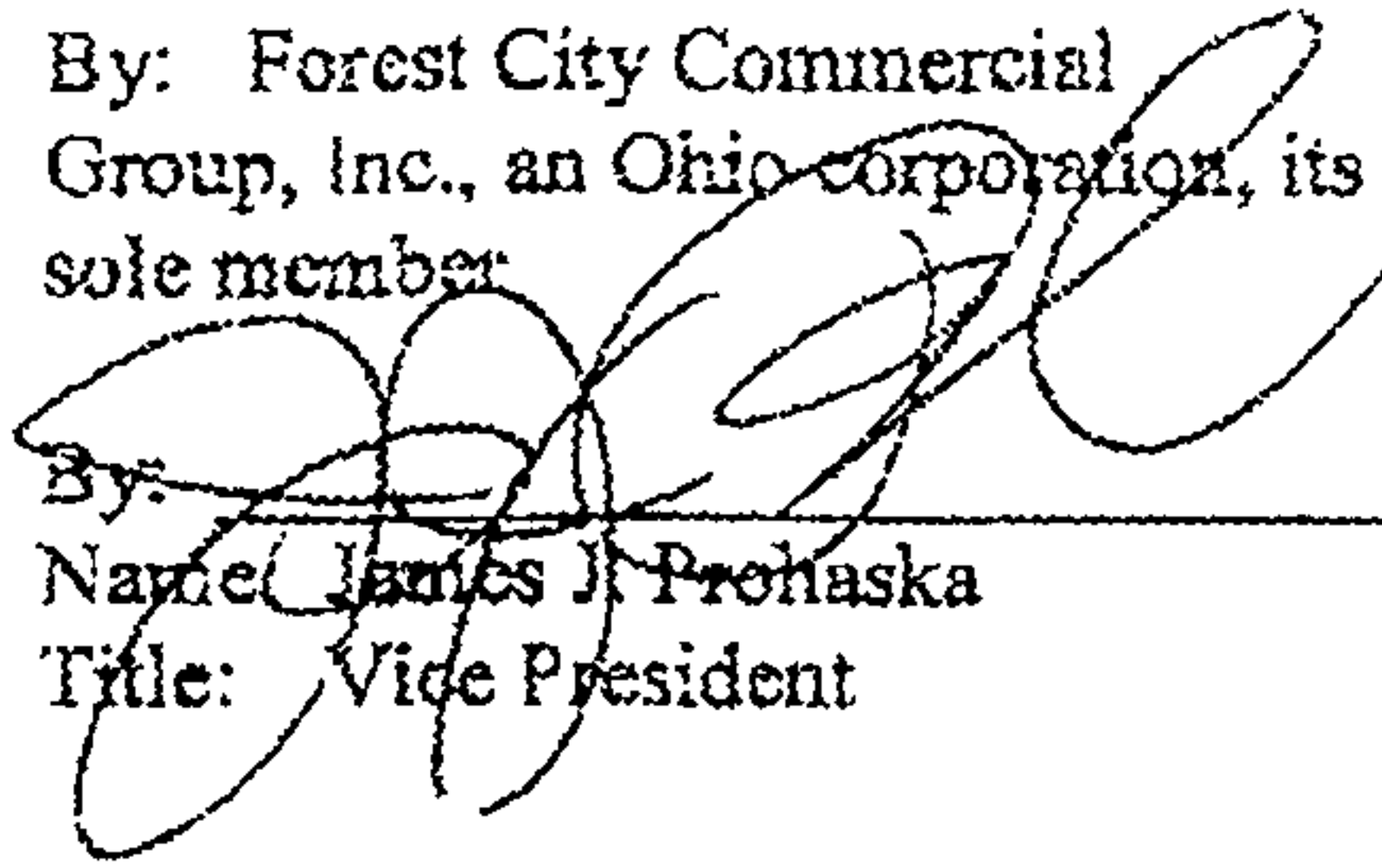
FURTHER RESOLVED that the undersigned hereby waive all formal requirements, including the necessity of holding a formal meeting, and any requirement that the notice of such meeting be given.

IN WITNESS WHEREOF, the undersigned has executed this Written Consent as
of the ____ day of March, 2011.

FC Covington Manager, LLC, a New
Mexico limited liability company, as sole
member

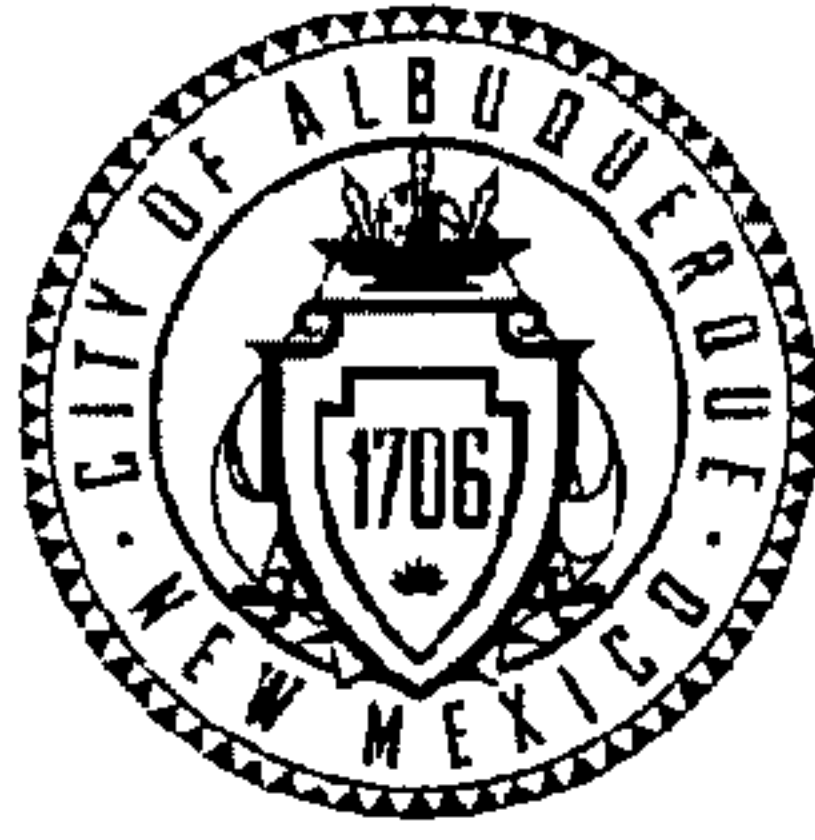
By: Forest City NM, LLC, a New Mexico
limited liability company, a Member

By: Forest City Commercial
Group, Inc., an Ohio corporation, its
sole member

By: 
Name: James J. Prohaska
Title: Vice President

10/10/10
10/10/10
10/10/10
10/10/10
10/10/10

EXHIBIT A



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

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

September 4, 2013

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

This letter will serve to notify you that on **September 4, 2013:**

Contact Name: KAREN ARFMAN

Company or Agency: MYERS, OLIVER AND PRICE, P.C.
1401 CENTRAL AVENUE NW/87104
PHONE: 505-247-9080/FAX: 505-247-9609

contacted the Office of Neighborhood Coordination requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACT 12-B, MESA DEL SOL INNOVATION PARK, LOCATED ON TURING DRIVE SE BETWEEN SAGON AVENUE SE AND SOLAR MESA AVENUE SE** zone map **R-16**.

Our records indicate that as of September 4, 2013, there were no Neighborhood and/or Homeowner Associations in this area.

If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

Planningnna/hoaform(01/01/13)

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 tear out less easily.

4. TIME

Signs must be posted from Sept 24, 2013 To Oct 9, 2013

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.

Kaunbe D. Johnson for John D. Myers 9/11/13
(Applicant or Agent) (Date)

I issued 2 signs for this application, 9-11-13 [Signature]
(Date) (Staff Member)

DRB PROJECT NUMBER: 1006000

October 9, 2013

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

02/03/2011 Issued By: E08375 99705

STANDARD APPLICATION, Paper Plans Required

Permit Number: 2011 070 028 **Category Code 910**

Application Number: 11DRB-70028, Major - 2yr Subd Imp Agmt Ext (2yr Sia)

Address:

Location Description: TURNING DR BETWEEN SAGAN AVE AND SOLAR MESA AVE

Project Number: 1006000

Applicant
MESA DEL SOL, LLC

5700 UNIVERSITY WEST SE, SUITE 310
ALBUQUERQUE NM 87108
452-2800

Agent / Contact
Myers, Oliver & Price, P.C.

1401 Central Ave Nw
Albuquerque NM 87104
247-9080

Application Fees

441018/4943000	APN Fee	\$75.00
441032/3418000	Conflict Mgmt Fee	\$20.00
441006/4958000	DRB Actions	\$50.00
TOTAL:		\$145.00

City of Albuquerque
Treasury Division

02/03/2011 10:17AM LDD: ANIX
001 056 TRANCE 0305
PROJECT COMPANY-00129542
PERMIT 201107028 TRANCE
Trans Amt \$145.00
APN Fee \$75.00
Conflict Mgmt Fee \$20.00
DRB Action \$50.00



MYERS, OLIVER & PRICE, P.C.

LAWYERS
1401 CENTRAL AVENUE, N W
ALBUQUERQUE, NEW MEXICO 87104

JOHN A. MYERS
SCOTT OLIVER
KEVIN J. McCREADY
HOPE MEAD WYNN

TELEPHONE
(505)247-9080
FACSIMILE
(505)247-9109

CHARLES P. PRICE, *Of Counsel*
FLOYD D. WILSON, *Of Counsel*

J. MATT MYERS

e-mail: mmyers@moplav.com

February 23, 2011

Hand Delivery

Jack Cloud - DRB Chairman
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87103

Re: Application for SIA Extension for Tract 12-B Mesa del Sol (the
"Property") – Project #100600

Dear Chairman Cloud:

This letter is a supplement to the application submitted by this firm on February 3, 2011. There is currently no end user for the Property. Additionally, there is no development located directly east of the Property at this time and therefore there is no need for the required infrastructure. Molina Healthcare, who owns Tract 12-A, which is located directly north of the Property ("Molina Property") currently has access to its parcel via Turing Rd.

Molina Healthcare has an option to purchase the Property; however, they have not elected to exercise that option yet and have recently asked for an extension of the option until February 18, 2013.

Thanks you very much for your consideration of this extension request.

Very truly yours,
MYERS, OLIVER & PRICE, P.C.

By: 
J. Matt Myers



Supplemental form

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Myers, Oliver & Price, P.C. PHONE: 247-9080
 ADDRESS: 1401 Central Avenue, NW FAX: 247-9109
 CITY: Albuquerque STATE NM ZIP 87104 E-MAIL: jmyers@moplaw.com

APPLICANT: Mesa del Sol, LLC PHONE: 452-2600
 ADDRESS: 5700 University West, SE, Suite 310 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: SIA Extension for Infrastructure Improvements pursuant to SIA dated June 30, 2009, as extended by Extension Agreement dated 2/8/10 for Project No. 775477
 Is the applicant seeking incentives pursuant to the Family Housing Development Program? ___ Yes. X No.

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

Lot or Tract No. Tract 12-B Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Mesa del Sol Innovation Park I
 Existing Zoning: PC Proposed zoning: N/A MRGCD Map No _____
 Zone Atlas page(s): R-16 UPC Code: 101605112333720801

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. 775477;
Project No. 1005000/0870026; Project No. 10040751.05DRB-01228/06DRB-00716

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: N/A Total area of site (acres): 2.9223
 LOCATION OF PROPERTY BY STREETS: On or Near: On Turing Drive
 Between: Sagan Avenue and Solar Mesa Avenue

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

SIGNATURE [Signature] DATE Jan. 31, 2011
 (Print) J. Matt Myers Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

<p><input checked="" type="checkbox"/> INTERNAL ROUTING</p> <p><input checked="" type="checkbox"/> All checklists are complete</p> <p><input checked="" type="checkbox"/> All fees have been collected</p> <p><input checked="" type="checkbox"/> All case #s are assigned</p> <p><input checked="" type="checkbox"/> AGIS copy has been sent</p> <p><input checked="" type="checkbox"/> Case history #s are listed</p> <p><input checked="" type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input type="checkbox"/> F.H.D.P. density bonus</p> <p><input type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>110RB 70028</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Hearing date <u>March 2, 2011 2/23/11</u></p>	<p>Action</p> <p><u>MSIA</u></p> <p><u>CMF</u></p> <p><u>AF</u></p> <p>_____</p> <p>_____</p>	<p>S.F.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Total</p> <p><u>\$ 145.00</u></p>	<p>Fees</p> <p><u>\$ 75.00</u></p> <p><u>\$ 20.00</u></p> <p><u>\$ 50.00</u></p> <p>_____</p> <p>_____</p>
---	---	---	---	--

[Signature] 2-3-11
 Planner signature / date

Project # 1006000

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

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

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Applicant name (print)

Applicant signature / date

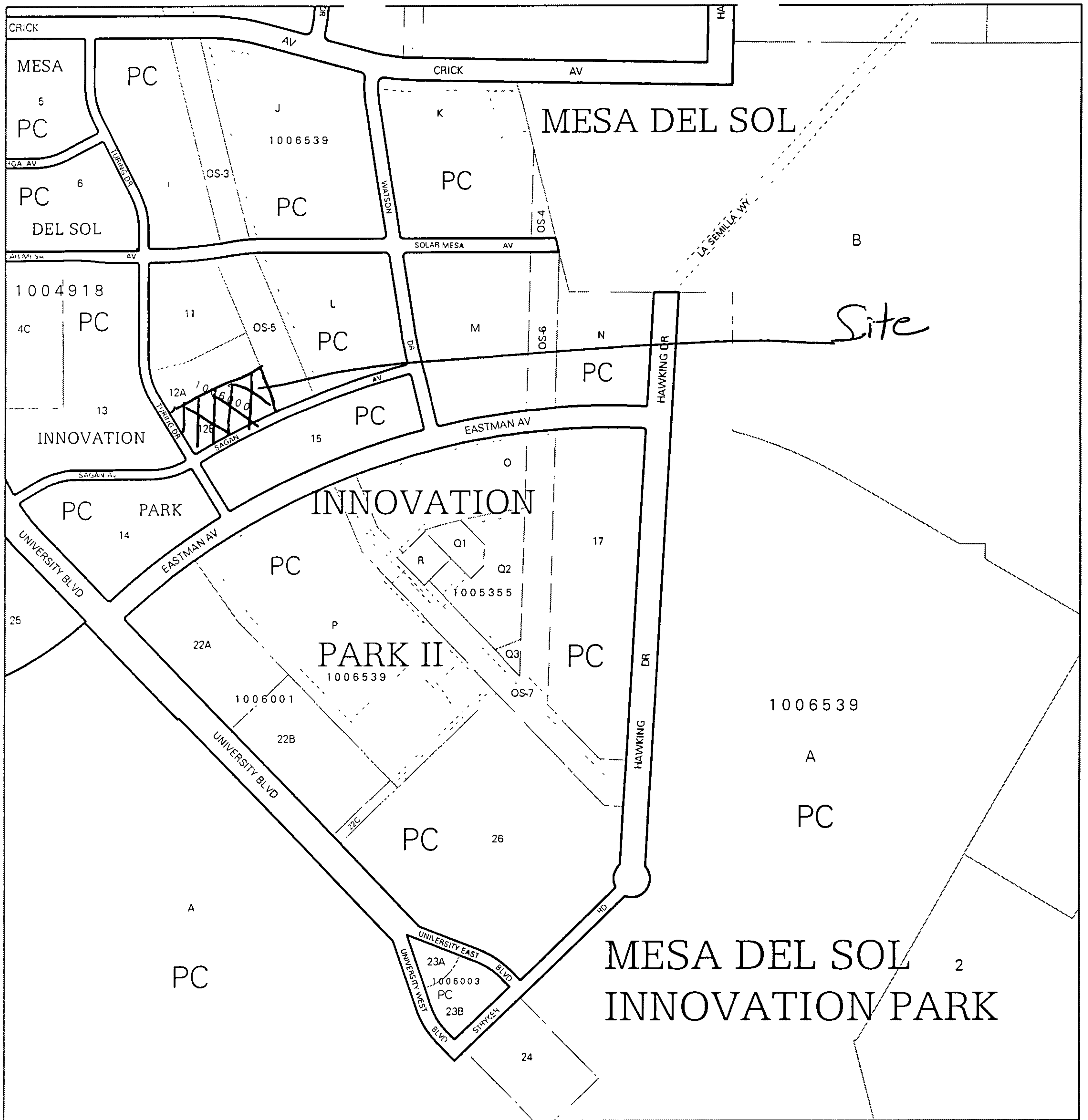


Form revised October 2007

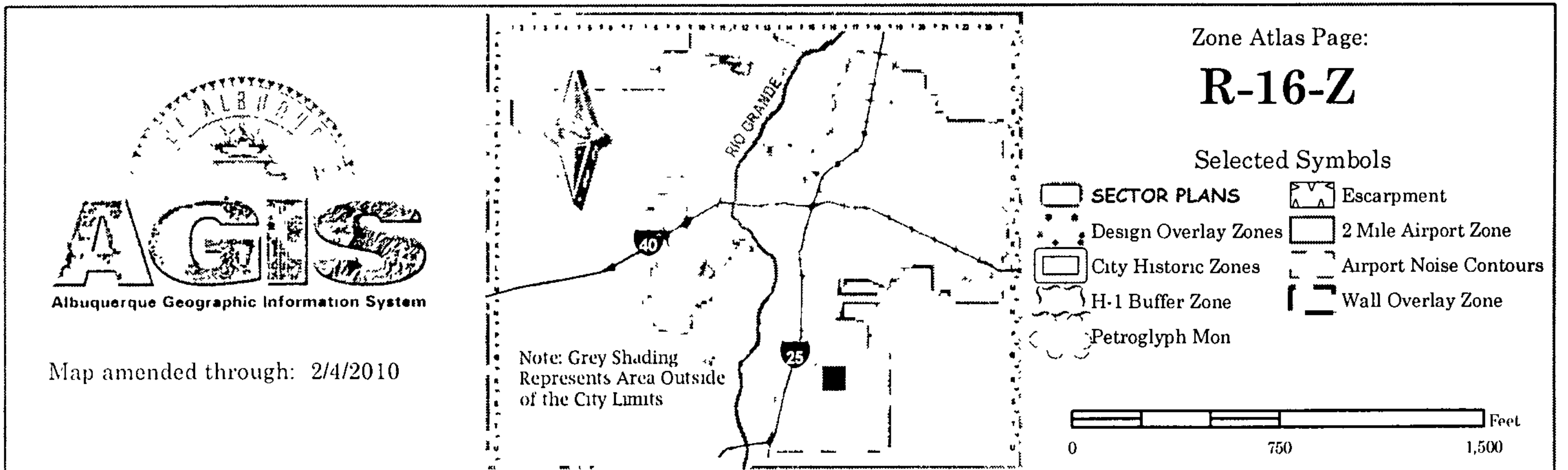
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
11DRB-_____-70028

Planner signature / date
Project # 1006000



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



MESA DEL SOL, LLC
5700 University West Blvd., SE, Suite 310
Albuquerque, NM 87106
Tel. (505)452-5600

February 2, 2011

Hand Delivered

City of Albuquerque
Planning Department
600 Second Street, NW
Suite 200
Albuquerque, New Mexico 87103

Re: Bulk Lands Tracts 1-15, Mesa del Sol
Mesa del Sol Innovation Park I and Mesa del Sol Innovation Park II

Ladies and Gentlemen:

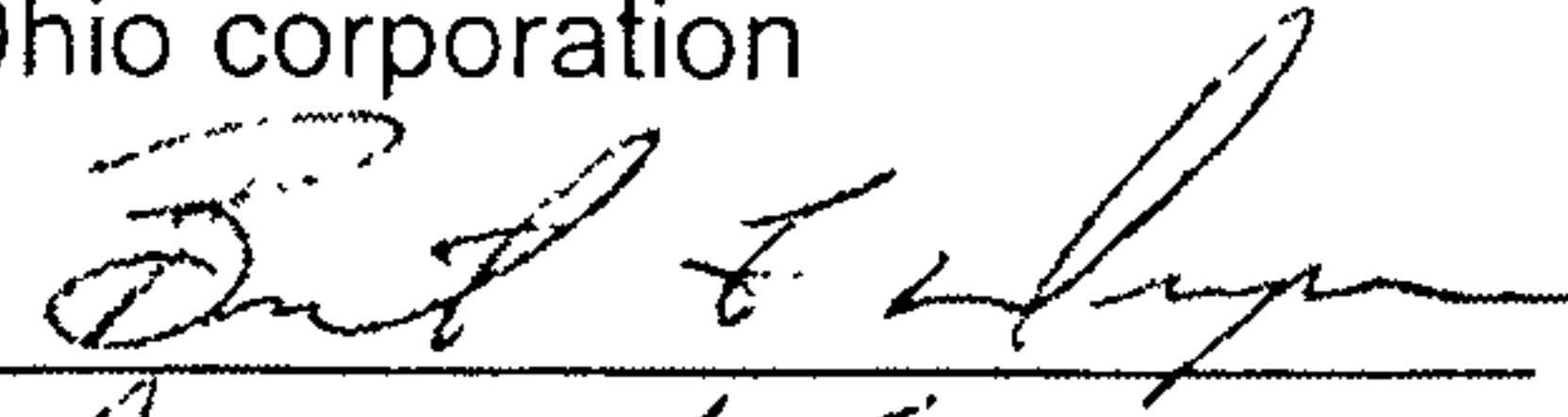
Mesa del Sol, LLC, hereby authorizes Myers, Oliver & Price, P.C., to act as its agent in connection with any applications to the Development Review Board and is further authorized to remain as its agent through any appeals processes, if any.

MESA DEL SOL, LLC, a
New Mexico limited liability company

By: FC Covington Manager, LLC, a New Mexico
limited liability company, Member

By: Forest City NM, LLC, a New Mexico
limited liability company, Member

By: Forest City Commercial Group, Inc.,
an Ohio corporation

By: 
Its: Authorized Signer

REASONS FOR REQUEST

Applicant is the developer of Mesa del Sol, LLC, and is the developer/subdivider of Tract 12-B, Mesa del Sol Innovation Park I (the "Property") pursuant to the Subdivision Improvements Agreement dated June 30, 2009, as extended by First Extension Agreement dated February 18, 2010.

The applicant requests that the construction deadline be extended for an additional two year period for the following reasons:

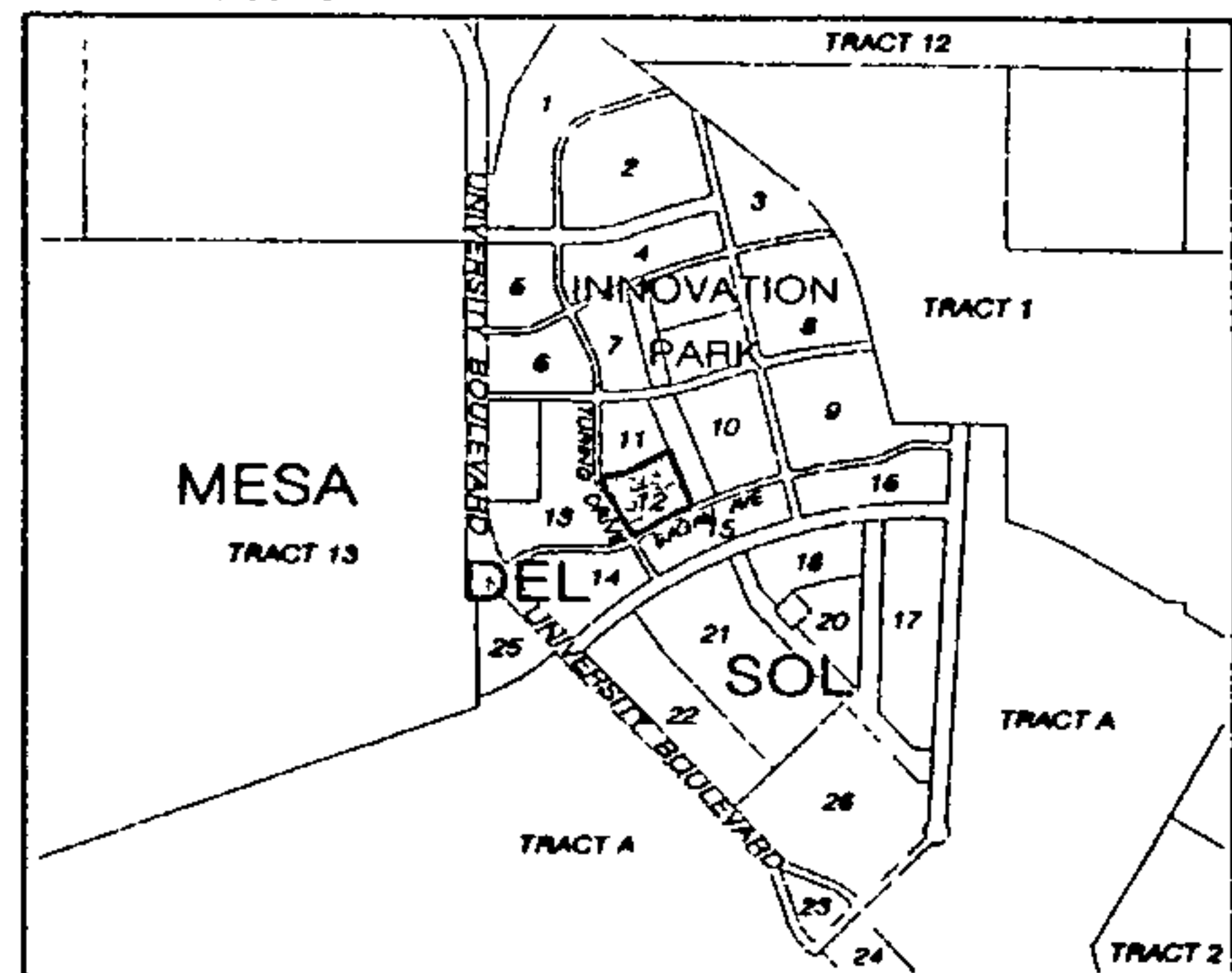
1. Molina Healthcare, Inc. ("Molina"), currently has an option to purchase Tract 12-B, a memorandum of which has been recorded in the Bernalillo County, New Mexico real estate records. Since the option has not been exercised, there is no need for the infrastructure to be built at this time;

2. The required infrastructure would not be used initially and existing interim improvements are adequate until further development of the Property; and

3. No other development will be adversely affected by the continued deferral of these public improvements; and

4. Allowing the applicant additional time to complete the required infrastructure will not be injurious to the public safety, health or welfare, or to adjacent property, to the neighborhood or to community.

SP-2007520367



LOCATION MAP
ZONE ATLAS INDEX MAP No. R-16
NOT TO SCALE

SUBDIVISION DATA

1. DRB No.
2. Zone Atlas Index No. R-16.
3. Zoning FC.
4. Gross Subdivision Acreage 5.4417 Acres.
5. Total number of tracts Created, Two (2) Tracts
6. No streets were created.
7. Date of Survey: November, 2007.
8. Plat is located within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico.

DISCLOSURE STATEMENT

The purpose of this Plat is to subdivide Tract 12 of the Plat of Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 0258 as Document No. 2007131551 into 2 new tracts.

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are for the common joint use of Utility Service Providers (dry utilities only), including but not limited to:

- A. PNM Electric Services for the installation, maintenance and service of underground electrical lines, transformers, and other equipment, fixtures, structures, and related facilities reasonably necessary to provide electrical service.
- B. PNM Gas services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
- C. QWEST for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.
- D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.
- E. Time Warner for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities and cable and other related equipment and facilities reasonably necessary to provide communication services and cable TV service including but not limited to above ground pedestals and closures.

Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purpose set forth herein. No building, sign, pool, (above ground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformers/switchgear, as installed shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

DESCRIPTION

A certain tract of land within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 258 as Document No. 2007131551

Tract contains 5.4417 acres, more or less

NOTES

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone) NAD 1983 and the basis of bearings is the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 258 as Document No. 2007131551
2. Record Bearings and distances are the same as shown on this plat and the same as shown on the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 258 as Document No. 2007131551.
3. Basis of Bearings is between City of Albuquerque Control Stations "1-R16 and "3-Q16". Bearing = N12°15'06"E.
4. Distances are ground distances.
5. All easements of record are as shown on the plat of record or made known to me by the owner, utility companies, or other interested parties.
6. All interior tract corners to be monumented by a #6 rebar and yellow plastic survey cap stamped "GROMATZKY PS 16469".
7. Pursuant to section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "No property within the area of requested final action shall at anytime be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirements shall be a condition to approval of this plat or site development plan for subdivision."

FREE CONSENT AND DEDICATION

The foregoing plat of that certain tract of land situated within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Summary Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 258 as document No. 2007131551 now comprising Tracts 12-A and 12-B Mesa Del Sol Innovation Park, Albuquerque, New Mexico is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) hereof. Said owner(s) and/or proprietor(s) do hereby grant. All Access, Utility and Drainage Easements shown hereon including the right to construct, operate, inspect, and maintain facilities therein, and all Public Utility Easements shown hereon for the common and joint use of Gas, Electrical Power, and Communication Services for buried distribution lines, conduits, and pipes for underground utilities where shown or indicated, including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The City has the right to enter upon the Grantee's Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the Work affects any improvements or encroachments made by the Grantee, the City will not be financially or otherwise responsible for rebuilding or repairing of improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the improvements or encroachments, the Grantee shall, at its own expense, take whatever protective measures are required to safeguard the improvements or encroachments. Said owner warrants that he holds complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is their free act and deed.

MESA DEL SOL, LLC, a New Mexico Limited Liability Company
By: FC Covington Manager, LLC, a New Mexico Limited Liability Company, Member By: FC Mesa, Inc., a New Mexico Corporation, Member

By: Michael D Daly
Chief Operating Officer
State of New Mexico)
County of Bernalillo)

This instrument was acknowledged before me on the 4th day of JANUARY 2008 by Michael D Daly, Chief Operating Officer of FC Mesa, Inc., a New Mexico Corporation, as Member of FC Covington Manager, LLC, a New Mexico Limited Liability Company, as Member of Mesa Del Sol, LLC, a New Mexico Limited Liability Company. My Commission Expires: 12/20/09
Notary Public



JURISDICTIONAL AFFIDAVIT

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, hereby affirm that the property described does lie within the platting and subdivision jurisdiction of the City of Albuquerque

Robert Gromatzky
New Mexico Professional Surveyor 16469
Date: January 3, 2008

SURVEYOR'S CERTIFICATION

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all easements as shown on the plat of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and meets the minimum requirements for monumentation and surveys contained in the Albuquerque Subdivision Ordinance, and is true and accurate to the best of my knowledge and belief

Robert Gromatzky
New Mexico Professional Surveyor 16469
Date: January 3, 2008



PLAT OF TRACTS 12-A & 12-B MESA DEL SOL INNOVATION PARK

(A REPLAT OF TRACT 12, MESA DEL SOL INNOVATION PARK)

ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JANUARY, 2008

PROJECT NUMBER	1005000
APPLICATION NUMBER	08-70026
PLAT APPROVAL	
UTILITY APPROVALS	
QWEST TELECOMMUNICATIONS	DATE
COMCAST CABLE	DATE
PNM ELECTRIC SERVICES	DATE
PNM GAS SERVICES	DATE
TIME WARNER	DATE

CITY APPROVALS	
CITY SURVEYOR	1-7-08 DATE
CITY ENGINEERING, TRANSPORTATION DIVISION	2/27/08 DATE
ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY	2/27/08 DATE
MARKS & RECREATION DEPARTMENT	2/27/08 DATE
CITY ENGINEER	2-27-08 DATE
DRB CHAIRPERSON, PLANNING DEPARTMENT	2-27-08 DATE

TAX CERTIFICATION

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #

101605017836820101

PROPERTY OWNER OF RECORD Mesa Del Sol LLC

Alroy Miller BERNALILLO COUNTY TREASURER'S OFFICE 2/29/08 DATE

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

Bohannon & Huston

Courtyard I 7500 Jefferson St NE Albuquerque, NM 87108-4336
ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

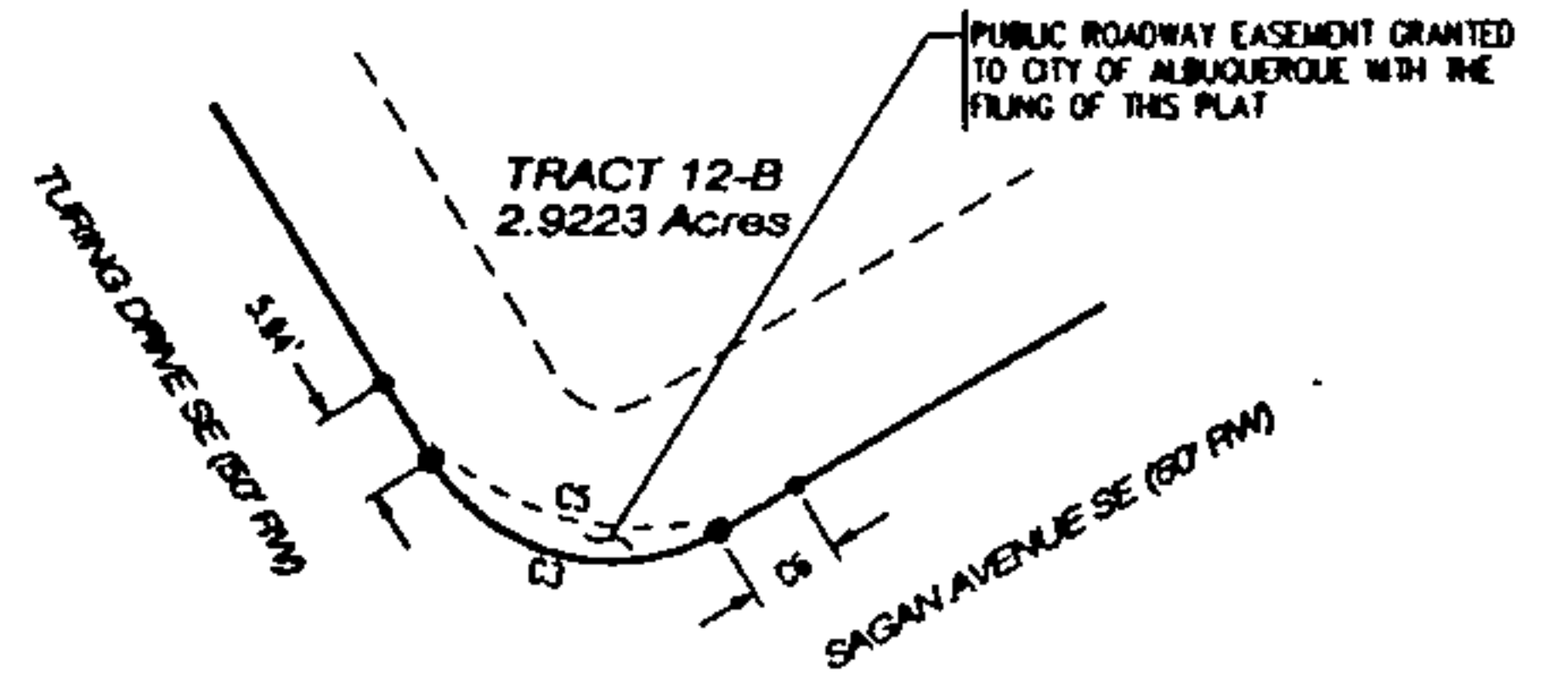
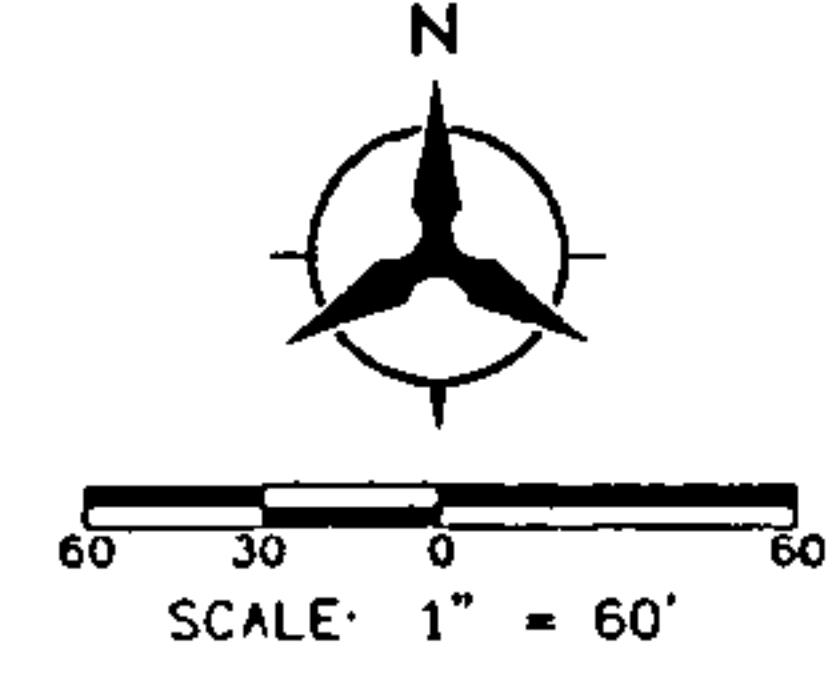
LEGEND

- SUBDIVISION BOUNDARY LINE
- NEW LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- ADJOINING PROPERTY LINE
- ▲ CITY OF ALBUQUERQUE CONTROL MONUMENT
- #5 REBAR WITH YELLOW PLASTIC SURVEY CAP STAMPED "GROMATZKY PS 16469"

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	04°21'02"	176.30'	352.44'	4641.37'	352.35'	N63°37'41"E
C2	06°33'46"	240.93'	481.34'	4202.32'	481.08'	S62°23'34"W
C3	89°28'12"	13.87'	21.86'	14.00'	19.71'	N76°09'12"W
C4	21°53'19"	68.65'	135.62'	355.00'	134.80'	N20°28'27"W
C5	89°23'22"	19.79'	31.20'	20.00'	28.13'	S76°06'47"E
C6	00°04'50"	2.96'	5.92'	4202.32'	5.92'	S59°09'07"W

ACS BRASS TABLE STAMPED "3-018"
GEOGRAPHIC POSITION (NAD 83)
NM STATE PLANE COORDINATES (CENTRAL ZONE)
X = 1,533,498.782 Y = 1,457,045.094
GROUND TO GRID FACTOR = 0.999963002
DELTA ALPHA = -0012'17.33"
RAND. 1988 ELEVATION = 5310.390

PLAT OF
TRACTS 12-A & 12-B
MESA DEL SOL
INNOVATION PARK
(A REPLAT OF TRACT 12, MESA DEL SOL INNOVATION PARK)
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JANUARY, 2008



ACS BRASS TABLE STAMPED "1-R16"
GEOGRAPHIC POSITION (NAD 83)
NM STATE PLANE COORDINATES (CENTRAL ZONE)
X = 1,532,715.669 Y = 1,453,438.899
GROUND TO GRID FACTOR = 0.999964089
DELTA ALPHA = -0012'22.46"
RAND. 1988 ELEVATION = 5291.451



DOCN 288823129
02/20/2008 11:02 AM Page 2 of 2
PLAT # 12 00 B 2008C P 8839 P1 Toulouse, Bernalillo County
NEW MEXICO SURVEYORS ASSOCIATION

Bohannon & Huston
Court yard | 7500 Jefferson Bl. NE Albuquerque, NM 87108-4335
ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

Client/DRG
Project No: _____

Date Submitted: January 18, 2009
 Date Site Plan for Eddy Permit App: _____
 Date Site Plan for Sub Approved: 1-23-08
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: 1-23-09

Figure 12
INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D R B) REQUIRED INFRASTRUCTURE LIST

DRB Project No: 1006400

Tract 12A and 12B
 (Mont del Sol, Innovation Park)

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 guarantee. 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.

SA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
PUBLIC ROADWAY IMPROVEMENTS									
775487		24' FC-EOP	PAVED ROADWAY, STRIPING CURB AND GUTTER, STREET LIGHTS (1/2 STREET IMPROVEMENT - 300 LF APPROX. 40 F TO F 47' FULL BUILD OUT)	SOLAR MESA AVE (SOUTH SIDE OF ROW)	EAST TERMINUS OF CITY PROJECT #775481	TURING DR			
775487		24' FC-EOP	PAVED ROADWAY STRIPING CURB AND GUTTER, STREET LIGHTS (APPROX 1 200 LF)	TURING DR.	SOLAR MESA AVE	SAGAN AVE			
775477		24' FC-EOP	PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (APPROX 550 LF)	SAGAN AVE	TURING DR	WESTERN BOUNDARY OF TRACT OS-2			
PUBLIC SANITARY SEWER IMPROVEMENTS									
775487		17" DIA	SANITARY SEWER LINE AS REQ'D (APPROX 370 LF)	SOLAR MESA AVE	EAST TERMINUS OF CITY PROJECT #775481	TURING DR			
775487		8" DIA	SANITARY SEWER LINE, AS REQ'D (APPROX 960 LF)	TURING DR	SOLAR MESA AVE	APPROX. 120 LF SOUTH OF SOUTHERN PROPERTY LINE OF PROPOSED TRACT 12A			
PUBLIC WATERLINE IMPROVEMENTS									
775487		12" DIA	WATERLINE W/ NEC VALVES FHS MJS & RFS (APPROX 350 LF)	SOLAR MESA AVE	EAST TERMINUS OF CITY PROJECT #775481	TURING DR			
775487		8" DIA	WATERLINE W/ NEC VALVES FHS MJS & RFS, STUB OUTS TO PROJECT HALL SITE (APPROX 1,200 LF)	TURING DR	SOLAR MESA AVE	SAGAN AVE			
775477		8" DIA	WATERLINE W/ NEC VALVES FHS MJS & RFS, STUB OUTS TO DIALOVIC SITE (APPROX. 550 LF)	SAGAN AVE	TURING DR.	WESTERN BOUNDARY OF TRACT OS-2			

SIA Sequence #

COA DRC Project #

Type of Improvement

Location

From

To

Private Inspector

City Inspector

City Clerk Engineer

PUBLIC/PRIVATE STORM DRAIN IMPROVEMENTS (NOT TO BE FINANCIALLY GUARANTEED)

DRAINAGE IMPROVEMENTS (RETENTION POND FOR SITE, ROAD, AND OFFSITE OUTFALL - APPROX 2. AC. S.F.) WITHIN TRACT OS-2 AND COVENANT (PRIVATELY OWNED AND MAINTAINED)

PRIVATE IMPROVEMENTS (NOT TO BE FINANCIALLY GUARANTEED)

AGENT/TOWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

JEFFERY L. MULLBERRY
 PREPARED BY - PRINT NAME
 1/23/08
 DATE

1/23/08
 DATE

Christina Demina
 PARKS & GENERAL SERVICES
 DATE

1/23/08
 DATE

BOHARIAN HUSTON INC.
 FRRS

1/23/08
 DATE

BRADLEY D. BYLER
 CITY ENGINEER
 DATE

1/23/08
 DATE

MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

TRANSPORTATION DEVELOPMENT

1-23-08
 DATE

UTILITY DEVELOPMENT

1-23-08
 DATE

1/23/08
 DATE

1/23/08
 DATE

1/23/08
 DATE

1/23/08
 DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION

DATE

DRC CHAIR

USER DEPARTMENT

AGENT/TOWNER

AGENT/TOWNER

AGENT/TOWNER

AGENT/TOWNER

FINANCIAL GUARANTY AMOUNT

04/24/2009

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

Project Description:

Project ID #: 775477, Tract 12-A & 12-B Mesa Del Sol, Phase/Unit #: 1

Requested By: Mike Balaskovits, PE with B H I

Approved estimate amount:		\$185,257.57
Contingency Amount:	10.00%	\$18,525.76
Subtotal:		\$203,783.33
NMGRT	6.75%	\$13,755.37
Subtotal:		\$217,538.70
Engineering Fee	6.60%	\$14,357.55
Testing Fee	2.00%	\$4,350.77
Subtotal:		\$236,247.02
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$295,308.77</u>

APPROVAL:

DATE:

Stephen Woodall 5-14-09

Notes: 10% contingency, plans and final eng est have not been approved, Improvements on Sagan from Turning to west boundry of Lot OS-2 (Replated as OS-5)

CITY OF ALBUQUERQUE

January 11, 2010



CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Michael Daly, Vice President
Mesa Del Sol, LLC
5700 University West SE Suite 310
Albuquerque, NM 87106

Re: NOTICE OF UPCOMING DEADLINE FOR COMPLETION OF IMPROVEMENTS AND
CITY'S INTENTION TO CALL FINANCIAL GUARANTY-SUBDIVISION
IMPROVEMENTS AGREEMENT, PROCEDURE B

PROJECT: TR12-B MESA DEL SOL
PROJECT NO: 775477

Dear Mr. Daly:

I am the Assistant City Attorney who represents the City in matters relating to construction of infrastructure by subdividers. As you are aware, Mesa Del Sol, LLC ("Subdivider") signed SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B, ("Agreement") with the City committing the Subdivider to complete construction of required infrastructure by February 11, 2010 ("Construction Deadline"). Therefore, if construction will not be completed by the Construction Deadline, the City may grant the Subdivider an extension of time to complete the construction of the required subdivision improvements if the Subdivider meets the following conditions.

The City may grant an extension, not to exceed a total of two years from the date of execution of the original agreement with the City, if the Subdivider submits a written request for extension of time to construct, and delivers the request to the City Engineering Division, Project Review Section, at least fifteen (15) days prior to the Construction Deadline. The City will review the request and apparent consequences of granting an extension. If the extension is allowed, the Subdivider will be required to complete an extension agreement and submit the required, revised financial guaranty to the City by the construction completion deadline date.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

CITY OF ALBUQUERQUE



January 11, 2010

Page 2

PROJECT: TR12-B MESA DEL SOL

PROJECT NO: 775477

THIS LETTER PROVIDES NOTICE TO THE SUBDIVIDER THAT, IF THE CONSTRUCTION IS NOT COMPLETED BY THE CONSTRUCTION DEADLINE, THE CITY MAY REVOKE THE AGREEMENT TO BE IN DEFAULT AND WILL HOLD THE SUBDIVIDER AND THE SURETY, JOINTLY AND SEVERALLY LIABLE FOR 125% OF THE COST OF COMPLETING THE IMPROVEMENTS UNLESS: (1) THE SUBDIVIDER SUBMITS A WRITTEN REQUEST FOR EXTENSION (2) (IF THE CITY APPROVES THE EXTENSION) THE SUBDIVIDER SUBMITS THE REQUIRED EXTENSION AGREEMENT AND FINANCIAL GUARANTY TO THE CITY BY THE CONSTRUCTION DEADLINE.

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

Please immediately contact the Project Administrator, Marilyn Maldonado, at 924-3997 and call her whether: (1) the construction will be completed by the Construction Deadline Date; or (2) the Subdivider will be submitting a written request for extension; and, if an extension is granted by the City, the Subdivider then will be submitting an extension agreement and related financial guaranty to the City by the Construction Deadline.

PO Box 1293

Albuquerque

NM 87103

Very truly yours,

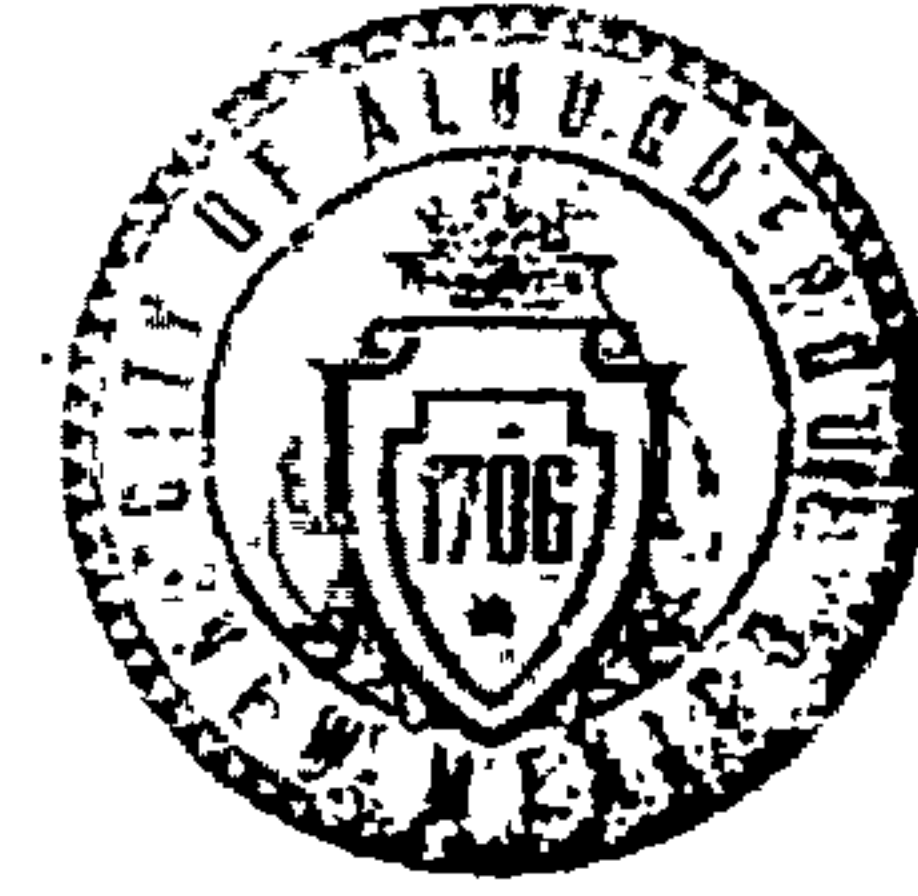
Kevin J. Curran
Assistant City Attorney

www.cabq.gov

MJC/mao

cc: File
#1

CITY OF ALBUQUERQUE



January 13, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Michael D. Daly, Vice President
MESA DEL SOL, LLC
5700 University West SE Suite 310
Albuquerque, NM 87106

RE: NOTICE OF UPCOMING DEADLINE FOR COMPLETION OF IMPROVEMENTS
AND CITY'S INTENTION TO CALL FINANCIAL GUARANTY –
SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B

PROJECT: TR12-B MESA DEL SOL
PROJECT NO: 775477

Dear Mr. Daly:

I am the Assistant City Attorney who represents the City of Albuquerque ("City") in matters relating to construction of infrastructure by subdividers. As you are aware, **Mesa Del Sol, LLC** ("Subdivider") signed a **SUBDIVISION IMPROVEMENTS AGREEMENT, PROCEDURE B**, ("Agreement") requiring the subdivider to construct certain infrastructure improvements by **February 11, 2011** ("Construction Deadline"). The Subdivider has utilized the maximum period allowed by the City's Subdivision Ordinance for completion of construction.

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

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

Page 2 of 2

January 13, 2011

PROJECT: TR12-B MESA DEL SOL

PROJECT NO: 775477

Please immediately contact the Project Administrator, Marilyn Maldonado, at (505) 924-3997 and let her know whether: (1) the construction will be completed by the Construction Deadline Date and the necessary paperwork will be provided promptly to the City's Planning Department, Construction Section for acceptance of the required subdivision improvements; or (2) the Subdivider will be submitting a written request for extension to the D.R.B. and, if an extension is granted, will be submitting an Extension Agreement and related revised financial guaranty to the City's Planning Department, Design Review Section by the Construction Deadline date.

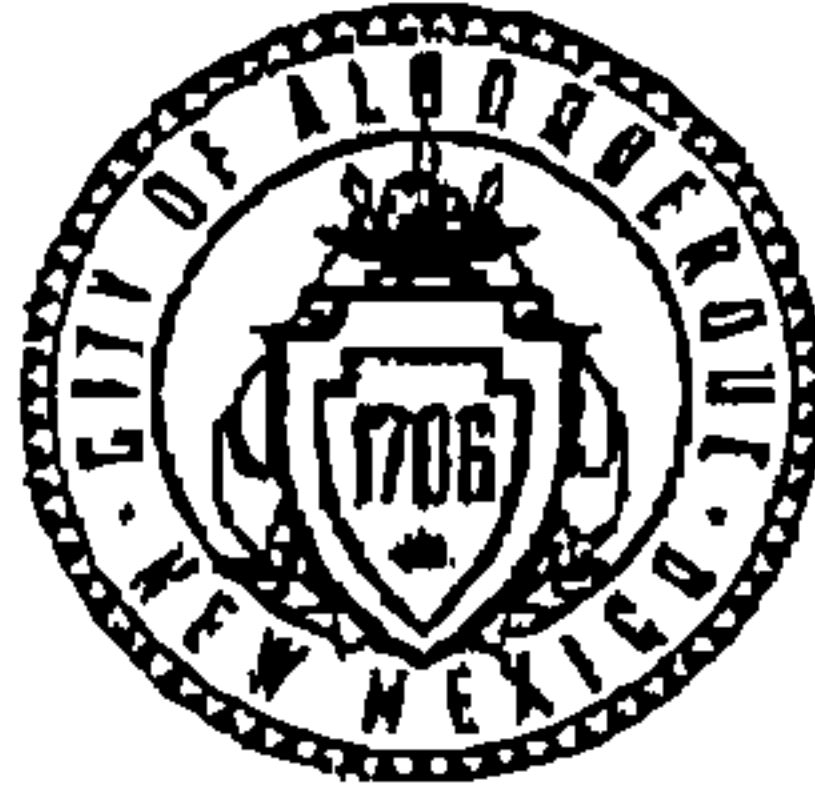
Very truly yours,



Kevin J. Curran
Assistant City Attorney

KJC/pcj

#3-B



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

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

January 31, 2011

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

This letter will serve to notify you that on **January 31, 2011:**

CONTACT NAME: KAREN ARFMAN

COMPANY OR AGENCY: MYERS, OLIVER AND PRICE, P.C.
1401 CENTRAL AVENUE NW/87104
PHONE: 505-247-9080/FAX: 505-247-9609

contacted the Office of Neighborhood Coordination requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – TRACT 12-B, MESA DEL SOL, LOCATED ON TURING DRIVE SE BETWEEN SOLAR MESA AVENUE SE AND SAGON AVENUE SE** zone map R-16.

Our records indicate that as of January 31, 2011, there were no Neighborhood and/or Homeowner Associations in this area.

If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
PLANNING DEPARTMENT

planningnrnaform(12/8/10)

!!!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 and/or Homeowners Associations *(if there are associations)*. A copy must be submitted with application packet.
- Copies of the certified receipts to Neighborhood and/or Homeowners 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: **01/31/11** Time Entered: **2:10 p.m.** ONC Rep. Initials: **siw**

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 Feb. 15, 2011 To March 2, 2011

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.

Matt Mynisby 2/13/11
(Applicant or Agent) (Date)

I issued 1 signs for this application, 2-3-11 [Signature]
(Date) (Staff Member)

DRB PROJECT NUMBER: 1006000

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006000

AGENDA ITEM NO: 8

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

Albuquerque

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

New Mexico 87103

RESOLUTION:

www.cabq.gov

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

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

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

FOR:

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

DATE: January 23, 2008

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006000

AGENDA ITEM NO: 15

SUBJECT:

Final Plat

ACTION REQUESTED:

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

P.O. Box 1293

ENGINEERING COMMENTS:

No adverse comments.

Albuquerque

New Mexico 87103

RESOLUTION:

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

www.cabq.gov

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

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

FOR:

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

DATE: February 27, 2008

6000

DXF Electronic Approval Form

DRB Project Case #: 1006000

Subdivision Name: MESA DEL SOL INNOVATION PARK TRACTS 12A & 12B

Surveyor: ROBERT GROMATZKY

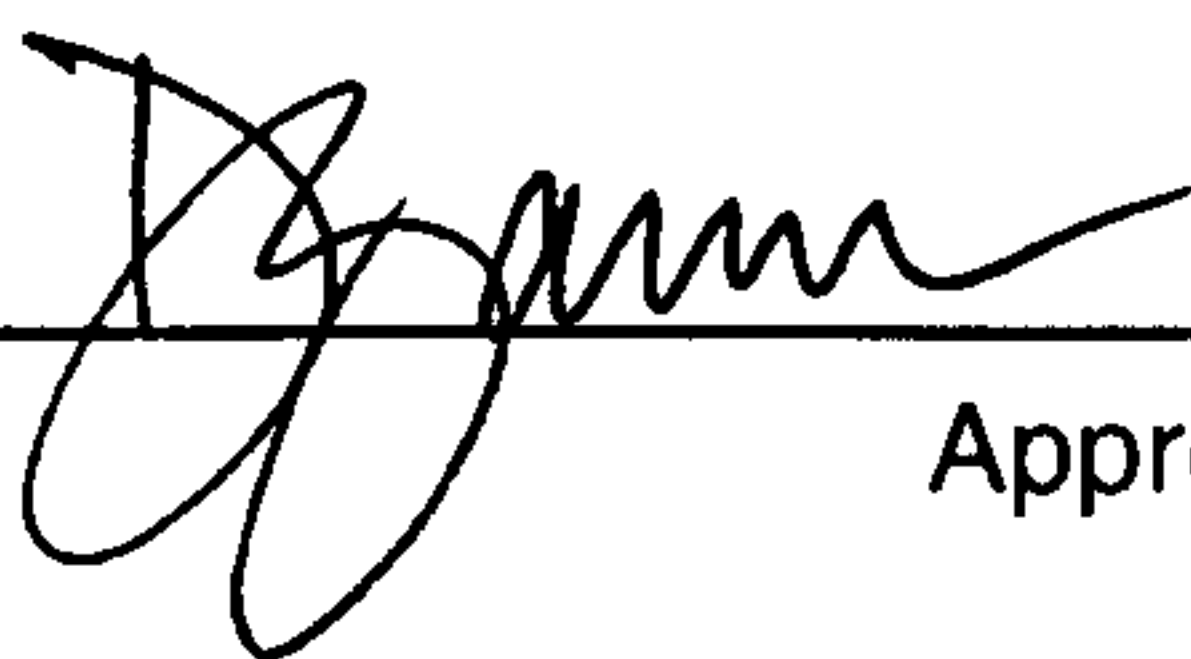
Contact Person: DONNA MEDINA

Contact Information: 798-7878

DXF Received: 1/22/2008

Hard Copy Received: 1/22/2008

Coordinate System: Ground rotated to NMSP Grid



Approved

01-23-2008

Date

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

AGIS Use Only

Copied fc **6000** to agiscov on **1/23/2008** Contact person notified on **1/23/2008**

6000

DXF Electronic Approval Form

DRB Project Case #: 1006000

Subdivision Name: MESA DEL SOL INNOVATION PARK TRACTS 12A & 12B

Surveyor: ROBERT GROMATZKY

Contact Person: MARY COLE

Contact Information: 798-7878

DXF Received: 2/14/2008 Hard Copy Received: 2/14/2008

Coordinate System: Ground rotated to NMSP Grid


Approved

02-14-2008
Date

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

AGIS Use Only
Copied fc 6000 to agiscov on 2/14/2008 Contact person notified on 2/14/2008

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

02/22/2008 Issued By: PLNSDH

Permit Number: 2008 070 026 **Category Code 910**

Application Number: 08DRB-70026, Minor- Preliminary/ Final Plat Approval

Address:

Location Description: SOLAR MESA SE BETWEEN TURNING SE AND SAGAN SE

Project Number: 1006000

Applicant

Mesa Del Sol Llc

801 University Blvd Se, Ste 200
Albuquerque NM 87108
400-3021

Agent / Contact

Bohannon Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87108

kpatton@bhinc.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	
441006/4983000	DRB Deferral Fee:	\$50.00
TOTAL:		\$50.00

City Of Albuquerque
Treasury Division

2/22/2008 11:53AM LOC: ANNX
WSH 007 TRANSH 0023
RECEIPT# 00094666-00094666
PERMITH 2008070026 TRSMSP
Trans Amt \$50.00
DRB Actions \$50.00
VI \$50.00
CHANGE \$0.00

Thank You

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

01/15/2008 Issued By: PLNSDH

Permit Number: 2008 070 026 **Category Code 910**

Application Number: 08DRB-70026, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: SOLAR MESA SE BETWEEN TURNING SE AND SAGAN SE

Project Number: 1006000

Applicant
Mesa Del Sol Llc

801 University Blvd Se, Ste 200
Albuquerque NM 87106
400-3021

Agent / Contact
Bohannon Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87108

kpatton@bhinc.com

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$285.00
TOTAL:		\$305.00

City Of Albuquerque
Treasury Division

1/15/2008 3:21PM LDC: ANNX
WS# 007 TRANS# 0057
RECEIPT# 00092831-00092831
PERMIT# 2008070026 TRSMSP
Trans Amt \$305.00
Conflict Manag. Fee \$20.00
DRB Actions \$285.00
CK \$305.00
CHANGE \$0.00

Thank You

February 19, 2008

Jack Cloud, DRB Chair

DRB

600 2nd St NW

Albany, NM 87102

Dear Mr. Cloud,

Please place me on the agenda for
February 27, 2008 hearing.

Thank you,
Sally Salazar-Cass
for Mr. Balaskovits



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 & PLANNING

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

APPEAL / PROTEST of...

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

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: MESA DEL SOL, LLC
 ADDRESS: 801 UNIVERSITY BLVD., SE, STE 200
 CITY: ALBUQUERQUE
 Proprietary interest in site: OWNER
 AGENT (if any): BOHANNAN HUSTON INC.
 ADDRESS: 7500 JEFFERSON NE
 CITY: ALBUQUERQUE

STATE NM ZIP 87106
 STATE NM ZIP 87109

PHONE: 400-3021
 FAX: 242-2978
 E-MAIL: _____
 PHONE: 823-1000
 FAX: 798-7988
 E-MAIL: _____

DESCRIPTION OF REQUEST: PRELIMINARY FINAL PLAT APPROVAL

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

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

Lot or Tract No. TRACT 12 Block: _____ Unit: _____
 Subdiv. / Addn. BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK
 Current Zoning: PC Proposed zoning: _____
 Zone Atlas page(s): R-16 No. of **existing** lots: 1 No. of **proposed** lots: 2
 Total area of site (acres): 5.44 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____
 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. 1015051261260101444 MRGCD Map No. _____
 LOCATION OF PROPERTY BY STREETS: On or Near: SOLAR MESA, SE
 Between: TURNING, SE and SAGAN, SE

CASE HISTORY:

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

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

SIGNATURE Jeff Mulbery for DATE 01/15/08

(Print) JEFF MULBERY Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 10/03

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>08DRB-70026</u>	<u>P&F</u>	<u>5(3)</u>	<u>\$ 285.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>01/23/08</u>			Total <u>\$ 305.00</u>

Sandy Handley 01/15/08
 Planner signature / date

Project # 1006000

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

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

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

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

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

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

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

Amended preliminary plat approval expires after one year

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

JEFF MULBERY
 Applicant name (print)
 For [Signature] 1/15/08
 Applicant signature / date



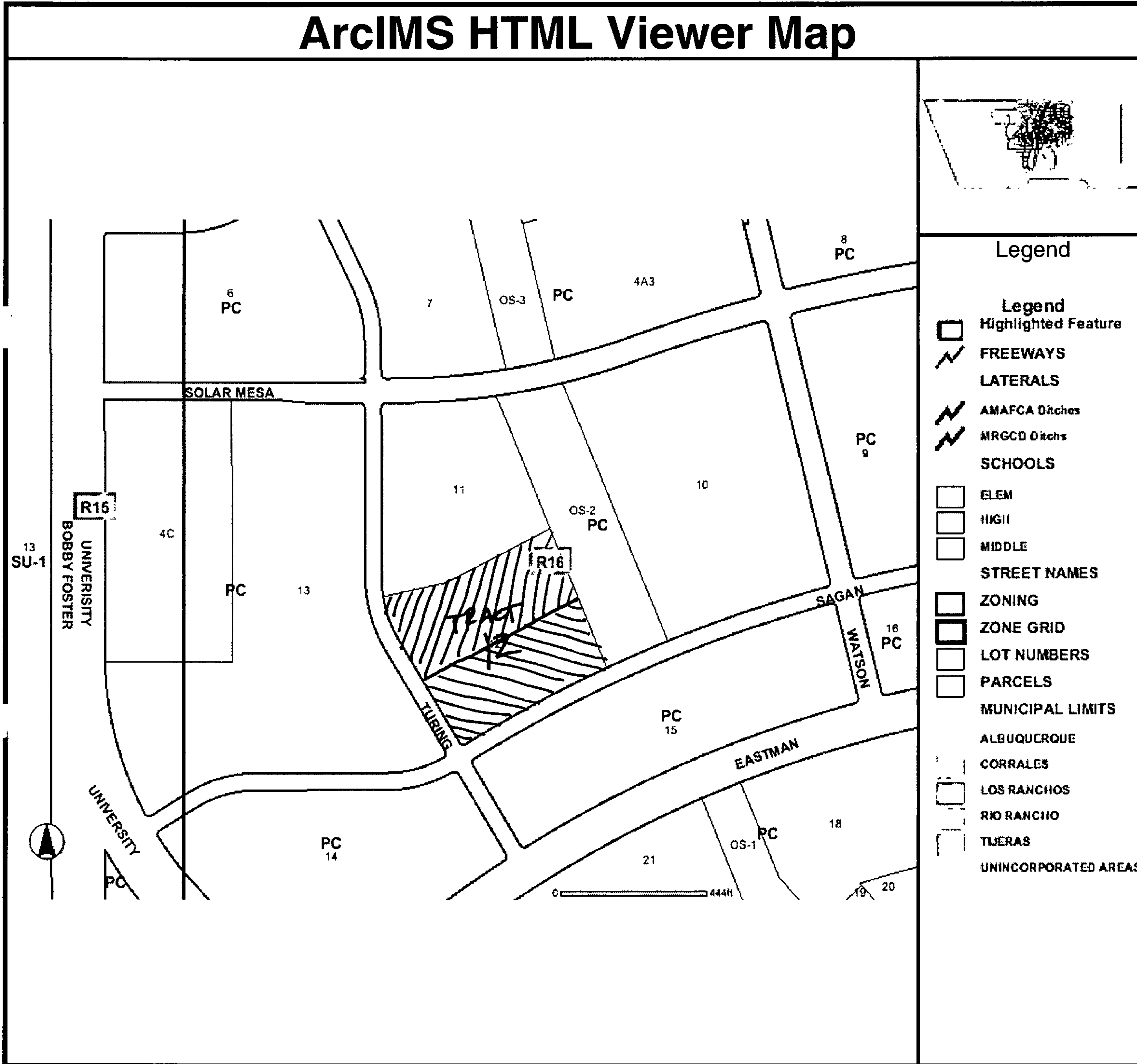
Form revised October 2007

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

Application case numbers
 08DRB - 70026

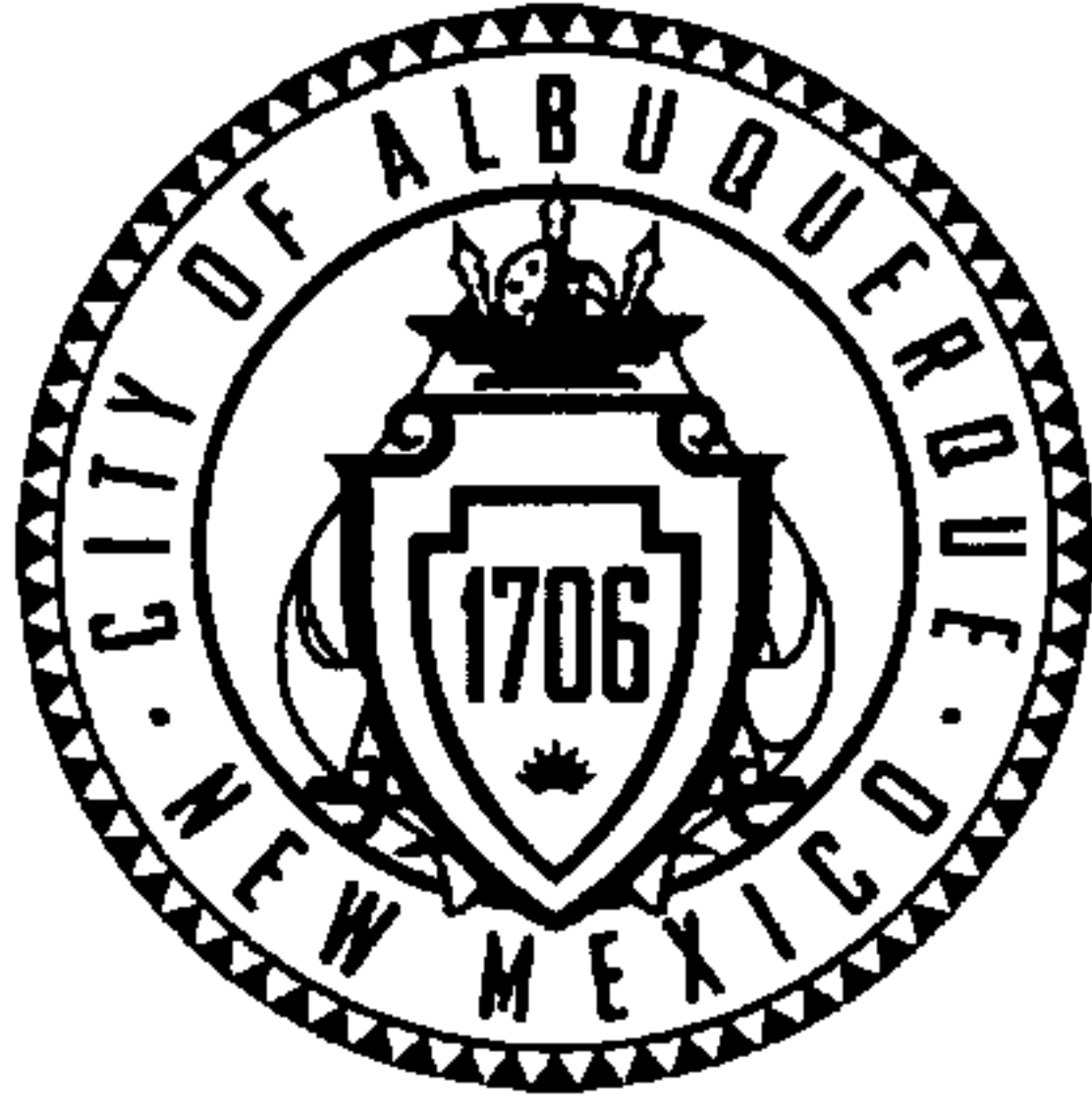
Sandy Handley 01/15/08
 Planner signature / date
 Project # 1006000

ArcIMS HTML Viewer Map



Legend

- Legend**
- Highlighted Feature
 - FREEWAYS
 - LATERALS
 - AMAFCA Ditches
 - MRGCD Ditches
 - SCHOOLS**
 - ELEM
 - HIGH
 - MIDDLE
 - STREET NAMES**
 - ZONING
 - ZONE GRID
 - LOT NUMBERS
 - PARCELS
 - MUNICIPAL LIMITS
 - ALBUQUERQUE**
 - CORRALES**
 - LOS RANCHOS
 - RIO RANCHO
 - TIERAS
 - UNINCORPORATED AREAS**



City of Albuquerque
P.O. Box 1293 Albuquerque, New Mexico 87103

Planning Department

Martin J. Chavez, Mayor

Richard Dineen, Director

Interoffice Memorandum

January 15, 2008

Subject: Albuquerque Archaeological Ordinance—Compliance Documentation

Project Number(s):

Case Number(s):

Agent: Bohannan-Huston

Applicant: Forest City Covington

Legal Description: Tract 12, Mesa del Sol Innovation Park

Acreage: 6.5 acres

Zone Atlas Page: R-16

CERTIFICATE OF NO EFFECT: Yes No

CERTIFICATE OF APPROVAL: Yes No

TREATMENT PLAN REVIEW:

DISCOVERY:

SUPPORTING DOCUMENTATION:

A Class I and Class III Survey of Tract 12 Totalling 6.5 Acres on Mesa del Sol, Albuquerque, Bernalillo County, NM by McEnany, Brown, and Brown (Kenneth Brown PhD, P.I.) NMCRIS#108776.

RECOMMENDATION(S):

CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)— no significant sites in project area

SUBMITTED:

Matthew Schmader, PhD

Superintendent, Open Space Division

Acting City Archaeologist

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

January 15, 2008

Andrew Garcia, Acting Chair
Development Review Board
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Preliminary / Final Plat Approval
A Replat of Tract 12, Mesa Del Sol Innovation Park

Dear Andrew:

Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:

- Development Review Applications
- Six (6) copies of the Preliminary/Final Plat
- Six (6) copies of the infrastructure list
- Zone Atlas Map showing the location of the property
- Fee in the amount of \$305.00.
- Letter justifying and describing request.

The site is located on the east side of University Blvd..SE between Eastman Avenue SE and Stryker SE. This request is to replat 1 existing tract into 2 for the purpose of conveying proposed Tracts 12-A, 12-B.

Please place this item on the DRB Agenda to be heard on January 23, 2008. If you have any questions or require additional information, please contact me.

Sincerely,



For
Jeff Mulbery, PE
Project Manager
Community Development and Planning Group

JM/bjg

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲